

**Philippine Extractive Industries Transparency Initiative
SPECIAL MULTI-STAKEHOLDER GROUP MEETING**

15 December 2021, Wednesday | 9:00 AM - 10:00 AM | Google Meet

Minutes of Meeting

Attendees

Government	
1. OIC-Asec. Atty. Valery Joy Brion	Department of Finance (DOF)
2. Ms. Charmaine Bagacay-Odicta	DOF
3. Ms. Febe J. Lim	DOF
4. Ms. Christine Marasigan	DOF
5. Engr. Romualdo Aguilos	Department of Environment and Natural Resources - Mines and Geosciences Bureau (DENR-MGB)

Industry	
1. Atty. Ronald Rex Recidoro	Chamber of Mines of the Philippines (COMP)
2. Atty. Francis Joseph Ballesteros, Jr.	Philex Mining Corp.
3. Atty. Odette Javier	Lepanto Consolidated Mining Company

Civil Society	
1. Mr. Vincent Lazatin	Bantay Kita - Publish What You Pay Philippines (BK)
2. Ms. Angelica Dacanay	BK
3. Dr. Buenaventura Maata, Jr.	Philippine Grassroots Engagement in Rural Development Foundation, Inc.

4. Mr. Chito Trillanes	Social Action Center - Ecology Desk, Diocese of Tandag, Surigao del Sur
5. Ms. Aniceta Baltar	Concerned Citizens of Abra for Good Governance

PH-EITI Secretariat	
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	
11. Ms. Erycce Althea Antonio	
12. Mr. Dennis Atienza	
13. Mr. Kian Ferrer	

Agenda

	<i>Page</i>
I. Call to order	3
II. Approval of the agenda of the Special MSG meeting	3
III. Main business	6
1. Letter to the EITI Board	6
IV. Adjournment	15

Proceedings

I. Call to order

DOF OIC Assistant Secretary Atty. Valery Joy Brion chaired the meeting. The meeting was called to order at 9:10 AM.

II. Approval of the agenda of the special MSG meeting

The Chair sought the approval of the agenda.

An industry representative motioned for the approval of the agenda. The motion was seconded and the agenda was approved.

III. Main Business

1. Letter to the EITI Board

The Secretariat presented the draft letter to the EITI Board. The letter was previously checked by the Chair and Alternate Chair, and was circulated to the MSG for comments. Comments received communicate disagreement with certain statements included in the letter and how Bantay Kita's shadow report is described in the document. The goal of the meeting is to build consensus on the content of the letter.

A civil society representative suggested that the letter should be as neutrally worded as possible. He suggested refraining from using certain words such as "casts doubts". He said that the second paragraph of the letter is highly contentious. If individual constituencies want to express something different, they can send their own letter.

An industry representative agreed with the civil society representative and said that being indignant may not accomplish anything and might work against the country. The tone should be more diplomatic. He suggested adding a statement from the DILG regarding the issues described in the shadow report, particularly what the DILG has done and what it plans to do to address the issues. He, however, agrees with the intention of the letter. He asked why the status of the Philippines could not be resolved within the year.

Another civil society representative said that the tone and tenor of the letter should be tempered. He said that shadow reports have also been submitted in the past. It just happened that there is a Validation this year. He also said that the shadow report was shared with the MSG.

A civil society representative commented that it is not true that the shadow report was really on a shadow because it was circulated to the MSG members. What was lacking was a thorough discussion of its findings and recommendations. She said that the MSG should learn from this experience. She asked whether Usec. Bayani Agabin was informed that a copy of the shadow report was given to MSG members. She thinks there is a communication gap, and that Usec. Agabin might not have been informed about the circulation of the report. She said that we should build trust with one another within the MSG.

A civil society representative said that we might be trying to resolve many things in one letter. The letter is too long. He suggested simply communicating the action the MSG seeks from the Board members.

The Secretariat clarified that Usec. Agabin was given a copy of the shadow report. The issue that is being raised is the missed opportunity to discuss the report before the Validation process began.

A civil society representative said that the shadow report is not a consensus document, hence it does not need consensus from the MSG. Even if the MSG discussed the report, the findings would not be revised because those were what the researchers found happening on the ground. It is what the CSOs have to share with the Validation Committee.

The Secretariat will work on the redraft and try to incorporate the comments from the MSG. The Secretariat will also try to incorporate some information on what the MSG has already done, is currently doing, and plans to do to address the corrective actions. These items include the following:

1. Enabling of civil society and community engagement through fully-funded participations in PH-EITI activities
2. Company support to subnational engagements
3. Targeted engagement
4. DOF endorsement letters for CSOs
5. Discussion of issues in the MSG
6. Gag order for specific government officials
7. Supreme Court ruling on petitions to declare ATA unconstitutional
8. Prioritization of outreach activities in the 2022 work plan, including outreach to the military and police

The Secretariat will also include in the letter a statement from the DILG, as discussed in the 74th meeting and as suggested by an industry representative.

A civil society representative suggested that the NCIP should also be engaged. He

shared that there is resolution asserting that Lumads are terrorists. The DENR should be included because they are involved in tree cutting. He suggested a review and mapping of stakeholders that should be involved. He said that red-tagging is not just a concern of a single or two national agencies.

At 9:50am, the Chair asked to be excused. Engr. Romualdo Aguilos of the DENR-MGB presided over the meeting.

A civil society representative suggested that the letter contain only points of convergence, consensus and agreement. These points revolve around impatience, disappointment, and anxiety that the MSG and other stakeholders are feeling because there has been no conclusion to date on the Validation process. The response of the National Secretariat is the kind of response that the civil society constituency appreciates. The report is meant to point out challenges in civic space in the hope of a positive response. He appreciates the National Secretariat's efforts to take the report into account as it drafts plans.

A civil society representative reiterated that the letter should focus on the problem with the EITI, specifically on the delay of the Validation result. Any communication concern within the MSG should not be part of the letter.

An industry representative pointed out that the second paragraph of the draft letter makes MSG members appear to be bickering. The shadow report is not a surprise. The MSG knew BK had done a report. The representative said that the report is commendable because it is the civil society's function to be the party that looks at both sides. He said that the MSG needs a CSO that speaks for the people. He suggested taking the report as it is and acting on it.

An industry representative suggested asking guidance on what to do next once the Validation Committee and the EITI Board come up with a decision, especially if the decision is unfavorable.

A civil society representative reiterated that the internal issue within the MSG should not be included in the letter because it is not an issue with the EITI.

An industry representative wonders if the DOF will continue funding the PH-EITI if the Philippines would be suspended. He requested the Secretariat to find out what will happen if the suspension pushes through.

A civil society representative shared that she had a discussion with CSOs in the International Secretariat regarding the suspension. They clarified that a suspension does not mean the removal of the Philippines in the list of EITI implementing countries. The Philippines will continue to implement the EITI but there will be corrective actions that need to be addressed. The country will be given time to address the issues on civic space.

A civil society representative shared that from what he remembers, the PH-EITI would be given time to address the deficiencies and then revalidated within 12-18 months from suspension.

A civil society representative clarified that it is just a suspension, not an expulsion.

The Chair suggested that the MSG wait for the decision of the EITI Board. He tasked the Secretariat to share with the MSG a timeline of the next steps and activities related to the country's Validation.

VIII. Adjournment

With no other matters to be discussed, the meeting was adjourned at 10:11 am.