

ANNEX A:

Executive Order No. 79, with Section 14 Highlight

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 79

**INSTITUTIONALIZING AND IMPLEMENTING REFORMS IN THE PHILIPPINE
MINING SECTOR, PROVIDING POLICIES AND GUIDELINES TO ENSURE
ENVIRONMENTAL PROTECTION AND RESPONSIBLE MINING IN THE
UTILIZATION OF MINERAL RESOURCES**

WHEREAS, Section 16, Article II of the 1987 Constitution provides that the State shall protect and advance the right of the Filipino people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Section 1, Article XIII of the 1987 Constitution seeks a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; an expanding productivity as the key to raising the quality of life for all, especially the underprivileged; and that in the pursuit of these goals, all sectors of the economy and all regions of the country shall be given optimum opportunity to develop;

WHEREAS, Section 2, Article XII of the 1987 Constitution provides that the exploration, development, and utilization of mineral resources shall be under the full control and supervision of the State;

WHEREAS, further to Section 2, Article XII of the 1987 Constitution, which recognizes the small-scale utilization of resources by Filipino citizens, small-scale mining shall be recognized as a formal sector of the industry;

WHEREAS, Section 22, Article II of the 1987 Constitution provides that the State recognizes and promotes the right of indigenous cultural communities within the framework of national unity and development, and Republic Act (RA) No. 8371, or the Indigenous Peoples Rights Act (IPRA) of 1997, recognizes further the indigenous peoples' (IPs) right to develop their lands and natural resources within their ancestral domains, subject to their free, prior, and informed consent (FPIC);

WHEREAS, Section 7, Article X of the Constitution provides that local government units (LGUs) are entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their jurisdiction, and the Local Government Code of 1991 provides that LGUs have the duty and authority to protect and co-manage the environment and enhance the right of the people to a balanced ecology;

WHEREAS, Section 2 of RA No. 7492, otherwise known as the Philippine Mining Act of 1995, provides that it shall be the responsibility of the State to promote the rational exploration, development, utilization, and conservation of the country's mineral resources through the combined efforts of government and the private sector

in order to enhance national growth in a way that effectively safeguards the environment and protects the rights of affected communities; and,

WHEREAS, as recommended by the Climate Change Adaptation and Mitigation and Economic Development Cabinet Clusters in a Joint Resolution dated 16 March 2012, a six-point agenda was adopted, which sets the direction and lays the foundation for the implementation of Responsible Mining Policies, foremost among which is to improve environmental mining standards and increase revenues to promote sustainable economic development and social growth, both at the national and local levels.

NOW THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order the following:

SECTION 1. Areas Closed to Mining Applications. Applications for mineral contracts, concessions, and agreements shall not be allowed in the following:

- a) Areas expressly enumerated under Section 19 of RA No. 7942;
- b) Protected areas categorized and established under the National Integrated Protected Areas System (NIPAS) under RA No. 7586;
- c) Prime agricultural lands, in addition to lands covered by RA No. 6657, or the Comprehensive Agrarian Reform Law of 1988, as amended, including plantations and areas devoted to valuable crops, and strategic agriculture and fisheries development zones and fish refuge and sanctuaries declared as such by the Secretary of the Department of Agriculture (DA);
- d) Tourism development areas, as identified in the National Tourism Development Plan (NTDP); and,
- e) Other critical areas, island ecosystems, and impact areas of mining as determined by current and existing mapping technologies, that the DENR may hereafter identify pursuant to existing laws, rules, and regulations, such as, but not limited to, the NIPAS Act.

Mining contracts, agreements, and concessions approved before the effectivity of this Order shall continue to be valid, binding, and enforceable so long as they strictly comply with existing laws, rules, and regulations and the terms and conditions of the grant thereof. For this purpose, review and monitoring of such compliance shall be undertaken periodically.

SECTION 2. Full Enforcement of Environmental Standards in Mining. The Government in general, and the Department of Environmental and Natural Resources (DENR) in particular, in coordination with concerned LGUs, shall ensure that environmental standards in mining, as prescribed by the various mining and environmental laws, rules, and regulations, shall be fully and strictly enforced, and appropriate sanctions meted out against violators thereof.

In line with the above, only those who are able to strictly comply with all the pertinent requirements shall be eligible for the grant of mining rights, pursuant to the applicable provisions of RA No. 7942.

SECTION 3. Review of the Performance of Existing Mining Operations and Cleansing of Non-Moving Mining Rights Holders. To ensure compliance with environmental standards, laws, rules and regulations, and to rationalize the management and utilization of minerals toward sustainable development, a multi-stakeholder team led by the DENR shall conduct a review of the performance of existing mining operations. The said review shall be based on guidelines and parameters set forth in the specific mining contract or agreement and on other pertinent or applicable laws, rules and regulations, such as the Mining Act of 1995 and the Labor Code. Appropriate action shall be immediately taken against proven violators based on the findings and recommendations of the review.

SECTION 4. Grant of Mineral Agreements Pending New Legislation. No new mineral agreements shall be entered into until a legislation rationalizing existing revenue sharing schemes and mechanisms shall have taken effect. The DENR may continue to grant and issue Exploration Permits under existing laws, rules, and guidelines. The grantees of such permits shall have the rights under the said laws, rules, and guidelines over the approved exploration area and shall be given the right of first option to develop and utilize the minerals in their respective exploration area upon the approval of the declaration of mining project feasibility and the effectivity of the said legislation.

The DENR shall likewise undertake a review of existing mining contracts and agreements for possible renegotiation of the terms and conditions of the same, which shall in all cases be mutually acceptable to the government and the mining contractor.

SECTION 5. Establishment of Mineral Reservations. Potential and future mining areas with known strategic mineral reserves and resources shall be declared as Mineral Reservations for the development of strategic industries identified in the Philippine Development Plan and a National Industrialization Plan, pursuant to the pertinent provisions of RA No. 7942, after proper consultation with all concerned stakeholders such as, but not limited to, residents of affected communities, LGUs, the business sector, and non-government and civil society organizations.

This shall be without prejudice to the agreements, contracts, rights and obligations previously entered into by and between the government and mining contractors/operators.

SECTION 6. Opening of Areas for Mining through Competitive Public Bidding. The grant of mining rights and mining tenements over areas with known and verified mineral resources and reserves, including those owned by the Government and all expired tenements, shall be undertaken through competitive public bidding. The Mines and Geosciences Bureau (MGB) shall prepare the necessary competitive bid packages and formulate the proper guidelines and procedures to conduct the same.

which shall include ensuring that the social acceptability of the proposed project has been secured.

All other mining rights and tenements applications shall be processed and approved through existing procedures.

SECTION 7. Disposition of Abandoned Ores and Valuable Metals in Mine Wastes and Mill Tailings. All valuable metals in abandoned ores and mine wastes and/or mill tailings generated by previous and now defunct mining operations belong to the State and shall be developed and utilized through competitive public bidding in accordance with the pertinent provisions of law.

In the case of existing mining operations, all valuable metals in mine wastes and/or mill tailings shall automatically belong to the State upon the expiration of the pertinent mining contracts and shall be similarly developed and utilized through public bidding; provided, that where two or more mine sites, covered by their respective mining contracts, share a single tailings pond, both or all mining contracts must expire before the State can claim ownership over the said tailing pond.

The State's assumption of responsibility over the structures and facilities relating to mine wastes and mine tailings shall be without prejudice to any liability/liabilities that may be found against mining contractors for any harm or damage caused by said structures and facilities, mine wastes and mine tailings prior to the said assumption of responsibility in accordance with existing laws, rules, regulations and the terms of the grant of the mining rights.

SECTION 8. Value-Adding Activities and the Development of Downstream Industries for the Mineral Sector. The DENR, in coordination with the Department of Trade and Industry (DTI), Department of Science and Technology (DOST), National Economic and Development Authority (NEDA), other government agencies concerned, the mining industry, and other stakeholders, shall submit within a period of six (6) months a national program and road-map, based on the Philippine Development Plan and a National Industrialization Plan, for the development of value-adding activities and downstream industries for strategic metallic ores.

SECTION 9. Constituting the Climate Change Adaptation and Mitigation and Economic Development Cabinet Clusters as the Mining Industry Coordinating Council (MICC). The Climate Change Adaptation and Mitigation and Economic Development Cabinet Clusters, shall constitute themselves into an inter-agency forum to be known as the Mining Industry Coordinating Council (MICC).

The MICC shall be co-chaired by the Chairpersons of the two (2) clusters and shall have the following additional members: Secretary, Department of Justice (DOJ), Chairperson, National Commission on Indigenous Peoples (NCIP), and President, Union of Local Authorities of the Philippines (ULAP).

SECTION 10. Powers and Functions of the Council. The Council shall have the following powers and functions:



- a) Submit a work plan within sixty (60) days from the effectivity of this Order for the implementation of this Order and other reforms related to the mining industry;
- b) Ensure continuing dialogue and coordination among all stakeholders in the industry;
- c) Conduct and facilitate the necessary capacity and institutional building programs for all concerned government agencies and instrumentalities;
- d) Conduct an assessment and review of all mining-related laws, rules and regulations, issuances, and agreements with the view to formulating recommendations to improve the allocation of revenues and risk between the government and the mining sector, to enhance coordination between the National Government and LGUs to ensure implementation of mining laws and regulations, and to properly regulate small-scale mining participants and ensure that they are accountable to the same environmental and social obligations as large-scale mining companies;
- e) As may be directed by the President, constitute and create a Task Force Against Illegal Mining and seek the assistance of all law enforcement agencies, such as, but not limited, to the Philippine National Police (PNP) and the Armed Forces of the Philippines (AFP) to ensure strict compliance with relevant laws, rules and regulations;
- f) Serve as the Oversight Committee over the operations of Provincial/City Mining Regulatory Boards (P/CMRBs);
- g) Request the assistance of any government agency or instrumentality, including government-owned and controlled corporations and local government units (LGUs), in the implementation of this Order;
- h) Submit periodic reports to the President on the status of the implementation of this Order; and,
- i) Perform such other functions and acts as may be necessary, proper or incidental to the attainment of its mandates and objectives, or as may be directed by the President.

SECTION 11. Measures to Improve Small-Scale Mining Activities. To improve and address issues on small-scale mining, the following measures shall be undertaken:



- a) Small-scale mining activities shall comply with RA NO. 7076, or the People's Small-Scale Mining Act of 1991, and the Environmental Impact Statement System requirements under Presidential Decree (PD) No. 1586;
- b) Pursuant to RA No. 7076, small-scale mining operations shall be undertaken only within the declared People's Small-Scale Mining Areas or *Minahang Bayan*;
- c) Pursuant to Section 24 of RA No. 7076, P/CMRBs in provinces and cities where they have not been constituted shall be operationalized within three (3) months from the effectivity of this Order;
- d) Small-scale mining shall not be applicable for metallic minerals except gold, silver, and chromite, as provided for in RA No. 7076;
- e) The use of mercury in small-scale mining shall be strictly prohibited; and,
- f) Training and capacity building measures in the form of technical assistance for small-scale mining cooperatives and associations shall be conducted by the concerned government agencies.

SECTION 12. Consistency of Local Ordinances with the Constitution and National Laws/LGU Cooperation. The Department of the Interior and Local Government (DILG) and the LGUs are hereby directed to ensure that the exercise of the latter's powers and functions is consistent with and conform to the regulations, decisions, and policies already promulgated and taken by the National Government relating to the conservation, management, development, and proper utilization of the State's mineral resources, particularly RA No. 7942 and its implementing rules and regulations, while recognizing the need for social acceptance of proposed mining projects and activities.

LGUs shall confine themselves only to the imposition of reasonable limitations on mining activities conducted within their respective territorial jurisdictions that are consistent with national laws and regulations.

Concerned government agencies, in particular the DENR, the Department of Budget and Management (DBM), and the Department of Finance (DOF), are hereby directed to ensure the timely release of the share of LGUs in the National Wealth pursuant to Section 289 of RA No. 7160, or the Local Government Code of 1991. These agencies are likewise directed to study the possibility of increasing LGUs' share as well as granting them direct access similar to existing arrangements with the Philippine Export Zone Authority (PEZA).

LGUs, DENR, and the MGB working together shall strictly implement RA No. 7076, to ensure the protection of the environment, address various issues in small-scale mining, and ensure that violators thereof are subjected to appropriate administrative and criminal liability.



SECTION 13. Creating a One-stop Shop for all Mining Applications and Procedures. The DENR is hereby directed to establish an inter-agency one-stop shop for all mining related applications and processes within six (6) months from the effectivity of this Order. The DENR shall issue authority to verify mineral deposits only for areas open to mining, as defined in this Order; provided, that no Mineral Production Sharing Agreement (MPSA), Financial and Technical Assistance Agreement (FTAA), Joint Venture Agreement (JVA), or Co-Production Agreement (CPA) shall be approved without the FPIC of the concerned IPs and compliance with the social acceptability requirement of the communities affected. All concerned government agencies and instrumentalities, including but not limited to the DENR-MGB, NCIP, DOF, and concerned LGUs are hereby directed to ensure an efficient and effective consolidation of functions, and to cooperate and render assistance as may be necessary.

SECTION 14. Improving Transparency in the Industry by Joining the Extractive Industries Transparency Initiative. In order to improve transparency, accountability, and governance in the sector, the government shall support and commit participation in the Extractive Industries Transparency Initiative (EITI). The DENR is mandated to ensure that mechanisms are established to operationalize the EITI in the mining sector, in consultation and coordination with the mining industry and other concerned stakeholders.

SECTION 15. Creation of a Centralized Database for the Mining Industry. The DENR is hereby directed to create a centralized database of all mining-related information. The database shall initially include all available data on the industry from all government agencies and instrumentalities. The database shall be publicly accessible, transparent, complete, and comprehensive. The database shall be created within six (6) months from the effectivity of this Order.

Information and data gathered from the conduct of Resource Accounting or Full-Cost Benefit Analysis Studies, in line with the Wealth Accounting and Valuation of Ecosystem Services (WAVES) and the National Climate Change Action Plan (NCCAP), shall also be made part of the centralized database.

SECTION 16. Integrated Map System to include Mining Related Maps. Current and existing efforts to create an integrated map system for the common and uniform use of all government agencies and instrumentalities shall include all mining-related maps, such as, but not limited, to mining tenement maps, geo-hazard and multi-hazard maps, ancestral lands and domains, and protected areas under the NIPAS, among others. The maps in the system, including the mining-related maps, shall guide all planning and decision-making processes.

Areas closed to mining operations, as provided for in Section 2 of this Order and in other pertinent laws, rules, and regulations, shall be clearly defined and delineated under the integrated map system.

SECTION 17. Use of the Programmatic Environmental Impact Assessment. The DENR and the Environmental Management Bureau (EMB) shall study the adoption



of the Programmatic Environmental Impact Assessment (PEIA) in the implementation of the Philippine Environmental Impact Statement System (PEISS) under PD No. 1586, for mining projects and related activities. The necessary amendatory rules and regulations shall be issued for the implementation of this Section.

The DENR-EMB is also hereby directed to study the use and implementation of the PEIA for other industries and activities covered by the PEISS.

SECTION 18. Funding. All government agencies involved in the implementation of this Order are authorized to allocate from their existing funds such amounts as may be necessary for the budgetary requirements that may be needed to pursue the objectives of this Order, subject to the usual government accounting and auditing rules and regulations.

SECTION 19. Implementing Rules and Regulations (IRRs). The DENR, working with the MIOC, shall issue the pertinent IRRs within sixty (60) days from the effectivity of this Order.

SECTION 20. Separability Clause. If any provision of this Order is declared invalid and unconstitutional, all other provisions unaffected shall remain valid and subsisting.

SECTION 21. Repealing Clause. All other rules, regulations and issuances or parts thereof that are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 22. Effectivity. This Order shall take effect immediately upon its publication in a newspaper of general circulation.

DONE, in the City of Manila, this 6th day of July in the year of our Lord Two Thousand and Twelve.



By the President:



PAQUITO N. OCHOA, JR.
Executive Secretary



ANNEX B:

Minutes of MICC Meeting on 25 July 2012

**Joint Meeting of the Economic Development Cluster and Climate Change Cluster
(3rd Meeting of the Mining Industry Coordination Council)
25 July 2022, BGC, Manila City**

HIGHLIGHTS OF THE MEETING

1. Attendance

NAME	AGENCY
Sec. Cesar Purisima (Co-chairman)	DOF
Sec. Ramon Pajo (Co-chairman)	DDPR
Sec. Gregory Domingo	DTI
Sec. Rapido Singson	DPWH
Sec. Butch Abad	DSM
Sec. Nene Arana	RAEP
Sec. Balve Ocasio	Presidential Assistant on Climate Change
Sec. Lucille Teling	CCC
Sec. Jula Abad	PMO
Sec. Ricky Carandang	PCIDPO
Sec. Manuel Manobo	Presidential Legislative Liaison Office
Gov. Alfonso Unzué, Jr.	ULAP
Sol. Gen. Francis Jardeleza	OSG
Deputy Executive Secretary Deodito Pláncido Jr.	OES
Deputy Dir. Gen. Emmanuel Espuena	NEDA
Mr. Guillermo Luz	National Competitiveness Council
Usec. Jesselyn Perá, Jr.	DOF
Usec. Anselmo Tan	DDPR
Usec. Antonio Padilla	DELO
Usec. Eduardo Batac	DND
Usec. Rosalina Biverang	DAE
Usec. Azalia Guerrero	DOST
Comm. Zenaida Perál	NCP
Dep. Sec. Gen. Felix William Puenzalla	NUCC
Asst. Carlos Miling	PCIDPO
Asst. Gil Manobo	DSM
Asst. Sol. Gen. Thomas Laraga	OSG
Chairman Francis Tolentino	NEDA
Dr. Roberto Lantinga	League of Provinces of the Philippines
Dr. Alicia Daga	DA
Dr. Evelyn Raso	PLLO
Dr. Francisco Dela	BSP
Dr. Duffie Telen-Chelan	DTRD
Amy Precious Azua Pajo	DOF
Mr. Eusebio Singson	Privatization and Management Office
Technical Support	
Dr. Leo Francisco	DDPR-MGB
Mr. Glenn Marcelo Nolas	DDPR-MGB

Mr. Joaquin Pardo	DEMR-CCO
Mr. Isidoro Diaz	DEMR-CCO
Mr. Bernabene Ramos	DEMR
Mr. Sergio Domingo	DOF
Dr. Jesus Dague	DTLG
Dr. Raimundo Toledo	DBM
Mr. Evelyn Managual	DBM
Mr. Yolanda Reyes	DBM
Mr. Francis Capentino	DBM
Dr. Clemencia Calogayran	PNIS
Mr. Ana Belinda Dico	PNIS
Mr. Glenn Nino Samilla	PNIS
Mr. Guillermo Reyes	PNIS
Ary Archibald Ramos	OES
Mr. Van Vargas	PAEP
Mr. Philip Pulen	PAEP
Dr. Nestor Arzonada	DTI
Mr. Josephine Romero	DTI
Mr. Elio Burgos	DTI
Mr. Lito Corbet	BOC
Dr. Jonathan Adici	NICD
Mr. Gus Nizzen	NICD
Ary Margaret Robles	DOJ
Ary Jose Marie Tan	OSG
Ary Maria Victoria Sertillo-Colea	OSG
Mr. Alvin Domingo	MINDA
Ary Tina Angela Cue	PHAO
Mr. Mark Hernandez	LJP
Mr. Euseo Cruzonaga	IPP Cases
Mr. Jeffrey Masala	IPP Cases
Secretary	
Assistant Director Annelie Mearde	MEDA-TLUS
Mr. Jet Francisco	MEDA-TLUS
Mr. Dennis A. Lam	MEDA-TLUS
Mr. Gina Aljerica	MEDA-AS
Mr. Jose Libranan	MEDA-SDPP
Mr. Helen Gedit	CCC
Ary Christine Hernandez	CCC
Mr. Sherwin de los Santos	CCC

II. Background

As mandated in Section 9 of Executive Order (EO) No. 79 *Constitutionalizing and Implementing Reforms in the Philippine Mining Sector: Providing Policies and Guidelines to Ensure Environmental Protection and Responsible Mining in the Utilization of Mineral Resources*, the Climate Change Adaptation and Mitigation and Economic Development Culture Clusters were constituted as the Mining Industry Coordinating Council (MICCC). The Council, as an interagency body, is tasked to perform the duties and responsibilities as specified in the EO No. 79.

The constituted MCCC held its first meeting last 25 July 2012 to discuss the following agenda:

- a. Operational concerns of the Council, and
- b. Draft Implementing Rules and Regulations (IRR) of the EO No. 79.

The meeting was co-chaired by Secretary Cesar Purisima of the Department of Finance (DOF) and Secretary Ramon Paje of the Department of Environment and Natural Resources (DENR).

III. Highlights/Agreements of the Meeting

A. Operational concerns of the MCCC

1. The NEDA was designated as Secretariat of the MCCC, with the Climate Change Commission (CCC) providing additional secretariat support to the Council.
2. Secretary Lucille Siring of the Climate Change Commission (CCC) issued the minutes of its (8) memoranda from the Office of the Executive Secretary (OES) (Attachments 1-6) to various government agencies (i.e., DENR, DENR, DSWD, BIR) and to the MCCC providing directives for the operationalization of the specific actions as prescribed under the EO No. 79, including the respective timelines of implementation. She suggested that the creation of various Technical Working Groups (TWGs) under the auspices of the MCCC should be based on the specific actions required pursuant to the EO No. 79, and as indicated in the various memoranda from the OES.
3. The following TWGs created under the MCCC are expected to facilitate the operationalization of the specific provisions of the EO No. 79, as well as to assist in responding to issues that may arise in the course of operationalizing and implementing the mining policies.

TWG	Tasks	Chair/Members
Economic Concerns	<ul style="list-style-type: none"> ✓ Development of the roadmap on establishing downstream industries for the mineral sector ✓ Assessment on tax incentives to increase revenue ✓ Legislation on revenue sharing, including mechanism to fast track LGU access on the revenue share ✓ All other economic measures specified in the OES memorandum 	Chairman: DTI Sec. Domingo Proposed members: DOF, NEDA, DENR-MOR, OP-PMU, DOST
Environmental Concerns	<ul style="list-style-type: none"> ✓ All environmental issues and measures specified in the OES memorandum ✓ To oversee the implementation of directives issued by OES for DSWD on human development issues ✓ To decide on the need to create another TWG to oversee social concerns 	Chair: PMSC Sec. Acosta Members to be identified

TFWG	Tasks	Chair/Members
Local Scale Mining	To be identified	Chair: DILG Sec. Kalendra and U.S.A.P Governor Chair Members to be identified
Executive Inclusion Transparency Initiative (EITI)	To be identified	Chair: DENR Sec. Alford Members to be identified

- The Cabinet Cluster on Good Governance, headed by DENR, would be in-charge of the TFWG on EITI. Secretary Gomez was designated as the official to oversee the Philippines' compliance to EITI requirements.
- The designated Chair of each of the TFWGs will decide on their respective operational concerns, including the identification of additional members from other government agencies, private sector and other stakeholders.
- The MCC agreed to create the two Task Forces which will handle more specific issues on mining, to wit:
 - Task Force on Anti-Illegal Mining, to be chaired by the DILG, and
 - Task Force on Special Issues, with the DILG as lead agency, to ensure consistency of local ordinances with the national government policies and regulations under Section 11 of the EO No. 79. Specifically, the Task Force was instructed to prioritize the issues on the Tampakan mines in Mindanao as these need to be addressed and issued with resolution prior to the visit of President Benigno Aquino III in Acoronia and New Zealand on 24 October 2011. An action plan for the Tampakan issue will be presented in the next meeting.
- On the next meeting, the DENR will submit a report on its review of outstanding mining permits and all other related measures required, including small scale mining permits.
- It was suggested for the TFWGs to closely monitor their respective specific actions and transmittals of instructions needing immediate action. They are also requested to report updates of TFWG actions in the next meeting.
- The MCC will meet every two (2) weeks during the first month to monitor the progress of implementation of EO No. 79 and OES directives. The BOI-Audio Visual Room is the proposed official venue of MCC meetings. Materials for discussion will be distributed two (2) days before the meeting to allow members to review the documents.
- Secretary Elicy Casandao of the Presidential Communication Development and Strategic Planning Office (PCDSPO) was the designated official spokesperson of the MCC.

Action Items:

- NEDA to provide secretariat support to the MCC.
 - The DILG, as Chair of the Task Force on Special Issues, to report the action plan on the Tampakan issue during the next MCC meeting.
 - The DENR to submit a report on its review of outstanding mining permits and all other related measures required, including small scale mining permits.
 - The TFWG Chair to provide the MCC in the next meeting with updates on actions taken.
- B. Draft Implementing Rules and Regulations (IRR) of the EO No. 79**
- Secretary Page of DENR presented the first draft of the IRR formulated by the DENR, which needs to be issued within (90) days since the issuance of the EO No. 79 (Attachment 7). He specifically requested the body to react on the portions which were drafted by the DENR.

(with highlights) set on the sections which are already stipulated under the EO No. 79 (without highlights).

2. Secretary Ocasio raised the need to ensure consistency of language of the DCR with the provisions of EO No. 79, particularly noting Section 1.6 of the draft DCR.
3. Secretary Puyo noted that the definitions of terms under Section 1 of the draft DCR are generally based on various guidelines of the concerned Department. The DTI was requested to help enhance the definition of "strategic minerals" under Section 1.j) to consider minerals which are of important industrial usage (e.g. rare earth). There is a need, however, to reconcile the identification of strategic minerals with the "no-go" zones.
4. In order to best track the formulation of assigned map for "no-go" zones, concerned agencies (i.e., DA, DAR, DOT) are requested to submit to the National Mapping and Resource Information Authority (NAMRIA) the list and corresponding maps with technical descriptions of the areas closed to mining application pursuant Section 4 of the EO No. 79, within one (1) month after the effectivity of the said EO.
5. Under Section 3, it is suggested to rephrase the second paragraph to include the possible impacts and damages to the community of the violations incurred by mining operations.
6. Under Section 5, Secretary Desamparado of DTI sought clarification in relation to the decision-making process as to the accountability of the government. As such, participation of the private sector and civil society should be confined only in the consultation process. This is to avoid influencing the decision with vested interests of a particular sector or group.
7. Related to Section 7, the Council will submit a resolution to the Office of the President to issue the following instructions:
 - a. For DTI-BOC and PEZA to suspend the applications for tax incentives granted to mining companies to mine to optimize the national revenues from mining; and
 - b. For DENR-MOB to suspend new applications for Mineral Production Sharing Agreement (MPSA) and allow only applications for FTAA, joint venture or co-production agreement, whichever is most beneficial for the government.
8. On section 11, second of the DENR, it was proposed for the DTI to Chair the committee in-charge of the creation of value-adding activities and the development of downstream industries for the mineral sector.
9. On Section 14, Secretary Puyo proposed that the instance of ECC by the Environmental Management Bureau of DENR should be per "mining terms" not per individual.
10. The mechanism on the direct payment of taxes to local government should be discussed at the TWO level.
11. The Office of the Solicitor-General will assist in the refinement of the language in the DCR to make it consistent with other existing laws and industries.
12. The draft DCR will be distributed to the members of the MOC for further review. Comments and/or suggestions will be returned to the Secretary for presentation in the next meeting.

Action Points:

13. The DA, DAR, and DOT to submit to NAMRIA within 1 month after the effectivity of the EO the list and corresponding maps of the areas closed to mining application pursuant to Section 4 of the EO No. 79.
14. Secretary to invite the DA, DAR, and DOT in the next meeting for the presentation of the "no-go" zones.
15. The Council to issue resolution asking the OP to instruct the DTI-BOC and PEZA to suspend applications of mining companies for tax incentives.
16. The DENR to coordinate with the Office of the Solicitor-General for the refinement of the language of the DCR.
17. All agencies to submit comments on the draft DCR of E.O. 79 to the Secretary for consideration and presentation in the next meeting.

IV. Next Steps:

- The next meeting is scheduled on 1 August 2012, 9:30.
 - Proposed agenda are as follows:
 - Report on the "au-pai" issues by the TRG on Environmental Concerns
 - Updates on the Tsinghan water issue by the DLO
 - Report on the review of zoning permits by the DESB
 - Report on the assessment and inventory of small-scale zoning permits by the DESB
 - TRG status reports by respective Chairs
 - Updates on the status of the CES directives to concerned agencies pursuant to EO No. 79
 - It was instructed that all relevant materials should be distributed 1 day before the scheduled meeting.

**Joint Meeting of the Economic Development Cluster and Climate Change Cluster
(3rd Meeting of the Mining Industry Coordination Council)
25 July 2012, BCL, Makati City**

MATTERS ARISING

Agreement	Action Taken
1. NEDA to provide secretariat support to the MCCC	MCCC Chair (DENR) to officially convey to NEDA the agreements reached during the meeting.
2. The DELO, as Chair of the Task Force on Special Issues, to report the action plan on the Davao del Norte issue during the next MCCC meeting	The report on the action plan is one of the agenda items for the next meeting, scheduled on 8 August 2012, 9:00 am at BCL Audio-visual Room. Notice of meeting and provisional agenda sent to member-agencies on 2 August 2012.
3. The TWG Chair to provide the MCCC, in the next meeting with updates on actions taken	The TWG updates is one of the agenda items for the next meeting, scheduled on 8 August 2012, 9:00 am at BCL Audio-visual Room.
4. The DENR to submit a report on its review of outstanding mining permits and all other related annotations required, including small scale mining permits	The DENR report is one of the agenda items for the next meeting, scheduled on 8 August 2012, 9:00 am at BCL Audio-visual Room.
5. The DA, DAR and DOT to submit to NAMRIA within 1 month after the effectivity of the EO the list and corresponding maps of the areas closed to mining application pursuant to Section 4 of the EO No. 79	MCCC to write the DA, DAR and DOT on the instructions to submit respective maps to NAMRIA within 1 month
6. Secretariat to advise the DA, DAR and DOT in the next meeting for the presentation of the "maps" issues	Notice of meeting and provisional agenda sent to DA, DAR and DOT on 2 August 2012.
7. The Council to issue resolution asking the OP to instruct the DTI-BOI and PEZA to suspend applications of mining companies for tax incentives	Secretariat to draft the resolution for presentation to the MCCC
8. The DENR to coordinate with the Office of the Solicitor-General for the refinement of the language of the DER	
9. All agencies to submit comments on the draft DER of E.O. 79 to the secretariat for consolidation and presentation in the next Council meeting	

ANNEX C:

*President Aquino's Statement on EITI and the 27
March 2013 Memorandum from Executive Secretary
Paquito N. Ochoa, Jr.*



Statement
Of His Excellency Benigno S. Aquino III
President of the Republic of the Philippines
On the Philippines' Commitment to Implement
The Extractive Industries Transparency Initiative (EITI)

“My Administration is committed to ensure that the government is able to collect its due share from the exploitation of our country’s natural resources, and to effectively use such revenues for the country’s development and for the welfare of communities affected by mining and other extractive industries.

“We will implement the Extractive Industries Transparency Initiative (EITI) in order to improve transparency in the collection and payment of government taxes and other revenues from extractive industries. We earlier declared this commitment through Section 14 of Executive Order No. 79. We will apply for EITI Candidacy in January 2013.

“To steer this initiative, we have designated Secretary Elisea G. Gozun as Lead Government Official for this initiative. I have instructed her to work closely with the Cabinet Cluster on Good Governance and the Mining Industry Coordinating Council in implementing EITI; and to reach out to our stakeholders in the extractive industries and in civil society.

“Most importantly, we commit to implement EITI in an exclusive and participatory manner. In line with the prescriptions of EITI, we have formally convened a Multi-Stakeholder Group that has developed, deliberated upon and endorsed a work plan for EITI implementation in the country. We call on industry, civil society and other stakeholders to link arms with the government in putting this transparency initiative to action.

Office of the President
of the Philippines
Malacañang

MEMORANDUM FROM THE EXECUTIVE SECRETARY

TO : SECRETARY FLORENCIO B. ABAD
Secretarial Head, Cabinet Cluster on Good Governance and Anti-Corruption

SECRETARY RAMON J.P. PAJE
Co-Chairperson, Mining Industry Coordinating Council (MICC)

SECRETARY CESAR V. PURISIMA
Co-Chairperson, Mining Industry Coordinating Council (MICC)

SECRETARY CARLOS JERICO L. PETILLA
Department of Energy

SUBJECT : IMPLEMENTING THE EXTRACTIVE INDUSTRIES
TRANSPARENCY INITIATIVE (EITI) AND FULFILLMENT OF THE
REQUIREMENTS FOR EITI CANDIDACY

DATE : 27 March 2013

This refers to the memorandum for the President regarding the implementation of the EITI and the fulfillment of the EITI candidacy requirements.

Relative thereto, please be informed that the President has approved the following:

1. Formal designation of Secretary Elisea G. Gozun as Lead Senior Official for the Philippine EITI; and,
2. Issuance of the government's unequivocal public statement to implement EITI.

Further, we recommend consultation with and involvement of the Department of Energy (DOE) in the implementation of the EITI in view of the recommended inclusion of energy resources in the initiative.

For appropriate action.


PAQUITO N. OCHOA, JR.

ANNEX D:

Traction of PH- EITI Application

DATE	TITLE	GIST	SOURCE
5 April 2013	Philippines seeks EITI accreditation	<p>The Philippines has applied for compliance with the Extractive Industries Transparency Initiative (EITI), the global standard for improved transparency in extracting sector, Malacañang announced Thursday.</p> <p>Presidential Assistant on Climate Change Secretary Elisea Gozun said the country has signed up for EITI accreditation and an international board will evaluate the application.</p>	<p>Journal http://www.journal.com.ph/index.php/news/national/47884-ph-seeks-eiti-accreditation <i>(Published on April 5 tabloid issue)</i></p>
4 April 2013	Philippines pushes for more transparency in extractive industries	<p>Secretary Elisea Gozun, the presidential assistant on Climate Change, said the country is currently working to comply with the Extractive Industries Transparency Initiative (EITI) to make sure that companies engaged in extractive businesses pay the right taxes and revenues for the benefit of the people.</p>	<p>Philippine Star http://www.philstar.com/business/2013/04/04/927212/philippines-pushes-more-transparency-extractive-industries <i>(Only online, was not published on April 5 broadsheet issue)</i></p>
4 April 2013	PH targets EITI candidacy application in April	<p>The Aquino government is working double time to pass the Philippines' application for its candidacy in the Extractive Industries Transparency Initiative (EITI) -- a seal of global approval that payments and receipts are properly disclosed -- in April.</p> <p>In a press conference in Malacanang on Thursday, April 4, Presidential Assistant on Climate Change secretary Elisea Gozun said the country is currently working to comply with the EITI to make sure that companies engaged in the mining industry pay the right taxes.</p>	<p>Rappler http://www.rappler.com/business/special-report/whymining/whymining-latest-stories/25531-ph-government-eiti-candidacy-application-april</p> <p>Also published in THE CHRONICLE VARSITARIAN TCV FILIPINO MEDIA http://thechroniclevarsitarian.wordpress.com/2013/04/05/ph-targets-eiti-candidacy-application-in-april/#more-1034</p>
4 April 2013	Philippines seeks EITI accreditation	<p>Presidential Adviser on Climate Change Elisea G. Gozun said in a press briefing at the Palace yesterday that the Philippines' application to join the Extractive Industry Transparency Initiative (EITI) will be submitted today, with hope the country will be deemed a candidate by next month.</p>	<p>Business World http://www.bworldonline.com/content.php?section=Economy&title=Philippines-seeks-EITI-accreditation&id=68216 <i>(Only online, not published on April 5 broadsheet issue)</i></p>
4 April 2013	"Binabayaranang Buwis ng Minahan, oil companies Malalantad sa PH-EITI	<p>Mapipiltan na ang kompanya ng minahan at langis na magdeklara ng kanilang mga kita at buwis na binabayaran sa gobyerno. Ayon kay Presidential Assitant on Climate Change Sec. Bebet Gout na malaking bagay sa kampanya tunog sa transparency ng mining industry ang itinatag na Philippines Extractive Industries Transparency Initiative</p>	<p>REMATE Ang Diaryo Ng Bayan http://www.remate.ph/2013/04/binabayarang-buwis-ng-minahan-oil-com</p>

DATE	TITLE	GIST	SOURCE
4 April 2013	Philippines pushes for more transparency in extractive industries	<p>The Philippine government is pushing for greater transparency and accountability in the payment and collection of revenues in the country's extractive industries, a senior government official said Thursday.</p> <p>Secretary Elisa Gozun, the presidential assistant on Climate Change, said the country is currently working to comply with the Extractive Industries Transparency Initiative (EITI) to make sure that companies engaged in extractive businesses pay the right taxes and revenues for the benefit of the people.</p>	<p>Xinhua</p> <p>http://www.xinhua.com/en/2013/04/04/content_20948072.htm</p> <p>also published in</p> <p>http://www.abs-cbn.com/2013/04/04/philippines-pushes-for-more-transparency-in-extractive-industries-47334/</p>
4 April 2013	Philippines Magpapatnubay ng Aplikasyon sa EITI	<p>Papataagan pa ng pamahalaan ang sistema ng transparency and accountability sa bansa. Ipinatukala ng Pilipinas ang aplikasyon ng bansa sa "Extractive Industries Transparency Initiative (EITI)".</p> <p>"It's like the ISO. It's an international standard for transparency of revenues from natural resources. So companies must disclose and publish what they pay to government, the different arms of government, including national and local, and government naman must publish what they actually received," ani Elisa Gozun, Presidential Adviser on Climate Change.</p>	<p>PTV News</p> <p>http://ptvnews.ph/index.php?option=com_content&view=article&id=11096:philippines-magpapatnubay-ng-aplikasyon-sa-eiti-palayo</p>
4 April 2013	PH magpipigil EITI candidate, ASAP	<p>Kumpanyansa si Presidential Assistant on Climate Change Sec. Bebet Gozun na mabigay bagay sa kampanya tungkol sa transparency ng mining industry ang ibinangang Philippines Extractive Industries Transparency Initiative (PH-EITI).</p> <p>"For government, we see that we will benefit from following an international-recognized transparency standard that will benefit our commitment to reform and anti-corruption, which is all in line with the basic social contract of our President with the people which is really <i>diang matuwid</i>. And we hope that this will also lead to improvements to tax collection processes, as well as enhance the trust and stability in the extractive industries," ani Gozun.</p>	<p>http://www.abs-cbn.com/2013/04/04/philippines-magpipigil-eiti-candidate-asap-palayo</p>

<p>5 April 2013</p>	<p>Calls for transparency aimed for mining, oil companies</p>	<p>At the height of the heat of election campaign, former Environment Secretary Elisa Ocasio, now Presidential Assistant on Climate Change, is demanding from the big mining and oil companies operating in the Philippines to be transparent on their payment of taxes.</p> <p>Ocasio who now heads the Extractive Industries Transparency Initiative (EITI), along with Carlo Magno, national coordinator of Santitas Kita, and Gerardo Brino, director of Chamber of Mines of the Philippines.</p> <p>Ocasio said the Executive Order (EO) 72, which aimed at institutionalizing reforms in the Philippine mining sector, signals the seriousness of government in ensuring that extractive industries in the Philippines serves greater good for the Filipino people.</p>	<p>TRIBUNE</p> <p>http://www.tribune.net.ph/index.php/fullviewitem/12483-calls-for-transparency-aimed-for-mining-of-companies</p>
<p>5 April 2013</p>	<p>Gov't, stakeholders, civil society join forces for greater transparency, accountability in natural resources revenues</p>	<p>Stakeholders of the country's mining industry, including the civil society and non-government organizations (NGOs) lauded the Aquino administration for implementing the Extractive Industries Transparency initiative (EITI) in the Philippines.</p> <p>"We unite to push for greater transparency, accountability and open dialogue among stakeholders in the collection and payment of taxes and revenues from extractive industries. (This) will greatly contribute in ensuring that such will be used for the benefit of the country and its citizens," Presidential Adviser on Climate Change Elisa Ocasio.</p>	<p>POSITIVE NEWS MEDIA</p> <p>http://positivewordsmedia.com/blog/2013/05/govt-stakeholders-civil-society-join-forces-for-greater-transparency-accountability-in-natural-resources-revenues/</p>

PH seeks EITI accreditation

Published : Friday, April 05, 2013 00:00

Written by : Eren Montano

The Philippines has applied for compliance with the Extractive Industries Transparency Initiative (EITI), the global standard for improved transparency in extracting sector, Malacañang announced Thursday.

Presidential Assistant on Climate Change Secretary Elisea Gozun said the country has signed up for EITI accreditation and an international board will evaluate the application.

If the Philippines becomes an EITI candidate, the country is required to prepare a report which will be reconciled and validated by an international validator, Gozun said.

At present, the Philippines is in the first phase -- candidacy -- which has four requirements. First, the issuance of public statement to join EITI and has complied with the issuance of the Executive Order 79, Gozun said. The second requirement is the appointment of a senior individual to lead the implementation and President Benigno S. Aquino III has designated Gozun.

The third requirement is the government's commitment to work with civil society and companies in implementing EITI.

The remaining task the government has to fulfill is the establishment of a multi-stakeholder group to oversee the implementation of EITI.

To comply with EITI's requirements, Gozun said they have asked for support with Bantay Kita, a federation of non-government organizations all over the country. Gozun added they have met with the Chamber of Mines of the Philippines and other large-scale mining companies, as well as the Petroleum Association of the Philippines for the oil and gas sector.

"Nag-outreach tayo starting off with the training of trainers and we actually had five regional consultations conducted in different parts of the country where mining is active. We also had a meeting with the indigenous people in areas where you have mining," she said.

The Philippines will benefit from EITI since it promotes transparency and accountability in the payment and receipt of resources from the extractive sector and to ensure the mining revenues are judiciously utilized by the beneficiaries.

Philippines pushes for more transparency in extractive industries

(philstar.com) | Updated April 4, 2013 - 11:00pm

MANILA, Philippines (Xinhua) - The government is pushing for greater transparency and accountability in the payment and collection of revenues in the country's extractive industries, a senior government official said today.

Secretary Elisea Gozun, the Presidential Adviser for Climate Change, said the country is currently working to comply with the Extractive Industries Transparency Initiative (EITI) to make sure that companies engaged in extractive businesses pay the right taxes and revenues for the benefit of the people.

She said that the government, along with the Chamber of Mines of the Philippines, and Bantay Kita, a non-government organization, has formed an interim multi-stakeholder group that will steer all the necessary activities leading to the Philippines' filing of an application for EITI Candidacy.

"We hope that this (participating in EITI) will lead to improvements to tax collection processes, as well as enhance the thrust and stability in the extractive industries," she said.

EITI, launched by former British Prime Minister Tony Blair in 2002 at the World Summit for Sustainable Development, is an international multi-stakeholder group that sets standards for transparency in extractive industry payments and receipts.

It aims to strengthen governance by improving transparency and accountability in extractive industries.

The first EITI international board was established in October 2006. Currently, there are 37 countries participating in the EITI, 20 of which are already compliant, and 17 are candidates.

PH targets EITI candidacy application in April

BY **RAPPLER.COM**

POSTED ON 04/04/2013 7:44 PM | UPDATED 04/05/2013 1:09 AM



EITI COMPLIANCE. The Aquino government is working double time to pass the application for EITI candidacy in April. Screenshot from PH-EITI presentation

MANILA, Philippines - The Aquino government is working double time to pass the Philippines' application for its candidacy in the [Extractive Industries Transparency Initiative \(EITI\)](#) -- a seal of global approval that payments and receipts are properly disclosed -- in April.

In a press conference in Malacanang on Thursday, April 4, Presidential Assistant on Climate Change Secretary Elisea Gozun said the country is currently working to comply with the EITI to make sure that companies engaged in the mining industry pay the right taxes.

If the Philippines become EITI compliant, it will be the 2nd ASEAN country -- the other is Indonesia -- that ensures an effective process for annual disclosure and reconciliation of all revenues from its extractive sector, allowing citizens to see how much their country receives from oil, gas and mining companies.

"We hope that this will also lead to improvements to tax collection processes, as well as enhance the thrust and stability in the extractive industries," Gozun said.

This comes amid the efforts of the government to pursue a mining reform bill in Congress that will address issues about revenue sharing between the government and the mining operators. Finance Secretary Cesar Purisima said the mining reform bill will be a government in the next Congress.

Why join EITI?

Application to be part of the EITI has been on the drawing board since 2005, but the government pursued it only when [Executive Order \(EO\) 79 of the government was passed in July 2012](#). The EO defines the specifics of the mining policy and mandating different mining stakeholders to pursue EITI accreditation.

[Read: Why Philippines is pursuing EITI compliance in mining](#)

The government is pushing for the passing of the country's application for EITI candidacy in April, along with the planned establishment of the multi-stakeholder group (MSG) that will oversee the implementation of the EITI.

Included in the tasks of the planned MSG is the crafting of a work plan that contains measurable targets, costs and timetable for the implementation of the country's transparency initiative.

The Gozun-led Philippine EITI has also been meeting with different stakeholders in the mining industry to fast-track the compliance process.

"We had an outreach starting off with the training of trainers and we actually had five regional consultations conducted in different parts of the country where mining is active. We also had a meeting with the indigenous people in areas where you have mining," she said.

Among the stakeholders engaged in the EITI talks include Bantay Kita, a nationwide federation of non-government organizations (NGOs), Chamber of Mines of the Philippines (CMP) for the large scale mining companies, Petroleum Association of the Philippines for the oil and gas sector as well as the academe and some religious groups.

Currently, a total of 37 countries participate in the EITI, 20 of which are compliant to the transparency initiative while the remaining 17 are considered candidates. -

Rappler.com

Philippines seeks EITI accreditation

THE PHILIPPINES will submit today its application to join a global movement seeking to introduce transparency in the reporting of mining revenue, as it proceeds to undertake more reforms in the mining sector.

Presidential Adviser on Climate Change Elisea G. Gozun said in a press briefing at the Palace yesterday that the Philippines' application to join the Extractive Industry Transparency Initiative (EITI) will be submitted today, with hope the country will be deemed a candidate by next month.

EITI, launched by former British Prime Minister Tony Blair in 2002 at the World Summit for Sustainable Development, promotes a global standard in reporting revenue from extractive industries. A country that commits to EITI will require firms in the extractive industries to report all taxes, fees and royalties they paid the government while the government will disclose the amounts it receives.

Section 17 of Administrative Order (AO) 2012-07 issued by the Environment department in September 2012 requires the government to "commit participation" in the EITI. The AO sets out the rules and regulations implementing Executive Order 79 issued in July 2012 that spells out the Aquino government's mining policy.

Ms. Gozun said if found compliant with global standard, the Philippines will join 20 other countries that have put in place a system for disclosing income from extractive activities.

"We will benefit from following an internationally-recognized transparency standard. We hope this will lead to improvements in tax collection as well as enhance the trust in the extractive industries," she said.

If the country's application is accepted, then it will be required to prepare a report that will be validated by an international validator accredited by the international board.

Ms. Gozun stressed how EITI accreditation will benefit stakeholders.

"For companies, they will benefit from having a level playing field, as all companies will be required to disclose the information. And then they will benefit from an improved and more stable investment climate and thereby better engage the citizens and civil society in general," she said.

"And then for civil society and citizens as a whole, they will benefit from receiving reliable information about the sector, as well as having a multi-stakeholder platform where they can better hold government and companies to account," she added.

Gerardo H. Brimo, Director of the Chamber of Mines of the Philippines, said joining EITI is a welcome development for the industry.

"It is a venue for us to divulge all taxes we pay... But we don't have to be required to disclose. All these information are already in our financial statements," he said in the same briefing. — N. M. Gonzales

REMATE

Ang Diaryo Ng Bayan

Binabayaranang buwis ng minahan, oil companies Malalantad sa PH-EITI

by Kris Jose Apr 4, 2013 5:49pm HKT

MAPIPILITAN na ang mga kompanya ng minahan at langis na magdeklara ng kanilang mga kita at buwis na binabayaran sa gobyerno. Ayon kay Presidential Assistant on Climate Change Sec. Bebet Gozun na malaking bagay sa kampanya tungo sa transparency ng mining industry ang itinatag na Philippines Extractive Industries Transparency Initiative (PH-EITI).

Anito, dahil sa hindi pinahihintulutan sa Revenue/Tax Code of the Philippines ay mapipilitang lumagda ng waiver ang mining companies para ihayag sa publiko ang kanilang kita at tax payments. Nauna rito, nabuo na ang multi-stakeholder group na kinabibilangan ng iba't-ibang kinatawan mula sa government, private at civil society sectors para lilikom ng mga dokumentong isusumite sa EITI International Board. Sa kabilang dako, kumpiyansa naman si Gozun na magiging ganap na EITI candidate ang Pilipinas at makapasa sa international standards.

"For government, we see that we will benefit from following an international-recognized transparency standard that will benefit our commitment to reform and anti-corruption, which is all in line with the basic social contract of our President with the people which is really daang matuwid. And we hope that this will also lead to improvements to tax collection processes, as well as enhance the thrust and stability in the extractive industries," ang pahayag nito.

Philippines pushes for more transparency in extractive industries

Xinhua, April 4, 2013

The Philippine government is pushing for greater transparency and accountability in the payment and collection of revenues in the country's extractive industries, a senior government official said Thursday.

Secretary Elisea Gocun, the presidential assistant on Climate Change, said the country is currently working to comply with the Extractive Industries Transparency Initiative (EITI) to make sure that companies engaged in extractive businesses pay the right taxes and revenues for the benefit of the people.

She said that the government, along with the Chamber of Mines of the Philippines, and Bantay Kita, a non-government organization, has formed an interim multi-stakeholder group that will steer all the necessary activities leading to the Philippines' filing of an application for EITI Candidacy.

"We hope that this (participating in EITI) will lead to improvements to tax collection processes, as well as enhance the trust and stability in the extractive industries," she said.

EITI, launched by former British Prime Minister Tony Blair in 2002 at the World Summit for Sustainable Development, is an international multi-stakeholder group that sets standards for transparency in extractive industry payments and receipts.

It aims to strengthen governance by improving transparency and accountability in extractive industries.

The first EITI international board was established in October 2006. Currently, there are 37 countries participating in the EITI, 20 of which are already compliant, and 17 are candidates. End



Philippines Magmamula ng Aplikasyon sa EITI

Patataghan na ng pamahalaan ang sistema ng transparency and accountability sa bansa. Binumula na Pilipinas ang aplikasyon ng bansa sa "Extractive Industries Transparency Initiative (EITI)".

Ibina hakbang para iatag ang kalidad ng good governance ng Pilipinas sa internatonal standards, partikular na sa pagluha ng revenue mula sa environment kasama na ang mining.

"It's like the ISO. It's an international standard for transparency of revenues from natural resources. So companies must disclose and publish what they pay to government, the different arms of government, including national and local, and government narat must publish what they actually received," ani Elisea Occun, Presidential Adviser on Climate Change.

Dirasanti kasi ng mga bansang mayaman sa mineral at langis o gas ang ibatag kita para mag programa kontra kahirapan.

Kaya matalaga na matiyak na magagamit ang pondo sa larang panan.

"For government, we see that we will benefit from following an international-recognized transparency standard that will benefit our commitment to reform and anti-corruption, which is all in line with the basic social contract of our President with the people which is really doing matuwid. And we hope that this will also lead to improvements to tax collection processes, as well as enhance the trust and stability in the extractive industries. Alam naman natin kung gamon kasalimuot ang extractive industries in the Philippines, especially mining, with the legacy of bad mining in the past," ani Occun.

Narua ng nagatapos si Pangulong Aquino ng Executive Order 70 a ang reporma sa mining sector.

Pangunahing agenta kasi ng Philippines EITay magng tukas sa publiko kung magkano ang natokolekta ng gobyerno at kung magkano rin ang buwis na binabayad ng mga kumpanya.

"For companies naruan, they benefit from having a level playing field in which all companies are actually required to disclose the information. And then they benefit from an improved and more stable investment climate where which they can better engage the citizens and civil society in general," ani Occun.

Ang Philippines-EITI ay pambumuhan ni Occun, kasama ang "Barang Kita", isang samahan ng NGOs, Chamber of Mines at iba pang large scale mining pati na rin ang Petroleum Association of the Philippines para sa oil at gas sector.

Isumula na ngayon buwan ang compliance ng Pilipinas at umagsang makakapasa ito sa standar na tin EITI global conference sa Mayo na gaganapin sa Sydney, Australia. (Rocky Ignacio, PTV News)



PH magiging EITI Candidate, ASAP

Kumpiyansa si Presidential Assistant on Climate Change Sec. Bebet Gozun na matalaking bagay sa kampanya tungo sa transparency ng mining industry ang itinayong Philippines Extractive Industries Transparency Initiative (PH-EITI).

Sinabi ni Gozun na sa pamamagitan nito, obligado ang mga kompanya ng minahan at langis na magdeklara ng kanilang mga kita at buwis na binabayaran.

Ayon kay Gozun, bagama't bawal ito sa Revenue/Tax Code of the Philippines, pumirma ng waiver ang mga mining companies para isapubliko ang kanilang kita at tax payments.

Sa ngayon nabuo na ang multi-stakeholder group na kinabibilangan ng iba't-ibang kinatawan mula sa government, private at civil society sectors para lilikom ng mga dokumentong itatutume sa EITI International Board.

Umaasa sina Gozun na magiging ganap na EITI candidate ang Pilipinas at makapasa sa international standards.

"For government, we see that we will benefit from following an international-recognized transparency standard that will benefit our commitment to reform and anti-corruption, which is all in line with the basic social contract of our President with the people which is really daang matuwid. And we hope that this will also lead to improvements to tax collection processes, as well as enhance the trust and stability in the extractive industries," ani Gozun

Read: Why Philippines is pursuing EITI compliance in mining

The government is pushing for the passing of the country's application for EITI candidacy in April, along with the planned establishment of the multi-stakeholder group (MSG) that will oversee the implementation of the EITI.

Included in the tasks of the planned MSG is the crafting of a work plan that contains measurable targets, costs and timetable for the implementation of the country's transparency initiative.

The Govan-led Philippine EITI have also been meeting with different stakeholders in the mining industry to fast-track the compliance process.

"We had an outreach starting off with the training of trainers and we actually had five regional consultations conducted in different parts of the country where mining is active. We also had a meeting with the indigenous people in areas where you have mining," she said.

Among the stakeholders engaged in the EITI talks include Bantay Kita, a nationwide federation of non-government organizations (NGOs), Chamber of Mines of the Philippines (CMP) for the large scale mining companies, Petroleum Association of the Philippines for the oil and gas sector as well as the academe and some religious groups.

Currently, a total of 37 countries participate in the EITI, 20 of which are compliant to the transparency initiative while the remaining 17 are considered candidates.

RAPPLER

Tribune

Calls for transparency aired for mining, oil companies

Written by [Paul Alarid](#)

Friday, 20 April 2012 00:00

At the height of the heat of election campaign, former Environment Secretary Eliza Osoan, now Presidential Assistant on Climate Change, is demanding from the big mining and oil companies operating in the Philippines to be transparent on their payment of taxes.

Osoan who now heads the Extractive Industries Transparency Initiative (EITI), along with Cielo Magno, national coordinator of Bankay KAA, and Gerardo Bitmo, director of Chamber of Mines of the Philippines. Osoan said the Executive Order (EO) 79, which aimed at institutionalizing reforms in the Philippine mining sector, signals the seriousness of government in ensuring that extractive industries in the Philippines serves greater good for the Filipino people.

"Greater transparency in the payment of taxes and fees to government by extractive industries, and the proper acknowledgement of such payments by government at all levels, will assist in generating revenues from such payments by government at all levels, will assist in generating revenues from such industries for the benefit and its citizens," Osoan said.

Osoan explained that EITI-Philippines seeks to introduce greater transparency and accountability in the extractive industries in the way the government collects and companies pay taxes and other revenues from extractive industries.

Osoan added the group provides that a platform for business and civil society stakeholders to engage government in the implementation of EITI in the Philippines. "Through this, stakeholders are treated as partners in an inclusive decision-making process are provided the opportunity to participate in the development, implementation, monitoring and evaluation of the Philippines EITI Work Plan," Osoan said.

EO 79 that President Aquino signed in July 2010, whose provision prohibits the government from granting new mineral agreements until a new legislation on revenue sharing schemes and mechanisms is passed. The IRR has four most contentious provisions: the term of the mining contract, the no-go areas or those barred from any mining activities; the primacy of national over local laws, and; a no-new-contract policy put in place while the government and the mining firms pursue a revenue-sharing in Congress.



Gov't, stakeholders, civil society join forces for greater transparency, accountability in natural resources revenues

By Lilybeth G. Ison

MANILA, April 8 (PNA) — Stakeholders of the country's mining industry, including the civil society and non-government organizations (NGOs) lauded the Aquino administration for implementing the Extractive Industries Transparency Initiative (EITI) in the Philippines.

Presidential Adviser on Climate Change Elisea Gozon, in a press briefing in Malacanang on Thursday, explained EITI implementation is for greater transparency and accountability in the payment, collection, and utilization of taxes and other revenues from extractive industries.

"We unite to push for greater transparency, accountability and open dialogue among stakeholders in the collection and payment of taxes and revenues from extractive industries. (This) will greatly contribute in ensuring that such will be used for the benefit of the country and its citizens," she said.

Gozon said EITI is like an International Organization for Standardization (ISO).

"It's an international standard for transparency of revenues from natural resources. So companies must disclose and publish what they pay to government, the different arms of government, including national and local, and government must publish what they actually received," she said.

Being an EITI candidate, Gozon said, the Philippines must accomplish five requirements, of which three have already been fulfilled — the government's unequivocal public statement of its intention to implement EITI; its commitment to work with civil society and companies in this initiative; and the appointment of an EITI lead senior government official.

Two important tasks remain — the establishment of a multi-stakeholder group to oversee the implementation of the EITI, and the crafting and publication of a work plan containing measurable targets, costs and a timetable for implementation of EITI.

Being an EITI compliant, Gozon said, "this gives us a venue for divulging and publishing all of the different taxes that we pay. I mean, it is substantial, it's... there's quite a few of them. You can actually go to the SEC and get our annual reports if you want or our financial reports, but there is no venue or process for the industry as a whole to be able to say how much and divulge how much we've paid. So that is very much to our benefit. It's great that government, on

the other hand, will recognize that they, in turn, have received the various amounts that we've paid and that this goes to various government agencies. It's not only the BIR (Bureau of Internal Revenue)," she noted.

"(This is also) a wonderful opportunity as well for us to engage with the members of civil society," said Gerry Orino, a member from the Mines industry.

"We are delighted that the government is truly moving ahead to join the EITI. We're extremely pleased that Secretary Ochoa has spearheaded this," he said.

"Aside from disclosure of tax payments, EITI can also be a mechanism in accessing information from the government. So we're truly supportive in pushing for the membership of Philippines in the EITI," he added. (PNA)
CTB/LGI

ANNEX E:

*Joint Statement by the Government of the Philippines,
Chamber of Mines of the Philippines (COMP) and
Bantay Kita on Philippine EITI*



**Joint Statement
By the Government of the Philippines,
The Chamber of Mines of the Philippines
And Bantay Kita**

**On the Philippine Implementation of the
Extractive Industries Transparency Initiative (EITI)**

We welcome the Aquino Administration's decision to implement the Extractive Industries Transparency Initiative (EITI) in the Philippines. Indeed, greater transparency and accountability in the payment, collection, and utilization of taxes and other revenues from extractive industries will greatly contribute in ensuring that such will be used for the benefit of the country and its citizens.

In so doing, we must emphasize that at the heart of EITI is a paradigm for free, open, inclusive and sincere dialogue and collaboration between government, industry and civil society. We use EITI, an international standard for revenue disclosure, to achieve this purpose.

With this, the Government of the Philippines, the Chamber of Mines of the Philippines, and Bantay Kita, have agreed to link arms to implement EITI. We have formed an interim multi-stakeholder group that will steer all the necessary activities leading to the Philippines' filing of an application for EITI Candidacy before the end of 2012.

The EITI International Board has promulgated five requirements for countries seeking to be an EITI Candidate. Three of which have been fulfilled: the government's unequivocal public statement of its intention to implement EITI; its commitment to work with civil society and companies in this initiative; and the appointment of an EITI lead senior government official.

Two important tasks remain:

- Establishment of a multi-stakeholder group to oversee the implementation of the EITI – we have drafted a terms of reference of the **EITI Philippines** multi-stakeholder group that will be formalized in an inclusive and consultative manner. Under this proposal, EITI Philippines will be composed of five representatives each from government, industry and civil society.

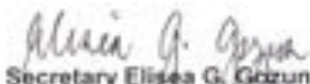
-more-

The industry and civil society panels will be selected by their respective sectors in a manner that is inclusive and independent from government. Meanwhile, the undersigned EITI lead senior government official, the Mines and Geosciences Bureau, the Bureau of Internal Revenue and the Union of Local Authorities of the Philippines have initially been assigned to represent the Government in EITI Philippines.

- Crafting and publication of a work plan containing measurable targets, costs and a timetable for implementation of EITI – before the Philippines can attain EITI Candidacy status. We have drafted such work plan that will be implemented during the EITI Candidacy period. This draft plan targets the publication of the first EITI Philippines Report by the first half of 2014.


This work plan, together with the draft terms of reference of EITI Philippines, will be subjected to public consultations before it is formalized and implemented in 2013. A schedule of consultations to be conducted by the interim multi-stakeholder group is attached to this statement. These documents will also be uploaded in an EITI Philippines website, to be launched within this month, so that citizens may send their comments and engage the interim multi-stakeholder group online.

We, the members of the interim EITI Philippines, may happen to come from different perspectives and backgrounds. But today, we unite to push for greater transparency, accountability and open dialogue among stakeholders in the collection and payment of taxes and revenues from extractive industries.



Secretary Elisea G. Gozun

Presidential Assistant # on Climate Change
and EITI Lead Senior Government Official



Gerardo H. Brimo
Director

Chamber of Mines of the Philippines



Cielo Magno

National Coordinator
Bantay Kila

ANNEX F:

Profile of Bantay Kita



Advocating Transparency and Accountability in the Extractive Industry

History

In the 7th Asia-Pacific Mining Conference and Exhibition, the President herself stated that the mining industry would “serve as a leading engine for Philippine economic growth, becoming a source of revenue and wealth to allow the government to seriously bring down the level of poverty in the country.”[\[1\]](#)

The Mining Act of 1995 enabled the entry of foreign multinationals into large-scale mining projects. It states that “It shall be the responsibility of the State to promote their (mineral resources) rational exploration, development, utilization and conservation through the combined efforts of government and the private sector in order to enhance national growth in a way that effectively safeguards the environment and protect the rights of affected communities.”[\[2\]](#)

Those who favor mining activities attempt to portray the industry as “responsible” and argue that mining significantly contributes to growth, specifically in terms of generating jobs and government revenues.

However, the extraction of minerals in the Philippines has become a hotly debated development issue. Many local communities have found themselves and their environments adversely affected by mining projects and various studies have shown that the supposed benefits from the mining industry have not materialized.[\[3\]](#)

Employment: On the average, the mining industry has contributed no more than 0.33% to total employment from 1997 to 2007.

Economic growth: The industry has not made significant contributions to economic growth. “In spite of the rising value of metallic products and the increase in mineral exports, the share of mining to GDP has remained miniscule.... between 1997 and 2007, mining’s contribution to GDP in terms of percentage contribution to GDP is limited to between 1.1 percent and 1.2 percent.”[\[4\]](#)

The mining industry’s small but positive contribution to economic growth is offset by the fact that it does not promote sustainable development. The industry’s links to the domestic economy (forward and backward linkages) are low. For every peso output from mining, the input from other sectors of the economy is equivalent to only 36 centavos. Therefore, while it exploits and depletes natural resources, the mining industry makes almost no contribution to the lives and livelihoods of the people in the local economy.

Exports: Although mining’s share of exports rose to 5% in 2007, the industry has contributed an average of 2% to total exports from 1997-2007. [\[5\]](#)

Environmental Degradation: In two major environmental disasters, thousands of tons of waste and tailings from mining operations gushed out into fields and waterways (Marcopper in Marinduque province, 1996 and Lafayette in Rapurapu, Albay in 2003) demonstrated the destructive capacity and irresponsibility of mining companies and the inadequacy of government regulation of their operations. More recently, the indigenous Mangyan tribe in Mindoro province led a protest with a hunger strike to demand the cancellation of the Environmental Compliance Certificate (ECC) issued by the Department of Environment and Natural Resources (DENR) to a Norwegian company, Intex Resources. [\[6\]](#)

Government revenues: Mining operations/projects are taxed by both local (real property taxes, business permits, etc...) and national government units. But fiscal incentives granted to the industry have effectively limited its contribution to national government revenues to the 2% excise tax.

From 1997 to 2007, the country's 16% average revenue effort (revenues as a percentage of GDP) has been poor, especially when compared to other Asian countries. But, revenues from mining as a proportion of gross production value, are less than half, at 7.5 %. Since government revenues from the mining industry are far from optimal, it is difficult to argue that the industry can significantly contribute to the government's ability to improve the delivery of social services nor address the problems of poverty.

Furthermore, as in other industries, tax evasion occurs in the mining industry. When Marcopper finally ceased its operations it left behind unpaid property tax liabilities of approximately P1 billion. Investigation into the Rapurapu disaster of Lafayette uncovered that the company had been understating the gross value of its production in order to minimize its excise tax liabilities.

In addition to tax obligations, mining companies are required by RA 7942 to make contributions to various funds - for the social development of communities, for contingent liabilities, for cleaning up of and damages from mine tailings etc. as well as for mine rehabilitation and decommissioning. However, experience has shown that these funds are not adequate to cope with the cost of the damages they inflict.

Opposition to the mining industry is robust – from economic policy advocates, environmentalists, transparency advocates and development oriented civil society organizations and on occasion, even from some local government units.

In summary, other than its modest contribution to Philippine exports, there is little in the current state of large-scale mining operations to recommend it. Given the environmental degradation that it has caused, the damage to local livelihoods, its negligible contribution to growth and employment and the sub-optimal revenues that it has generated for government, opposition to the industry is justified and both monitoring and reforms are necessary to prevent a further worsening of the industries effects.

Given this context, *Bantay Kita* was formed as a network to provide operational expression by which a transparency advocacy can be advanced. Without duplicating the work of any of the existing CSOs within its network, *Bantay Kita* was envisioned to (1) take the lead in engaging mining companies, national government agencies as well as local government units towards achieving greater transparency and accountability in the mining industry; (2) to serve as a mechanism for building the capacities of individual member organizations and contribute to strengthening their various advocacies; (3) actively dialogue with communities, local government units, private companies and the national government to

promote transparency and voluntary compliance mechanisms such as EITI; (4) advocate the removal of fiscal incentives from resource-seeking enterprises such as mining, for the passage of the Alternative Mining Act and/or the inclusion of its transparency provisions in the laws that define regulatory mechanisms, monitoring of the environmental and community development responsibilities of the industry and support for the broad campaign to have an enabling law on the public's right to information are related and inter-linking advocacies.

[1] <http://www.bayanmuna.net/n/data/files/HB%201793%20AN%20ACT%20REPEALING%20REPUBLIC%20ACT%207942.pdf>

[2] Section 2, Declaration of Policy, Republic Act 7942, "An Act Instituting a New System of Mineral Resources Exploration, Development, Utilization and Conservation"

[3] See, for example, the unpublished paper by AER (2009) "The Impact of the Philippine Mining Revitalization Plan: An Economic Assessment"

[4] Ibid, page 4

[5] AER (2009), page 9-10

[6] <http://businessmirror.com.ph/home/regions/18637-25-hunger-strikers-protest-mining-activities-in-mindoro.html>

Goals

(1) Institutionalize transparency and accountability in the extractive industries, in response to the people's inherent rights to participate in policy and decision-making and ultimately contribute to the development of more responsible institutions

(2) Maximize benefits from the extractive industries, especially revenue gains for the country from the utilization and development of its non-renewable resources.

(3) Build the capabilities of communities and civil society organizations in engaging with the extractive industries at each stage of the value chain.

(4) To secure the law on right to public information.

(5) To work for the rationalization of fiscal incentives and remove redundant fiscal incentives given to resource-seeking industries.

(6) To promote and strengthen international solidarity on transparency, especially in Asia.

Mission

Promote transparency and accountability in the extractive industry through a combination of mandatory (legal) and voluntary mechanisms.

Conduct research and policy studies revenue and transparency issues affecting the extractive industries. Disseminate the outcome of studies through publications, workshops or conferences.

Build capacities of civil society organizations to monitor the value chain process in the extractive industries (especially the mining sector). Specific concerns include how to obtain and analyze contracts, financial statements, taxes, royalties, or fees paid to local and national governments. Strengthen information links between concerned CSOs throughout the country.

Engage other stakeholders such as the business sector, academe and think-tanks, and the media, and link their initiatives to the broader campaign of peoples' organizations.

Advocate tax reforms that will maximize revenue gains from the extractive industries, improve efficiency of collection, and minimize evasion and corruption.

Advocacy Framework

Bantay Kita's advocacy framework is Publish What You Pay's Chain for Change.

Membership

Bantay Kita is open to civil society organizations and individuals who believe in Bantay Kita's vision, mission, and advocacy framework. Bantay Kita membership is through invitation or referral from Bantay Kita members and partners and upon the approval of the Board of Trustee.

Governance

The programs and projects of Bantay Kita are implemented by the National Secretariat which is headed by the National Coordinator. The National Secretariat is hosted by Action for Economic Reforms.

Bantay Kita is governed by a Board of Trustees composed of the founding members of Bantay Kita and elected members to represent the regions. The founding members of Bantay Kita are Action for Economic Reforms (AER), **Alternate Forum for Research in Mindanao, (AFRIM) Inc.**, Alyansa Tigil Mina (ATM), Haribon, **Mindanawon, Pagtatanggol Batas Pangkapatiran Foundation (PBPF)** and Transparency and Accountability Network (TAN). The National Coordinator sits as member of the board.

Affiliation

Bantay Kita is a member organization of Publish What You Pay (www.publishwhatyoupay.org), a global coalition of civil society organizations advocating transparency and accountability in the extractive industry.

ANNEX G:

Profile of the Chamber of Mines of the Philippines

About the Chamber

THE CHAMBER OF MINES OF THE PHILIPPINES is an association advancing the interest of mining, quarrying and mineral processing companies for the efficient exploration, development and utilization of minerals in consonance with sound economic, environmental and social policies.

The association consists of members coming from exploration, mining, mineral processing and services industries including professional associations. The members are united by a shared commitment to the principles of economic growth, sustainable development and as government's partners in development.

Advocacy

The Chamber is the main lobby Group advocating for responsible mining. We lobby on the industry's behalf in the areas of:

- Effective framework and progress in the grant of tenements, ECCs and other government requirements
- Financial and taxation matters
- Indigenous people concerns and NCIP process
- Mining land rights and security of tenure
- Mining regulations
- IPO listing and securities concerns
- Research and development
- Value adding
- CSR and Environmental concerns
- Media, NGO and government relations
- IEC

Information and Education

The Chamber disseminates information and updates to the members thru our website/email/fax as well as attends to various meetings relevant to the industry

Networking

The Chamber President is a member of the Minerals Development Council - Office of the President and Chairman, Investment Promotions Group. The Chamber:

- Networks with ASEAN and Asia Pacific Countries thru the ASEAN Federation of Mining Associations (AFMA).
- Provides networking thru our yearly events, roundtable discussions lecture series and other gatherings
- Has close association with foreign embassies and are members of several organizations like PCCI, ECOP, PhilExport, PBSP, etc.
- Networks with CREBA and the Construction and Electrical Engineering Associations
- Networks with the University of the Philippines, Ateneo de Manila University and CBCP

Research and other programs

- Establishment of EMS in Small and Medium-scale mining/quarrying industries thru PEARL2 (CIDA Project)
- Manpower Survey
- Profiling of the Mining Industry's Salaries and Benefits or Compensation package
- CSR Guidebook for the Philippine Mining Industry
- CSR Institute

Member-organizations:

REGULAR MEMBERS

Apex Mining Co., Inc.
 Asiaticus Management Corp.
 Atlas Consolidated Mining & Development Corp.
 Benguet Corp.
 Berong Nickel Corp. c/o TMM Management, Inc.
 Bohol Limestone Corp.
 Coral Bay Nickel Corp.
 Dolomite Mining Corp.
 Filminera Resources Corp.
 Hinatuan Mining Corp.
 Krominco, Inc.
 Lepanto Consolidated Mining Co.
 Manila Mining Corp.

Nickel Asia Corp.
 Pacific Nickel Phils., Inc.
 Philex Mining Corp.
 Philippine Associated Smelting & Refining Corp.
 Philsaga Mining Corp.
 Platinum Group Metals Corp.
 Rapu-Rapu Minerals, Inc./KMP Resources, Inc.
 Rio Tuba Nickel Mining Corp.
 SR Metals, Inc.
 Taganito Mining Corp.
 Teresa Marble Corp.
 TVI Resource Development (Phils.), Inc.

ASSOCIATE MEMBERS

Aglubang Mining Corp.
 Alad Minng and Development Corp.
 Alag-Ag Mining Inc.
 Alcorn Gold Resources Corp.
 Anglo American Exploration
 Asian Arc Mining Resources, Inc.
 Atok Gold Mining Co., Inc.
 Atro Mining - Vitali, Inc.
 China Nickel Mining (Phils.) Corp.
 Citinickel Mines and Development Corp.
 Colossal Mining Corp.
 Consolidated Mines, Inc.
 Coral Resources Phils., Inc.
 ENK (European Nickel Plc)/Fil-Asian Strategic Resources
 Eramen Minerals, Inc.
 Filipinas Top Rock Mines & Development, Inc.
 Filminera Resources Corp.
 Freeport-McMoran Exploration Corp.
 Garnierite Mining, Inc.

Gold Fields Philippines, Corp.
 Indophil Services International Pty. Ltd
 Intex Resources Philippines, Inc.
 JAMMPL Exploration Philippines, Inc.
 Lebach Mining Corp.
 LNL Archipelago Minerals Inc.
 McArthur Mining, Inc.
 MG Mining & Energy Corp.
 MRL Gold Phils., Inc.
 Mt. Sinai Mining Exploration and Development Corp.
 Narra Nickel Mining and Development Corp.
 Oceana Gold (Philippines), Inc.
 Pacific Metals Co., Ltd.
 Pacific Metals Canada Philippines, Inc.
 Philippine Mining Group and Holdings, Inc.
 Sagittarius Mines, Inc.
 Selenga Mining Corp.
 Tesoro Mining and Development Inc.
 Uni-Dragon Mining & Development Inc.

Vale Exploration Philippines, Inc.
Wellex Petroleum, Inc.
Abra Mining and Industrial Corp.
Benguet Pantukan Gold Corp.
Ibalong Resources & Development Corp.

FCF Minerals Corporation/Metals Exploration Plc.
Marcoasia Corp.
Philippine Mining Development Corp.

SPECIAL MEMBERS

AECOM Phils., Inc.
American Wire & Cable Co., Inc.
Atlas Copco (Phils.), Inc.
Business Profiles, Inc.
Castillo, Laman, Tan, Pantaleon & San Jose Law Offices
Caterpillar Financial Services Philippines, Inc.
Cathay Industrial & Mill Supply, Inc.
Chevron Philippines, Inc.
Civic Merchandising, Inc.
CVCLAW Villaraza Cruz Marcelo & Angangco
Cost Plus Consultants, Inc.
Delnet International Corp.
DC Equimachines Corp.
Elasco International Corp.
F.F. Cruz & Co., Inc.
Fairex Trading (Asia) Corp.
Fortun Narvasa & Salazar Law Offices
GXD Supply, Inc.
HANZA MEYER - ATS Projctcs, Inc.
Imagnet International, Inc.
Infinity Multicommodities Corp.
Isla Lipana & Co.
Intertek Testing Services Phils., Inc.
Jord Philippines, Inc.
KPMG Manabat Sanagustin & Co.
Leighton Contractors (Phils.), Inc.
Maccaferri (Philippines), Inc.
Manitowoc Crane Group, Inc.

Marcos Ochoa Serapio & Tan Law Firm
MBAPR Holdings Corp.
MHE-Demag
Monark Equipment Corp.
Morse Hydraulics System Corp.
Orica Philippines Inc.
Pilippinas Shell Petroleum Corp.
PPI Pazifik Power, Inc.
Powerstar Trading Inc.
PPI Pazifik Power, Inc.
Puno & Puno Law Offices
Quasha, Ancheta, Peña and Nolasco Law Office
Quest Exploration Drilling (Philippines), Inc.
Quisumbing Torres Law Offices
Schaeffler Philippines Inc.
Shi Designing & Manufacturing, Inc.
SKF Philippines, Inc.
Sojitz Philippines Corp.
Sycip, Gorres, Velayo & Co.
Sycip, Salazar, Hernandez & Gatmaitan Law Offices
The Louis Berger Group Phils., Inc.
Versatrunk (Phils.) Wireways & Cabbletrays Systems, Inc.
Viventis Search Asia, Inc.
Wartsila Phils., Inc.
Wilhelmsen-Smith Bell Shipping, Inc.
Zenith Electrical & Industrial Supply Corp.

AFFILIATE MEMBERS

Cement Manufacturers Associate of the Philippines (CeMAP)
MAPA - Federation of Non-Metallic Association of the Philippines (MAPA)
Petroleum Association of the Philippines (PAP)
Philippine Mining & Exploration Association (PMEA)

PROFESSIONAL MEMBERS

Geological Society of the Philippines (GSP)

Mindanao Association of Mining Engineers (MAEM)

Philippine Institute of Mining and Quarrying

Philippine Minerals Development Institute Foundation, Inc. (PMDIFI)

Philippine Mine Safety and Environment Association (PMSEA)

Philippine Society of Mining Engineers (PSEM)

Society of Metallurgical Engineers of the Philippines (SMEP)

ANNEX H1:

Letter of Secretary Gozun to COMP

Office of the President
of the Philippines
Malacañang

17 August 2012

ARTEMIO F. OSIN
Chairman
Chamber of Mines of the Philippines (COMF)

CC: **BENJAMIN PHELIP O. ROMUALDEZ**
President
Chamber of Mines of the Philippines (COMF)

MELBA C. HALCON
Executive Vice-President
Chamber of Mines of the Philippines (COMF)

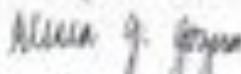
Dear Chairman Osin,

As you may know, the Extractive Industries Transparency Initiative (EITI) is an international multi-stakeholder initiative that seeks to establish a global standard for transparency in the revenues collected by governments from extractive industries such as mining and oil. The Philippine Government has already explicitly expressed its desire to apply for candidacy and future compliance in the EITI, with its issuance of E.O. 79.

A requirement for applying to EITI is the creation of a multi-stakeholder group to oversee its implementation of the EITI. This MGO will ensure that civil society, the government, and the industry are substantively engaged in the design, implementation, monitoring and evaluation of the EITI. It will be composed of representatives from government, the mining industry, and civil society organizations.

In line with this, we would like to request you to designate three (3) representatives to become members of the EITI MGO. Its first meeting will be on **22 August 2012, at 9:30 AM** in the Executive Lounge of the Department of Budget and Management, 1st Floor, Bonsofin Hall, DBM Bldg. 2, Gen. Solano Street, San Miguel Manila.

Kindly confirm your attendees by 17 August 2012 through Ms. Katrina Santos at 490-1000 local 2602, (+63) 833-1594326 or governance@dmr.gov.ph.



ELISEA O. OSIN
Presidential Assistant II for Climate Change

ANNEX H2:

Letter of Secretary Gozun to Bantay Kita

Office of the President
of the Philippines
Malacañang

18 August 2012

CIELO MAGNO
Executive Director
Santay Kita

Dear Executive Director Magnos,

As you may know, the Extractive Industries Transparency Initiative (EITI) is an international multi-stakeholder initiative that seeks to establish a global standard for transparency in the revenues collected by governments from extractive industries such as mining and oil. The Philippine Government has already explicitly expressed its desire to apply for candidacy and future compliance in the EITI, with its issuance of E.O. 70.

A requirement for applying to EITI is the creation of a multi-stakeholder group to oversee its implementation of the EITI. This MOG will ensure that civil society, the government, and the industry are substantively engaged in the design, implementation, monitoring and evaluation of the EITI. It will be composed of representatives from government, the mining industry, and civil society organizations.

In line with this, we would like to request you to designate three (3) representatives to become members of the EITI MOG. Its first meeting will be on 22 August 2012, at 9:30 AM in the Executive Lounge of the Department of Budget and Management, 1st Floor, Boncodin Hall, DBM Bldg. 2, Gen. Solano Street, San Miguel Manila.

Kindly confirm your attendees by 17 August 2012 through Ms. Katrina Santos at 495-1000 local 2802, (+63) 903-1594328 or governance@dbm.gov.ph.


ELNEA O. DOCUS
Presidential Assistant II for Climate Change

ANNEX I:

*Documentation of Mining Philippines 2012 Conference
–Breakout Session on EITI*



SHAPING THE FUTURE OF PHILIPPINE MINING

September 18 - 20, 2012 - Sofitel Philippine Plaza

MONDAY, SEPTEMBER 17, 2012
18:00 - 17:00 PRE-REGISTRATION OF DELEGATES (Sofitel Main Room)
TUESDAY, SEPTEMBER 18, 2012

08:00 - 16:00 REGISTRATION OF DELEGATES TO MINING PHILIPPINES 2012 (Sofitel Main Room)

10:00 - 10:30 **FORMAL OPENING OF MINING PHILIPPINES 2012 CONFERENCE** (Grand Ballroom - Top) Guest of Honor: **MR. FELICIANO S. BELMONTES JR.**, Governor, House of Representatives
MEMORIAL OF APPRECIATION to **MR. J. VICTOR BALBUENA**, Chairman, Mining Industry Transparency Initiative (ITI)

10:00 - 11:00 **MINING PHILIPPINES 2012 GRAND OPENING**
Lecture Room (SESSION 1)
Sofitel Room
MR. 1 - Free and Prior Informed Consent (FPIC)
- Speaker:
ATTY. JONATHAN S. AGUIO
Director of Investor Relations Office, IGP
MR. 2 - Extractive Industry Transparency Initiative (ITI)
- Speakers:
MR. EDUARDO ERIBO
Senior Team Leader at IIG (Australia)
MR. ERIC VIKTOR NAGALAPARAN
Lead Manager, IIG (Australia)

11:00 - 12:00 **MINING PHILIPPINES 2012 GRAND OPENING**
Lecture Room (SESSION 2)
Sofitel Room
MR. 3 - Representing National & Local Mining Public
- Speaker:
ATTY. PATRICIA BURTE
Partner, OHL Law
MR. 4 - CSR Mining Governance Initiative
- Speakers:
DR. RAUL PASILLA
Chairman, ODA Inc.
MR. RAFAEL C. LARA
Executive Director, IGP

18:00 - 20:00 **WELCOME COCKTAIL** (Grand Ballroom Top)
WEDNESDAY, SEPTEMBER 19, 2012

08:00 - 14:00 REGISTRATION OF DELEGATES TO MINING PHILIPPINES 2012 (Sofitel Main Room)

Plenary Session 1: FORMAL OPENING OF MINING PHILIPPINES 2012
(Grand Ballroom - Bottom)

08:00 - 09:00 **DECLARATION / NATIONAL ANTHEM**
09:00 - 09:30 **WELCOME REMARKS**
MR. EDUARDO PHILIP S. NORVALDEZ
President, Chamber of Mines of the Philippines
President and CEO, Benguet Corporation

INTRODUCTION OF THE KEYNOTE SPEAKER
EDUARDO PHILIP S. NORVALDEZ
09:30 - 09:45 **OFFICIAL ADDRESS: MR. JOSEMAR S. BAYAT**
Vice-President of the Republic of the Philippines

09:45 - 10:00 **COPPER / IGA ISSUES**
Plenary Session 2: DEVELOPMENTS AND PROSPECTS IN GOLD
Speaker/Chairman: **MR. JOHN WELLS**, Editor, The Asia Miner
10:00 - 10:30 **UPDATE ON HONGKONG GOLD - MULTINATIONAL PROJECT**
MR. PAUL RANDON
Chief Manager, PCT Mining Corporation

10:00 - 10:45 **FINANCING MINING PROJECTS IN EMERGING ECONOMIES**
MR. CHARLES NELSON
Managing Director, New York

11:00 - 11:30 **AN EMERGING GOLD PRODUCTION, PHILIPPINE MINING GOLD**
MR. JOEL S. MENDOZA
Philippine Mining Corporation

11:30 - 11:45 **PHILIPPINE-GOLDEN GULL PROJECT IN NORTH UTAH**
MR. JOSE LERIO, JR.
Chairman, Oceana Gold (Philippines), Inc.

11:45 - 12:00 **A CONTINUING STRATEGY WITH A STRONG FOUNDATION: BANGKAY CORPORATION BENTONITE**
MR. ROMAN A. CLARINILL
Senior Vice President/Chief Revenue Officer, Benguet Corporation

12:00 - 12:15 **MINING DEVELOPMENT - U.S. & A**
MR. JOSE ORLANDO VILLALBA, JR. - Director, Philco Mining Corp.
MR. EDUARDO S. ERIBO - President, Nickel Asia Corp.

12:15 - 14:00 **LITERATURE - Assessment and Recognition of Mining: Face of Mining - A Short Story Writing Contest**
Plenary Session 3: MINING IN A CHANGING LANDSCAPE
Speaker/Chairman: **MR. JOHN WELLS**, Editor, The Asia Miner
President, Tetra Tech Processing, Inc.

14:00 - 14:30 **MINING PERSPECTIVE IN A GLOBAL CHANGING LANDSCAPE**
MR. MICKEY THOMPSON
Senior Research Officer, International

14:30 - 14:45 **SUSTAINING THE FUTURE AND PROSPECTS OF THE MINING INDUSTRY**
ATTY. MICHAEL TOLINO
JEP for Corporate Affairs, Philco Mining Corporation

14:45 - 15:00 **MINING DEVELOPMENT IN MINING AREAS**
DR. EDUARDO DURAN
President, IGP Development & Community Care, Inc.

15:00 - 15:30 **MINING CSR - A Catalyst in Historical Development**
MR. RAFAEL C. LARA
Executive Director, Philippine Business for Social Progress (PBSP)

15:30 - 16:00 **MINING DEVELOPMENT - U.S. & A**
MR. MARCELO S. BOLAN
Senior Vice President, Engineering & Research, Benguet Corporation

16:00 - 16:30 **ATTY. LEO S. BONGBONG**
President, Resource Solutions People Solutions Philippines, Inc.

Plenary Session 4: ENVIRONMENTAL ISSUES AND CONCERNS
Speaker/Chairman: **ATTY. PATRICIA BURTE**, Senior Partner, OHL Law
16:30 - 16:45 **GOVERNANCE, EFFICIENCY AND CLIMATE CHANGE**
DR. EDUARDO DURAN
Asst. Director, Mine & Development Bureau, IGP

16:45 - 16:55 **TRANSPARENCY & FINANCIAL REPORTING**
MR. EDUARDO ERIBO, Country Director, IGP Philippines

16:55 - 17:30 **ENVIRONMENTAL ISSUES AFFECTING ENVIRONMENTAL VALUE OF MINING**
ATTY. EDUARDO S. LERIO
Senior Partner, Corp. Counsel, Remotico Law Office

17:00 - 17:30 **MINING TALKSHOW POLICY REFORMS**
DR. EDUARDO JONATHAN (JUN) PERIO
Executive Representative, IGP

17:30 - 18:00 **MINING DEVELOPMENT - U.S. & A**
ATTY. EDUARDO S. AGUIO
Assistant Director, First Pacific Company Ltd.
ATTY. EDUARDO GALAZAN
Managing Partner, Forton Narvesa & Dela Cruz Law Office

18:00 - 20:00 **WELLSHOP COCKTAIL** (Grand Ballroom - Top)
THURSDAY, SEPTEMBER 20, 2012

Plenary Session 5: COPPER: TRENDS AND DEVELOPMENTS
Speaker/Chairman: **MR. EDUARDO S. BONGBONG**
Director, Strategic Analysis/Chairman, IGP

08:00 - 08:30 **GLOBAL SUPPLY AND DEMAND TRENDS FOR COPPER**
ADRIAN PAUL EDUARDO BONGBONG
Senior Research and Strategic, London

08:30 - 09:00 **THE CHANGING COPPER-GOLD PROJECT - SUSTAINING THE FUTURE OF SOUTHWEST HONGKONG**
MR. MARK WILLIAMS
General Manager for Operations and General Services, Singapore Mining Inc.

09:00 - 09:30 **THE WORLD FOR SUSTAINABLE DEVELOPMENT: MINING AND AGRICULTURE CAN GO TOGETHER**
MR. CLIFFORD M. JAMES
Chairman, Tetra Tech, Inc.

09:30 - 09:45 **THE ATLAS CONSOLIDATED MINING & DEVELOPMENT CORPORATION'S RE-DEVELOPMENT EXPERIMENT: A SUCCESS STORY**
MR. EDUARDO ERIBO, Vice President
Senior Consultant, Atlas Consolidated Mining & Development Corp.

09:45 - 10:00 **MINING DEVELOPMENT - U.S. & A**
MR. JOEL MENDOZA - Director, Philippine Mining Corp.

Plenary Session 6: GLOBAL MINING POLICY INITIATIVES
Speaker/Chairman: **MR. EDUARDO S. BONGBONG** - President, IGP

10:00 - 10:30 **ACCESS TO MINING, INVESTMENT, FINANCING OPPORTUNITIES**
MR. & MRS. CONCEPTION TRINIDAD
Ambassador of Canada to the Philippines

10:30 - 10:45 **ISSUES IN THE NATIONAL ACCOUNTS, ISSUES - RELATIONS TO THE MINING INDUSTRY**
DR. RAO KHANDELWAL
Deputy Director, The World Bank Group

10:45 - 11:00 **THE IMPORTANCE OF GEOLOGICAL AND ENGINEERING CONSIDERATIONS**
DR. EDUARDO S. PASILLA - Director, University of the Philippines, National Institute of Geological Science

11:00 - 11:30 **GLOBAL MINING DEVELOPMENTS AND THE OPPORTUNITIES FOR GOLD EMERGING MARKETS**
MR. EDUARDO ERIBO
Founder & Group Managing Director, The Trading Asia

11:30 - 12:00 **MINING DEVELOPMENT - U.S. & A**
DR. WILSON COMAR & PASILLAN
Dean, School of Management - University of Asia and the Pacific

12:00 - 12:00 **CONCLUSION**
MR. GABRIEL PERDRA
Columnist, The Philippine Daily Inquirer

Plenary Session 7: MINING ISSUES ON CONTINUANCE
Speaker/Chairman: **MR. GABRIEL PERDRA**
Vice President, Marikina Corporation

11:00 - 11:30 **ENVIRONMENTAL CONCERNS AFFECTING MINING IN THE PHILIPPINES**
MR. E. BONGBONG BONGBONG
President, Centralex Diversified Metals Corporation

11:30 - 11:45 **MINING PROSPECTS AND FORECAST**
MR. MARK WILLIAMS
President, Philippine Stock Exchange

11:45 - 12:00 **TRANSPARENCY IN MINING: ILLUSTRATING APPROPRIATE ITC**
ATTY. EDUARDO S. BONGBONG
Consultant, IGP - UNDP/USAID

12:00 - 12:15 **MINING DEVELOPMENT - U.S. & A**
MR. EDUARDO ERIBO
Managing Director, IGP-Fin-Acctg Strategic Resources

ATTY. EDUARDO S. BONGBONG
Partner, Substantivo Torres Law Office

Plenary Session 8: MINING: THE FUTURE OF THE PHILIPPINE MINING INDUSTRY
Speaker/Chairman: **MR. EDUARDO S. BONGBONG**
Chairman, Chamber of Mines of the Philippines

14:00 - 14:45 **AN ENABLING ENVIRONMENT FOR THE MINING INDUSTRY: MAKING THE PHILIPPINES A COMPETITIVE INVESTMENT DESTINATION**
DR. EDUARDO S. VILLALBA
University Professor, University of Asia & the Pacific; Research Director, Center for Research & Communications, Foundation, Inc.

14:45 - 15:00 **MINING PLANNING: REGULATING POST MINING REHABILITATION PLAN AND SUSTAINABLE COMMUNITY DEVELOPMENT**
ARCHITECT FELIX PALAPO, JR.
Partner and Associate

15:00 - 15:30 **FINANCING FOR MINING PROJECTS**
MR. EDUARDO S. FRANCISCO
President, IGC Capital & Investment Corp.

15:30 - 15:45 **MR. BONGBONG'S VIEW: MINING OPERATIONS VIEW FROM THE CHINA**
MR. EDUARDO S. BONGBONG
Miner, Toledo City, Cuba

15:45 - 16:00 **MINING DEVELOPMENT - U.S. & A**
EDUARDO PHILIP S. NORVALDEZ
Chairman, Industry - Phil. Chamber of Commerce & Industry
President, Chamber of Mines of the Philippines

MR. ALEX MENDOZA
Professor, University of the Philippines

16:00 - 16:30 **SPECIAL EVENT: MAY SPEAKERS ON MINING LEADERSHIP AND MINING - MARK BAYAT: A Day in the Capital Conversation with Mining Philippines**

16:30 - 17:00 **CAN THE MINING INDUSTRY MANAGE ITS FUTURE? EVERY MINING IS A BUSINESS OPPORTUNITY**
EDUARDO PHILIP S. NORVALDEZ
President, Chamber of Mines of the Philippines

17:00 - 17:30 **RESULTS OF PROCEEDINGS OF CONFERENCE AREA**
Philippine Business
18:00 - 20:00 **WELLSHOP COCKTAIL** (Grand Ballroom - Top)



THE CHAMBER OF MINES OF THE PHILIPPINES AND THE EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)¹

Shortly after the global *Extractive Industries Transparency Initiative (EITI)* was launched at the World Summit on Sustainable Development in Johannesburg in 2002, the Chamber of Mines of the Philippines (COMP) has exerted efforts towards the country's adoption of EITI. COMP regards EITI as an important means of achieving greater accountability and transparency in the mining industry.

Initial EITI Advocacy of the COMP

The following efforts of COMP are noted:

- From 2006 to 2009, through a technical assistance from the USAID's Economic Modernization through Efficient Reforms and Governance Enhancement (EMERGE), COMP has advocated the adoption of EITI among mining companies, national and local governments, and civil society organizations. The project aimed to improve transparency in the payment and receipt of mining taxes and other payments. A reporting template was initially developed for conducting an EITI-aligned audit of tax payments by mining companies. The reporting and audit process was subsequently simulated for a couple of pilot companies with single mining operation.

The results of the project was utilized by the government in coming out with a *Joint Memorandum Circular* that aimed to expedite the processing and release of the local governments' share from mining taxes collected by the national government.² See EMERGE Final Report on this topic.

- In previous *Mining Philippines* conferences organized by COMP, a session to further its advocacy on EITI is typically included in the plenary programs. In 2008, for instance, COMP has invited Mr. Sam Bortlett, EITI's Regional Director for Asia to speak about EITI as a mechanism for good governance. Then in 2009, Momodu Barry (Senior Underwriter and Task Team Leader, EITI Multi-Donor Trust Fund, World Bank Group Oil, Gas, and Mining Policy Operations Unit) was also asked to speak about EITI as a means to achieve country competitiveness for mining investment. Both sessions have increased the industry's appreciation of the EITI framework. However, without a counterpart champion in government, the COMP's advocacy within the industry was not enough. Please refer to the COMP's website for a copy of the presentations.

Focus Group Discussion on EITI during the Mining Philippines 2012

Building on its previous efforts, and following the issuance of Executive Order No. 79 in 2012 explicitly advancing the country's adoption of EITI, COMP organized a Focus Group Discussion (FGD) on EITI during its most recent *Mining Philippines Conference*. In collaboration with The Asia Society, COMP was able to have Mr. Ananda Iria and Mr. Ery Ryona Horjapamekso of Transparency Team EITI Indonesia to share

¹ DOI-DEA-DIG-DETR Joint Circular No. 2008-1.

their experience and lead the discussion on EITI. The FGD was open to the public. (See attached list of attendees)

The FGD speakers shared how EITI started in Indonesia in 2007 in the context of the perceived need to address rampant corruption through measures that would help the country regain public trust in its governance of the oil, gas, mining and coal industry. Indonesia's EITI framework apparently involves: (a) disclosure of payments made by the companies; (b) disclosure of payments received by the government; (c) oversight by a multi-stakeholder group; and (d) an independent verification of tax and royalty payments.

The speakers narrated the important milestones that they went through from 2007 when the Publish What You Pay Coalition Indonesia, a network of civil society organizations, pushed the government to implement EITI in the country; then in 2010 when Indonesia was accepted as an EITI candidate country; up to 2011 when the EITI reporting templates were sent out to 129 extractive companies and 5 government institutions. In April 2012, the deadline was set for the receipt of all reporting templates; in September 2012, the first bid for the hiring of a reconciler was held; and in December 2012, the Multi-Stakeholder Group was scheduled to approve, publish, and communicate the First EITI Indonesia Report. Indonesia is currently working to become a compliant country by April 2013.

Among the challenges that they identified relate to: (a) tax disclosure issues; (b) promptness in the submission of data; (c) website and disclosure concerns; (d) funding and validation of the EITI process, since full financial responsibility for the EITI process is expected to be assumed by the Government of Indonesia by 2014.

Other important challenges identified by the speakers relate to:

- Understanding better the benefits that transparency brings to the country as the question often asked is "what is in it for us?"
- Decentralization laws which give a lot of power to the regions. Management of the revenue stream from the extractive industry apparently needs to be reinforced.
- Presence of rules and regulations that limit the liberty of companies and the government to disclose certain financial data.
- Extreme nationalistic thinking that EITI is just an attempt by international institutions to control the country's natural resources.
- Some thinking that transparency data could be misused for political purposes.

The speakers also drew some lessons from their experience, specifically: (a) *on spend* – it has taken 5 years for Indonesia to get to where it is now. Government apparently needed to realize that EITI leadership requires not just about its willingness to make important announcements about its commitment to EITI, but to make a lot of small but necessary steps to make each phase of the process

happen; and (b) on communications – that EITI is not a stealth initiative, but a public effort; thus, communicating about EITI and its process is vital. The awareness of the government, industry, and CSO must apparently be built through numerous workshops. The press must also be informed of relevant developments.

The speakers finally identified the 3 pillars of the EITI initiative: (a) the government and the (b) industry as reporting parties; the government plays an important role in leading the initiative, while the industry's role is unique as it alone understands how oil, gas, and minerals are produced; and (c) civil society which completes its legitimacy.

During the FGD's open forum, the following questions were raised by the attendees:

- *On the cost of EITI:* In Indonesia, the World Bank provided USD10Million grant which is administered by a Multi-Donor Trust Fund to support EITI Indonesia and to provide advice and training to various stakeholders in the country. The Indonesian government also needs to contribute from its national budget. Government must assume full funding responsibility for the EITI process come 2014.
- *On the number of government agencies involved:* In Indonesia, five (5) government agencies are involved, namely, their Directorate General for Oil and Gas, BPMIGAS, Directorate of Non-Tax Revenues, Directorate General of Minerals and Coal, and Directorate General of Tax.
- *On how Indonesia managed its EITI communications:* The government embarked on an extensive campaign among industry members, government agencies, and civil society to inform them about the potential benefits of EITI and to enlist their participation. According to the speakers, the benefits of EITI for the country relates to economic and political stability and sends a positive signal to the investors; for companies, EITI provides a level playing field brought about by stable economic and political conditions as well as improved investment climate over the long-term; for CSOs, EITI provides a venue to support good governance, strengthen public institutions, and raise public awareness. EITI also helps the CSOs to further understand the private sector and consequently improve their relationship with them. It also strengthens their ties with investors and international organizations. For local communities, to potentially receive a greater share of revenues; and for stakeholders, to create an environment of trust among them. Communication and how it is managed is very vital.
- *On the nature of NGO initiatives in EITI:* Just like in the Philippines, Indonesia has a lot of NGOs. The NGOs formed their own coalition, Publish What You Pay Indonesia, to push their interests in advancing transparency and accountability in mining revenues through the EITI process.
- *On the ability of EITI to address non-tax-paying non-metallic mines and small scale mines:* On whether EITI can really address the issue of non-payment of taxes by certain miners, the speakers think that this will depend on the scope of EITI reporting agreed by the members of the Multi-Stakeholder Group as part of its EITI framework. In Indonesia, the oversight function of

the Multi-Stakeholder Group included the award of licenses and contracts; regulation and monitoring of operations; revenue distribution and management; revenue distribution and management, and implementation of sustainable development policies.

- *On the voluntary or mandatory nature of EITI:* This stemmed from a question on whether the government will penalize companies that will not submit their accomplished EITI template. The speaker answered that EITI is voluntary in nature. Their draft regulation does not contain a provision regarding any sanction for non-submission. However, if companies will not submit, the government will publish it. Thus, isolation within the industry can also be the result of such non-submission.
 - *On the importance of EITI in Indonesia:* EITI is regarded as a means of improving transparency in extractive revenue payments, a means of avoiding corruption. While voluntary in nature, it is to some extent a law enforcement mechanism. It could be a trigger for mining companies to pay what is due to the government.
 - *On government accountability in spending tax from extractive industry:* On the question of whether there is any punishment for the government or its officials who don't spend mining taxes collected prudently, the speakers said that they are not yet there. For now, they are working towards reconciling the tax payment data given by companies and the tax collection data given by the government.
-

ATTACHMENT

Registered attendees of the COMMP's Focus Group Discussion on EITI:

	Name	Company/Organization
1	Ms. Jean Claire Pineda	Atlas Consolidated Mining Development Corp.
2	Mr. Henry Galagan	Atok Gold Mining, Inc.
3	Engr. Inaida C. Garcia	Berong Nickel Corp.
4	Atty. Alpheo D. Macalalad	Carpio Villares Cruz Marcelo and Angwangco Law Offices
5	Mr. Severino Bernardo	DOST-ITDI
6	Ms. Agnes Goze	FCF Minerals Corp.
7	Ms. Janice Azares	FCF Minerals Corp.
8	Ms. Joy Dompok	Filminera Resources Corp.
9	Ms. Sharita Domingo	Filminera Resources Corp.
10	Ms. Lilat Abuel	Filminera Resources Corp.
11	Mr. Florencio Cayco	Filminera Resources Corp.
12	Ms. Cherry Madriaga	Institute for Development Econometric Analysis (IDEA)
13	Mr. Viktor dela Cruz	Institute for Development Econometric Analysis (IDEA)
14	Dr. Raul Fabella	Institute for Development Econometric Analysis (IDEA)
15	Ms. Marianna Vital	Institute for Development Econometric Analysis (IDEA)
16	Mr. Alvin B. Madrid	JCF Geo-Ex Services
17	Mr. Rogie Barraquias	JCF Geo-Ex Services
18	Mr. Ramon Santos	Macro-Asia Corp.
19	Mr. Rafael Bariquiel	Mindanao Association of Mining Engineers (MAMM)
20	Mr. Johnny Felisardo	Minarcon International
21	Mr. Ronald Asignacion	Far Southeast Gold
22	Ms. Mariela de Guzman	MFL Gold
23	Atty. Bodeck Fernando	Nickel Asia Corp.
24	Mr. Jun Floresca	Oceana Gold
25	Atty. Vincent Barry Lagura	Philippine Mining Development Corp.
26	Engr. Marilou Celso	Platinum Group Metals Corp.
27	Ms. Cecille Calleja	Rapu-Rapu Minerals, Inc.
28	Mr. Arnold Romero	Sagittarius Mines Inc.
29	Ms. Dindi Samoyta	Sagittarius Mines Inc.
30	Ms. Katrina Francisco	SDV & Co.
31	Atty. Sheryl Grace Borrao-Andres	Tanaka Martine Corp.
32	Gerry Brimo	Nickel Asia
33	Art Dym	UP
34	Darrel Ablana	UP
35	Mr. Renato Reyes	Atad Mining
36	Ron Lim	CGS
37	Grace Domalonta	Nochu Corp. Phils.
38	C.A. Payena	Mines and Geosciences Bureau (MGB) XI
39	D.U. Uykweng	MGB Region 3
40	C.A. Tanyag	MGB Region 1
41	S.T. Farajat	MGB 4-A

*This report was prepared by the Chamber of Mines of the Philippines (COMF). Please acknowledge the COMF when this report or any part hereof is used in other written work.

42	Rapa Lopa	Philippine Business for Social Progress
43	Jimmy del Rosario	SDV & Co.
44	For Redubne	Atlas Mining
45	Mrs. Teresita Sono	
46	Don Manalz	Minercon Int'l
47	Emeralda Q. Salvana	PACOMINCO
48	Crispin R. Leyva	Construction & Drilling Corp.
49	Francis Jun Lozano	SMT
50	Richard Flores	Anok Gold Mines
51	Eric Cabrera	Momark
52	Dr. Calderon	Ottawa
53	Elvia Santos	TMM Baring Nickel
54	Atty. Jord Valentin	VO Law
55	Grace Pedragosa	Philippine Business for Social Progress
56	Noel Bombarda	Carrascal Nickel Corp.
57	Franklin Paul Alcones	SMT
58	Guillermo Mykaret	MOS Region 5
59	Glenn Nino Tartilo	Presidential Management Staff
60	G. Badrig Jr.	Filminera
61	Emilio Miel Jr.	Filminera

Chamber of Mines of the Philippines
Focus Group Discussion FGD 2

Extractive Industry Transparency Initiative (EITI)
Mr. Antonio Mito - Interim Team Leader at EITI MEMBERS
Mr. Arly Reyes (ar)@comphils - Guest Member: EITI
1:00 PM to 3:00 PM (same room)

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Company	Name	Designation	Signature
1. Atlas Consolidated Mining Devel. Corp.	Mr. Juan Carlo Pineda	Chief Account Officer	[Signature]
2. Atlas Gold Mining Co., Inc.	Mr. Henry Sulpitan	HRD	[Signature]
3. Aurora Nickel Corp.	Engr. Imelda C. Garcia		[Signature]
4. Cebu Mining and Development Corp. (MINDOR & MINDANAO)	Mr. Abraham D. Macaband	Account	[Signature]
5. COMET-ITD	Mr. Severino T. Bernaldo	Asst. Dir.	[Signature]
6. PCF Minerals Corp.	Ms. Agnes Gato		
7. PCF Minerals Corp.	Ms. Janice Avelar		
8. Phoenix Resources Corp.	Mr. Jay Domingo	General Manager	[Signature]
9. Phoenix Resources Corp.	Ms. Martina Domingo	Account	[Signature]
10. Phoenix Resources Corp.	Ms. Leticia Abad		[Signature]
11. Phoenix Resources Corp.	Ms. Maricela Cayon		
12. POGA	Ms. Cherry Madrigal	General Manager	[Signature]
13. POGA	Mr. Victor Cruz Cruz	Account	[Signature]
14. POGA	Dr. Raul Tabata		[Signature]
15. POGA	Mr. Manuel Matal	Account	[Signature]
16. JCF Gold Ex. Services, Inc.	Mr. Alvin K. Madrid		
17. JCF Gold Ex. Services, Inc.	Mr. Roge Demaguan		
18. Macrobida Corp.	Mr. Ramon N. Sordo		
19. Mindanao Consolidated Mining AND DEVELOPMENT	Mr. Rafael T. Bernaldo	Account	[Signature]
20. Robinson International	Mr. Jimmy C. Tolentino	EVP	[Signature]
PHILIPPINE ASSOCIATION OF MINING ENGINEERS (PAMENG)	FRE	Secretary	[Signature]

**Chamber of Mines of the Philippines
Focus Group Discussion FGD 2**

Extractive Industry Transparency Initiative (EITI)
Mr. Aracelis Ibarra - Interview Team Leader & DTI - reference
Ms. Eira Elaine Insaparama - Board Member (DTI)
(9:00 PM to 11:00 PM - Davao Room)

	Company	Name	Designation	Signature
23	MR. Gold Mills, Inc.	Ms. Marlene B. Guzman		
24	MR. Del Rio Corp.	Atty. Gabriel Fernando		<i>[Signature]</i>
25	GreenGold Production, Inc.	Mr. Joe Rivera	COMFEL Manager	
26	HRP	Mr. Oscar Padrigosa		
27	Philippines Mining Dev't Corp.	Atty. Vincent Barry Lopez	DO - 11-11-11	<i>[Signature]</i>
28	Nickson Group Metals Corp.	Engr. Marlon C. Gallo	PEOPLE - M.	<i>[Signature]</i>
29	Papa Bear Minerals, Inc.	Ms. Cecile A. Gallo		
30	Sagittaria Mining, Inc.	Mr. Arnold Barasa	Dep't 1	<i>[Signature]</i>
31	Sagittaria Mining, Inc.	Ms. Dora Samson	CEO Adv	<i>[Signature]</i>
32	MR. & Co.	Ms. Kuzma R. Barabon	Secretariat	<i>[Signature]</i>
33	Santa Maria Corp.	Atty. Sheryl Grace Ballester Aranda		<i>[Signature]</i>
34	MR. & Co.	Mr. Renato Barasa	PA/Asst.	<i>[Signature]</i>
35	Frontier CPS	Mr. Lm	Reserve	<i>[Signature]</i>
36	ITC/MS Corp. (Mg)	Engr. Romeo B. Sison Jr.	11-11-11	<i>[Signature]</i>
37	MGA XI	C.A. PAYER	MD	<i>[Signature]</i>
38	MFG R 3	D. U. LOPKANA	MD	<i>[Signature]</i>
39	MFG - 1	D.A. TAYAC	MD	<i>[Signature]</i>
40	MFG - 2	ST. PRAGAS	MD	<i>[Signature]</i>
41	MR. & Co.	FATA UFA	ED	<i>[Signature]</i>
42	Jimmy del Rosario Pd. Resident (Alor Mendaya)	SRV # 20	Partner	<i>[Signature]</i>

**Chamber of Mines of the Philippines
Focus Group Discussion FGD 2**

Executive Industry Transparency Initiative (ETI)
Mr. Anacleto Mba - IAS/IAA TQM Leader at ETI Initiative
Mr. Jay Reyes Montemayor - Board Member, CO
1:00 PM to 3:00 PM (Same Room)

Company	Name	Designation	Signature
	Mr. Frank Pico		ETI
Mano-Mano (M)	Don Henry	President	
Pharmico	Emmanuel A. Galante	President	
Cost & Billing Services	Erigo B. Lopez	VP	
Executive Search Firm	Renee Jean Lee	Part	
Deliver 2. PWS	NOE Galante	Dr	
ERIC AGARCA	MENARK	Business Dev. Mgr	
Offshore	Dr. Corina	Volunteer	
FMH (BANGALON)	ERIE SOTOS	CS	
Alto	JERRY Valentin	Volunteer	
GRAB PHILIPPINES	POSP	Manager	
NOI Bombarda	Carolina N. Nolasco	Manager	
Mano-Mano (M)	Alex	Part	
Mano-Mano (M)	Don	Manager	
Sea	Wen Lee	Part	
Sea	Patricia	Part	
Sea	Benny	Part	
MGC	Luciano S. Nolasco	Director IV	
Product Development	Alan Nolasco	PSOV	
Mano-Mano (M)	Co. Nolasco	Manager	
EMILIO MIRA US	Filomen	Volunteer	

ANNEX J:

Documentation of the CSO Regional Consultations

Report on the CSO Consultations on the EITI Implementation in the Philippines¹

Background

The Extractive Industries Transparency Initiative (EITI) is a globally developed standard that promotes revenue transparency in extractive industries. It promotes a robust yet feasible methodology for monitoring and reconciling private sector payments and government revenues at the country level. Each implementing country creates its own EITI process that is directed by participants from the government, the private sector, and civil society. The EITI standard has two main elements: (a) Companies publish what they pay and governments publish what they receive in an EITI report; and (b) The process is overseen by a multi-stakeholder group of governments, companies, and civil society. (EITI 2012)

The Government of the Philippines (GoP) recently expressed interest in joining the EITI through Executive Order No. 79– Institutionalizing and Implementing Reforms in the Philippines Mining Sector. In this regard, Bantay Kita has been working with the GoP to accomplish the requirements for signing up in EITI.²

Bantay Kita, a coalition of civil society organizations (CSOs), nongovernment organizations (NGOs), and academic institutions in the Philippines, advocates transparency and

¹ This report was prepared by Carlo Magno, National Coordinator of Bantay Kita, based on the results of the consultations regarding the implementation of EITI in the Philippines.

Bantay Kita acknowledges the support of UNCDF and the Department of Budget and Management for the first EITI training workshop. Bantay Kita is also grateful for the support of partner organizations Revenue Watch Institute, EITI Indonesia, Indonesia Parliamentary Center and Luna Mamutiok Institute of Timor Leste for serving as resource persons in the first EITI training workshop.

Bantay Kita also acknowledges the support of AUSAID, the British Embassy and the Department of Budget and Management for the regional consultations. Bantay Kita is grateful for the following individuals and organizations for helping organize the regional consultations: Mr. Byron Abadaza, Mr. Gerry Anacon, Mr. Alan Bernache, Ms. Beverly Bernatch, Mr. Rodney Galda, Mr. Chadwick Llanos, Mr. Ian Rivera, Ms. Perpetua Tin, Mr. Lou Hernandez, Ms. Regina Quilan, PRISM-Nueva Vizcaya, ATM, Mindanawon, AFRIM, TAN, Iligan State University, AER and GTSB.

² For a country to be a candidate in EITI, the government is required to (1) issue an unequivocal public statement of its intention to implement the EITI, (2) commit to work with civil society and companies on the implementation of the EITI, (3) appoint a senior individual to lead the implementation of the EITI, (4) establish a multi-stakeholder group to oversee the implementation of the EITI, and (5) the multi-stakeholder group, in consultation with key EITI stakeholders, should agree and publish a fully costed work plan, containing measurable targets and a timetable for implementation and incorporating an assessment of capacity constraints.

accountability in extractive industries in the country. It considers the EITI as one mechanism that can contribute to good governance by (a) reducing the risk of corruption, (b) promoting corporate social responsibility, and (c) holding companies and governments accountable through the disclosure of taxes, fees and royalties paid to the government. Bantay Kita sees the EITI as a good opportunity to engage the government and other stakeholders to support Bantay Kita's advocacy of transparency and accountability, as well as other policy reforms advocated by its member organizations.

As already mentioned, the GoF has already issued an unequivocal public statement of its intention to implement the EITI through EO No. 79. President Aquino has also appointed Sec. Elissa Gozon as the senior official to lead the implementation of the EITI. The government has formed an interim Multi Stakeholder Group (MSG) composed of five representatives from the government, the extractive industry, and civil society, where Bantay Kita sits as the representative for the latter. This interim MSG has already drafted a fully costed work plan, as well as terms of reference for members of the MSG. The next step is to finalize the composition of the MSG by giving industry and civil society players full autonomy in selecting their representatives to the group.

To this end, Bantay Kita conducted a training workshop and five regional EITI consultation workshops to (1) inform different organizations (academic institutions, NGOs, peoples' organizations [POs] and other community-based organizations) concerned with the extractive industries about EITI, and (2) define the process and criteria for the selection of official civil society representatives to the MSG of EITI-Philippines.

Objectives

The training workshop and the regional EITI consultation workshops had four objectives:

1. To inform different organizations (academic institutions, NGOs, POs and other community-based organizations) concerned with the extractive industry about EITI, with particular focus on:
 - a. What is EITI?
 - b. What are the steps involved in the process of applying for EITI?, and
 - c. Experiences to date of other countries that have already implemented EITI.
2. To formulate the CSO agenda on EITI through a workshop, after reflecting on the experiences of other countries with EITI.
3. To define the process and criteria for the selection of official civil society representatives to the MSG of EITI-Philippines, through a workshop where the needs and demands of EITI and the characteristics of individuals necessary to meet these demands will be analyzed; and
4. To establish a stronger network of civil society players that will support EITI by expanding the membership and network of Bantay Kita.

Activities

The training workshop and five regional consultations were conducted based on the following schedule:

Date	Venue	Participants
October 18-19, 2012	UF Hotel, Quezon City	NCR, Nueva Vizcaya, Leyte, Cebu, Davao, Zamboanga
November 26-27, 2012	Pines View Hotel, Baguio	La Union, Cagayan, Isabela, Quirino, Nueva Vizcaya, Baguio City/CAR
November 29-30, 2012	UF Hotel, Quezon City	Zamboanga, Nueva Ecija, Palawan, Romblon, Mindoro, Legaspi, Rapu-Rapu, Marikulya
November 3-4, 2012	Las Caobas, Davao City	Agusan del Sur, Davao del Norte, Davao del Sur, Davao City, Tagaytay, South Cotabato, Kidapawan, Digan, Compostela Valley, Bukidnon
November 6-7, 2012	Mardale Hotel, Pagadian City, Zamboanga	Zamboanga del Sur, Misamis Occidental, Zamboanga, Sibuyan, Zamboanga del Norte
November 11-12, 2012	Cebu City, Cebu	Leyte, Samar, Cebu, Negros

The following was the program of the training and regional workshops/consultations. Annex A contains the actual program of the training workshop and the regional consultation workshops and Annex B contains the handout copy of power point presentations presented in the trainings.

Time	Session	Objective
DAY 01		
08:00 to 09:00 AM	Registration of Participants Distribution of Workshop Kits	
09:00 to 09:15 AM	Welcome Presentation of objectives of the regional consultation	To level off expectations among the participants

09.15 to 09.30 AM	Introduction of Participants	
09.30 to 10.00 AM	Estey Kita and its Advocacy Framework (PACT Chain for Change)	To have an overview of Estey Kita's advocacy framework
10.15 to 11.15 AM	Discussion: What is EITI?	To know basic information about EITI such as its history, structure, criteria and process To better understand EITI as a mechanism for transparency and accountability
11.15 to 11.30 AM	Open Forum	
12.00 to 01.00 PM		Lunch Break
01.00 to 01.30 PM	Discussion: EITI Context in the Philippines	To situate EITI from the bigger context of reforming the Philippines' extractive sector
01.30 to 02.30 PM	Discussion: Other Country Experiences on EITI	To better understand the role of CSO in the EITI process To know about the opportunities and challenges faced by CSOs in other countries To learn from the experience of other countries on the actual implementation of EITI
02.30 to 03.15 PM	Open Forum	
03.15 to 03.30 PM	Afternoon Break	
03.30 to 04.30 PM	Synthesis (Day 01)	
DAY 02		
09.00 to 09.15 AM	Break (Day 02)	
09.15 to 10.30 AM	Discussion: Defining the Philippine Agenda in EITI	To discuss the CSO agenda for EITI
10.30 to 10.45 AM	Morning Break	
10.45 to 11.00 AM	Discussion: Defining the Criteria and Process for the Selection of Official Civil Society Representatives to the NDC of PH-EITI	To define and establish set of criteria and process in selecting CSO Representatives to the NDC

The Mr. Francis Capistrano of the interim secretariat of EITI-Philippines presented the draft Terms of Reference (TOR) and work plan in the first training workshop in UP Hotel.

Speakers from Timor Leste and Indonesia were also invited to share their actual experiences with EITI.

Participants

Invitations to participate in the regional consultations were sent through Eastay Kita's existing networks. Announcements were also made in Eastay Kita's Facebook account and in different e-groups. The participants of the first training workshop on EITI were requested to help in organizing the regional consultations.

The following lists the Participants/Organizations that attended the first EITI training workshop and the five regional workshops. Copies of actual attendance sheets are attached in Annex C. Almost all the organizations that attended the workshop expressed interest in participating in EITI. The others expressed positive opinion about EITI but will have to consult their organizations whether they will participate in EITI or not.

First Training Workshop

The speakers in the first training workshop are Filomeno Sta. Ana (Action for Economic Reforms), Celso Magno (Eastay Kita), Rocita Arnyad (Revenue Watch Institute), Jaybee Garganera (Alyansa Tigil Mina), Maryani Abdallah (PWYP Indonesia), Gita Soerjotomojo (Indonesian Parliamentary Center), Mericio Jurival Dos Reis (Luta Humana Institute) and Erica Wernberg (NWI). The following are the participants of the first EITI training workshop in UP Hotel:

NAME	ORGANIZATION
Marcel Hilario-Patino	Ateneo Institute of Anthropology
Eddian Gonzalez	GETE, INC
Leon Dulce	Kalikasan-People's Network for the Environment
MA Lovika Ligahon	PDC Eastern Visayas, PMCI Eastern Visayas
Datu Alfredo Tabonao	Uho-Manobo leader
Ian Rivera	Our Rivers, Our Life Project
Chadwick Llanos	UIRDEP/Social Action Center of Cebu
Caridad Cenat	KALASAQ
Nora Jun Calavigan	Maribon Foundation
Nancy Badilla	Save Marirani Movement
Abelardo Moya	Mindanao Peacebuilding Institute (MPI) Foundation, Inc
Rodas Galicha	Alyansa Tigil Mina
Byron Abadena	Transparency and Accountability Network
Vincent Lazatin	Transparency and Accountability Network
Jose Melvin Lamanian	Pagtatanggol Etnas Panghapatran Foundation
Ronald Allan Banaacha	Philippine Rural Reconstruction Movement
Ferpy Tio	Mindanawon of Ateneo de Davao

Beverly Benamante	Alternate Forum for Research in Mindanao (AFRM)
Tess Taheda	Institute for Strategic Research and Development of Visayan State University
Emy Perez	Affiliated Network for Social Accountability-EAP
Tamela Listana	Affiliated Network for Social Accountability-EAP
Sigrid Goore	SAMDHANA; Lessner, Gatsmeyer, Royo and Associates
Jay Estrogoncal	UP College of Law
Pepito Frias	Philrights
Leliani Gabres	Social Watch
Richard Adichao	YAWID
Gerry Arantes	SOS-TE network

Regional Consultations

The invitation of participants in Baguio City was coordinated with Philippine Rural Reconstruction Movement (PRRM) Nueva Vizcaya.

Baguio City Regional Workshop		
Venue: Pines View Hotel		
Speakers: Mr. Ronald Allan Barmacha, Mr. Rodney Galocha, Mr. Loi Manalansan		
NAME	ORGANIZATION	PROVINCE / REGION
Melita Manusi	Amnesty International	La Union / Region 1
Rommel Ursua	Cagayan Water Association	Cagayan / Region 2
Pedro Anacin, Sr.	Katutuhong Samahan ng Quirino	Quirino / Region 2
Hersie Laramento	Tribal Ass. Working for IP Dev't. - Quirino; KALASAG; NCP	Quirino / Region 2
Francisco Tabaniag	Tribal Ass. Working for IP Dev't. - Quirino; TANID	Quirino / Region 2
Martiose Gumbangan	Save Quirino	Quirino / Region 2
Kim Hagada	Save Quirino	Quirino / Region 2
Nelban Jay A. Carazo	NY Peoples' Coordinating Council	Nueva Vizcaya / Region 2
Charoelle Jean V. Bano	Save Nueva Vizcaya	Nueva Vizcaya / Region 2
Jefferson T. Agaloo	Phil. Rural Reconstruction Youth Ass.	Nueva Vizcaya / Region 2
Ronald Allan A. Barmacha	PRRM NV	Nueva Vizcaya / Region 2
Michael Ngaloy	Tribal Ass. Working for IP Dev't. - NV	Nueva Vizcaya / Region 2
Salvador Bano	Talibaba	Baguio City / CAR
Robin T. Martin	Alliance of Baguio for Community	Cagayan Valley

	Development Advocates (ALBUCCIDA)	
Rochelle S. Germa	Gonzaga Alliance for Environmental Protection and Preservation (GAEPF)	Cagayan Valley
Romano A. Fuerte	Federation of Environmental Advocates in Cagayan (FEAC)	Cagayan Valley
Belahim Tazon	Amianan Salakmbitan	Region
Corpus Ngava	MADPO	Benguet

For the NCR (National Capital Region) regional consultation, participants were from Zamboales, Nueva Ecija, Romblon, Bicol, Sorsogon, Marinduque, Palawan and Mindoro.

NCR Regional Consultation Venue: UP Hotel Speakers: Mr. Rodne Galucha, Prof. Dante Genuyten, Ms. Cielo Magno, Mr. Gerry Arances, Mr. Eryn Alcala, Mr. Jaybee Garganera		
Participant	Organization	Region/Province
Dr. Ben Molina	Makabuging Zamboales (MEZ) / Concerned Citizens of Sta. Cruz (CCOS)	Zamboales
Cresencia Gomez	AMA	Nueva Ecija
Victor Colib	Palawan NGO Network, Inc.	Palawan
Walter Marquez	KAAGAPAY	Mindoro
Arto Canillo	KAAGAPAY	Mindoro
Arturo Mandava	AODAW	Palawan
Rolando Tan	SAMI/Sibuyan Isle	Sibuyan, Romblon
Dr. Marian Masi	REFAM Romblon/ Romblon State University	Romblon
Generoso Ulanga	TRAVEZIA Romblon	Romblon
Mansu Agaa	ALAMIN	Mindoro
Jasper Francisco	4-H	Mindoro
Edsel Bracder	4-H	Mindoro
Beth Haggol	MACEC	Marinduque
Edmund Ota	MACEC/PEC	Marinduque
Phoebe B. Perez	SAMI/ Sibuyan Isle	Sibuyan Isle
Araulin Perez	SAMI/ Sibuyan Isle	Sibuyan Isle
Juan N. Bautista	Social Action Center-Legaspi	Legaspi
Dennis Das	BLOD Caracora	Kapri Kapri, Albay
Mella E. Quirang	Coastal Care, Inc.	Bicol
Rolando Tan	Sibuyan Isle Inc	Romblon

The invitations for the regional consultation in Davao were coordinated with Alternate Forum for Research in Mindanao (AFRM) and Mindanawon of Ateneo de Davao University.

Davao Regional Consultation		
Venue: Leo Casitas Hotel		
Speakers: Ms. Beverly Besmanon, Ms. Perpetua Tio, Ms. Gelo Magno, Mr. Rodne Galcha, Mr. Loi Masalanan, Mr. Jose Melvin Lamasulan		
Participant	Organization	Province/Region
Rosealyn Raro	KAMASKI	Bayugan, Agusan del Sur
Ringuel Roco	KAMASKI	Bayugan, Agusan del Sur
Flor Gandamos	Asian Development Foundation	Davao City
Dana Romeo Dassigan	Dampas ng Inangpulang Masakla Inc (SIMI)	Taguig City
Fernan Aguan	Biogr. Council of Sibulan	Biogr. Sibulan, Tawi Davao City
Romy Abe	Biogr. Council of Sibulan	Biogr. Sibulan, Tawi Davao City
Grace Arinan	FASAKK Inc	Bunawan, Agusan del Sur
Dusan Mahuran	FASAKK Inc	Bunawan, Agusan del Sur
Ft. Joey Evangelista	Missionaries of Jesus, Malita Tagakundo Mission, Diocese of Digos	Malita, Davao del Sur
Martin Gonzalo	Missionaries of Jesus, Malita Tagakundo Mission, Diocese of Digos	Malita, Davao del Sur
Estee Ralosa	Tri-People Concerns Inc	Davao City
Stress Fernandez	Accessor International	Davao City
Jeremy Simmons	Mindanao Peacebuilding Institute Foundation Inc	Davao City
Nonoy Cabezares	SILDAF/Noble Endeavors	Compostela Valley
Manuel Dones	Forum Civil Peace Service	Davao City
S. Dana Jimbor Catangan	Soled ID	Bukidnon
Karen Lei Tabilano	MSPC-YE	Davao del Sur
Lourd Ronald Eochoc	EDYA/MSPC-YE	Agusan Norte
Stephan Fuentes	Eroweb Inc	Iligan City

The invitation of participants in Zamboanga was coordinated with GITSB Resource Center for Sustainable Development.

Pagadian City Regional Consultation		
Venue: Mandala Hotel		
Speakers: Mr. Loi Mandaman, Ms. Orla Magno, Mr. Ian Rivera		
Participant	Organization	Province
Mr. Daniel Castillo	DCHE	Zamboanga del Norte
Mr. Florido Candia	MSP/MSVD	Zamboanga del Sur
Ms. Felise Marquez	Micodakon	Zamboanga del Sur
Mr. Rowel Cabilan	Goth, Inc.	Misamis Occidental
Ms. Portena Anoran	PIHEDUCO/Mag'angon	Misamis Occidental
Ms. Carmencita Andoy	Ecology Awareness Team	Misamis Occidental
Ms. Faye Reyes	ECOLENS	Zamboanga del Sur
Rev. Wilson Marquez	Partido Lakas ng Masa(PLM)	Zamboanga del Sur
Ms. Mohaiya Pua	FADKAKA	Zamboanga del Sur
Ms. Juana S. Castillo	MB-PUNCT	Zamboanga del Norte
Mr. Bonifacio Laborada	Social Action/SOS Vitali	Zamboanga City
Rev. Diosdado Marquez	United Church of Christ in the Philippines-WMC	Zamboanga del Sur
Ms. Lourdes Anabieza	Freedom from Debt Coalition-WDR	Misamis Occidental
Mr. Joseph Desosa	Makabayang Philipinos	Zamboanga del Sur
Mr. Melvin Cabral	Concerned Youth Network	Zamboanga del Sur
Ms. Lucia Gonzales	Philippine Movement for Climate Justice-WestMin	Misamis Occidental
Ms. Chona Sulam	Concerned Youth Network	Zamboanga del Sur
Mr. Bong Bahimbangan Jr.	Demuh fi Salam	Zamboanga del Sur
Mr. Nelson Cuarezma	Concerned Advocates Saring Terrestrial Linking Coastal Ecosystem (Coastline) Phils. Inc	Misamis Occidental
Rev. Michael Gubot	FACT-SUR	Zamboanga del Sur
Ms. Seida Lapanaran	UFS	Zamboanga del Sur

The invitation of participants for the Visayan Regional consultation was coordinated with Institute for Strategic Research and Development of Visayan State University and Social Action Center of Cebu.

Visayas Regional Consultation Venue: Valleyfront Hotel, Cebu City Speakers: Mr. Roder Galocha, Mr. Gerry Aranco, Mr. Chadwick Llanos		
Participant	Organization	Province/Region
Sabrie Dimasas	Floridella Centre4Peace, Inc.	Negros Occidental
Donato A. Floridella, Jr.	Greenwatch Phils., Inc.	Negros Occidental
Refina N. Mangrove	A Cebu City Environmental Group (CLABAG)	Cebu, Cebu
Lorena Namallaza	PROCESS FIDON PAMAY, INC.	Antique
Isrita Seronimo	SANTAKAS	Talisay, Cebu
Raide Amigable	KPHL	Lapu-Lapu, Cebu
Philip Achola	SANTAKAS	Eastern Samar
Nancy Bahilla	Save Manicani Movement	Eastern Samar
Mervein Orta	Youth 4 Rights	Eastern Samar
Isamita Molina	Save-Leyte/MASPAD/Greenpeace Phils.	Leyte
Laureen D. Dumaguing	Eastern Visayas Network	Eastern Samar
Lirio John Barac	Youth 4 Rights	Cebu
Anatolo Polinar	VIIJ (Forester)	Leyte
Agustin Docena	Eastern Visayas Network	Eastern Samar
Ronald Salas	ISAC Mason	Southern Leyte
Prof. Emerso Bulayog	College of Management and Economics, VIIJ	Leyte
Maria Luisa B. Mercurillo	USREP-D Sibonga	Cebu
Gina Patalingog	USREP-D Sibonga	Cebu

The network of Alyansa Tugil Mina (ATM) and Transparency and Accountability Network (TAN) were also tapped in inviting participants to the EITI consultation workshops.

Workshop Results

The EITI workshop participants were very open to the information about EITI. Valid concerns were raised on the scope of the EITI, the composition of the Board, the implementation of EITI at the sub-national level, the value of EITI to communities and access to information. The following section summarizes some of the issues and concerns raised during the workshops.

Issues/Concerns

- There were some concerns that if the Philippines limit itself to minimum compliance to EITI, EITI would have an insignificant effect in reforming the extractive industry in the Philippines. This will only create an impression that compliance with EITI absolves the industry of any wrong doing or that it no longer

has to comply with other laws and regulations. Thus, the participants recommend that the Philippine government consent to go beyond minimum compliance in EITI.

- Concerns were raised on the possibility that participation in EITI will be equated to "responsible mining."
- Some communities worry that EITI is "an invitation for mining companies to come to the Philippines." This will then have a negative effect on their struggle to stop mining in their communities. Speakers explained that EITI can complement their campaign by providing them access to data that can reinforce their arguments. Communities argue that the government has to ensure that there will be genuine access to information.
- The communities see the concept of governance reforms (transparency and accountability) in the extractive industry as a new paradigm for that resource extraction. Historically, the debate on mining in the Philippines has given central emphasis on human rights and the environment. The value chain presentation was very helpful in introducing this new paradigm.
- Community-based organizations raised the issue of how they can directly participate and benefit from EITI. Implementation of sub-national EITI was greatly encouraged by the communities. This will give them space to directly participate in extractive industry governance. Communities also believe that sub-national EITI will contribute to stronger regulation of small-scale mining, quarrying and greater transparency and accountability of national and local governments and mining companies at the community level.
- Some workshop participants were also elected local officials. They demand that a similar process of information dissemination and consultation with local governments be initiated by concerned agencies of the government. They also stress the need to have a clear process of selecting the LGU (local government unit) representative in the MSU.
- The participants expressed concern about the lack of mechanism within EITI to penalize companies which fail to comply with the reporting requirements of EITI. Similarly, the participants wondered what penalties will be imposed on companies that violate Philippine laws.
- The participants raised some concerns on how effective EITI will be in ensuring access to information about mining operations in the country. The participants urged the passage of Freedom of Information bill to strengthen the implementation of EITI in the Philippines.
- Some concerns were raised about the sustainability of the EITI initiative in the Philippines, considering that EITI is a voluntary initiative. The participants

suggested that a law be enacted to institutionalize and expand the scope of EITI in the Philippines.

EITI Reporting

To make EITI reports effective and useful, the following information are suggested:

Individual site report

- EITI reports should be disaggregated per site per company per operation/site.
- EITI reports should include all forms of payment to government (national and local) and communities (royalties and payment and contribution for social development).
- The EITI reports should include transfers from government to companies. These include incentives given by government to companies.
- Disclosure on the volume of ore extracted from site and on the type of minerals that are extracted per site including associated minerals and the related price.
- Disclosure of production data and mineral reserves.
- EITI reports should include information on the total economic contribution of the extractive industry in the country, including employment contribution to be disaggregated by type of employment by age, gender and nationality.
- Companies included in the report should provide some information on the wage of their workers to show if there are income disparities between local and expats, if any.
- Inventory and total economic valuation of the contribution of the operation to the local economy.
- Background on the owners of the company should be included in the report.
- The report should disclose the contract of companies to the government and the Memorandum of Agreement with communities. The EITI exercise should eventually result in the review of these contracts.
- Individual site report should also include payment to subcontractors.
- Disclosure of company "good will," "donation" and "political contributions."
- EITI reports should include the Environmental Compliance Certificate (ECC) of the operating company and the state of compliance of the company.
- Data in the report should be available and accessible in the EITI-Philippines website in excel format.
- Individual site report should include the impact of the operation on flora, fauna, water quality, air, timber and land.
- EITI reports should include information on human rights issues associated with the extractive operation in the site.
- EITI audit reports should cover at least the past 5/10 years of the company operation.

Information on mineral resources

- EITI reports should include updated information on the current inventory/total mineral resources of the country.
- EITI reports should include comprehensive maps of these mineral resources.

Industry background

- Background information on funds flow (flow of payments from companies to agencies).
- Background information on process flow (flow of ore from site to processing).
- Background on pricing of ore.
- Background on the destination of minerals exported from the Philippines and an audit on the quantity and value of exported minerals.
- Total social and economic contribution of the industry (aggregated and disaggregated data).

Industry scope of EITI

- The first Philippine EITI report should include the 11 large-scale operating metallic mining sites and key mining operations particularly Tasekuran, Oowana Gold and TVL. It should also include oil and gas operations in the country.
- The implementation of EITI at the national level should be complemented by the preparation and capacity building of regions/provinces to implement sub-national EITI.
Sub-national EITI will include discussions on large-scale mining, small-scale mining, and quarrying (e.g. cement production in Cebu, magnetite quarrying).
- EITI reporting should eventually include the exploration stage of extractive industries. EITI mechanisms should also enact transparency and accountability in offshore mining, non-metallic mines, cement industries, downstream mining industries, geothermal and hydro-energy, extraction of water resources, forestry/logging, large plantations (e.g. banana, pineapple, and palm oil), biofuel.

EITI scope with respect to the industry value chain

- Initial reports can be limited to financial disclosure, disclosure of all relevant information as enumerated in the "EITI Reporting" section, and contract and MOA disclosure and review.
- Eventually, it is envisioned that EITI be
 - o A venue to review the validity of the free prior and informed consent (FPIC) process, IP contracts with mining companies and royalties.

- o A venue to conduct independent comprehensive cost and benefit assessments (social impact assessments) of sites that will be open for exploration.
- o A venue to review compliance of companies with contracts.
- o A venue to track the expenditure of proceeds/revenues from extractive industries.

Decision-making in EITI

- It is common knowledge that the government and the industries have long-established relationships. It is the recognition of this relationship that leads the International EITI Board to adopt consensus building as a mechanism for decision-making in the EITI Board. In this regard the civil society groups demand that consensus building be the only mechanism for decision-making in the multi-stakeholder group of the EITI Philippines.

Institutionalization of EITI

- A law should be passed to ensure the institutionalization of EITI.
- The national government should commit to support and promote the implementation of EITI at the sub-national level.
- The passage of the Freedom of Information bill is at the heart of making EITI successful in the Philippines.

CSO Organizational Structure for EITI

- Bantay Kita will serve as the secretariat of CSOs for EITI

Process of Selection of CSO MSG representatives

Nominations

- Nomination for CSO Representatives should be open at least 15 days before the National Congress
- Bantay Kita Secretariat shall call for the nomination and shall make the nomination form available online.
- Bantay Kita Secretariat shall update the network on the list of nominees a week after the call for nomination
- Who can nominate: Organizations that are affiliated with the Bantay Kita network and those who participated in the consultation process and expressed willingness to

participate in EITI can nominate individuals to represent the civil society organizations in the MSG.

- Bantay Kita Secretariat shall inform individuals who have been nominated that they have been nominated and if they are accepting the nomination, the requirements for candidacy to become a CSO representative to the MSG.

Requirement for nominees

- Nominees should have two recommendation letters from communities or organizations
- Acceptance letter expressing commitment to devote time in fulfilling the role of CSO representative in the MSG (express commitment to attend all MSG/EITI activities; to come prepared in MSG meetings), explaining the nominee's expertise and disclosure of all forms of association, past and present, with the extractive industry concerned.
- Curriculum Vitae

Screening process

- After the nomination process, a screening committee⁴ will be formed to determine who among the nominees are qualified, based on the criteria for selection of MSG representatives. Nominees will be ranked based on a scoring mechanism.
- The screening committee shall be composed of two representatives from the Bantay Kita Board, and three representatives from Luzon Visayas and Mindanao organizations who are randomly selected.
- All minutes/documentation of EITI process shall be disseminated to all organizations
- Five CSO Representatives in the EITI-PH MSG will be selected through a consensus building process in the CSO National Congress. Five other CSO members will also take part in the MSG as substitutes or back-ups.

Composition of CSO representatives in the MSG

The organizations that are participating in EITI shall try to form a team of CSO representatives that:

- Has balanced technical expertise in the relevant industries
- Is gender-balanced
- Shows intergenerational representation
- Has a broad geographical representation
- Has balanced representation from community-based organizations and NGOs. The minimum is to have at least one grassroots representation from the mining-affected community

⁴ In a board meeting of Bantay Kita trustees last December 17, 2012, because of time constraint, the board will serve as the screening committee. If a member of the board is nominated to be part of the MSG, he/she will not be part of the screening committee.

- Has MSO representatives with fixed term limits, though they may be re-elected.
- Allows for impeachment of a member of the MSO, with due process.

Individual criteria:

- The nominee must not have any affiliation, any direct or indirect engagement, or conflict of interest with the extractive industries whether past or present
- Has not received any compensation from mining entities (e.g. in kind, cash, grants or projects). In the event that a person who was nominated received some grant from the mining company, the person has to defend and justify his/her previous relationship with the extractive company
- Has negotiating skills/ public relations skills
- Committed to the principles of PNTF value chain
- Integrity/history of advocacy
- Should be a member of organization(s) with legal personality or affiliation to credible alliances and organizations
- Should be affiliated or sponsored by organizations who participated in the Eastey Kwa consultations on EITI.

**Annex A: Programs of the training workshop and
the regional consultation workshops**

EITI Training Workshop October 18-19, 2012 University Hotel, University of the Philippines Diliman			
Time	Session	Objective	Speaker / Facilitator
Day 1			
8:00-8:30am	Arrival, Registration of Participants and Distribution of TOT Kit		BK Secretariat
8:30-8:45am	Welcome, Rationale and Objective of the TOT	To level off expectations among the participants	Men Sta. Ana, Chairperson, BK
8:45-9:15am	Introduction of Participants (participants will introduce themselves (name, organization, expected output)		
9:15-9:30 am	Bantay Kita and the Advocacy framework of Bantay Kita (PWYP Chain for Change)	Overview of Bantay Kita's advocacy framework	Cielo Magno Coordinator, BK
9:30 -10:30 am	Discussion: What is EITI?	To know the basic information about EITI such as its history, structure, criteria and process To better understand EITI as a mechanism for transparency and accountability	Roslita Arnyad Revenue Watch Institute
10:30-11:00am	AM Snacks		
11:00-11:45 am	Feedback from the Participants	Open forum	
11:45am - 1:00pm	Lunch		
1:00 -1:30 pm	Discussion: EITI context in the Philippines	To situate EITI from the bigger context of reforming the Philippines extractive sector	Jaybee Garganera, National Coordinator, Alyansa Tigil Mina
1:30 - 2:00pm	Open Forum		
2:00-2:30pm	Discussion: EITI in Indonesia	To learn from the experience of Indonesia on the actual implementation of EITI	Maryati Abdullah National Coordinator, PWYP Indonesia
2:30-3:00pm	Discussion: CSO perspective in implementing EITI in Indonesia	To better understand the role of CSO in EITI process To know about the opportunities and challenges faced by CSO in Indonesia	Gita Soerjoatmodjo, Indonesia Parliamentary Center
3:00-3:20pm	PM Snacks		
3:20-4:00pm	Open Forum		
4:00-4:30pm	Synthesis: Day 1 Sessions		Beverly Bezmanos, AFRIM

Day 2			
8:30-9:00pm	Recap: Day 1 Sessions		
9:00-10:00am	International Experiences on EITI	To learn about other country experiences on EITI, different EITI models, current trends/challenges	Roslita Arnyad Erica Westenberg Revenue Watch Institute
10:00-10:45 am	EITI in Timor Leste and the Petroleum Fund Recent discussions/proposed amendments on EITI rules	To learn from the experience of Timor Leste in implementing EITI with regard to the creation of Petroleum Trust Fund To get an overview of the proposed changes in the EITI rules for 2013	Mericio Juvinal Dos Reis Leta Hamutuk Institute, Timor Leste CSO Representative, International EITI Board
10:45-11:15am	AM Snacks		
11:15 - 12:00pm	Open Forum		
12:00 - 1:00pm	Lunch		
1:00 - 2:00 pm	Discussion/workshop: Defining the Philippine Agenda in EITI	Discussion on CSO agenda within EITI	Facilitator: Perpirina Tio Mindanawon
2:00 - 2:30 pm	PM Snacks		
2:30-3:30 pm	Discussion/workshop: Defining the criteria and process in selecting CSO Representatives in the PH-EITI Multi-stakeholder Group (MSG)	- to define and establish set of criteria and process in selecting CSO Representatives in the Multi-stakeholder Group	Facilitator: Perpy Tio Mindanawon
3:30 - 4:30pm	Discussion on the draft TOR and Work plan of PH-EITI	- to discuss and solicit comments on the draft TOR and Work plan of PH-EITI	Francis Capistrano Department of Budget and Management
4:30-5:00pm	Synthesis and Closing Program		Dr. Tess Tabada Visayas State University

EITI Regional Consultation Pines View Hotel, Baguio City November 15-16, 2012			
Time	Session	Objective	Person in-charge
Day 1			
8:00-9:00 am	Arrival, registration of participants and distribution of workshop kit		BK Secretariat
9:00-9:15 am	Welcome, rationale and objective of the regional consultation	To level off expectations among the participants	
9:15-9:30 am	Introduction of participants (participants will introduce themselves (name, organization, expected output)		Rodne Galcha, ATM
9:30-10:00 am	Bantay Kita and the advocacy framework of Bantay Kita (PWYP Chain for Change)	To have an overview of Bantay Kita's advocacy framework	Loi Manalansan, Bantay Kita
10:00-10:15 am	AM Snacks		
10:15-11:15 am	Discussion: What is EITI?	To know the basic information about EITI such as its history, structure, criteria and process To better understand EITI as a mechanism for transparency and accountability	Loi Manalansan, Bantay Kita
11:15-12:00 pm	Open forum		
12:00 pm-1:00 pm	Lunch		
1:00-1:30 pm	Discussion: EITI context in the Philippines	To situate EITI from the bigger context of reforming the Philippines extractive sector	Rodne Galcha, ATM
1:30-2:30 pm	Discussion: Other country experiences on EITI	To better understand the role of CSO in EITI process To know about the opportunities and challenges faced by CSOs in other countries To learn from the experience of other country on the actual implementation of EITI	Loi Manalansan, Bantay Kita
2:30-2:45 pm	PM Snacks		
2:45-4:00 pm	Open Forum		
4:00-4:15 pm	Synthesis: Day 1 Sessions		Rodne Galcha, ATM

Day 2			
9:00-9:15 am	Recap: Day 1 Sessions		
9:15-10:30 am	Discussion/workshop: Defining the Philippine Agenda in EITI	Discussion on CSO agenda within EITI	Ronald Allan Barnacha, PRRM
10:30-10:45 am	AM Snacks		
10:45-11:45 am	Discussion/workshop: Defining the criteria and process in selecting CSO Representatives in the PI-EITI Multi-stakeholder Group (MSG)	To define and establish set of criteria and process in selecting CSO Representatives in the Multi-stakeholder Group	Loi Manalanan, Bastay Kita
11:45-12:15 pm	Synthesis and Closing Program		Loi Manalanan, Bastay Kita
12:15 pm-1:00 pm	Lunch		

EITI Regional Consultation UP Hotel, University of the Philippines Diliman November 29-30, 2012			
Time	Session	Objective	Speaker
Day 1			
8:00-9:00 am	Arrival: Registration of participants and distribution of workshop kit		BK Secretariat
9:00-9:15 am	Welcome Remarks: rationale and objective of the regional consultation	To level off expectations among the participants	Cielo Magno Bantay Kita
9:15-9:30 am	Introduction of participants (participants will introduce themselves (name, organization, expected output)		Lol Manalansan, Bantay Kita
9:30-10:00 am	Discussion: EITI context in the Philippines	To situate EITI from the bigger context of reforming the Philippines extractive sector	Rodre Galicha, ATM
10:00-10:15 am	AM Snacks		
10:15-11:00 am	Bantay Kita and the advocacy framework of Bantay Kita (PWYP Chain for Change)	To have an overview of Bantay Kita's advocacy framework	Gerry Arances
11:00-12:00 nn	Open forum		
12:00 nn-1:00 pm	Lunch		
1:00-2:00 pm	Discussion: What is EITI?	To know the basic information about EITI such as its history, structure, criteria and process To better understand EITI as a mechanism for transparency and accountability	Byron Abadeza, TAN
2:00-3:00 pm	Discussion: Other country experiences on EITI	To better understand the role of CSO in EITI process To know about the opportunities and challenges faced by CSOs in other countries To learn from the experience of other country on the actual implementation of EITI	Cielo Magno, Bantay Kita
3:00-3:15 pm	PM Snacks		
3:15-4:15 pm	Open Forum		
4:15-4:30 pm	Background on where we are in terms of EITI candidacy		Cielo Magno, Bantay Kita
4:30 - 5:30 pm	Special topic on local governments and EITI		Prof. Dante Gatmuyan UP College of Law

Day 2			
9:00-9:30 am	Recap: Day 1 Sessions		
9:30-11:30 am	Discussion: EITI context in the Philippines	To situate EITI from the bigger context of reforming the Philippines extractive sector	Jaybee Garganera, ATM
11:00-12:00 pm	Open forum		
12:00 pm-1:00 pm	Lunch		
1:00-2:00 pm	Discussion/workshop: Defining the Philippine Agenda in EITI	Discussion on CSO agenda within EITI	Cielo Magno, Bastay Kita
2:00-3:30 pm	Discussion/workshop: Defining the criteria and process in selecting CSO Representatives in the PH-EITI Multi-stakeholder Group (MSG)	To define and establish set of criteria and process in selecting CSO Representatives in the Multi-stakeholder Group	Cielo Magno, Bastay Kita
3:30-3:45 pm	Synthesis and Closing Program		

EITI Regional Consultation Las Casitas Hotel, Davao City December 3-4, 2012			
Time	Session	Objective	Person in-charge
8:00-9:00 am	Arrival, registration of participants and distribution of workshop kit		BK Secretariat
9:00-9:15 am	Welcome, rationale and objective of the regional consultation	To level off expectations among the participants	Cielo Magno, Bantay Kita
9:15-9:30 am	Introduction of participants (participants will introduce themselves (name, organization, expected output)		Bon Bermanos, AFRIM
9:30-10:30 am	Bantay Kita and the advocacy framework of Bantay Kita (PWYP Chain for Change)	To have an overview of Bantay Kita's advocacy framework	Melvin Lamanzilan, PBPF
10:30-10:40 am	AM Snacks		
10:40-11:30 am	Discussion: What is EITI?	To know the basic information about EITI such as its history, structure, criteria and process To better understand EITI as a mechanism for transparency and accountability	Perpevina Tio, Mindanawon-Ateneo de Davao University
11:30-12:00 am	Open forum		
12:30 am-1:30 pm	Lunch		
1:30-2:15 pm	Discussion: EITI context in the Philippines	To situate EITI from the bigger context of reforming the Philippines extractive sector	Rodne Galinha, ATM
2:15-2:45 pm	Discussion: Other country experiences on EITI	To better understand the role of CSO in EITI process To know about the opportunities and challenges faced by CSOs in other countries To learn from the experience of other country on the actual implementation of EITI	Cielo Magno, Bantay Kita
2:45-3:45 am	Discussion/workshop: Defining the Philippine Agenda in EITI	Discussion on CSO agenda within EITI	Melvin Lamanzilan, PBPF
3:45-4:30 am	Discussion/workshop: Defining the criteria and process in selecting CSO Representatives in the PH-EITI Multi-stakeholder Group (MSG)	To formulate the criteria and process of selecting the CSO representatives in the EITI-PH MSG	Melvin Lamanzilan, PBPF
4:30-5:00 pm	Synthesis and Closing		Bon Bermanos, AFRIM

EITI Regional Consultation Pagadian City December 6-7, 2012			
Time	Session	Objective	Speaker
9:00-9:30 am	Arrival, registration of participants and distribution of workshop kit		BK Secretariat
9:30-9:45 am	Welcome, rationale and objective of the regional consultation	To level off expectations among the participants	Loi Manalanan, Bantay Kita
9:45-10:15 am	Introduction of participants (participants will introduce themselves (name, organization, expected output)		Ian Rivera, Gibb Inc.
10:15-10:25 am	AM Snacks		
10:25-11:00 am	Bantay Kita and the advocacy framework of Bantay Kita (PWYP Chain for Change)	To have an overview of Bantay Kita's advocacy framework	Loi Manalanan, Bantay Kita
11:00-11:30 am	Discussion: What is EITI?	To know the basic information about EITI such as its history, structure, criteria and process To better understand EITI as a mechanism for transparency and accountability	Loi Manalanan, Bantay Kita
11:30 am-12:15 pm	Open Forum		
12:15-1:15 pm	Lunch		
1:15-1:45 pm	Discussion: Other country experiences on EITI	To better understand the role of CSO in EITI process To know about the opportunities and challenges faced by CSOs in other countries To learn from the experience of other country on the actual implementation of EITI	Cielo Magno, Bantay Kita
1:45-2:45 pm	Discussion/workshop: Defining the Philippine Agenda in EITI	Discussion on CSO agenda within EITI	Ian Rivera, Gibb Inc.
2:45-3:00 pm	AM Snacks		
3:00-4:30 pm	Discussion/workshop: Defining the criteria and process in selecting CSO Representatives in the PI-EITI Multi-stakeholder Group (MSG)	To define and establish set of criteria and process in selecting CSO Representatives in the Multi-stakeholder Group	Loi Manalanan, Bantay Kita
4:00-4:15 pm	Synthesis		Loi Manalanan, Bantay Kita

EITI Regional Consultation Cebu City December 12-13, 2012			
Time	Session	Objective	Resource Person
8:00-9:00 am	Arrival, registration of participants and distribution of workshop kit		BK Secretariat
9:00-9:15 am	Welcome, rationale and objective of the regional consultation	To level off expectations among the participants	BK Secretariat
9:15-9:30 am	Introduction of participants (participants will introduce themselves (name, organization, expected output))		BK Secretariat
9:30-10:30 am	Bantay Kita and the advocacy framework of Bantay Kita (PWYP Chain for Change)	To have an overview of Bantay Kita's advocacy framework	Mr. Gerry Arances
10:30-10:40 am	AM Snacks		
10:40-11:30 am	Discussion: What is EITI?	To know the basic information about EITI such as its history, structure, criteria and process To better understand EITI as a mechanism for transparency and accountability	Mr. Chawick Llanos
11:30-12:00 am	Open forum		
12:30 am-1:30 pm	Lunch		
1:30-2:15 pm	Discussion: EITI context in the Philippines	To situate EITI from the bigger context of reforming the Philippines extractive sector	Mr. Rodne Galicha
2:15-2:45 pm	Discussion: Other country experiences on EITI	To better understand the role of CSO in EITI process To know about the opportunities and challenges faced by CSOs in other countries To learn from the experience of other country on the actual implementation of EITI	Mr. Chawick Llanos
2:45-3:45 am	Discussion/workshop: Defining the Philippine Agenda in EITI	Discussion on CSO agenda within EITI	Mr. Gerry Arances & Mr. Rodne Galicha
3:45-4:30 am	Discussion/workshop: Defining the criteria and process in selecting CSO Representatives in the PH-EITI Multi-stakeholder Group (MSG)	To formulate the criteria and process of selecting the CSO representatives in the EITI-PH MSG	Mr. Gerry Arances & Mr. Rodne Galicha

Annex C: Attendance Sheets



Department of Budget
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Malacanan, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EITI Trainers Training
Place of Meeting : University Hotel, Diliman, Quezon City
Date/ Time of Meeting : 18-19 October, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. ABEL LOYA	MPI - Program Officer	
2. JIMMY S. GARCIA	APENI - PROGRAM OFFICER	
3. IAN RIVERA	OUR BUDGETS OUR LIFE (OROL) - COMMUNITY OUTREACH SAFE HUMANITARIAN INTERVENTION - COORDINATOR	
4. NANCY A. GUILA	CHAIR - FOTRENTCo	
5. ALFREDO M. DELA TORRE	ISADS, DIRECTOR	
6. MARIA ANG RIA TAVARAS	ADDU-ALA	
7. MARICEL P. HILADO-AYON	Social Center/Peace	
8. EDWIN L. C. LOR	RWI	
9. ROSITA RYNO	UNEP-D	
10. CRISTINA S. NAVE	TRUWID	
11. RICHARD A. DELA CRUZ	KALASAG	
12. ROSARIO B. LUNA	REG. of Inclusion	
13. BRIGITTE O. OCHOA	PRM - NY CHAIRPERSON	
14. RONALDO A. DELA ROSA	PHILRENTS	
15. PEPITO FRIAS		



Department of Budget
and Management
Malacafang, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EITI Trainors Training
Place of Meeting : University Hotel, Diliman, Quezon City
Date/ Time of Meeting : 18-19 October, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. <u>Jorge Garcia</u>	<u>ATM</u>	<u>[Signature]</u>
2. <u>Walter Alvarez</u>	<u>BARC/BM</u>	<u>[Signature]</u>
3. <u>Roldan Morales</u>	<u>GTB, Inc.</u>	<u>[Signature]</u>
4. <u>MELVIN LOMANILAO</u>	<u>PSPT</u>	<u>[Signature]</u>
5. <u>Enzo Estana</u>	<u>ALSA EAP</u>	<u>[Signature]</u>
6. <u>Imelda Piny</u>	<u>ALSA EAP</u>	<u>[Signature]</u>
7. <u>PERDIL S. TIO</u>	<u>MENTORSHIP - BPNED</u>	<u>[Signature]</u>
8. <u>Gen</u>	<u>IPC</u>	<u>[Signature]</u>
9. <u>Francis Y. Cristino</u>	<u>Department of Budgeting</u>	<u>[Signature]</u>
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Department of Budget
and Management
Malacañang, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EFTI Trainors Training
Place of Meeting : University Hotel, Diliman, Quezon City
Date/ Time of Meeting : 18-19 October, 2012

PART	IPANTS	OFFICE / DESIGNATION	SIGNATURE
1.	REGINA O. SENDOY F.	ASST. / PROGRAM OFFICER	
2.	PERCY C. J.	MINDA DAWON - ATENDO DIRECTOR	
3.	JOE JAR O CALALISANT	HABISON / CAS-1	
4.	Melgail Ra c	OFFICE of Sec. for Dev.	
5.	IAN C. INERA	OUR NURS OUR LIFE	
6.	PEPITO FRANS	PHILRISIT JS	
7.	AKA I -A	Lita Hamutuk	
8.	CRIS I RAO	OK / AOC	
9.	Eryel P. Hiri is- Retino	AIA - ADDM	
10.	ROLDAN SUELA	GITB / EXEC. DIRECTOR	
11.	JOSEDA E. POLE 2	AMH CAP	
12.	EMERSON S. SERRA	USAP-0	
13.	MARYST	PURP- Indonesia	
14.	Ma. Lydia Liphora	POC-ENR / POC	
15.	NANCY S. PABILLA	SA MAMO	



Department of Budget
and Management
Malacanan, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EFTI Trainers Training
Place of Meeting : University Hotel, Diliman, Quezon City
Date/ Time of Meeting : 18-19 October, 2012

PART	IPANTS	OFFICE/ DESIGNATION	SIGNATURE
1.	RONALD ALI	PRRM-RV - CHAIRPERSON	
2.	LEON DUL	KALASAG/RA/COMPTROLLER	
3.	LEONARDO GALVEZ	ROUNDTABLE/ALIAS	
4.	LAMPARD LEONARDO	KALASAG/RA	
5.	ROSITA SYAB	RWI	
6.	GITA	IPC	
7.	PIGALD	Learn from Learning from Boys	
8.	LOPEZ G	ASIA/5/SCC	
9.	WILLY	FAWID	
10.	FANIEL	AUSA-DAP	
11.	JNGONZA	ARM	
12.	ABOL LOY 2	MPI-RCBPP	
13.	MELVIN AMANIKAW	PBPF	
14.	ARREDO P. BAYAN	CHIEF OF POLICE/FPJ	
15.	GERARD ALONSO	SOS-78 NINONK	



Department of Budget
and Management
Malacañang, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EITI Trainers Training
Place of Meeting : University Hotel, Diliman, Quezon City
Date/ Time of Meeting : 18-19 October, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. Maria Aurora Q. Tabada	CAPO, WDM / Director	<i>[Signature]</i>
2. Patricia Sandoval	UPA	<i>[Signature]</i>
3. RICHIE CARA SORIANO	DC	<i>[Signature]</i>
4. Jay L. Bautista	UPA	<i>[Signature]</i>
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Department of Budget
and Management
Malacanan, Manila



Barlay Kita
West Avenue
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EITI Regional Consultation - Region 4
Place of Meeting : Pines View Hotel
Date/ Time of Meeting : 26-27 November, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
MELVIN BACUSE	Amnesty International - Group Coord.	[Signature]
ROBERTO TORRES	BRNASH - AMNH / VP	[Signature]
Rafael Alvarado	teletelco	[Signature]
Alexandra M. ...	RAJASAT / ...	[Signature]
Stefanice J. ...	JANED GULL	[Signature]
... ..	...	[Signature]
... ..	SAVE ...	[Signature]
... ..	TEAC / ...	[Signature]
... ..	TEAC	[Signature]
... ..	SAVE ...	[Signature]
... ..	... - ...	[Signature]
... ..	... / ...	[Signature]
... ..	... - ...	[Signature]
... ..	... - ...	[Signature]



Department of Budget
and Management
Malacañang, Manila



Bantay Kita
Vice President
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : ETE Regional Consultation - Baguio
Place of Meeting : Plaza View Hotel
Date/ Time of Meet : 26-27 November, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. <u>Wen Man: lanson</u>	<u>Bantay Kita</u>	
2. <u>Editha Cruz - pascual</u>	<u>PEEM / OPIR</u>	
3. <u>Michael E. Alayon</u>	<u>TAVID-AR</u>	
4. <u>Bahilyn V. Man</u>	<u>Amara Sabalunan - Secretary</u>	
5. <u>Regina B. S.</u>	<u>Bantay Kita</u>	
6. <u>John Paul</u>	<u>ISD</u>	
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Department of Budget
and Management
Malacañang, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EITI Regional Consultation - NCR
Place of Meeting : University Hotel, Diliman, Quezon City
Date/ Time of Meeting : 29-30 November, 2012

NO.	PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1.	WALTER B. PAREZ	KAGAPAY / Sr. Gen	
2.	Francis D. Santos	KAGAPAY / Treasurer	
3.	ARTURO MANDAWA	ALDAN	
4.	Jasper Francisco	9-H	
5.	EDSEL T. PRODRON	9-H	
6.	VICTOR P. COLON	PNNS	
7.	Beth P. M. Agul	MACC	
8.	ROBERTO R. DEE	SAN	
9.	ARNALDO I. PEREZ	SAN	
10.	FRANCISCO - TAN	MANAYUNGON INC	
11.	Aracelis 'Mony'	AMA	
12.	EDMUNDO M. CLA	MACC / PEC	
13.	JUAN H. MANTUA	SAC - WMAZPI	
14.	DENNIS - DIAZ	BLVD CARACAN	
15.	MERIAN C. MANI	RSU / REPAM	



Department of Budget
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Malacañang, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EITI Regional Consultation - NCR
Place of Meeting : University Hotel, Diliman, Quezon City
Date/ Time of Meeting : 29-30 November, 2012

PART	CIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1.	<u>GENEROSO ADANGA</u>	<u>TRAVESIA / CHAIR</u>	<u>[Signature]</u>
2.	<u>MARIN M. AGUA</u>	<u>ADMIN / Acting Chair</u>	<u>[Signature]</u>
3.	<u>RONALD B. SOLINDO, JR.</u>	<u>ECOC / chairperson</u>	<u>[Signature]</u>
4.	<u>MARLA B. DASILANG</u>	<u>COASTAL CODE, INC.</u>	<u>[Signature]</u>
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Department of Budget
and Management
Malacanan, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : EITI Regional Consultation
Place of Meeting : Las Casas Inn, Davao City
Date/ Time of Meeting : 3-4 December, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. <u>Donato D. Bana</u>	<u>Dept. Secretary (Acting)</u>	<u>[Signature]</u>
2. <u>SOLED M. MORALES</u>	<u>Admin. Staff - FACREP. AC</u>	<u>[Signature]</u>
3. <u>FRANCIS P. ALANAN</u>	<u>BRDY OFFICIAL</u>	<u>[Signature]</u>
4. <u>RONALD M. ADE</u>	<u>BRDY OFFICIAL</u>	<u>[Signature]</u>
5. <u>JOSEPH M. ANASTAS</u>	<u>BRDY AC, Davao / CDO</u>	<u>[Signature]</u>
6. <u>JOHNNY G. LEE</u>		<u>[Signature]</u>
7. <u>Franz F. P. D.</u>		<u>[Signature]</u>
8. <u>Louie Ronald B. B.</u>	<u>MPC-YS/BOYA</u>	<u>[Signature]</u>
9. <u>Manuel P. D.</u>	<u>Forum EFO</u>	<u>[Signature]</u>
10. <u>FRANCIS D. G.</u>	<u>Forum</u>	<u>[Signature]</u>
11. <u>SOLED M. MORALES</u>	<u>SOLED M. - President</u>	<u>[Signature]</u>
12. <u>Jeremy S.</u>	<u>Member, Sustainable Dev. PD.</u>	<u>[Signature]</u>
13. <u>JOSE A. Evangelista, Jr.</u>	<u>Malita Tugbokele Mission</u>	<u>[Signature]</u>
14. <u>MARITO T. GONZALES</u>	<u>Malita Tugbokele Mission</u>	<u>[Signature]</u>
15. <u>Ester C. R.</u>	<u>Int. Trade Center for 2012 Project & Dev. of Malita Tugbokele</u>	<u>[Signature]</u>



Department of Budget
and Management
Malacanan, Manila



Bantay Kita
West Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : ETT Regional Consultation
Place of Meeting : Las Casitas Inn, Divisoria City
Date/ Time of Meeting : 3-4 December, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. <u>ROBERTO D. DAVARAN, JR.</u>	<u>(SINIG) BOD CHAIRMAN</u>	<u>[Signature]</u>
2. <u>JUANITO A. CRISTOPHER</u>	<u>SECRETARY-GENERAL</u>	<u>[Signature]</u>
3. <u>JUANITO CRISTOPHER</u>	<u>ATTN-DILAO HRET</u>	<u>[Signature]</u>
4. <u>Edwin L. Tolino</u>	<u>HRM-4 / Program Coordinator</u>	<u>[Signature]</u>
5. <u>FRANCIS R. CALIBO</u>	<u>ATTN</u>	<u>[Signature]</u>
6. <u>EDWINY T. BERNARDOS</u>	<u>ADMIN / PROGRAM OFFICER</u>	<u>[Signature]</u>
7. <u>Arnel G. Aña</u>		<u>[Signature]</u>
8. <u>Angell Pin O</u>		<u>[Signature]</u>
9. <u>FELIX C. TO</u>	<u>Director/ Administration</u>	<u>[Signature]</u>
10. <u>Leo Manalacan</u>	<u>Bantay Kita</u>	<u>[Signature]</u>
11. <u>Caro Jara</u>	<u>OC</u>	<u>[Signature]</u>
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15. _____	_____	_____



Department of Budget
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Malacanan, Manila



Bantay Kita
Vito Cruz Avenue,
Quezon City

ATTENDANCE SHEET

Purpose of Meeting : ETTI Regional Consultation - Pagadian
Place of Meeting : Mardale Hotel and Convention Center, Pagadian City
Date/ Time of Meeting : 6-7 December, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. <u>Febie L. Marquez</u>	<u>Masidatan-ED</u>	<u>[Signature]</u>
2. <u>Placido M. Cantin</u>	<u>M.R.P</u>	<u>[Signature]</u>
3. <u>JOSEPH B. DESACA</u>	<u>Makabayan Phil</u>	<u>[Signature]</u>
4. <u>CARROLL MOLLINI</u>	<u>CYSO</u>	<u>[Signature]</u>
5. <u>BENIGNO M. LAPOROSA</u>	<u>SOCIAL REGIONAL - VTAI, 2.c./305</u>	<u>[Signature]</u>
6. <u>Lucrecia D. Gonzales</u>	<u>PRONJ - Western Contract</u>	<u>[Signature]</u>
7. <u>Daniel C. Guillot</u>	<u>DCMI</u>	<u>[Signature]</u>
8. <u>EDUARDO M. AGUIRREZA</u>	<u>PRC - VTAI</u>	<u>[Signature]</u>
9. <u>Oliver C. Sabu</u>	<u>CYN</u>	<u>[Signature]</u>
10. <u>Juliana S. Castanon</u>	<u>MO - PHILIP PED. 2000/000</u>	<u>[Signature]</u>
11. <u>Ronal C. Cabana</u>	<u>CA/Inc / PUNCHY OFFICE</u>	<u>[Signature]</u>
12. <u>Ben Top Her A</u>	<u>With Poly/NGP. Inc</u>	<u>[Signature]</u>
13. <u>JEAN RIVERA</u>	<u>GTIP, Inc.</u>	<u>[Signature]</u>
14. <u>BONG M. DALINGALISAN, JR.</u>	<u>UFS - Ummah fi Solam</u>	<u>[Signature]</u>
15. <u>REV. Diosdado E. Marquez</u>	<u>UCCP - WMC</u>	<u>[Signature]</u>



Department of Budget
and Management
Manila, Philippines



Bantay Kita
West Avenue,
Cebu City

ATTENDANCE SHEET

Purpose of Meeting : EITI Regional Consultation - Pagadian
Place of Meeting : Mandala Hotel and Convention Center, Pagadian City
Date/ Time of Meeting : 6-7 December, 2012

PARTICIPANTS	OFFICE/ DESIGNATION	SIGNATURE
1. <u>Melvin S. Pua</u>	<u>C-DES - Reg. - coordinator</u>	<u>[Signature]</u>
2. <u>Nelson T. Cuatrecasas</u>	<u>COAKMUD/PAUL, Inc. - Director</u>	<u>[Signature]</u>
3. <u>CAROLINA B. RINDOY</u>	<u>E-IT - ARCHITECTURE OF OWNERS</u>	<u>[Signature]</u>
4. <u>Rev. MICHAEL E. GUBOT</u>	<u>PICT - Arch. Governor</u>	<u>[Signature]</u>
5. <u>Mr. Wilson B. Morquejo</u>	<u>PLM</u>	<u>[Signature]</u>
6. <u>Patricia L. Pascaron</u>	<u>PROSUDG/PM/ASST/ENGR</u>	<u>[Signature]</u>
7. <u>Saida M. Lapasora</u>	<u>IEE Program officer</u>	<u>[Signature]</u>
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____



Advocating Transparency and Accountability
in the Extractive Industry

EITI Regional Consultation
December 11-12, 2012
Valleyfront Hotel, Cebu

REGISTRATION SHEET

Name	Province and Region	Org Affiliation/Position	Email Address	Mobile Number	Signature
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Advocating Transparency and Accountability in the Extractive Industry

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BORUC, Licello John	Region 7 (Cebu)	YAR-Cebu Faculty members	licello@y-c.edu.ph	0938476679	

Annex D: Photos

Santay Kita BITI Training Workshop
University Hotel, University of the Philippines Diliman
October 18-19, 2012







Baguio Regional EITI Consultation Workshop
Pines View Hotel, Baguio City
November 15-16, 2012







**EITI Regional Celebration
UP Mind. University of the Philippines Diliman
November 29-30, 2012**







**ITTI Regional Consultations
Las Casitas Hotel, Durban City
December 3-4, 2012**



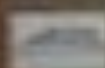




EITI Regional Consultation
Pagadian City
December 6-7, 2012

Extractive Industries Transparency Initiative (EITI) Regional Consultation

December 6-7, 2012
Marriott Hotel, Pagadian City









ITTI Regional Consultation
Cebu City
December 12-13, 2017







ANNEX K:

Documentation of the CSO National Congress

CSO National Conference
January 17, 2013

**CSO National Conference
January 17, 2013**

1. BACKGROUND

After the conduct of five workshops in key areas in the Philippines, Bantay Kita organized a CSO National Congress while the Philippine Government organized 2-day National Planning Workshop. These events were held at the Heritage Hotel Manila last January 17-18, 2013. These two events are critical components of the Philippines' application to the EITI.

The following are the objectives of the CSO National Conference:

1. To finalize the CSO's framework of engagement in EITI-Philippines
2. To formally elect the CSO representatives to the EITI NSC
3. Election of the Board of Directors of Bantay Kita
4. Adoption of the rules that will govern Bantay Kita

The program of the event was as follows:

CSO NATIONAL CONGRESS January 17, 2013		
8:00 - 8:00 am	Registration of participants	
8:00 - 8:15 am	Welcome Remarks	Mr. Tito. Iba, President of Bantay Kita
8:15 - 9:30 am	Key note Speech	Sec. Elena "Bibet" Garcia, Focal Person, EITI-Philippines Presidential Account on Climate Change
9:30 - 10:00 am	Recognition of partners	
10:00 - 10:30am	Introduction of participants	
10:30 - 11:00am	Situating EITI in the Philippines	Mr. Jaypee Garguera, Agency Tighi Ming
11:00 - 11:30am	Presentation of CSO EITI Agenda and Review of the selection procedure	Ms. Beverly Bermudez, AFIRM
11:30 - 1:00 pm	Lunch break	
1:00 - 2:00 pm	Introduction of nominees for CSO representatives to the EITI NSC	
2:00 - 4:00 pm	Selection of nominees for CSO NSC representatives	Jaypee Garguera
Remaining agenda activities for BK members		
4:00 - 4:30pm	Recognition of new BK members	
4:30 - 6:00 pm	Election of BK board members	Mr. Alan Bernabe, Vice President, Bantay Kita

The participants of the event were CSO representatives who participated in the regional/subnational consultations. Bantay Kita also invited CSO representatives who were not

able to attend the regional consultations but are willing to participate in the national conference. The following are the list of participants in the national conference. Actual attendance sheets are attached in Annex B.

List of Participants Bantay Kita National Conference January 17, 2013	
Name	Organization
1. Valeriano De Guzman	Legal Rights and Natural Resources Center
2. Andrea Munday Lim	Ateneo School of Government
3. Arvin Jr.	Ateneo School of Government
4. Inezida Peral	ANSA EAP
5. Jefferson Aquino	FRSA
6. Nathan Jay Carano	NIPOC
7. Renato Batac	Tugue Organics Agri Movement
8. Beverly Luytil	INTERRI Puriton
9. Maribel Mera	SEFAM
10. Susana Miller	Concerned Citizens of Sta. Cruz
11. Manuel Torres	GreenPDF
12. Samuel Manuel	ALBAKOMA
13. Lisa Torres	UNLAD-BLITA
14. Robert Basquez Yordano	NADCOM Inc.
15. Steven Fernandez	Amnesty International - Davao
16. Patricia Acosta	PEMINDA
17. Kim Sigala	NIYS Quezon
18. Maria Rosita Ojeda	IFC - Marikina
19. Rosaria Pardo	Federation of Environment Advocates in Cagayan
20. Carmencita Baloy	Archdiocese of Davao
21. Shirley Ignacio	NIOP Compostela Valley
22. Germaine Vilaga	TRUSTEEA Incorporated
23. Chedyrick Lanes	CME
24. Guillerma Laran	Social Action Ministry
25. Egan Mae Reyes	Scottish Philippines
26. Philip Anala	Youth for Rights
27. Ronald Jolan	UNU
28. Wilma Tero	Responsible Investment
29. Bernadette Oraga	Youth for Rights
30. Marie Magsasa	Division of Ecotourism
31. Emman Balagay	Young Environment Society
32. Yella Marasa	CCF Mobilization Foundation Inc.
33. Nathan Caraban	CCB Inc.
34. Steven Hernandez, Jr.	Greenwatch Philippines Inc.
35. Selvia Finoman	Peace Jo Jo Center for PEACE Inc.
36. Gina Penabazog	UNEP-D

37. Antonio Padua	NSD
38. Antonio Parada	FEEDCOM
39. Nelson Cuarenta	COASTLINE Philippines Inc.
40. Nancy Ballea	Sea Harvest Wharfport
41. Richard Albitan	TANCO Inc.
42. Daniel Lopez	ScrumPH
43. Bing Solonangan	Genius & Solera
44. Pedro Anillo	
45. Agustin Dizon	NSP
46. Robert Chan	Palawan NSD Network Inc.
47. Gloriam Wilson	SLAC
48. Evelyn Lacambra	CLAW Labs
49. Dora Jorling Catausan	SOLEO ICT
50. Augusto Blasco	Board Member, Comarinda Valley
51. Daniel Arca	ATM
52. Joaquin Medina	SOBA
53. Nicole Sagor-Sagor	ATM
54. Ramon Malabon	Green Corp.
55. Roderic Galiba	Silurian Inc.
56. Jay International	University of the Philippines, College of Law
57. Beverly Brumano	AFEM
58. Byron Morales	Transparency and Accountability Network
59. Ferran Tin	Mindanero
60. Wilma Lamasilan	NSP
61. Tina Tabala	NSDF - PDI
62. Juston Garguero	ATM
63. Ronald Bernabe	NSM - NV
64. Diomara Sta. Ana	Action for Economic Reform
65. Vincent Lanza	Transparency and Accountability Network

III. OUTCOMES

1. Finalize the CNP's framework of engagement in EITI Philippines and consolidate support for Philippine EITI

The consolidated report on the regional consultations was presented to the general assembly for validation and approval. This document will now serve as a guide of the CNP representatives to the multi-stakeholders group of Philippine EITI. The narrative report is attached in Annex B and the power point presentation is attached in Annex C.

Representatives of civil society organizations from neighboring countries like Indonesia and Timor Leste were also present to provide support to the implementation of EITI in the Philippines. Among the organizations present are Institute for Essential Services Reform (IESR), Article 11 and Indonesia Parliamentary Center from Indonesia, Revenue Watch Institute from Indonesia and United States and Lulu Hamzah from Timor Leste.

2. Elect the CSO representatives to the multi stakeholder's group of Philippine EITI

The nomination for the CSO representatives to the EITI opened in January 7, 2013. Nomination forms were posted in Energy NGA's website and Facebook account. The forms were also circulated in the e-groups. Ten (10) individuals were nominated to be part of the multi-stakeholder's group. This number matches the number of individuals needed to participate in the MSG. The ten nominees also have the technical expertise required by the body. After a few discussions on who will be the regular and alternate members of the MSG, the assembly decided to allow the 10 nominees to discuss among themselves who will be the regular and alternate nominees given requirements that as the regular MSG representatives be composed of at least one representative from each island grouping (Luzon, Visayas and Mindanao) be represented and two (2) representatives from Metro Manila/National level CSO. The assembly also required that there be at least 2-3 females in the regular members. The result is as follows:

Name	Gender	Organization	Academic Qualifications	Region	Expertise/ Specialty
PRINCIPAL MEMBERS					
Dr. Belingpala	M	University of the Philippines College of Law	BA Political Science Bachelor of Laws Master in Marine Management Doctor in the Science of the Law (DOL)	SOB	Marine management, ocean energy resources, Maritime law and policies, Oil and gas policy
Forced Arnel Bernabe	M	FEWA	BA Philosophy, U.S. Units in Bachelor of Sacred Theology, Masters in Socially of Unity - U.S. Units in Education Bachelor of Law	ILuzon	Public Administration, Forest management, Community management
Cara Magno	F	Berlay Ula	BE Business Economics (AN Economic, PhD) Law and Public Policy	SOB	Public Finance, Management of, ODR governments, economic regulation, health policy, extractive industry
Prof. Tess Torres	F	Visayas State University	BA Psychology MA Certificate Anthropology (MS) Education	VISSAY	Ecology, Psychology, Forestry
Forced Gemara	M	GTG	BA Philosophy, BA Political Science	Mindanao	Children's rights, Human Rights, Project Management

All Members					
Dr. Agustin Davao	M	James Reid Biodiversity Foundation, Inc. | Eastern Visayas Network of INDCs & Res (ENVIR) | Eastern Samar Social Development Organization	BBA, Major in Accounting CPA, Western Graduate School MBA, Major in Financial Management	Visayas	Accounting Finance Management
Dr. Marlene Yap	F	Remon Deza University/ RDAU	Bachelor of Science in Elementary Education Bachelor of Science in Agriculture Master of Arts in Education Master of Arts in Teaching English Master of Science in Agriculture Doctor of Education Major in Education Management	E. Visayas	Agriculture Plant Science Climate Risk and Climate Change
Janet Villanueva	F	Adhoc	BS Finance; MA Public Administration	Mindanao	HR, Conflict Management, Research, Peace Building, Gender
Florante De Ara	M	Adhoc for Economic Reforms	MA Economics; MA Public Administration	SO	Economic, Fiscal Policy, Government Regulation, Public Finance
Vince Lapat	M	Transparency and Accountability Network	BS Physics	SO	Governance, Transparency and Accountability, Advocacy, Finance Management

3. Welcomed new members and election of the board members of Bantay Kita

Bantay Kita opened its doors to new members. So far, the following are the members that were able to submit of Bantay Kita.

	Name of organization
1.	Adhoc for Economic Reforms (AER)
2.	Alayna Tigi Muna (ATM)
3.	Philippine Rural Reconstruction Foundation (PRRF) Inc.
4.	Alternate Forum for Research in Mindanao (AFRM) Inc.
5.	Mindanaoan Initiatives for Cultural Dialogue
6.	Transparency and Accountability Network (TAN)
7.	Philippine Rural Reconstruction Movement-Nueva Vizcaya

8	Palawan Foundation
9	Institute for Strategic Research and Development Studies
10	Cebu Alliance for Safe and Sustainable Environment
11	Peace-de-Lo Centre for PEACE Inc.
12	CCB Inc.
13	Greenwatch Philippines Inc.
14	Nagran Organic Agri. Movement (NOAM) Inc.
15	Nueva Vizcaya People's Coordinating Council (NVPCC)
16	Philippine Rural Reconstruction Dev't. Association
17	SANLAKAS-Eastern Samar
18	Save the Valley Serve the People - Alliance for the Environment (SAVE)
19	Social Action Ministry - ISM
20	Truly Associated Working Together for their Development (TAWTD) Inc.
21	UCDP-Mandalayan Center for Development Foundation Inc.
22	United Ilonggo Residents for Environmental Protection and Development (UIREP-D)
23	Truth for Rights - Eastern Samar
24	Foundation for Rural Enterprise and Ecology Development in Mindanao (FREEDOM) Inc.
25	Banawa School of Government
26	Maintaining Council for Environmental Concerns
27	Legal Rights and Nature Resources Center
28	Alternative Law Groups
29	Philippine Mission Partnership Inc.
30	Justice, Peace, Integrity of Creation Commission
31	Tagaytay Watershed Alliance
32	LABANAN Inc. - Kautusong Daguit Unit in Binalonan
33	Eastco Philippines
34	Kautusong Laring Samarang ng Quins (KALASQ)
35	SONE-4
36	Save Marianas Movement (SMMMO)
37	Federation of Environmental Advocates in Dagupan (FEAD)
38	Concerned Citizens of Inc. (Inc. Zamboanga) (CCZ)
39	Concerned Consequences Against Illegal Mining (CONCAC)
40	Mugangul
41	Resiststruktur Toposium Org.
42	Women For Peace (Humanity for Peace)
43	Concerned Advocates Saving Terrestrial Living Coastal Ecosystem (COASTLINE) Philippines Inc.
44	Alliance of Baguio for Community Development Advocates (ABCDDA)
45	Rapid Emergency Communication Operations Network (RECON) Philippines
46	Tri-People Concern for Peace, Progress and Development of Mindanao Inc.
47	Strayer Island Terrestrial League for Environment Inc.
48	UP Women Organization

The distribution of these organizations based on main island grouping is as follows:

Luzon	11
Visayas	9
Mindanao	12
Total	32

Four more organizations have expressed interest in joining Bantay Kita but have not submitted the required membership form.

- (1) The interim board members proposed the following composition of the board. This was approved by the general assembly.
- The following founding organizations of Bantay Kita be permanent members of the Board. These are:
 - Action for Economic Reform
 - Alyansa Tugt Misa
 - PADM
 - Paglilingkod Batas-Fengkapagatras Foundation (PBF)
 - AFIM
 - Mindanawon
 - TAN
 - Visayas State University
 - KAKABON
 - The national coordinator of Bantay Kita be an office board member.
 - Board members from Luzon, Visayas and Mindanao be elected to represent the regions in the board.

The current Board of Bantay Kita is now composed of:

Max Via Jua	President	Action for Economic Reform
Alan Bermudez	Very President	PADM Aurora Chapter
Calixto Magno	Secretary	Coordinator
Vince Laxate	Treasurer	TAN
Perpetua Tin		Mindanawon
Emery Serrano		AFIM
Jose Fabate		Visayas State University
Archie Gargueta		Alyansa Tugt Misa
Melvin Lumbayan		PBF
(to Manobo, a rep to the board)		KAKABON
Concepcion Mangin		Yreosola (Luzon)
Demetrio Floribella, Jr.		Greenwich Plaza (Visayas)
Stephany Colapinto		Isabel II (Mindanao)

4. Adoption of the Membership policies of Sarsay Kita

The assembly also agreed that Sarsay Kita will have two kinds of memberships:

- **Organizational membership.** Organizations interested in becoming a member of Sarsay Kita should be sponsored or endorsed by a current member of Sarsay Kita.
- **Individual fellows.** Individual membership in Sarsay Kita will be by invitation only. This will be based on the technical capacity of the person to contribute to Sarsay Kita.

5. Others

The general assembly also passed a resolution to support the passage of the Freedom of Information Act (FOI).

III. NEXT STEPS

- The CSO NSG representatives (both the principal and alternate members) will both attend the NSG meetings of Philippine ITTL.
- Regular meeting between CSO NSG representatives and the Board of Trustees of Sarsay Kita will be scheduled to make sure that coordination is established and regular consultation is in place to ensure that decisions in the NSG are mandated by the CSO stakeholders.
- The Philippine ITTL has to finalize the workplan, the NSG terms of reference and the application for submission to the ITTL International Secretariat for the formal application of the Philippines to ITTL.
- Sarsay Kita Assembly agrees to meet annually.

ANNEX L:

Documentation of Outreach Meeting with Non-Chamber Large Metallic Mining Companies

**Philippine Extractive Industries Transparency Initiative
Meeting With the Non-Member of Chamber of Mines
MGB Compound, Petrolab Building, Quezon City
November 6, 2012**

List of Attendees:

Secretary Elisea Gozun-	Presidential Assistant For Climate Change
Engr. Romualdo Aguilos-	Department of Environment and Natural Resources (DENR) , Mines and Geosciences Bureau (MGB)
Lyonel Ty Tiaohui -	Sinosteel Mining
Marvin Ferrer-	Oriental Synergy Mining
Monaliza Elizaga-	Oriental Synergy Mining Corp.
Paolo Lozano-	Business Development Marcventures Mining
Eric Coseteng-	Nicua Mining Corp.
Antonieto M. Llanto-	ADNAMA Mining Resources Inc.
Teodora Salvador-	Shenzhou Mining
Francis Ngo-	AAM Phil. Nat. Res.

Secretariat
Michelle Baguilat
Abigail Ocate

1. Call to Order

1.1. Secretary Gozun welcomed everyone to the meeting and requested those present to introduce themselves.

2. History and Background on the Extractive Industry Transparency Initiative

2.1. Sec. Gozun presented a brief background on the inception of the Extractive International Transparency Initiative (EITIE). The EITI is an international standard on transparency specific to extractive industries. It started during the time of then- Prime Minister Tony Blair of England on the premise that in countries with rich mineral resources, the key to ensure that these resources will benefit the people is good governance through transparency.

2.2. The country's rich mineral resources if properly developed and utilized, can be used to lift people out of poverty and promote socio-, economic growth in the country. The secretary elaborated that the country is also rich in biodiversity that also needs to be protected and be properly valued. She added that to balance these two, there is need for a responsible

mining that will not disintegrate the environment and at the same time on the social aspect, mining that will benefit the people.

- 2.3. The President has real commitment in participation in the EITI through the declaration of E.O. 79, Sec. 4. To address the issue of governance, the president issued directives through ES Choa to study the overlapping mining regulation function and to look at the third part audit of mining exports and revenues. This is to ensure that the revenue declared match with what is actually exported.
- 2.4. The secretary briefed those present on the method of government operation which was divided into five areas: 1. Economic Dev't Cluster chaired by DOF, 2. Cluster on Social Dev't chaired by DSWD, 3. Security and Peace and Order (National Defense), 4. Cluster on Climate Change and Environment chaired by DENR, 5. Governance Cluster which is the only cluster headed by a non-secretary but by the president himself.
- 2.5. She also reported that during the first meeting with the MICC, the cluster on economic development and environment were joined given that based on Philippines experience, large mining projects have impact on issues not just related to DENR but also agricultural lands, water resources, and energy resources. Thus, it cannot be decided by one agency only but a multi-sectoral body- the MICC.
- 2.6. On 25 July, MICC created the EITI Technical Working Group, headed by Sec. Gozun and under the Governance Cluster. On the 1st meeting on July 25, it was then decided that to push through with the governance, the Philippines will be joining the EITI.
- 2.7. Sec. Gozun also gave updates as to where the EITI Philippines is in terms of progress in its bid for EITI candidacy. She mentioned that there is a draft and a work plan. She then clarified that what will lead the EITI is not the government but an assembly of three stake holders namely the business sectors, civil society organizations, and relevant government agencies that will form the Multi Sectoral Group (MSG). The one leading the EITI in the Philippines will therefore be the MSG and the same set up exists for all EITI compliant countries.
- 2.8. Engr. Romualdo Aguilos of MGB reiterated the purpose of the meeting that is to introduce and advocate EITI. He explained to those present that since they were not able to attend the 1st meeting that was attended by 6 other non-member of the chamber of mines, this 2nd meeting is in place to also have them involved in the EITI.

3. A CLOSER LOOK AT EITI

Engr. Romualdo Aguilos of MGB facilitated the presentation of the overview and updates on the EITI process.

3.1 What is EITI?

EITI is a global standard ensuring transparency of revenues from natural resources wherein the companies publish what they pay and the government publish what they receive in an EITI report.

The tax and royalty payments are also independently verified and reconciled. This process is seen by a multi stake holder group of governments, companies, and NGOs.

3.2 EITI Criteria

- Regular publication of all extractives payments by companies and all extractives revenues received by government in a publicly accessible, comprehensible and comprehensible manner
- Payments and revenues are the subject of a credible, independent audit under international audit standards
- Payments and revenues are reconciled by a credible, independent administrator, including opinion on discrepancies
- Approach extended to all firms, including GOCCs
- CSOs actively engaged as a participant in the design, monitoring & evaluation of process, & contributes to public debate
- A public, financially sustainable work plan for the above is developed by the host government, including measurable targets, a timetable and an assessment of capacity constraints

3.3 The EITI Compliance Process

The EITI process consists of three stages: 1. Sign-up phase, 2. EITI candidate phase, and the EITI compliant phase. In the sign up-phase, the applying country must need first to comply with the 5 requirements before it can be an EITI candidate. Once an EITI candidate, the country candidate is given 18 months to prepare an EITI report. Once country is certified as EITI compliant, it will have to meet requirements to maintain compliance or else suspended.

- Sign-Up Phase Requirement:
 1. Issue public statement
 2. Commit to work w/ stakeholders
 3. Appoint EITI lead official
 4. Form MSG
 5. Craft EITI Work Plan

3.4. EITI Candidacy Checklist

- The government is required to issue an unequivocal public statement of its intention to implement EITI
 - EO 79, Section 14. Improving Transparency in the Industry by Joining the Extractive Industries Transparency Initiative
 - A second announcement regarding the Philippines' participation in the EITI is needed

- The government is required to appoint a senior individual to lead on the implementation of EITI
 - Secretary Elisea Gozun was identified in the first MICC meeting last July 25, 2012, to lead the process of complying the EITI
 - According to the EITI Rulebook, (p. 15, no. 3a) it is recommended that this appointment be publicly announced

- The government is required to commit to work with civil society and companies on the implementation of the EITI.
 - A press statement has been signed by both the business sector and civil society

- The multi-stakeholder group, in consultation with key EITI stake-holders, should agree and publish a fully costed work plan, containing measurable targets, and a timetable for implementation and incorporating an assessment of capacity constraints.
 - Governance Secretariat has drafted an initial work plan, for discussion and fleshing-out
 - The EITI Secretariat has kindly provided us sample work plans by Timor Leste and the Solomon Islands
 - The work plan should be updated on an annual basis

4. Updates on EITI Candidacy Requirements

- The government is required to establish a multi-stakeholder group (MSG) to oversee the implementation of the EITI
 - An interim MSG has been established
 - At the onset, it is composed of 9 members, 3 from government, namely the Climate Change Commission, Department of Environment and Natural Resources and the Department of Finance, 3 from civil society, and 3 from the business sector, however it has been agreed that this will be expanded to 5 members each.

5. The EITI Candidacy Timetable

DELIVERABLE	PROPOSED
Event organization and preparations for planning forum/ workshop of EITI Philippines	October 1 – November 15
<u>Public announcements:</u> 1. Statement of the Palace reiterating commitment to implement EITI 2. Statement of EITI Philippines Interim MSG	For Rescheduling
3. Launch Philippine EITI Website/ webpage on gov.ph to solicit public feedback and discussion	To Be Announced
4. <u>Bantay Kita Consultations</u> (in 5 sites, with a training of trainers)	Throughout October/ November
5. <u>Bantay Kita National Convention + EITI Philippines National Planning Workshop (to discuss ToR + Work Plan)</u>	November 26 - 28
6. <u>Detailed planning workshops by EITI MSG & EITI TWG (or issue-groups)</u>	November 28 – December 7
7. <u>Reporting to MICC & the President + Preparations for National Convention</u>	Throughout December
8. <u>EITI Philippines National Convention to ratify EITI ToR and Work Plan</u>	January 4
9. <u>SUBMISSION OF APPLICATION FOR EITI CANDIDACY</u>	January 7-11

6. EITI Technical Working Group

6.1. Basic Terms of Reference (TWG)

- Draft & implement a work plan for EITI in PH, in coordination with stakeholders
- Convene Multi-Stakeholder Group & serve as its implementation & tech support unit
- Coordinate the regular disclosure of revenues & other extractives data; pursue innovative disclosure practices (including use of tech)
- Recommend other practices of transparency & participation in extractive industries

6.2. TWG Members

- Sec. Gozun EITI Lead Official + TWG chair
- DENR (MGB) - general mining data, regulation & linkages

- DOF (BIR, BoC, BLGF)- mining revenues (nat'l – BIR & BoC; local – BLGF)
- DILG-small mining revenues & regulation by LGUs
- DOE- oil industry regulation, revenues & other data
- NEDA -MICC Secretariat
internal communication
- *DBM (RIU, BMB-G* LGU rev shares (BMB-G)
- Governance Cluster Secretariat (RIU)
- ULAP (Union of Local Authorities of the Philippines)

6.3. Resource Agencies to be invited as needed:

- Bangko Sentral ng Pilipinas (BSP)
- Commission on Audit (COA)
- National Commission on Indigenous Peoples (NCIP)
- Philippine Economic Zone Authority (PEZA)
- Department of Trade and Industry – Board of Investments (DTI-BOI)
- Leagues

7. EITI Philippines: The Multi-Stakeholder Group

7.1. EITI Rules on Convening MSGs

- Implementation of EITI should be overseen by a multi-stakeholder group & requires inclusive decision-making throughout the process
- EITI Work Plan should be endorsed by the MSG
- Invitation into the MSG should be open and transparent; stakeholders should have the right to appoint own representatives; stakeholders should be able to operate without coercion; CSOs must be independent of government
- MSG members must agree to a clear ToR

7.2 EITI Philippines: The Multi-Stakeholder Group Draft Terms of Reference as of 5 October 2012

Objectives and Mission

“EITI Philippines seeks to introduce greater transparency and accountability in the extractive industries in the way government collects and companies pay taxes and other revenues from extractive industries. Moreover, this can be achieved through a process of open dialogue among stakeholders.”

7.3. Specific Functions of EITI Philippines

- Ensure political commitment to the implementation of EITI
- Define the strategic direction and scope of EITI in the Philippines
- In consultation with key EITI stakeholders, craft and publish a fully costed work plan;

- Endorse the Country Work Plan to national government for approval;
- Establish a mechanism for the EITI reconciliation process;

7.4. Roles of Government Representatives

- Provide political leadership and support such as creating a unit which will provide secretariat and technical support to EITI Philippines
- Ensure an open and transparent functioning of EITI Philippines
- Communicate and consult the EITI widely with a diverse set of stakeholders including those outside the steering group, build the capacities of the EITI unit as well as relevant government agencies

7.5. Roles of CSO and Business Representatives

- Monitor the disclosures done by the government and extractive companies
- Help determine the parameters and phasing of the EITI implementation
- Help ensure the full participation of extractive companies and civil society
- Be involved in communicating updates and results to their respective constituencies and to the general public
- Implement or propose the implementation of capacity building and other knowledge exchange activities for other CSOs and extractive companies that are less familiar with EITI and its processes.

8. Next Steps

- Finalize Resources Needed for Sign-Up
- Organize a PMO
- Public Announcement
- Convene EITI Technical Working Group (today)
- 4th Interim MSG Meeting (to be scheduled)
- Pursue Schedule of Consultations

9. OPEN FORUM/ DISCUSSION

9.1 Concern on the term of office of the MSG

Eric Coseteng, vice-president of Nicua Mining Corp. inquired into the terms of office of the MSG. In response, Sec. Gozun said that there is still need to get inputs from all stake holders before arriving at a final decision as to what is a good term of office for the MSG adding that it is not possible that the MSG remains permanent at the same time, it would not also be favorable to have changes very often. The secretary mentioned that there is going to be a national workshop where the terms of office of the MSG can be finalized.

9.2 Recommendations from the National Coordinators Convention

Sec. Gozun imparted discussions and recommendations made during the national coordinators meeting at USAKA Zambia. She enumerated several issues undertaken that include the following:

- Disclosure of revenue payments and assessment if the payments in fact reflect what is to be paid.
- Inclusion of the volume and the value of whatever is sold or exported when disclosing revenue payments. This provides basis for cross checking.
- Disaggregation of reports per company. Sec Gozun emphasized the importance of having disaggregated reports more especially on issues concerning accountability. She said that this can also prove to be beneficial for industries since they will have now an official report to support their position when faced with inquiries in terms of their contribution to the community.
- License/ Issuance of license
- Terms of Contract – The secretary mentioned that other countries expressed concern in divulging contract themselves as there are information contained therein that serves their edge in global competition and disclosing them can make them vulnerable. She elaborated that for now, the position taken in the meeting is “ encourage” disclosure of contract as opposed to “required.”
- The secretary relayed another issue discussed at the national coordinators summit that involves transparency on the government use of revenues from the extractive industries. The concern here she said at the Usaka meeting is that the Philippine government has one fund policy where revenues go to the national treasury.

9.3 Teodora Salvador of Shenzhou Mining raised concern on IP royalty and inquired into the mechanism as to how the indigenous communities, as vulnerable sector can take advantage of the use of resources.

Secretary agreed that ultimately the government and mining companies are accountable to the people. She disclosed a study being done by NEDA Habitan in Mindanao concerning revenues from extractive industries. Unfortunately she said, although it is acknowledged that there should be accountability, the other concern is it's not yet clear in the law that leaders benefitting from IP royalty are required to divulge use of revenue. She said that we're not yet there yet but we can probably work towards that down the line adding that if needed be, it might have to be amended by the law.

9.4 On the forms/templates for the report

The participants clarified if the form to be used in reporting under EITI will be different with what is presently used with MGB, BIR, etc.

Sec. Gozun said the forms will also be decided on however, the main issue that shall be discussed will be on the materiality of information. She clarified that there is need to identify first what information are important to include in the form and that once the issue on materiality is decided, there needs checking if these information identified as material are captured in the existing forms. If they are not found in the present forms, then there has to be amendment.

Engr. Aguilos of MGB added that a standard template will be created to be used for all. Meanwhile, he encouraged the non member of the chamber of mines present in the meeting to continue submitting reports to the MGB.

9.5 On what constitutes materiality in the report

The secretary shared that in some countries, the parameters / basis for materiality vary. Some use a certain cut off basis while others look into the volume and quality of mineral/ore.

She gave commitment that whatever form that will be adopted for reporting in the EITI will be the same form to be used for all. She further said that it is also going to be part of the work as once the country's candidacy for EITI is accepted, the proposed form will also has to be approved by the international EITI.

9.6 Concerns on Discrepancy of Reports

Mr. Marvin Ferrer of Oriental Synergy Mining inquired into the method in dealing with discrepancy of reports. Sec. Gozun said that discrepancies on reports will have to be validated. There will be external auditors to validate reports and give recommendations on issues that need to be addressed in case there are deficiencies detected.

She also revealed that the more complicated issue will be getting confirmation of concerned local government officials on how much revenue they receive. That's why we have representative from the ULAP, she added.

9.7 On slow issuance and complexity of business permits

Sec. Gozun stated that in hope to address the issue on business permits, a one stop shop will probably be launched with the MGB in which part of it will look into existing requirements and procedures of different agencies including local governments and time frame. She also added that hopefully once commitments in terms of the steps are made by both national and local, we can hold them accountable. We really want to improve the governance in all aspects.

10. CLOSING

Sec Gozun clarified the EITI is not a mere project but a continuing process that the country will engage in. Thus, it is going to be launched within the government cluster. She mentioned that based on the Executive Order which took effect last July 11, there is 6 months from the issuance of EO to work on the submission for the EITI application.

She also encouraged the non member of chamber of mines to convene and choose a representative and alternate representative to the Multisectoral Group (MSG). Engr. Aguilos reiterated that there was also another group of non-member of the chamber of mines headed by Vicente Lao of Mt. Sinai Mining Exploration and Dev. Corp. that attended the previous meeting. He said that together, they choose their permanent representative and alternate rep. to be attending the MSG meetings.

Sec. Gozun thanked everyone for their presence and inputs for a fruitful discussion. She then invited them to the national work shop adding that a formal invitation will also be sent.






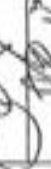





Meeting was adjourned around 11:30 a.m.

ATTENDANCE

OPERATE/UPDATE ON EXTRACTIVE INDUSTRY TRANSPARENCY INITIATIVES (EITI)

November 6, 2013

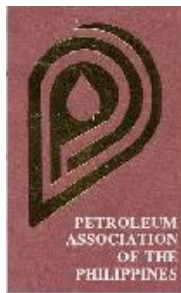
MGS Compound, Petrolab Building, Quezon City

NO.	PLEASE PRINT NAME	SEX		POSITION	COMPANY	CONTACT NUMBER	CELLPHONE NUMBER	EMAIL ADDRESS	SIGNATURE
		Male	Female						
1	LYNEL TY TANOBO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	President	STRATEGIC HR CONSULTANTS	0924-9246033		lynelty@yahoo.com	
2	EMMANUEL PERERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Manager	STRATEGIC HR CONSULTANTS	0917-8111		emmanuel.perera@strategic-hr.com	
3	MARILYN ESTRADA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Human Resources Manager	STRATEGIC HR CONSULTANTS	0917-8111		marilyn@strategic-hr.com	
4	FRANZ BORDADO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Human Resources Manager	STRATEGIC HR CONSULTANTS	0917-8111		franz@strategic-hr.com	
5	ERIC BORDADO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Human Resources Manager	STRATEGIC HR CONSULTANTS	0917-8111		eric@strategic-hr.com	
6	ANTONIO R. LARIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Human Resources Manager	STRATEGIC HR CONSULTANTS	0917-8111		antonio@strategic-hr.com	
7									
8	WALDO BENAVIDES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HR	STRATEGIC HR CONSULTANTS	0917-8111		waldo@strategic-hr.com	
9	TERESA SALAZAR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HR	STRATEGIC HR CONSULTANTS	0917-8111		teresa@strategic-hr.com	
10	FRANZ BORDADO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	HR	STRATEGIC HR CONSULTANTS	0917-8111		franz@strategic-hr.com	
11	MARILYN ESTRADA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HR	STRATEGIC HR CONSULTANTS	0917-8111		marilyn@strategic-hr.com	
12	FRANZ BORDADO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	HR	STRATEGIC HR CONSULTANTS	0917-8111		franz@strategic-hr.com	
13									
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17									

Prepared: Cherry Reyes

ANNEX M:

*Profile of the Petroleum Association of the Philippines
(PAP)*



Profile of the Petroleum Association of the Philippines

The **Petroleum Association of the Philippines** is the voice of the Upstream Petroleum Industry in the Philippines. Companies engaged in exploration, development and production of petroleum (oil and natural gas) in the Philippines comprise its membership.

Since its establishment over forty years ago, the members of the Association meets periodically for industry updates and discussion of various issues affecting the upstream petroleum industry in the Philippines. Its dialogues with government agencies, particularly the Philippine Department of Energy (DOE), assist government in the formulation of policies and programs to promote the development of indigenous petroleum resources. In 1990, it joined Petro-Canada International Assistance Corporation in assisting the Office of Energy Affairs (OEA), now the DOE, construct the petroleum data management center of the OEA. The Window of Opportunity for Philippine Exploration program was launched by the Philippine Department of Energy and the Association in 2000, The following year, it worked with the DOE and other members of the Philippine Energy Sector in preparing a Philippine booth for the World Energy Congress held in Buenos Aires, Argentina. In 2009, the Association worked with the DOE and other government agencies to facilitate exploration drilling in a remote location in the Sulu Sea. Since 2011, the Association has been working with the DOE and other government agencies for the effective implementation of Executive Order No. 60 which aims to facilitate petroleum exploration and development in the Philippines.

These are some of the activities the Petroleum Association of the Philippines that illustrate how the Association pursues its main objectives, among which are:

1. To promote and advance in general the interest of the Philippine Petroleum Industry in all its phases from Exploration, Drilling and Production; to encourage foreign investments in the Philippines, farm-outs and farmin-contracts or creation of consortiums in accord with the policies of the government; to assist government in creating a hospitable environment for such local and foreign investments from fiscal policies to implementation of government policies in the national and local level; and to do all things necessary and proper for the benefit of the Industry and the members of the Association;

PETROLEUM ASSOCIATION OF THE PHILIPPINES

11th Floor, Phinma Plaza, 39 Plaza Drive, Rockwell Center, Makati City
Telephone: (632) 870-0253 Fax: (632) 870-0448

2. To create and promote means of cooperation with the government in all matters relative to the industry; and to create, foster and promote a spirit of cooperation amongst the members in the industry;
3. To research and compile, directly or through third parties, all necessary data on oil exploration, drilling and production, in the Philippines and abroad; to submit information and data to the members and to government as may be required specially on issues confronting the industry so as to enhance the industry;
4. To obtain for the benefit of its members all reports and data from the government applicable to the petroleum industry and to assist such government bureaus or offices in the compilation of all such relevant data; and to disseminate information which it deems proper and relevant with reference to the petroleum industry.

Board of Directors

Alfredo Ramos. <i>Chairman</i>	The Philodrill Corp.
Oscar de Venecia, Jr, <i>Vice Chairman</i>	Basic Energy Corporation
Eduardo Hernandez	Alcorn Gold Resources Corp.
Francisco Navarro	Anglo-Philippines Holdings Corp.
Sabino Santos	Chevron Malampaya LLC
Jose Raymundo Apostol	Forum Energy Phils. Corp.
James Hogan	Galoc Production Company
Anthony Ferrer	Nido Petroleum Philippines Pty. Ltd.
Rufino Bomasang	Otto Energy Philippines, Inc.
Milagros Reyes	PetroEnergy Resources Corp.
Carlo Pablo	Philex Petroleum Corp.
Arturo Morado	Pitkin Petroleum Plc.
Pedro Aquino	PNOC-EC
Sebastian Quiniones	Shell Philippines Exploration B.V.
Louis Heussaff	Supply Oilfield Services, Inc.

Officers

Chairman	Alfredo Ramos
Vice Chairman	Oscar de Venecia, Jr
President	Eduardo Hernandez
Vice President	Sebastian Quiniones
Treasurer	Pedro Aquino
Executive Secretary	Benjamin Austria

Senior Advisers

Oscar de Venecia, Sr
Antonio V. del Rosario, Sr.
Francisco L. Viray

Committees

Technical
Legal
Membership
Foreign & Public Relations
Socials/Fellowship
Budget/Finance

Chairpersons

Francisco Navarro
Kiril Caral
Milagros Reyes
Louis Heussaff
Arturo Morado
Sabino Santos

Representative to the Philippines Extractive Industries Transparency Initiative

Sebastian Quiniones

Sabino Santos (*Alternate*)

Head Office - 9th Floor, Quad Alpha Centrum
125 Pioneer Street
Mandaluyong, Metro Manila
Philippines

Tel. – (632) 631 8151

Fax – (632) 631 8080

ANNEX N:

Documentation of Outreach Meeting with PAP

EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)
PETROLEUM ASSOCIATION OF THE PHILIPPINES
3:00 p.m. January 24, 2013
Regus Meeting Room, 15/F Philamlife Tower

Secretary Eliza Gozun	Focal person for EITI
Mila Reyes	President, Petro Energy
Benjamin Austria	Executive Secretary, PAF
Francisco Navarro	PAF
Sebastian Quinones	Shell Philippines Exploration BV
Caray De Venecia	Basic Energy Corporation
Jerry Brimo	Chamber of Mines
Alberto Morillo	Basic Energy Corporation
Anthony Ferrer	NDO Petroleum
Raymundo Cavalle	Phil. National Oil Company Exploration Corp. (PNOC-EC)
James Hogan	GPC
Sabino Santos	Chevron Malampaya
KiriCaral	Shell Philippines Exploration BV
Alfredo C. Ramos	Philodril Corporation
BoonieBomasang	Otto Energy
Michelle Bagulit	PH-EITI Secretariat

MEETING HIGHLIGHTS:

1. Call to Order

Mr. Oscar De Venecia called the meeting to order. Secretary Gozun, focal person for EITI extended her greetings and asked the Petroleum Association of the Philippines (PAF) members present in the meeting to introduce themselves.

2. Briefing on EITI

- Secretary Gozun shared that the Extractive Industries Transparency Initiative (EITI) is a global standard for transparency where companies disclose their payments to the government and the government publish the revenues received from the companies. She remarked that for good governance to take place, there needs to be transparency.
- Through Executive Order 79, the Philippines expressed its commitment to participate in the EITI.

- o The EO 79 served as the basis for the constitution of the Mining Industry Coordinating Council (MICC) which is co-chaired by the Department of Finance (DOF) Secretary Purisima and Department of Environment and Natural Resources (DENR) Secretary Paje.
- o There was the creation of the Technical Working Group (TWG) consisting mainly of government agencies operating units on the implementation of EITI. This includes as its members the Department of Finance (DOF) and its Bureau of Internal Revenue (BIR), Bureau of Customs (BOC), and Bureau of Local Government Finance (BLGF), Department of Environment and Natural Resources (DENR) and its Mines and Geosciences Bureau (MGB), Department of Energy (DOE), Department of Budget and Management (DBM), National Economic and Development Authority (NEDA), Department of Interior and Local Government (DILG), and the Union of Local Authorities of the Philippines (ULAP).
- o She informed the group that the Chamber of Mines including the Santay Kita, the umbrella for the CSO's were tapped and formed the Interim Multi-Stakeholder Group (MSG). She said that Santay Kita, in coordination with the Department of Budget and Management (DBM) already held five (5) regional consultations to make more people know about EITI. She added that each group component of the Multi-Stakeholder Group (MSG) must be allowed to participate and convene to discuss EITI.
- o The National Planning Workshop was held last January 18-19 which was back to back with the CSO Congress where the CSOs selected their permanent and alternate representatives to the PH-EITI MSG.
- o The secretary mentioned the sign up Phase requirements and processes needed to be undertaken to be a certified EITI candidate.
- o Sec. Ocosin relayed updates on the country's candidacy for EITI. She said the plan is to submit candidacy in February whereby there will be two months for the International EITI Board to do validation of application. She remarked that the main thing whether the application will be approved or not, is there is a need to still push through with this initiative to really make governance as transparent as can be.
- o Since EITI is something new, it was initially planned to start with the large scale metallic mining. Secretary Ocosin conveyed that it would likewise be crucial that the oil and gas join the EITI citing as one of the purposes for the meeting was to understand the concerns of PAF.

3. Highlights of the Discussion

One major concern raised was on the selection process of the CSO in the MSG. Some members pointed out that there should be criteria that should serve as basis in choosing the

representatives of the CSOs explaining that not all CSOs are involved in EITI. The same was suggested for the government agencies in the MSG.

In response, Secretary Gocun cited that the CSOs held their National Consultation Congress last January 17, 2013 where their own nomination process for their representatives to the PH-EITI MSG took place. She explained that the government is not supposed to interfere with the CSO selection process since otherwise, it would constitute violation of the EITI guidelines.

In addition, the secretary shared that prior to the National Consultation Congress, the CSOs already held regional consultations across the nation especially in areas where mining is operating. She enumerated the five (5) regional consultations namely Baguio, Zamboanga, Davao, National Capital Region (NCR), and Cebu. Further, she cited that the PH-EITI MSG from the government side includes DOF since EITI is about revenues, DENR as the agency regulating the mining sector, DOE as the agency that oversees the oil and gas, and the Union of Local Authorities of the Philippines (ULAP) as the voice of the local government.

The FAP members also questioned the necessity of the association to join EITI when they are already publicly listed and regulated by the Department of Energy (DOE) and that their reports or data are already with DOE.

Mr. Jerry Brimo, president of Nickel Asia and a board member of the Chamber of Mines shared that the engagement in the EITI will also be good for the business sector since it would also involve government disclosure of payments they receive from the companies. Mr. Brimo pointed out that companies pay to national government agencies, local government units, and barangays, however, the people hardly know about the contribution of the extractive industries.

Another major concern raised was that the EITI could be a venue for additional layer to the bureaucratic requirements from the business sector. The FAP members expressed that the concern stemmed from the risk where additional requirements could cause delays and disruptions in the operations that would cost heavily on the companies.

Secretary Gocun clarified that the EITI has nothing to do with the application of license or permit. Rather, it is about disclosure of company payments to the government and government disclosure of revenue collections to the public which she said is beneficial for the companies since people will know more about it.

Another concern raised by a FAP member was on the possibility of the Terms of Reference to be modified as to include all other issues. Secretary Gocun remarked that the EITI is all about transparency in payments and that the EITI International Board will check how it is implemented in the country. She added that there are no plans to deviate from it.

Sec. Gozun also brought up the subject on materiality in terms of achieving the objective of transparency in revenue. She shared that since it will be difficult to cover everything at the same time, some countries use a cut-off basis in disclosing payments to the government. She said that materiality is something to be decided together with FAP. She relayed that in submission of the EITI report, the EITI international secretariat will recommend three external validators to reconcile report.

Mr. Brimo cited the MSG is not the agency of the government. He explained that the mining and oil and gas industries are part of the FII-EITI MSG that will lead the country's implementation of EITI. He added that decisions in the FII-EITI MSG will be based on consensus.

4. Closing

Secretary Gozun shared the sub-national EITI experience of the Compostela Valley where she mentioned that there is a strong Provincial Mining Regulatory Board (PMRB), Non-government organization, and engagement of the indigenous peoples. She also shared that the MSG will be meeting on January 29 to finalize the Terms of Reference and the Work Plan.

She thanked the FAP members for their active participation. Having no further matters to discuss, the meeting was adjourned 4:00 pm.

Petroleum Association of the Philippines

LUNCHEON MEETING

Regis Meeting Room, 18/F PhilamLife Tower

Thursday, 24 January 2013

2:00 p.m.

ATTENDANCE SHEET

	Printed Name	Signature	Position	Company
1.	MILA V. REYES		Pres.	Petroenergy
2.	B. S. ANDRADA		Exec. Sec.	PAP
3.	F. NAVARRO		Director	PAP
4.	ALBERTO P. MADRUGA		VP.	BPCC
5.	Stephan Quins		MD	Shell 
6.	Henry Primo			Chubu / Meralco
7.	Gregory de Venecia		Pres	RAIC

	Printed Name	Signature	Position	Company
8	Juanes Ferrer			NIDA Petroleum
9	Ramiro Sando			PROCEC
10	Juan Flores			GPX
11	Bing Sando			Chesapeake
12	Pedro Dominguez			CH2M Hill
13	Rafael Gomez			Shell
14	ALFREDO C RAMOS	 ^{Chairman}		Philohull Corp.
15	Dimitri G. Gerasimov			OPACE / EITI
16	Keith Taylor		Secretary	Shell USA
17				
18				

ANNEX O:

Letter to the Petroleum Association of the Philippines

Office of the President
of the Philippines
Malacañang

January 21, 2013

Mr. Sebastian Quiniones
Vice President
Petroleum Association of the Philippines
G/F, 166 Salcedo St., Legaspi Village
Makati City


Dear Mr. Quiniones,

As you know, the Philippines is participating in Extractive Industries Transparency Initiative (EITI) which is an international multi-stakeholder initiative that seeks to establish a global standard for transparency and accountability in the payments by the private sector and the revenues collected by governments from extractive industries such as mining and oil and gas. Through Section 14 of Executive Order (EO) No. 79 on "Institutionalizing and Implementing Reforms in the Philippine Mining Sector", the Philippine government expressed its commitment to implement EITI.

Petroleum Association of the Philippines (PAP) has a key role to play in making EITI work in the Philippines. In this connection, we would like to request a meeting with you and the members of your association to give an overview of the EITI processes and guidelines and discuss the possibility of the inclusion of PAP in the implementation of EITI in the country.

We hope that this meeting can be scheduled anytime from January 23 to 25, 2013.

Should you have any questions, please feel free to contact me at 09175305854 or email at bggozun@gmail.com. Our secretariat staff, Ms. Abigail Ocate and Ms. Michelle Baguliat will coordinate with your office on this matter. They may be contacted at 7844200 local 4939 or eitiphilippines@gmail.com.

Hope this request will merit your kind consideration. Thank you and warm regards.

Sincerely,


ELISEA "Bebot" G. GOZUN
Chair, MSG, PH-EITI
Presidential Assistant II for Climate Change

ANNEX P:

*Letter to the Union of Local Authorities of the
Philippines (ULAP)*

**Office of the President
of the Philippines
Malacañang**

December 17, 2012

TO: GOVERNOR ALFONSO V. UMALI
President
Union of Local Authorities in the Philippines

FROM: HON. ELISEA "Bebet" G. GOZUN
Presidential Assistant II on Climate Change
and Head, Technical Working Group (TWG) on implementing the Extractive
Industries Transparency Initiative (EITI)

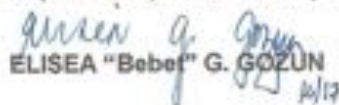
**RE: REQUEST FOR BRIEFING ON EXTRACTIVE INDUSTRY TRANSPARENCY
INITIATIVE (EITI-PHILIPPINES)**

As you know, the Philippines is participating in Extractive Industries Transparency Initiative (EITI) which is an international multi-stakeholder initiative that seeks to establish a global standard for transparency and accountability in the payments by the private sector and the revenues collected by governments from extractive industries such as mining and oil and gas. Through Section 14 of Executive Order (EO) No. 79 on "Institutionalizing and Implementing Reforms in the Philippine Mining Sector", the Philippine government expressed its commitment to implement EITI.

ULAP has a key role to play in making EITI work in the Philippines. In this connection, we would like to request for an opportunity to brief the officials of ULAP about the International EITI Guidelines and what we need to do to become a candidate and eventually be certified. We hope that this briefing can be scheduled during the next ULAP meeting.

Should you have any questions, please feel free to contact me at 09175305854 or email at gggozun@gmail.com. Our secretariat staff, Ms. Abigail Ocate and Ms. Michelle Baguilat will coordinate with your office on this matter. They may be contacted at 7644200 local 4939 or eitiphilippines@gmail.com.

Hope this request will merit your kind consideration.


ELISEA "Bebet" G. GOZUN
12/17

and what we need to do to become a candidate and eventually be certified. We hope that this briefing can be scheduled anytime from December 20, 2012 to January 11, 2013.

Should you have any questions, please feel free to contact me at 09175305854 or email at bgozun@gmail.com. Our secretariat staff, Ms. Abigail Ocate and Ms. Michelle Baguilat will coordinate with your office on this matter. They may be contacted at 784-4286 local 4939 or eltphillippines@gmail.com.

Hope this request will merit your kind consideration.


ELISEA "Bebet" G. GOZUN

cc: **COM. KIM S. JACINTO-HENARES**
Bureau of Internal Revenue

COM. ROZZANO RUFINO BIAZON
Bureau of Customs

USEC AUSTERE A. PANADERO
Department of Interior and Local Government

DIR. SALVADOR DEL CASTILLO
Bureau of Local Government Finance

HON. LEO L. JASARENO
Mines and Geosciences Bureau- DENR

DIR. MANUEL A. GOTIS
Bureau of Local Government Development

ANNEX Q:

*Letter to the National Commission on Indigenous
People (NCIP)*

**Office of the President of the Philippines
Malacañang**

Ms. Zenaida-Brigida Pawid
Chairperson
National Commission on Indigenous People
2nd Flr N. Dala Merced, Cor. West Avenue
N. Quezon Avenue, Quezon City

Dear Chair Pawid:

As you know, the Philippines is participating in the Extractive Industries Transparency Initiative (EITI) which is an international multi-stakeholder initiative that seeks to establish a global standard for transparency and accountability in the payments by the private sector and the revenues collected by governments from extractive industries such as mining and oil and gas.

Through Executive Order (EO) No. 79, "Institutionalizing and Implementing Reforms in the Philippine Mining Sector", the Philippine government expressed its commitment to implement EITI as it promotes responsible mining which will ascertain that mineral resources are developed and utilized for long term economic growth while ensuring that the environment is not degraded and that the affected communities themselves, including the indigenous peoples (IPs), truly benefit from the said development.

The partnership among the stakeholders, specifically the government, business, and the civil society, is crucial in implementing EITI in the country. Since many of our mining areas are within ancestral claims or ancestral domains, the engagement of the indigenous people in this discussion is critical. In this connection, we would like to request for an opportunity to meet with IPs in mining areas (especially those where large scale metallic mining is operating) to brief them on what EITI is all about, the processes we need to undergo to become a candidate and eventually be certified as EITI-compliant. We hope that this briefing can be scheduled anytime this month.

Should you have any questions, please feel free to contact me at 09175305854 or email at basozun@gmail.com. Our secretariat staff, Ms. Abigail Ocate and Ms. Michelle Baguilat will coordinate with your office on this matter. They may be contacted at 784-4286 loc 4939 or eiti@philippines@gmail.com.

I hope that this request will merit your kind consideration. Thank you very much.

Sincerely,



ELISEA "Bebet" G. Gezun
Presidential Assistant II on Climate Change
and Head, Technical Working Group (TWG) on Implementing the Extractive
Industries Transparency Initiative (EITI)

1/25/2017
1:02 PM

ANNEX R:

Letter to the Ateneo School of Government (ASoG)

Office of the President of the Philippines
Malacañang

January 23, 2013

Atty. Antonio La Vifa
Dean
Ateneo School of Government
Makati City, Philippines

PH 426 9279
MALACAÑANG

Dear Dean La Vifa:

As you know, the Philippines is participating in the Extractive Industries Transparency Initiative (EITI) which is an international multi-stakeholder initiative that seeks to establish a global standard for transparency and accountability in the payments by the private sector and the revenues collected by governments from extractive industries such as mining and oil and gas.

Through Executive Order (EO) No. 79, "Institutionalizing and Implementing Reforms in the Philippine Mining Sector", the Philippine government expressed its commitment to implement EITI as it promotes responsible mining which will ascertain that mineral resources are developed and utilized for long term economic growth while ensuring that the environment is not degraded and that the affected communities themselves benefit from the said development.

The partnership among the stakeholders, specifically the government, business, and the civil society, is crucial in implementing EITI in the country. The involvement of the academe in this initiative is essential more especially in making EITI a part of the public agenda whereby the public, including the academe can actively engage in the discussions of important undertakings of this government.

In this connection, we would like to request ASOG to be our partner in convening a meeting with the other schools that may be interested in this to brief them on what EITI is all about, the processes we need to undergo to become a candidate and eventually be certified as EITI-compliant. We hope that this briefing can be scheduled by early February.

Should you have any questions, please feel free to contact me at 09175305854 or email at bebetg@gmail.com. Our secretariat staff, Ms. Abigail Ocate and Ms. Michelle Baguilat will coordinate with your office on this matter. They may be contacted at 784-4286 loc 4939 or etiiphilippines@gmail.com.

I hope that this request will merit your kind consideration. Thank you very much.

Sincerely,



ELISEA "Bebet" G. Gozon
Presidential Assistant for Climate Change
and Head, Technical Working Group (TWG) on Implementing the Extractive
Industries Transparency Initiative (EITI)

ANNEX S:

Letter to the Catholic Bishops' Conference of the Philippines— National Secretariat for Social Action-Justice and Peace (CBCP-NASSA)

Office of the President of the Philippines
Malacañang

February 7, 2013

Fr. Edwin A. Gariguez
Executive Secretary
National Secretariat for Social Action,
Justice and Peace of the Philippine Catholic Church

Dear Fr. Gariguez:

As you know, the Philippines is participating in the Extractive Industries Transparency Initiative (EITI) which is an international multi-stakeholder initiative that seeks to establish a global standard for transparency and accountability in the payments by the private sector and the revenues collected by governments from extractive industries such as mining and oil and gas.

Through Executive Order (EO) No. 79, "Institutionalizing and Implementing Reforms in the Philippine Mining Sector", the Philippine government expressed its commitment to implement EITI as it promotes responsible mining which will ascertain that mineral resources are developed and utilized for long term economic growth while ensuring that the environment is not degraded and that the affected communities themselves truly benefit from the said development.

The partnership among the stakeholders, specifically the government, business, and the civil society, is crucial in implementing EITI in the country. The involvement of religious groups in this initiative is essential more especially in making EITI a part of the public agenda whereby the public, including religious community can actively engage in the discussions of important undertakings of this government.

In this connection, we would like to request the National Secretariat for Social Action, Justice and Peace of the Philippine Catholic Church to be our partner in convening a meeting with the other religious groups that may be interested in this to brief them on what EITI is all about, the processes we need to undergo to become a candidate and eventually be certified as EITI-compliant. We hope that this briefing can be scheduled by mid-February.

Should you have any questions, please feel free to contact me at 09175305854 or email at bebe@psa.com. Our secretariat staff, Ms. Abigail Ocate and Ms. Michelle Bagulat will coordinate with your office on this matter. They may be contacted at 784-4286 loc 4939 or etiphilippines@gmail.com.

I hope that this request will merit your kind consideration. Thank you very much.

Sincerely,


ELISEA "Bebet" G. Gazon
Presidential Assistant II on Climate Change
Head, Technical Working Group (TWG) on Implementing the Extractive
Industries Transparency Initiative (EITI)

ANNEX T:

Documentation of the Outreach Activities to Targeted Stakeholders

Briefing on Extractive Industries Transparency Initiative (EITI)

I. Outreach to the Local Government Units

(January 17, 2015)

Participants:

Secretary Elisea Gozun	Focal Person for EITI
Governor Alfonso Umali	President- Union of Local Authorities of the Philippines (ULAP)
Gov. Fongwan	Benguet Province
Simya Lagas	Benguet Province
Gov. Johnny Pimentel	Surigao Del Sur
Jason B. Caputilla	Quezon, Palawan
Charito B. Padul	Quezon, Palawan
Joey G. Boma	Camarines Norte
Pl Valenciano	Ilocos Norte
Romeo R. Angay	Ilocos Norte
Preselina J. Planas	Palawan Province
Augusto S. Blanco Jr.	Compostella Valley
Ren Fuentes	Rosario, Agusan Del Sur
Mayor Annaliza Iwan	Guisan, Eastern Samar
Atty. Ivan S. Aboga-a	Guisan, Eastern Samar
Emmanuel Paqueo	Claver, Surigao Del Norte
Patricio De Quiros	Union of Local Authorities of the Philippines
Abigail Ocate	PH - EITI Secretariat

The briefing with the local government units on Extractive Industries Transparency Initiative (EITI) which was co-convened with the Union of Local Authorities of the Philippines (ULAP) was held last January 17, 2015. Governor Alfonso Umali, president of ULAP welcomed the participants to the briefing. Secretary Elisea Gozun, the focal person for EITI presented the Overview of EITI, the processes and criteria that need to be accomplished to be certified as a candidate, including. She also discussed the Terms of Reference for the MSG and Milestones in the Draft Work Plan.

Summary of concerns raised:

The participants raised concerns primarily on:

- a) the fact that Mineral Production Sharing Agreement s (MPSAs) are issued without consultation with the local governments concerned;
- b) the accuracy of the computation of the local government unit (LGU) share from the mining revenues. They conveyed that they do not know if their share from the mining revenues are accurate since they are not given any reports on this by the collecting agents – the Bureau of Internal Revenue (BIR) for the excise taxes and the Mines and Geosciences Bureau (MGB) for the royalties;
- c) the timeliness of the release of the LGU share from mining. They noted that it takes some time before they get their share of the revenues;
- d) the legality and the environmental impacts of black sand mining.

Responses:

- No MPSAs are supposed to be issued without consulting the local communities and the LGUs concerned. This is a requirement of the Environmental Impact Assessment (EIA) process. This will be raised with the Department of Environment and Natural Resources (DENR)/MGB.
- The collecting government agencies, BIR and DENR/MGB, will be asked to share their regular reports on collections of excise taxes and royalties with the concerned LGUs.
- It was clarified that with the existing One Fund policy, all collections from the use of natural resources all go to the National Treasury. What has been done by the agencies concerned (BIR, MGB, National Treasury and DBM) is to streamline the existing processes.
- At the end of each year, Certifications are issued by the collecting agencies and also by the National Treasury on what was remitted to their office. These reports are supposed to be reconciled. Reconciled reports are then submitted to the Department of Budget and Management (DBM) which then computes the share of the LGUs – the province, the municipality or city and the barangays concerned. Many times in the past, there were discrepancies in the reports of the 3 agencies. This has been resolved with the requirement that BIR and the National Treasury issue joint certifications for collections of excise taxes. In the same manner, the MGB and the National Treasury issue joint certifications for collections of royalties. These joint certifications are what the DBM uses in computing the share of the concerned LGUs. However, these LGU share will still have to go through the annual appropriation process. For example, 2012 collections once jointly certified, will be included in the preparation of the 2014 General Appropriations Act. This means that the LGUs will get their share for 2012 in 2014.

- The only way that LOUs can get direct access to their share is to have a new law passed. This arrangement which is similar to what is provided for in the Philippine Export Processing Zone (PEZA) law is now being incorporated in the proposed new bill revising the existing fiscal regime for mining. National government is seeking the support of the LOUs to push for this new Bill. The local executives present committed their support for the early passage of the said Bill.
- Black sand mining is being regulated by the DENR. Reports of illegal extraction by big operators who immediately load them on foreign vessels are being investigated by the DENR. The LOUs were encouraged to submit detailed reports to the DENR about this.

It was clarified that all of the above mentioned concerns are actually outside the scope of EITI which focuses on transparency and accountability in the payment by companies and the revenues of government (both national and local) from the use of extractive industries such as mining, oil and gas. These matters are being discussed in the Mining Industry Coordinating (MICC) through.

B. Outreach to the Indigenous Peoples on EITI

(February 20, 2013)

Participants:

Secretary Elisa Gozon	Focal Person for EITI
Chairman Zenaida Brigida Pawid	NCIP Central Office
Commissioner Dionesia Benue	NCIP Central Office
Gregorio Claver	NCIP- Region CAR
Reynalda Timbreza	NCIP-Region CAR
Candida Cabinta	NCIP Region III
Eibert Ebillo	Subanen/ Pagadian City
Smidhalha Hussin	NCIP- Region X
Jimmy Liwana	Kankana-ey Tribe, Benguet
Lomino Kaniteng	Kankana-ey Tribe, Benguet
Martina Mercado	NCIP Aurora, Region IV
Joseph Demaffis	Tamahan ng mga Batatik sa Palawan, Rizal, Palawan
Elizabeth Maclang	Palawan NGO Network, Inc., Puerto Princessa, Palawan
Isabel Corio	BPTI Bangsa Palawan Phils.Inc., Rizal, Palawan
Lucenio Manda	Subanen/ Pagadian
Ulyssian Daging	Kantawantu Tributu Camarosa Marobito, Surigao Del Sur
Elz Madrina	Cagayan De Oro
Juaning Magpue	Tiboli/President- NC10MAI
Santos Unzad	General Santos
Ma. Fe Abad	NCIP- Tiboli South Cotabato
Fred Santos	Mabuting Pilipino Society

Cosme Lambeyon	NCIP
Atty. Jeanette Florita	LAO-NCIP
Abigail Ocate	PH- EITI Secretariat
Michelle Bagullat	PH - EITI Secretariat
Babes Ancheta	PH -EITI Secretariat

The outreach to the Indigenous Peoples (IPs) which was co-convened with the National Commission on Indigenous Peoples (NCIP) was held last February 20, 2013. NCIP Chairman Brigida Pawid gave the opening remarks in which she conveyed her gratitude to Secretary Elisea Gozon for the opportunity to brief the IPs on EITI. She also welcomed the participants consisting of IPs and NCIP regional officials and encouraged them to support this government initiative that is being led by Sec. Gozon.

Sec. Gozon, focal person for EITI, gave her presentation which was divided into three sections:
 (1) what EITI is all about; its background and overview, the processes and requirements needed in order to be certified as EITI candidate, including updates on EITI

(2) the terms of Reference for the PH-EITI Multi-Stakeholder Group (MSG), and,

(3) the Milestones in the Draft Work Plan for EITI in the Philippines.

An Open forum followed after each presentation by the secretary.

Generally, the participants found the presentation and discussions on EITI interesting and they were very receptive to information on EITI. They welcomed its implementation in the country and agreed that it would be beneficial for them to know exactly what companies are paying and what government is receiving from extractive industries.

Summary of concerns raised:

- o One major concern raised pertains to how the revenue from the extractive companies is being used. Some participants remarked that revenue expenditure should also be part of the transparency initiative. This is true not just for the revenues of government but also the royalties which the IPs receive through their IP leaders;
- o Still on revenues, some participants expressed concern that the share of the IPs is not enough prompting a suggestion that their share be increased to benefit the local community and not just a few IPs.
- o Another issue raised was the use of the Social Development Management Program (SDMP) required from mining companies mostly for infrastructure projects with little or no attention to health and education programs. The possibility for EITI being used to ensure that the SDMP is based on the decisions of the community and not purely by the company was also raised.

- o There was also a concern on the representation of IPs in the Multi-partite Monitoring Team (MMT) and in the implementation of the SQMP. They felt limited in asserting their role and participation in the MMT and during the implementation of the SQMP.
- o There was query if the EIT allows the export of raw minerals for processing outside the country and who monitors their selling of raw minerals to the market. The query arose from the concern that the value of the minerals are not maximized within the country in case mining companies export their raw materials and subsequently pay lesser tax.
- o It was also suggested that the Central Bank of the Philippines and the NCP be part of EIT.
- o Some participants in Palawan expressed apprehension in the sustainability of the mining operations considering that these resources are non-renewable. They also raised concerns on the remaining areas that are considered protected areas and agricultural lands and requested that these areas not be open to mining.
- o There was query if EIT will be able to assist the small scale miners to come together and enroll in the EIT.
- o Another participant also expressed interest in knowing the mechanism on how to put up a system similar to the Compostela sub-national EIT implementation.

Responses:

- o Secretary Secun noted that the 2% IP share in the IRA Law is only the minimum required from companies. IP communities can thus negotiate with the companies on the royalty to be paid to them. She informed everyone that there is a review on the overall benefit sharing from mining that is being done by the Technical Working Group (TWG) on Economic Matters of the Mining Industry Coordinating Council (MICC). IP royalties is considered in this review. There will be a series of consultations on this before the draft bill will be submitted to Congress.
- o She stressed the need for IP groups/communities to be on the lookout to ensure that the community members actually benefit from the IP royalty. The important role of the NCP is the capacity development and empowerment of IPs to empower them to demand for their rightful share and that the said royalty payments are actually used by their IP leaders to benefit their communities.
- o On the SQMP, it was pointed out that it is required in the Indigenous People's Rights Act (IPRA) for companies to prepare and submit a SQMP to the MICC for its approval. The SQMP is supposed to be developed in consultation with the local governments and the communities and is thus supposed to reflect the company's response to local needs with budgets allocated to carry out agreed upon activities. The Secretary underscored the importance of the active involvement of the IP community in ensuring that the SQMP responds to their priority needs.

- o On IP representation in the SOMP and MMT, Sec. Gocun suggested that request can be made by the concerned IP group and endorsed by the NCIP to the DENR/Mines and Geosciences Bureau (MGB) to include the IP group in the MMT and SOMP implementation. She also stressed the need to strengthen the linkages of the IP community with the local NCIP officer to articulate concerns of the IP community. Since NCIP sits in the MICC, there is a venue to raise IP issues re mining with the different national government agencies.
- o Secretary Gocun clarified that it is not the EITI which allows export of the ore. It is part of the existing government policy. She pointed out that the new government policy embodied in EO79 is to maximize the value of minerals and the employment potential within the country. A road map for value adding and downstream processing of minerals is being prepared under the TWG on economic matters.
- o The secretary mentioned that there is a technical working group on environment which is putting together an integrated map to identify areas where mineral resources, protected areas, prime agricultural lands are located. These are to be overlaid over one another to determine the No GO zones for mining. Other data such as where the ancestral lands and ancestral domain of the IPs and where the agrarian reform communities are will also be overlaid to identify who are the affected communities with whom both the DENR/MGB and the Company should consult and/or negotiate with.
- o The Secretary expressed support for sub-national EITI and pointed out that it is part of the Work Plan for EITI. She stressed that although the initial focus of PH-EITI is on large scale metallic mining and the oil and gas sector and the output is the generation of the first PH-EITI Report, initiatives at the local level will be supported. With regards to putting up a system similar with the Compostella Valley, she remarked that this can be taken up with the NCIP director in the concerned area.
- o While the Central Bank and the NCIP are not in the PH-EITI MDG or TWG, they can always be called upon to attend the meetings when their presence is needed given the topic to be discussed. NCIP is a member of the MICC where the TWG on PH-EITI reports to.

III. Outreach to the Academe

(February 21, 2014)

Participants:

Secretary Elisea Gozon	Focal Person for EITI/ OPIACC
Dean Antonio La Villa	Ateneo School of Government
Celo Magno	Bantay Kita Coordinator
Astrid L. Sisco, PhD	Xavier University Knaadman Research Center, Cagayan De Oro
Nelson H. Enano, Jr.	Ateneo De Davao University
Jay-r T. Divata	Polytechnic University of the Philippines
Marilou Lanto	Centro Escolar University, Mendiolia Science and Technology
Romero, Imelda R.	Centro Escolar University, Mendiolia Science and Technology
Christian Lafuna	Ateneo School of Government
Elisaviz Carlie Labarla	Ateneo School of Government
Dr. Carlo Arcilla	University of the Philippines NIOSS
Ical Diamante	Miriam College
Erwin Quinones	Legal Rights and Natural Resources Center
Cecilia Dalupan	SDSG – Sustainable Development Strategies Group
W. Tagueban	University of the Philippines
Rene Claveria	Ateneo La Salle–Environmental Science Department
Arvin Jo	Ateneo School of Government
Babes Ancheta	PH - EITI Secretariat
Michelle Baguilar	PH -EITI Secretariat

The outreach to the academe was held on February 21, 2013 in partnership with the Ateneo School of Government (ASOG) which was the co-convenor for the briefing. Attorney Arvin Jo of ASOG, master of ceremony, acknowledged the participants in attendance and presented the program.

Celo Magno, Bantay Kita Coordinator gave an overview on the role of civil society organization (CSO) on EITI and updates on CSO engagement in EITI. Among the highlights of her presentation were the regional consultations, the selection process for the MSG representatives as well as the criteria for the selection, the composition of the members of the CSO MSG representatives, and the role of the CSO in the EITI.

Secretary Elisea Gozon, the focal person for EITI presented the overview of EITI, the process and the criteria required to be certified as EITI candidate, including developments in the EITI Philippines. She also presented the Terms of Reference (ToR) for the MSG and the Milestones of the Work Plan for PH-EITI.

Generally, the participants were very open to information on EITI and were keen to know the role of the academe in the implementing the initiative in the Philippines.

Summary of concerns raised:

- There were clarifications raised on the specific role of the academe in the EITI aside from the general role of the CSO especially how the academe can help to make EITI work.
- There were concerns that companies undervalue the mineral resources and thus, revenues from such minerals are not maximized in the country. Export volumes may not be accurate. It was also pointed out that ore usually contains other minerals. Yet companies only declare the main mineral they are targeting. The country thus loses out on the opportunity to earn from the other minerals present in the ore. The participant from the University of the Philippines (UP) noted that they had the capacity to test for different minerals within the ore.
- A participant raised a proposal for the local communities to do independent validation of volume of production by means of counting the vessels or trucks that come and go in the locality.
- There was a concern raised on the benefit to the local communities in mining areas in the share from the mining including delays of LGU access to their share.
- A query was raised if EITI would support research for transparency where the academe can step in to look into the value of minerals.
- Another question raised was whether accounting for revenues is part of the scope of EITI.
- There was inquiry as to why coal is not included in EITI.

Responses:

- Celso Magno, Bantay Kita Coordinator identified two main roles for the academe that is the (1) validation of data and (2) analysis and processing of data after the production of report. This could possibly trigger more discussions which could lead to policy reforms.
- Secretary Gocun relayed that in the past, there was the Société Générale de Surveillance (SGS) that checked the importation data of the recipient country and cross checks that with the export data from the Philippines. That way, we had a means of validating exactly what is being exported. This contract with SGS had been stopped in the past though.
- She agreed that the value of the minerals be maximized and that all minerals within the ore should be properly valued and appropriate taxes assessed. She will ask DENR/MGB if this is being done and if they have the capacity to test. The possibility of tapping the academe, specifically UP, to do this will be raised with DENR/MGB.

- o On the revenue sharing, the Secretary indicated that the problem on delay of LGU share in the mining revenue will have to be addressed. She remarked that this is within the scope of the work of the TWG on economic matters where direct access by the Local Government Units of their share of the national wealth similar to the PEZA Law is being considered.
- o It was explained that with the existing One Fund policy, it will be difficult to account for how the revenues from the extractive industries are spent. To account for the use of revenues from extractive industries, there is a need to change the law.
- o Ms. Celso Magno noted that part of the work plan is research in particular areas of transparency in the value of minerals and added that funding for this will be raised.
- o Sec. Gocun remarked that since this is a new undertaking for the Philippines to engage in, the initiative will start first with something simple and workable. This is the reason why coal was not included in this first phase of PH-ITI.

IV. Outreach to the Provincial Environment and Natural Resources (PENRO)

(February 22, 2013)

Participants:

Secretary Elisee Gocun	Focal Person for ITI
Asst. Marcial C. Amaro	DENR Field Operations
Godfrey L. Cawit	PENRO, Benguet
Jimmy Aberin	CENRO, Botola Zambales
Juan C. Dela Cruz	OIC-PENRO, Puerto Princesa Palawan
Inelda D. Baltazar	OIC-PENRO, Albay
Egido Z. Orata	OIC- PENRO Camarines, Norte
Teo R. Migo	OIC- PENRO, Masbate
Richard N. Abella	PENRO, Cebu
Arturo N. Salazar	PENRO, Eastern Samar
Robin Tumolve	PENRO, Leyte
Nelson V. Velasco	PENRO, Zamboanga Del Norte
Orly T. Carazo	OIC-PENRO, Davao Del Norte
Fabito Ofencia	OIC-PENRO, Compostela Valley
Merlinda E. Manila	OIC-PENRO, Surigao Del Sur
Zelby C. Parater	OIC-PENRO, Surigao Del Norte
Roberto Oliveros	OIC-PENRO, Agusan Del Sur
Evangelina Arizanes	DENR Office of the Undersecretary for Field Operations
Michelle Gumangan Longid	DENR Field Operations
Babes Ancheta	PH - ITI Secretariat
Michelle Baguilat	PH - ITI Secretariat

The orientation for the Provincial Environment and Natural Resources Officers (PENRO) on EITI was held last February 22, 2013. The briefing was co-convened with the Department of Environment and Natural Resources (DENR) Field Operations Office.

Assistant Secretary Marcial C. Amaro welcomed the participants and explained the rationale for the briefing on EITI underscoring that such activity can provide for insights on PENRO's responsibility relative to EITI. The PENROs were asked to look at the work plan where from they can determine specific areas where they could play a role.

Secretary Eliseo Gocun presented the overview of the EITI, the EITI processes and requirements, EITI updates, the Terms of Reference for the MSG and the Milestones in the Draft Work Plan. Discussion followed after each section of presentation.

Generally, the participants were very open to information on the new mining policy and the EITI and expressed their desire to be involved in the implementation of the EITI in their respective areas.

Summary of the concerns raised:

- There was a concern raised on the non-inclusion of the PENRO during the initial phase where the applications for permits to operate are still being processed. A participant pointed out that while the Local Government Units (LGU) are involved, the PENRO's involvement is only sought whenever problems arise in the certain mining community. There was a strong suggestion that the PENROs should be involved in the initial stages of processing of mining permits and also subsequently in the implementation of EITI in the country.
- The participants identified the need to improve the capacity of the PENROs to monitor mining activities in their areas to prevent untoward incidents such as landslides in a particular area. This is needed considering that the MGB only has presence at the regional level.
- Another issue that was raised by a participant was on the mechanism of reporting of data in cases where direct payments are made by the companies to the IPs.
- A clarification was also made on the role of the PENROs with regard to data gathering for the generation of the EITI Report.
- There was also a suggestion that the gold production of the small scale mining should also be monitored considering that the small scale mining for gold is prevalent.

Responses:

- Assistant Secretary Amaro remarked that inclusion for PENRO representation in the Provincial Mining Regulatory Board will have to be reinforced in the Multiparty Monitoring teams (MMT). This matter including the PENRO involvement in monitoring of mining activities within their areas of

jurisdiction was also noted and will be discussed in the next meeting of the Undersecretaries and assistant secretaries.

- Aside from tapping the MMT, Sec. Gozun also noted the need to increase the capacity monitoring of Mines and Geosciences Bureau (MGB) and PENROs and DENROs concerned since they are the front liners of the Department and are the direct link to the local communities.
- Secretary Gozun informed the group that a review on all payments of extractive industries to the different units of government is being done. There is a proposal to lump all government shares in one item including the LGU and the IP shares, if they agree. Consultations on this will still be held.
- She remarked that it would also be good if the IPs demand transparency from their leaders. This was discussed in the consultation with the IPs and NCIP.
- In terms of data gathering, the Secretary cited that part of PENRO's role is also to help generate the data at the local level. There will be capacity building activities as part of the EITI Work Plan and the concerned PENROs will be included. This way the PENROs can work with the LGUs and the IPs in their area to fill in the EITI reporting template.
- She also informed the participants that a review is also being done on the existing fiscal regime for mining. A scheme similar to the PEZA law is being considered to allow direct access by the LGUs of their share.
- On the issue of small scale mining (SSM), it was pointed out that SSM is largely unmanaged and uncontrolled. While they are only supposed to operate in declared Minahang Bayan areas, as of 2012, only two (2) Minahang Bayan areas had been declared by the DENR. Thus, SSM is largely illegal. This problem has been recognized and is included in EO 79. The TWG on SSM and LGU concerns is addressing this. Provincial Mining Regulatory Boards (PMRBs) are to be established in provinces where they don't exist yet and all PMRBs are supposed to be made operational. New guidelines for SSM are being prepared by the DENR/MGB. Minahang Bayan areas are to be determined and declared as such. Subsequently, all SSM will only be allowed in these declared Minahang Bayan areas. The Secretary noted the urgent need to put the small scale mining in order and indicated that joint efforts including PENROs involvement is definitely needed in monitoring the small scale mining.

In closing, Asoc. Amaro reiterated the need to address the monitoring capacity of the PENRO including the need to promote competency through substantial training so they can acquire new skills. He also expressed support to the EITI and remarked that DENR Field Offices look forward to learn from the developments in Compostela Valley to serve as a model for sub-national implementation of EITI.

V. Outreach to the Religious Groups

(February 22, 2013)

Participants

Secretary Elisea Gocun	Focal Person for EITI
Sister S. Villador	Association of Major Religious Superiors of the Philippines (AMRSP)
Atty. Recty Lacero	Iglesia Ni Kristo
Brother Hermie Limpin	Jesus Miracle Crusade International Ministry (JMCIM)
Bro. Louis S. Angeles	JMCIM
Bro. Joselito De Guia	JMCIM
Radhika Priya Devi Das	ISKON (Hare Krishna)
Vasukha Priya Devi Das	ISKON (Hare Krishna)
Mark Alvin C. Pineta	ISKON (Hare Krishna)
Pedro M. Reyes	Intercessors for the Philippines
Emil Ybanes	Philippine Council of Evangelical Churches (PCEC)
Jocelyn Egilco	PCEC
Susan May Granada	PCEC
Douglas E. McAllister	Church of Jesus Christ of Latter Day Saints
Michelle Bagulat	PH - EITI Secretariat
Babes Ancheta	PH - EITI Secretariat

The outreach to the different religious groups was held last February 26, 2013. The briefing opened with a prayer led by Brother Louis Angeles of the Jesus Miracle Crusade International Ministry. Secretary Elisea Gocun, welcomed the participants to the briefing. She first gave a background for EO 79 and its salient points before proceeding to present what EITI is all about, its background and overview, the processes and requirements needed in order to be certified as EITI candidate, including updates on EITI. She also presented the Terms of Reference for the PH-EITI MSG and the Milestones in the Work Plan for EITI in the Philippines.

Generally, the participants were appreciative of the objectives of EITI especially in its objective of achieving good governance through transparency and accountability in the extractive industry sectors. They were also very open to information on EITI and expressed support for its implementation. However, they also wanted to be more involved in other mining related issues. This will be relayed to the other TWGs within MICC.

Summary of concerns raised:

- One of the major concerns raised was how EITI can be beneficial to the people. Specifically, how can the revenues collected by the government from the extractive companies can be spent to benefit the well-being of the common people. The participants expressed that what they are looking for is the end result of the EITI to the people.

- o Another concern raised was on the sustainability of the EIT. The participants expressed their appreciation to the objectives of EIT especially in terms of improving good governance through transparency and accountability and remarked that the plans for EIT would be good if it will be a continuous process. The concern arose in anticipation of a change in the national government officials in 2016. They were concerned that such a change may also open up the possibility for changes in the approach and plan for the EIT and that this may bring uncertainty as to whether the next elected officials will really look after the welfare of the common people.
- o Another matter brought up during the discussion centered on labor issues specifically the well-being and working conditions of local miners. There was a query if they receive incentives and other compensation considering the hazards they are exposed to in line with their work.
- o Some participants emphasized that since minerals are non-renewable, there is also a lifespan to the source of income of the local miners and therefore it is just appropriate that matters concerning the workers' compensation benefits and well - being are to be looked into. Alternative livelihood which will sustain the local miners once mining in their area ends should be planned for.

Responses:

- o Secretary Gozon pointed out that the existing One Fund policy poses a challenge in accounting how much is spent from the revenues collected from the extractive industries. In the one fund policy, all revenues received by the government from various sources go directly to the National Treasury. This is then what is used to cover the annual budget of government as reflected in the General Appropriations Act. She noted that a law needs to be passed in order to earmark revenues from extractive industries and identify what they can be spent for.
- o She added that this can probably be started at the local level since the LGU revenues from extractive industries. LGUs have their 40% share of the national wealth which includes the extractive industries. The LGUs concerned must however pass their own local Ordinances if they want to earmark said revenues.
- o She explained the existence of the Social Development and Management Program (SDMP) required from mining companies under the Philippine Mining Act of 1995. She stressed that the SDMP is supposed to respond to the needs of the local communities whether it be health, education, or infrastructure. Active participation of the LGU and the local communities in crafting the SDMP is crucial in deciding what programs or projects will be implemented to benefit the community.
- o Sec. Gozon highlighted the need to communicate and engage the citizens and pointed out that this is already part of the Work Plan of the EIT. Education and active participation of the public

are deemed crucial and joint efforts are equally vital to encourage and ensure good governance from leaders in the government, both national and local. She urged the religious groups to help in generating the support from different groups for a continuing EITI. She mentioned that part of the EITI Work Plan is to draft an EITI legislation to ensure its sustainability after the term of the present Aquino Administration.

- o The Secretary explained that although labor issues are not within the scope of EITI, these issues (working conditions, contracts, benefits, hazards pay etc.) are being addressed by another Technical Working Group that includes the Department of Social Welfare and Development (DSWD) and the Department of Labor (DOLE). She remarked that she will relay this to the concerned TWG in the MCCC and inform the TWG to contact the religious groups present.
- o She also informed the participants that there is a review of the existing benefit sharing from mining. An arrangement which is similar to what is provided in the PEZA Law that will allow for direct access of the share of the LGU to the local government concerned is being considered.

There being no other matters to discuss, Secretary Gooun thanked the participants again and reiterated the plan of PH-EITI to reach out to as many stakeholders as possible. The participants were thus requested to share what they had learned from the briefing with their respective constituents.

OVERALL CONCLUSION:

All the participants in all these outreach activities recognized the value of EITI and expressed their support for its implementation. It was most useful for the PH-EITI secretariat to learn about the concerns and expectations of the various groups.



The PH-EITI Secretariat committed to keep everyone regularly informed of EITI developments in the country and will include them in the PH-EITI agroup. They will also be informed as soon as the website is up and running. The website will feature a chat room where anyone can post questions and/or comments. The PH-Secretariat will respond to these questions and/or comments.







UNION OF LOCAL AUTHORITIES OF THE PHILIPPINES

Building on the International ITI Guidelines - Executive Order 79
100 pm, Sarason A. Heritage Hotel, Pasay City

	NAME	LGU	Contact Number	E-mail	Signature
Gov.	Alfonso	Linao, Jr. Province of Oriental Mindoro			
Gov.	Nestor	Fongwan Province of Benguet			
Gov.	Jose Ma. Clarence	Saketa Province of Albay			
Gov.	Rufina	Lanete Province of Marikina			
Gov.	<i>Jose B. Binao</i> Eduardo Angerer	Tatasa Province of Camarines Norte	<i>0917-112-8591</i>	<i>eduardo.angerer@binao.com</i>	<i>Jose B. Binao</i>
Gov.	Hermogenes	Ebdana Province of Zamboanga	<i>962-0700</i>	<i>hermogenes@binao.com</i>	<i>Hermogenes Binao</i>
Gov.	Abraham Kubal	Mitra Province of Palawan	<i>0917-958-8801</i>		
Gov.	Conrado	Nican, Jr. Province of Eastern Samar			
Gov.	Marieta	Baguio Province of Leyte			
Gov.	<i>A. S. S. S. S.</i> Arturo	Uy Province of Compostela Valley	<i>0918-914-0149</i>	<i>arturo@binao.com</i>	<i>Arturo</i>
Gov.	Adolph Edward	Pusa Province of Agusan del Sur			
Gov.	Johnny	Pamtel Province of Surigao del Sur	<i>0911703246517</i>		

	NAME		LGU	Contact Number	E-mail	Signature
Gov.	Erlie Sober	Amante	Province of Surigao del Norte			
Gov	Soi	Mabugos	Province of Zamboanga del Norte			
Mayor	Marcena	Lunplan	Municipality of Mumbayan, Benguet			
Mayor	Wina	Camud	Municipality of Tuba, Benguet			
Mayor	Luisito	Mary	Municipality of Sta. Cruz, Zamboles			
Mayor	Nora	Orate	Municipality of Rajahmundry, Andhra Pradesh			
Mayor	Enzo	Capinul	Municipality of Anonoy, Marikina			
Mayor	Ricarte	Padilla	Municipality of Jose Panganiban, Camarines Norte			
Mayor	<i>Wife: A. Gertruda</i> Sando Sinala, DO Capitula		Municipality of Quezon, Palawan	945424785 09156217976	<i>olyn@vsn.net</i>	
Mayor	Abraham	Abra	Municipality of Buarata, Palawan			
Mayor	Rene	Lerna	Municipality of Mac Arthur, Leyte			
Mayor	Leonardo	Lawyer	Municipality of Javier, Leyte			
Mayor	Bernard	Magadan, Sr.	Municipality of Loreto, Davao del Sur			
Mayor	Candelario	Weda, Jr.	Municipality of Talavera, Ilocos Sur			
Mayor	Ernesto	Ernesto	Municipality of Claver, Surigao del Norte	092981782878		
Mayor	Rosemarie	Gokangpao	Municipality of Carrizosa, Surigao del Norte			
Mayor	Vicente	Pimentel, Jr.	Municipality of Carrizosa, Surigao del Norte			

	NAME	LGU	Contact Number	E-mail	Signature
Mayor	Coasar	Municipality of Sison, Zamboanga del Norte			
Mayor	Sedika	Municipality of Tubay, Agusan del Norte			
Mayor	Aurelio	City of Toledo, Cebu			
Mayor	Clarito	Municipality of Numa, Palawan			
Mayor	Zenaida	Municipality of Sofronio Española, Palawan			
Mayor	Arenaliza	Municipality of Calan, Eastern Samar	09173170070	apryunisa@psn.com.ph	
Mayor	Alan	Municipality of Bantisa, Dinagat Island			
Mayor	Alan	Municipality of San Jose, Dinagat Island			
Mayor	Alan	Municipality of Capitanan, Dinagat Island			
Mayor	Marc Adelson	Municipality of Tubod, Surigao del Norte			
Mayor	Cristina	Municipality of Rosario, Agusan del Norte			
5-D Mayor	Flack Rose	Municipality of Rosario, Agusan del Sur			
Co	Oliver	Province of Misamis Occidental			
COY	same as above	Province of Misamis Occidental	09173170070	apryunisa@psn.com.ph	
EPAB	RODRIGO P. ANTONIO	Water & Sewer	04282820724	msano@psn.com.ph	
ATTN	SONIA S. PRODRON	LGU-GUILD E. SANITARIAN	0915-545-3000	sonias@psn.com.ph	

PH-El

Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) WITH THE INDIGENOUS GROUPS (IN COLLABORATION WITH THE NCIP)

9 Lourdes Suites
4429 Edgemoor Avenue, corner Mabini Avenue, Mabini City, Philippines
Telephone No. (032) 897-1888 | Fax: (032) 896-1047
20 February 2013

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	Atty. Basilio A. Wenzelag	NCIP, Central Office, Q.C.		

PH-EI I

Philippines Extractive Industries Transparency Initiative
**BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)
WITH THE INDIGENOUS GROUPS
(IN COLLABORATION WITH THE NCIP)**

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20 February 2013

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	Reginalda Timbreza	NCIP - CAR	09266267592	
	Candida Cabinta	NCIP - Region III	operational system, WPA 09009220226	
	Rommel M. Morente	NCIP - Region IV		

PH-EI 1

Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)

WITH THE INDUSTRY GROUPS

(IN COLLABORATION WITH THE NCIP)






@ Lourdes Suites

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20 February 2013

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	Jimmy Lawana @mail: jim.lawana@phil.gov.ph	Manila, Benguet KALIBARA - EN TRIP	09295792721	
	Loehio Kuntung @mail: loehio.kuntung@phil.gov.ph	Region, Benguet KALIBARA - EN TRIP	09281064871	
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Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (ETI)

WITH THE INDIGENOUS TRANSPARENCY GROUPS

(IN COLLABORATION WITH THE NCIM)




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20 February 2013

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	Isabel Corio	Itog, Panabangan, Rizal Palawan	0918 744 7081 / 0917 2552 19 Corio, Isabel@yahoo.com	
	Elizabeth Maching	Palawan NGO Network, Inc., Unit 9 Zambiar Bldg, Rizal Ave., Puerto Princessa City, 5300 Palawan, Phil.	0920 9058382 bethmaching@yahoo.com.ph	


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Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (ETI) WITH THE INDIGENOUS GROUPS (IN COLLABORATION WITH THE NCIP)

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20 February 2013

ATTENDANCE SHEET

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	Onelio Mado	Villamor Division Dipolog	09472264827	
	Elsie Macrina	Cajayan de Oro		
	Geomete Iambayon	Cagayan-de-Oro		
	Dekho Tuyen	General Santos		

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Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)

WITH THE INDIGENOUS GROUPS

(IN COLLABORATION WITH THE NCIP)




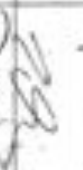


@ Lourdes Suarez

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20 February 2013

ATTENDANCE SHEET

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	Gabriel Alay	General Santos	09216853652	
	Santos Unzuad	General Santos	0922-797-5204	
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	FRED SANTIAGO			
	Emy Sarmayna	Marikina City	6447924955	


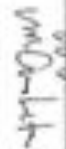
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Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) WITH THE INDIGENOUS GROUPS (IN COLLABORATION WITH THE NCIP)

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	Michelle B. Pagulat	OP-PACC	714 0296 44. 4939 michellepagulat@gmail.com	
	Dr. George H. Langbayon	ICRP Director	09179604674	
21	Mrs. Janette Farias	Asst - NCIP	janettefarias@gmail.com	

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Participates Extractive Industries Transparency Initiative



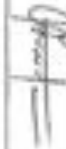



BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (ETI)

WITH THE ACADEMIC INSTITUTIONS

(IN COLLABORATION WITH THE ASOC)

@ Pacific Ortiz Hall Fr. Arzape Road Social Development Complex, A-966, Lorida Heights Quason City
21 February 2013

ATTENDANCE SHEET

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3	Joy + T. Dimala	Philippine University of the Philippines	jdimala@gmail.com 09466244146	
4	Laura Mariko N	CEU, Magdalena CI, ICD	0922897661	
5	Romero, Imelda R.	CEU, Manila Science & Technology	0991353546	
6	Orishan Laluna	ASOC		

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Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (ETI)

WITH THE ACADEMIC INSTITUTIONS

(IN COLLABORATION WITH THE ASOCs)

@ Pacific Oval Hall, Ft. Amable Road, Social Development Complex, AdSU, Loyola Heights, Quezon City

21 February 2013

ATTENDANCE SHEET

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3	KAYL ORSOPAK	Western Southern	rsoropak@comcast.net	K. Orsopak
4	ERWIN SUAREZ	WLU	erwinsuarez@gmail.com	E. Suarez
5	DELO MARA	BK	delomara@bks.com	D. Mara
6	Rebecca Dalupan	SDSG	cdalupan@sdsg.org	R. Dalupan

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Participates Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)


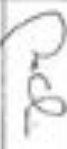

WITH THE ACADEMIC INSTITUTIONS

(IN COLLABORATION WITH THE ASOG)

@ Pasokan Ortiz Hall, Fr. Arduye Road, Social Development Complex, Aseki, Loyola Heights Quezon City

21 February 2013

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15	Antonio G.M. La Vina	ASOG	tanlavins@gmail.com	

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Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)

WITH THE ACADEMIC INSTITUTIONS

(IN COLLABORATION WITH THE ASOQ)

@ Pacific City Hall, Ft. Amodeo Road, Social Development Complex, Adulu, Loyola Heights Quezon City

21 February 2013

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16	Alegrini D. Ocasio	OP-PACC		
17	Michelle B. Tangalut	OP-PACC	mbtangalut@adulu.com	 Michelle B. Tangalut

PH-EI 1

Palingkas Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) WITH THE RELIGIOUS GROUPS

@ the Executive Secretary Hall & Gallery, Mahdi Hall, Malaccahang, Manila
26 February 2013

Religious
Group

ATTENDANCE SHEET

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2	MRT. REXY S. LARANG	Wishu ni Cristo	0917570244 mrtrexy@wishu.com	
3	ESAO BERNIE D. LIMBA	UICIM	09293573910 09293573910	
4	AN Jovic S. PASIGAT	UICIM	09293573910	
5	FRY Jordan T. de Guay	UICIM	0918 4492629	
6	Rodha Lila Devi Devi	ISKCON (New York)	rodha_lila@yashov.com 01198398196	
7	Vishwa Praga Devi Devi	ISKCON (New York)	09054135775 vishwapragedevi@gmail.com	

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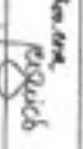



Philippines Extractive Industries Transparency Initiative

BRIEFING ON EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) WITH THE RELIGIOUS GROUPS

@ the Executive Secretary Hall & Gallery, Malibni Hall, Malacañang, Manila






26 February 2013

ATTENDANCE SHEET

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10	JOAN MAY TAMASO	ABC	0920-7811638 joanmay@youthnet.org.ph	
11	JOSHUA JOE ESCOBAR	PCRC	joescobar@youthnet.org.ph 0920-7702645	
12	DARYL A. MICALLE	Church of Jesus Christ of Latter-day Saints	0929-581-7957	
13	MARCUS BALOGT	PHILIPPINE EVANGELICAL CHURCH		
14	MARIE ALONCOPHERA	ISKCON	marie@youthnet.org.ph	

26 February 2013

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16	RICHMOND E. MADRASCAS	OFFICE	3844280	
17	JOSEPH TROUD	EO	3844280	
18	LARRY GARDINER, Jr	E.O.	3844280	
19	KERRY C. COWD	EPI SECRETARIAT/ OFFICE	3844280	
20				

PH-EI I

Philippines Extractive Industries Transparency Initiative

Briefing with the Provincial Environment & Natural Resources Officers (PENROs)
February 22, 2013; 9:00AM
Special Concerns Office (SCO) – Department of Environment & Natural Resources (DENR)

ATTENDANCE SHEET

NO	NAME	CONTACT INFORMATION	REGION	SIGNATURE
1	Jerry-Carlo Godoy L. (Benguet) PENRO, Benguet	074.4427446 penrobenguet@yahoo.com	CAR	
2	Nelson Castro / JIMMY A. BERNAL PENRO, Zambales	047.8511339 denrzambales@yahoo.com	Region 3	
3	Juan C. De La Cruz OIC - PENRO Puerto Princesa	048.4335638/35 denrpalawan@yahoo.com	Region 4B	
4	Imelda D. Baltazar OIC-PENRO, Albay	052.4807295 penro_albay@yahoo.com	Region 5	
5	Epidio Z. Orata OIC - PENRO, Camarines Norte	056.4400727 penro_camnorte@yahoo.com 0915.7641977	Region 5	
6	Tito R. Migo OIC - PENRO, Masbate	056.3333393 denr_penro_mbt@yahoo.com 0966-0817968 + 926 993 4234	Region 5	
7	Richard N. Abella PENRO, Cebu	032.4166926 penrocebu@yahoo.com	Region 7	
8	Arturo N. Salazar PENRO, Eastern Samar	055.2613984 penrosorongan@yahoo.com artnsalazar@yahoo.com	Region 8	
9	Robin Tumolva PENRO, Leyte	053.3235390 penroleyte@yahoo.com	Region 8	
10	Nelson V. Velasco PENRO, Zamboanga Del Norte	065.2123200 - 0916899251 penrozanorte@yahoo.com	Region 9	
11	Dry T. Canico OIC - PENRO, Davao Del Norte	084.2166302 084.2188183 denrpenro_ddn@yahoo.com	Region 11	
12	Pablito Ofreca OIC - PENRO, Compostela Valley	084.3761181 0920.5008234 denr_comval@yahoo.com.ph	Region 11	
13	Majinda R. Manila OIC - PENRO, Surigao Del Sur	086.2119035 dtds_dbs@yahoo.com bingmanila@yahoo.com 0938 064 4816	Region 13	
14	Zaldy C. Perater OIC - PENRO, Surigao Del Norte	086.8268260 penro_sdn@gmail.com	Region 13	
15	Roberto Oliveros OIC - PENRO, Agusan Del Sur	085.3437250 085.3437308 denr_penro_ats@yahoo.com obos_atoy@yahoo.com	Region 13	

PH-EI I

Philippines Extractive Industries Transparency Initiative

Briefing with the Provincial Environment & Natural Resources Officers (PENROs)
 February 22, 2013; 9:00AM
 Special Concerns Office (SCO) – Department of Environment & Natural Resources (DENR)

ATTENDANCE SHEET

NO	NAME	CONTACT INFORMATION	AGENCY	SIGNATURE
14	MARCIA C. AMARO, JR.	0917896627 920 2212	DENR-ASFO	<i>[Signature]</i>
17	Ugnella Gernangas-Langid	0997-277 4968 9296626 loc 2209	"	<i>[Signature]</i>
18	Evangelina Arcene	9202212	DENR OFFICE	<i>[Signature]</i>
19	MARILYN NICE RECALAT	784-4286 loc 4939 0915-915 9497	OPACC PIT - Carabara	<i>[Signature]</i>
20	MARIS M. ANIETA	784-4286 loc 4939 0999.99 598 94	OPACC	<i>[Signature]</i>
21	MARIT G. GOWN	784.4286 loc. 4939 0915.4222590	OPACC	
22	RILANDO F. PASTAS MARIT G. GOWN	7844286 09153749561	FTI SEC.	<i>[Signature]</i>
23	EXPERAS, FOLEN	DENR		<i>[Signature]</i>
24	RHEA R. EASTRO	2109049		<i>[Signature]</i>
X	CEL MESA			<i>[Signature]</i>

ANNEX U1:

Official Designation of Secretary Gozun as Lead Senior Official for PH-EITI signed by President Benigno Simeon C. Aquino III



MALACAÑAN PALACE
MANILA

27 March 2013

Madam:

Pursuant to the provisions of Article VII, Section 16 of the Constitution and existing laws, you are hereby designated *Lead Senior Official* of the Philippine Extractive Industries Transparency Initiative (EITI).



HON. ELISEA G. GOZUN
Thru: The Executive Secretary
Malacañang, Manila

ANNEX U2:

Curriculum Vitae of the PH-EITI Focal Person

ELINEA (Bebe) GILERA GOZUN

Major Commitments

World Bank Institute (WBI)

Consultant, Carbon Finance Capacity Building for Emerging Markets in the South

Jan 09 – May 11

World Bank

Consultant, Credit Rating of Philippine Cities

Sep 2008-May 11

Consultant, Institutional Specialist, MDI Urban Renewal Project & Philippine Urban Consortium

June 09- June 10

Team leader, Policy Study on Developing a National Government Subsidy Framework for Solid Waste Management

July 2007-Dec 2008

Asian Development Bank

Consultant, Solid Waste Management Component, Kasala Iloga City Project

Feb- May 2007

League of Cities of the Philippines

Consultant, Strategic Review of the CDFs in the Philippines

Jan 09-July 11

Project Director, City Development Strategy 2 Project (CDS2 Project) of the League with the World Bank and the Cities Alliance

Jan 08-Dec 08

Environmental Specialist, City Development and Investment Project (CDIP) of the League with the World Bank

Jan – Dec 07

National Program Director, Upgrading Poverty Focused City Development Strategy (CDS1) Project (supported by the WB, UN Habitat, and Cities Alliance)

Sep 01-Dec 02

FADCO – contractor for the United States Agency for International Development - RDMA and Asian Development Bank (ADB)

Consultant, Policy Study on Developing a National Septage and Sewerage Management Program (NSMMP) to include the cost-sharing framework between national and local governments

Feb – August 2010

Governance Team Leader for the Environmental Cooperation in Asia (ECO Asia) project serving as the secretary of the Asian Environmental Compliance and Enforcement Network (AECEN)

Nov 07 – June 07

Senior Advisor to AECEN

July 07- May 11

United Nations Commission on Human Settlements (UN Habitat)

Consultant as part of the MDG-term Review Team to evaluate the Sustainable Cities Programme (SCP) and the Localizing Agenda 21 (LA21) projects

Nov 07 – Feb 08

World Health Organization

Consultant, Additional Preparatory Work for the Task Force of the Regional Forum on Health and the Environment

Sep 2010 – May 11

Consultant, Preparations for the 2nd Regional Forum on Health and the Environment

March – Jul 2010

Consultant for the Second High Level Meeting on Health and the Environment in ASEAN and East Asian countries and the Scientific Conference on Asia Pacific Environment

Dec 07 – June 08

Health

<p>Consultant for the drafting of the proposed Charter for the Integration of Health and the Environment in ASEAN and East Asian countries and support preparation of the draft National Environmental Health Action Plan (NEHAP) for the People's Democratic Republic of LAO</p>	<p>July - Oct 00</p>
<p>Consultant for the preparatory work (drafting of the Concept Note and Road Map) for the regional integration of health and the Environment in ASEAN and East Asian countries</p>	<p>Feb - May 01</p>
<p>World Bank/Department of Environment and Natural Resources (DENR) Consultant, Global Environmental Facility - Manila Third Sewerage Project (GEF-MTSP) Consultant and Component Leader, Public Disclosure Program of the Strengthening Environmental Enforcement and Monitoring Capacity Technical Assistance (SEECTA) Project of the DENR-EMB</p>	<p>Sept-June 06 Dec 01-Dec 02</p>
<p>National Program Coordinator, Metropolitan Environmental Improvement Program (MEIP) National Project Coordinator, Industrial Efficiency and Pollution Control Project (IEPC) Project Coordinator, Solid Waste Ecological Enhancement Project (SWEEP)</p>	<p>Oct 91-Jan 99 Oct 91-Dec 94 Nov 97-Jan 98</p>
<p>Housing and Urban Development Coordinating Council (HUDCC) Head, Technical Coordinating Secretariat, Updating of the National Urban Development and Housing Framework, CDS Project</p>	<p>Aug 89-Jan 90</p>
<p>Asian Development Bank (ADB) Consultant, Clean Air Initiative for Asia Consultant on Public Awareness, Metro Manila Air Quality Improvement Sector Development Program Local Resource Person on Public Awareness, Acceleration of Lead Phase-out in Metro Manila Consultant on Institutional Development and Capacity Building, Proposed Metro Manila Air Quality Management Project</p>	<p>Feb - Mar 03 Sep 00-Mar 01 Jan - Feb 00 Oct - Dec 97</p>
<p>World Bank (WB) Consultant, Finalization of the Philippine Environment Monitor 2004 and Beach Research program Resource Person- Governance of Natural Resources, The Way Forward Consultant on Urban Environmental Management Environment and Social Services Sector, East Asia</p> <ul style="list-style-type: none"> • Preparation of the MEIP Manila Report • Preparation of the Philippine Environment Monitor 2000 (air quality report) • Preparation of the Philippine Environment Monitor 2001 (solid waste report) • Preparation of the Philippine Environment Monitor 2000 (overall assessment) • Preparation of the Philippine Environment Monitor 2004 (overall assessment) <p>Consultant, Overall Assessment of the MEIP Program, Washington DC* Consultant, MEIP - Ho Chi Minh Consultant, MEIP - Ho Chi Minh Consultant, Program Coordinator, Metropolitan Environmental Improvement Program (MEIP) Philippines</p>	<p>Nov 04-June 07 Nov 2004 Nov -Dec 00 Feb-Jul 02 Jul-Dec 01 Jan-Jun 00 Nov- Dec 04 March 1999 May 2000 June 2002 1991 - 2001 1991 - 1999</p>
<p>United Nations Center for Human Settlements (UN Habitat) National Project Director, Preparatory Work for the CDS Project</p>	<p>Jan-Aug 01</p>

<p>Consultant on Urban Air Quality Management Consultant, Facilitation of the Air Quality Management Guidebook</p>	<p>Jan-Oct 00</p>
<p>US Agency for International Development (USAID) Case White, Regional Urban Development Office (RUDCO) USAID, Indonesia Chemicals Policy Consultant, Natural Resource Management Program (NRMP)</p>	<p>Feb-Apr 01 Jan-Jul 02</p>
<p>Caraga-Laguna Urban Development and Environmental Management Project (CALA) Local Project Advisor (sponsored by WB, MEDA TV, and local provincial governments)</p>	<p>Jan 03-Dec 07</p>
<p>Australian International Assistance for International Development (AUSAID) Filipino counterpart for the Midterm Assessment of the Natural Resources Management And development program (NRMP)</p>	<p>Aug-Sept 01</p>
<p><u>Some past projects handled in various or restricted by</u></p>	
<p>A Study on Urban Environmental Management through Community and NGOs Industrial Efficiency and Pollution Control Project Environmental Management Strategy for the expanded MDI area Evaluation Study and Action Plan for Public Sanitation Facilities in MDI Participatory Action Planning for the Development of 2 PSP Projects A Study on Urban Environment Related Initiatives of NGOs and Community-based Organizations</p>	<p>August 1997 Nov 02-Jan08 Dec 02-Dec03 Dec 02-Jan03 1994</p>
<p>Integrated Waste Resource Recovery & Reuse Pilot project Economic Valuation of Impacts of Environment Degradation in Laguna Lake Community Participation & Advocacy for Ecological Waste Mgt in 3 Barangays & the Public Market in the Pace District of Manila</p>	<p>Dec 1997 Jan 1994 May - Dec 04</p>
<p>Clean Technology and Waste Minimization for 3 Industry Subsectors in MDI (Food Processing/ Dairy, Chemicals, Single-use/Disposable Plastics, Beverages, Leather Tanning) Corporate Environmental Initiatives in the Philippines</p>	<p>Oct 04-Jan05 Dec 04</p>
<p>Action Study to develop a Training and Infiltration, Education and Communications for EIPC - 1 year SIC Plan; Inventory of Training Institutions Minimization of Medical & Hospital Waste An Economic Study of Pollution Control Options in Caraga-Environmental Protection & Pollution Control Ordinance</p>	<p>June-Dec 02 Oct 1997 Nov 1997 March 1998</p>
<p>DEIOL Institutional Strengthening An Action Program for the Introduction of Economic Incentives to Promote Waste Pollution Prevention and Abatement in the Phil</p>	<p>May 1998 1998</p>
<p>Caraga-Laguna Urban development and Environmental Management Study Feasibility Study for Common Treatment Facilities and Waste Abatement for Industrial Enterprises in the MDI Area Ecomark (a Public disclosure program for industrial pollution in MDI) Characterization of the Aguilar of Davao City Demonstration Facility for Solid Waste Management in Metro Cebu Metropolitan Cebu: An Area Ecological profile Ecological Waste Management for the Douglaswood Public Market Ecological Waste Management of the Mindanao City Public Market Waste Reduction Plan for Mindanao City Information and Education Campaign on the Environmental User Fee System An Economic Study on Pollution Control Options in Caraga, Phil Toxic and Hazardous Waste Management Study in the Phil</p>	<p>Feb 00- Feb 07 May 07-Jan08 May 1998 August 1998 May - Dec 98 June-Dec 99 June-Dec 99 June-Dec 99 June-Dec 97 Mar-Dec 97 1996 - 1997</p>

Public sector executive

Presidential Assistant II for Climate Change Dec 11, 2010 to
Office of the President present

Secretary, Dec 2002 to
Department of Environment and Natural Resources (DENR) Sept 1, 2004

Assistant Secretary for Planning and Policy Studies Jan 20-Jan 21
Department of Environment and Natural Resources (DENR)

Responsible for formulation of specific policies on natural resources management within the framework of sustainable development and equitable resource access, evaluation and monitoring of programs and projects for policy consistency and responsiveness, review of proposed work and financial plans for prioritization, and formulation and review of the natural resources medium-term development plan.

Head Executive Assistant Jul 17-Dec 09

Special Assistant to Minister Carlos G. Dominguez Nov 10-Jul 17
Ministry of Natural Resources

Ministry of Agriculture and Food Feb 16-Jun 17
Special Assistant to the Minister (Marina Fajon V. Maza)

Business sector

Director, Saracat Ecology Corporation 1999 – 2003

2004 -2010

Director, Agriopen Consortium Inc. 2000- 2002

Executive Director, Philippine Chamber of Mango Exporters 1994-1997

Executive Director, Federation of Cattle Raisers Associations of the Philippines 1992-1994

Molasses trader, Derao del Sur and South Cebuano 1988-1992

Managed family-owned roger plantation in Derao del Sur 1979-1987

Managed family-owned chicken broiler farms in Aantolo, Iztad 1976-1979

Managed family-owned milkfish pens in Binangonan, Iztad and roger farms in Derao, Cebu 1973-1979

Other positions

President, Kalipayan ng Kamalayan at Kalikasan (KKK) May-Dec 2010

Chair, Phil Council for Environmental Protection and Sustainable Development Inc. Sept00- Dec 2010
(PCEPSDI) serves as secretariat for the Philippine EcoLabelling program

Chair, Earth Day Network in the Philippines Nov 04- Dec 2010

Co-Chairman, the Philippine Climate Change Imperative (CCI) 2009 – Dec 2010

Chair, Clean Air Initiative for Asian Cities Partnership Council 2007 – Dec 2010

Chair, Earth Council Asia Pacific Philippines 2007-Dec 2010

Vice President, Solid Waste Management Association of the Philippines Nov 04-Dec 2010

Director, Philippine Business for the Environment Jan07-Dec 2010

Member, Advisory Board, League of Corporate Foundations 2007 – Dec 2010

National Advisory Committee, WWT-Philippines Jan07-Dec 2010

Vice President, Partnership for Clean Air (PCA) Sept 04-Dec 2010

Member, Pugilabags 2006-Dec 2010

Green Kalipayan Program Director, Green Kalipayan 2007-Dec 2010

Member, Zero Waste Recycling Movement of the Philippines Foundation Inc. 2000 – Dec 2010
(ZWRM-FIT)

Work experience

Chair, Partnership for Clean Air	May - Dec 02
President, Concerned Citizens Against Pollution (COCAAP)	July - Dec 02
Executive Director, Earth Day Network in the Philippines	Oct 99- Dec 02
Treasurer, Solid Waste Management Association of the Philippines (SWAMP)	Nov - Dec 02
Philippine Representative, Clean Washington Caucus (CWC), Pacific Northwest Economic Region	Jan 00- Dec 02
Vice President, Zero Waste Recycling Movement of the Philippines Foundation Inc. (ZWRZDFI)	April 01- April 02
Founding Director & Member, Air and Waste Management Association-Philippines	2000

Education

MS Environmental Management (thesis candidate), Philippine Women's University, Manila	1996-
Bachelor of Arts, Southwestern University, Cebu City (Graduate)	1978
BS Social Work, University of the Philippines, Quezon City (3 rd year only)	1963 - 1972

Special award

Doctor of Environmental Management (Honoris Causa) Conferred by Eastern University	March 2003
Doctor of Environmental Management (Honoris Causa) Conferred by Ramon Magsaysay Technological University, Iloilo, Zamboanga	April 2004

Personal background

Born June 15, 1912 in Cebu City. Married to Corrado C. Gomez (deceased) with two children, Kyla and Jose Armin.
Address: 29 Summit St. 555 Village, Marikina City, Metro Manila 1800 Philippines
Tel/Fax: (83 2) 9417233
Email address: loracoma@gmail.com

Personal and professional references available upon request

ANNEX V:

*Documentation of Meetings of the EITI Technical
Working Group*

HIGHLIGHTS OF THE 1ST EITI TECHNICAL WORKING GROUP MEETING

August 10, 2012

Executive Lounge, Department of Budget and Management

ATTENDEES:

- Secretary Elisea G. Gozun – **Presidential Adviser on Climate Change**
- Director Carmencita N. Delantar - **DBM BMB-G**
- Director Clotilde L. Drapete – **DBM SPIB**
- Ms. Maryln A. De Guzman – **DBM SPIB**
- Mr. Guillermo H. Ansay – **DOE**
- AJ R. Pestana – **DOE**
- OIC-Assistant Commissioner Alfredo V. Misajon - **BIR**
- Director Manuel Q. Gotis – **BLGD**
- Atty. Noemi Alcala – **BOC**
- Deputy Commissioner Prudencio Reyes, Jr. – **BOC**
- Engr. Glenn Noble – **DENR-MGB**
- Ms. Teresa M. Mañalac – **DENR-MGB**
- Director Brenda Joyce R. Mendoza – **NEDA**
- Mr. Dennis Lim – **NEDA**
- Ms. Kathleen Anne E. Capiroso – **NEDA**
- Ma. Paz A. Javier – **DOF**
- Mr. JuvyDanofrata – **DOF**
- Acting Director Divina M. Corpuz – **BLGF-DOF**

AGENDA:

- Overview of EITI
- Organization and Role of the EITI TWG
- Work Plan for Implementing EITI
- Organizing the Multi-Stakeholder Group
- Next Steps

MEETING HIGHLIGHTS:

1. Call to order

1.1. Sec. EliseaGozun called the meeting to order and requested those present to introduce themselves.

2. Background on the Extractive Industry Transparency Initiative (EITI)

2.1. Sec. Gozun presented a brief background on EITI Philippines. She explained that through E.O. 79, specifically Section 14, the President declared that government would participate and

implement the Extractive Industry Transparency Initiative.

- 2.2. The Mining Industry Coordinating Council (MICC) created the EITI Technical Working Group to be headed by Sec. Gozun. It shall be housed under the Governance Cluster, since it will tackle governance issues.
- 2.3. Sec. Gozun reported that representatives from the International Secretariat of EITI and Revenue Watch have visited the Philippines to discuss EITI with some senior officials.
- 2.4. Exploratory meetings were held with Bantay Kita, a coalition of CSOs also advocating for EITI. The meeting with the Chamber of Mines will be scheduled for a later date. The initially scheduled meeting did not push through due to the flooding.
- 2.5. The Secretary then proceeded to give a brief history of EITI. EITI sets a global standard on transparency of revenues from natural resources, which is implemented through a multi-stakeholder coalition composed of government, private sector and civil society.
- 2.6. The 12 principles and criteria for EITI implementation were also presented. (See Annex A)
- 2.7. Dir. Emy Delantar (DBM) explained that DOF, DBM, DILG, DILG and DENR issued a joint circular in 2009 to streamline the procedure and timetable in releasing the share of LGUs from the national government's collection of mining taxes.
- 2.8. Asst. Commissioner Fred Misajon (BIR) raised the concern regarding leakages in the market for precious metals, since many small miners resist paying excise taxes. Sec. Gozun shared that there is another technical working group (TWG) under MICC which will focus on issues surrounding small scale mining. There is also another TWG chaired by DTI which will review incentives being given to mining companies.

3. The EITI Compliance process

- 3.1. The EITI compliance process is composed of three phases: sign-up phase, EITI candidate phase and EITI compliant phase. In the sign-up phase, the applying country must first meet the requirements for EITI application before it becomes an EITI candidate. Once a candidate, the country will then have a 18 months to prepare an EITI report. Once a country is certified as EITI compliant, it will have to meet requirements to maintain compliance or else the country will be suspended. (See Annex A for more details)
- 3.2. EITI Candidacy Checklist. Government must meet certain requirements in order to become an EITI candidate. The requirements and their status are summarized in the table below.

Requirement	Status
Issuance of unequivocal public statement of	EO 79 Section 14 expresses this. But a second

intention to implement EITI	announcement regarding the Philippine's participation in EITI may be necessary.
Government commitment to work with civil society and companies on EITI implementation	Sec. Gozun has already met with Bantay Kita, a CSO Coalition and a meeting with the Chamber of Mines is underway.
Appointment of senior official to lead EITI implementation	Sec. Gozun was identified in the first MICC meeting last 25 July 2012.
Establishment of a multi-stakeholder group (MSG) to oversee EITI implementation	An interim MSG will be created. Initial meeting set on 21 August 2012. Composition of interim MSG will be 3 from government (Sec. Gozun, DENR, DOF), 3 from CSOs (c/o Bantay Kita), and 3 from the private sector (c/o Chamber of Mines).
Publication of a fully-costed work plan which is agreed upon by the MSG	Governance Cluster secretariat has drafted initial workplan for discussion and fleshing out

3.3. Sec Gozun proposed that EITI application is targeted to be accomplished by 30 November 2012. There is a need to review the legal framework to identify potential obstacles in EITI implementation, such as the confidentiality of the tax returns of mining companies. There is a legal opinion that if companies give a waiver or if the President himself authorizes, then the tax returns of mining companies may be released to the public.

3.4. **The body approved the proposal that the initial phase of EITI will focus on large scale mining (metallic and non-metallic) and oil and gas.** Large scale mining is currently a hot public issue, but the private sector and civil society stakeholders agree on the need for EITI. On the other hand, oil and gas is seen as a low hanging fruit since there are only 3 big companies extracting oil and gas. It was noted that EITI will expand to other industries (such as small scale mining and forestry) and that this would be detailed in the work plan to be crafted.

4. Discussion of related issues

4.1. There was a request for a clarification on what is the difference between large scale and small scale mining. Engr. Glen Noble explained that to qualify as small scale mining, the operation should:

- Have less than P10 million capitalization
- Have less than 50,000 MT annual production
- Not use any explosives and heavy equipment,
- Have a maximum area of 5 or 20 Has
- Have a maximum of 2 years + 2 years operating period.

- 4.2. In addition, Sec. Gozun added that small scale mining is limited to Minahang Bayan areas. These areas are determined by the Provincial Mining Regulatory Board composed of DENR, but require the approval of the DENR Secretary. Governors and city mayors issue the necessary permit when the board so recommends. The issuance of the permit is therefore ministerial.
- 4.3. Francis Capistrano suggested that part of the TWG's work may include determining how we can improve the access of citizens on information regarding regulation of the sector. Engr. Noble asked what level of information should be made available on their website, given that they have already disclosed much information. Sec. Gozun responded that this would be determined as part of our implementation of EITI.

5. Structure and Terms of Reference of the EITI Philippines

- 5.1. EITI Philippines would be led by the multi-sectoral group (MSG) and supported by the EITI TWG. These two bodies will report to both the Governance Cluster and the MICC.
- 5.2. The basic terms of reference for the EITI TWG is as follows
- Draft & implement a work plan for EITI in PH, in coordination with stakeholders
 - Convene Multi-Stakeholder Group & serve as its implementation & tech support unit
 - Coordinate the regular disclosure of revenues & other extractives data; pursue innovative disclosure practices (including use of technology)
 - Recommend other practices of transparency & participation in extractive industries
- 5.3. The proposed members of the EITI TWG were presented by Sec. Gozun. This includes:
- Sec. Gozun – EITI lead official and TWG Chair
 - DENR (MGB)- general mining data, regulation and linkage
 - DOF (BIR, BOC, BLGF) – mining revenues (national – BIR and BOC, local – BLGF)
 - DILG – small mining revenues and regulation by LGUs
 - DOE – oil industry regulation, revenues and other data
 - NEDA – MICC secretariat, updates from other TWGs
 - DBM (RIU, SPIB, BMB-G) – LGU revenue shares (BMB-G), regulation organization and systems review (SPIB), interim secretariat (RIU)
- 5.4. The body decided to include the following additional members of the EITI TWG: ULAP as a representative of LGUs and Bureau of Treasury. The following agencies will be called when necessary as resource agencies: BSP, COA, LGU Leagues, BOI-DTI, and PEZA. We will also invite private sector and CSO representatives as needed.
- 5.5. Engr. Noble inquired how the EITI initiative would coordinate with the Philippines Poverty Environment Initiative (PPEI). Sec. Gozun responded that she had already met with Usec. Panadero and they agreed that a meeting with the EITI TWG Secretariat, DILG (lead implementor) and UNDP (development partners) be held to discuss this.

5.6. It was proposed that the a general briefing on Mining and PPEI be included in the agenda for the next EITI TWG meeting

6. Draft EITI Work Plan

6.1. The members of the TWG are expected to do the following

- Assign responsible senior official (U/ASec), permanent representatives (Dir/ADir) & contact-technical staff for EITI TWG.
- Provide required revenue & other data (enterprise-level) every month (10th-15th)
- Submit inventory of existing disclosure & transparency policies on extractives revenue, other data & regulation policies (15 August)
- NEDA: update members on discussions of other TWGs on other relevant issues (e.g. small mining regulation, review of royalties, etc.)

6.2. EITI work plan structure

- Goal 1: Enter into EITI Candidacy and secure institutional & resource support; Raise public awareness about EITI
- Goal 2: Build capacity & address obstacles to implementing & monitoring EITI
- Goal 3: Complete and disseminate the first Philippine EITI report
- Goal 4: Audit, reconciliation and validation
- Goal 5: Communicate and engage citizens

6.3. Key Milestones

- Q4 2012: Fulfill requirements for EITI Candidacy, including MSG, Work Plan & PH-EITI Launch
- Q1 2013: Set-up PH-EITI Unit, conduct capacity-building activities & set-up PH-EITI website
- Q2 2013: Finalize reporting policies, mechanisms & templates, hire independent validator & procure publishing requirements
- H2 2013: Design and production of the 2012-2013 PH-EITI Report, w/ continuous consultation
- H1 2014: Independent validation

6.4. Timetable

Deliverable	Proposed Date(s)
TWG Report on Next Steps + Re-schedule meeting with Mines Chamber	
TWG to further flesh-out proposed work plan to be discussed in the MSG + to draft EITI Philippines' ToR	
Convene Interim MSG for EITI to discuss next steps and work plans	
Pitch to development partners, for funding support for EITI	
Official correspondence with Bantay Kita and Chamber of Mines inviting them to co-convene EITI Philippines	
Event organization and preparations for planning forum/ workshop of EITI Philippines	August 27-October 19

Public announcement – Statement of the Palace of the intent to implement EITI and to convene an MSG	October 8
Public announcement – joint statement of MSG co-convenors inviting stakeholders to the first forum of EITI Philippines	October 8
Continuation of preparations for planning workshops & official launch of PH-EITI	October 8 to 22
Multi-stakeholder two-day planning workshop to discuss EITI's ToR + costed work plan	October 22-25
Launch Philippine EITI website/ webpage on gov.ph to solicit public feedback and discussion + posting of draft costed work plan	October 22-25
Detailed planning workshop by an appointed core membership of the MSG + Report to President/ MICC on progress	October 29-November 16
EITI Philippines Convention/ Official Launch with ratification of the EITI ToR and work plan	November 19-23
SUBMISSION OF APPLICATION FOR CANDIDACY	NOVEMBER 30

7. Next Steps

7.1. The following next steps will be undertaken:

- Meeting between Sec. Gozun, DILG and UNDP (regarding PPEI) on August 14, 130PM at the Office of Usec. Gozun (Mabini Hall, Malacanang)
- Report to MICC to be submitted on August 15
- EITI TWG Meet #2 next week on August 17, 10AM at DBM
- Meeting of interim MSG on August 21 moved to August 22
- Public announcement on EITI implementation & convening of the MSG on October 8
- Meeting with Chamber of Mines on August 14

7.2. Other Tasks

- Draft a disclosure policy, including flow-charting of revenue data, identification of potential obstacles to EITI, use of technology & application of open data (DoF, DENR, DBM)
- Determine other areas for transparency & participation in extractive industries, including allocation of special shares (DENR, DILG, DBM)
- Submit think pieces on applying EITI to i) small mining (DILG, DoF) & ii) oil & gas (DoE)
- Follow-thru with int'l partners on committed support for EITI; explore grants (DBM)

Please check

NAME	DEPARTMENT	EMAIL
Owena M. Corpuz	BLG-DOF	dmcmcorpuz@yahoo.com.ph
Marlyn A. De Guzman	DBM-SMB	dekguzma@yahoo.com
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AJ Pentana	DOE	ajpentana@doe.gov.ph
Afrido Managon	ELR	afredo.managon@elr.gov.ph
Manuel Gatti	DILG	manuel.gatti@dilg.gov.ph
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Department of Agriculture - Bureau of Agricultural Extension Services
 Division Office - Marikina City
 For your corrections please. Please add your details if you are not listed.

Please fill-up the email column.

Thank you very much! ☺

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1st Technical Working Group Meeting
 Extractive Industries Transparency Initiative

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1st Technical Working Group Meeting
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2nd EITI TWG AGREEMENTS, TASKS, AND NEXT STEPS

AGREEMENTS:

1. OP-PMS will be included as a member of the EITI TWG.
2. The EITI Secretariat will be created and housed under the office of Secretary Gozun. Until a secretariat is established, the Governance Cluster Secretariat shall continue to provide secretariat support to the EITI TWG and Sec. Gozun.
3. There is a need to review JMC 2009-01 issued by DILG-DOF-DENR-DBM to identify changes required by the implementation of EITI

ASSIGNED TASKS:




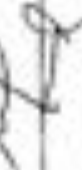



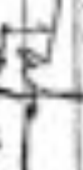







AGENCY	ACTION TO BE TAKEN
All TWG members	Send formal communication to governance@dbm.gov.ph identifying permanent and alternate representative to the EITI TWG.
All TWG members	Send feedback on EITI Work Plan to governance@dbm.gov.ph (Concurrence with the plan will be assumed if no feedback is given)
All concerned TWG members	Send inventory of existing disclosure and transparency policies on extractive revenue, other data and regulation policies to governance@dbm.gov.ph .
MGB Secretariat	MGB to send information on overall estimates of resources in the Philippines estimates to the Secretariat Secretariat shall forward this to the TWG
Secretariat	Organize a meeting with DILG, MGB, UNDP and consultants to harmonize the work plan for EITI. (Secretariat proposal: set meeting after August 24, after inputs from other agencies have been received.)
MGB	Convene the 11 large scale mining companies which are not members of the Chamber of Mines to present the EITI initiative.
Secretariat	Convene a small group meeting to discuss information requirements for EITI

**2nd Technical Working Group Meeting
Extractive Industries Transparency Initiative**





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**2nd Technical Working Group Meeting
 Extractive Industries Transparency Initiative**

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2nd Technical Working Group Meeting
 Extractive Industries Transparency Initiative

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3rd EITI TWG AGREEMENTS, TASKS, AND NEXT STEPS

HIGHLIGHTS OF THE 3RD EITI TECHNICAL WORKING GROUP MEETING

November 6, 2012

Executive Lounge, Department of Budget and Management

ATTENDEES:

Secretary EliseaGozun	Presidential Assistant II For Climate Change/Focal Person For EITI
Asst. Commissioner Alfredo V. Misajon	Bureau of Internal Revenue (BIR)
Rose Ann A. Cruz	Philippine Poverty Environment Initiative (PPEI)- Department of Interior and Local Government (DILG)
Patricio de Quiros	Union of Local Authorities of the Philippines (ULAP)
Amelia A. Menardo	National Economic Development Authority (NEDA)
Kathleen Anne E. Capiroso	(NEDA)
Romualdo D. Aguilos	DENR- Mines and Geosciences Bureau
Carmencita N. Delantar	Department of Budget & Management (DBM)
Mary Ann M. Torio	Presidential Management Staff (PMS)
Glenn Nino M. Sartillo	Presidential Management Staff (PMS)
Marlyn De Guzman	DBM- Systems & Productivity Improvement Bureau
CarminaDela Cruz	DBM- Systems & Productivity Improvement Bureau
Melcy M. Baluyan	Department of Finance (DOF)- Bureau of Local Government Finance (BLGCF)
Marlene Calubag	DOF-BLGCF
Febe J. Lim	DOF
Trinidad A. Rodriguez	DOF
Abigail Ocate	PH-EITI Secretariat
Michelle Baguilat	PH-EITI Secretariat

AGENDA:

- Recap of the 1ST and 2ND TWG
- Updates on Efforts towards PH application as EITI Candidate, Revised time table for sign-up; Matters arising from interim MSG discussions; and Updates from EITI National Coordinator's meeting
- Terms of Reference of the EITI Philippines MSG
- Draft EITI Work Plan
- Reiteration of Agreements and deliverables, and other concerns

1. OPENING:

1.1. Secretary Elisea Gozun welcomed the attendees and requested those present to introduce themselves. She then presented the agenda for the meeting which was approved by the Technical Working Group (TWG) members.

2. Recap of the 1st and 2nd TWG

2.1 Francis Capistrano of the Good Governance Cluster and Anti-corruption presented the recap from both the 1st and 2nd EITI TWG meeting. He said the 1st TWG was mainly ground work and membership of the TWG with the inclusion of other agencies relative to the goal of EITI.

2.2. He noted that the steps taken after the 1st TWG meeting included the need to harmonize the work already done for EITI by the Philippine Poverty Environment Initiative (PPEI).

2.3. Mr. Capistrano mentioned that another key step is the set up of an Interim Multi-Sectoral Group (MSG) of which includes Sec. Gozun, Bantay Kita for the CSO side, and the Chamber of Mines of the Philippines representing the business sector. He added that efforts to reach out to the large scale metallic that are not members of the Chamber of Mines were already made.

2.4. The tasks of the TWG included the following:

- Draft a disclosure policy or flow of revenue data
- Determine other areas for transparency participation that will include allocation of special shares by the Local Government Units (LGUs) and other agencies
- Work on a think piece on how exactly to apply EITI relative to small scale mining. Mr. Capistrano noted that the first Phase of the PH-EITI will initially cover the large scale mining and the oil and gas extraction companies and then later move into other areas of extracting industries

2.5. Mr. Capistrano relayed that the 2nd TWG was largely focused on mining industry. He mentioned the inclusion of the Presidential Management Staff (PMS) in the TWG including the hiring of dedicated staff for EITI. He further mentioned that a PMO formal set up is envisioned in 2013 as the Philippine EITI candidacy starts.

3. Updates on Efforts Towards PH application as EITI Candidate

3.1 Sec. Elisea Gozun presented the updates on the application for EITI that included the following:

- The press con on the EITI needs to be re-scheduled since the initial schedule concurred with the forging of the Muslim Islamic Liberation Front (MILF) agreement.
- The CSOs exited from the training of trainers last October 17-18, 2012 and will have 5 Regional Consultations for the whole month of November. Selection of the CSO formal representatives to the MSG will be held during the CSO Congress that is targeted on November 26, 212.
- The Draft Work Plan will be subject to a wider consultation on the 2-Day National Workshop planned to take place on November 27 and 28. The secretary proposed that the TWG agree on a workable schedule to flesh out the output of the 2 day National Workshop.
- Submission of Philippine EITI application which is targeted on January 11, 2013, six months from the passing of the EO79.
- Setting up of a website as means of getting inputs for the EITI Philippines. Mr. Capistrano relayed that Sec. Carrandang of the Presidential Communications Development Strategic Planning (PCDSO) issued instructions that the PCDSO could in the meantime host a page for EITI for feedback mechanism

3.2. Matters arising from interim MSG discussions

- Establishment of a Multi-Stakeholder Group (MSG) to oversee the actual implementation of EITI. The secretary stated that this has to be done in a participatory process to make sure that each group has participation. She shared that in the meantime, an Interim Multi-Stakeholder Group is formed for the work on EITI to continue.
- The CSOs led by Bantay Kita will have five (5) regional consultations for the whole month of November. Secretary Gozun mentioned that idea for the CSO regional consultations is to get a wider range of CSO representatives including the church, indigenous peoples (IPs), and academe to understand what EITI is all about.
- The CSOs will have the national convention on November 26, 2012 to finalize their representatives to the MSG and that the CSO national congress will be set back to back with the National Workshop on November 27-28, 2012 to save on cost.
- Sec Gozun stressed that the National Workshop will be used mainly to get large inputs and consensus for the Terms of Reference of the MSG and the Work plan. She also noted that there is need to manage and make sure that the scope of the discussion is focused on EITI rather than on other issues surrounding it.

3.3. Updates from EITI National Coordinator's meeting, Luzaka Zambia

Secretary Gozun shared the following recommendations:

- Disaggregation of reports per project of extractive industry
- Inclusion of the volume and the value of whatever is sold or exported when disclosing revenue payments. This provides basis for cross checking.
- On the disclosure of terms of Contract, the secretary mentioned that other countries expressed concern in divulging the contents of their contracts citing that there are information therein that serve as their edge in the global market and disclosing them could make them vulnerable. She relayed that the position taken in the National Coordinators' meeting is "encourage" disclosure of contract as opposed to "required" .
- Transparency on the government use of revenues from extractive industries. Secretary Gozun remarked that the concern here is that the Philippine government has one fund policy where all revenues from all sources go to the national treasury.

4. Terms of Reference of the EITI Philippines MSG

4.1. Mr. Francis Capistrano guided the TWG members in going through the Terms of Reference of the EITI Philippines MSG that was outlined as follows:

- Objectives and Mission of the EITI Philippines
- Principles of Engagement
- The Composition of the PH-EITI MSG
- The Roles of the Members of PH-EITI MSG
- The Terms of Office and
- PH-EITI MSG Meetings and Decision Makings

4.2. Ms. Rose Ann A. Cruz of the Philippine Poverty Environment Initiative (PPEI) and Department of Interior and Local Government (DILG) clarified if it is also a function of the MSG to screen and validate the actual reports submitted by the companies.

4.3. Mr. Capistrano responded that the screening and validating of reports are not part of the functions of the MSG. He added that the MSG can work in making sure that the reports are coming in.

4.4. Secretary Gozun mentioned that the MSG will select an accredited external validator to do the validation of reports. She said that the International secretariat will recommend 3 validators for the PH-EITI MSG to choose from.

4.5. Asst. Commissioner Misajon suggested that the roles of the Business Sector and the CSO be separated explaining that the sectors share a common role being members of the MSG at the same time distinct role with the business sector disclosing its revenue payments.

5. Draft Work Plan of the EITI Philippines

5.1. Mr Capistrano facilitated the discussion of the Work Plan that includes the following objectives:

- Philippines endorses and enters into EITI candidacy
- Build capacity and address obstacles to implementing and monitoring EITI
- Audit/Reconcile and report on revenue flows between Philippine Government and Extractive Industries
- Communicate, Build knowledge, and Engage citizens in the PH-EITI program

5.2. Secretary Gozun shared that companies are requesting for a common reporting template to all government agencies be it the DENR-MGB, Bureau of Internal Revenue (BIR), or other agencies.

5.3. There was suggestion that the Work Plan of the Philippine Poverty Environment Initiative (PPEI) be harmonized with the PH-EITI Work Plan.

5.4. Rose Ann A. Cruz of the Philippine Poverty Environment Initiative (PPEI) said she will clear first with her principals before sharing the PPEI Work Plan with the TWG for more inputs.

5.5. The TWG members agreed to send their comments on the Terms of Reference and the PH-EITI Work Plan by November 13, 2012

5.6. The TWG also concurred to discuss the policy framework on disclosure of revenues, flow and quality of data on the next TWG meeting.

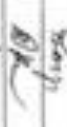



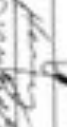







6. Next Steps:

- Finalize the resources needed for sign up
- Determine the implementing agencies for the activities
- Organizing the PMO
- Public Announcement
- TWG to agree on a workable day to flesh out the output for the 2-Day National Workshop

3rd Technical Working Group Meeting
 Extractive Industries Transparency Initiative

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3rd Technical Working Group Meeting
 Extractive Industries Transparency Initiative

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HIGHLIGHTS OF THE 4th EITI TECHNICAL WORKING GROUP MEETING

December 05, 2012 (Wednesday)
Executive Secretaries Hall and Gallery
Mabini Hall, Malacanang, Manila

ATTENDEES:

- Sec. Elisea Gozun – **Head TWG**
- Maria Florinda Z.Bacena – **BIR**
- Alfredo V. Misajon – **BIR**
- Manuel Q. Gotis – **DILG**
- Ma. Teresa S. Habitan – **DOF**
- Febe J. Lim – **DOF**
- Kathleen Anne Capiroso – **NEDA**
- Amelia A. Menardo – **NEDA**
- Emmanuel F. Esguerra – **NEDA**
- Guillermo H. Ansay – **DOE**
- Rick Rodell C. Luis – **DOE**
- Teresa M. Manalac – **DENR MGB**
- Larry M. Heradez – **DENR MGB**
- Marlyn De Guzman – **DBM-SPIB**
- Carmencita N. Delantar – **DBM**
- Francis Y. Capistrano – **DBM**
- Divina M. Corpuz – **BLGF**
- MelcyBaluyan – **BLGCF**
- Romalino G. Valdez – **BOC**

SECRETARIAT:

- Francis Capistrano
- Katrina Mae Santos
- Abigail Ocate
- Michelle Baguilat

1. Welcome/ Opening:

Secretary Gozun called the meeting to order. She welcomed the members of the Technical Working Group (TWG) on the Extractive Industries Transparency Initiative (EITI) present at the meeting and requested everyone including the secretariat to the EITI Ph to introduce themselves.

The agenda was adopted.

2. Recap on Matters Arising in the Previous TWG meeting and Updates on EITI:

Sec. Gozun presented a summary on the discussion in the last TWG meeting on November 6, 2012.

On the updates on efforts towards Philippines application as EITI candidate, Sec. Gozun informed the TWG that the Civil Society Organization (CSO) is undergoing their own outreach through five regional consultations especially in areas where mining is active in order to disseminate information on the initiative of the country to enter the EITI and foster understanding among the civil society groups on EITI.

She also shared the objection raised by Department of Finance Sec. Purisima in the MICC meeting on the participation of the church in the EITI underscoring the separation of the church and the state. Sec. Gozun said the body subscribes to the same principle, however, she clarified that the use of the term church does not necessarily denote the church itself but church based groups. She informed the TWG of the suggestions of Bantay Kita, umbrella of the NGOs to reach out to the Catholic Bishop Conference of the Philippines (CBCP) national action center just to inform them of what EITI is all about. She further emphasized that the main point is for the government to not interfere on who will sit as members of the CSO.

Sec. Gozun mentioned recommendations made at the national coordinators meeting in Usaka, Zambia on what constitutes materiality. She reminded the TWG members that part of their work in line with EITI is to define materiality in the revenue reports.

In view of the national workshop with objectives of finalizing the Draft Work Plan, Terms of Reference, and Composition of the MSG, she mentioned that Minister Pierce of Timor Leste is being considered as a speaker and that there is also a possibility to bring in a representative from Mongolia, a country that has extensive experience on mining.

National Economic Development Authority (NEDA) Emmanuel F. Esguerra raised a question as to what will happen to the TWG after the Multi-Stake Holder Group (MSG) is formally set up. Sec. Gozun said the steering committee is the MSG and the TWG will remain as the technical working group supporting the PMO. Mr. Francis Capistrano, secretariat on the good governance cluster seconded saying the TWG will still be necessary as it provides support to all the technical functions needed to be delivered by all other agencies.

3. Presentation on existing policies on the disclosure on extractive revenues as well as identification of legal and policy obstacles on the same.

Asst. Commissioner Alfredo V. Misajon of the Bureau of Internal Revenue (BIR) reported that one of the legal obstacles in the disclosure of tax payments from mineral product and quarry resource is the

Unlawful Divulgence of Trade Secrets (NIRC). He also cited another issue that is the data on excise tax due per kind of mineral, mineral product, quarry resource, is not presently available.

Discussion/Issues	Recommendation/Outcome
<p>The Unlawful Divulgence of Trade Secrets (NIRC) serves as basis for the confidentiality of BIR data. It is a critical issue that involves not only penalty in pecuniary terms but also imprisonment. Other issues relative to disclosure on extractive tax payments include the right to privacy of citizens and security concerns.</p>	<p>The BIR proposed that a waiver by concerned taxpayer is necessary.</p> <p>According to Asst. Commissioner Misajon, the BIR is also looking into a situation where in a group waiver could be done through a resolution waiving the rights of companies.</p> <p>In response to the query of Mr. Francis Capistrano, secretariat on good governance, requesting if BIR can draft a waiver for both group of companies eg. Chamber of mines and individual companies, Asst. Commissioner Misajon said that the BIR can draft the waiver as necessary.</p>
<p>The tax collected from mineral product and quarry resources are grouped in accordance with existing issuance in the BIR (Section 151 NIRC). Specifically, there is an assigned numeric tax code for a group of minerals but this does not apply for individual mineral. Hence, data on excise tax due per individual mineral is not available.</p>	<p>Misajon noted that the BIR needs to more or less disaggregate these groupings of mineral products and assign a specific numeric tax code for each mineral. He added that within the BIR, they could recommend to the commissioner further disaggregation of groupings.</p>

4. Presentation on mapping of all resources of mining industry (large or small) revenues and flows of revenue data.

Ms. Teresa M. Manalac of the Mineral Geological Science Bureau (MGB-DENR) presented the government revenues from mining including the flow chart on the reporting of payment of taxes, fees and royalties, paid and withheld, large-scale mining contractors, and exploration permits.

Discussion/ Issues	Recommendation/Outcome
<p>The law on small mining designates the Department of Energy and Natural Resources (DENR) to chair the Provincial Mining Regulatory Board (PMRB) and representatives from the local government officials and Non-government</p>	<p>Sec. Gozun proposed that there is a need to further define the role of the PMRB.</p> <p>She also shared a suggestion by the Union of Local Authorities in the Philippines (ULAP) in the MICC</p>

<p>organizations as members.</p> <p>However, a major problem relative to small scale mining is that there are still PMRBs that are not functional. According to Ms. Manalac, representative of DENR-MGB, there are still some local government officials who refuse to constitute the PMRB citing their autonomy under the LGU code.</p>	<p>meeting in which ULAP is requesting to be the vice-chair in the PMRB and that this request be integrated in the IRR of the executive order 79.</p>
<p>Mr. Francis Capistrano, secretariat on good governance cluster inquired on the list of bodies in the PMRB including the list of CSO representatives already sitting in the PMRB.</p>	<p>Mr. Larry M. Heradez, representative from DENR-MGB said they have a data base on the operational PMRB and list of PMRB that are not yet operational. He agreed to submit the list of PMRB members that are operational including the CSO representatives in the PMRB.</p>
<p>On the MGB report “ 12% VAT on value of goods and services as payments to the national government”, BIR Asst. Commissioner Misajon clarified that most of the large scale Miners do not pay VAT because most of their products are exported and that these are zero rated under the law.</p> <p>12% VAT on value of goods and services.</p>	<p>All noted</p>
<p>Sec. Gozun inquired into the source of data in an MGB report where the volume export exceeded the volume produced. She also noted that in terms of government coordination, there is a need for better synchronization of work between the MGB and the BOC, stating that the latter unlike the BIR, apparently does not receive data from MGB.</p> <p>Ms. Manalac explained that the production and export cannot be compared since the data are different in terms of source and coverage. She said the export data comes from BSP while production data is provided by MGB and added that the system and parameters used for the data are different. She elaborated that there are other commodities from the Bureau of Customs (BOC) data that includes other minerals that MGB does not have information on such as lead waste scarp,</p>	<p>Sec. Gozun suggested that there has to be reconciliation on the reports on production and export of minerals. She further stated that while the TWG is working on EITI, it would be good if the agencies involved can be able to determine areas that need to be reconciled in terms of procedures or policies.</p>

<p>non-ferrous waste and scrap, etc.</p> <p>Sec. Gozun clarified that since mining companies cannot export their products without permission from the MGB, there is still a leeway that the data on the volume of production and export can be tracked and reconciled by taking in the data on what is actually exported and reconcile this with the data on the remaining reported volume of production that is not exported.</p>	
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5. Presentation on mapping of all sources of revenues from oil and gas extraction (private or government owned), including flows of revenue data.

Mr. Guillermo Ansay of the Petroleum Resource Development, Department of Energy (DOE) reported on the existing service contracts, the manner by which revenues are collected, and the revenue collection from the oil and gas industry. He reported that most of the petroleum service contracts are located offshore or are not within the municipal waters. That being the case, he indicated that the local host will have no share not unless the Malampaya case which is being heard at the Supreme Court will be resolved.

Mr. Ansay also informed the TWG that since most companies are listed with the Department of Energy, these companies disclose everything and report to the agency (DOE).

Discussion/ Issues	Recommendation/Outcome
<p>Mr. Ansay stated that under the Petroleum law of the Philippines, there will be 60/40 government and company sharing. He clarified that the ratio of sharing is taken after the payments for the contractor and tax are already deducted.</p> <p>For the revenues from coal, Mr. Ansay said the ratio is 70/30 where 70% of the revenue accounts for the government and 30% goes to the company.</p>	<p>Sec. Gozun said that it is critical to look into the allowable expenses within contract that the government can really track.</p>

6. Presentation on existing policies on the disclosure of the allocation of special shares from extractive industries (mining and oil), including flows of revenue data.

Director Carmencita Delantar of the Department of Budget and Management (DBM) reported on the special shares of local government units (LGUs) from the utilization and development of national wealth. She also discussed the legal basis for the revenue shares, computation and remittance, and share distribution and procedures in the release of funds.

Discussion/ Issues	Recommendation/Outcome
Unreconciled amounts between the authorized collecting agency and the Bureau of Treasury.	To adopt reconciliation at situs or regional offices between the authorized collecting agency and the Bureau of Treasury.
LGUs included among the entitled beneficiaries are "sitios" not barangays.	To remind DILG to furnish the authorized collecting agencies with the updated official list of LGUs.

7. Next Steps

Secretary Gozun restated the EITI guidelines and the steps needed to be undertaken in the application for EITI. She informed the TWG that the EITI international board will be sending representatives to verify consultations among the multi-stake holder groups. With this, Sec. Gozun emphasized the importance of documentation.

The secretary reported that there was delay in the original schedule for the EITI candidacy. She explained that the CSO consultations is taking more time due to source of funding however she added that the British Embassy, AUS AID have already come forward to fund it. She also mentioned that the earliest date that the international resource person from Timor Leste could come is on January 19, 2013 and that the International EITI Secretariat and EITI World Bank will have a hard time coming in the 2nd or 3rd week of December when the holidays

Given the, Sec. Gozun told the TWG of the proposal of the EITI international secretariat to submit to them the Draft Work Plan and Terms of Reference for their advance review and commentary. She said that this provides a way for compliance adding that this could prove to be significant since once the international secretariat have already reviewed the documents, the chances that the ToR and Work Plan would be approved when they will be submitted by the end of January is higher. She also mentioned that there will be a grand EITI Global event in Sydney, Australia in May, 2013 and expressed hope for the Philippines to be announced as accepted candidate to the EITI.

Emphasizing that part of the requirements in the EITI candidacy application is to have a clear Term of Reference and Work Plan, Sec. Gozun requested the TWG members to submit their comments on the TOR and WP.

Agreement: TWG members to submit comments on the Term of Reference and Draft Work Plan by December 14, 2012 (Friday)

8. CLOSING:

Sec. Gozun thanked the TWG members for their active participation in the meeting.

Having no further discussions, the meeting was adjourned 4:30 pm.

4th ETM - Technical Working Group Meeting
 Extractive Industries Transparency Initiative
 December 5, 2012 (Wednesday) @ ES Hall & Gallery

Name	Organization/ Department	Contact Number	Email	Signature
Ang. Aurora Parada & Baccus	BAK	916-2356 / 931-7339	aurora.parada@bak.gov.ph	
MARHEL B. GOTOS	DILG			
Ma. Teresa S. Hadjitan	DOF	622-5678	mhadjitan@dof.gov.ph	
PEDRO J. VINA	DOF	5240607	flinca@dof.gov.ph	
MARCELO V. MISCARZA	PIR	09176267222		
MARCELO ANTONIO DE VERA	EDSA - AS	621-2187	kecapi@edsa.gov.ph	
AMERICA A. MARIKORO	NRDA - TURT	6813735	amari@nrda.gov.ph	
FRANQUINETTE F. ESTERONAGA	NRDA		efest@nrda.gov.ph	
GUILLEMO H. AUSTAY	DOA	8124016	gaustay@doa.gov.ph	
Rosa Proville C. Loui	DOA	"	mlou@doa.gov.ph	
Teresa M. Mendez	MGD	9385440	tmendez@mgd.gov.ph	
ANDREY K. DE GORDILLO	DOH - SPIB	735-4827	agordillo@doh.gov.ph	
Germaelito N. Dela Cruz	DBM	785-1606	gdelacruz@dbm.gov.ph	
WEN N. HENSON	MAN DA	9829122	whenson@man.gov.ph	
Francis Y. Galano	DOH	097 9152274	fgalano@doh.gov.ph	
SECRETARY ANITA SEPT CERNA	CPACC	441950854	hycerna@gmail.com	

ANNEX W:

*Official Letters from Concerned Government Agencies
appointing their Permanent and Alternate
Representatives to the PH-EITI TWG*



Republic of the Philippines
NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY

NEDA sa Pasig, 12 Saint Josemaria Escrivá Drive, Ortigas Center, Pasig City 1605
P.O. Box 419, Greenhills • Tels. 631-0945 to 64
<http://www.neda.gov.ph>



28 August 2012

Hon. ELISEA G. GOZUN

Presidential Assistant II on Climate Change
and Head, Technical Working Group (TWG) on implementing
the Extractive Industries Transparency Initiative (EITI)
Malacañang, Manila

Madam:

In response to your request for NEDA representatives to the Extractive Industries Transparency Initiative (EITI) Technical Working Group (TWG), please find below the names and corresponding contact details of our representatives to the TWG:

Permanent : **Emmanuel F. Esguerra**
Deputy Director-General, National Development Office
Telephone No.: 631-21-84; Fax No.: 631-37-02
Email Address: efesguerra@neda.gov.ph

Alternate : **Amelia A. Menardo**
Assistant Director, Trade Industry & Utilities Staff
Telephone No.: 631-37-39; Fax No.: 631-37-34
Email Address: samenardo@neda.gov.ph

Thank you.


ARSENIO M. BALISACAN

Secretary of Socioeconomic Planning



Republic of the Philippines
DEPARTMENT OF FINANCE
Rural Roadfront Corner Pablo Ocampo, Sr. Street
Manila 1004



August 22, 2012

HON. ELISEA G. GOZUN
Presidential Assistant II on Climate Change and
Head, Technical Working Group on Implementing the
Extractive Industries Transparency Initiative (EITI)

Dear Secretary Gozun :

The following officials are hereby designated to represent the Department in the EITI
Technical Working Group :

UNDERSECRETARY JEREMIAS N. PAUL, JR. - Accountable Senior Official
ASSISTANT SECRETARY MA. TERESA S. HABITAN - Permanent Representative
EXECUTIVE DIRECTOR TRINIDAD A. RODRIGUEZ - Alternate Representative
Contact Technical Staff :

Ms. FEBE LIM, OIC - Fiscal Policy and Planning Office
Ms. CHARMAINE BAGACAY, Economist II, Fiscal Policy and Planning Office

Thank you.


CESAR V. PURISIMA
Secretary
005766



Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU

North Avenue, Diliman, Quezon City, Philippines
Tel. No. (+632) 828-8642 / 828-8937 Fax No. (+632) 820-1635 E-mail: central@mgb.gov.ph

4 September 2012

THE GOVERNANCE SECRETARIAT

governance@dbm.gov.ph

Dear Sir/Madam:

This refers to your email dated 23 August 2012, in re: identifying permanent and alternative representatives to the EITI TWG.

Please be informed that the undersigned shall be the permanent representative; while Engr. Romualdo D. Aguilos, Officer-in-Charge/Chief, Mineral Economics, Information, Publications Division the alternative representative, of this Office to the EITI TWG.

Thank you.

Very truly yours,

Leo Jasareno
LEO L. JASARENO
Acting Director





Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
BUREAU OF LOCAL GOVERNMENT DEVELOPMENT
 4th Flr. A, Francisco Gold Condominium II, 829A Cir., Maginhala St., Diliman, QUEZON CITY
 Telephone Number 925 9233 • 925 9212 • 927 3652
 www.dilg.gov.ph



28 August 2012

HON. ELISEA GOZUN
 Presidential Adviser on Climate Change
 4th Flr., Room 478, Mabini Hall
 Malacañang

OFFICE OF THE
 PRESIDENTIAL ASSISTANT II
 ON CLIMATE CHANGE
RECEIVED

DATE: _____
 TIME: _____
 BY: _____

Dear Sec. Gozun:

Greetings of peace!

Please be informed that **Mr. Manuel Q. Gotis**, Director of the Bureau of Local Government Development (BLGD) is the permanent representative to the Extractive Industries Transparency Initiative Technical Working Group (EITI TWIG), and **Ms. Anna Liza F. Bonagua**, Assistant Director of BLGD as the alternate representative. Please be assured of our full support and participation to the EITI TWIG.

Thank you, and best regards.

Very truly yours,


AUSTERE A. PANADERO
 Undersecretary



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE

*My receipt may
not be.*



MEMORANDUM

DATE: 16 August 2012

FOR: Hon. ELISEA G. GOZUN
Presidential Assistant II on Climate Change
Head, TWG – EITI

SUBJECT: BIR Representative to the WG – EITI

This refers to your Memorandum dated 14 August 2012 to Finance Secretary Cesar V. Purisima and selected Cabinet Secretaries and government officials, including the undersigned, relative to the designation of an "accountable senior official" and "permanent representative" of the concerned Offices to the Technical Working Group on the Extractive Industries Transparency Initiative (TWG-EITI).

In this regard, we are hereby designating the following revenue official as the Bureau of Internal Revenue's representative to the TWG-EITI:

Name: ALFREDO V. MISAJON
Designation: Assistant Commissioner – Large Taxpayers Service
Office Address: 3rd Floor, BIR National Office Bldg.
BIR Road, Diliman, Quezon City
Tel. No.: 922-1926

The Bureau looks forward to the undertakings of the TWG-EITI, and assures you of our cooperation in the success of these endeavours.

[Signature]
KIM S. FACINTO-HENARES
Commissioner of Internal Revenue

011232
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ANNEX X:

*March 25 letters to COMP, PAP and Bantay Kita
requesting them to designate their Representatives to
the PH-EITI TWG*

Office of the President of the Philippines
Malacañang

March 25, 2013

Engr. Artemio F. Disini
Chairman
Chamber of Mines of the Philippines
Room 809, Ortigas Bldg.,
Ortigas Avenue, Pasig City

Art
Dear Engr. Disini,

As agreed in the Philippine Extractive Industries Transparency Initiative (PH-EITI) National Workshop held last January 18-19, 2013 the Technical Working Group (TWG) on EITI should also be multi-stakeholder composed of not only the concerned government agencies but also to include the representatives from business sector and Civil Society Organizations (CSOs).

In this connection, may I request you to designate a permanent representative (preferably an accountable senior official) and an alternate representative to the TWG who will be working closely with other TWG representatives, PH-EITI Secretariat and eventually with the PH-EITI Multi-Stakeholder Group (MSG), in implementing the Work Plan of the Philippine EITI.

Kindly send the formal designations and their contact information to eitphilippines@gmail.com or contact Ms. Abigail Ocate and Ms. Michelle Baguliet at 784-4286 loc 4939 on or before 5 April 2013.

Thank you.

Sincerely,

Elisea "Bebet" G. Gozun
Elisea "Bebet" G. Gozun
Chair, MSG, PH- EITI
Presidential Assistant II for Climate Change

Office of the President of the Philippines
Malacañang

March 25, 2013

Mr. Sebastian Quinones
Vice President
Petroleum Association of the Philippines
G/F 166 Salcedo St., Legaspi Village
Makati City

Dear Mr. ^{Quinones} Quinones,

As agreed in the Philippine Extractive Industries Transparency Initiative (PH-EITI) National Workshop held last January 18-19, 2013 the Technical Working Group (TWG) on EITI should also be multi-stakeholder composed of not only the concerned government agencies but also to include the representatives from business sector and Civil Society Organizations (CSOs).

In this connection, may I request you to designate a permanent representative (preferably an accountable senior official) and an alternate representative to the TWG who will be working closely with other TWG representatives, PH-EITI Secretariat and eventually with the PH-EITI Multi-Stakeholder Group (MSG), in implementing the Work Plan of the Philippine EITI.

Kindly send the formal designations and their contact information to eitphilippines@gmail.com or contact Ms. Abigail Ocate and Ms. Michelle Baguilat at 784-4286 loc 4939 on or before 5 April 2013.

Thank you.

Sincerely,


Elisea "Bebet" Q. Gozun
Chair, MSG, PH-EITI
Presidential Assistant II for Climate Change

Office of the President of the Philippines
Malacañang

March 25, 2013

Ms. Cleo D. Magno
Coordinator
Bantay Kita
West Avenue, Quezon City

Cleo,
Dear Ms. Magno,

As agreed in the Philippine Extractive Industries Transparency Initiative (PH-EITI) National Workshop held last January 18-19, 2013 the Technical Working Group (TWG) on EITI should also be multi-stakeholder composed of not only the concerned government agencies but also to include the representatives from business sector and Civil Society Organizations (CSOs).

In this connection, may I request you to designate a permanent representative (preferably an accountable senior official) and an alternate representative to the TWG who will be working closely with other TWG representatives, PH-EITI Secretariat and eventually with the PH-EITI Multi-Stakeholder Group (MSG), in implementing the Work Plan of the Philippine EITI.

Kindly send the formal designations and their contact information to etiphilippines@gmail.com or contact Ms. Abigail Ocate and Ms. Michelle Baguilat at 784-4286 loc 4939 on or before 5 April 2013.

Thank you.

Sincerely,

Elisea G. Gozun
Elisea "Bebet" G. Gozun
Chair, MSG, PH-EITI
Presidential Assistant II for Climate Change

ANNEX Y:

*Request for PH-EITI Budget submitted to DBM on 11
October 2012*



**Office of the President
of the Philippines
Malacañang**

MEMORANDUM

FOR : Hon. Florencio B. Abad
Secretary of Budget and Management

FROM : Hon. Elisea G. Gozun
Presidential Assistant II on Climate Change, and
Head of the Technical Working Group on the
Extractive Industries Transparency Initiative (EITI)

SUBJECT : **BUDGET FOR ACTIVITIES AND OTHER
REQUIREMENTS IN RELATION TO THE
PHILIPPINES' APPLICATION FOR EITI CANDIDACY**

DATE : 11 October 2012

- 1.0 First of all, I wish to thank you for the support provided by the Department of Budget and Management (DBM), as Secretariat to the Cabinet Cluster on Good Governance and Anti-Corruption, to efforts by the said Cluster's Technical Working Group on EITI, which is led by the undersigned.
- 2.0 In view of our earlier conversations on the budgetary requirements for the activities and project management requirements to be implemented in relation to the Philippines' application to be an EITI Candidate, we have prepared the attached proposed budget (Annex A), which totals some P4.6 million.
- 3.0 In line with the commitment of the Governance Cluster to support the success in ensuring that the Philippines attains EITI Candidacy Status, I hereby submit this budget for funding by the DBM, as Secretariat to the Governance Cluster.

- 4.0 This proposed budget will cover consultations and workshops to be implemented in partnership with stakeholders, as well as project management expenses.
- 5.0 I also wish seek your most urgent consideration and action in funding a Training of Trainers Workshop for EITI Regional Consultations with CSOs, to be held on October 18 to 19.
- 5.1 We organized this workshop with *Bantay Kita*, a network of civil society organizations (CSOs) which is our CSO-partner in the interim Philippine EITI Multi-Stakeholder Group. Attached as Annex B is the program of the said workshop.
- 5.2 This workshop will be attended by some 35 persons, composed of DBM-Governance Cluster Secretariat staff, members of *Bantay-Kita* as well as civil society leaders from the various regions who will serve as trainers and facilitators for the EITI Regional Consultations starting October 29.
- 5.3 This workshop will be held at the University Hotel at the University of the Philippines-Diliman. The food, venue and accommodations amounts to a total P121,950. Attached as Annex C are the details of the costs.
- 6.0 For the Honorable Secretary's consideration.

Sincerely,


ELISEA G. GOZUN

APPROVED
 DISAPPROVED


FLORENCIO B. ABAD

ANNEX Z:

*Grant Contracts with AUSAID and British Embassy;
funds coursed through Bantay Kita*



Australian Government

AusAID

Mr. Filomeno Sta. Ana III
President, Hanny Kita
c/o Action for Economic Reform
Unit 1403 West Trade Center
112 West Avenue, Quezon City 1104
PHILIPPINES

Dear Mr. Sta. Ana,

I am pleased to advise that AusAID wishes to give your organisation a grant to support it to implement the activity "Regional Workshops and Consultations on Extractive Industry Transparency Initiative", described in Attachment B to this letter. The details of the grant are set out in Attachment A. If your organisation accepts the grant, it must comply with the terms and conditions set out in Attachment C.

Please read Attachments A, B and C ("the Agreement"). To accept the grant on behalf of your organisation, please sign below and return the original signed document (including the Attachments) to:

Marie Michelle C. Lorenzo
Program Officer, AusAID Manila
Level 23, Tower 2, RCBC Plaza
6819 Ayala Avenue, Makati City 1200
PHILIPPINES

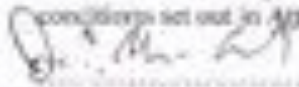
Yours sincerely,

Geoff King
S12304 FMA Act Delegate

____ November 2012

ACCEPTANCE OF GRANT

On behalf of the organisation, I accept the grant offered by AusAID as described in Attachment A, to implement the Activity described in Attachment B, and on the terms and conditions set out in Attachment C.

..... (signature)

JESSICA GRACE CAMPOS..... (print name)

12 NOV 2012..... (date)



Foreign &
Commonwealth
Office

UNCLASSIFIED

Not for public release

Accountable Grant Agreement

The Secretary for State for Foreign and Commonwealth Affairs represented by:

David Lewis
Deputy Head of Mission
British Embassy Manila

for the Foreign and Commonwealth Office (the Authority) of the one part, has agreed to make a grant of funds to:

Action for Economic Reform
Unit 103 West Trade Centre, 132 West Avenue, Quezon City 1104
Nestor Reyes Cortes, President

(the Grantee) of the other part, upon the following terms.

Article 1 – Purpose of the Grant

- 1(1) The grant is made for the implementation of the project entitled: *ERT in the Philippines* (the Project). The title, purpose, outputs and activities of the Project are set out in Annex A (the Final Bid Form).
- 1(2) The Grantee will be awarded the grant on the terms and conditions set out in this document and its Annexes, and which the Grantee hereby declares it has taken note of and accepts.
- 1(3) The Grantee accepts responsibility for the grant and undertakes that it will be used only for the purpose of carrying out the Project in accordance with Annex A (the Final Bid Form).
- 1(4) Where the Project is of sufficient size/complexity the Authority reserves the right to make payment of the grant subject to such governance arrangements (including terms of reference, steering committee and value boards) as it thinks fit to support and manage the Grantee.

Article 2 – Duration of Project

- 2(1) Implementation of the Project will begin on the day following that on which the last of the two parties signs this Accountable Grant Agreement.

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ANNEX AA:

*Documentation of Meetings of the Interim PH-EITI
Multi-Stakeholder Group (MSG)*

HIGHLIGHTS OF THE 1ST EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) MULTI-STAKEHOLDER GROUP MEETING

September 6, 2012

10:00 AM – 12:00 NN

Executive Lounge, Department of Budget and Management

ATTENDEES:

- Secretary Elisea G. Gozun – **Presidential Adviser on Climate Change (PACC)**
- OIC - Assistant Commissioner Alfredo V. Misajon – **Bureau of Internal Revenue (BIR)**
- Romualdo Aguilos – **Department of Environment and Natural Resources – Mines and Geosciences Bureau (MGB)**
- Cielo Magno – **Bantay Kita (BK)**
- Vince Lazatin – **Transparency and Accountability Network (TAN)**
- Jaybee Garganera – **Alyansa Tigil Mina (ATM)**
- Atty. Arvin Jo – **Ateneo School of Government (ASOG)**
- Nelia C. Halcon – **Executive Vice-President Chamber of Mines of the Philippines (COMP)**
- Gerard H. Brimo – **President and CEO, Nickel Asia Corporation**
- Philip Chan – **International Extended Term Consultant for EITI, World Bank**

AGENDA:

- Overview on the EITI
- Introduction and Discussion on the Philippine EITI Multi-Stakeholder Group and its Terms of Reference (ToR)
- Discussion on the Draft Philippine EITI Work Plan
- Next Steps

1. Call to Order

1.1 Secretary Elisea Gozun called the meeting to order and requested those present to introduce themselves.

2. Background on the Extractive Industry Transparency Initiative (EITI)

2.1 Sec. Gozun presented a brief background on EITI Philippines. She explained that through E.O. 79, specifically Section 14, The President declared that government would participate and implement the EITI.

2.2 The Mining Industry Coordinating Council (MICC), also created by this E.O. decided during its

first meeting that Secretary Gozun be the focal person for EITI in the Philippines. Also, since this a continuing activity of government, a Technical Working Group (TWG) was also convened and housed under the Governance Cluster, since it will tackle governance issues.

2.3 Sec. Gozun reported that the TWG has had two meetings already, last August 10 and 17. She added that World Bank has been requested for assistance on EITI matters as they are involved in EITI works globally; an initial meeting with WB has been done. Similarly, representatives from the International Secretariat of EITI, Revenue Watch, and the Indonesian Parliamentary Center have visited the Philippines to discuss with some senior officials.

2.4 Sec. Gozun relayed that the Chamber of Mines and Bantay Kita were chosen to be the business sector and CSO representatives, respectively, in the EITI Interim Multi-Stakeholder Group because of their active involvement in mining issues.

2.5 Initially, there government had three representatives, however, the importance of the participation of local government units was noted; thus, the president of the Union of Local Authorities of the Philippines was also invited to be part of the EITI Multi-Stakeholder Group.

3. The EITI Candidacy and Compliance Process

3.1. The Secretary presented the criteria and requirements for the Philippines to become a candidate country for EITI. Secretary Gozun stressed the need and importance for a public, financial, and sustainable work plan, including measurable targets, timetable, and an assessment of capacity constraints.

3.2. EITI Candidacy Checklist. Government must meet certain requirements in order to become an EITI Candidate. The requirements and their status are summarized in the table below.

Requirement	Status
Issuance of unequivocal public statement of intention to implement EITI	EO 79 Section 14 expresses this. But a second announcement regarding the Philippine's participation in EITI may be necessary, and should be multi-stakeholder, i.e. the public announcement will involve the mining industry as well as CSOs.
Government commitment to work with civil society and companies on EITI implementation	The Multi-Stakeholder Group has been established, and Secretary Gozun stressed that civil society and companies must be <u>substantially engaged</u> . All must have roles in the <i>entire process</i> .
Appointment of senior official to lead EITI implementation	Sec. Gozun was identified in the first MICC meeting last 25 July 2012.

Requirement	Status
Establishment of a multi-stakeholder group (MSG) to oversee EITI implementation	An interim MSG has been created last September 6, with the next meeting on September 21.
Publication of a fully-costed work plan which is agreed upon by the MSG	Governance Cluster secretariat has drafted initial workplan for discussion and fleshing out

3.3. A short-term work plan is also being drafted to facilitate the target to submit the Philippines' candidacy by **November 30, 2012**. Regarding the confidentiality of the tax returns of mining companies, the Chamber has agreed to sign a waiver for the government to disclose these.

3.4. For those not included in the Chamber of Mines, the Department of Environment and Natural Resources will be convening these 11 companies and inform them about this Philippine EITI and bring them in. Initially, EITI will cover large scale mining as well as oil and gas, but will eventually include other extractive industries.

3.5. The group agreed that the Philippine EITI Multi-Stakeholder Group will be addressed as EITI Philippines. Secretary Gozun also relayed the composition of the Technical Working Group on EITI to EITI Philippines.

3.6. CieloMagno of BantayKita, asked if NCIP would be included in the TWG. Francis Capistrano shared that the NCIP is already part of the MICC.

3.7. The Secretary also added that at the onset, not yet, as the focus of the EITI is to first disclose and reconcile the payments of companies and the receipts of government with respect to mining. However, in the future, this will be dealt with, especially since there is certainly a need for transparency and accountability in the royalties paid to the indigenous peoples.

3.8. Jaybee Garganera of Alyansa Tigil Mina suggested that while it would not be part of the EITI activities yet, it would be better if there would already be a parallel effort of at least doing some initial work for the transparency in managing IP royalty payments. Secretary Gozun completely agreed to this suggestion, as well as the Chamber of Mines. Mr. Garganera added that it will be beneficial to match which Chamber members and which IP communities would be willing partners to do that effort.

4. Introduction and Discussion of the Philippine EITI Multi-Stakeholder Group and its Terms of Reference (ToR)

- 4.1 Secretary Gozun relayed to the group the EITI guidelines in convening the Multi-Stakeholder group and shared the structure of the Philippine Open Government Partnership Steering Committee as a sample multi-stakeholder group composition.
- 4.2 Vince Lazatin of the Transparency and Accountability Network asked if the group may want to consider balancing the representatives, as currently, Government is holding 4 positions, since the Union of Local Authorities of the Philippines will be invited to EITI Philippines.
- 4.3 Francis Capistrano said that government is open to that, noting that it would be best if the group could keep EITI Philippines lean, and not too many that it will be unmanageable. Philip Chan of World Bank added that it should be a balance between reaching as broad a representation as you can while keeping a fit size.
- 4.4 Nelia Halcon of the Chamber of Mines inquired on how the current efforts on EITI in the Philippines jive with the USAID funded project Philippines Poverty Environment Initiative (PPEI) of which Department of Interior and Local Government and Department of Environment and Natural Resources are the lead. Secretary Gozun relayed that this project's component on EITI will be considered a technical support to EITI Philippines.
- 4.5 The work plan that will be developed by the multi-stakeholder group will be considered as the EITI work plan, and from that PPEI will cull which components they will be providing support to. Secretary Gozun continued that EITI Philippines will build from what PPEI has already done.
- 4.6 EITI Philippines reached an agreement that the interim multi-stakeholder group will be equally represented, that is, 4 members from each sector.
- 4.7 The group proceeded to go through and comment on the Terms of Reference of the EITI Multi-Stakeholder Group. *(Please see EITI Philippines ToR document with tracked changes and comments)*. Members of the group will be given ample time to suggest further comments and edits to the ToR before it is finalized.

5. Discussion on the Draft EITI Work Plan

- 5.1 The group proceeds to walk through the work plan, led by Francis Capistrano of the EITI Secretariat. EITI rules state that the work plan should be fully costed, with sources of financing as well as concrete targets.
- 5.2 EITI work plan structure
- Goal 1: Enter into EITI Candidacy and secure institutional & resource support; Raise public awareness about EITI
 - Goal 2: Build capacity & address obstacles to implementing & monitoring EITI

- Goal 3: Complete and disseminate the first Philippine EITI report
- Goal 4: Audit, reconciliation and validation
- Goal 5: Communicate and engage citizens

5.3 Key Milestones

- Q4 2012: Fulfill requirements for EITI Candidacy, including MSG, Work Plan & PH-EITI Launch
- Q1 2013: Set-up PH-EITI Unit, conduct capacity-building activities & set-up PH-EITI website
- Q2 2013: Finalize reporting policies, mechanisms & templates, hire independent validator & procure publishing requirements
- H2 2013: Design and production of the 2012-2013 PH-EITI Report, w/ continuous consultation
- H1 2014: Independent validation

5.4 The multi-stakeholder group is presented the tentative timeline of activities leading to the Philippines' candidacy.

5.5 Time table

Deliverable	Proposed Date(s)
Event organization and preparations for planning forum/ workshop of EITI Philippines	August 27-October 19
Public announcement – Statement of the Palace of the intent to implement EITI and to convene an MSG	October 8
Public announcement – joint statement of MSG co-convenors inviting stakeholders to the first forum of EITI Philippines	October 8
Continuation of preparations for planning workshops & official launch of PH-EITI	October 8 to 22
Multi-stakeholder two-day planning workshop to discuss EITI's ToR + costed work plan	October 22-25
Launch Philippine EITI website/ webpage on gov.ph to solicit public feedback and discussion + posting of draft costed work plan	October 22-25
Detailed planning workshop by an appointed core membership of the MSG + Report to President/ MICC on progress	October 29-November 16
EITI Philippines Convention/ Official Launch with ratification of the EITI ToR and work plan	November 19-23
SUBMISSION OF APPLICATION FOR CANDIDACY	NOVEMBER 30

5.6 Secretary Gozun suggested that the EITI Multi-Stakeholder group be formalized on October 8. However, CieloMagno stated that October 8 is not a feasible date for that since CSOs will still have to do regional workshops regarding EITI. Secretary Gozun suggested that the Stakeholder group be formalized during the EITI Philippine Convention instead.

5.7 CieloMagno inquired if CSO should create a separate work plan for its activities concerning organizing CSO groups and planning regional activities specifically just for training about EITI, or should it be incorporated in the Philippine EITI Work Plan. Secretary Gozun suggested that it be incorporated in the PH-EITI Work Plan.

5.8 Philip Chan added that once one becomes a candidate country, part of the financing that one may be able to get is that the World Bank and international secretariat may provide technical assistance, as well as monetary help, especially in the early parts of the EITI implementation. Also in terms of civil society, there is also financial assistance available.

5.9 Secretary Gozun added that there is some budget in the UNDP project, and they have been requested for them to make that available for the EITI Philippines to tap.

6.0 The EITI Secretariat requested the members of the interim multi-stakeholder group to submit timetables of the activities of their respective organizations so it can be synchronized and so the proposed dates can be aligned properly.

6.1 EITI Philippines was tasked to review and comment on the Draft EITI Work Plan.

6.2 The following assignments and deadlines/ dates were agreed upon:

- September 17 – Deadline for the comments of the Work Plan
- September 14 – Deadline for comments on the Terms of Reference and Schedule of Activities for the CSOs and the industry representatives
- September 24 – 2nd EITI Philippines Meeting

1st Multi-Stakeholder Group Meeting
 Extractive Industries Transparency Initiative

Name	Organization/ Department	Contact Number	Email	Signature
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RANERDO G. PALLOS	DRM	09492814332	ranerdo.g.pallos@drm.com	
Kathrina Mae Santos	SPBM			
Cecilia Maramba	TEM			

1st Multi-Stakeholder Group Meeting
Extractive Industries Transparency Initiative

Name	Organization/ Department	Contact Number	Email	Signature
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Rachid Widi	DGM			<i>[Signature]</i>
Glennie Goonim	DGM			<i>[Signature]</i>
Makky Bayu	DGM			<i>[Signature]</i>
Pondok Jaya Karya P.	DGM			<i>[Signature]</i>
2300 Native Sisters	DGM			<i>[Signature]</i>
Eun Suidel	DGM			<i>[Signature]</i>
Diana Nurra	DGM			<i>[Signature]</i>
Inggris/ Bay	DGM			<i>[Signature]</i>

HIGHLIGHTS OF THE 2ND EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) MULTI-STAKEHOLDER GROUP MEETING

September 24, 2012

10:00 AM – 12:00 NN

Executive Lounge, Department of Budget and Management

ATTENDEES:

- Secretary Elisea G. Gozun – **Presidential Adviser on Climate Change (PACC)**
- OIC - Assistant Commissioner Alfredo V. Misajon – **Bureau of Internal Revenue (BIR)**
- Romualdo Aguilos – **Department of Environment and Natural Resources – Mines and Geosciences Bureau (MGB)**
- Patricio de Quiros – **Union of Local Authorities of the Philippines (ULAP)**
- Cielo Magno – **Bantay Kita (BK)**
- Vince Lazatin – **Transparency and Accountability Network (TAN)**
- Jaybee Garganera – **Alyansa Tigil Mina (ATM)**
- Atty. Arvin Jo – **Ateneo School of Government (ASOG)**
- Nelia C. Halcon – **Executive Vice-President Chamber of Mines of the Philippines (COMP)**
- Gerard H. Brimo – **President and CEO, Nickel Asia Corporation**

SECRETARIAT:

- Francis Capistrano
- Glenn Miranda
- Katrina Mae Santos

AGENDA:

- Updates and Discussion on the EITI Candidacy Timetable
- Discussion on the EITI Philippines Terms of Reference
- Comments on the EITI Draft Work Plan
- Next Steps

1. Call to Order

1.2 Secretary EliseaGozun called the meeting to order.

2. Updates

2.1 Secretary Gozun updated the group about the recent meeting with the mining companies that were not part of the Chamber of Mines. These companies expressed their support for EITI. They also requested that the template for the EITI reporting be the same template that the companies will submit to the Mines and Geosciences Bureau of the Department of Environment and Natural Resources (DENR-MGB).

2.2 The representative of the Mindanao Business Council also said that they are trying to organize the large-scale miners in Mindanao. The first operational one is the Alliance of Responsible Miners Of Region 8 (ARMOR). They also proposed that their representative be part of this umbrella organization, and the Secretary expressed that they are free to make that decision.

2.3 The Secretary also informed those present that the EITI International Secretariat is willing to provide support for the workshops that EITI Philippines will be conducting, as well as aid in consolidating processes. The International Secretariat also suggested that they could bring in someone from the International Secretariat and/or an expert from an EITI Compliant country.

2.4 The International Secretariat also inquired if a scoping study is needed, as this will help identify the variables in EITI implementation in the Philippines. Secretary Gozun initially asked them to provide the Terms of Reference (ToR) of their proposed scoping study as well as take a look at the initial studies of the Philippines Poverty Environment Initiative (PPEI). AusAID also expressed their willingness to provide support.

2.5 Francis Capistrano of the Governance Secretariat also gave updates regarding the recent Philippine Transparency Forum conducted in the Asian Institute of Management. The Deputy Head of the Indonesian EITI Secretariat, Ananda Indris, as well as ErryRiyanaHardjapamekas, Chairman of Independent Team of the National Bureaucracy Reform of Indonesia, gave talks about their country's experience in implementing EITI .

2.6 Secretary Gozun added that the Philippine Businesses for Social Progress is working with the Chamber of Mines to develop a scorecard that measures responsible mining. She opined that it would be best for the multi-stakeholder to keep abreast with the developments surrounding this.

2.7 Secretary Gozun relayed the comments of Mr. Philip Chan, the International Extended Term consultant for EITI at World Bank. He noted that the mandate of the multi-stakeholder group should be stated clearly. He also mentioned that part of the role of EITI Philippines will be to set

the strategic direction, define the scope to be done for EITI in the country as well as develop a clear implementation strategy.

3. Discussion on the Proposed EITI Candidacy Timetable

- 3.1 Mr. Capistrano guided the group in going through the proposed EITI Candidacy Timetable.
- 3.2 CieloMagno of Bantay Kita commented that the schedule is too tight for the civil society organizations. In order to raise consciousness, awareness, and support of EITI, CSOs will be having regional consultations, and the November 30 deadline may not be achievable.
- 3.3 Mr. Capistrano disclosed that although government is amenable to extending the timetable, there is still an absolute deadline included in the Implementing Rules and Regulations of E.O. 79 which is six (6) months from the effectivity of the E.O., that is, January 11, 2013.
- 3.4 Gerry Brimo from the Chamber of Mines expressed that the Chamber have no preference for a particular time table as they have no difficulty in consulting member companies.
- 3.5 Ms. Magno added that the CSOs also wish to already start building capabilities of various stakeholders even before the 18-month Candidacy period.
- 3.6 Secretary Gozun relayed that during the dates wherein the EITI two-day planning workshop was scheduled (October 22-25), there will be an international meeting of the EITI, as well as an EITI Board meeting, where the Philippines is invited to be an observer. The EITI Board will be discussing new rules, and she will most probably attend this.
- 3.7 Secretary Gozun proposed December 15 to be the new deadline. She also informed the group that Bill Luz of the National Competitiveness Council offered to provide support. Secretary Gozun suggested to Mr. Luz that it would be best to channel support to the regional consultations.
- 3.8 The new proposed schedule is as follows:

Deliverable	Proposed Dates	Old Dates
Event organization and preparations for planning forum/ workshop of EITI Philippines	October 1 – November 21	September 6 – October 19
Public announcements: 1. Statement of the Palace reiterating commitment to implement EITI 2. Statement of EITI Philippines Interim MSG	October 8	October 8
Launch Philippine EITI Website or a webpage on gov.ph to solicit public feedback and discussion + posting of draft	October 22 – October 25 <i>Notes:</i> 1. <i>May be earlier</i>	October 22 – October 25

costed work plan	2. <i>Statement of EITI Philippines (interim) may coincide with this (instead of Oct 8)</i>	
Multi-stakeholder two-day planning workshop to discuss EITI ToR + costed work plan	November 22 – November 23	October 22 – October 25
Detailed planning workshop by an appointed core membership of EITI Philippines + Report to President/ MICC on progress	November 24 – December 6	October 29 – November 16
EITI Philippines Convention/ Official Launch with ratification of the EITI ToR and work plan	December 7	November 19 – November 23
SUBMISSION OF APPLICATION FOR CANDIDACY	DECEMBER 15	November 30

3.9 Gerry Brimo of the Chamber of Mines raised the issue of what seemed to be a lack of capacity building for the local government units. He added that the Department of Interior and Local Government should be on board early on, as it involves them as much as involves the extractive industries. The Chamber also added that it would be best to focus first on the EITI process as defined and add improvements later down the road.

3.10 Secretary Gozun agreed, and said that Philip Chan of the World Bank shared the same sentiments, to keep it simple first, and make it work then add enhancements later.

3.11 Mr. Pat de Quiros from the Union of Local Authorities of the Philippines (ULAP) informed the group that PPEI has agreed to fund the convening of a network of local government units for mining, but this is still a concept in progress. This will be done by ULAP with the support of DILG sometime in October.

3.12 Secretary Gozun commented that it would be good if that could be done by October, and if she could meet with the UNDP to maximize the use of the \$10,000 budget of the EITI component in PPEI.

3.13 CieloMagno reiterated that the main constraint of the CSOs is the lack of funding for the regional consultations, and without the consultations, their representation in the multi-stakeholder group will not be finalized.

3.14 The chairmanship was transferred to Mr. Capistrano as the Secretary had to leave for another meeting. Mr. Capistrano informed those present that the secretariat will pin the proposed new dates for the EITI Candidacy timetable and send it out to the multi-stakeholder group members for feedback.

3.15 Engr. Romualdo Aguilos added that DENR-MGB will be having a Philippine Mines Safety Week on November 13 – 17. This will not be coinciding with key milestones. Mr. Capistrano noted that this may be used as an opportunity to promote EITI further. He further encouraged everyone to send in events public or otherwise so the secretariat can study to see opportunities to promote EITI.

3.16 Upon Ms. Magno's inquiry, Mr. Capistrano clarified the difference between the EITI multi-stakeholder planning workshop and the detailed planning workshop by appointed core members. The small group will be the one that will further polish the product of the multi-stakeholder planning workshop.

4. Discussion on the Draft ToR

4.1 After a few minutes of going through the ToR, the group proceeded to comment on the draft. All comments during the meeting were reflected in the document.

5. Next Steps

5.1 The secretariat will be incorporating all those discussed in the meeting in the draft ToR and send the said file to the members of the group by September 25.

5.2 The multi-stakeholder group is to send further comments on the ToR by September 27 latest, as well as scheduled activities of the multi-stakeholder group members.





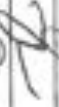








5.3 The next meeting will be on October 3, 2012. The main agenda will be to finalize the timetable on EITI Candidacy, as well as the ToR of EITI Philippines.

2nd Multi-Stakeholder Group Meeting
 Extractive Industries Transparency Initiative

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ORAN WANGMAN	OR			Oran Wangman
Kathina Mae Santos	DOM			Kathina Mae Santos
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Penyong Salasna	NSM			Penyong Salasna

CON 9/20/11

**2nd Multi-Stakeholder Group Meeting
Extractive Industries Transparency Initiative**

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HIGHLIGHTS OF THE 3RD EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) MULTI-STAKEHOLDER GROUP MEETING

October 5, 2012

10:00 AM – 12:00 NN

Executive Lounge, Department of Budget and Management

ATTENDEES:

- Secretary EliseaGozun – **Office of the Presidential Adviser for Climate Change**
- Engr. Romualdo D. Aguilos – **Department of Environment and Natural Resources Mines and Geosciences Bureau**
- Sarah Mopia – **Bureau of Internal Revenue**
- Trinidad Andres – **Bureau of Internal Revenue**
- Marifi Hernandez – **Union of Local Authorities of the Philippines**
- Michael Juan – **Union of Local Authorities of the Philippines**
- Men Sta. Ana – **Bantay Kita**
- CieloMagno – **Bantay Kita**
- Antonio G.M. La Viña – **Ateneo School of Government**
- Arvin Jo – **Ateneo School of Government**
- Roy Antonio – **Chamber of Mines of the Philippines**
- Gerry Brimo – **Chamber of Mines of the Philippines**

SECRETARIAT:

- Francis Capistrano
- Glenn Miranda
- Katrina Mae Santos
- Elroy Rendor

AGENDA:

- Further comments and Finalization of the EITI Candidacy Timetable
- Discussion and Finalization of the EITI Philippines Terms of Reference
- Discussion and Comments on the EITI Draft Press Statement
- Next Steps

1. Call to Order

1.3 Secretary Elisea Gozun called the meeting to order. The agenda for the day was approved by the body as well as the highlights of the previous meeting.

2. Updates

2.1 The Secretary updated the body regarding the budget for Bantay Kita's Regional Consultations regarding the Extractive Industries Transparency Initiative. The Secretary informed those present that some items can be absorbed by the government, however, as a matter of internal policy, some items, like transportation, cannot be funded by the government. Secretary Gozun that the Budget Secretary, Secretary Florencio Abad, assured that the government will fund the activities required for the country's candidacy in EITI.

2.2 Cielo Magno of Bantay Kita also gave updates. Bantay Kita approached the World Bank, AusAid, and the British Council. Bill Luz of the Philippine Competitiveness Council also offered funds subject to the government policies and rules.

2.3 Bantay Kita clarified that for the National Convention, they are looking at inviting 100 participants. Ateneo School of Government (ASoG) dean, Tony La Viña, added that even 200 was already a large number for civil society organizations.

3. Further Comments and Finalization of the EITI Candidacy Timetable

3.1 Secretary Gozun informed the body that Timor Leste and other development partners want to participate in the EITI activities in the Philippines, thus, the timetable needs to be finalized as soon as possible.

3.2 The group proceeded to amend the timetable to fit the schedules of the stakeholders in the various EITI activities in the Philippines.

3.3 Cielo Magno inquired about the status of the proposal for the oil & gas companies to be part of EITI. Secretary Gozun updated the group that they will be convened, with the help of the Department of Energy.

4. Discussion and Finalization of the EITI Philippines Terms of Reference

4.1 Francis Capistrano of the Secretariat of the Good Governance and Anti-Corruption Cabinet Cluster walked the group through the comments and editions in the EITI Multi-Stakeholder Group Terms of Reference. He noted that there are two sets of comments in the document, comments from Philip Chan, a consultant on EITI from the World Bank and, editorial revisions

4.2 On the Background section of the ToR, the Chamber of Mines commented that the role of the British government, the Chamber, the Mineral Development Council, and other existing

initiatives on EITI should be acknowledged and identified. On this, the Secretariat commented that this should be done, and they should be given proper acknowledgement, but maybe through a different medium and not through the ToR. There was also a suggested revision from Philip Chan to reword the second paragraph of the Background.

4.2.1 Mr. Capistrano then asked the body for their inputs on the Background of the ToR. Ms. Magno opined that Philip Chan's concern is to highlight the local and multi-sectoral nature of EITI Philippines, rather than its international engagement. To this, Mr. Capistrano suggested that the Secretariat will be combining the old paragraph with Philip Chan's suggested edits.

4.3 The body moved to discuss the Objectives and Mission of EITI Philippines. Philip Chan suggested a bulleted list of EITI Philippines' mandates.

4.3.1 Mr. Men Sta. Ana from Action for Economic Reform (AER) affirmed this and added that EITI Philippines' goals should be made explicit. The Secretariat suggested that the second section should read "Objectives and Mission of EITI Philippines" and the group concurred.

4.3.2 Secretary Gozun opined that at the end of the day, the group has to be categorical with whatever they want to achieve. Ms. Magno expressed that she pushes for general objectives and more motherhood statements, such as accountability in extractive industries, as being too specific might restrict the group. Mr. Gerry Brimo of the Chamber of Mines added that transparency in extractive industries should be indicated.

4.3.3 Dean La Viña suggested to add that transparency and accountability will be achieved through a process of open dialogue among stakeholders. Ms. Magno suggested that the group set a minimum, but still keep flexibility in choosing what to pursue. The group agreed, and Secretary Gozun added that it would be best to keep it simple now and put in mind the goals of EITI Philippines.

4.4 Secretary Gozun led the group to the next section, the Principles of Engagement. Philip Chan suggested that "local ownership & inclusive dialogue" be included. The group decided to include this and added "freely and openly" to describe the engagement of the participants.

4.5 The group moved on the composition role of the EITI Multi-stakeholder group members. The group agreed to have a maximum of 15 members, meaning, 5 members from each sector will be sitting in the multi-stakeholder group. Philip Chan suggested that making capacity building flexible and possible for all should be added to the government's function.

4.6 The Department of Energy was added to the list of government representatives, leaving only one slot for the Department of Interior and Local Government (DILG) and the Union of Local Authorities of the Philippines (ULAP).

4.7 A short discussion regarding this ensued. Dean La Viña clarified that ULAP is quasi-government and what they decide on are usually adopted in the Leagues. The group decided to tentatively combine the representation until ULAP and DILG, with Secretary Gozun, have decided on what arrangement would be best.

5. Discussion and Comments on the EITI Draft Press Statement

5.1 EITI Philippines proceeded to discuss the press statement that the Secretariat has drafted. The group gave their comments, edits, and suggestions, and these were reflected in the draft statement.

5.2 Secretary Gozun informed the body that the tentative date and time for the press statement will be on October 8, 2012 from 11:00 AM to 12:00 NN at the New Executive Building. This shall be confirmed within the day.

5.3 The Secretariat reproduced copies of the statement for the signatures of Secretary Gozun, Bantay Kita (represented by Ms. CieloMagno), and the Chamber of Mines (represented by Mr. Gerard Brimo).

6. Closing

6.1 Ms. Magno gave some updates regarding the upcoming Regional Consultations of Bantay Kita regarding EITI. There will be a Training of Trainers on October 18-19 at the University Hotel in U.P. Diliman. She informed the body that BK will try their best to keep their Regional Consultation schedule within the timetable agreed upon by the group.

6.2 With the agenda covered and having no other items to discuss, the meeting was adjourned at 11:45 AM.

3rd Multi-Stakeholder Group Meeting
 Extractive Industries Transparency Initiative

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Alexy MAMINGUAN	DPW			
Margaret Bayat	DPW			
Leon Madrid	DPW			
Juan Manuel FERNANDES	DBM			
MANUEL TORRES	DBM			

HIGHLIGHTS OF THE 4TH EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) INTERIM MULTI-STAKEHOLDER GROUP

December 18, 2012 (Tuesday)

9:30 AM-12NN

Executive Lounge, Boncodin Hall, Department of Budget and Management

ATTENDEES:

Secretary Elisea Gozun-	Focal Person for EITI
Asst. Secretary Ma. Teresa S. Habitan	Department of Finance (DOF)
Febe J. Lim	DOF
Elsa P. Agustin	DOF
Romualdo Aguilos	DENR-Mines and Geosciences Bureau
Ismael Ocampo	Department of Energy (DOE)
Michael Juan	Union of Local Authorities of the Philippines (ULAP)
Jerry Brimo	Chamber of Mines/President, Nickel Asia
Roy Antonio	Chamber of Mines/ Sagittarius Mining Inc.
Cielo Magno	Bantay Kiya Coordinator
Alan Barnacha	Bantay Kita
Perpy C. Tio	Bantay Kita
Beverly F. Besmanos	Bantay Kita
Men Sta. Ana	Bantay Kita/ Action for Economic Reforms
Maria Aurora W. Tabada	Bantay Kita
Jose Melvin Lamanilao	Bantay Kita
Arvin Jo	Bantay Kita/Ateneo School of Government
Francis Capistrano	Good Governance Cluster/ Dept. of Budget & Mngt.
Abigail Ocate	EITI Secretariat
Babes Ancheta	EITI Secretariat
Michelle Baguilat	EITI Secretariat
Katrina Mae Santos	EITI Secretariat

AGENDA

- Updates on EITI Candidacy Timetable
- Discussion on the Terms of Reference (ToR)
- Discussion on the Draft Philippines EITI Work Plan
- Briefing on the Compostela Valley (Bantay Kita)
- Others: Review on the Questionnaire for the EITI Candidature application

1. Opening

Secretary Gozun welcomed the members of the Interim Multi-Stakeholder Group (MSG) and requested everyone present to introduce themselves. She then proceeded with the agenda which was adopted by the interim MSG.

2. Updates on eiti candidacy timetable

Secretary Gozun informed the interim MSG that the target schedule for the CSO Congress and the National Planning Workshop will be moved from the original target date of December 18-20, 2013 to January 17-19, 2013 where the CSO Consultation Congress is set on Jan. 17, 2013 back to back with the National Planning Workshop on Jan.18-19, 2013.

She mentioned that the CSO regional consultations took more time as initially targeted. She also relayed to the group that the earliest date that the international resource person from Timor Leste could come is on January 19, 2013 and that flight schedules would also be tight for the guests from the international secretariat and World Bank due to the upcoming holidays.

The secretary added that aside from the resource person from Timor Leste which is rich in oil and gas, another speaker from Mongolia, a country with an extensive coverage of mining globally, will also be invited to the National Planning Workshop. She noted that learning from other countries' experience would be useful for EITI in the Philippines.

The secretary also informed those present that the international secretariat, Mr. Wouter Biesterbos shared that a draft application can be submitted first for the review of the international secretariat. Sec. Gozun remarked that this is a good way to move forward despite the changes in the schedule. It was concurred that the target for submission of the draft application will be by the end of December, 2012 or the 1st week of January, 2013.

Mr. Jerry Brimo of the Chamber of Mines inquired when it is required to have the final MSG members. In response, Sec. Gozun said the final MSG members are required before launching of Philippine EITI. She mentioned that the National Planning Workshop is hoped to serve as a venue to formalize the members of the PH-EITI MSG and also finalize the Terms of Reference and the Work Plan.

3. Discussion on the Terms of Reference

Secretary Gozun guided the group in going through the Terms of Reference. After going through the ToR, the Interim MSG commented and proposed the following which are reflected in the document.

3.1. Section I. Objectives and Mission of the EITI Philippines.

- It was concurred that the mandate of the MSG in

3.2. Section III: The Multi-Stakeholder Group of the EITI Philippines

- It was agreed that issues to be discussed within EITI Philippines shall be limited to those related to EITI, unless otherwise agreed upon by consensus of the MSG members of EITI Philippines instead of 2/3 of the MSG members.

3.3. Section IV. Composition of EITI Philippines

- Ms. Elsa Agustin of the Department of Finance recommended the inclusion of the mandate of the Department of Energy (DOE) to be written after DOE . Hence, DOE as the agency in charge of the regulation of the oil and gas industries.
- The Interim MSG also concurred to change the word department to offices or institutions. Hence, the revised wording: Five (5) Government Representatives will include senior officials from the following offices/institutions

3.4. Section V: Role of CSO and Business Representatives

- Mr. Jerry Brimo of the Chamber of Mines conveyed that there is no need for further disaggregation of roles between CSO and Business explaining that the entire MSG shares the same objective.
- Mr. Roy Antonio of COMP/SMI Chamber of Mines commented that there is a common role for the entire MSG. He further said, that there is also a distinctive role for the CSO, business, and the government.
- Sec. Gozun proposed the need to look further into the common role for the entire MSG and distinct role for government, business, and CSO

3.5 Section VI: Terms of the Members of EITI Philippines

- Explaining that since there are 5 MSG members from each the business and CSO, Sec. Gozun proposed that there will be 2 members from both sectors for the three (3) and two (2) years term of the MSG
- Ms. Tess Tabada suggested the terms of office for the business and CSO to be decided by the sector. It was concurred that the business and CSO will decide on the term of office for their representatives meaning whether to re-appoint or select a new representative

3.6. Section VII: EITI Philippines Meetings and Decision Making

- Sec. Gozun and Ms. Cielo Magno made similar suggestion to use “consensus” in the decision making at section 7 to be consistent with section 3.
- Ms. Elsa P. Agustin of DOF commented on the use of the term “steering committee” without prior definition or reference. The Interim MSG agreed to replace “steering committee” with “The Multi-Stakeholder Group (MSG)”. Hence, The Multi-Stakeholder Group (MSG) will meet once a quarter or as often as necessary.

4. Discussion of the Work Plan

Secretary Gozun guided the group in going through the Work Plan. Comments on the Work Plan are reflected on the document.

The following changes in the timeline of some activities were proposed and agreed by the Interim MSG.

- Conduct of workshops to review and approve PH EITI Terms of Reference and Work Plan- October 2012-January 2013
- Consultations of the draft work plan with stakeholders (Luzon, Visayas, Mindanao)- November 2012-January 2013
- Conduct of PH-EITI Official Launching to ratify terms of reference and work plan Last week of January 2013- First week of February 2013
- Approval of EITI report -1st Quarter of 2014

Secretary Gozun shared what was pointed out by Bureau of Internal Revenue (BIR) Asst. Commissioner Misajon in the last Technical Working Group (TWG) meeting that the code used in terms of payment for several metals are lumped into one code. She further said that for purposes of transparency and accountability, the BIR is looking into changing the code into one metal is to one code which will need a change in the internal policy in the Bureau.

Assistant Secretary Habitan of the Department of Finance (DOF) also shared that the intention aside from changing the codes is also to include the location where the revenues from the metals are collected.

On the institutional side, Sec. Gozun relayed that in all other countries, the PMO are mostly lodged in the Minister of Finance and the decision on where will the PMO be housed for the EITI Philippines will be decided by the Mining Industry Coordinating Council (MICC). She also informed the group that the validator for the EITI report is an external validator. She shared the suggestion of the EITI International Board that three accredited validators will be recommended and that the MSG will have the final choice based on the three (3) recommended by the EITI.

5. Sharing of Compostela Valley Sub-National Transparency Initiative By Melvin Lamanilao, Bantay Kita

5.1.Overview

- There are 5 Production Sharing Agreements and 5 Exploration Permits but there is only one operating large scale mining which is the Apex mining company. There are thousands of small scale mining; 75% of the total land area is Titled Ancestral Domains.
- The whole initiative will also include those who are engaged in small scale mining.
- Compostella Valley sub-national transparency initiative started in 2010 with other stakeholders finding champions through continuous dialogues with the IPs, mining companies, local government units, and the government agencies.
- Part of the approach was to look at the power relations and map-out varied interest of the multi-stakeholders and come up with common ground and a collective vision. Although there were initially varied interests, the stakeholders were able to converge

and agree that there should be good governance within the extractive industry considering that these are non-renewable resources.

- A local group from Compostella went to East Java to communicate with the local government there and learn from their experience. This experience gave inspiration and helped fast track the formation of the Compostela Valley subnational transparency initiative.
- Through the executive order of the provincial governor, the Multi-Stakeholder Council was formalized.
- The Compostela Valley subnational transparency initiative has active Provincial Mining Regulatory Board with the provincial government being part of the whole process including active involvement of the director of the National Commission on Indigenous People considering that Compostella is largely within ancestral domain.
- The APEX mines volunteered to provide documents from 2007 to June 2012 that provided the local government and the IP communities their exact share from the whole mining

5.2 Core Value

After the Multi-Stake Holder Council was formalized, the MSC agreed on a core value: The multi-sectoral approach is transparency is possible with *:Honest people, communicating honestly, with equally honest people” – Mr. Rey Millan, Alsons Devt. And Investment Corp., MSC member*

5.3 Objectives Multi-Stake Holder Council (MSC)

- Institutionalize Transparency and Accountability Mechanisms towards good governance
- Access and disclosure of information
- Establish strong partnership among key stakeholders

5.4 Functions of the MSC

- Recommend policies, programs and mechanisms for transparency
- Formulate, design and approve guidelines/ tools for transparency and accountability
- Design and implement reporting template for information disclosure
- Review and monitoring of reporting compliance
- Prepare annual budget to be submitted to the Office of the Governor
- Decision to extract or not– Free Prior Information Consent FPIC (IPRA) and public consultation Local Government Council (LGC) – National Commission on Indigenous People NCIP/ MSC
- Contracts disclosure– community agreements/ government agreements – NCIP-IP/ Industry
- Payments of mining companies, cooperatives and individual operators to the local government and indigenous peoples - Industry
- Payments received by Local Government Unit (LGU) and Indigenous Peoples (IPs)from mining – LGU/IP

- Revenue allocation/ expenditures of LGU and indigenous peoples - LGU/IP
- Health, environment and cultural impact monitoring – National Government Agencies (NGA)/Industry

5.5 ComVal Transparency Framework

- Extract or not? – With prior informed consent, the local government allows formation of special bodies. The NCIP will be disclosing the whole FPIC process in the same way the Multi-Stakeholder Council will come up with a parallel report especially that the NCIP conveyed that they can invite the local government and CSOs not only to participate in the decision making but also to look at how informed the communities are with the decisions.
- Contract Disclosure- The MSC looks at two (2) contract disclosures namely the committee agreements between the mining company and the IP communities and the mining companies with the government subject to existing provisions particularly with regards to other obstacles that are considered in terms of contract disclosure. The MSC will look at committee agreements between NCIP and the IP industry especially compliance with the agreements between mining companies, IPs cooperatives, and individual miners.
- Publish What you Pay- Mining companies and cooperatives, including individual mining operators will have to disclose how much they are paying to the provincial government, local government including the barangays and also to the indigenous peoples.
- Revenue Management- The Compostela Valley sub-national initiative looks into how the local government and IPs spend the money (excise tax and royalty) being paid by the mining industry. The initiative also looks into how much of the revenues from the extractive industry is actually invested for social development programs and ultimately how the mining revenue be optimized for community development and in general poverty alleviation.
- Since there will be a national and sub-national report, it was agreed that what will be submitted to the national will be the report that will be submitted at the sub-national level. How to generate report from the small scale mining is being discussed in the Multisector Group. Representatives of the small scale mining in the Multi-sector Group volunteered that their cooperatives will be the pilot for reporting in the small scale mining.

5.6 Scope of Transparency Mechanism

- Decision to extract or not – FPIC (IPRA) and public consultation (LGC) – NCIP/ MSC
- Contracts disclosure – community agreements/ government agreements – NCIP-IP/ Industry
- Payments of mining companies, cooperatives and individual operators to the local government and indigenous peoples - Industry

- Payments received by LGU and Indigenous Peoples from mining – LGU/IP
- Revenue allocation/ expenditures of LGU and indigenous peoples - LGU/IP
- Health, environment and cultural impact monitoring – NGA/Industry

5.7 The Multi-Stakeholder Council

- The Compostela Valley MSC is chaired by the governor and co-chaired by the NCIP director since the mining operations in the province is largely in the ancestral domain.
- The MSC consists of 21 members that include three (3) provincial local government unit (PLGU) representatives; eight (8) National Government Agency representatives; three (3) IP representatives; four (4) Non-Government Organizations (NGOs)
- Municipal government representatives are welcomed as officio members to the MSC and are regular members of committee
- All stake holders will be meeting every month and as often as possible and the MSC will meet every quarter or as often as necessary
- Decision makings are based on consensus.

5.8 Future Plans

- Finalization of the reporting template and guidelines
- Target to publish first report by the end of 2013

Mr. Francis Capistrano inquired on how the national government agency collaboration is on the ground. In response, Mr. Lamanilao said there are different national government agencies in the MSC that include the Department of Health and the Department of Labor that looks into child labor and cultural impact of the whole mining industry in the local community.

Mr. Jerry Brimo shared that the Chamber of Mines to which the APEX Mines is a part of are really cooperative in sharing their documents to the local government and local community that would serve as their basis for claiming their share of the revenues from the mining industry.

6. Closing:

Secretary Gozun conveyed that the MSG looks forward to the experience of Compostela Valley sub-national. She thanked the participants for their active participation and after having no further matters to discuss, the meeting adjourned 12:00 NN.

4th MULTI-STAKEHOLDER GROUP MEETING
 EXTRACTIVE INDUSTRIES TRANSPARENCY AGENCY INITIATIVE (EITI PA)
 December 19, 2012 (Tuesday)
 Executive Lounge, 1st Floor, Boroodin Hall, Department of Budget and Management

Name	Organization/ Department	Contact Number	Email	Signature
ALLAN ESPALAYUA	BUMGAY KITA - CSR	09173616070	allan@bkgm.com	
PEREY C. TIO	BUMGAY KITA - CSO	09999948967	perce@gmail.com	
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Michael Jara	UNAP	0917 7346844	michael.jara@unap.gov.ph	
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MA. TERESA S. HADIGAN	DOF	523-5648	teresa.hadigan@doe.gov.ph	
ELSA V. AGUSTIN	DIF	594-00-03	elsa.v@dif.gov.ph	
PEDRO J. VIM	DOE	524 9607	pedro.vim@doe.gov.ph	
Mam. Ma. Ore	AER	09129369313	ma.ore@air.gov.ph	

4th MULTI-STAKEHOLDER GROUP MEETING
 EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI PN)
 December 18, 2012 (Tuesday)
 Executive Lounge, 1st Floor, Borealis Hall, Department of Budget and Management

Name	Organization/ Department	Contact Number	Email	Signature
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MICHELLE ALICE SANCHEZ	BITI SECRETARIAT	704-4282-46-0039		
MARLEY ALVES	DPM			
Gemma Gochinan	DPM			
Aida Munday	DPM			
HARRIS PARTENON	DPM			
Benjamin Randy Salas	DPM DPM			

4th MULTI-STAKEHOLDER GROUP MEETING
 EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI PN)
 December 18, 2012 (Tuesday)
 Executive Lounge, 1st Floor, Research Hall, Department of Budget and Management

Name	Organization/Department	Contact Number	Email	Signature
JHE MEVIN LOMPOSITA	Davao City	09261382101	jhevin@univda	
Mavis Auson Tol. Roper	Bukidnon (State University)	09999092394	t.rosalinda@unibkn	
Armon G. Jac	DBM	0917-777-506	arvin.j@dbm.gov.ph	
Kathrina Mae Santos		0913-1594126	ksantos.dmp@dbm.gov.ph	
JUNWARD MARRASAN				

ANNEX BB:

*Signed Memorandum of Understanding among the
MSG members*



**MEMORANDUM OF UNDERSTANDING
ON THE ESTABLISHMENT OF THE MULTI-STAKEHOLDER GROUP
FOR THE IMPLEMENTATION OF THE
PHILIPPINE EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (PH-EITI)**

This MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into this 1st day of April, 2013 by and among:

- a) The Philippine Government, represented by the Office of the Presidential Adviser on Climate Change (OPACC) together with the Department of Environment and Natural Resources (DENR), Department of Finance (DOF), Department of Energy (DOE) and Union of Local Authorities of the Philippines (ULAP);
- b) The Business Group, represented by five authorized representatives of operating Extractive Industries from large scale metallic mining companies and the oil and gas companies in the country who were selected through a process initiated by the business sector with the support of the PH-EITI Secretariat; and
- c) The Civil Society Organizations (CSO) of the Philippines, represented by five CSO representatives who were selected through a process initiated by CSOs with the support of the PH-EITI Secretariat.

The representatives from the Government, Business Sector, and Civil Society are herein after referred to collectively as the "Philippine Extractive Industries Transparency Initiative Multi-Stakeholder Group" or "PH-EITI MSG"

WITNESSETH:

WHEREAS, the Philippines as a resource-rich country recognizes that it can develop and utilize these resources to push the economic development of the country and thus improve the lives of Filipinos and lift them out of poverty;

WHEREAS, the Philippine Government also recognizes that the above-mentioned objectives can be achieved if there is good governance;

WHEREAS, it is acknowledged that promoting transparency and accountability in the payment and collections of revenues from the extractive industries will improve governance in this sector;

WHEREAS, to achieve this, the Philippine Government has expressed its unequivocal commitment to participate in the Extractive Industries Transparency Initiative (EITI) through Section 14 of Executive Order (EO) No. 79 which states that "in order to improve transparency, accountability, and governance in the sector, the government shall support and commit participation in the EITI.,"

WHEREAS, countries have to apply and meet the following sign-up requirements for candidacy with the EITI which is an international standard for promoting transparency and accountability:

- (1) The government is required to issue an unequivocal public statement of its intention to implement the EITI;
- (2) The government is required to commit to work with civil society and companies in the implementation of the EITI;
- (3) The government is required to appoint a senior individual to lead on the implementation of the EITI;
- (4) The government is required to establish a multi-stakeholder group to oversee the implementation of the EITI; and
- (5) The multi-stakeholder group, in consultation with key EITI stake-holders, should agree and publish a fully-costed work plan, containing measurable targets, and a timetable for implementation and incorporating an assessment of capacity constraints,

WHEREAS, once approved as a candidate, the Philippine Government has 18 months to prepare and publish a reconciled EITI Report;

WHEREAS, there is an agreement among the Government of the Philippines, the Business Sector and Civil Society to set up a PH-EITI Multi-Stakeholder Group,

WHEREAS, each of the stakeholders selected their own representatives who will sit in the PH-EITI Multi-Stakeholder Group;

NOW THEREFORE, the PH-EITI MSG has agreed to the following:

1. The PH-EITI MSG shall be the primary body responsible for setting the directions, programs and activities of the PH-EITI.
2. The MSG shall be an inclusive decision making body that is led by the Philippine Government and supported by a Secretariat organized and supported by national government.
3. The scope of work of the PH-EITI MSG shall include but not be limited to the following:
 - a. Ensure sustained political commitment for the initiative and mobilize resources to sustain its activities and goals;
 - b. Set the strategic direction required for effectively implementing the initiative in the Philippines;
 - c. Assess and remove barriers to its implementation;
 - d. Set the scope of the EITI process; and
 - e. Ensure that the initiative is effectively integrated in the reform process outlined under EO 79 and any other related government reform agenda.
4. That the PH-EITI Multi-Stakeholder Group shall be composed of the following:
 - a. Five (5) Government Representatives to include senior officials from the following offices/ institutions:
 - i. The Office of the President (OP) as the lead in the implementation of PH-EITI;

- ii. Department of Environment and Natural Resources (DENR) as the agency mandated to supervise the sustainable development of the country's natural resources and ecosystems;
 - iii. Department of Finance (DOF) as the agency mandated to formulate revenue policies that will ensure, promote, and improve the welfare of citizens;
 - iv. Department of Energy (DOE) as the agency in charge of the regulation of oil and gas industries; and
 - v. Union of Local Authorities of the Philippines (ULAP), as the representative of local government units.
- b. Five (5) Business Group Representatives who are to be selected through a process initiated by business with the support of the PH-EITI Secretariat.
- c. Five (5) CSO Representatives who are to be selected through a process initiated by CSOs with the support of the PH-EITI Secretariat.
5. The PH-EITI Multi-Stakeholder Group will be led by a designated representative from the Office of the President, who will sit as the chair of the group.
6. That, as the governing body for the effective implementation of EITI in the Philippines, the PH-EITI MSG shall have the following functions:
- a) Ensure the commitment of the different stakeholders to the implementation of EITI;
 - b) Define the strategic direction and scope of EITI in the Philippines;
 - c) In consultation with key EITI stakeholders, craft and publish a fully costed work plan;
 - d) Endorse the Country Work Plan to national government for approval;
 - e) Establish a mechanism for the EITI reconciliation process;
 - f) Select and appoint the third party validator as prescribed in the EITI Rules;

- g) Oversee the implementation of the EITI and its Work Plan;
- h) Direct and supervise the secretariat in its various activities; and
- i) Through its members, conduct outreach to various sectors in support of the Work Plan; and
- j) Communicate and build awareness about EITI, its objectives, the experience and gains of other countries in implementing this, and the progress of its implementation in the Philippines.

7. That Specific Stakeholder groups shall have the following distinct responsibilities and functions:

- a. Government Representatives shall:
 - i. Provide political leadership and support, such as creating a unit which will provide secretariat and technical support to Philippine EITI;
 - ii. Ensure the full participation of national government agencies and local government units in the implementation of EITI including the creation of an enabling policy environment for the same;
 - iii. Ensure the full participation of extractive companies;
 - iv. Encourage the full participation of civil society;
 - v. Provide a legal basis for implementation of EITI as well as identify and address legal barriers and regulations that block the proper implementation of EITI; and
 - vi. Disclose government revenues and relevant data in an accurate and timely manner and at a level of detail to be agreed upon by the MSG.
- b. Business Representatives shall:
 - i. Help ensure the full participation of extractive companies;

- ii. Disclose payments and relevant data to government, Indigenous Peoples (IPs) and other stakeholders in an accurate and timely manner at a level of detail to be agreed upon by the MSG; and
 - iii. Communicate with industry stakeholders developments on EITI.
 - c. CSO Representatives shall:
 - i. Communicate, consult widely with a diverse set of stakeholders including those outside the steering group and build capacities on EITI;
 - ii. Ensure full participation of relevant CSOs; and
 - iii. Monitor the disclosures done by the government and extractive companies.
- E. That, the National Secretariat shall undertake all coordination and administrative functions to support the PH-EITI MSG in implementing EITI in the Philippines and shall have the following functions:
 - a. Technical and administrative work including sending out of notice of meetings, setting of agenda, documentation and preparing minutes of meetings;
 - b. Document and file management;
 - c. Manage and administer funds of the PH-EITI MSG; and
 - d. Give regular briefings and updates on PH-EITI.
- 9. That the Organization and Governance of the PH-EITI MSG shall be undertaken as follows:

- a. The representatives of the Government of the Philippines to the PH-ETI MSG shall be designated by the Mining Industry Coordinating Council (MICC) and shall serve until replaced by the MICC;
- b. The OP, DENR, DOF, DOE, and ULAP shall sit as permanent members of the MSG;
- c. All members of the MSG shall serve for a term of 3 years, except for the initial set of representatives from the business sector and civil society organizations. For such members, 3 representatives shall serve for 3 years or the equivalent of 2 reporting cycles, and 2 representatives shall serve for 2 years or the equivalent of 1 reporting cycle. Thereafter, all members of the MSG shall serve the full term of 3 years, on a staggered basis to ensure that there will be institutional memory among them. Representatives may be re-appointed; the members of each sector shall identify who among them shall continue for subsequent terms.
- d. The MSG shall meet quarterly or as often as necessary;
- e. The Chair shall call and preside the MSG meetings;
- f. Notices of the meetings shall be sent out by the PH-ETI Secretariat to the PH-ETI MSG members a minimum of one week before the date of the meeting;
- g. PH-ETI MSG meeting shall be documented by the Secretariat and Minutes of the meetings shall be circulated among the MSG members one week after the meeting;
- h. The members of the group shall have one week within which to send comments on the circulated documents and no comment will be considered as approval;
- i. The PH-ETI Secretariat will report the implementation of decisions made by the MSG;
- j. For urgent matters where decision is needed, necessary information shall be circulated through email so that decisions can be made electronically, also by consensus;

- k. Fifty percent (50%) of the members, with at least one representative from the government, CSOs and business sector, shall represent the quorum of the Multi-Stakeholder Group. The MSG will, in good faith, make decisions by consensus;
- l. The MSG shall make decisions by consensus.


This MOU constitutes the primary statement of the establishment and objectives of the PH-EITI MSG as well as the implementation arrangements thereof. Notwithstanding anything stated herein, the Parties understand and agree that this MOU is not legally binding and does not create any enforceable contractual rights in the group or any third party.


IN WITNESS WHEREOF, the PH-EITI Multi-Stakeholder Group hereto executed this MOU on the day and in the year first above written.

FOR THE GOVERNMENT


Sec. Elisea "Bebet" G. Gozun
Presidential Assistant II for Climate Change
Office of the President, Malacañang Palace


USEC Jeremias N. Paul, Jr.
Undersecretary, Domestic Finance Group & Legislative Liaison
Department of Finance


ASEC Daniel A. Ariaso, Sr.
Assistant Secretary
Department of Energy


Engr. Leo L. Jasareno
Acting Director
Mines and Geosciences Bureau
Department of Environment and Natural Resources



Gov. Alfonso Umali Jr.

President

Union of Local Authorities of the Philippines (ULAP)

FOR THE BUSINESS SECTOR



Artemio F. Disini

Chairman

Chamber of Mines of the Philippines



Gerard H. Brimo

Board of Director/President

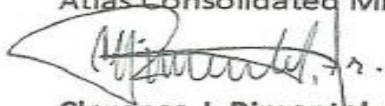
Chamber of Mines of the Philippines/ Nickel Asia Corporation



Adrian S. Ramos

Executive Vice President

Atlas Consolidated Mining & Development Corporation



Clarence J. Pimentel, Jr.

President/CEO

CTP Construction and Mining Corporation

Sebastian C. Quiniones, Jr

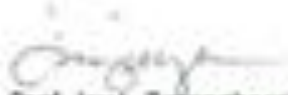
General Manager/Managing Director

Shell Philippines Exploration BV

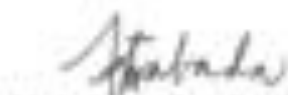
FOR THE CIVIL SOCIETY ORGANIZATIONS



Cielo Magno
National Coordinator
Bantay Kita



Prof. Jay L. Batongbacal
Assistant Professor
University of the Philippines, College of Law



Maria Agron Teresita W. Tabada
Director
Visayas State University



Ronald Allan A. Barnache
Chair/Trustee
Philippine Rural Reconstruction Movement
Nueva Vizcaya



Roldan Goatales
Executive Director
GTIB, INC.

ANNEX CC:

*Board Resolution of COMP appointing its
Representatives to the Philippine EITI MSG*



**CHAMBER OF MINES
OF THE PHILIPPINES**

Room 809 Ortigas Building, Ortigas Avenue
Pasig City 1605 Philippines
Tel. Nos.: (832) 855-4125 to 24, 835-4158
Telex: (832) 635-4180
E-mail: secret@chamberofmines.com.ph
Website: www.chamberofmines.com.ph

SECRETARY'S CERTIFICATE

I, GASPAR R. ANDRES, Filipino, of legal age, married, with office address at Rm. 809 Ortigas Building, Ortigas Avenue, Pasig City 1605, Philippines, after having been duly sworn in accordance with law, hereby depose and say that:

1. I am the duly elected Corporate Secretary of THE CHAMBER OF MINES OF THE PHILIPPINES (*hereinafter referred to as the "Chamber"*), a non-profit corporation existing and organized under and by virtue of the laws of the Philippines and duly registered with the Securities and Exchange Commission;
2. At a Special Board of Directors' meeting of the Chamber held on January 14, 2013 at the Benguet Corporation Boardroom, 7th Flr. Universal Reinsurance Building, Legaspi Village, Makati City, Philippines, at which meeting a quorum was present, the following resolution was unanimously passed and approved, to wit:

RESOLUTION

"RESOLVED, that, the Board of Directors, recognizing the need to move the Extractive Industries Transparency Initiative (EITI) forward as a means to promote revenue transparency in the minerals development industry do hereby authorize, as it hereby authorizes, the Chamber to participate fully in the government's program to implement the EITI in (i.) completing the application process and becoming an EITI Candidate Country; (ii) establishing a multi-stakeholder group to oversee the implementation of the EITI; (iii) developing a reporting template; (iv) ensuring that all relevant companies and government entities report; (v) ensuring that company reports are based on accounts audited to international standards; and (vi.) appointing a credible, trustworthy and technically competent organization to produce the EITI reconciliation report;

RESOLVED, FURTHER, that, in order to implement the foregoing, the Board of Directors hereby constitute and appoint the following persons to represent the Chamber in the EITI Multi-Stakeholder Group, namely:

A. Primary Representatives:

- 1.) Mr. Artemio F. Disini;
- 2.) Mr. Gerard H. Brimo;
- 3.) Mr. Adrian S. Ramos

B. Alternate Representatives:

- 1.) Mr. Emmanuel L. Samson;
- 2.) Mr. Renzo N. Migrino;
- 3.) Ms. Nella C. Halcon

RESOLVED, FINALLY, that the above-named representatives be, as they are hereby, authorized to do and undertake all acts on behalf of the Chamber that it could lawfully do as a member of the Multi-Stakeholder Group in the implementation of the EITI, including but not limited to, (i) the right to execute, accept, undertake, and sign agreements; (ii) the right to initiate, defend, commence or settle legal actions; (iii) the right to vote on any matter requiring the vote of the Multi-Sectoral Group in the implementation of the EITI; and (iv) the right to retain any accountant, attorney, or other advisor deemed necessary to protect the interests of the Chamber generally or relative to any foregoing power.

3. I hereby certify that the foregoing resolutions are in full force and effect and that they have not been revoked, amended or cancelled.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of January 2013, at Makati City, Philippines.


GASPAR R. ANDRES
Affiant

SUBSCRIBED AND SWORN to before me on the date and place above-mentioned, affiant exhibiting his (Government-Issued Proof of Identification) 9293 2246681 issued on JAN 18 2013, 2, at MANILA, Philippines.

Doc. No. 325;
Page No. 33;
Book No. 9;
Series of 2013.


ATTY. REY R. ATOY, JR.
NOTARY PUBLIC
UNTIL 12/31/2013
PTR No. 489924-1-2-2013 MLA.
ISP No. 2785-4-2013 MLA.
ROLL No. 27852-104-144-519-066
MCLE ID: 013521
Com. No. 2013-023

ANNEX DD:

*Board Resolution of PAP appointing its
Representatives to the Philippine EITI MSG*

REPUBLIC OF THE PHILIPPINES)
: S. S.
MAKATI CITY, METRO MANILA)

SECRETARY'S CERTIFICATE

I, **BENJAMIN S. AUSTRIA**, of legal age, Filipino, married, residing at 10 J. Bocobo St., Xavierville Subdivision, Loyola Heights, Quezon City, after having been duly sworn to in accordance with law, hereby depose and say that:

1. I am the Executive Secretary of the Petroleum Association of the Philippines, with its Secretariat in the 11th Floor, Phinma Plaza, 39 Plaza Drive, Rockwell Center, Makati City;
2. The Board of Directors of the Petroleum Association of the Philippines passed and approved, in a meeting held on 24 January 2013, the following resolution:

"RESOLVED, that the Petroleum Association of the Philippines be represented in the Multi-Stakeholder Group of the Philippines Extractive Industries Transparency Initiative by its Vice President, Sebastian Quiniones, with Director Sabino Santos as Alternate Representative."

FURTHER AFFIANT SAYETH NONE.

IN WITNESS WHEREOF, I have hereunto signed this affidavit this 07th day of February 2013 at Makati City, Metro Manila.


BENJAMIN S. AUSTRIA
Affiant

ACKNOWLEDGEMENT

SUBSCRIBED and SWORN to before me this 07th-day of February 2013 at Makati City, affiant Benjamin S. Austria exhibiting to me his Senior Citizen's Card No 25415 issued on 27 March 2006 at Quezon City.

Doc. No. FN
Page No. 100
Book No. 95
Series of 2013


MIGUEL ROMUALDO T. SANIDAD
NOTARY PUBLIC
Until December 31, 2013
Appointment No. 11-42 (2012-2013)
IBP No. 889070/ 1-10-2012/ Makati Chapter
PTR No. 3187750/ 1-10-2012/ Makati Cty
Roll No. 33861

ANNEX EE:

*Documentation of the Non-Chamber Mining
Companies' Selection Process*

**HIGHLIGHTS OF MEETING
SELECTION OF THE INDUSTRY REPRESENTATIVES
THAT ARE NOT MEMBERS OF CHAMBERS OF MINES IN THE
PHILIPPINES**

Date/Time : January 19, 2013 / 12:30 p.m.

Venue : Abueva Hall, Heritage Hotel, Pasay City

Present:

- | | | |
|---------------------------------|---|---|
| 1. Atty. Noel Anthony N. Libres | - | Mareventures Mining and Development Corp. |
| 2. Atty. Casiana N. Dalangin | - | CTP Construction and Mining Corp. |
| 3. Rosita C. Lao | - | MASADA Resources |
| 4. Renea M. Cruz | - | MASADA Resources |
| 5. Francisco J. Aranes, Jr. | - | Cambayas Mining Corporation |
| 6. Arturo P. Santos | - | Cambayas Mining Corporation |
| 7. Katrine Cu | - | Sinosteel Philippines H.Y. Mining Corporation |
| 8. Engr. Romualdo D. Aguilos | - | MGB |
| 9. Liz Cherry Solijon | - | MGB |
| 10. Noel Bombarda | - | Shuley Mine, Inc. |
| 11. Carlo Antonio Co | - | Carrascal Nickel Corporation |
| 12. Ma. Erlina P. Tambasen | - | MGB |
| 13. Leodegario Cuevas | - | MGB |
| 14. Remedios Cuevas | - | MGB |

Highlights of the Discussion:

The meeting for the election of Non-member of Chambers of Mines in the Philippines (CoMP) was convened last January 19, 2013 at 12:30pm with Mines and Geosciences Bureau as the Facilitator and nine (9) representatives from the seven (7) mining companies namely: Mareventures Mining and Development Corporation, CTP Construction and Mining Corporation, MASADA Resources, Cambayas Mining Corporation, Sinosteel Philippines H.Y. Mining Corporation, Shuley Mine, Inc. and Carrascal Nickel Corporation.

Engr. Aguilos, Facilitator, presided the meeting by a brief introduction of the representation of Non-CoMP to the MSG of PH-EITI and that the need to elect a permanent member and alternate.

Those present during the meeting were asked to introduce briefly about themselves for the forthcoming election.

During the nomination for Permanent member, Atty. Dalangin, representative of CTP Construction and Mining Corporation begged to nominate Clarence J. Pimentel Jr., President of CTP instead of her.

Nomination for Permanent Member:

- | | |
|---|-----------|
| 1. Atty. Noel Libres, Mareventures Mining and Development Corporation | - 3 votes |
| 2. Clarence J. Pimentel Jr., CTP Construction and Mining Corporation | - 3 votes |
| 3. Francisco J. Aranes Jr., Cambayas Mining Corporation | - 1 vote |

At the outcome of the election, there was a tie between Mr. C. Pimentel Jr. and Atty. N. Libres. The group recommended that **Mr. C. Pimentel Jr. of CTP as the Permanent member.**

The group also suggested that Atty. N. Libres of Marcventures as the alternate member but Mrs. R. Lao of MASADA Resources on the other hand requested that alternate member should be nominated and voted separately.

Nomination for Alternate Member:

- | | |
|--|-----------|
| 1. Francisco J. Aranes Jr., Cambayas Mining Corporation | - 3 votes |
| 2. Atty. Noel Libres, Marcventures Mining and Development Corporation | - 2 votes |

Francisco J. Aranes Jr., Cambayas Mining Corporation who garnered 3 votes was recommended as the Alternate member.

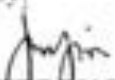
Mrs. R. Lao of MASADA Resources thinks that it's a good combination since the permanent member is from Mindanao and the alternate member is from Visayas.


The meeting adjourned at 1:15pm.

Prepared by:


MA. ERLINA P. TAMBASEN
Secretariat

Noted by:


LIZ CHERRY D. SOLIJON
Secretariat


ROMUALBO D. AGUILOS
Chief, MEIPD

ATTENDANCE - NON COMP MITG

Date 19 January 2013

Atty. Noel Anthony N. Libras
Atty. Casiana N. Dalangin
ROSITA C. LAD
Renee M. Cruz

FRANCISCO J. AMADOR JR.
ARTURO P. SANTOS
RATRINE LU
LIV CHERYL STUBB
MA. KRISTA P. TAMBALEN
R. D. AGUILO

Yasaka

Date

MIMDC
CJP Construction & Mining Corp.
MT. SERRA MANSION Resources

Mt. Sierra Mining Co.
CAMBAYAS MINING CORP.
CAMBAYAS MINING CORP.
SINO-STEEL PHILIPPINES HY. MINING CORP.

MGB
MGB
MGB

Yasaka

ANNEX FF:

Profiles of the CSOs that sit in the MSG



Advocating Transparency and Accountability in the Extractive Industry

History

In the 7th Asia-Pacific Mining Conference and Exhibition, the President herself stated that the mining industry would “serve as a leading engine for Philippine economic growth, becoming a source of revenue and wealth to allow the government to seriously bring down the level of poverty in the country.”^[1]

The Mining Act of 1995 enabled the entry of foreign multinationals into large-scale mining projects. It states that “It shall be the responsibility of the State to promote their (mineral resources) rational exploration, development, utilization and conservation through the combined efforts of government and the private sector in order to enhance national growth in a way that effectively safeguards the environment and protect the rights of affected communities.”^[2]

Those who favor mining activities attempt to portray the industry as “responsible” and argue that mining significantly contributes to growth, specifically in terms of generating jobs and government revenues.

However, the extraction of minerals in the Philippines has become a hotly debated development issue. Many local communities have found themselves and their environments adversely affected by mining projects and various studies have shown that the supposed benefits from the mining industry have not materialized.^[3]

Employment: On the average, the mining industry has contributed no more than 0.33% to total employment from 1997 to 2007.

Economic growth: The industry has not made significant contributions to economic growth. “In spite of the rising value of metallic products and the increase in mineral exports, the share of mining to GDP has remained miniscule.... between 1997 and 2007, mining’s contribution to GDP in terms of percentage contribution to GDP is limited to between 1.1 percent and 1.2 percent.”^[4]

The mining industry’s small but positive contribution to economic growth is offset by the fact that it does not promote sustainable development. The industry’s links to the domestic economy (forward and backward linkages) are low. For every peso output from mining, the input from other sectors of the economy is equivalent to only 36 centavos. Therefore, while it exploits and depletes natural resources, the mining industry makes almost no contribution to the lives and livelihoods of the people in the local economy.

Exports: Although mining’s share of exports rose to 5% in 2007, the industry has contributed an average of 2% to total exports from 1997-2007. ^[5]

Environmental Degradation: In two major environmental disasters, thousands of tons of waste and tailings from mining operations gushed out into fields and waterways (Marcopper in Marinduque province, 1996 and Lafayette in Rapurapu, Albay in 2003) demonstrated the destructive capacity and irresponsibility of mining companies and the inadequacy of government regulation of their operations. More recently, the indigenous Mangyan tribe in Mindoro province led a protest with a hunger strike to demand the cancellation of the Environmental Compliance Certificate (ECC) issued by the Department of Environment and Natural Resources (DENR) to a Norwegian company, Intex Resources. [\[6\]](#)

Government revenues: Mining operations/projects are taxed by both local (real property taxes, business permits, etc...) and national government units. But fiscal incentives granted to the industry have effectively limited its contribution to national government revenues to the 2% excise tax.

From 1997 to 2007, the country's 16% average revenue effort (revenues as a percentage of GDP) has been poor, especially when compared to other Asian countries. But, revenues from mining as a proportion of gross production value, are less than half, at 7.5 %. Since government revenues from the mining industry are far from optimal, it is difficult to argue that the industry can significantly contribute to the government's ability to improve the delivery of social services nor address the problems of poverty.

Furthermore, as in other industries, tax evasion occurs in the mining industry. When Marcopper finally ceased its operations it left behind unpaid property tax liabilities of approximately P1 billion. Investigation into the Rapurapu disaster of Lafayette uncovered that the company had been understating the gross value of its production in order to minimize its excise tax liabilities.

In addition to tax obligations, mining companies are required by RA 7942 to make contributions to various funds - for the social development of communities, for contingent liabilities, for cleaning up of and damages from mine tailings etc. as well as for mine rehabilitation and decommissioning. However, experience has shown that these funds are not adequate to cope with the cost of the damages they inflict.

Opposition to the mining industry is robust – from economic policy advocates, environmentalists, transparency advocates and development oriented civil society organizations and on occasion, even from some local government units.

In summary, other than its modest contribution to Philippine exports, there is little in the current state of large-scale mining operations to recommend it. Given the environmental degradation that it has caused, the damage to local livelihoods, its negligible contribution to growth and employment and the sub-optimal revenues that it has generated for government,

opposition to the industry is justified and both monitoring and reforms are necessary to prevent a further worsening of the industries effects.

Given this context, *Bantay Kita* was formed as a network to provide operational expression by which a transparency advocacy can be advanced. Without duplicating the work of any of the existing CSOs within its network, *Bantay Kita* was envisioned to (1) take the lead in engaging mining companies, national government agencies as well as local government units towards achieving greater transparency and accountability in the mining industry; (2) to serve as a mechanism for building the capacities of

individual member organizations and contribute to strengthening their various advocacies; (3) actively dialogue with communities, local government units, private companies and the national government to promote transparency and voluntary compliance mechanisms such as EITI; (4) advocate the removal of fiscal incentives from resource-seeking enterprises such as mining, for the passage of the Alternative Mining Act and/or the inclusion of its transparency provisions in the laws that define regulatory mechanisms, monitoring of the environmental and community development responsibilities of the industry and support for the broad campaign to have an enabling law on the public's right to information are related and inter-linking advocacies.

[1] <http://www.bayanmuna.net/n/data/files/HB%201793%20AN%20ACT%20REPEALING%20REPUBLIC%20ACT%207942.pdf>

[2] Section 2, Declaration of Policy, Republic Act 7942, "An Act Instituting a New System of Mineral Resources Exploration, Development, Utilization and Conservation"

[3] See, for example, the unpublished paper by AER (2009) "The Impact of the Philippine Mining Revitalization Plan: An Economic Assessment"

[4] Ibid, page 4

[5] AER (2009), page 9-10

[6] <http://businessmirror.com.ph/home/regions/18637-25-hunger-strikers-protest-mining-activities-in-mindoro.html>

Goals

(1) Institutionalize transparency and accountability in the extractive industries, in response to the people's inherent rights to participate in policy and decision-making and ultimately contribute to the development of more responsible institutions

(2) Maximize benefits from the extractive industries, especially revenue gains for the country from the utilization and development of its non-renewable resources.

(3) Build the capabilities of communities and civil society organizations in engaging with the extractive industries at each stage of the value chain.

(4) To secure the law on right to public information.

(5) To work for the rationalization of fiscal incentives and remove redundant fiscal incentives given to resource-seeking industries.

(6) To promote and strengthen international solidarity on transparency, especially in Asia.

Mission

Promote transparency and accountability in the extractive industry through a combination of mandatory (legal) and voluntary mechanisms.

Conduct research and policy studies revenue and transparency issues affecting the extractive industries. Disseminate the outcome of studies through publications, workshops or conferences.

Build capacities of civil society organizations to monitor the value chain process in the extractive industries (especially the mining sector). Specific concerns include how to obtain and analyze contracts, financial statements, taxes, royalties, or fees paid to local and national governments. Strengthen information links between concerned CSOs throughout the country.

Engage other stakeholders such as the business sector, academe and think-tanks, and the media, and link their initiatives to the broader campaign of peoples' organizations.

Advocate tax reforms that will maximize revenue gains from the extractive industries, improve efficiency of collection, and minimize evasion and corruption.

Advocacy Framework

Bantay Kita's advocacy framework is Publish What You Pay's Chain for Change.

Membership

Bantay Kita is open to civil society organizations and individuals who believe in Bantay Kita's vision, mission, and advocacy framework. Bantay Kita membership is through invitation or referral from Bantay Kita members and partners and upon the approval of the Board of Trustee.

Governance

The programs and projects of Bantay Kita are implemented by the National Secretariat which is headed by the National Coordinator. The National Secretariat is hosted by Action for Economic Reforms.

Bantay Kita is governed by a Board of Trustees composed of the founding members of Bantay Kita and elected members to represent the regions. The founding members of Bantay Kita are Action for Economic Reforms (AER), **Alternate Forum for Research in Mindanao, (AFRIM) Inc.**, Alyansa Tigil Mina (ATM), Haribon, **Mindanawon, Pagtatanggol Batas Pangkapatiran Foundation (PBPf) and** Transparency and Accountability Network (TAN). The National Coordinator sits as member of the board.

Affiliation

Bantay Kita is a member organization of Publish What You Pay (www.publishwhatyoupay.org), a global coalition of civil society organizations advocating transparency and accountability in the extractive industry.

ACTION FOR ECONOMIC REFORMS

Action for Economic Reforms (AER) is a non-government, not for profit organization. Its mission is to put in place a favorable economic environment conducive to equity, democratization, and sustainability, promote policy alternatives, and build capacity of civil society to intervene in economic policy issues.

Founded in 1996, AER seeks to address the country's binding constraints to sustained growth and investments. Since its founding, AER has made fiscal reforms (tax policy and administration as well as public spending) and strengthening of institutions (such as transparency reforms as expressed in the advocacy for freedom of information) as its core program.

Recently, AER has been the main civil society organization that has partnered with government in the passage of the reformed alcohol and tobacco tax law (RA 10351). The new law is novel, for it addresses both health and revenue objectives, unlike past legislation, which merely addressed revenue concerns. AER is also doing advocacy on the rationalization of fiscal incentives as well as on the transparency of tax expenditure (or fiscal incentives).

AER is also behind the formation of Bantay Kita, a network of NGOs doing work on transparency of revenues obtained from the extractive industries. In turn, AER and Bantay Kita are the lead organizations of civil society in the preparatory process of building the Extractive Industries Transparency Initiative or EITI in the Philippines. AER and Bantay Kita are members of the multi-stakeholder group, which includes government and the private sector (the extractive industries), which is laying the groundwork for the Philippine EITI. The EITI-Philippines is expected to be formally established this year (2013).

In sum, AER can make significant contributions in building alliances with government, civil society, and the private sector; developing campaigns to secure policy gains; crafting policy papers and briefs on a wide range of fiscal issues (making the sin tax reform credible, EITI, transparency on fiscal expenditures, rationalization of fiscal incentives, and doing research such as establishing the baseline data to assess the health and revenue impact of the sin tax reform and tracking spending on spending for essential services like universal health care.

AFRIM

AFRIM traces its origins to the dark night of the nation's history, marked by poverty and repression. In an era where peace, justice, and equality were mere catchwords of a generation that has seen better days. At a time when even the news media were intimidated to the point of losing their soul.

Martial law had spawned abductions, salvaging, torture, hamletting, transnational incursions into farmlands, and other unspeakable agonies. People's resistance then was strong and ever expanding. Some turned to the printed page. Others utilized protest art. Many took to the streets. Thousands went underground.

This experience eventually led to the discussions on creating an organization that will document the incidents of state oppression and the people's resistance. In June 1978, a group of people from media, research, and justice and peace work convened to discuss the research environment in Mindanao.

The Alternate Forum for Research in Mindanao (AFRIM), Inc. emerged as a response to the pressing need for timely and relevant information at a time when media was under the control of Marcos' repressive regime. Mindanao-based and action-oriented, AFRIM was geared toward disseminating the findings of research through popular forms. The ultimate goal was people's empowerment.

It took up issues that had become a rallying cause for the then heightening anti-dictatorship struggle- from militarization in the countryside, the coconut levy and agribusiness corporations, to development projects and multinational incursions-with a clear bias for basic sectors with whom it has been working for the past years: peasant and labor.

Since 1979 after its inception, AFRIM has established itself as a reliable social research, advocacy, community development, and communications institution, providing information and analyses so necessary towards forging a sound development framework for Mindanao. Without abandoning its acknowledged bias for the marginalized sectors, AFRIM likewise engages in mainstream policy debate, influencing media and policymakers in and out of government towards the promotion of the genuine development for Mindanao.

Vision

We exist in the pursuit of pluralistic Mindanao that is truly progressive, people-centered, self-sustaining, egalitarian and free.

Mission and Goals

We shall advocate, through action research studies, policy initiatives and other forms of legitimate intervention that would best ensure the genuine empowerment of the poor and all marginalized sectors.

We shall support and strengthen, through timely information, training and other services, the development efforts of nongovernmental and people's organizations.

And we shall advocate a development framework that will enhance the synergy among government, the private sector, and cooperatives and other voluntary organizations.

We are people of diverse cultural and geographical backgrounds. As individuals and as an institution, we shall adhere, to the highest possible standards of excellence, responsibility, objectivity, and professionalism in social development work.

AFRIM's current programs constitute the core competencies of the organization:

There shall be the marks of our action research and policy studies, trainings and consultancies, lobby work and media advocacy, integrated communications and information services.

U.P. INSTITUTE FOR MARITIME AFFAIRS AND LAW OF THE SEA

CONTACT INFO

U.P. Institute for Maritime Affairs and Law of the Sea
Room 211, Bocobo Hall, U.P. Law Center Complex
University of the Philippines Diliman
Quezon City 1101
Tel No. 920-5514 loc 218
Fax No. 927-0518

NATURE

Academic institution established within the U.P. Law Center, dedicated to legal and policy research on maritime affairs, including those relevant to the implementation of the 1982 United Nations Convention on the Law of the Sea.

HISTORY

Creation approved in principle by resolution of the U.P. Board of Regents in June 2012; budget and staffing pattern approved January 2013. Formally inaugurated as the newest institution of the UP Law Center Complex at ceremonies on 15 March 2013.

VISION

UP IMLOS aims to become the national center for independent research and policy studies on ocean law and other maritime matters of interest to the nation. It will also engage in training and capacity-building, provide legal advice and commentary, and publish its research in the fields of the law of the sea, maritime affairs, and territorial studies. Banking on the academic achievements and professional practice of its members, affiliates, and research associates, the Institute will be known for its collaborative work with the Philippine Government, other governments, non-government organizations, academic institutions, and international and regional inter-governmental organizations, in bilateral, regional and international contexts.

MISSION

UP IMLOS shall:

- undertake inter-disciplinary and comparative research on the law of the sea, maritime affairs, and territorial issues, and for this purpose, collaborate with relevant local and international institutions and offices;
- enhance knowledge and understanding of the law of the sea, maritime affairs, and territorial issues;
- develop and maintain expertise on the law of the sea, maritime affairs, and territorial issues;
- provide legal and policy advice on the law of the sea, maritime affairs, and territorial issues to the Philippine government, non-governmental organizations and private entities; and

- serve as the country's national center for research on the law of the sea, maritime affairs, and territorial issues.

CURRENT PROGRAMS

Maritime Territorial Issues Research Program – policy research on Philippine maritime boundary delimitations and management of relevant issues pending resolution

Maritime Industry Law Reform Program - law and policy research/development for legislative and regulatory reforms that will help enable better governance of our different maritime sectors, as well as our many coastal cities and municipalities; of immediate interest are shipping, seafaring, offshore petroleum exploration and development, offshore mineral exploration, coastal infrastructure development

Extension Programs – primarily capacity-building activities, particularly the Annual Institute on Law of the Sea (for mid-level government officials and private sector business executives) and Maritime Law Mentorship (for law students and future lawyers)

Miscellaneous – organization of symposia/forums, publication of occasional papers, issue briefs, and educational materials

INSTITUTE FOR STRATEGIC RESEARCH AND DEVELOPMENT STUDIES (ISRDS)

The Institute for Strategic Research and Development Studies (ISRDS) epitomizes the role of the social sciences in human development. It stirs critical thinking across disciplines and commodities on the complex issues of rural poverty, human capital development, integrated water resources management, gender, and local governance towards sustainable development of rural communities. It undertakes all this through relevant research, extension programs, and the offering of the degree MS in Development Sociology. It was established in 1981 and is based in the College of Management and Economics of the Visayas State University., City of Baybay, Leyte.

GITIB, INC.

GITIB, Inc. is a non-government organization established in 2001 to support the many exceptional efforts of indigenous peoples and marginalized communities to improve their lives and communities amid the increasing threats of unsustainable resource use practices and the incursion of large-scale profit-oriented development projects.

Through the years, it has developed expertise and track record on providing alternative education, primarily on ecology and indigenous culture; environmental protection; grassroots organizing and community development; children's rights advocacy; and maternal and child health.

Gitib has partnered with various development organizations to carry out activities geared at achieving its aims. It is part of the Kalitawhan Working Group, the Philippine Misereor Partnership, the Mindanao Action Group on Children's Rights Protection, and the DOPIM Committee on Mining Issues.

We firmly believe in the power of committed partnership as a driving force in transforming the situation of marginalized sectors and peoples.

We can be reached at Door 1, Araceli Apt., Bongabong St., Catadman, Ozamiz City 7200. Or thru telephone (088) 521-2168 and email: gitib2001@yahoo.com.

PHILIPPINE RURAL RECONSTRUCTION MOVEMENT (PRRM), Nueva Vizcaya

The Philippine Rural Reconstruction Movement was founded in 1952. It traces its roots to China where, in the early 1900s, the rural reconstruction movement was born, inspired and led by Dr. Y. C. James Yen "Yen Yangchu".

PRRM, a movement committed to the caused of the Filipino peasant, began as a small group of prominent Filipinos led by Dean Conrado Benitez of the University of the Philippines.

Over the past five decades, PRRM has made a number of major contributions to Philippine rural development. It pioneered a whole era of rural development and local democracy in the country. PRRM was the first NGO to send its workers to the villages to implement its integrated, fourfold program of education, livelihood, health, and self-governance. PRRM pioneered the establishment of an elected barrio government. Today's Barangay Council can be claimed by PRRM as one of its contributions to grassroots democracy.

PRRM inspired the formation of similar national movements in Colombia, Guatemala, Ghana, India and Thailand. The International Institute of Rural Reconstruction (IIRR), set up by Dr. Yen in the mid-60s, facilitated this process of globalization of the rural reconstruction movement.

Vision

PRRM envisions a world of equity and sustainability. The future is one where society is free of ignorance, poverty, disease, and powerlessness; and development takes place within the environment's carrying capacity.

Mission

To enhance the capacity of rural communities in the planning, advocacy and implementation of sustainable development, through an integrated program of education, livelihood, health, habitat, environment, and self-governance.

VALUES

JUSTICE AND EQUITY. We believe that true development is possible only when justice and equity reign in the community and in the nation as a whole. This includes a preferential bias for the poor, who have so much less of both justice and equity in their lives and should, therefore, receive as much of these as

possible through our programs. This includes promoting human rights and social justice. This also includes fairness and equity in the treatment of all persons, regardless of race, ethnicity, religion, age, or gender. Gender-fairness, especially, should be ensured in all development programs and projects.

UNITY AND PEACE. We believe that, like justice and equity, unity and peace are indispensable elements of genuine development. We believe that, given the diversity of our cultural and religious beliefs, the differences in our social and economic stations in life, and the variances in our political views and aspirations, we should strive to achieve unity among ourselves as Filipinos, because only by uniting as one nation can we achieve true and lasting peace, which is the key to authentic development.

NATIONALISM. We believe that nationalism is an imperative of authentic development. We cannot have true development unless it promotes the common good and the national interest of our people. This means expressing a preference for things Filipino. This means having faith in our own capacity to accomplish our goals.

People's participation and community empowerment. We believe that development, to be truly responsive to the situation and needs of the people, should not only be for the people, but should also be by the people and of the people. The people who we intend to benefit from our programs and projects should be able to actively and meaningfully participate at every stage of our development efforts. This is the essence of community empowerment.

In promoting people's participation and community empowerment, we will continue to be inspired in our work by the Credo of Rural Reconstruction, which was composed by Dr. Yen to promote people's participation in rural reconstruction, and apply it in the light of present-day realities and future challenges.

VOLUNTEERISM AND BAYANIHAN. We believe that every Filipino should contribute some of his or her time and talent to the development of his or her community, without promise of any compensation or reward aside from the spiritual fulfillment that one experiences when one shares of himself or herself voluntarily. Moreover, we believe in the time-honored and time-tested Filipino value of "bayanihan," or working together voluntarily, as a crucial element in local and national development.

CARING FOR THE ENVIRONMENT. We believe that all development must take into consideration the protection and conservation of the environment and our natural resources, so that future generations can continue to benefit from them.

FAMILY-FOCUS. We believe that the family is the basic unit and foundation of every community. Therefore, all development programs and projects, even those implemented with and through people's organizations and other forms of community associations, should ultimately benefit the families within the community.

CELEBRATING OUR CULTURE. We believe that the Filipino people have a richly diverse, vibrant, and beautiful culture. As a people, we deeply value sharing with others, generosity of spirit, and capacity for empathy. We are also highly relational, participatory, resourceful, and creative in the arts and in all spheres of human endeavor. Our traditions extol human dignity, a profound sense of justice, and passion for freedom. We have a vast heritage of indigenous knowledge and wisdom. We have a holistic attitude that can harmonize with life and heal the human spirit.

These are the values we believe in and stand for. They will guide us not only in developing and implementing our programs and projects, but also in our day-to-day work and in our relating with one another and with others.

ANNEX GG:

*Minutes of the MICC meeting on 21 November 2012
where the government representatives to the PH-EITI
MSG were chosen*

1 7th Meeting of the Mining Industry Coordinating Council
 2 20 November 2012, 9:57am to 12:30pm, BOI Audio-Visual Room, Makati City

3
 4
 5 **Minutes of the Meeting**
 6

7 **I. Attendance**

8	9 <u>NAME</u>	10 <u>AGENCY</u>
11	Member	
12	Sec. Cesar Parizano	DOF
13	Sec. Ramon Paje	DENR
14	Sec. Elvira Gomez	PACC
15	Sec. Gregory Domingo	DTI
16	Chairman Guillermo Luz	NCC
17	Chairman Zenaida Brigida Hernandez-Pared	NCIP
18	DDG Emmanuel F. Eugenio	NEDA
19	(representing Sec. Arsenio Baltazar)	
20	Usec. Julian Paul	DOF
21	Usec. Adrian S. Cruzabal	DTI
22	Asst. Dir. Anna Liza Bonapua	DELO
23	(representing Sec. Manuel Roxas II)	
24	ASG Thomas Larigan	OSG
25	(representing SG Francis Jordeles)	
26	Atty. Ali Dostan	MOEDA
27	(representing Chairman Francis Tolentino)	
28	Atty. Precious Pujan	DOJ
29	(representing Sec. Leticia de Lima)	
30	Mr. Iry Sabuga	BSP
31	(representing Gov. Armande Tanongco)	
32	Dr. Cleonora Calugayon	PHS
33	(representing Sec. Julia Arduña Albad)	
34	Mr. Redento Morales	DOE
35	(representing Sec. Carlos Javiero Panillo)	
36	Mr. Bienvenido Vilera	DAR
37	(representing Sec. Virgilio delos Reyes)	
38	Technical Support	
39	Dr. Leo Acarson	DENR-MGB
40	Enac. Dr. Lucita Reyes	DTI
41	Dr. Nestor P. Arcanadio	BOI
42	Atty. Archibald Ramos	OP-DESGA
43	Atty. Nicole Torres	NCIP
44	Atty. Ian Benquelo	DTI-BOI
45	Mr. Glenn Nino Surtillo	PHS
46	Mr. Guillermo Reyes	PHS
47	Mr. Bel Dacio	PHS
48	Mr. Glenn Noble	DENR-MGB
49	Mr. Jonathan Peralta	DENR
50	Mr. Manabro Santos	DENR
51	Mr. Abigail Orote	OPACC
52	Mr. Ella Reyes	DTI
53	Mr. Felix J. Lim	DOF

54	Mr. Ivo Canzura	DOF
55	Mr. Luis Abad	DOF
56	Mr. Benjamin Morton	DOE
57	Mr. Marlene Calibug	NTRC
58	Mr. Mark Aune	NTEC
59	Mr. Trinidad Rodriguez	NTRC
60		
61	Secretariat	
62	Dr. Mercedes A. Sombilla	NEDA-AS
63	Assistant Director Sheila Marie Encabo	NEDA-AS
64	Mr. Gera Aljocera	NEDA-AS
65	Mr. Juan Carbone	NEDA-AS
66	Mr. Kathleen Anne Caporaso	NEDA-AS
67	Mr. Julius Casabal	NEDA-AS
68	Mr. May Jane A. Alvarez	NEDA-AS
69	Mr. Wilson E. Henson	NEDA-AS
70	Mr. Annalyn Rivers	NEDA-RDCS
71	Mr. Arlene Stein	NEDA-NPPS

72
73 **II. Opening Preliminaries**

74
75 **A. Call to Order**

76
77 The meeting was called to order at 9:57am with Sec. Purzima/DOF and Sec. Piya presiding as Co-
78 Chair. Sec. Purzima instructed Asst. Dir. Encabo to have a roll call of the members present.
79 AD Encabo informed that there were only 14 government agencies represented at the time and would
80 still need three more to form a quorum. Sec. Piya decided to start on the first three items while waiting
81 for the other members to come.

82
83 The Chair called for additional agenda items. AD Encabo suggested discussing under Item VI (Other
84 Matters) a request from the Congressional Policy and Budget Research Development to sit as observer
85 during the MDCC meetings.

86
87 Sec. Purzima also proposed, as item VI of the agenda, the deliberation and categorization of the 67
88 mining applications still pending in DENR-MGB. The agenda on Other Matters was then moved as
89 item VI.

90
91 **III. Minutes of the 6th MDCC Meeting**

92
93 The Chair requested the members to provide the Secretariat with feedback and/or comments on the
94 minutes of the 6th MDCC within 5 working days. Should the Secretariat not receive any response by 28
95 November 2012, this would mean approval of the minutes.

96
97 **IV. Matters Arising from the 6th MDCC Meeting**

98
99 Asst. Dir. Encabo presented the Matters Arising (MA) from the 6th MDCC meeting. She noted that
100 since comments on the minutes of the 4th and 5th MDCC meetings have been incorporated
101 appropriately, the minutes were deemed approved.

102
103 **On MDCC Agreement on SMI's Issues and Concerns:** Asst. Dir. Encabo noted that the Sagittarian
104 Mines, Inc. (SMI) had submitted the following documents following the agreement during the 6th
105 meeting: (1) financial record of SMI-Xstrata and Placer Dome; (2) worst case scenario (i.e., mine
106 tailings, climate change impact, etc.) on the project location and its mitigation plan; (3) list of

107 chemicals to be used in the mining operation; (4) impact of possible drought in Mindanao on the
108 mining operation; and (5) management of mine closure obligations. She noted the need to engage the
109 MGB and CCC on the procurement of the documents given the nature of data/information presented.

110 *On the inclusion of silica in the DENR Guidelines on Quarrying:* Sec. Elmas Goron reported that Sec.
111 Rogelio Singson, in a discussion, raised his apprehension to accept the responsibility of regulating the
112 extraction of sand, gravel, and silica. Sec. Singson reasoned that there would be a conflict of interest
113 given that DPWH also needed the same materials for its infrastructure projects. The institutional
114 mandate to regulate the activity is with the DENR, hence, the DPWH could only be a contractor to the
115 regulating and monitoring agency. On the concern to lessen the cost of government projects, Sec.
116 Singson suggested that the DENR could issue a direct access permit for the aggregate needed in the
117 implementation of DPWH projects. Sec. Goron then reiterated the initial agreement for the MGB to
118 include silica in the guidelines on quarrying.

119 AD Encabo noted that the draft bill on Revenue Sharing Mechanism would be tackled as Item IV of
120 the meeting.

121 *On the draft Resolution designating DTI-BOI as fiscal agency for Tampakan Copper-Gold Project:*
122 Dir. Lucita Reyes, DTI-BOI, presented the draft Resolution designating DTI-BOI as fiscal agency for
123 the Tampakan Copper-Gold Project. Sec. Page commented that the resolution also explicitly reflect the
124 following specific issues: (a) DAR-CLOA; (b) issuance of Sanggunian/Provincial Ordinances on
125 mining tax; (c) Environmental Compliance Certificate (ECC); (d) tax regime; and (e) issue with DA
126 on water dam. Sec. Purisma added that these concerns need to be resolved before the end of the year
127 and that a report to the President must be submitted by January 2013. Sec. Page also advised to reflect
128 the current date and the venue of the signing. The resolution was revised as commented on, and was
129 approved and signed by the Co-Chairs during the meeting.

130 **V. Main Business: Presentation of the Proposed Legislation on Mining Revenue Sharing** 131 **Mechanism and Arrangement**

132
133 Dir. Lucita Reyes of DTI-BOI mentioned that comments and inputs of other government agencies
134 were gathered and incorporated in the proposed legislation. Upon inquiry by Sec. Purisma, AD
135 Encabo noted that the DO 79 provides that the deadline for the submission of the proposed legislation
136 is 25 November 2012. Sec. Goron implied that the mining industry and the academic community
137 should also be consulted before submitting the draft legislation to FLO. Chairman Lue stated that the
138 academic is currently conducting a round table discussion on the subject issue.

139
140 Dir. Arcanadio presented the proposed legislation to the Council. Sec. Purisma inquired about the
141 respective nature of the taxes imposed and revenue share as per proposal. Under Paul of DOF explained
142 that the regressiveness of the share is because of the distinction between the payments made by
143 profitable and marginal companies. At a fixed rate of 50 percent, for instance, the profitable company
144 will have to pay a higher tax based on their gross revenue than the marginal ones.

145
146 Sec. Purisma inquired about the way the government could set a benchmark for marginal and the best
147 practice. While Under Paul said that the best practice is to consider the profitability of the company,
148 Sec. Domingos insisted that the best practice is way too complicated. He noted that the model that they
149 have would be much simpler to monitor, implement and enforce. Dir. Arcanadio added that gross
150 revenue was used for the taxes and revenue share to ensure that the government would have its share
151 as long as the company is making production, regardless if it is making profit or not. Sec. Domingos
152 added that the proposed model is a simplified tax on gross income, based on the production per month,
153 in order to do away with the hedging tendency of companies, i.e., company holding on to their
154 inventory and sell it after two (2) years.

155

156 Sec. Domingo further noted that under the proposed fiscal regime, the production cost will be
157 benchmarked using global production cost standards for a particular commodity. He also stressed that
158 areas covered by mining operation would be declared as Special Economic Zones, without the fiscal
159 incentives under the pertinent FEZA laws, subject to approval of its Local Government Unit. He
160 remarked that with this scheme, the LGU would have a direct access to the taxes paid by the mining
161 companies in their area. He expected that mining companies would also be protected once the status of
162 a Special Economic Zone is granted. Again, he pointed out the simplicity of the model but admitted
163 that the percentage of assessment is not yet clear.

164
165 DOG Espuerra observed that the formula seems to exclude costs that are not incorporated in the
166 market values, such as social cost. He added that the rate should be high enough to adequately capture
167 other costs that maybe incurred by the society in the course of the activity. Sec. Domingo responded
168 that the inclusion of the environment fund and portion for barangay, municipal, provincial and DP in
169 the distribution of shares is an evidence of the attempt to include the social costs.

170
171 Recalling the vision of EO No. 79 to increase the mining revenue, Sec. Paje noted that the item share
172 of IP's seemed to decrease in percentage. Sec. Domingo explained that it just appeared to decrease in
173 percentage but the actual amount collected by the IP's should increase because the model would be
174 based on gross income. Sec. Paje suggested to clearly reflect in the presentation that it would actually
175 increase. Dr. Arraquin mentioned that they have simulation of the model on actual values to clearly
176 show the increase of each item. The simulation, as he mentioned, does not consider tax holiday given
177 to the mining companies.

178
179 Sec. Gomez requested to take time in defining the items to be included in the cost of production as the
180 companies could have a tendency to reduce costs indirectly related to production such as the cost on
181 preventing environmental damage. She had also submitted other comments to DTI.

182
183 Sec. Paje expressed concern on the possibility that the companies might take advantage of the
184 declaration on Special Economic Zones and undertake non-mining related activities. Sec. Domingo
185 clarified that the agreement on mining would only cover the export industry.

186
187 Sec. Gomez mentioned that re-centralization of power might face strong opposition from the LGUs.
188 Sec. Paje also pointed out the possibility of having an equal sharing on revenue between the national
189 government and the local government unit, instead of the proposed 60-40 breakdown. He said that this
190 might persuade the LGUs to lift or reconsider issuing a mining ban on their respective areas. Sec.
191 Domingo said that a 50 percent share might not be acceptable to the LGUs, and they might even ask
192 for a direct access to the revenue. In this regard, Sec. Purizima cautioned that the revenue should still
193 be recorded in the national treasury.

194
195 Sec. Domingo strongly suggested a FEZA-like arrangement for the mining industry, which Sec. Paje
196 partially agreed to if it would discontinue the exportation of raw ore. Sec. Domingo responded that it
197 could be done after some time. However, he cautioned that the government should not create a shot-
198 gun policy for all types of minerals. He added that it should pass through a careful examination to
199 justify the economic quantities of minerals in each area.

200
201 To avoid the complication of determining the cost of production, Sec. Purizima suggested the
202 following: (1) subject mining companies to income tax at ordinary rate, (2) apply gross rate at the
203 top-line, (3) test the model on historical numbers, (4) support the FEZA-like concept, and (5) agree to
204 immediate disbursement of revenue to LGUs provided that it will be recorded in the national treasury
205 as revenue. He noted that revenue share should be a percentage of gross production or percentage of
206 gross income, whichever is higher. However, Usec. Paul posed the challenge of this scheme with the
207 small scale mining industry. Sec. Purizima noted that this proposal would only apply to large scale
208 mining.

209
210 On the other hand, Sec. Paje announced that an accident happened to Pascual, Camarines Norte and
211 requested DELG to respond to it immediately.
212
213 AD Domingo expressed her agreement regarding the direct disbursement of funds to LGU and support
214 to PEZA subsidy.
215
216 Chairman Luz stated the need to consider the balance between collecting the desired revenue for the
217 government and the competitiveness of the Philippine policies vis a vis the global industry.
218
219 Sec. Paje said that the idea of lifting the holiday on taxes of mining companies came from the
220 Chamber of Mines. He added that even the IMF study observed that the Philippines is the only country
221 giving tax holidays. Lifting it would be the easiest way to increase government revenue in mining.
222 Sec. Gocson recorded that the mining industry was amenable to the lifting of tax holiday.
223
224 Chairman Luz suggested on preparing two or three proposed models to be presented during the
225 conduct of consultations with the industry. Sec. Paje agreed and added that the number of proposals
226 could also be submitted to the Congress for discussion.
227
228 In conclusion, Sec. Paje asked DTI to incorporate the comments and suggestions made on the draft
229 legislation. Sec. Putrana noted that deadline would be on November 25, 2012 and requested
230 Chairman Luz to prepare a press statement on matters that had transpired during the meeting. Sec.
231 Domingo and Chairman Luz responded positively.
232
233 **VI. Updates from the Technical Working Groups and Task Forces**
234
235 *TWG on Environmental Protection and Legislation*
236 In the absence of Sec. Aronta, Sec. Gocson said that the submissions to NAMRIA of the different
237 government agencies have not been comprehensive enough to completely delineate areas that would
238 be closed to mining operations. She specified that areas covered by the ARCs, SAJDCs and tourism-
239 development areas have practically covered the whole country as "no-go" areas.
240
241 Given the deadline set for the submission of the integrated map, the Council agreed to proceed with
242 processing the application of permits on the areas which have been clearly delineated as "go-areas".
243
244 In relation to the processing of applications, Sec. Putrana suggested to set an accreditation system for
245 mining companies. He opined that the system would discriminate between speculators and serious and
246 responsible mining companies. Sec. Paje suggested the raising of the capitalization of mining
247 companies. The level of increase, he added, would undergo a further study.
248
249 *TWG on Extractive Industry Transparency Initiative*
250 Sec. Gocson provided updates on the activities of the EITI, which include (i) designation of permanent
251 and alternate representatives to the TWG on EITI; (ii) draft EITI Work Plan incorporating comments
252 from agencies; (iii) press statement on EITI; (iv) terms of reference/roles of companies and CSOs in
253 the multi-stakeholder group (MSG); (v) legal constraints on divulging of contracts' information from
254 government, and (vi) creation of EITI website.
255
256 She reported that a draft press statement to be signed by the President and to be delivered in the Press
257 Conference for the 2nd Announcement of the Philippines' participation to EITI has been cleared by
258 Sec. Putrana but pending endorsement of Sec. Paje. Upon receipt of the endorsement from the Sec.
259 Paje, Sec. Carandang will submit it to the President for approval.
260

261 On the issue of candidacy, Sec. Goran also apprised the Council on the details of the Philippines
262 candidacy to EITI International. She noted that the aim to participate in this endeavor is to increase
263 transparency and accountability in revenue collection from extractive industries. There are five (5)
264 requirements for candidacy, which include: (i) government issuance of an unequivocal public
265 statement to implement EITI; (ii) commitment to work with civil society and companies on the
266 implementation of EITI; (iii) appointment of senior individual (Sec. Elvira Goran) to lead the EITI
267 implementation; (iv) establishment of a MSG; and (v) approved work and financial plan for EITI
268 Philippines.

269
270 Of these requirements, the establishment of MSG and publication of a work plan with full cost are
271 being finalized. Sec. Goran clarified that EITI is not implemented by the government but by the MSG
272 that is represented by major stakeholders from the business sector, civil society organization (CSO),
273 and government. However, she noted that in most participating countries, EITI is lodged under the
274 Ministry of Finance (lead agency). Currently, an interim MSG was created composed of five (5)
275 members: each from the business sector, CSO, and government. The business sector shall be composed
276 of two (2) members from the Chamber of Mines (CMP), two (2) members from outside CMP, and one
277 (1) member from oil and gas company. She emphasized that the said composition is to have a balanced
278 representation of the stakeholders in the large-scale mining industry. Sec. Goran met with the 14
279 companies outside CoM and requested them to convene and select the possible members of the MSG.
280 She will also meet with Sec. Peña to discuss this concern, particularly for oil and gas company. For
281 the CSO, the convenor is Bantoy Kito. **The government side is composed of OPAPP as convenor, Dir.**
282 **Finance of DENR-MGB, DOP, DOE, ULAP-DEG.**

283
284 She further explained that the basic tasks of the MSG are: (a) to put together a work plan with full
285 cost; and (b) to report how much the companies are paying and how much the government is receiving
286 from extractive industries. It is necessary to assess whether the companies are paying what they are
287 supposed to pay. She shared that in the last EITI National Coordination meeting in Ocala, it was
288 agreed that the direction of the new EITI guidelines will include the details of payment from the
289 company's contract to know the amount that they are supposed to pay. The EITI report will be
290 validated by independent evaluators. It is expected to submit the PSE-EITI candidacy within the
291 timeframe given in the EIR (March-June 2013).

292
293 On the scheduled EITI activities, Sec. Goran also reported that national workshop, training of trainers
294 (TOT) and a series of public consultations on EITI will be held from end of November until end of
295 December 2012. She reported that the CSO consultation held in October was very extensive to make
296 the CSOs aware of EITI. During the said consultation, Sec. Goran focused the discussion on mining
297 revenues and not on mining in general.

298
299 For the upcoming national consultation scheduled on 18-19 December 2012, Sec. Goran said that the
300 activity will be funded by the AmAID, British Council and GOP. She reported that usually, Sec.
301 Abad instructed her to secure funding internally and request external assistance later for big ticket
302 activities of PSE-EITI. However, the COA rules do not permit that internal funds be used to finance the
303 travel and accommodation expenses of CSO participants.

304
305 Bantoy Kito will lead the CSO consultation which will serve as the national caucus where they will
306 choose among themselves (i.e., environmental NGOs, IFs, academe and church/religious group) five
307 (5) representatives to the MSG. Sec. Permana inquired about the need for church membership in the
308 MSG. In response, Sec. Goran explained that the church is part of the CSO. Sec. Permana then opined
309 that EITI is a government undertaking and should be taken separately from the activities of the church.
310 He also inquired whether in other participating countries church/religious group forms part of the
311 MSG. Sec. Goran explained that according to the EITI Rules/International Standards, MSG includes
312 representatives from the key multi-stakeholder groups (i.e., business sector, CSO including church,
313 and government). Sec. Permana stressed that it is the NGO and not the church to be at in the MSG.

314 Sec. Gomez in reply said that in practice, CSO consultations always involve church/religious groups.
315 Mr. Luz expressed his opinion that it is not officially the church that represents but the NGO that they
316 are part of. Sec. Purisano said that he will only support/endorse the undertaking if the church will not
317 form part of the 15 seats of the MSG. He further stated that the MGCC should make a stand that none
318 of the 15 MSG seats should include members from any church/religious group. Sec. Purisano said that
319 it is time to draw a line on business of government from the private sector, church, etc. He opined that
320 the church was given too much leeway already, hence, EITI should not be a venue for their
321 advocacies. Sec. Gomez noted the suggestion and informed the body that based on the feedback from
322 Bantay Kita, the church may not be interested to take the seat in MSG as this would seem to run
323 counter of their advocacies (e.g., Social Action Centre). Mr. Luz emphasized that the MSG
324 representation should be from a CSO/NGO and should clearly not represent any church/religious
325 group in such.

326
327 Sec. Gomez gave as an example to Sec. Purisano the Alyansa Tugil Mina and Bantay Kita's
328 engagement in government programs (i.e., Open Government Program of DDO). She said that while
329 these groups are willing to engage on EITI discussions, she noted that the Alyansa Tugil Mina is not
330 interested to take a seat in the MSG.

331
332 Sec. Domingo expressed concern regarding extremist groups which, according to him, should only be
333 invited to consultations but not to form part of the decision-making group. He cited his observation in
334 some government Committees and Councils where private sector with vested interests (e.g., airlines
335 and car companies) form part of the decision-making bodies. Sec. Gomez agreed with Sec. Domingo,
336 but said that in many cases, engaging the extremist groups also has the advantage of exposing or
337 unmasking the unreasonableness of their arguments, which neutralizes them.

338
339 Sec. Gomez requested to hold a MGCC meeting in early January 2013 to present the PS- EITI Work
340 and Financial Plan for approval of the co-chairs and subsequent submission to the EITI Secretariat.
341 Mr. Luz then inquired if the country can begin practicing the EITI Principles after submission of its
342 candidacy. Sec. Gomez and Sec. Paje emphasized that even in the absence of formal acceptance of PS-
343 EITI candidacy, the country can already observe the EITI principles. Sec. Gomez said that the country
344 will have to wait for 18 months before it is considered EITI compliant. She advised that for the
345 moment, there is a need to identify the information or data that will be required under PS- EITI report
346 to guide its implementation.

347 348C. TWG on Economic Corridor

349 Executive Director Lucina P. Bayar of DTI-SOI updated the Council on the status of Mineral Ore road
350 mapping activities. She reported that DTI already met with the Committee members for the purpose of
351 securing funding. She said that the roadmap for copper already exists and just needs further
352 enhancement to cover in detail other products that can be processed out of the copper concentrate.
353 Gaps within the supply chain were already identified. A separate roadmap for gold has already been
354 determined and a combined roadmap for nickel, chromite and iron ore will also be developed. The
355 framework developed already identified the content of the value-adding roadmap. She added that the
356 Committee had already met with possible consultants since the study will be bid-out considering that
357 government funds will be utilized. They have projected the amount needed for the three roadmaps at
358 around Php3 million. The MGB already committed Php1 million.

359
360 Sec. Paje proposed that specific funds be allocated to the MGCC. He said that DDM can create a
361 separate fund for this. AD-Encabo suggested that each TWG submit their own Work and Financial
362 Plan for 2013 to the Secretariat for consolidation and submission to the DDM.

363 364D. TWG on Small Scale Mining

365 AD Anna Liza Bonanga provided an update on the drafting of Guidelines on Small Scale Mining. She
366 reported that the DENR-MGB, in collaboration with the TWG on Small Scale Mining, conducted a

367 National Consultation Workshop last November 13, 2012. The result of the workshop, which was
368 attended by several government agencies and the private sector, will serve as input to the proposed
369 IRR of RA No. 7076 "People's Small Scale Mining Act". The IRR is expected to be finalized by 25
370 November 2012.

371
372 Given the problems posed by the local government ordinances on total mining ban, Sec. Page
373 requested the DELG to send a letter to the Union of Local Authorities of the Philippines in order to
374 clarify and iron out the issues on mining and their ordinances. Sec. Goran was tasked to collaborate
375 with the Office of Sec. Romo in crafting the letter.

376 377 VII. 67 Pending Quarry Permit Applications

378
379 Sec. Purisima recommended that the 67 pending quarry permit applications be clustered into the
380 following categories: (1) application of an existing cement company for the extension of years of its
381 operation; (2) proposed new project, with expansion of existing operations, and (3) new operating
382 cement company. Sec. Purisima further suggested that the first two types of applications be approved
383 provided that applications under the second type would set a timetable for expansion. Sec. Page
384 requested that the classification of the pending applications be endorsed by the Economic
385 Development Center. He reminded that the processing of application would only proceed on areas
386 that have been cleared as go zones.

387
388 Sec. Goran sought assistance from the DOF and committed to working with the classification and
389 endorsement.

390 391 VIII. Other Matters

392
393 On the MCCC response letter to the letter of Chamber of Mines: Sec. Goran presented a draft letter of
394 response to the Chamber of Mines regarding their concerns and clarifications on the following
395 provisions of the DAO 2012-07 or IRR of Executive Order No. 79: (1) inconsistency of the term
396 "Expired mining investment" in Section 3 with Section 32 of the Mining Act; (2) 2nd sentence of
397 Section 9 may be interpreted to cover areas covered by existing exploration permits or contract; (3)
398 fiscal regime on Section 7; and (4) the disqualification of mining applicants that may have a negative
399 environmental record from acquiring new mining rights. Sec. Page commented that the word
400 participation in item 3 be changed to consultation. He then requested Chairman Luz to mention the
401 letter in the press statement to be cleared by the Co-Chair's Office and be released by the Investor
402 Relations Office (IRO).

403
404 On the request of CPERD to sit as an observer: Sec. Page opined that the constitution of the MCCC
405 was pursuant to the provision of EO 79 and does not stipulate inclusion of observers. Sec. Purisima
406 added that granting of the request may increase the probability of having immature leakage of
407 important discussions that transpired during meetings. Instead, he proposed that they could conduct a
408 bilateral meeting with them and update them with the development of the MCCC.

409
410 Next MCCC Meeting was set to be on the second week of December 2012.

411
412 The meeting was adjourned at 12:30pm.

ANNEX HH:

*Official designation of Government Representatives to
the PH-EITI MSG*



Republic of the Philippines
DEPARTMENT OF FINANCE
Ramos Building, Corner Padre Ocampo, St. Street
Manila 1004



11 March 2013

HON. ELISEA "BEBET" GOZUN
Focal Person for EITI and
Presidential Assistant II for Climate Change
Office of the President
Malacañang

Dear **Secretary Gozun**:

Please be informed that **Undersecretary Jeremias N. Paul, Jr.**¹ has been designated as permanent representative, and **Assistant Secretary Ma. Teresa S. Habitan**² as alternate representative, of the Department of Finance to the Multi-Stakeholder Group (MSG) for the Philippine EITI.

Thank you.

Sincerely,

CESAR V. PURISIMA
Secretary

007560

¹ Also DOF Accountable Senior Official to the EITI Technical Working Group (TWG)

² Also DOF Permanent Representative to the TWG



Republic of the Philippines
DEPARTMENT OF ENERGY

12 March 2013



HON. ELISEA G. GOZUN
Presidential Assistant II on Climate Change and
Focal Person for EITI
Office of the President
Malacanang, Manila

Dear *PA Gozun*,

This is to designate the following officials as the Department's permanent and alternate representatives to the Multi-Stakeholder Group:

- Permanent - Assistant Secretary Daniel A. Ariaso, Sr.
817-8603
dan_ariaso2003@yahoo.com

- Alternate - Nenito C. Jariel, Jr. (Supervising Senior Research Specialist)
840-1874
njariel@doe.gov.ph

We trust you find our response in order.

Thank you.

Very truly yours,


CARLOS JERICHO L. PETILLA
Secretary



cc: Asec. Daniel A. Ariaso, Sr.
Nenito C. Jariel, Jr.



Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU

North Avenue, Diliman, Quezon City, Philippines
Tel. No. (+632) 928-8642 / 928-8907 Fax No. (+632) 920-1636 E-mail: cearra@mgb.gov.ph

April 1, 2013

MS. ELISEA G. GOZUN

Focal Person for Extractive Industries Transparency Initiative
and Presidential Assistant for Climate Change
Office of the President
Malacanang, Manila

Dear Ms. E. G. Gozun:

We respectfully refer to your Letter dated March 4, 2013 to the Department of Environmental and Natural Resources (DENR) requesting for the Department's permanent and alternate representatives to the Multi-Stakeholder Group in connection with the Extractive Industries Transparency Initiative (EITI).

Please be informed that the undersigned was designated by the DENR Secretary as permanent representative.

Engr. Romualdo D. Aguloc, the Chief of the Mineral Economics, Information and Policy Division of the Mines and Geosciences Bureau, shall be the alternative representative.

Thank you.

Very truly yours,


LEO L. JASARENO
Acting Director

c.c.: The Secretary
Department of Environment and Natural Resources
Vigaya Avenue, Diliman, Quezon City





UNION OF LOCAL AUTHORITIES OF THE PHILIPPINES

Unit 2002 Summit One Tower 530 Shaw Boulevard, Mandaluyong City
Tel. nos.: 758-1832, 534-6788, 534-6787 Telefax: 757-1830 Email: ulapnasa@gmail.com

January 28, 2013

Sec. Elisa Gozun
Presidential Assistant for Climate Change

Dear Sec. Gozun:

Congratulations on the successful conduct of the EITI workshop and the successful application to the EITI International. This is a good initiative and is a key piece of the roadmap to properly manage our extractive industries.

I am writing to confirm the representation of the local government sector to the Extractive Industries Transparency Initiative Multi Stakeholder Group. I will maintain my position as the lead representative of local government but I would like to name Mr. Michael Joseph Juan as my alternate in case I am unable to attend the meetings. I believe we are in the best position to represent the sector and facilitate the EITI activities during this campaign and election period. Mr. Juan also helps me attend the MICC meetings when I have a conflict in schedules.

These arrangements will stand until the ULAP board re-convenes after the elections. We will re-confirm the representation at that later date after obtaining a fresh mandate from the board.

Thank you

Gov. Alfonso Umali, Jr.
National President
Union of Local Authorities of the Philippines

ANNEX II:

Short Biography of each MSG Members of PH-EITI

ELISEA “BEBET” G. GOZUN is the current Presidential Assistant II on Climate Change and the former Secretary (Minister) of the Department of Environment and Natural Resources in the Philippines. In 2007, she was recognised by the United Nations Environment Programme as the Champion of the Earth for Asia and the Pacific.

She has served as a consultant for various projects on environmental management and urban development of the World Bank, Asia Development Bank (ADB), United States Agency for International Development (USAID), UN Habitat, United Nations Development Programme (UNDP), the World Health Organization and AUSAID Clean Air Initiative for Asian Cities Partnership Council.

Before rejoining government, she was involved in many civil society organizations (CSO) serving as Chair of the Earth Day Network Philippines, the Earth Council Asia Pacific Philippines and the Philippine Council for Environmental Protection and Sustainable Development (which serves as the secretariat for the ecolabeling program in the country). She was also the Vice President of the Solid Waste Management Association of the Philippines and the Partnership for Clean Air and Director of the Philippine Business for the Environment. She was also a member of the Board and Program Director of the Green Kalinga program of the Gawad Kalinga Foundation which aims to make GK communities more sustainable by ensuring that they live in harmony with nature, consume responsibly and do not degrade the environment. She was also designated as a member of the Advisory Committee to the Supreme Court (SC) to oversee the implementation of the SC decision on the clean-up of Manila Bay.

In the region, she chaired the Clean Air Initiative for Asian Cities Partnership Council (CAI-Asia); is a Board Member of the Environment and Economics Programme for Southeast Asia (EEPSEA); and, is a member of the Advisory Committee of the ADB and GTZ-assisted City Development Initiatives in Asia (CDIA).

She is the proud mother of 2 - Karla and Jose Antonio.

JEREMIAS N. PAUL, JR. is a seasoned government official, having held various positions in the Department of Finance since 1990. In more than two decades now, he has risen through the ranks and practically done the rounds of all the units in the Department, including being Assistant Secretary of the International Finance Group and being Undersecretary of the Corporate Affairs Group. Undersecretary Jun Paul now heads the Domestic Finance Group, standing at the helm of government initiatives to reform the country’s fiscal and tax systems, including fiscal incentives rationalization, the fiscal policy on mining, and the recently enacted “Sin Tax Reform” law” which restructures the decades-old Philippine excise tax system for alcohol and tobacco products. The Philippine excise tax reform on tobacco and alcohol products is now seen as emerging best practice of its kind in the world.

As Assistant Secretary in the International Finance Policy Group (1999-2001), he championed the concept of a regional support mechanism which became the basis for the Chiang Mai Initiative, and led the ASEAN Deputies in formulating an ASEAN position on the international financial architecture and in convincing their counterparts in APEC and ASEM to make social safety net concerns a key issue in international financial architecture discussions. He also headed the ASEAN Technical Support Unit and chaired the APEC Technical Working Group on Credit Rating Initiative.

As head of the Corporate Affairs Group (2007-2011), he was at the forefront of the privatization of the energy sector. He also boosted collection efforts from government corporations and government financial institutions, resulting in marked increase in revenues.

In 2005 and 2006, he served as Alternate Executive Director of the World Bank Group in Washington D.C. and spearheaded governance reforms in the Intergovernmental Group of Twenty Four on Monetary and Development (G-24) when the Philippines was Chair. He also successfully pushed for the inclusion of the Philippines in the list of core countries for World Bank Institute assistance and was recognized for his contributions as Chair of the Board of Advisors of the WB/IMF Filipino Staff Association.

Jun Paul is also an internationally recognized expert in corporate governance and energy and water sector reforms, frequently invited to speak at various fora.

A hands-on manager through and through, Jun Paul conscientiously exercises technical supervision over policy information, including generated economic/fiscal data and modeling and simulation. He is also a firm believer in holistic and consultative approaches to policymaking.

Jun Paul holds a Master's degree in International Affairs (Major in Economic Policy Management) from Columbia University in New York and a Master of Science in Industrial Economics and Bachelor of Science in Industrial Engineering degrees from top universities in the Philippines.

DANIEL A. ARIASO, SR. is presently the Assistant Secretary of the Department of Energy. He serves as the Supervising Assistant for Renewable Energy Management Bureau, Energy Resource Development Bureau, and Oil Industry Management Bureau. He also acts as an Alternate Representative of the DOE Secretary to the National Renewable Energy Board, National Bio-fuels Board, National Coast Watch Council, National Power Corporation Audit Committee, and Mining and Security Committees.

Assistant Secretary Ariaso, Sr. had previously worked as Assistant Professor III at the Naval State University, Naval, Biliran, Philippines from August to January 30, 2013. He also worked as Vice-President for Planning, Research, Extension and Production Services and External Affairs, Liaison Officer, and Director of the National Service Training Program (NSTP) Naval State University, Naval, Biliran Province from June 10, 2011 to January 30, 2013) and concurrently as the Coordinator for the National Greening Program (NGP), Naval State University.

He also worked as consultant in the Manufacturing Productivity Extension (MPEX), accredited by the Department of Science and Technology (DOST)- Region VIII from March 28, 2009 and a consultant for the Commissioner for the Visayas National Youth Commission, from December 21, 2005-2010

He graduated Bachelor of Arts in Economics at the Eastern Visayas State University in 1998. He completed his Master Degree in Economics at University of San Carlos, Cebu City, Philippines in 2007.

LEO L. JASARENO is currently the director of the Mines and Geosciences Bureau. Director Jasareno is a mining engineer by profession, having obtained his Bachelors of Science degree in Mining Engineering from Adamson University in Manila, Philippines in 1978.

Upon graduation, he was immediately employed in the then Bureau of Mines and Geosciences (BMG) of the Ministry of Natural Resources as a Casual Mining Engineer. He subsequently rose from the ranks, taking the position of Engineer III in 1988, Engineer IV in 1998, Director II or Regional Director in 2002 and Acting Director in 2010.

Among his key designations in the BMG or now the Mines and Geosciences Bureau of the Department of Environment and Natural Resources are as Officer-In-Charge of the then Planning and Management Staff from 1995 to 1997, then Officer-In-Charge of the Mining Tenements Management Division from 1997 to 2010, then Officer-In-Charge, Assistant Director and on September of 2010, he was appointed Acting Director of the Bureau.

As an Engineer of the Bureau, Director Jasareno has specialized in mine feasibility evaluation; mining policy study and development; and enforcement.

Director Jasareno also takes pride in serving the Bureau's employee association as President from 1986 to 1988 at a time filled with struggles and challenges. This association is now one of the oldest, biggest and most active employee associations in the Department of Environment and Natural Resources.

At the same time, Director Jasareno is a faculty member of the Department of Mining, Geology and Ceramics Engineering of Adamson University since 1992. He teaches Economics of Mining and Mining Laws, among others.

CIELO MAGNO is currently the National Coordinator of Bantay Kita, a coalition of civil society organizations advocating transparency and accountability in the extractive industry in the Philippines. She is a member of the Global Steering Committee of Publish What You Pay (PWYP), representing Asia and the Pacific. She is also a fellow of Action for Economic Reforms and Social Watch Philippines.

Cielo started her career as the Executive Director of the National Movement of Young Legislators, a league of young local legislators which aims to promote good and innovative governance at the subnational level. She eventually joined the legislative staff of then Congressman Del De Guzman in the House of Representatives. She worked as a consultant of the USAID, the Asia Foundation, the World Bank, and the Philippine government in the areas of tax administration reform, good governance, local economic development, peace building, public finance, social accountability and reforms in technical education.

In the United States, Cielo worked as a senior policy analyst for the Work Flexibility 2010 campaign, a doctoral research fellow in the Institute on Urban Health Research and an intern in Public Health Advocacy Institute and Community Catalyst. She taught Economics in the Philippines and the United States. Her publications and research studies include local governance, regulation of the pharmaceutical industry, tax administration reform, intergovernmental fiscal transfers and public finance.

Cielo Magno has a degree in Business Economics and a Masters degree in Economics from the University of the Philippines (UP) in Diliman. While pursuing her undergraduate and graduate studies, she served as a councilor, vice-chairperson and eventually, the third woman Chairperson of the University Student Council of the University of the Philippines in Diliman. She was elected President of the Student Council Alliance of the Philippines.

She is a Fulbright fellow completing a doctoral degree in Law and Public Policy at Northeastern University in Boston, Massachusetts. Her fields of interests include microeconomic policy analysis, public finance and government regulation.

JAY L. BATONGBACAL, LLB, JSD received his Bachelor's Degree in Political Science from the University of the Philippines (UP) College of Social Sciences and Philosophy and his Bachelor of Laws Degree from the UP College of Law. He holds a Master of Marine Management and a Doctor in Jurisprudential Science, both from Dalhousie University in Halifax, Nova Scotia, Canada. Since 1997, he has undertaken numerous policy studies on a wide range of maritime issues from maritime dispute settlement, maritime boundary negotiations, marine resource conservation, community-based fisheries management, seafaring, and shipping. His doctoral dissertation dealt with the social impacts of ocean energy development projects, based on his own detailed case studies of the Malampaya Deepwater Gas to Power Project and the Northwind Bangui Bay Windfarm.

Over the years, he has been a senior lecturer at the UP College of Law, and also taught courses on maritime affairs in Dalhousie University. In 2008, he joined the Faculty of the UP Asian Center as an Assistant Professor for a year before transferring to the UP College of Law in 2009. He was the legal advisor of the technical team that successfully pursued the Philippines' claim to a continental shelf beyond 200 nautical miles in the Benham Rise Region. He is currently the Director of the UP Institute of Maritime Affairs and Law of the Sea, the newest of five legal research institute of the UP Law Center. His present research interest focus on the offshore petroleum industry, private property and natural resources law, and maritime boundary issues.

MARIA AURORA TERESITA W. TABADA received her Bachelor's Degree in Psychology from the Ateneo de Manila University. She holds a Master of Sociology from the University of San Carlos, Cebu City. Since 1983, she has been with the Center for Social Research in Small-Farmer Development now the Institute for Strategic Research and Development Studies (ISRDS) of the College of Management and Economics, Visayas State University, City of Baybay, Leyte. She teaches both General Sociology and the graduate courses on Demography and Social Movements and Community Organizing.

Since 1989, she has undertaken various projects on process documentation research and organizational development of social forestry and upland development projects and people's organizations. From 1990-1992, she was a member of DENR's Upland Development Working Group (UDWG). At the same time, her extension projects focus on training on gender and development and improving governance capabilities of Barangay LGUs, NGOs and POs in community-based natural resources conflict management (water and mining). She is currently the Director of ISRDS, VSU and the University GAD Coordinator.

RONALD ALLAN A. BARNACHA is a Former Municipal Councilor and Municipal Vice Mayor of Bayombong, the Capital Town of the Province of Nueva Vizcaya. An Associate Professor of PLT College; a member and partner of various civil society and non-government organizations – local, national and international. An environmental activist and human right advocate.

He finished Bachelor of Philosophy with double minor in Sociology and Psychology at the Pontifical Urbanian University, Rome, Italy. He took up Masters Units in Bachelor of Sacred Theology at San Carlos

Royal & Pontifical Graduate School in Makati City and finished Masters in Spirituality of Unity at the International School for Priests in Tagaytay City.

He also took up Bachelor of Laws at Saint Mary's University. He had a Diploma on Leadership and Development Management Course at Asian Institute of Management, Makati City. And Diploma in Project Management Course and Policy Research Course at the University of the Philippines, Baguio City.

He is a Trustee of PRRM – Philippine Rural Reconstruction Movement, the oldest N.G.O. in the country. He is a Member of the Regional Development Council and various Regional Councils and Committees of Cayan Valley Region. He is a Consultant of the United Nations Development Programme and Project Team Leader of the Millennium Development Goal Fund 1919 in the Region. He is a Member of the Luzon Advisory Council of the Foundation for Philippine Environment. And just recently, January 16, 2013, he was elected National Vice President of Bantay Kita – an N.G.O. advocating transparency on revenue. And Luzon Island permanent member of the Multi Sectoral Group of Philippines Extractive Industries Transparency Initiative (PH-EITI).

ROLDAN R. GONZALES is an experienced development worker and human rights activist. His active involvement in civil society started in 1988 as youth organizer among the urban poor community of Canelar in Zamboanga City. From there, he has taken on various roles in various programs, mostly in the Zamboanga Peninsula, seeking to empower the people, and build social and political institutions that are responsive to the situation of grassroots communities.

For the last 16 years, Roldan R. Gonzales is principally involved with the environmental movement, first as executive director of the Bukagan Ecological Association (BEA) from 1996 to 1999, and then later with Gitib Inc. from 2000 up to this day.

Roldan is also active in civil society networks. At present, he is co-covener for the Philippine Misereor Partnership Inc. (PMPI) – a network of more than 300 organizations in the Philippines; co-convener of the Kalitawhan Working Group on Biodiversity; convener of the Mindanao Action Group on Children's Rights and Protection (MAGCRP); Intercontinental Focal Point of the Human Rights Working Group on NGO-IDEAs; member of 5-person Steering Committee of Child Rights Coalition – Asia (CRC-Asia); elected at-large as BOT member of Task Force Detainees of the Philippines (TFDP); and vice-chair of both Western Mindanao Coalitions namely Freedom from Debt Coalition in Western Mindanao (FDC-WMR) and DIOPIM Committee on Mining Issues (DCMI).

In a span of 25 years, Roldan has developed expertise in theater arts, campaigns and advocacy, human rights, community organizing, and alternative education.

Roldan studied Philosophy at the Claret Seminary in Quezon City, and political science at Misamis University in Ozamiz City.

ARTEMIO F. DISINI is currently the Chairman of the Chamber of Mines of the Philippines. Mr. Disini previously served as President of Lepanto Consolidated Mining Co. and the Natural Resources Mining Development Corporation (NRMDC), the corporate arm of the Department of Environment and Natural Resources (DENR). He has 40 years of experience in the mining industry and is a strong advocate of sustainable and responsible mining in the Philippines.

He was previously the President of the Chamber of Mines and Chairman of its Editorial Board. He was also President of the Philippine Mine Safety & Environment Association (PMSEA) and Chairman of the Philippine Mineral Reporting Code (PMRC) Accreditation Committee for Competent Persons in Mining. Mr. Disini is a graduate of the University of the Philippines where he obtained his degree in Mining Engineering in 1962. In 1973, he obtained his MBA from the same university. He is now a professor of the UP College of Engineering, teaching mine management to senior students. He also acts as consultant for various mining firms.

GERARD H. BRIMO is the President and Chief Executive Officer of Nickel Asia Corporation and a member of the Audit Committee of the board. He is the president of Rio Tuba Nickel (RTN), Taganito Mining Corporation (TMC), Cagdianao Mining Corporation (CMC), Hinatuan Mining Corporation (HMC), and Cordillera Exploration Company, Inc. (CEXCI). Mr. Brimo is also the president of two privately owned exploration companies, Newminco Nickel Mining Corp. and Newminco Pacific Mining Corp.

Mr. Brimo began his mining career with Philex Mining as a vice president in 1985 and served as Chairman and Chief Executive Officer from 1994 until his retirement in December 2003. He once served as Chairman and President of the Chamber of Mines of the Philippines, and is currently a member of the Board of Directors. He received his Bachelor of Science degree in Business Administration from Manhattan College, USA and his Master of Business Management degree from the Asian Institute of Management.

Sebastian Cortez Quiniones Jr. (Baste) was appointed as the first Filipino Asset Manager and Managing Director for Shell Philippines Exploration BV (SPEX) effective 1st May 2009. He was appointed General Mgr of Shell Philippines Exploration BV on 1 Jan 2013. SPEX is the Operator of the Malampaya Joint Venture with Chevron and PNOC-EC. He is a member of the Upstream International Leadership Forum of Shell.

He is a Trustee and Treasurer of the Malampaya Foundation, a Trustee of the Pilipinas Shell Foundation, Trustee of the SPEX pension fund, a member of the Management Association of the Philippines and the Makati Business Club, Vice President of the Petroleum Association of the Philippines, a Director of the British Chamber of Commerce of the Philippines and a member of the Philippine Extractive Industries Transparency Initiative Working Group representing the Oil and Gas Sector (PH-EITI).

He started his career in Shell in 1981 as a Refinery Technologist at the Shell Tabangao Refinery.

Baste was a scholar of the Philippine Science High School and studied Chemical Engineering at the University of the Philippines under an NSDB scholarship. He attended the INSEAD – Shell Group Business Leadership Programme at INSEAD in Singapore.

Baste held Operations and Projects jobs in Tabangao before a posting in the Shell Offices in the Hague to assist in the design of the Shell Tabangao STAR Refinery. He was a member of the Start-Up team and assisted in the start-up of Oil Movements and then was responsible for the start-up of the core facilities. His last position in Tabangao was Process Manager of the core facilities.

He was appointed Refinery Superintendent of the Pililla Baseoil and Bitumen Refinery in 1995.

His next role in 2000 was as Vice President Supply of Pilipinas Shell Petroleum Corporation and was appointed as a Shell Director in the Lopez owned First Philippine Industrial Corporation and Shell Director in the Magsaysay-Ho – PSPC joint venture Batangas Bay Carriers Inc. He was a member of ASEAN+ Supply Leadership Team.

He then took the role of Vice President of Distribution for Pilipinas Shell Petroleum Corporation in 2002 and concurrently became a member of the Management Committees of the Distribution Joint Ventures with Chevron and Petron. He became a Director and then Chairman and President of the Pandacan Depot Services Inc (a three way JV with Petron and Chevron). He was a member of the Distribution Leadership Team of Middle East and Asia and had management responsibility for the Distribution operations in the Philippines and the North Pacific Islands of Guam, Saipan and Palau.

Baste is married to Amor and has a son Sebastian Victor III and an angel Isabel (Dec 14-20, 1993). He was the former Corporate Secretary and then Chairman/Moderator of the Council of the Union Church of Manila where he also serves as an usher and Small Discipleship Group leader. He was also a Director of the Urban Opportunities for Change Foundation (UOCF) which publishes a street paper called the Jeepney (theJeepney.com). UOCF selects, trains and sends the official Philippine team to the Homeless World-Cup The Philippine team who won the Country Cup in Rio de Janeiro in Sept 2010 and has participated in the yearly events in Melbourne, Milan and Paris.

Clarence “Carlo” Juntilla Pimentel, Jr. is the eldest son of the late Clarence Ty Pimentel, former President and Founder of CTP Construction and Mining Corporation.

Clarence comes from a family history based on national service. He is the great-grandson of the late Doña Adela Serra-Ty, the 1st Lady Governor of Surigao Del Sur; the grandson of the late Congressman and Attorney Vicente L. Pimentel, Sr.; and former Governor Felicidad Ty Pimentel, also of Surigao Del Sur. Clarence’s maternal grandfather was the late Lt. Col. Alipio Juntilla, who served under General McArthur, honoured at the Libingan Ng Mga Bayani (Cemetery of Heroes) at Fort McKinley.

Clarence was raised in the United States in Honolulu, Hawaii where he studied and began his employment history in the retail industry. He worked for large retail giants such as GAP, Inc. and Polo Ralph Lauren as a Visual Merchandiser and Sales Professional.

Clarence moved to San Francisco, California in 2000 to attend college. As a working student, Clarence was employed at Starbucks, Inc. for a few years as a Barista and then became a Supervisor that helped open two Starbucks stores in the Bay Area. He eventually got his first big break by acquiring a Personal Banker job at Wells Fargo Bank and moved into the Private Banking Industry. Before moving back to the Philippines, his last tenure was as a Bank Manager managing a \$300 million office for First Republic Bank, the private banking arm of Merrill Lynch based in Silicon Valley, California; of which he managed a personal private banking portfolio worth \$50 million.

Clarence received his B.S. degree at Notre Dame de Namur University in Business Administration in 2010. He also has an A.S. from Skyline College in University Studies. He graduated both universities with Honors. Completing his education on his own has been one of his biggest life accomplishments. Clarence has interests in completing his Master’s degree here in the Philippines.

Clarence volunteered his services for one of the largest non-profit organizations in the San Francisco Bay Area, the Susan G. Komen Breast Cancer Foundation. He served as the Race Chair Treasurer for 2 years. Clarence is a Karate enthusiast and is a 2nd degree black-belt instructor in the art of Matsubayashi-Ryu, Shorin-Ryu Karate at the Omine Karate Dojo based in San Bruno, California. Every year he travels back to his school to teach karate to his students, both kids and adults. He has a passion to open his own branch here in the Philippines when he retires.

In his free time Clarence is an avid scuba diver and a beginning golfer. Clarence is also a new proud father to a 1-year old daughter named Kaile Daenerys.

Upon his father's passing in 2011, Clarence took over the family business of mining, shipping, and real estate property development and management. He was the Executor of his father's estate and shaped the Board of Directors for his family's companies. He is currently the President and CEO of four (4) family companies.

Although it has only been three years since he has moved back to the Philippines, Clarence has been busy. Besides running a large scale mining operation with about 1,500 employees, he also is managing many sub-projects – the biggest among them the development of the real estate arm of CTP. He is currently spearheading the construction of a 12-story building in Madrigal Business Park, Alabang, Muntinlupa, as well as keeping abreast of other industries for future company investments.

Clarence has challenged his father's company culture to become a dynamic one, integrating his U.S. education and experience into the company. The company is currently undergoing three ISO certifications and he is implementing various programs to add value to the lives of his employees and all the stakeholders involved in the business. Clarence hopes to honor his father's legacy by one day becoming one of the largest Nickel Mining companies in the Philippines, to expand their real estate holdings, and to one day take the company public (IPO). In 2012, under his watch, CTPCMC successfully shipped out an average of about 4,500,000 wet metric tons of Nickel Ore to China; overall giving jobs, creating opportunities, and adding much needed revenue as a partner of the local and national government.

Clarence's role as the new family patriarch is challenging, as it has many facets that has to be shaped and developed. He is the new blood that will help secure the future of the Nickel Mining Industry as well as one of the bright minds that would like to one day help shape a nation.

Born in 1976, Clarence is now the youngest Chief Executive Officer in the Nickel Mining Industry. He is the current President and Co-Founder of the newly formed Philippine Nickel Industry Association, Inc.(PNIAI), a non-profit organization working towards advancement of the Nickel Mining Industry focusing on responsible mining, corporate social responsibility, and sustainable development. Its overall goal is to represent the interest of the nickel mining industry before relevant governing agencies and to educate the public about the socio-economic, health, and environmental effects of the industry. PNIAI highlights the measures it has taken to ensure the health, safety, and general welfare of the people in the various communities where its members operate. Currently, there are about nine (9) member companies of which represent almost seventy percent (70%) of the total nickel exports in the Philippines.

ADRIAN PAULINO S. RAMOS is the Executive Vice President of Atlas Consolidated Mining and Development Corporation and its subsidiaries. He is also concurrently the Executive Vice President and Director of Carmen Copper Corporation and Alakor Corporation. Director of Berong Nickel Corporation, Anglo Philippine Holdings Corporation, The Philodrill Corporation, United Paragon Mining Corporation, and Zenith Holdings Corporation. He is currently a member of the Board of Directors of the Chamber of Mines of the Philippines.

Mr. Ramos was a key player in the rehabilitation of Atlas and its copper mines in Toledo City, Cebu. Today, he oversees most of Atlas' mining operations.

Mr. Ramos obtained his bachelor's degree in Business Management (Cum Laude) from the Ateneo de Manila University in 1999, and his master's degree in Business Administration (With Distinction) from Northwestern University's Kellogg School of Management in 2005.

ANNEX JJ:

Signed Statement of Commitment by the MSG members

STATEMENT OF COMMITMENT

We, the members of the multi-stakeholder group, consisting of representatives from the extractive industries, the civil society, and the government, hereby state our firm and unequivocal commitment to ensure the efficient payment and collection of all fees and taxes resulting from the exploration, development and utilization of the Philippines' natural resources. Towards this end, we commit to participate in the EITI process as a means to implement measures that will promote transparency and accountability in the payment and collection of such fees and taxes.

We will implement the EITI in an inclusive and participatory manner in accordance with EITI rules.

We likewise commit to fully cooperate in all undertakings needed to meet all the requirements of EITI and to remove all constraints that will hinder us from fully adhering to its principles.

In addition, we state our commitment to support all reforms that promote transparency and accountability to ensure full disclosure of material information in accordance with the EITI process.

Most importantly, we commit to institutionalize measures to ensure that government revenues from extractive industries are effectively used for the country's sustainable development.

(PRINT NAME AND SIGNATURE ABOVE)

NO.	GOVERNMENT	BUSINESS	CIVIL SOCIETY ORGANIZATION
1	 FERDINAND R. MARCOS JR.	 FRANCISCO T. DUTERTE	 JONATHAN D. VALENZUELA REP. BY S.P. REPRESENTATIVES
2	 ELISSA S. GUO	 CLARENCE S. PANGILINAN	 JUANITO S. SOLARES
3	 ALFREDO LIM III	 CESAR REYES	 JAYSON M. BANTAYAN
4	 DANILO A. ARAYO SR.	 ROMEO BANTAYAN	 AUGUSTIN DOCENA
5		 JOHN C. FELTON	 MERIAN E. MASIN
6		 FRANKLIN S. ESPINOZA	 MARIA AURORA L.W. TABADA
7			 ROLANDO AGUIRRE R. BANTAYAN
8			 CESAR BANTAYAN
9			

Signing of the Statement of Commitment



ANNEX KK:

Terms of Reference of the Philippine EITI Multi-Stakeholder Group

**Philippine Extractive Industries Transparency Initiative (PH-EITI)
Multi-Stakeholder Group (PH-EITI MSG)
Terms of Reference**

Background

Executive Order 79 on institutionalizing and implementing reforms in the Philippine mining sector signals the seriousness of government in ensuring that extractive industries in the Philippines serves the greater good of the Filipino people. Greater transparency in the payment of taxes and fees to government by extractive industries, and the proper acknowledgement of such payments by government at all levels, will assist in generating revenues from such industries for the benefit of the country and its citizens.

Recognizing this, the administration found it fit to participate in the Extractive Industries Transparency Initiative (EITI), an international multi-stakeholder group that sets international standards for transparency in extractive industry payments and receipts. In EITI participating countries, companies are required to publish what they pay to governments and governments are required to publish what they receive from companies.

I. Objectives and Mission of Philippines EITI

Philippines EITI seeks to introduce greater transparency and accountability in the extractive industries in the way government collects and companies pay taxes and other revenues from extractive industries. Moreover, this can be achieved through a process of open dialogue among stakeholders.

The Philippine Extractive Industries Transparency Initiative Multi-Stakeholder Group (PH-EITI MSG) is a group that provides a platform for business and civil society stakeholders to engage government in the implementation of EITI in the Philippines. Through this, stakeholders are treated as partners in an inclusive decision-making process and are provided the opportunity to participate in the development, implementation, monitoring and evaluation of the Philippine EITI Work Plan. To this end its mandate will encompass:

- Ensuring sustained political commitment for the initiative and mobilizing resources to sustain its activities and goals;
- Setting the strategic direction required for effectively implementing the initiative in the Philippines;
- Assessing and removing barriers to its implementation;
- Setting the scope of the EITI process;
- Ensuring that the initiative is effectively integrated in the reform process outlined under EO 79 and any other related government reform agenda.

II. Principles of Engagement

Engagement between government, business and civil society stakeholders in the Group will be based on the following principles:

- **Local ownership and inclusive dialogue** – provide an environment where all participants can engage freely and openly;
- **Transparency** – provide all parties, as well as the general public, timely, access to relevant and verified information/data, subject to the limits set by law;
- **Accountability** – abide by the policies, standards and guidelines of engagement that may be agreed upon, and fulfil commitments;
- **Integrity** – adhere to moral and professional standards in fulfilling our commitments
- **Inclusivity** – freely appoint their own representatives, bearing in mind the desirability of pluralistic and diverse implementation;
- **Partnership** – cooperate, share responsibilities and uphold mutual respect to ensure that the objectives of the engagement are achieved;
- **Consultation, Capacity-Building and Empowerment** – enhance knowledge-sharing and continuing dialogue;
- **Respect for Internal Processes** – understand and abide by the limitations of stakeholders with respect to the nature of information to be disclosed and the extent of involvement based on institutional/legally imposed limitations;
- **Sustainability** – ensure continuing engagement by instituting progressive policies and operational mechanisms that will promote an environment of mutual trust; and
- **National Interest** – uphold the national welfare above the interests of organizations or individuals.

III. The Multi-Stakeholder Group: PH-EITI MSG

EITI Philippines is a multi-stakeholder and inclusive decision making body that is led by government. The direction, programs and activities of the Philippine EITI will be set by PH-EITI MSG It will be supported by a Secretariat that will be organized and supported by national government.

Specifically, PH-EITI MSG will have the following functions:

- Ensure the commitment of the different stakeholders to the implementation of EITI
- Define the strategic direction and scope of EITI in the Philippines
- In consultation with key EITI stakeholders, craft and publish a fully costed work plan;
- Endorse the Country Work Plan to national government for approval;
- Establish a mechanism for the EITI reconciliation process;
- Select and appoint the third party validator as prescribed in the EITI Rules
- Oversee the implementation of the EITI and its Work Plan;
- Direct and supervise the secretariat in its various activities; and
- Through its members, conduct outreach to various sectors in support of the Work Plan

- Communicate and build awareness about EITI, its objectives, the experience and gains of other countries in implementing this, and the progress of its implementation in the Philippines
- Review the Work Plan on a quarterly basis to assess its implementation and to adjust accordingly based on what has been accomplished

Issues to be discussed within PH-EITI MSG shall be limited to those related to EITI, unless otherwise agreed upon by consensus of the MSG.

IV. Composition of PH-EITI Multi-Stakeholder Group

PH-EITI MSG will be composed of the following:

- Five (5) Government Representatives will include senior officials from the following offices/ institutions:
 - The Office of the President as the lead on the implementation of EITI
 - Department of Environment and Natural Resources (DENR) as the agency mandated to supervise the sustainable development of the country's natural resources and ecosystems
 - Department of Finance (DOF) as the agency mandated to formulate revenue policies that will ensure, promote, and improve the welfare of citizens
 - Department of Energy (DOE) as the agency in charge of the regulation of oil and gas industries
 - Union of Local Authorities of the Philippines (ULAP), as the representative of local government units
- Five (5) Business Group Representatives
 - To be selected through a process initiated by business with the support of the PH-EITI Secretariat
- Five (5) Civil Society Organizations (CSOs) Representatives
 - To be selected through a process initiated by CSOs with the support of the PH-EITI Secretariat

Each organization shall designate a permanent and alternate representative to PH-EITI MSG. Each organization, upon the decision of its members and through its own independent process, can replace their representatives in the MSG anytime following their own governance mechanisms.

PH-EITI Multi-Stakeholder Group will be chaired by the designated representative from the Office of the President, who will be responsible for convening the group. In addition, the Chair will be responsible for organizing a secretariat, which will coordinate the EITI-PH's work and organize other related activities.

An interim PH-EITI MSG shall initially be established to initiate the process of EITI application and facilitate the selection of business and civil society representatives. Business

will be represented by members of the Chamber of Mines of the Philippines, while civil society will be represented by members of Santay Kita.

V. Roles of the Members of PH-EITI Multi-Stakeholder Group

General Roles of the MSG members:

- Ensure an open and transparent functioning of PH-EITI
- Address confidentiality concerns in implementing EITI
- Communicate and provide linkages and facilitate dialogue with the different organizations and groups regarding related issues
- Help determine parameters of EITI implementation
- Be involved in communicating updates and results to their respective constituencies and to the general public
- Implement capacity building and other knowledge exchange activities for those less familiar with EITI

Role of Government Representatives:

- Provide political leadership and support such as creating a unit which will provide secretariat and technical support to Philippines EITI
- Ensure the full participation of national government agencies and local government units in the implementation of EITI and create an enabling policy environment for the same
- Ensure the full participation of extractive companies
- Encourage the full participation of civil society
- Provide a legal basis for implementation of EITI as well as identify and address legal barriers and regulations that block the proper implementation of EITI
- Disclose government revenues and relevant data in an accurate and timely manner and at a level of detail to be agreed upon by the MSG

Role of Business Representatives:

- Help ensure the full participation of extractive companies
- Disclose payments and relevant data to government, IFs and other stakeholders in an accurate and timely manner at a level of detail to be agreed upon by the MSG
- Communicate with industry stakeholders developments on EITI

Role of CSO Representatives:

- Communicate and consult widely with a diverse set of stakeholders including those outside the steering group and build capacities on EITI
- Ensure full participation of relevant CSOs
- Monitor the disclosures done by the government and extractive companies

VI. Terms of the Members of PH-EITI Multi-Stakeholder Group

The Chair shall be appointed by the Mining Industry Coordinating Council and shall serve until replaced by the MIICC. DENR, DOF, DOE, and ULAP shall sit as permanent members.

All members of the MSG shall serve for a term of 3 years, except for the initial set of representatives from the business sector and civil society organizations. For such members, 3 representatives shall serve for 3 years or the equivalent of 2 reporting cycles, and 2 representatives shall serve for 2 years or the equivalent of 1 reporting cycle. Thereafter, all members of the MSG shall serve the full term of 3 years, on a staggered basis to ensure that there will be institutional memory among them. Representatives may be re-appointed; the members of each sector shall identify who among them shall continue for subsequent terms.

VII. PH-EITI Multi-Stakeholder Group Meetings and Decision Making

The Multi-Stakeholder Group will meet once a quarter or as often as necessary. The Chair will call and preside the MSG meetings while notices shall be sent out by the PH-EITI Secretariat a minimum of one week before the date of the meeting. The secretariat shall also handle the documentation and preparations of the minutes of the meetings. The highlights, agenda, minutes of the meetings and all supporting documents shall be circulated to the members of the group one week after the meeting. The members will also have one week to send their comments and no comment will be considered approval. Implementation of the decisions made by the MSG will be reported by the Secretariat and will be discussed in the subsequent MSG meeting.

For urgent matters where decision is needed, necessary information shall be circulated through email so that decisions can be made electronically, also by consensus.

Fifty percent (50%) of the members, with at least one representative from the government, CSOs and business sector, shall represent the quorum of the Multi-Stakeholder Group. The MSG will, in good faith, make decisions by consensus.

ANNEX LL:

*Documentation of the Philippine EITI National
Workshop*

DAY 1

AM SESSION

Prayer and National Anthem

Welcome Remarks (See Annex A)

Secretary Cesar Purisima

Department of Finance

Co-Chair, Mining Industry Coordinating Council

Points:

- A. Mining in the Philippines has a very long history, longer than all our lifetime. At one point in the history, Philippines, was one of the leaders in the mining industry, he stated.
- B. In the past two years and ten months in the Aquino administration, good governance has changed the fortunes of the country.
- C. In economic environment, the Philippines is seen to be much better than its performance than in the past, when the world economy was doing well. The past ten years of the Arroyo administration, the trend growth was 4.7%, and yet the first three quarters of 2012, the average trend growth of the country is 6.5%. In analyzing this, mining actually showed a decline. It just shows that if we were able to face and resolve the issues in mining, this industry can provide a point or two to the Philippines' economy.
- D. The President has tasked the Cabinet through the Mining Industry Coordinating Council to oversee the regulatory environment covering the mining industry. At the heart of this reform agenda is to implement better governance, more transparency and more accountability and empower the stakeholders so that we can truly achieve the potential of mining in the Philippines. And implement better governance in mining industry.
- E. Philippines, based on studies, is a mineralized country.
- F. Government cannot work on this alone. All should be engaged to come up with better solutions (Business sector, civil society and other stakeholders)
- G. EITI is an initiative that will respond the question "is the model that is being used adequate to recognize the true cost of mining to the environment and to the community?". EITI can create a better accounting model to fully capture the true cost to society of the extractive industries.
- H. EITI should be more than transparency in revenues paid to government. There must also be transparency of the long term plan to ensure economic sustainability after mining.
- I. As the Secretary of Finance, he said, "my duty is to make sure that the government has the resources to be able to implement and fund all the programs of the government necessary to achieve the vision of President Aquino."

Objectives and Target Outputs of the National Workshop

Secretary Bebet G. Gozon

PH-EITI Focal Person

Points:

- A. Brief background of EITI in the Philippines
- B. Part of the policy reform in mining embodied in Executive Order 79
- C. Need for buy-in (support) from all stakeholders
- D. Objectives of the workshop are:
- E. Expected outputs include:
 - * the establishment of the MSG
 - * the Terms of Reference (TOR) of the MSG
 - * the Work Plan

Plenary Session 2:

Overview of Extractive Industry Transparency Initiative

Mr. Philip Chan

World Bank

Mr. Philip Chan presented the following:

- A. Value of Transparency
 - 1. Reduce opportunities for corruption
 - 2. Reducing instability and risk of conflict
 - 3. Tool for education
 - 4. Access to capital and investment climate
 - 5. Help sustain development efforts
 - 6. Assessing benefits
- B. What is EITI?
 - 1. A Global Standard to promote revenue transparency and accountability
 - 2. Systematic process which provides a platform to systematically report on, review, and assess what is being paid by the companies and received by the government
 - 3. Government led but implemented with active involvement of partners from industry and wider society
- C. Why EITI?
 - 1. A response to the paradox of plenty
 - 2. Importance of transparency for informing public debate
 - 3. Global corporate responsibility
- D. Countries which are implementing EITI
- E. The process of EITI
- F. Implementation mechanisms of EITI
- G. Benefits of implementing EITI
- H. Role of the World Bank and the MDTF?

EITI Global Experience and Recent Updates

Mr. Wouter Bosterbos

EITI International Secretariat

Points:

- A. Benefits of EITI
 - To the governments
 - Citizens/ Civil Society
 - Companies
- B. Experiences thus far
 - In Nigeria, they recovered USD443 million of USD 2.6 billion owed to government.
 - In Ghana, GHEITI process causes rise in government receipts
 - In Liberia, corrupt accountant has been uncovered and imprisoned
- C. Key Messages for the Philippines
 - The EITI process is a result
 - The EITI report is a tool
 - You shape the EITI's relevance
- D. The new EITI standards
 - Making EITI reports more useful
 - Making the EITI more relevant in countries
 - Improving disclosure
 - Recognizing countries that go beyond the minimum
 - Clarifying and simplifying rules
- E. EITI beyond transparency

Innovations in Implementing EITI

Ms. Erica Weitenberg

Revenue Watch Institute

Ms. Erica Weitenberg presented the Innovative Elements in EITI Reports

- A. Getting a Good Deal
 - State participation in companies (in kind revenues and company-by-company production data)
 - List of licenses and license holders
- B. Ensuring Revenue Transparency
 - Relevant background information
 - Spot checking and verification
- C. Managing Volatile Resources
 - Sub-national reporting
 - Revenues allocated to development funds
- D. Investing for Sustainable Developments

- Information on revenue use (social payments)
- E. Other innovations
- Coverage of unique sectors
 - Reporting Templates
 - Company and government contracts
 - Evaluate participation

OPEN FORUM

1. [EVP of Chamber of Mines] There are discrepancies in taxes. We have to look at this before going in to details. Given the FY situation, what should be the first part of the process of DTI implementation?

Response:

[Mr. Wouter] To make clear on the application, it is not about this. Application is more of a basic requirement. The question you gave is about the whole process. For the application process, we do not yet need this bulk of information.

[Erica] This information can be included in the first DTI report not in the application process. If the information in the first report has still discrepancies, one should provide solutions for the next report.

2. [Mark, Chamber of Mines] What about small scale mining? They represent a large amount of possible revenues. The large scale miners (there are about 12 large scale miners), are the ones who pay the taxes. Given the situation that we do not have them all paying income tax, where will the basis of the share be? The issue is about calculations and interpretation.

Response:

[Seo, Gezun] We have a big problem in small scale mining. The bottom line is WE ACTUALLY DONT KNOW how many small scale miners there are, what their production volume is, how much they are paying to government, both national and local. Most are illegal. This is why the MCC is trying to address this issue properly. There is an on-going study and consultation on this led by DILG.

3. [Annie Dee, Teresa Marble Group] Are we going to start even if we know we are not yet ready? This is because I know that we have a problem in the production of the small scale mining.

Response:

[Mr. Wouter] You have to know when you are ready and what kind of information do you need. It is up to you if you are ready to engage large players.

[Sec. Gozan] We already have the interim multi-stakeholder group (MSG). We have decided to engage large scale metallic mining and oil and gas as the initial coverage of PH-EITI. This is similar to Mongolia and other EITI countries which started with a small pilot group.

4. [Rodne Galicha, Sibuyan ISRE Inc.] Question on the value chain. Comparing the industries who are yet to apply and those who exist already. We are not only seeing transparency at the end of the chain but also from the beginning. What is the experience of other country in dealing with this kind of issue?

Response

[Erica] EITI implementing countries should really look at the value chain, especially for the social payments being paid. It is very important that the first report should include relevant information including this.

[Philip] It is a process. The thing is to be able to do it. However it is a complicated process. Learning is a very important part of the process. It is important to start the process in a more doable way. Down the line, every action is important. However, fundamentals are important, so do the fundamentals right first.

[Wouter] Consider the following: Getting the data, who will use it? How are you going to translate it? and how will people translate it?

Plenary Session 2:

Sharing of Experience in implementing EITI in Mongolia

Mr. Shar Tsolmon

EITI National Coordinator, Mongolia

Points:

- A. Mr. Tsolmon discussed the General Legal Aspects of EITI in Mongolia
- B. General-organizational chart of Mongolia EITI and Stakeholders
- C. General Multi-Stakeholders Organizations and Secretariat
 1. National Council
 2. Multi-Stakeholders Working Group
 3. Mongolia EITI Secretariat
- D. EITI reporting of individual companies and government for 2006-2011
 1. Companies
 2. Government
 3. It is estimated more than 1,500 companies engaged in extractive companies, majority of the companies are holding exploration licenses and companies producing sand, gravel and other construction materials
- E. The EITI Reconciliation reports and Validation
- F. Brief about the Mongolia EITI 2006-2011 Reconciliation Report

- G. Validation of Mongolia EITI 2009- Quality Assessment
- H. General: Achievement of additional tasks EITI compliance
 - 1. Lessons from validation and experience of EITI implementing countries
 - 2. Post validation activities of EITI compliant countries
 - 3. Communications as a very important tool for the EITI
 - 4. Ways to implement the EITI at sub-national level

OPEN FORUM

- 1. [B. Bantay Kita] Was the EITI experience in the last 6 years very informative to come up with new initiative?

Response:

[Mr. SharTsolmon] Yes. EITI experience has actually affected the decision of the Mongolian officials to come up with new initiatives. All the information has been downloaded and is accessible to all.

PM SESSION

Plenary Session 3:

Overview of Plans for EITI-Philippines

Secretary Bebet G. Goun

PH-EITI Focal Person

Points:

- A. Background and Updates on Actions Taken
- B. EITI Candidacy Checklist and what has been complied with so far
- C. EITI Implementation Structure
- D. EITI TWG members and meetings held
- E. EITI Interim MSG and meetings held
- F. Actions taken: defined scope, mobilized support for Civil Society Organization (CSO) outreach, 5 regional CSO consultations, outreach to other stakeholders and government agencies
- G. Proposed PH-EITI Work Plan and Key Milestones
- H. Proposed MSG Members
- I. Upcoming Milestones and Other Tasks

Draft EITI (Philippines) Work Plan: Key Components

Mr. Francis Capistrano

RU-DEM

Points:

- A. Work plan includes the objectives, the actions to be undertaken, by whom, when and measurable targets and outputs and budget
- B. The six objectives of the work plan:
 - Establish commitment and support to implement EITI
 - Form the MSG, develop and publish the Terms of Reference of the MSG and the Workplan of PH-EITI
 - Institutionalize EITI
 - Prepare for implementation and Monitoring
 - Audit/Reconcile and Report on Revenue Flows between the Philippine Government and Extractive Industries
 - Communicate, build knowledge and engage citizens in the PH-EITI program

OPEN FORUM

1. [Agustin Docena, EVNET] Will CSOs be tapped in conducting capacity building? He recommended that the members of Bantay Kita be tapped or this capacity building.

Response:

[Francis Capistrano] This is part of the plan with the sustained engagement with Bantay Kita and other CSOs.

[Celo Magno] The partnership with CSOs and Bantay Kita and industry will continue with EITI implementation. Bantay Kita has a key role in the sub-national implementation of EITI, especially since it is helping implementing it in Compostela Valley.

2. [Jan Mosquita, EVNET] Regarding the implementation of EITI, part of the interim plan is to look into large scale mining. Will small scale mining with large scale nature of operations be covered by EITI?

Response:

[Bebel] They will not be covered in the initial phase of EITI. There is another technical working group under the MICC chaired by DILG tackling the issue of small-scale mining.

[MarTwolmen]The composition of the MSG should be formalized similar to what was done in Mongolia.

Response:

[Sec. Gozun] This is a good recommendation and an issuance will be prepared regarding the composition of the MGS.

Break-out Session 1: The Draft Work Plan

[Results: Please refer to the outputs per group found in Annex 8]

DAY 2

AM SESSION

Plenary Reporting

The Emcee gave a brief recap of what transpired during the first day of the conference.

DENR Undersecretary Demetrio Ignacio gave the opening remarks for Day Two on behalf of Secretary Ramon Paje.

Plenary Session 4:

Sharing of Experience in Implementing EITI in Timor Leste

Minister Alfredo Pires

Secretary of State for Natural Resources, Timor Leste

Points:

- A. Location and Demography of Timor Leste
- B. EITI Journey of Timor Leste
- C. Current Natural Resource Setting
- D. Programs and Projects in Timor Leste
 1. Human Resources
 2. Greater Sunrise
 3. Institutional Development
 4. Mineral Laws
 5. Tacit Mine
 6. Transparency Model
- E. Timor Leste Transparency Model

Mr. Mericio Akara

COO representative, Timor Leste

Points:

- A. Location and Demography of Timor Leste
- B. What is EITI?

- C. Why EITI: The Paradox of Plenty
- D. Importance of EITI in Governance and Development
- E. Results of Implementing EITI
- F. Benefits of EITI for Civil Society
- G. Civil Society Engagement in EITI
- H. CSO and the EITI Process in Timor Leste
- I. History of CSO Involvement in Timor Leste EITI
 - 1. Formation of a Civil Society Core Group for Transparency
 - 2. Negotiation with government and companies
 - 3. Participation of coalition members on the steering group that oversees EITI in Timor Leste
 - 4. Involvement of CSO in selecting the audit company which reconciles payments and revenue data
- J. Validation Process

OPEN FORUM

1. [Jay Batungbakal, UP College of Law] a) Because of the history of Timor Leste, how do you deal with the demands for the renegotiation of existing contracts? b) Are there instances when Australia has been used as a cover by contractors in order to avoid answering issues? c) Regarding community consultations, how do you deal with situations where there is a lack of consensus at the community level or the existence of a consensus is being contested?

Response

[Minister Pires] EITI is about changing our behavior. As a country, we don't mind being under a microscope. Governments need to change their behavior. Natural resources extraction often cause more harm than good to majority of people. There are three main actors in this game: government, companies (in particular multinational companies) and civil society and communities. There should also be a change in their behavior. Strong institutions are needed.

With regard to the treaties, we have revised treaties several times. For the third revision, a deadline has been given: February 23. But I cannot say more than this at this point. There is a dynamic with the contract negotiations. Government must increase its human resource capacity - legal and technical - so that it can negotiate properly. You should also be careful with third party studies.

With regard to community consultations, we will say that we've consulted. The CSO representative will say that we have not consulted. This guy (Akara) has asked me to resign several times. The game is in English, but communities cannot speak English. English teachers have been deployed to these communities.

[Mericio Akara] I agree with the Minister that participation is key. The minister has done a lot of consultation with the communities and I am asking that we continue with such consultations.

Despite the fact that Timor Leste has abundant supply of oil and gas, its citizens are still poor. 50% of the population lives below the basic needs poverty line (US\$1.25 per day). I think we will walk together. It is important to identify problems, and work together to deal with these.

2. [Cielo Magno] With regard to the Petroleum Fund, is it earmarked per sector or is Parliament free to allocate it?

Response:

[Minister] Only 3% of the Petroleum Fund can be used. Beyond 3%, this has to be justified. Poverty has now been reduced from 60% to 40%. But this also increased to 50% because of increase in inflation. The allocation is first decided in the Council of Ministers, and then presented to the National Parliament. Anything can happen in the National Parliament. There are no fix percentages, but priorities are identified.

Oil fund is protected by law, but it can be raided. CSO has its own dynamics. Three kinds: a) balanced - will criticize and work with government, b) politicized - ok, but there should be more of the first, c) outside forces - dangerous.

[Akara] We agree with our government that they have allocated around 60% to human development and infrastructure, which civil society agrees with. We are in the right track in terms of budget allocation. Civil society should supervise the implementation so that it could give recommendations to government. The new government has only been in place in the last 5 months, so we will still see.

3. [Cielo Magno] Mineral resources are owned by the state. But after the resources are extracted, who owns the resources? This is being discussed in the Philippines.

[Minister] EITI is complicated. The change in behavior will hurt. Treaty wise, we have a 90-10 sharing agreement. In terms of production agreements, we also have contracts. We are now learning to tax. There are billions of dollars of taxes that have to be paid. We are now in tax arbitration in Singapore. We are anxious to relook at these things. Transparency is very important to see the flow of money. We have 1 mega project. Some countries have 10 mega projects, but the people are worst off compared to those in Timor Leste. Something is wrong there.

[Akara] Transparency and accountability is now more important. 95% of state budget depends on oil and gas revenues. Oil and gas are not renewable resources, so we need to use it wisely.

Plenary Session 5:

Draft PFI (EITI) Terms of Reference (ToR) for the Multi-stakeholder Group (MSG)

Sec. Bebet Gozum

PH-EITI Focal Person

Points:

- A. Mandate of the MSG
- B. Principles of Engagement
- C. Functions of the MSG
- D. Proposed Structure of the PH-EITI Multi-Stakeholder Group
- E. Roles of Government
- F. Common Roles of Business & CSOs
- G. Terms of Office
- H. PH-EITI MSG Meetings and Decision Making

Break-out Session 2: The Draft ToR

[Results: Please refer to the outputs per group found in Annex C]

PM SESSION

Presentation of Workshop Outputs

OPEN FORUM

1. [Francis Capistrano] Just a comment on the inputs from the CSO discussion on the nature of the MSG. As stated in the draft we said that it's a government-led initiative but then, in the output of the CSOs, it is mentioned that the MSG should be independent of government. I want to engage the issue a little bit more because I find a structural problem with that. 1.) It cannot be independent of government because government is there. 2.) Concerned government agencies will implement the work plan on the disclosure of revenues, of course jointly with the industry and stakeholders. 3.) The National Secretariat will be lodged under a government agency assuming that the government will lead this effort. 4.) In essence, it is the government that signified with the EITI International Board the intent of the country to join EITI.

We understand that this is a multi-stakeholder mechanism and we are committing, as part of the requirement of the EITI process, committing to work together with the stakeholders. But, by principle and structurally, I personally, we cannot make its nature independent of government.

2. [Wouter Blaasterboel] It is the government that takes the initiative to join EITI. If something goes wrong, it is the government that will be looked at, and be held accountable by the EITI International Board. So therefore, having a body that is totally independent from government would not be a structure that would comply with the EITI requirements.

3. [Shar Tsoimon] Just want to raise an idea about the penalties mentioned in the TOR, that the MSG can have penalties. In the case of Mongolia, we have so-called "Rule of Law" and by the Rule of Law, there is someone who is entitled to charge penalties. So I recommend to think of ways on how would this be put in to your legal system. Maybe you will have your own EITI law where you can specify definition regarding penalties. I also recommend that for the Philippine EITI, you should have your own logo that could be present anywhere.
4. [Minister Pires] I would not say much. Colleagues of the Civil Society, in Timor Leste, I am a Minister and the EITI focal person but the decisions are by consensus so you should not fear. The decision making by consensus is very powerful. Also, in the government, we go into power, we get elected and then, we go out. What we are doing now is giving 33% of the power to the Civil Society. I sometimes say it's not very democratic but I can't argue with that. That consensus thing is very powerful in terms of the decision making process.
5. [Sec. Gozon] The EITI guidelines clearly state that the EITI is led by government except that all decisions are done by a Multi-Stakeholder Group. It's not government alone doing the decisions. Toyo, *somo-somo* with equal voice. And as pointed out, accountability eventually rest with government. The EITI Chair most of the time is from government but the decision is always Multi-Sectoral.

To level off on expectations, it is very important that we define the scope of the work of EITI. It should be stressed that EITI is about transparency and accountability in payments and in revenues. Therefore, EITI will not get involved in the approval processes of permits and licenses or of penalties. That is the work of the regulatory agencies which are also supposed to do it in consultation with the sectors concern. EITI cannot address all extractive industry issues here.

On continuity, we precisely want permanent and alternate representatives on the side of the three stakeholders. We want the same people to attend every meeting. That is what is happening now in the interim MSG.

As for the terms of office, the recommendation was that the term of office will be determined by the specific stakeholder group. The sectors concerned will decide who among them will have a term of 3, 2 and 1 year. She sought clarification on the CSO recommendation.

6. [Men Sta. Ana] Clarified that they decided to delete the three (3), two (2), one (1) and let the sector decide whether it should be three (3), two (2), one (1) or 3 and 2 and a half as long as there is continuity. That's the objective I think.
7. [Sec. Gozon] Agreed to discuss this in the MSG.
8. [Beverly Longid] On the issue of independence, exactly when we speak of transparency and accountability, at the moment we are speaking of revenues, paid by the industry and revenues

collected by the government. The issue of independence came out because we have to address the issue of graft and corruption that is actually the reason why we have transparency and accountability issues. It's the same as having the Commission on Human Rights in the Philippines which is a government body but independent of the government because specifically when we look into human rights violations, we are looking into the obligations and duty of government to uphold and protect human rights. We are not taking away the initiative of government to form this because they have the resource and the man power. But when the MSG already is formed, we have to think that the government, industry and CSOs are there on an equal footing so we have common and separate responsibilities.

In the issue of terms, since we have common and we are co-equal, we leave the terms to be decided by the CSOs. If we want to remove the representatives we've selected because they are not performing, then we will remove them without looking into the terms of three (3), two (2), one (1). And that also goes with the assertion of having co-chairs. I hope that explains the issue that we raised.

9. [Wouter Biesterbos] I think what you will going to have in the next few years is a lot of references to the requirements in the EITI rules that refer to independence and the responsibility of government to ensure that that is the case. Just to read one or two; "1) Civil society groups involved in the EITI as members of the Multi-stakeholder Group must be operational and in policy terms independent of government and or companies, 2) Members of the multi-stakeholder group should be able to operate freely without restraint or coercion, including by liaising with their constituency groups." The requirements also go into a number of responsibilities that government has to ensure that this is the case. During the whole EITI process, there are a lot of safeguards to ensure that if you don't have your internal organization and processes in order, you will not get validated.
10. [Sec. Gozon] And just to add on the terms of office, take note that in the terms of reference, we say that each stakeholder group can actually remove their representative at any given time. So just to clarify that, even if you are there for three years, if you are not performing or are doing something inimical to PH-EITI, you can be removed.
11. [Rod Galichia] Perhaps to give light to the structural problem that we have, we must separate the independence issue with the structure issue. It came up because there is a vague definition and relationships of institutions in the government. We have the MICC. We have the EITI-MSG in the Philippines. We all know that the EITI process - is in EO 79, and we have also the TWG. So the processes and relationships of these institutions came up also because we do not see an organizational chart to see the structures and their relationship.
12. [Beverly Longid] I think it is normal birth pains to clarify. It is a new thing. The other question because I was also looking at the comments from the government like the issue of ancestral land, inclusion of the NCIP, and the issues of the indigenous peoples. Could it also be possible

that when we define the scope of EITI transparency and accountability, (we do) not to limit it to the issue of revenues? Earlier we were focused with metallic mining industry and now we have included the oil and gas. We can also look into other aspects of transparency and accountability but probably at the moment, we can focus on anything on extractive industry and not to limit it on the issue of revenues because I think there are other issues as far as EITI can also look into.

13. [Sec. Gozon] if you recall, while the principal focus are payments and revenues, the identification of the areas for transparency and accountability is actually part of the other MSG tasks mentioned in my presentation yesterday. It is actually a part of what we agreed upon in the interim MSG.

14. [Francis Capistrano]: It does not mean that the participation of the government in EITI is limited to those government agencies that sit in the MSG because 1.) The supporting policy and technical body supporting the MSG would be the technical working group of the EITI and that would include those MSG members plus many more (any agency as needed). 2.) Yesterday it was raised that DTI for example be involved in the TWG so we might as well include them also. BSP is a major body that would also be included in the discussion. 3.) The 3rd component of the structure would be that the national secretariat should be lodged under a government agency so they can properly coordinate all the data, communication and other policy needs that need to be done within the government as well. We are not saying that the CSO and Business pillars will not have their secretariat support.

On the independence of the MSG, we may need to amend the Constitution to make EITI independent. And at outset, to put a legal basis to EITI, the easiest that it can be done is through an executive issuance. If we want to legislate the existence of EITI, we will be delayed. On other issues, related to extractive industries that we want to be a part of the discussion, the fiscal aspect which is the revenue and the later on the expenditure is already going to be very difficult. We are open to discuss other issues like human rights issues, peace and order but that should not distract us from the core requirements of EITI.

15. [Sec. Gozon]: Identifying areas which need legislation is in the work plan. Down the line, that should be the direction that we will follow as agreed upon. We want to get started as soon as possible and as Kapi [Francis Capistrano] pointed out, we can build on what we have.

What Timor Leste and Mongolia have gone through is not that easy. We will know how difficult it is when we are actually putting together our Report. Moreover, we are one of four technical working groups looking at mining in the country. In looking at the existing benefit sharing between the private sector, government, communities, LGUs and others that is led by the TWG on economic concerns led by DTI. There is also one TWG looking at small scale mining. Under the Aquino administration, decision making and planning will always be participatory. We really cannot have only one technical working group dealing with everything under the sun on extractive industries. Of course, all of these TWGs come together when we meet in the MCC.

15. [Oelo Magno]: I think all of us here agree that for the short term, we want the report delivered. I think the CSO and the industry only stressed that we want oil and gas to be included. But I think that with respect to our deliverables, it is clear to everyone that it is the work plan that will define what we will do in the next two years.

I think it is also agreed that we want the Toll to give us enough room for flexibility in the long run. But we're not saying that what we're saying here is something that we want to see as soon as possible. It is just that in terms of visioning, we want an EITI that is independent similar with the CHR that has a legal mandate in terms of transparency and accountability based on the constitution. In the future, we want to legislate many things like be more transparent in terms of expenditure but we don't want that all of that to happen tomorrow. There is a recognition that there is a constraint at the moment.

17. [Bobby Chan (Patawan)]: My suggestion apart from what is written is for us to incorporate the debates that we have on that particular issue so that when we come back to an ambiguous issue or contentious issue and when you sit as an MDG, you will have something to fall back on.

18. [Sec. Gerson]: Rest assured that all of these will be properly recorded. It will not just be the physical recording but we will be sending out highlights from the discussions.

19. [Oelo Magno]: About the independence of the EITI, it is not really detaching EITI from government but on a pragmatic concern like for example if we're producing this report, it is really the technical people. If we put it under the agency of the government, it will be limited by salary standardization law, freeze hiring when we have the national elections. So how will our secretariat functions if we're limited to these constraints? In terms of running an office, we want to have the best people to do the report, investigation, etc.

Plenary Session 6:

Convening of the Established PH-EITI MDG (with Joint Statement and Signing)

The following members of the PH-EITI MDG were presented:

Government

1. Dir. Leo Jaramo, Department of Environment and Natural Resources
2. USOC. Jeremias Paul, Department of Finance
3. Gov. Alfonso Umali Jr., Union of Local Authorities of the Philippines
4. USOC. Ramon Oca, Department of Energy
5. SEC. Elosea Gerson, Office of the Presidential Assistant for Climate Change

Industry

1. Engr. Artemio F. Dizon
2. Mr. Gerard Brimo
3. Mr. Adrian Ramos
4. Ms. Nella Halcon
5. Mr. Clarence Pimental

Alternates:

Emanuel Samson, Renato Magrino, Fernando Remando, Ramon Dikno, Francisco Aranes, Jr.

Civil Society

1. Ms. Dain Magno
2. Prof. Jay Batongbacal
3. Ms. Tess Tabada
4. Mr. Allan Barnachea
5. Mr. Roldan Gonzalez

Alternates: Men Sta. Ana, Vince Laxalin, Mary Ann Mani, Augustin Decena, Stajean Villaverde

A clarification was made by Sec. Gorun that as agreed with the Chamber of Mines of the Philippines, the 4th representative from the Chamber will slide out of the MSG as soon as the oil and gas industry sector joins the MSG.

Reading of the statement of commitment. (Refer to attached Annex D)

Statement of Support was given by the following development partners:

AusAID, British Embassy, DTI International Secretariat, Revenue Watch Institute, UNDP and World Bank
(See Annex E)

Closing Remarks (See Annex F)

Secretary Florencio Abad

Department of Budget and Management

Cabinet Cluster on Good Governance and Anti-Corruption

Points:

- A. The National Workshop is a key Milestone in the Philippines' bid to become a Candidate in the Extractive Industries Transparency Initiative
- B. The past year has been an exceptional year for the Philippines especially in term of economic growth. The Philippine GDP had a growth of 6.5 percent in the first three quarters and we have moved a total of 20 places up in the Global Competitiveness Index since the start of the Aquino Administration. The Philippine Stock Exchange Index also breached the 6,000 mark which is the first time in our country's history.

- C. Other achievements for the Philippines include the passing of the Sin Tax Reform Law and the Reproductive Health Law, which will reinforce social development, and the Framework Peace Agreement with the MILF. Moreover, the Philippine Government's ranking in the Corruption Perceptions Index has drastically improved by 24 places from 2011 to 2012.
- D. Using the formula "good governance leads to good economic", the Aquino Administration's agenda for good governance has been at the heart of these successes. Expanding and developing the practice of good governance is crucial in rebuilding the credibility of public institutions.
- E. The challenges that the Philippines need to face is the need to ensure that our economic growth creates jobs and contributes meaningfully to poverty reduction and how to sustain the governance reforms that we have introduced. We believe that if there is no corruption, no one will be poor (translated from "kung walang corrupt, walang mahinap").
- F. Sustainable development will only be achieved if we secure the people's support for difficult but necessary reforms as well as ensure that our reforms are technically and administratively sound.
- G. The government needs allies such as civil society organizations, communities, business groups, professionals, the academe, development partners, in order to ensure the success of our reforms.
- H. EITI is one of these difficult yet necessary reform initiatives that will not succeed if the support of stakeholders is not secured.
- I. The mining sector and other extractive industries have suffered in both revenue and credibility due to the excesses of the past caused by inept governance.
- J. This National Workshop help us to gain a better sense of the difficult yet necessary work that is needed to introduce greater transparency in the extractives industry.
- K. Achieving transparency and accountability entail hard work but to further move us forward, one thing should continue to inspire us: that same inspiration that installed the President in 2010. That is People Power, a paradigm for progress through the active and meaningful participation of citizens in governance: not just in the streets or in the voting booths, but in the less dramatic but important day-to-day challenges of governance.

Wrap up of the National Workshop and Next Steps

Secretary Elissa "Beber" G. Gozon

PH-EITI Focal Person

Points:

- A. Immediate next step is the convening of the MSG to review and finalize the TOR and the Work Plan based on the outputs of the workshops.
- B. Development partners will be approached to get support for the implementation of the Work Plan.
- C. Target submission of application for candidacy within February.
- D. Workshop documentation including all presentations and outputs will be posted on the website.

- E. Thanked Sec. Abad and Sec. Purisima, resource persons, participants from Timor Leste, Indonesia and Mongolia, local participants from business, CSO, local and national government agencies, development partners, secretariat staff from MGB, DBM and the EITI secretariat staff for their support in making the Workshop a success.

ANNEX A

TRANSCRIPT

Philippine Extractive Industries Transparency Initiative Speech

Sec. Cesar Purisima

Department of Finance

Co-Chair, Mining Industry Coordinating Council

January 18, 2011

Good morning to everyone. I actually started my career in the accounting profession but in the mining side of the accounting profession. In fact, my first stint as an auditor is with Atlas Consolidated – at that time, the world's largest mining operation. I also spent some time with many of the other existing mining companies including Philex, Benguet and others. As I speak, I can see my old friend, Gerry Prino who was then CFO when I first joined when his father was CEO.

So, mining in the Philippines has a very long history, longer than all of our lifetimes. In fact, it started before the war. And at one point in the history of the Philippines, we were one of the leaders in the mining industry. The past two years and ten months of the Aquino administration, you've seen how good governance can change the fortunes of a country. In an economic environment where it's very difficult, we've seen the country do much better than its performance in the past when the world economy was doing well. The past 10 years before the Aquino administration, the trend growth was 4.7% and yet the first three quarters of 2011, we averaged 6.5%. And when you analyze that growth, mining actually showed decline.

That just shows us that if we were able to resolve the issues we're dealing with in mining, this industry can actually provide an extra gear or two to the Philippine economy. In fact, I believe that mining can easily provide one or two percentage point growth of GDP if we were able to do it properly.

That is why when President Aquino tasked the cabinet members to issue an executive order to study how we can fine-tune the regulatory environment covering the mining industry– at the heart of this reform agenda is to implement better governance in this industry, to implement more transparency, accountability and at the same time, empower the stakeholders so we can truly achieve the potential of mining in the Philippines.

Many studies have been done in the past that show the Philippines to be amongst the world's most highly-mineralized countries. At the same time, many studies have been done to say the Philippines to have the most highest poverty incidence. So in moving forward in the industry, we need to find a way to harness the wealth that has been endowed to our country so we can not only alleviate poverty but establish a sustainable business model in the extractive industry area. This we cannot do alone in the government. I think we need to work more closely with the business sector, the civil societies, and other interested stakeholders so we can craft a win-win solution.

EITI is a very interesting initiative. It goes to the heart of many questions that have been raised in the past about accounting for natural resources and environment. The question that has been asked while I

was still in the accounting industry was: Is the model that's being used for the industry adequate to recognize the true cost to the environment, to the community of this industry? I think EITI is an initiative that goes towards answering that question. But I believe that part of the initiative should involve the creation of a better accounting model to fully capture the true cost to society of the extracting industries.

Among the focus would be "How do you quantify the cost and the true benefits of mining?"

As I've mentioned earlier, we've had a long history of mining in the country. Part of this initiative is not just to look forward but also to look back and see how we can learn from what we did in the past so we don't repeat the mistakes done there in the future, and at the same time learn from interesting practices we've done in the past and improve it so we can truly have a transparent operation environment.

As secretary of Finance, my primary responsibility is to make sure that the government has the resources to be able to implement and fund all the programs of government necessary to achieve the vision of President Aquino. When I look at the past of the mining industry, and there's this debate going on how much is the proper share of government, how much is government really getting- I think it's important we settle this issue, define the parameters before we move forward and claim we've been able to accomplish a better regulatory environment for the mining sector. That's why I've been saying to the Department of Trade and Industry that the incentive for mining industry doesn't make sense because the incentives are the minerals itself. For other industries where we don't give up something, we probably have to justify giving incentives because some of our weaknesses in terms of infrastructure. But in the case of mining, the question is: "Do we need to give incentives when it is the minerals that are the true incentives for extractive industry for coming to the Philippines?"

The second thing that's very close to my heart when it comes to this industry is: How do we make sure that we create a sustainable model? So while the minerals are there, you will have employment, you will have businesses that will now cater to the mining companies, but obviously, countries last longer than the mines. How do we now use this economic activity to build a foundation for more sustainable industries in the future? I think that should be part of the transparency initiative, not just the immediate revenues that government will get as a result of mining, but also how this economic activity will create skills, will create know-how on management expertise, will create a foundation so that the community that host it will be able to come up with industries post-mining.

Other countries, I think, have had more experiences than us in this regard and we should look to the experience of how they've done this. Example, in Malaysia, I've had the opportunity to visit a hotel and resort facility that used to be a tin mine and they converted that crater that was used to mine tin and made a lake and made a resort out of it. So at least the whole area did not just have a big hole and no activity but they were able to use that area into a viable economic area and it's now a part of a very successful tourist program in Malaysia.

So, EITI, for me, should not just be more transparency on revenues paid to government- but there must be transparency on the plan. At the beginning, set forth by the mining company on what they're going to do so that there is economic sustainability. Tourism is just one part of it.

My last point is this: when you look at the history of the Philippines in terms of mining, the sharing of the benefit - again this should be subject to a more thorough study- is not even among the *** of our

country. Through the employees of businesses that prosper while the mining operations make their salaries, make profits from their businesses but what's the sharing of the mine owner and the rest of the community? That's the question that I think we need to answer.

That's why we've been pushing the DENR to change the model in terms of granting contracts involving the mining industry- for exploration or for development. I've been pushing for the idea of auctioning.

So, I'm glad Ms. Gozon and her colleagues have been persistent in pushing the EITI membership of the Philippines. I believe this is a crucial component on the better way forward for the mining industry. And I do hope that our friends here in EITI will help us make the most out of this initiative and point to best practices in other countries that we can bring in quickly in the country so the government and the people are able to gain more trust in terms of what we're going to do in the future for the mining industry.

The Philippines has done better because of better governance since President Aquino took over. I have confidence that if we apply better governance in the mining industry, then we will have better chances of achieving the true potential of mining in the country and I do that you will have a very interesting and stimulating discussion this morning. Thank you.

ANNEX B

Work Plan	COMMENTS		
	CSO	Government	Business
Objective 2: FORM THE MULTI-STAKEHOLDERS GROUP, DEVELOP AND PUBLISH THE TERMS OF REFERENCE OF THE MSG AND WORKPLAN OF EITI			<p>Need to address the participation of Small-scale Mining and other sectors in the MSG composition</p> <p>All members of the MSG need to come in under the spirit of partnership and abide by the protocols of the EITI</p>
<p>OBJECTIVE 3. INSTITUTIONALIZING PH-EITI</p>	<p>3.3</p> <p>National government should fund EITI</p> <p>Earmarking portions of tax collected for the implementation of EITI (Legislation)</p> <p>EITI should be added to the development agenda of the government</p> <p>MSG to form a lobby group to go to Senate for funds</p> <p>Tapping development partners to</p>	<p>Merge Activity 3.1 and 3.2 (Formal creation of PH-EITI and Creation of EITI Secretariat)</p>	<p>Support for legislating the EITI to remove the barriers to its implementation, but need to ensure that the legislated mechanism does not become an added bureaucratic layer to be imposed on industries</p>

	<p>support EITI</p> <p>3.4</p> <p>Capability to provide technical support and outreach to sub-national</p> <p>Strengthen skills in financial tracking</p> <p>3.5</p> <p>Find ways to implement EITI outside of legislation</p> <p>Passing a bill institutionalizing EITI at the National level without prejudice to other policies</p> <p>Provinces to issue resolutions institutionalizing EITI</p> <p>Amend National Tax Code</p> <p>Passage of FOI immediately in relation to EITI</p> <p>Possibility of implementing EITI at</p>	<p>3.5</p> <p>Change title of the activity to more appropriate</p> <p>-Current title is "Implementation and Institutionalization of PH-EITI" but activity focuses on addressing obstacles to EITI implementation</p> <p>Edit: Hire consultant to review <u>and identify</u> legal and administrative...</p> <p>Add activity: Executive action on addressing barriers to EITI implementation</p> <p>Include in draft new mining fiscal regime: amendment to</p>	
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	<p>the Bangsamoro level</p> <p>3.6</p> <p>Pilot sites in Luzon, Visayas and Mindanao</p> <p>Benguet as a pilot site</p>	<p>NIRC Section 270 (but this will most likely be prospective – for further study)</p> <p>3.6</p> <p>Pilot sites for sub-national implementation:</p> <p>5 sites should be within the 35 enrolled mining firms and also consider 4 pilot areas under PPEI [Masbate, Benguet, Surigao, Toledo (Cebu)]</p> <p>Suggestion: Zamboanga del Norte (TVI)</p> <p>MGB to recommend 5 pilot sites and basis for selecting</p>	
<p>OBJECTIVE 4: PREPARATION IN IMPLEMENTING AND MONITORING PH-EITI</p>	<p>4.1</p> <p>Should not be conservative, but ambitious</p> <p>Actual disclosure of documents used in the MSG (both hard and soft copies)</p> <p>4.2</p> <p>Comprehensive study on sources</p>		<p>Cover the Small-scale Mining sector – highlight the need to distinguish legal from illegal mining</p> <p>Need to ensure that there is a program working to deal with upgrading/improving government data base at national and local levels</p>

	of reliable data specifically data from the community		
Objective 5: AUDIT/RECONCILE AND REPORT ON REVENUE FLOWS BETWEEN PHILIPPINE GOVERNMENT AND EXTRACTIVE INDUSTRIES	5.1 CSO should be involved in the validation	Add activity: Clarify what reconciliation process entails Add setting of standards/ procedures for reconciliation	Note: Is there a need to "validate" submissions of individual companies?
OBJECTIVE 6: COMMUNICATE, BUILD KNOWLEDGE, AND ENGAGE CITIZENS IN THE PH-EITI PROGRAM	6.1 Data should be available to the public through the website Translated in local dialects where it is applicable and there should be a popular version	Add activity: Identify other stakeholders we need to reach - academe, IPs, others. Add activity: Reach out to small-scale miners (legal and illegal) and other extractive industries	Note: Once disclosure happens as reports are submitted by companies, need to ensure these do not get mis-used as basis for contract review of Service Contracts
General Comments		Issuance of an EO or AO should include: -Statement of support -Creation of PH-EITI, MSG, TWG -EITI Secretariat Include a status column in the work plan. This could then be used as a monitoring matrix.	Value of EITI to industry: -Mechanism for publicizing contributions of extractive industries -Opportunity to engage stakeholders – looking at economic contributions and social development value Concern on EITI: That EITI does not become another

		<p>Completed activities should be indicated</p> <p>Regular implementation status reporting could be provided in the EITI website</p> <p>Provide detailed breakdown of budget where necessary</p> <p>Harmonize with PPEI work plan</p> <p>Include discussion on direct remittance of taxes to LGUs [already part of discussion in TWG on Economic Concerns under MICC]</p>	<p>bureaucratic layer/imposition on companies</p>
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ANNEX C

TERMS OF REFERENCE	COMMENTS		
	CSO	Government	Business
<p>EITI Philippines is a multi-stakeholder and inclusive decision making body that is led by government. The direction, programs and activities of the Philippine EITI will be set by EITI Philippines. It will be supported by a Secretariat that will be organized and supported by national government.</p>	<p>The TOR has to explicitly state that the MSG as an "institution" should be independent from the government. Decisions of the MSG should be binding upon all the stakeholders.</p> <p>Amendment first sentence- EITI Philippines is a ___ spearheaded by the govt, industry and CSO.</p>	<p>Discuss Small Scale Mining issues</p> <ul style="list-style-type: none"> - Set a time frame for engaging small scale mining - How will data be gathered? - Suggestion: initially include small scale miners within large scale mining companies such as Benguet Mining <p>Discuss Expenditure Transparency:</p> <ul style="list-style-type: none"> - Allocation (IP royalties, LGU share, earmarking and other special shares) <p>Discuss Local Revenues</p> <ul style="list-style-type: none"> - What fees / taxes are collected - How much? - How are these used? <p>Need for uniformity in the application of rules and processes. Some LGUs do not observe FPIC processes.</p> <p>Discuss relationship of EITI with ancestral domain (how other agencies look at it, and FPIC processes)</p> <p>Discuss Peace and Order concerns</p>	

<p>Specifically, EITI Philippines will have the following functions</p>	<p>Define the relationship of MSG with EITI TWG and MICC</p> <p>Specifics:</p> <ul style="list-style-type: none"> • EITI TWG should provide technical assistance and inputs to the MSG. • TWG should also be multi-stakeholder (e.g. Mongolia) • Chair should have co-chair from industry and CSO 		
	<p>Functions of the MSG</p> <p>Clearly define common and separate responsibilities</p> <p>Addressing confidentiality: should be a joint responsibility of all the stakeholders</p> <p>CSO should spearhead public consultations in areas within the defined industries</p> <p>NCIP should be in the MSG</p>	<p>Recommended to be included in the functions of the MSG</p> <p>Define materiality and set reporting templates</p> <p>Recommend penalties for non-compliant companies</p> <p>Recommend appropriate remedial measures in cases where revenues are squandered</p> <p>Establish and manage a linked revenue database (DOF, DENR, LGU)</p> <p>Engage other branches of government and other agencies as needed</p>	

	<p>MSO should demand for the participation of oil and gas (money involved in oil and gas is greater than the whole mining industry)</p> <p>Monitor and report inconsistencies vis a vis EITI rules and standards and existing laws, rules and policies.</p> <p>Recommend appropriate actions</p> <p>Assess and address barriers instead of 'remove'</p> <p>Government Representation Gov't representative personally should be permanent to ensure continuity</p> <p>Gov't representative should be high level official (director and up)</p> <p>Terms Delete 321 terms, leave it to the stakeholder to ensure continuity of representation</p>		
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	<p>Distinct functions of CSO Monitor reporting and disclosure of information</p> <p>Full participation in EITI</p>	<p>Role of Government</p> <p>Add: <u>...national government agencies, including other branches of government, and local government units...</u></p> <p>Add a definitive statement that the government is unified and that agencies are committed to work together for this initiative</p> <p>Delete provision "Address confidentiality concerns in implementing EITI". It gives the impression that the intent is to keep certain things classified.</p> <p>Add: <u>...proper implementation of EITI, especially impediments to public disclosure.</u></p> <p>Add: <u>... government revenues in a level of detail to be agreed upon by the MSG.</u></p>	
<p>Issues to be discussed within EITI Philippines shall be limited to those related to EITI, unless otherwise agreed upon by consensus of EITI Philippines.</p>			

ANNEX D

STATEMENT OF COMMITMENT

We, the members of the multi-stakeholder group, consisting of representatives from the extractive industries, the civil society, and the government, hereby state our firm and unequivocal commitment to ensure the efficient payment and collection of all fees and taxes resulting from the exploration, development and utilization of the Philippines' natural resources. Towards this end, we commit to participate in the EITI process as a means to implement measures that will promote transparency and accountability in the payment and collection of such fees and taxes.

We will implement the EITI in an inclusive and participatory manner in accordance with EITI rules.

We likewise commit to fully cooperate in all undertakings needed to meet all the requirements of EITI and to remove all constraints that will hinder us from fully adhering to its principles.

In addition, we state our commitment to support all reforms that promote transparency and accountability to ensure full disclosure of material information in accordance with the EITI process.

Most importantly, we commit to institutionalize measures to ensure that government revenues from extractive industries are effectively used for the country's sustainable development.

ANNEX E

TRANSCRIPT

Pledge of Support to the Philippine Extractive Industries Transparency Initiative

Mr. Octavio Barthwick

Minister Counsellor (Development Cooperation) (AusAID)

January 28, 2013

Thank you very much and I have a few words to say as well as pledging my support and the Australian government support to this initiative.

Secretary Gozon, honored guests from East Timor and Mongolia, all our friends from business, civil society, our fellow development partners, good afternoon and thanks very much for inviting us along to participate in this function. The Australian government has been a strong supporter of this event, as part of the consultation process intended to broaden the knowledge based on encouraged deeper engagement of key stakeholders in the Philippines efforts to participate in the Extractive Industry Transparency Initiative. The opportunities created by the Aquino administration's active transparency agenda have facilitated a very welcome degree of dialogue. This commitment to transparency and citizens' engagement is very much shared by the Australian government and the Australian Aid program.

The EITI makes an important contribution to the transparency agenda at a global level. The Philippines participation in the EITI can create an effective mechanism, establishing mining revenue transparency and a forum for further consultation on a range of issues, as we were all been discussing here, important to all stakeholders.

As I said, Australia is a very strong supporter of the EITI. We are a country whose wealth has built on a strong resource sector and we know that transparent regulation [of the] extractive industries can contribute very positively to economic growth and to equitable development in a country. Mining in Australia makes a substantial contribution to Australia's economy and high living standards. And we recognize that a responsibly managed resource sector has a potential to contribute very positively to the Philippines development objectives. The Australian government continues to work to improve our solid foundation of social and environmental protection and revenue transparency of the Australian mining industry. And we recognize the Philippine efforts to progress down this very challenging path. And we welcome very much the intention to apply for candidacy of the EITI.

Australia will be hosting the next global conference of the Extractive Industry Transparency Initiative in Sydney, in May this year. AusAID is very pleased to have supported the government's preparations for this candidacy through partnering with Bantay Kita and particularly for the regional workshops and consultations held in November where the CIO agenda for EITI began to be formulated, and the National Conference held last week.

Our assistance to these initiatives also builds on the support we've provided to other mining activities related in the Philippines which have development as their goal. For example, we provide support to the University of Queensland who are working with four Philippine Universities to build teaching and research capacity in sustainable and responsible mining, and this is funded by AusAID through its mining for development initiative, which is a global assistance package that aims to help resource-rich developing countries maximize the benefits and opportunities of mining. We've also opened up the Australian Awards Scholarships in the Philippines in priority areas of study in fields such as geology, environmental management, community development and engineering and we're also the largest donor to the World Bank EITI Multi-Donor Trust Fund, and very pleased to be contributing in that way.

Australia and AusAID in particular, in the Philippines, has always welcomed opportunities to partner with CSOs as we strongly believe in Civil Society's capacity to engage government in constructive partnerships for reform. And we're also including business as part of the broader civil society spectrum. And we aim to be responsive to requests in particular from the government of the Philippines to pursue our shared priorities in the development sphere, and I hope we've been able to do that through our support to this initiative.

So again on behalf of AusAID, I just like to express our support for the Philippines' determined efforts to move towards membership of the EITI. And we thank everyone for the opportunity to be part of this milestone activity and we look forward to seeing positive results arising from this preparatory work.

Thank you.

TRANSCRIPT

Pledge of Support to the Philippine Extractive Industries Transparency Initiative

Mr. Trevor Lewis

British Embassy

January 19, 2011

Thank you very much for those kind words and sorry for my slightly late arrival, my car never arrived but I'm here now and it seems like I've timed it perfectly. What I wanted to say is thank you for giving me this opportunity to share some brief remarks in supporting the Philippines' candidacy to the Extractive Industries Transparency Initiative.

As many of you may know, the UK was the leading initiator of the EITI and a former Development Secretary Clare Short is still heavily involved in the process. But despite UK leadership, we haven't ourselves applied to join EITI yet and we're certainly behind the Philippines on this issue. So, one of our objectives during the UK presidency of the G8 this year, the Prime Minister has initiated an urgent review of the UK's position on EITI with the view to us for applying for candidacy in due course. So we may be going back here in the near future to share some experiences. It's not just the UK that's behind the game so the prime minister has also written to the other G8 leaders urging them to start their own EITI processes. I think we heard yesterday that the US said they want to do it but they have not started it yet. So we are now trying to encourage the other G8 countries to do so. The Prime Minister's point is that we can't be seen to encourage others to get their houses in order and improve transparency when we haven't shown that same commitment to ourselves; so we're doing our best to put that right.

What we do know is that many of the world's poorest countries have some of the greatest supplies of natural resources but plagued by a lack of transparency, poor rules, and corrupt practices that prevent oil, gas, mining and other resources such as land from benefiting local communities and economies. Local communities need better information about extractive resources to enable citizens to hold governments and companies to account for their decisions and activities. And the need to have certainty that the revenues being generated from their land, your land, are not diverted into the wrong hands. And we also need to encourage responsible mining that brings strong corporate responsibility values and environmental awareness and push these illegal corrupt and dangerous miners aside. It's usually encouraging therefore that the Philippines has already started down the EITI road.

We were delighted when we saw a reference to joining EITI in Executive Order 79 and coming direct from the President that was a strong statement of intent. And I applaud the hard work of Sec. Bebet, Bantay Kita, and the cabinet cluster on good governance for moving so quickly and making progress in such a short period of time. Achieving what you have so rapidly and agreeing on the makeup, I think which has happened in the Multi-Stakeholder Group, is a significant achievement. Of course this is only the first step but it's a very big step towards the Philippines becoming a fully pledged member of the EITI. And British Embassy in Manila certainly remains ready to support your future efforts. Maraming salamat at maluhay kayong lahat. Thank you.

TRANSCRIPT

Pledge of Support to the Philippine Extractive Industries Transparency Initiative

Mr. Wouter Besterbos

EITI International Secretariat

January 18, 2013

Just two words on my background, I am from the International Secretariat of the EITI in Oslo but I am seconded there by the Netherlands Ministry of Foreign Affairs. And luckily enough, with my new position, that means two things. It means on the one hand that I don't have to pledge money, we don't do that as the EITI Secretariat, and I don't have to explain why the Netherlands hasn't really implemented the EITI yet.

I just want to share with you a little bit of the structure of the EITI Secretariat in Oslo. Because we are, and I am, pleased and honored to be able to be part of this process with you, it is for the last two days and I already have intensive contact with the team here, very positively. And I am amazed by the level of support, the breadth of the support, and your enthusiasm. It's really a pleasure to be part of this. So thank you for that.

In the Secretariat, we have a number of Country Managers or Regional Managers, I can't exactly remember what the statuses are. But it means that we have the pleasure of supporting the different phases of a number of countries that are either what we call outreach countries which are countries that haven't implemented yet; countries that are implementing the EITI at the moment, which means that they are candidate country which means that they haven't validated yet or that they are compliant countries, so the different phases.

I have been working with the EITI from the Ministry of Foreign Affairs for three years. And now since last July I have been working at the Secretariat. But a number of my colleagues have 6, 7, 8 years experience with the EITI already. They have gone through dozens, maybe more than a hundred, reports already so they have extensive experience. I am gaining extensive experience and I look forward to joining you in this journey.

We also have a communications team. One of the most important things I think is when you have the report, to make sure that you use it. So to use it to stimulate debate, and we're learning there as well. So we have a communications team that can help you with that; to make the report that you have understandable, to make it useful for your purposes and to provide examples of how you can disseminate the report and the outcomes of it. Then we also have a technical team. Even though the results are really how to stimulate debate, that's the purpose, it is also a very technical process. There is a lot of experience there; there are a number of people that are very experienced there. They are also working on the new standard. So the standard is going to be presented in Sydney in May. So we'll be there as well to support you. Finally, there are a number of people that are coordinating training efforts together with the World Bank, with the German Development Corporation. There's a lot of support, it's not just me.

So again, thank you so much for inviting me. I was also amazed by the ceremony that you had here. I left my camera phone upstairs. So I hope there are some people who taped this. Again, thank you and I look forward to continuing to work with you and to be in the Philippines again soon. Thank you.

TRANSCRIPT

Pledge of Support to the Philippine Extractive Industries Transparency Initiative

Ms. Erica Westenberg

Revenue Watch Institute

January 19, 2011

The Revenue Watch Institute has been active in the Philippines since 2009. We have been supporting the affiliated network for social accountability in East Asia and the Pacific to develop social accountability frameworks for the oil, gas and mining sector in the Philippines. We have also provided financial and technical support to Bantay Kita, for their efforts to institutionalize equitable and sustainable policies for the oil and mining industries. And with this support, they have conducted research and produce reports on stakeholders and levels of transparency, and organize local multi-stakeholder meetings.

Last March, the Revenue Watch Institute launched our USAID funded IKAT US Project, which is a three-year effort to link Southeast Asian organizations focused on oil, mining and gas to help bring lessons learned from Indonesia, and their successes and challenges, to neighboring countries including the Philippines. And Revenue Watch offers technical support and financial support to this project which actually operates at three levels; supporting efforts at the sub-national, regional and national levels. And many of you know my colleague Rosita through that project and her assistance and involvement with organizations here. And also last year, we also helped to organize the workshop with the Senate Office to facilitate consideration of revenue management and revenue sharing provisions in revisions to the Mining Bill. And so I think with EITI, the Philippines is certainly entering an exciting new phase and we very much look forward to continuing to support efforts in the Philippines through our on-going projects and also hopefully through new support with additional forthcoming funding sources. Thank you again for the opportunity to serve as a resource at this workshop and we would be very happy to continue to serve as a resource or just as a sounding board as a need arise. Certainly given the multi-stakeholder nature of EITI, we're always happy to provide advice based on our international experience and not only with civil society but also with government and industry. And finally I would just like to congratulate all of you on an extremely successful national conference and workshop and we're just very much looking forward to seeing what's next from EITI in the Philippines. So, thank you.

TRANSCRIPT

Pledge of Support to the Philippine Extractive Industries Transparency Initiative

Mr. Fernando D. Arzola Jr.

United Nations Development Programme Philippines

January 19, 2011

The United Nations Development Programme (UNDP) has been supporting the EITI since the start of its Philippines Poverty-Environment Initiative (PPEI) project in 2010 in the form of advocacy and the preparation of the National Road Map for the EITI. Now that the Philippines will soon become an EITI candidate, the UNDP will continue to support the EITI through the PPEI project. In 2011, UNDP supported the capacity development of the Mines and Geosciences Bureau (MGB) and four project sites, namely Aroroy, Masbate; Province of Benguet, Toledo City; and Tagaito, Claver, Surigao del Norte, on the valuation of mineral resources. This year 2011, the PPEI project will support the issuance of the DENR administrative order on the public disclosure of ENR revenues and benefits, which is an important element in the EITI. Aside from the A.O., the PPEI will support the development of modules to estimate mineral values and volume for the use of the entire MGB.

TRANSCRIPT

Pledge of Support to the Philippine Extractive Industries Transparency Initiative

Mr. Philip Chan

World Bank

January 19, 2011

Thanks very much. I've gonna be brief. So going forward, I think what we would like to do in terms of the World Bank, obviously we'd like to continue to provide technical advice and support not only in terms of the application process but actually the implementation of the initiative, of course in coordination with our colleagues from the international secretariat. We will also help put forward what we call start up support, financial support, to implement the initiative and this will be a grant process which I'll also be working with Secretary Gocun and her team to put together. And also, we would also like to help in terms of providing some kind of support in terms of staffing and interim national secretariat for the implementation of the initiative as things come together in different pieces. Finally, I think there was some discussion going on throughout the conference itself, about the materiality threshold. If this is further considered within the MIO and if there should be a request for any kind of support in this area, we'll be happy to look at that and help out in that area as well. Finally, as a participant in this event, I just want to identify a couple of people who I think have done a lot of work behind the scenes before and during this event and one of them is of course Celso from Bantay Kita, Nela and Art from the Chamber, and of course Secretary Gocun's team because I know some of these guys were working on 'till very late into the evening. And I think they did a fantastic job. I think that's Day, Abi, Kapi, Michale, and Babes I think and there are others that I can't remember all the names. But thank you all very much and of course Secretary Gocun. I think she's done a fantastic job and she's shown great dedication and leadership in moving this whole thing forward. Thank you very much.

ANNEX F

TRANSCRIPT

Philippine Extractive Industries Transparency Initiative Speech

Sec. Florencio Abad

Department of Budget and Management

Cabinet Cluster on Good Governance and Anti-Corruption

January 18, 2012

[Greeting]... On behalf of the Aquino Government, particularly the Cabinet Cluster on Good Governance and Anti-Corruption, I wish to congratulate all of you who participated in this National Workshop: a key milestone in our bid to become a Candidate in the Extractive Industries Transparency Initiative or EITI.

Let me put the past two days and the work ahead of us in a larger context. The year that just ended—and let me even add the first few weeks of the current year—has truly been exceptional for the Philippines.

In 2012, for instance, our economic performance broke expectations, with GDP growth of 6.5 percent in the first three quarters. This certainly gives us the momentum to pursue faster growth this year.

Also on the economy, global observers continue to be bullish outlook on our country. We have moved a total of 20 places up in the Global Competitiveness Index since the start of the Administration. Credit ratings have also upgraded us to just a notch below investment grade.

Also, just this month, our Philippine Stock Exchange Index breached the 6,000 mark: the first time in our country's history. This just exemplifies the optimistic outlook that continues to reign in our economy.

On the legislative front, we passed two controversial yet necessary reforms: the Sin Tax Reform Law and the Reproductive Health Law. These reforms definitely bolster our agenda for social development.

We also had major wins in our pursuit of lasting peace, most notably the Framework Peace Agreement with the MILF.

Last but not the least, we made great strides in our fight for good governance. For one, our ranking in the Corruption Perceptions Index has drastically improved by 24 places from 2011 to 2012.

To date, because of its demonstration of commitment to fulfil its Social Contract with the Filipino People, the Aquino Administration continues to enjoy unprecedentedly high public trust and satisfaction ratings.

The Aquino Administration's agenda for good governance has been at the heart of these successes. In the past two and a half years, we tested our formula—good governance equals good economics—we

have proven that it is the correct formula that we should pursue to move our nation forward. In other words, *tung walang corrupt, walang mahirap*.

Therefore, it is important to expand and deepen the practice of good governance. It has been crucial in sustaining the unprecedented level of public trust in the Presidency and in rebuilding the credibility of public institutions.

Moreover, it will continue to be crucial in securing the people's support for President Aquino's Social Contract with the Filipino People.

We might have been winning so far. However, we have a long way to go in truly lifting our people from poverty. And I believe that 2013 is a crucial year, as we face multiple challenges.

Perhaps, on top of all these challenges is the need to ensure that our economy is inclusive: meaning, that economic growth creates jobs and contributes meaningfully to poverty reduction.

Another equally-important challenge is how to sustain the governance reforms that we have introduced—how to institutionalize and ensure the irreversibility of these reforms. Yes, like you, we are worried that our hard work will just be negated after our term ends.

I believe that our nation will succeed in achieving sustainable development only if we secure the people's support for difficult but necessary reforms. I believe that this "political dimension" of reform is important.

Yes, it is necessary for us to ensure that our reforms are technically and administratively sound: that we are able to build strong institutions, that we are able to install efficient systems, that we have competent and capable people in the government service.

But there is another equally necessary imperative to reform: to create a consolidated constituency in support of these reforms. It is our way of saying that government's actions alone are not enough to ensure the success of our reforms. We need allies: civil society organizations, communities, business groups, professionals, the academe, development partners, among other reform stakeholders.

It is this strengthened constituency that will contribute the necessary political support in order to implement bold reforms. At the same time, it is this same constituency which will provide the constant political demand for the reforms that government promised it will implement.

ITI is one of these difficult yet necessary reform initiatives that will not succeed if the support of stakeholders is not secured.

The mining sector and other extractive industries have suffered in both revenue and credibility due to the excesses of the past. And you and I know that the root cause of these excesses is inept governance.

Until the people are convinced that transparency and accountability is established in the governance of extractives—and until our people, especially the poor, realize direct, immediate and substantial benefit from the sector—popular resistance against it will continue.

After this National Workshop, we have gained a better sense of the difficult yet necessary work that is needed to introduce greater transparency in the extractives industry, specifically in the way government collects revenues from the extractive industries.

And perhaps, we are also already thinking about some key challenges. In particular, how do we use EITI to enable the government to collect its just share in the extraction of natural resources, and to ensure that these revenues are used optimally for the country's development?

Moreover, in the last two days, we tested the possibility of government, industry and civil society adopting a common cause and linking arms to implement a new paradigm of openness in the extractive sector through EITI. We saw that it is possible, but we also saw that this entails hard work and patient relationship-building.

It will not be an easy journey. After all, our country's journey in our reform agenda so far is not without difficulty. But we have the momentum now. Our efforts are now bearing fruit, and what matters now is to ensure that we move forward to our destination, not in the reverse.

To further move us forward, one thing should continue to inspire us: that same inspiration that installed the President in 2010. That is People Power, a paradigm for progress through the active and meaningful participation of citizens in governance: not just in the streets or in the voting booths, but in the less dramatic but important day-to-day challenges of governance.

Thank you and good afternoon.



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Philippine Economic Industry Company's Institute

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Philippine Economic Association - Transportation Section

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Philippine Electrical Engineers' Registration Board

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Program: Leadership Initiative, Transparency Initiative

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Programa Operacional Infraestructura y Transporte



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EITI National Workshop
 January 28, 2012
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 January 28, 2013
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ETH National Workshop
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Programa Operativa Intersectorial Transparencia y Gobernanza

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Philippine Electricity Industry Transparency Initiative

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Partnership Councils Initiative Transparency Initiative

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Magkita Sa mga Lungsod ng Pilipinas, Inc. (MAGKITA)



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Programa Nacional de Evaluación y Transparencia Institucional



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Philippine Economic Subsector Transparency Initiative

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Philippine Education Institute, Department Division



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ETT National Workshop
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Philippine Earthquake Institute, Inc. (PEI)



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ETI National Workshop
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EITF National Workshop
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ETI National Workshop
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Philippine Electrical Engineers' Association

EITI National Workshop

January 19, 2013

Ballroom AB, Sheraton Hotel

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ETI National Workshop
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Philippine Economic Incentives Corporation (PEIC)

EITI National Workshop
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Program Executive Institute, Temporary Office

ETI National Workshop

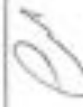
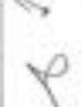



January 18, 2013

Burlington, AL, Heritage Hotel

ATTENDANCE SHEET

(BUSINESS)



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Philippine Economic Subsector Employment Seminar

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Programs, Exhibits, Meetings, Transportation, Exhibitors

EITI National Workshop

January 19, 2013

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(BUSINESS)



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Programme Executive Institute Technology Education

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Philippine Electrical Engineers' Association



ETT National Workshop
 January 18, 2013
 Ballroom AB, Heritage Hotel
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Professional Engineers' Temporary License

EIT1 National Workshop

January 19, 2011

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ATTENDANCE SHEET

(BUSINESS)



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56	Reyna Cruz	Facilitator	-d.-	Phone Mobile Email	
57				Phone Mobile Email	
58				Phone Mobile Email	



EITI National Workshop
 January 19, 2013
 Balisora AB, Heritage Hotel
ATTENDANCE SHEET
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2	Hon. Johnny Peralta	Governor	Surigao del Sur	Phone 0917 70 24 404 Mobile Email richardp@yaho.com	
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4	Romano R. Arguy	GIC, ENAO	Provincial Government of Ilocos Norte	Phone 077 04278 - 410 - 41 - 14 Mobile 0908 3888724 Email r._427824@yaho.com	
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ETH National Workshop
 January 18, 2013
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9	Michael Juan	Consultant	UJAP	Phone Mobile Email mjua@ujap.com	
10	Joey G. Garcia COO of G	Admin	Provincial Government Camarines Norte	Phone 0917 8123391 Mobile Email gogarcia@provincgo.com	<i>[Signature]</i>
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Regional Economic Network Temporary Address



ERTI National Workshop
 January 18, 2013
 Ballroom A6, Heritage Hotel
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14	Augusto S. Sarino	Surabaya	Provincial Government of Compuquia Valley	Phone no. 4 Mobile 0880 9140749 Email	
15	Prasena Purani rep. of Gov. Maharashtra	Executive Assistant	Provincial Government of Palawan	Phone 832 0785 Mobile 0919 2198053 Email prasena@yahoo.com	
16	Siraya Legos		Provincial Government of Benguet	Phone Mobile 0928 9410160 Email sirayasiraya@yahoo.com	
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ETI National Workshop
 January 18, 2013
 Ballroom A/B, Heritage Hotel
ATTENDANCE SHEET
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2	Jef King	Counselor	AUSAID	Phone Mobile Email	
3	Warren Hoje	Counselor	AUSAID	Phone Mobile Email	<i>[Signature]</i>
4	Michelle Leonardo		AUSAID	Phone Mobile Email	
5	Trevor Lewis	Deputy Head of Mission	British Embassy	Phone Mobile Email	

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Programme Executive Institute, Tempe, Arizona, USA



ETI National Workshop
 January 19, 2013
 Ballroom A/B, Heritage Hotel
ATTENDANCE SHEET
 (DONORS/PARTNERS/GUESTS)

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10	Mon Alberta Pires	Secretary	Team Leader	Phone Mobile Email	
11	Marco Ayala		CEO Representative, Temu Lister	Phone Mobile Email	

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Phlegon's Education Institute's Transparency Initiative



EITI National Workshop
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 ATTENDANCE SHEET
 (DONORS/PARTNERS/GUESTS)

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17	Marc Babay	Advisor	British Embassy	Phone Mobile Email <i>marc.babay@britain.gov.uk</i>	

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Registration, Accreditation, Insurance, Transport, Accommodation



EITI National Workshop
 January 19, 2013
 Ballroom AB, Heritage Hotel
ATTENDANCE SHEET
 (DONORS/PARTNERS/QUESTS)

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23	NEELAND		W	Phone Mobile Email	
24				Phone Mobile Email	

ANNEX MM:

List of operating oil and gas companies and list of operating large scale metallic mining companies in the Philippines

	Company	Service Contract No. Area	Contact Person Designation	Address		Contact Number
1	FORUM ENERGY PHILS., INC.	SC-40 / Northern Cebu Libertad gas field	JOSE RAYMUND L. APOSTOL President DANIEL P. CARLOS Vice President for Exploration	14F Pearlbank Centre 146 Valero St., Salcedo Village Makati City, Philippines	Phone: Fax:	(632) 893-7019/21 (632) 893-8828
2	GALOC PRODUCTION COMPANY	SC-14C1 (Galoc Block) / NW Palawan Galoc oil field	LEOCADIO M. OSTREA Country Manager JAMES HOGAN Operations Manager	32nd Floor Philamlife Towers 8767 Paseo de Roxas Makati City, Philippines	Phone : Fax:	(632) 773-2700 (632) 773-2701 - -
3	THE PHILODRILL CORPORATION	SC-14A / 14B / 14B1 Nido, Matinloc & North Matinloc oilfields	ALFREDO C. RAMOS Chairman FRANCISCO A. NAVARRO Executive Vice President	6/F Quad Alpha Centrum Bldg. 125 Pioneer St., Mandaluyong City	Phone: Fax:	(632) 631-8151 to 52 (632) 631-8080 / 631-5310
4	SHELL PHILIPPINES EXPLORATION B.V.	SC-38 / NW Palawan Camago-Malampaya gas field	SEBASTIAN QUINIONES Managing Director Tet Loresco Commercial Manager	19th-20th Floor, Asian Star Bldg Asean Drive, Filinvest Corporate City, Alabang Muntinlupa City.	Phone: Fax:	(632) 876-4000 (632) 850 4334
5	PETROLEUM ASSOCIATION OF THE PHILIPPINES		ALFREDO C. RAMOS Chairman ATTY. EDUARDO F. HERNANDEZ	11th Floor, Phinma Plaza, 39 Plaza Drive, Rockwell Center, Makati City	Phone: Fax: Fax:	(632) 870-0100 (632) 870-0433 (632) 631-3870 - Mr. Ramos

35 Operating Metallic Mines in the Philippines

GOLD WITH SILVER (6)

- 1. Company Name: LEPANTO CONSOLIDATED MINING COMPANY**
Project Name: Victoria Gold Project
Mine Location: Paco, Mankayan, Benguet

- 2. Company Name: FILMINERA RESOURCES CORPORATION**
Project Name: Masbate Gold Project
Mine Location: Puro, Aroroy, Masbate

Company Name: PHILIPPINES GOLD PROCESSING AND REFINING CORPORATION (PGPRC)
Project Name: Masbate Gold Project
Mine Location: Puro, Aroroy, Masbate

- 3. Company Name: JOHSON GOLD MINING CORPORATION**
Project Name: Paracale Gold Project
Mine Location: Jose Panganiban, Camarines Norte

- 4. Company Name: APEX MINING COMPANY INC.**
Project Name: APEX Maco Operation
Mine Location: Masara, Maco, Compostella Valley Province

- 5. Company Name: PHILSAGA MINING CORPORATION**
Project Name: Co-O Gold Project
Mine Location: Rosario, Agusan del Sur

- 6. Company Name: GREENSTONE RESOURCES CORPORATION**
Project Name: Siana Gold Project
Mine Location: Cawilan, Tubod, Surigao del Norte

COPPER WITH GOLD AND SILVER (3)

- 1. Company Name: PHILEX MINING CORPORATION**
Project Name: Padcal Copper-Gold Operation
Mine Location: Padcal, Tuba, Benguet

2. **Company Name: CARMEN COPPER CORPORATION**
Project Name: Toledo Copper Project
Mine Location: Biga, Toledo City, Cebu

3. **Company Name: TVI RESOURCE DEVELOPMENT PHILIPPINES, INC**
Project Name: Canatuan Mining Project
Mine Location: Canatuan, Tabayo, Siocon, Zamboanga del Norte

CHROMITE (3)

1. **Company Name: KROMINCO INC.**
Project Name: Dinagat Chromite Project
Mine Location: Loreto, Dinagat Island, Surigao del Norte

2. **Company Name: CAMBAYAS MINING CORPORATION**
Project Name: Homonhon Chromite Project
Mine Location: Guiuan, Eastern Samar

3. **Company Name: MT. SINAI MINING EXPLORATION AND DEVELOPMENT CORPORATION**
Project Name: Elluvial Chromite Mining and Concentration Project
Mine Location: Guiuan, Eastern Samar

NICKEL (21)

1. **Company Name: ZAMBALES DIVERSIFIED METALS CORPORATION**
Project Name: Sta. Cruz Candelaria Project
Mine Location: Sta. Cruz, Zambales

2. **Company Name: BENGUET CORPORATION**
Project Name: Sta. Cruz Nickel Project
Mine Location: Sta. Cruz, Zambales

3. **Company Name: ERAMEN MINERALS, INC**
Project Name: Sta. Cruz Nickel Project
Mine Location: Sta. Cruz, Zambales

4. **Company Name: CITINICKEL MINES AND DEVELOPMENT CORPORATION**
Project Name: Toronto and Pulot Nickel Projects
Mine Location: Narra and Sofronio Espanola, Palawan

5. **Company Name: BERONG NICKEL CORPORATION**
Project Name: Berong Nickel Project
Mine Location: Quezon, Palawan

- 6. Company Name: RIO TUBA NICKEL MINING CORPORATION**
Project Name: Rio Tuba Nickel Project
Mine Location: Rio Tuba, Bataraza, Palawan

- 7. Company Name: AAM-PHIL NATURAL RESOURCES EXPLORATION AND DEVELOPMENT CORPORATION**
Project Name: Dinagat Chromite-Nickel Project
Mine Location: Basilisa and San Jose, Dinagat Islands (Parcel II of SMR)

- 8. Company Name: CAGDIANAO MINING CORPORATION**
Project Name: Cagdianao Nickel Project
Mine Location: Valencia, Cagdianao, Dinagat Island, Surigao del Norte

- 9. Company Name: HINATUAN MINING CORPORATION**
Project Name: Tagana-an Nickel Project
Mine Location: Hinatuan Island, Talavera, Tagana-an, Surigao del Norte

- 10. Company Name: SHULEY MINE INCORPORATED**
Project Name: Nonoc Nickel Projec
Mine Location: Nonoc Island, Surigao del Norte

- 11. Company Name: PLATINUM GROUP METALS CORPORATION**
Project Name: Cagdianao Nickel Project
Mine Location: Cagdianao, Claver, Surigao del Norte

- 12. Company Name: TAGANITO MINING CORPORATION**
Project Name: Taganito Nickel Project
Mine Location: Taganito, Claver, Surigao del Norte

- 13. Company Name: SHENZHOU MINING GROUP CORPORATION**
Project Name: Tandawa Nickel Project
Mine Location: Cagdianao, Claver, Surigao del Norte

- 14. Company Name: CTP CONSTRUCTION AND MINING CORPORATION**
Project Name: Adlay Nickel Projects
Mine Location: Adlay, Carrascal, Surigao del Sur

- 15. Company Name: CTP CONSTRUCTION AND MINING CORPORATION**
Project Name: Dahican Nickel Projects
Mine Location: Dahican, Carrascal, Surigao del Sur

- 16. Company Name: CARRASCAL NICKEL CORPORATION**
Project Name: Carrascal Nickel Project
Mine Location: Carrascal, Surigao del Sur

17. **Company Name: MARCVENTURES MINING AND DEVELOPMENT**
Project Name: Cantilan Nickel Project
Mine Location: Magoslicom, Cantilan, Surigao del Sur

18. **Company Name: ORIENTAL SYNERGY MINING CORPORATION**
Project Name: Bel-at Nickel Project
Mine Location: Bel-at, Esperanza, Loreto, Dinagat Islands, Surigao del Norte

19. **Company Name: SR METALS, INCORPORATED**
Project Name: Tubay Nickel-Cobalt Mining Project
Mine Location: Tubay, Agusan del Sur

20. **Company Name: SINOSTEEL PHILS. H. Y. MINING CORPORATION**
Project Name: H. Y. Nickel-Chromite Project
Mine Location: Loreto, Dinagat Islands

21. **Company Name: ADNAMA MINING RESOURCES INCORPORATED**
Project Name: Urbiztondo Nickel Project
Mine Location: Urbiztondo, Claver, Surigao del Norte

COPPER, GOLD, SILVER AND ZINC (1)

1. **Company Name: RAPU-RAPU MINERALS, INC**
Mine Location: Pagcolbon, Rapu-Rapu, Albay

Company Name: RAPU-RAPU PROCESSING INC.
Project Name: Rapu-Rapu Polymetallic Project
Mine Location: Pagcolbon, Rapu-Rapu, Albay

IRON (1)

2. **Company Name: NICUA CORPORATION**
Project Name: Leyte Magnetite Project
Mine Location: MacArthur and Javier, Leyte

ANNEX NN:

Documentation of the January 29 and March 1 Meetings of PH-EITI MSG to Finalize the TOR and Work Plan 2012-2014:

PH-EITI 1st MSG MEETING
9:30 AM January 25, 2013
MLR Conference Room, Boncodin Hall
DBM, Malacañang, Manila

Attendees:

Secretary Eliseo Gocun	Focal Person for EITI/ OPACC
Romualdo Aguilos	Department of Environment and Natural Resources (DENR)
Trinidad Rodriguez	Department of Finance (DOF)
Ismael U. Ocampo	Department of Energy (DOE)
Guillermo Arses	Department of Energy (DOE)
Michael Juan	Union of Local Authorities of the Philippines (ULAP)
Celo Magno	Bentay Kila Coordinator
Maria Aurora Tabada	Visayas State University
Ronald Allan A. Barnache	PRRM/ North Luzon
Roldan Gonzales	G/TIS/ Mindanao
Gerry Brimo	Chamber of Mines/ Nickel Asia
Clarence Finemel	CTF Construction and Mining Corporation
Atty. Casiana N. Dalangin	CTF Construction and Mining Corporation
Sabino L. Santos	Chevron Malampaya
Kiri Carol	Shell Philippines
Abigail Ocate	Secretariat
Babes Archeta	Secretariat
Michelle Bagulat	Secretariat

1. CALL TO ORDER:

Secretary Gocun, focal person for PH-EITI called the meeting to order and requested the MSG members present to introduce themselves.

She informed the body that from the time the national workshop was convened, together with Gerry Brimo, she had a meeting with the board of the Petroleum Association of the Philippines (PAP) and that PAP already arrived at a decision to join the EITI. That was the reason she said for the presence of the representatives of the oil and gas company in the first MSG meeting.

The Chair then proceeded with the proposed agenda which was adopted. She pointed out that the outputs of the national workshop will be reviewed and considered in the discussion of the two main agenda namely the finalization Terms of Reference (ToR) and the Draft Work Plan.

2. TERMS OF REFERENCE (ToR)

The comments or inputs on the Term of Reference from the three sectors, the CSO, business, and government during the national workshop were presented in matrix format to facilitate the discussions. These outputs had been circulated via electronic mail to the MSG members five days prior to the

scheduled first MSG meeting. The secretariat also distributed physical copies of the ToR inputs to the attendees before the MSG meeting.

The body proceeded to discuss comments of the respective sectors to the draft ToR.

Section III. The Multi-State Holder Group PH-ETI MSG

- 2.1. On the suggestion from the CIO in the national workshop that the PH-ETI be independent from the government.

Sec. Gocun said that this was already clarified during the National Workshop that the ETI globally is led by government.

2.2. On decisions of the MSG being binding to all, everyone agreed that it should be so.

- 2.3. On the government suggestion to include in the ToR the discussion of all small scale mining issues, Mr. Allan Barnache from FRRM commented that this should be in the data base of the Provincial Local Government Unit (PLGU). Sec. Gocun said the status right now, majority of small scale miners are illegal and consequently, there is a lack of data on small scale mining in the country – how many there are, what they are mining and their production, income, taxes and fees paid if any, etc. . She added that there is a specific Technical Working Group in the MCC led by DUS that is looking to put the issue on small scale mining to order starting off with the creation and activation of PMRBs in 20 provinces and the identification and declaration of Minahang Bayan areas. Mr. Roldan Gonzalez proposed and the body agreed that this can be placed in the work plan (where it actually already included) instead of the TOR.

- 2.4. On the Government suggestion to discuss Expenditure Transparency (if royalties, LGU share, earmarking and other special shares), Ms. Cielo Magno proposed that the expenditure transparency can be placed in the future agenda of ETI explaining that this needs legislation. The body approved the proposal of Ms. Magno to include the drafting of legislation in terms of eventual expenditure tracking in the Work Plan.

- 2.5. On the Government suggestion to include discussion of Local Revenues in terms of what fees/taxes to collect, how much, and how are these used, the Chair noted that the collection of fees and taxes and how much will be collected is covered by the ETI Report. Ms. Cielo Magno questioned if the discussion of local revenues be placed in the ToR. It was agreed that in terms what fees and how much shall be collected by local governments be covered by the Materiality Study and the scope of reporting template and not in the ToR.

- 2.6. On the need for uniformity in the application of rules and processes, discussion of relationship of ETI with ancestral domain, and discussion of peace and order, the Chair noted that as explained during the National Workshop, these issues are not really within the scope of the MSG. However, she suggested that if needed be, these can be referred to the concerned TWG of the MCC. Ms. Cielo Magno proposed for the MSG to have some recommendatory power to whatever agency would be responsible for a specific issue raised which the MSG agreed to discuss. Sec. Gocun noted this is already provided for in the existing draft ToR.

- 2.7 On the need to define the relationship of the MSG with the EITI TWG and MBCC specifically a.) EITI TWG to provide technical assistance and inputs to the MSG b.) The TWG should also be multi-stake holder c.) Chair should have co-chair from the industry and CSO. Sec. Gocun explained that the technical assistance is really the role of the TWG. Mr. Gerard Brimo of the Chamber of Mines and president of Nickel Asia inquired on the composition of the TWG and clarified if they are part of the MBCC. In response, Sec. Gocun said the TWG is part of the MBCC and that it is presently composed of the operating units of the different concerned government agencies such as BIR, BOC, BUSE, NEDA, DOE, and PMS. It was agreed that the TWG provide technical assistance to the MSG and that it should also be a multi-stakeholder. Its present Membership will thus be expanded to include business and civil society.

Mr. Brimo noted the third recommendation from the CSO to have co-chairs from industry and CSO be provided in the ToR but suggested that the MSG decide to do this at some point in the future when the MSG sees such a need. The body approved this together with a recommendation from Mr. Magno to include the structure and the rules of the MSG.

Sec. Gocun shared the comments from Mr. Philip Chan of World Bank and Wilouter Bisterbos from the International EITI Secretariat that what is lacking in the present draft ToR is the governance mechanism for the MSG. She added that in the EITI general guidelines, the EITI MSG may adopt internal guidelines to govern its operation and that this will be included in the ToR.

Following this discussion, it was resolved that the structure and rules of governance of the MSG will be included in the Terms of Reference.

- 2.8 On the recommendation from the government sector to include in the ToR penalties for companies that are non-compliant, Mr. Brimo sought clarification whether the participation of the companies in the EITI is voluntary or mandatory. Engr. Romualdo Aguilos of the DENR-MGB stated that under the 1995 Mining Act, companies are required to report their data. Sec. Gocun said that if government has decided to be part of EITI, should it be necessary, the concerned government agency can issue regulations to require companies that it is regulating to participate.

Celo Magno shared a clarification she made with the CSO's at the international board and also the international secretariat regarding voluntary or mandatory. She said that while applying for EITI is voluntary, once the country decides to sign up and is accepted, then it is the responsibility of the government to make sure that everyone participates. Noting that it is mandatory for companies to report the data, Mr. Brimo asked if maybe the MGB could issue such an order.

Secretary Gocun noted that if no such regulation exists yet, then both the DENR and DOE can issue the said regulation. She committed to discuss this matter with DENR Secretary Paje. She clarified though that it is not the role of the MSG to impose penalties. Rather, this function rests with the government department that regulates their respective sectors.

- 2.9 On the recommendation from the government sector to include in the function of the MSG the establishment and management of a revenue-linked database, Ms. Celo Magno proposed

that this database be under the Department of Finance and noted that this is already incorporated in the Work Plan. This was approved by the MSG.

- 2.10 The MSG agreed to include the determination of materiality and the setting of the reporting template as part of its function.

Section VI Roles of the Members of the MSG

2.11 On common roles for all stakeholders

Ms. Celso Magno reported that the CSOs had identified common roles with respect to all sectors, government, business, and CSO. She proposed the following six common roles for all multi-stakeholders which the MSG adopted:

- o Ensure an open and transparent functioning of PH-EITI
- o Address confidentiality concerns in implementing EITI
- o Communicate and provide linkages and facilitate dialogue with the different organizations and groups regarding related issues
- o Help determine parameters of EITI implementation
- o Be involved in communicating updates and results to their respective constituencies and to the general public
- o Implement capacity building and other knowledge exchange activities for those less familiar with EITI and its processes

Ms. Magno continued with the proposal for the distinct role for the government, CSO, and business which the MSG approved with some modifications noted below

2.12. Distinct Roles of the Government:

- o Provide political leadership and support such as creating a unit which will provide secretariat and technical support to Philippines EITI
- o Ensure the full participation of national government agencies and local government units in the implementation of EITI and creation of an enabling policy environment for the same
- o Ensure the full participation of extractive companies and civil society
- o Provide a legal basis for implementation of EITI as well as identify and address legal barriers and regulations that block the proper implementation of EITI
- o Release details of government revenues in a level of detail to be agreed upon by the MSG

Mr. Roldan Gonzales, executive director of GITB Mindanao suggested the inclusion to ensure full participation of the CSO and business in their respective sectoral roles. The board agreed that the clause "ensure full participation" will also be included in the respective roles of CSO and the business sector.

2.13 Distinct Role of CSO Representatives

- o Communicate and consult widely with the diverse set of stakeholders including those outside the steering group and build capacities on EITI
- o Ensure full participation of CSOs
- o Monitor the disclosures done by the government and extractive companies

Mr. Brimo suggested that the 2nd role include the word *collaborate* before the word CSO instead of merely CSO. The MSG approved this.

2.14 Distinct Role of Business Representatives:

- o Help ensure the full participation of extractive companies
- o Disclose payments to government, IPs and other stakeholders

Mr. Brimo requested that they be given a week for the business sector to look at what may be added in their role.

- 2.15 On the CSO suggestion to include NCIP in the MSG, Mr. Roldan Gonzalez said that the NCIP should be more on the board since the IS mining companies are operating in IP areas. Cleo Magno said there is value in engaging the NCIP citing that in Compostela, it is actually the NCIP director who is championing the EITI. Secretary Gocun agreed that there is value in engaging the NCIP considering a big chunk of the mining operations are in IP areas. This is the reason why they are in the MICC. However, she said that a lot of the NCIP concerns like the FPIC fall beyond the scope of EITI. She added that should there be issues that need to be discussed with NCIP, that there is nothing that can stop the MSG from inviting the NCIP. Inclusion of the NCIP in the MSG would also mean an addition of representatives for the other stakeholders which would mean a total of 18 members of the MSG. The body agreed to just invite the NCIP to its meeting if and when their presence is needed.

Section VI of the Draft TERMS of the Members of the PH-EITI MSG

- 2.16 A number of suggestions came up especially with consideration to ensuring continuity of the MSG and substantial discussion followed. Sec. Gocun pointed out that since the MSG wants to ensure continuity, the MSG does not want a complete change of membership since institutional memory will be lost. Ms. Cleo Magno proposed the representatives to the MSG should serve for at least one reporting cycle adding that it will also serve as motivation to finish the report. The body agreed to this and thus peg the term of the initial MSG repo to 3 years.

Ms. Tabada suggested that the sector decides who will sit for 3 years, 2 years, and 1 year and that at least one representative from the original MSG from each sector should stay to preserve institutional memory. Mr. Sabino Santos of Chevron suggested that there should at least be three years for the representatives to serve and thereafter, the sectors will choose who will sit for four, five and then six years.

Secretary Gocun noted that in consideration of the differing terms of office to 3, 2 and 1 years, if the person replacing the one year term representative will come in serving for only a year also, then there will also be no continuity. The proposed and the body agreed that given the agreed objective of ensuring continuity and institutional memory, the body allow the secretariat to work out the exact formulation of this section.

MSG Meetings and Decision Making

- 2.17 Secretary Gocun shared the suggestion of Mr. Philip Chan and Mr. Wouter Besterbos, that the governance of the MSG be elaborated in the ToR. This includes who will chair the MSG meetings, how often the MSG will meet, including how decisions are made.

To respond to this, the secretariat had drafted some recommendations which include the following:

- a) that the chair will call the meeting;
- b) that notices will be sent by the secretariat a minimum of one week before the set date;
- c) that the secretariat document the meetings and that minutes or highlights of the meetings will be circulated one week after the meeting and the MSG be given one week to give comments and that no comment received will be considered approval;
- d) that a simple majority will be enough to establish a quorum meaning that since there are 15 members of the MSG, 8 members present already constitutes the majority and the meeting can proceed, and;
- e) that decision making of the MSG will be based on consensus.

The MSG approved the all the above mentioned recommendations.

3. On the FINALIZATION OF THE WORKPLAN

Objective 2

The board agreed that the inclusion of the small scale mining as dealt with earlier in the discussion of the ToR is not the function of the MSG.

Objective 3

The board agreed to merge the activity 3.1 and 3.2 which entails the formal creation of the PH-EITI and the creation of the EITI Secretariat.

On the comment of the CSO that the national government should fund EITI, Secretary Gocun affirmed the government is funding the EITI except that there are some expenditures that cannot be covered by government thereby prompting the need to seek grants from development partners. Sec. Gocun also noted that the earmarking portions of the tax collected can only happen if there is legislation given the existing one fund policy. On the comment from the CSO that the MSG forms a lobby group to go to Senate for funds, the body agreed that this is not part of the MSG function.

There was also a suggestion from the business that while the MSG should support legislation to remove barriers to EITI implementation, we must ensure that the legislated mechanism does not become an

added bureaucratic layer to be imposed on industries. Secretary Gocson said whatever legislation that will be drafted will pass through the MSG before it is endorsed.

Objective 3.5

The body agreed to change the title of the activity to "addressing barriers to implementation and institutionalizing of EITI". On the hiring consultants, Ms. Celio Magno expressed the need to augment the present secretariat housed under the office of Secretary Gocson. With the freeze on hiring because of the election ban, but was noted that the hiring of contractuals can be reported to March 23.

On the CSO recommendation to pass a bill institutionalizing EITI at the national level, Ms. Celio Magno explained that this was raised because of the concern that the continuity of EITI may be at risk if that discretion is left solely to the President.

Another suggestion by the CSO is for provinces to issue resolutions institutionalizing EITI. Sec. Gocson said while we are encouraging this, the MSG focus now should be to generate first EITI Report. The body agreed to this priority.

There was also discussion to support the passage of Freedom of Information in relation to EITI. The body agreed to encourage and support the passage of Freedom of Information (FOI) Bill.

Objective 3.6

The MSG agreed that the pilot areas for the implementation of EITI at the sub-national level be voluntary wherein the MSG will encourage and support those who come forward as opposed to MSG selecting the pilot areas. The body also noted that the number of pilot areas for the EITI sub-national be not limited to the five suggested pilot areas or the 35 mining areas considering the agreement made earlier that it should be voluntary. Further, there was agreement that the TWG in the MSG will work with all stake holders in moving forward the implementation of EITI in the sub-national level as long as it is voluntary and that there is agreement among all the local stake holders.

Objective 4: Preparation in Implementing and Monitoring PH-EITI

Objective 4.1

There was a suggestion from the CSO during the National workshop for actual disclosure of documents used in the MSG (both hard and soft copy). The body agreed that these will be placed in the website.

On the suggestion of the business sector to cover small scale mining with emphasis on the need to distinguish legal from illegal mining, Secretary Gocson noted that as earlier discussed this is not the role of the MSG.

There was also a suggestion from the business sector to improve and upgrade the government database. As agreed earlier, this is the role of the Department of Finance and that it is included in the Work Plan.

Meanwhile CIP Mining President Clarence Pimental expressed support to the EITI and asked for elaboration on the benefits of the EITI for mining companies. Ms. Cielo Magno said the EITI has become a global standard and seal of good housekeeping. Mr. Brimo also said that the EITI works in favor of the company explaining that there will be a mechanism to inform the public at large of what companies pay and that the government agencies will report what it receives from the extractive industries. Secretary Gocun also said the scope is really just find out how much companies are paying the government and how much is the government collections. It has nothing to do with requirements and since decisions are based on consent, the companies have a voice.

Objective 5: Audit/Reconcile Report and Revenue Flows between Philippine Government and Extractive Industries

Ms. Cielo clarified that the CGO recommendation to be involved in the validation actually refers to the reconciliation of reports of payments from business and collections by government. This was approved by the body. On the government sector input that there needs clarification on what reconciliation entails and the setting of standards for reconciliation, Sec. Gocun said that PH-EITI will simply adopt the standards for reconciliation already being used by the 37 EITI participating countries. What it will cover will be spelled out in the TOR for the reconciler which will be approved by the MSG.

OBJECTIVE 6: Communicate, Build Knowledge, and Engage Citizens in the PH-EITI Program

In terms of translation of EITI data, the board agreed to translate the EITI Report into five languages namely Cebuano, Ilocano, Ilonggo, Tagalog, and Bicolano.

Ms. Cielo Magno said the reach out to small scale miners can be incorporated in the sub-national EITI and that it will be discussed by the TWG.

GENERAL COMMENTS:

The MSG approved the following general comments:

- the issuance of EO to include statement of support, creation of PH-EITI, MSG, TWG, and EITI secretariat.
- the inclusion of a status column in the Work Plan
- the provision of a detailed breakdown of the budget when necessary
- the harmonization with PPD Work Plan. Secretary Gocun informed the group that PPD Work Plan for 2013 is focused on capacity building of DENR and DILG and the other one is for the 4 pilot areas of the government.
- that regular implementation status reports be provided in the website

Secretary Gocun shared the general comment received from Mr. Philip Chan and Mr. Wouter Besterbos that the Work Plan lacks measurable outcome or measurable indicators. She said this will need to be fleshed out in the Work Plan. The secretariat can work on this first and send it out the draft to the MSG for review and comments.

4. OTHER MATTERS:

On the Time Table for submission of the PH-EITI Application:

Secretary Gocun noted the target for the submission of the application may be pushed back. She informed the MSG that the President called for a meeting to clarify some details about EITI last January 17, 2013. However at that time, she was unable to attend since there was also the ongoing CSO Congress and the EITI briefing with the local government units. She also said it would be good to set the next MSG meeting after the meeting with President Aquino. She also informed the group that the international EITI Board will meet in the 3rd week of February, and that we were originally targeting submission of the Philippine application before the said meeting. We have since been informed that the Board considers applications even outside of their board meeting.

Further, she also mentioned that whether we are accepted by the EITI Board or not, the government is committed to improving transparency and accountability of revenues from extractive industries.

On the need for an EO for EITI Philippines:

As discussed during the National Workshop, an EO on EITI implementation in the Philippines will be sought.

On the Reporting Template/ Materiality:

Secretary Gocun said that the government agencies have already been asked to give copies of what reports they currently receive and what other data they require. While this is being done, the study on materiality should start as soon as possible. All these will guide the MSG in determining the final EITI reporting template.

Once the draft ToR for the Materiality Study is sent by Mr. Philip Chan, it will be circulated to the MSG. The Chair expressed hope to get funding from World Bank for the Materiality study. She noted that the budget for the operations of EITI which should include support for the travel and accommodations of the CSO representatives in the MSG needs to be prepared.

On the Statement of Commitment:

The Chair asked those who have not signed the statement yet to sign it. She mentioned the statement of commitment will be a good material to post and be make known.

5. NEXT STEPS:

- The secretariat will draft the Memorandum of Understanding (MOU) for all the representatives of the MSG to sign. The MOU will reflect the substance in the ToR. It is targeted that the Draft MOU will be sent out by Friday, February 1, 2013 to the MSG. As agreed MSG members will have a week to send back their comments to the secretariat.

- Given the requirement that government reports to be included in the EITI Report are audited, the Chair will arrange a meeting with the Commission on Audit to request for the prioritization of auditing for the concerned government agencies and if possible, the creation of a special task force within COA to do this.
- To complete the Documentation for the application of EITI.
 - For the Chamber of Mines of the Philippines to submit their revised resolution on their representatives to the MSG following the participation of the oil and gas in PH-EITI.
 - For the Petroleum Association of the Philippines (PAP) to submit their board resolution designating their representatives [regular and alternate] to the MSG. Resolution from ULAP designating permanent and alternate.
 - For Board meetings including attendance sheet are likewise to be submitted.
 - For the submission of the Resolution from ULAP designating their permanent and alternate representatives to the MSG
 - For other government agencies in the MSG that have not yet designated their permanent and alternate representative to be reminded to do so.

The next MSG meeting is tentatively scheduled in the 3rd or 4th week of February. The body agreed to have the meeting on either Thursday or Friday of the week.

6. CLOSING:

Secretary Gozun thanked everyone for their active participation. There being no further matters to discuss, the meeting was adjourned at 12:20 pm

PH-EITI

Philippines Extractive Industries Transparency Initiative

1ST PH-EITI MULTI – STAKEHOLDER GROUP (MSG) MEETING

January 29, 2013 (Tuesday)



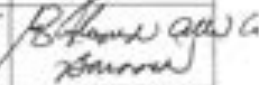


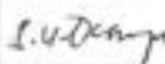
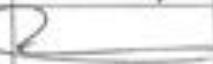
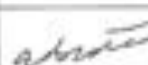

9:30 AM

PMMLR Conference Room, 2F, Boncodin Hall

Department of Budget & Management

General Solano St., San Miguel, Manila

ATTENDANCE SHEET

NO.	NAME	AGENCY	CONTACT NOS.	SIGNATURE
1	ROLAND LODARES	CSO	(no) 521-2164	
2	CHEO MAGAO	BK/CSO	078-892292	
3	RONALDO ALLON A. STRADACCA	PRRM/CSO	0926 708 6625 09185816070	
4	SABINO L. SANTOS	PAP	845 8322	
5	GUILHERMO ANSAY	DOE	8122014	
6	JIMBEL U. Ocampo	DOE	340 2068	
7	Michael Juor	UMAT	0917522827	
8	ADILAN OCAJE	OPACC/EITI SECRETARIAT	784 9286 66 4939	
9	MICHELE ARQUINAT	OPACC/EITI SECRETARIAT		

PH-EITI

Philippines Extractive Industries Transparency Initiative

1ST PH-EITI MULTI - STAKEHOLDER GROUP (MSG) MEETING

January 29, 2013 (Tuesday)

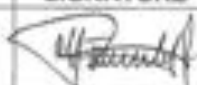
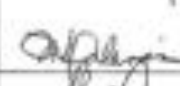
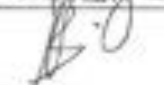
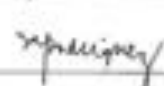
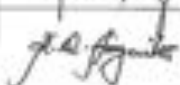
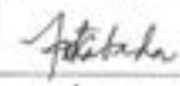
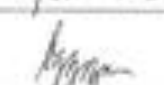

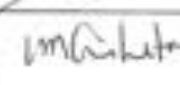
9:30 AM

PMMLR Conference Room, 2F, Boncodin Hall

Department of Budget & Management

General Solano St., San Miguel, Manila

ATTENDANCE SHEET

NO.	NAME	AGENCY	CONTACT NOS.	SIGNATURE
1.	Clarence Pimentel	CTPCE	0905 996-9959	
2.	ATY. CADENA N. SALANON	CTPCEC	09194001647	
3.	Jerry Brimo	COMP	09178182208	
4.	TRINIDAD RODRIGUEZ	DOF - NTAC	09185244975	
5.	ROMUALDO D. AGUIRRE	COMP - MGB	09064934105	
6.	Marin Aurora Tol. Tubala	NSM / EX	0935.443.4514	
7.	Bebet G. Gozon	OPAL	09175705891	
8.	KIRIL CARAL	Petroleum Assn - in Phils	09178203384	
9.	IRVING ANIETA	OPAL / EITI SECRETARIAT	754 9256 Tel. 4951	

MINUTES OF THE 2ND MSG MEETING
9 am-12pm March 05, 2013
Executive Lounge, Bonifacio Hall, DBM
General Solano St., Manila

Attendees:

Secretary Eliza Gozon	Focal person for EITI/ OPACC
Exec. Jeremias Paul, Jr.	Department of Finance (DOF)
Ella Aguilar	DOF
Trinidad Rodriguez	DOF
Romualdo Aguilar	Dept. of Environment and Natural Resources (DENR)
Michael Juan	Union of Local Authorities of the Philippines (ULAP)
Artemio Dains	Chamber of Mines of the Philippines
Teña Polcon	Chamber of Mines of the Philippines
Celiana Dalangin	CTF Construction and Mining Corporation
Sebastian Guinones	Petroleum Association of the Philippines/Shell Philippines
Gelo Magno	Bentley Kite
Maria Aurora Teresita Tabada	Visayas State University
Ronald Allan Bernatcha	Philippine Rural Reconstruction Movement (PRRM)
Jay Batongbaral	University of the Philippines (UP) Law
Paulo Mai Chan	Presidential Management Staff (PMS)
Jemimah Landicho	PMS
Julliane Lafona	PMS
Catalina Babes Ancheta	Secretariat
Michelle Alice Baguilat	Secretariat

1. CALL TO ORDER

Secretary Eliza G. Gozon, opened the meeting and asked the MSG members including some representatives from the Presidential Management Staff (PMS) who were also present as observers to the meeting, to introduce themselves.

The Chair then presented the draft agenda which was approved by the MSG. The Minutes of the 1st MSG meeting which was circulated to the MSG members prior the 2nd meeting for their review was also approved. Ms. Gelo Magno, Bentley Kite Coordinator inquired if the minutes of the 1st MSG meeting could be circulated publicly. Since this has been approved by the MSG, it was agreed that it can be disseminated to the public.

2. FINALIZATION OF THE TERMS OF REFERENCE (ToR)

The secretariat electronically circulated the draft ToR among the MDC members for their review and reference prior to the second MDC meeting. The output from the national workshop including further recommendations from the MDC members that were discussed at length and approved during the first MDC meeting were already incorporated in the latest draft ToR. Hard copies were also distributed before the start of the second meeting.

Further discussion of the ToR ensued as follows:

2.1 On Section III- Functions of the PE-ETI MDC

Usec. Paul Jeremias, Jr. of the Department of Finance commented on the use of the descriptive term 'political' preceding the word 'commitment [to the implementation of PE-ETI]' citing that it cannot be political with all stakeholders involved. Mr. Carlo Magno, Santay Kita coordinator seconded this observation and said that the statement needs to be rephrased.

Agreement 1: The body agreed to do away with the descriptive term "political" commitment and approved the function of the MDC to be that of ensuring commitment of all stakeholders to the implementation of PE-ETI.

2.2 On Section V- Role of Government Representatives

The Chair pointed out that once the government implements ETI in the country, it will be mandatory for the government agencies regulating the extractive industry to ascertain their participation in ETI. She further said that the case would be different with the civil society where participation of the CSO will be voluntary.

Agreement 2: The body agreed that the role of the government is to ensure the full participation of the extractive industries and encourage full participation of the CSO. These are to be stated in separate bullet statements.

Ms. Lisa Agustin from DOF suggested the use of the word 'disclose' in place of 'release' of government revenues in the last bullet of the roles of government representatives. She added that the government revenues should be disclosed in a timely manner. Mr. Jay Satorngbacal, representative from the COA proposed the inclusion of disclosure of relevant data aside from disclosure of government revenues and that these data are to be reported in an accurate manner.

Ms. Nelia Halcon, Executive Vice President of the Chamber of Mines commented that what is considered timely will depend on the timeliness of the data of the MGS and the COA audit. Mr. Arsenio Ozoni, chairman of the Chamber of Mines shared that there is a cut-off for companies in their submission of data. Mr. Sebastian Quinones, Vice

President of the Petroleum Association of the Philippines reported that they submit their reports to the Department of Energy every month. The Chair said that the submission of data will have to be synchronized.

Agreement 3: The body agreed to both suggestions of Mr. Agustin and Mr. Batongbacal that the role of the government is to disclose revenues and relevant data in an accurate and timely manner.

Agreement 4: The body further agreed that the same role should also apply to the business sector.

2.3. On Section V- Role of the Business Sector

Agreement 5: Parallel to the role of the CDO to communicate widely to all stakeholders and build capacities on EITI, the business sector will also communicate to the industry stakeholders developments on EITI.

2.4. On Section VI- Terms of Office of the Members of the PH-EITI MSG

Agreement 6: After considerable discussion, the body agreed to the following formulation of the terms of office for the members of the PH-EITI MSG to ensure continuity:

All members of the MSG shall serve for a term of 3 years, except for the initial set of representatives from the business sector and civil society organizations. For such members, 1 representatives shall serve for 3 years or the equivalent of 2 reporting cycles, and 2 representatives shall serve for 2 years or the equivalent of 1 reporting cycle. Thereafter, all members of the MSG shall serve the full term of 3 years, on a staggered basis to ensure that there will be institutional memory among them. Representatives may be re-appointed, the members of each sector shall identify who among them shall continue for subsequent terms.

3. Finalization of the Draft Work Plan

The output from the National Workshop and suggestions that were deliberated and approved in the 1st MSG meetings on the Work Plan were incorporated and also circulated among the MSG members before the 2nd MSG meeting. Hard copies of the document were also given out before the meeting.

Discussions and agreements that followed include the following:

- 3.1. Objective 3.1 Institutionalizing the PH-EITI: formal creation of PH-EITI and establishment of EITI National Secretariat.**

Agreement 7: The body agreed that the order of the required actions for activity 3.2 on the formal creation of PH-ETI and the establishment of ETI National Secretariat will sequentially be as follows:

- (1) Set up an interim PH-ETI Secretariat (PMAC)
- (2) Define the operational requirements of PH-ETI Secretariat
- (3) Issuance of an Order creating an ETI Secretariat (PMAC)

Agreement 8: The body agreed that the timeline for defining the operational requirements of PH-ETI Secretariat will be during the 2nd quarter of 2013

3.2. Objective 3.4. Addressing Barriers to the implementation and institutionalization of the PH-ETI

It was recalled that a consultant will be hired to review the legal and administrative barriers to ETI implementation. Mr. Estanghaci suggested that consultant to be hired for this task should be familiar with the sectors involved in ETI.

The Chair mentioned that the taxes collected by the Bureau of Internal Revenue (BIR) from mineral and extractive resources are lumped in an assigned numeric tax code that does not provide data for individual minerals. She informed the MSG that the BIR will revise their existing tax codes to disaggregate the groupings of minerals. This can happen through the issuance of an Administrative Order without the need for a law.

She mentioned that the first PH-ETI report might not be disaggregated per mineral since the excise taxes collected were lumped under one tax code. However, the possibility of getting payment data per mineral from the companies that paid will also be explored.

It was also noted that the MSG can only engage Congress but cannot ensure that a law institutionalizing PH-ETI will be passed.

3.3. Objective 3.5. Sub-national implementation of PH-ETI

The Chair reiterated the agreement made during the first MSG meeting last Jan. 29, 2013 that the MSG cannot actively identify but will merely support or encourage pilot sites for the sub-national implementation of ETI. Ms. Maria Aurora Tabada of the Visayas State University suggested to change the choice of word from identify to support. Ms. Elsa Agustin from DCP proposed that there is a need to clarify the meaning of support as used in the statement explaining that it could refer to either financial support or technical support.

Agreement 9: The body agreed to provide technical support to pilot sites in the implementation of sub-national ETI.

Agreement 10: It was also agreed that the timeline for the capability building and institutional preparation for sub-national implementation of EITI be changed from 3rd quarter of 2013-2014 to 3rd quarter of 2013 onwards meaning the capability building will be a continuing process.

Ms. Cielo Magno mentioned that a proposal similar to the Compostela sub-national EITI will be shared with Nueva Vizcaya.

3.4. Objective 4.1. Preparation of reference materials for EITI implementation

Secretary Gusan mentioned that Mr. Philip Chan of world bank sent a sample of Materiality Study however, she said it is in Spanish version. Mr. Jay Batongbacal volunteered to help in translating the materiality study into an English version.

The Chair also pointed out the possibility of creating two reporting templates with one tailored for the local governments and the other one for the national level.

3.5. Objective 4.2. build the required capacity for EITI implementation, monitoring, and reporting

Agreement 11: The body agreed to also seek support from world bank for the capacity assessment in the implementation of the PH-EITI.

Agreement 12: The body also agreed that the timeline for the required actions for activity 4.2 will be adjusted as follows:

Required Activity	Original Timeline	Adjusted Timeline
Scoping study for capacity assessment	3 rd Quarter 2013	2 nd -3 rd quarter 2013
Conduct of training with government agencies, local government units, and industry on how to complete the reporting template	3 rd Quarter 2013	3 rd Quarter 2013 onwards.
Conduct of training with CIOs to understand the PH-EITI reporting	2 nd Quarter 2013	2nd Quarter 2013 onwards
Submission of completed reporting templates	4 th Quarter 2013	1 st Quarter 2014 which is more realistic.

5.6. Objective 4.3. Preparation and Publication of EITI report

Mr. Romualdo Aguilar of the DENR-MGB inquired on what report will be given for the first submission to the International EITI. The Chair replied that the first report will cover 2010 and 2012 payments by and revenues from large scale metallic mining and oil and gas.

Agreement 13: The body agreed to also make amendments in the timeline for the following activities in 4.3.

Required Activity	Original Timeline	New Timeline
Drafting of EITI Report	1 st Quarter 2014	2 nd Quarter 2014
Release of the draft PH-EITI report to the MGC	1 st Quarter 2014	2 nd Quarter 2014
Discussion and approval of EITI report	2 nd -2 nd Quarter 2013	2nd Quarter 2014

5.7. Objective 5 Audit/Reconcile and Report on Revenue Flow between the Philippine Government and Extractive Industries

Agreement 14: The body agreed to the changes in the timeline for the specified activities in Obj. 5

Required Activity	Original Timeline	New Timeline
Prepare a TOR and hire an independent validator to evaluate progress of PH-EITI implementation	2 nd Quarter 2014	1 st -2 nd Quarter 2014
Respond to validator's assessment and recommendations	2 nd Quarter 2014	2 nd -3 rd Quarter 2014

Mr. Sebastian Quinones of the Petroleum Association of the Philippines inquired if there is a minimum number of companies that needs to submit a report. The Chair responded that there is no set minimum number of companies that is required to submit a report in the International EITI. Those with reconciled reports will be the ones included.

5.8. Objective 6.1. Establish and Maintain Website

Mr. Celso Magno mentioned that in order to put up a website for the PH-EITI, an estimate amount of forty thousand pesos (Ph 40,000.0) is needed. She proposed that

the different sectors of the MSG (government, business, and CSO) divide the cost and come up with the amount needed so that the website can be set up as soon as possible.

Agreement 15: It was agreed that the business and CSO sectors will contribute ₱ 11,500.00 each for the establishment of the PH-ETI website. Mr. Michael Juan of ULAP will consult with Governor Usal for the remaining ₱ 11,000 needed to complete the amount for the set up of the PH-ETI website.

1.8. Public Dissemination of ETI report.

The Chair reiterated that the ETI report will be translated into five (5) languages as agreed in the first MSG meeting. Ms. Celso Magno proposed that considering the expensive cost for translation, the full ETI report will be printed in English and Tagalog while it will be the Executive Summary report that will be translated in other popular languages.

Agreement 16: The body approved this.

1.9. PH-ETI participation in the ETI Global Conference at Sydney Australia

The Chair read the invitation letter that was sent by the International Secretariat for the PH-ETI MSG members to participate in the ETI Global Conference at Sydney Australia on May 23-24, 2013. She mentioned that the ETI International will sponsor three PH-ETI MSG members and relayed the recommendation of the ETI International Secretariat that at least one of the delegates be a CSO representative.

Agreement 17: The body agreed that it would be good for the entire MSG to attend. Since the policy of the present administration is to attend international conferences which are fully funded, the body agreed that the three delegates to be sponsored by the ETI International Secretariat will be composed of two MSG representatives from the government sector and one from the CSO. It was further agreed that the business sector will fund their own participation. The body agreed to seek the support of development partners in funding the participation of the remaining seven (7) MSG representatives.

1.10. Other Matters:

The Chair reminded the government agencies and business sector to send official communication to the secretariat designating their permanent and alternate representatives to the MSG.

Agreement 18: It was agreed that letters will be sent to those concerned.

Agreement 19: It was further agreed that subsequent MSG meetings will be scheduled every first Friday of the month.

The Chair thanked everyone for their active participation. Having no further matters to discuss, the meeting was adjourned 11.45 AM.

PH-EITI

Philippines Extractive Industries Transparency Initiative



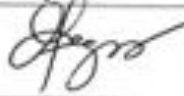

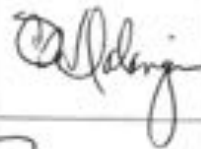

2nd PH-EITI MULTI – STAKEHOLDER GROUP (MSG) MEETING

March 1, 2013 (Friday)

9:00 AM

Executive Lounge G/F, Boncodin Hall
 Department of Budget & Management
 General Solano St., San Miguel, Manila

ATTENDANCE SHEET

NO.	NAME	AGENCY	CONTACT NOS.	SIGNATURE
1	Sec. Bebet G. Gozun	OP- Presidential Assistant II for Climate Change (OP – OPACC)	502.0374 0917.5305854 0915.6225920 784.4286 ext. 4939	
2	Art F. Desini	Chamber of Mines of the Philippines (CoMP)	6354123-24	
3	Cielo Magno	Bantay Kita (BK)	426.5626	
4	Sebastian Quiniones	Petroleum Association of the Philippines (PAP)	870.0253 0917.8202388 sebastian.quiniones@shell.com	
5	Atty. Casiana Dalangin	CTP Construction & Mining Corporation	815.2629 0919.4001647 casianadalangin@yahoo.com	
6	Michael Juan	Union League Association of the Philippines (ULAP)	0917.5296821 mikejuan23@gmail.com	

NO.	NAME	AGENCY	CONTACT NOS.	SIGNATURE
7	Paolo Mar Chan	Presidential Management Staff (PMS)	09175082682 paolo.chan@pms.gov.ph	
8	Engr. Romualdo Aguilos	MGB - DENR	928.831 0906.4934138 eco@mgb.gov.ph	
9	Elsa Agustin	Department of Finance	524.0607 0928.5039747 eagustin@dof.gov.ph	
10	Febe Lim	Department of Finance	524.0607 flim@dof.gov.ph	
11	RONALD ALLAN A. BRENDA	Phil. Rural Reconstruction Movement (PRRM)	078-321-2468 09183816070 alainizcaya_mv@cytel.com	
12	MARIA AURORA T.W. TABADA	VISAYAS STATE UNIVERSITY	0933 443.4514 (053) 335.3823 teatatabada@gmail.com	
13	JEMIMAH LANDICHO	PMS	734-2206 (Tel/Fax)	
14	Juliane Lollana	PMS	734-2197	
15	Nelia C. Fernal	Chamber of Mts	6354123-24	
16	TRINIDAD RODRIGUE	DfW-NTRC	09185644975	
17	JAY L. BATONGSABAL	UP LRD	0915-927-0205	
18	JEMMIES BANSI	DfW		
19	MICHELLE BAGUILAT	BITI SECRETARIAL	734-4286 loc 939	

20. PRATIES ANULATA ETTI 7344256 Mt.

ANNEX OO: Philippine EITI Work Plan 2012-2014

Activities	Action Required	Timeline	Expected Output	Expected Outcome	Responsible Entity	Status	Budget (USD)			
							GoP	Donors	Stakeholders	Total
OBJECTIVE 1: ESTABLISH COMMITMENT AND SUPPORT TO IMPLEMENT EITI										
1.1 Philippines issues unequivocal public statement of its intention to implement the EITI	The Philippine Government issued Executive Order (EO) 79[i] , with a section explicitly stating its desire to participate in the EITI	July 2012	A statement from the Philippine Government committing to implement EITI in the country	Demonstrated commitment of the Philippine Government implement EITI in the country	Office of the President (OP)	Achieved	-	-	-	-
1.2 Appointment of a senior Philippine Government official to lead EITI implementation	Senior official appointed to lead PH-EITI	August 2012	Sec. Elisea Gozun, Presidential Adviser on Climate Change, was appointed by the MICC[ii] with the approval of President "Aquino, to be the focal point person for EITI implementation	Provision of strategic leadership to the EITI process and implementation by Sec. Elisea Gozun	Mining Industry Coordinating Council (MICC), Office of the President	Achieved	-	-	-	-
1.3 Government commitment to work with all stakeholders on EITI	Dialogue with the business sector and civil society organizations to work together for the implementation of EITI	August 2012	Commitment from the business sector and the civil society organizations to implement EITI in the Philippines	Established collaboration among the stakeholders	Sec. Elisea Gozun, Office of the Presidential Adviser on Climate Change	Achieved	-	-	-	-
1.4 Public announcement of the Government to implement EITI and work with all the stakeholders of the extractive industry	A press conference where the President or the Presidential Spokesperson will reiterate the commitment of the government to implement EITI and work with all the stakeholders. The president will announce in the same conference the appointment of senior official to lead EITI in the country	April 2013	Public announcement of the appointment of the PH-EITI focal point person and the government's commitment to implement EITI, work with all stakeholders	Increased awareness of the public regarding the implementation of EITI in the Philippines	PH-EITI Secretariat, Sec. Ricky Carandang of the Presidential Communications and Development Strategic Planning Office (PCDSPO)	Pending	-	-	-	-
1.5 Establish commitment from different stakeholders	Regional consultations of different members of civil society organizations to inform them about EITI and understand the implication of implementing EITI in the Philippines	October-December 2012		Increased awareness and support for EITI implementation in the Philippines	Bantay Kita, PH-EITI interim Secretariat	Achieved	6,895	10,782	-	17,677
	Outreach to specific sectors: government regional offices, church, local officials, indigenous peoples' groups, academe	February 2013	Commitment/ support from key stakeholders on the implementation of PH-EITI	Increased awareness and support for EITI implementation in the Philippines	Interim PH-EITI Secretariat, Sec. Elisea Gozun of the Office of the Presidential Adviser on Climate Change	Achieved	-	5,353.58	-	5,353.58
OBJECTIVE TOTAL							6,895	16,135.40	-	23,030.20

ANNEX OO: Philippine EITI Work Plan 2012-2014

OBJECTIVE 2. FORM THE MULTI-STAKEHOLDER GROUP, DEVELOP AND PUBLISH THE TERMS OF REFERENCE OF THE MSG AND WORKPLAN OF EITI										
2.1 Formation of the Philippine EITI Multi-stakeholders Group (MSG)	The focal point person invites the Chamber of Mines and the Bantay Kita coalition to form the interim PH-EITI Multi-Stakeholder Group (PH-EITI MSG)	August 22, 2012	Formation of the interim MSG with 3 representatives from the government, the industry and the CSOs	Commitment from Chamber of Mines and Bantay Kita to organize the MSG of PH-EITI and work on the draft TOR and workplan	Sec. Elisea Gozun of the Office of the Presidential Adviser on Climate Change, Bantay Kita, COMP, interim MSG, interim PH-EITI Secretariat	Achieved	-	-	-	-
	Regular meeting of the interim MSG to plan for the selection of industry and civil society representatives in the MSG, work on the draft TOR and work plan	August – January 2013	Plan for the selection of industry and civil society representatives in the MSG, draft TOR and workplan	Formation of the PH-EITI MSG	Chamber of Mines, Bantay Kita, Office of the Presidential Adviser on Climate Change	Achieved	-	-	-	-
	Consultations with industry stakeholders who are non-chamber members on the selection of representatives in the MSG of PH-EITI	August – January 2013	Process of selecting industry representatives in the MSG for non-chamber members	Greater involvement from the non-chamber members of the extractive industry	Mr. Romualdo Aguilos, Mines and Geosciences Bureau (MGB), interim EITI Secretariat, and Sec. Elisea Gozun	Achieved	-	-	-	-
	Consultations with industry stakeholders of oil and gas sector on their participation in PH-EITI and selection of representatives in the MSG of PH-EITI	January 2013	Participation of oil and gas industry in the PH-EITI	Greater involvement from the oil and gas sector	Sec. Elisea Gozun, interim PH-EITI Secretariat	Achieved	-	-	-	-
	Subnational consultations of Bantay Kita on the criteria and process of selection of CSO MSG representatives for PH-EITI	October-December 2012	Criteria and process of selecting CSO representatives for the MSG of PH-EITI	Commitment and support to implement PH-EITI	Bantay Kita, PH-EITI interim secretariat	Achieved	-	-	-	-
	Consultation among Chamber of Mines of the Philippines (COMP) members on the selection of the industry MSG representatives	January 2013	Identification of representatives to the MSG of the Chamber of Mines	Commitment and support to implement PH-EITI	Chamber of Mines of the Philippines	Achieved	-	-	-	-
	Selection of representative for oil and gas sector to the PH-EITI MSG	January 2013	Identification of representative of the oil and gas industry	Commitment and support to implement PH-EITI	Petroleum Association of the Philippines	Achieved	-	-	-	-
	Selection of official representatives from the mining industry and the civil society organizations to the MSG of PH-EITI	January 17-19, 2013	Official representatives of the industry and civil society organizations to the MSG of PH-EITI	Commitment and support to implement PH-EITI	PH-EITI interim Secretariat, Sec. Elisea Gozun, interim MSG, Bantay Kita, COMP	Achieved	9,805	24,610	-	34,415.35

ANNEX OO: Philippine EITI Work Plan 2012-2014

2.2 Development and publication of PH-EITI MSG TOR and work plan and submission to the International EITI Secretariat to satisfy the requirement for candidacy	Regular meeting of the interim MSG to draft the TOR and work plan for consultation	August 2012–January 2013	Draft TOR of the MSG of PH-EITI and fully-costed work plan	Availability of draft TOR and work plan prepared by the interim MSG for consultation with stakeholders	Chamber of Mines, Bantay Kita, Office of the Presidential Adviser on Climate Change, interim PH-EITI Secretariat, interim PH-EITI MSG	Achieved	-	-	-	-
	Consultation with stakeholders on the draft work plan and TOR	January 18-19, 2013	Inputs from all the stakeholders on the draft TOR and work plan	Broad-based support on the TOR and work plan of PH-EITI	Interim MSG, Office of the Presidential Adviser on Climate Change, interim PH-EITI Secretariat	Achieved	-	-	-	-
	Planning Workshop by the MSG of the PH-EITI to finalize the TOR, work plan and application form for submission to EITI International Secretariat	January to March 2013	Completed TOR and fully-costed workplan	Completion of requirements for candidacy of the Philippines to EITI	PH-EITI MSG, interim PH-EITI Secretariat	Achieved	-	1,325	-	1,325
	Conduct of PH-EITI Official Launching to publicly announce Philippines' application to EITI	April 2013	Public announcement of Philippines' application to EITI	Increased public awareness regarding EITI	PH-EITI MSG and Secretariat	Pending	-	-	-	-
2.3 Submission of Final Application for EITI Candidacy	Send completed application to EITI International Secretariat to become a candidate country	April 5, 2013	Completed application of the Philippines for candidacy to EITI	Compliance to the requirement for EITI candidacy	PH-EITI Secretariat	Pending	-	-	-	-
OBJECTIVE TOTAL							9,805	25,935	-	35,740
OBJECTIVE 3. INSTITUTIONALIZE PH-EITI										
3.1 Formal creation of PH-EITI and establishment of EITI National Secretariat	Set up an interim PH-EITI Secretariat (PMO)	August 2012	Interim PH-EITI Secretariat	Initiation of work on PH-EITI	Sec. Elisea Gozun	Achieved	-	-	-	-
	Define operational requirement of PH-EITI Secretariat (e.g. Secretariat staffing requirements, budget requirements, logistical requirements)	2 nd quarter, 2013	Operational plan of the PH-EITI Secretariat	Institutionalization of PH-EITI Secretariat	Interim PH-EITI Secretariat, PH-EITI MSG	On-going	104,700	150,575	-	255,275
	Issuance of an Order creating an EITI Secretariat (PMO)	2 nd Quarter 2013	Order formally creating PH-EITI	Institutionalization of PH-EITI	Department of Finance or Office of the President	Pending	-	-	-	-
3.2 Identify sustainable sources of financing for PH-EITI implementation	Secure government funding and submit proposals to raise funds from donors including the EITI Multi-Donor Trust Fund (MDTF) to support PH-EITI implementation	1 st to 2 nd quarter, 2013	Funds for PH-EITI Secretariat	Implementation of PH-EITI	PH-EITI MSG and Secretariat	On-going	-	-	-	-

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3.3 Strengthen PH-EITI Secretariat	Train PH-EITI Secretariat and PH-EITI TWG[iii] and MSG on EITI implementation	2 nd to 3 rd quarter, 2013	Capable Secretariat, TWG and MSG of PH-EITI to support the EITI implementation	Implementation of PH-EITI	PH-EITI Secretariat, EITI International Secretariat	Pending	15,037.50	31,800	3,750	50,587.50
3.4 Address barriers to implementation and institutionalize PH-EITI	Hire consultant to review the legal and administrative and other barriers in the implementation of PH-EITI and propose strategies to address the barriers	2 nd quarter, 2013	Policy report on the barriers for PH-EITI implementation and possible policy reforms	Implementation of PH-EITI	Consultant, PH-EITI Secretariat	Pending	-	2,500	-	2,500
	Engage the Legislative and the Executive branches of government to address barriers to the full implementation of EITI	Throughout 2013	Proposed amendments to existing policies	Implementation of PH-EITI	PH-EITI MSG and Secretariat	Pending	-	-	-	-
	Engage Congress to adopt a law that will institutionalize PH-EITI	2013 onwards	Bill institutionalizing PH-EITI	Institutionalization of PH-EITI	PH-EITI MSG and Secretariat, EITI champions in Congress	Pending	-	-	-	-
3.5 Subnational implementation of PH-EITI	Hire consultant to (1) develop the module on harmonizing the implementation of EITI at the subnational level and the current government policies in increasing participatory public finance at the local government level (2)develop a plan to harmonize national and subnational EITI implementation	2 nd to 3 rd quarter, 2013	Guide in implementing subnational PH-Eiti	Expansion of PH-EITI implementation	Consultant, PH-EITI MSG and Secretariat	Pending	-	5,000	-	5,000
	Provide technical assistance to pilot sites, capability building and institutional preparation for sub national implementation of EITI	3rd quarter of 2013 onwards	Sub national governments and stakeholders implementing EITI	Expansion of PH-EITI implementation	Consultant, PH-EITI MSG and Secretariat	Pending	187.50	1,625	-	1,812.50
3.6 Regular meeting of PH-EITI MSG	MSG members should meet once a month or as frequently as possible depending on the demand of EITI	May 2013 to 2014	Decisions on critical issues related to implementation of EITI in the Philippines	Effective implementation of EITI in the Philippines	PH-EITI MSG and Secretariat	On-going	25,500	40,000	-	65,500
OBJECTIVE TOTAL							145,425	231,500	3,750	380,675

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OBJECTIVE 4: PREPARATION IN IMPLEMENTING AND MONITORING PH-EITI										
4.1 Preparation of reference materials for EITI implementation	Identify payment of companies to government and incentives provided by government to companies, map out sources of data and provide recommendation on the level of materiality in reporting.	2 nd quarter, 2013	Scoping study on payments and incentives, sources of data for verification of reported payments and recommended templates for reporting with recommended level of materiality	MSG will have materials to level off on the level and scope of EITI reporting	PH-EITI National Secretariat, consultants	Pending	-	15,000	-	15,000
	MSG to agree on scope, level of disaggregation and materiality of reporting.	2 nd quarter, 2013	Parameters in reporting	Implementation of PH-EITI	PH-EITI MSG	Pending	-	-	-	-
	Drafting of templates for reporting based on the level of disaggregation and materiality as agreed upon by the MSG	2 nd to 3 rd quarter, 2013	Draft templates for reporting	Implementation of PH-EITI	PH-EITI Secretariat, Consultant	Pending	-	-	-	-
	Finalize reporting policies, mechanisms, and templates	3 rd quarter, 2013	Approved policies on reporting mechanisms and templates	Implementation of PH-EITI	PH-EITI MSG	Pending	-	-	-	-
4.2 Build the required capacity for EITI implementation, monitoring and reporting	Scoping study to assess the capacity of regulatory agencies and tax administration agencies, extractive industries in generating the data needed to produce the report and complete the template	2 nd to 3 rd quarter, 2013	Scoping study on capacity assessment of stakeholders	Better and more reliable reports of PH-EITI	PH-EITI Secretariat, Consultant	Pending	-	7,500	-	7,500
	Conduct training with government agencies on how to complete the reporting template	3 rd quarter, 2013 onwards	Capacity building for government agencies	Better and more reliable reports of PH-EITI	PH-EITI Secretariat, Consultant	Pending	2,750	7,600	-	10,350
	Conduct training with local government units on how to complete the reporting template	3 rd quarter, 2013 onwards	Capacity building for local government units	Better and more reliable reports of PH-EITI	PH-EITI Secretariat, Consultant	Pending	5,375	20,062.50	-	25,437.50
	Conduct training with industry on how to complete the reporting template	3 rd quarter, 2013 onwards	Capacity building for industry	Better and more reliable reports of PH-EITI	PH-EITI Secretariat, Consultant	Pending	1,350	3,600	-	4,950
	Conduct training with CSOs to understand PH-EITI reporting (also includes media)	2 nd quarter, 2013 onwards	Capacity building for CSO	Better and more reliable reports of PH-EITI	PH-EITI Secretariat, Consultant	Pending	4,062.50	12,875	-	16,937.50
	Organize EITI Study Tour in an EITI implementing country	3 rd quarter, 2013	Report on experiences and challenges of other countries in implementing EITI	Increased knowledge on EITI implementation	PH-EITI Secretariat with assistance from EITI International Secretariat	Pending	-	74,775	-	74,775

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	Submission of completed reporting templates	1 st quarter of 2014	Completed reporting templates from the 35 mining sites and the government agencies concerned	Implementation of PH-EITI	Companies involved in the first EITI report, government agencies, PH-EITI Secretariat	Pending	-	-	-	-
OBJECTIVE TOTAL							13,537.50	141,412.50	-	154,950
OBJECTIVE 5: AUDIT/RECONCILE AND REPORT ON REVENUE FLOWS BETWEEN PHILIPPINE GOVERNMENT AND EXTRACTIVE INDUSTRIES										
5.1 Hiring of independent reconciler	The MSG hires the reconciler for analyze the government and industry data for the EITI report	1 st quarter, 2014	Reconciliation of data and preparation of PH-EITI report	Implementation of PH-EITI	Independent reconciler	Pending	78,750	-		78,750
5.2 Preparation and Publication of EITI report	Release of the draft PH-EITI report to the MSG	2 nd quarter, 2014	Reviewed PH-EITI report	Implementation of PH-EITI	PH-EITI Secretariat	Pending	-	-		-
	MSG discussion and approval of EITI report	2 nd quarter, 2014	Reviewed and Approved first PH-EITI report	Implementation of PH-EITI	PH-EITI MSG	Pending	-	-	-	-
	Publication of 1st Philippine EITI report	4 th quarter, 2014	Published first PH-EITI report	Implementation of PH-EITI	PH-EITI MSG and Secretariat	Pending	55,000	43,750	-	98,750
5.3 Independent validation of the EITI report	Validation of the progress of PH-EITI implementation	1 st to 2 nd quarter of 2014	Independent validation of the PH-EITI report	Validation of the PH-EITI report	International Secretariat	Pending	-	-	-	-
	Preparation of EITI validation report	2 nd to 3 rd quarter, 2014	Validated PH-EITI report	Validation of the PH-EITI report	International Secretariat	Pending				
	Respond to validator's assessment and recommendations	2 nd to 3 rd quarter, 2014	Reconciliation of the gaps in the PH-EITI report	Validation of the PH-EITI report	PH-EITI TWG and MSG	Pending	-	-	-	-
OBJECTIVE TOTAL							133,750	43,750	-	177,500
OBJECTIVE 6: COMMUNICATE, BUILD KNOWLEDGE, AND ENGAGE CITIZENS IN THE PH-EITI PROGRAM										
6.1 Establish and maintain EITI website	Create and maintain an EITI website to make all information regarding PH-EITI accessible to the public and to engage the public on the plans and works of PH-EITI.	2 nd quarter, 2013	A dynamic website that will contain all the information pertaining to PH-EITI including minutes of PH-EITI MSG meetings, data, background materials, researches, etc.	Well-informed public on the works of PH-EITI.	PH-EITI Secretariat, Consultant	On-going	-	5,900	-	5,900
6.2 Establish Management Information System for the extractive industry	Improve procedures and information infrastructures (including ICT system) for the transmission, consolidation, stewardship and publication of data from extractive industries	3 rd Quarter of 2013	Procedures and information infrastructure on extractive industry data	Improved access to information on extractive industry data	PH-EITI Secretariat, Consultant	Pending	-	40,000	-	40,000
6.3 Sub-national, national and international outreach	Conduct continuous outreach activities, meetings and workshops with stakeholders to keep them informed and involved in PH-EITI	continuous	Increased awareness and support for PH-EITI	Better implementation of PH-EITI	Sec. Elisea Gozun, PH-EITI MSG and Secretariat	On-going	2,500	23,850	-	26,350
6.4 Media outreach	Release of statement and press briefings on PH-EITI activities including Workshop with media group on EITI	2nd Quarter of 2012 and continuing	Increased awareness and support for PH-EITI	Better implementation of PH-EITI	Sec. Elisea Gozun , PH-EITI Secretariat	Pending	9,000	-	-	9,000

ANNEX OO: Philippine EITI Work Plan 2012-2014

6.5 Public dissemination of EITI report	Conduct a national conference to launch EITI report	2 nd to 3 rd quarter 2014	Increased awareness on the EITI report	Increased discussion and debate on the EITI report	PH-EITI Secretariat	Pending	11,800	8,500		20,300
OBJECTIVE TOTAL							23,300	78,250	-	101,550
GRAND TOTAL							332,712.30	536,983.26	3,750	873,445.55