

4TH EITI MEMBERS MEETING, LIMA, 23 FEBRUARY 2016

Minutes

EITI International Secretariat

Oslo, 3 March 2016

MINUTES - 4TH EITI MEMBERS MEETING

On 23 February 2016, a meeting of EITI Members' Association was held in Lima, Peru.

Welcome from Chair and adoption of agenda

The Chair, Clare Short, welcomed the members and proposed that the agenda be amended to allow for a brief explanation by EITI's legal counsel Christian Fredrik Michelet of the procedures for nominations. Clare also proposed that the agenda be restructured so that the Board elections would take place last.

The amendments were approved and the agenda was adopted (attached). A list of attending members is attached.

Nomination procedures

Christian Fredrik Michelet reminded participants that the constitution of the EITI Association was its Articles of Association. He noted that according to Article 9 in the Articles of Association, constituencies were responsible for nominations and it was up to the Members' Meeting as the governing body of the association to decide whether a nomination was accepted. He also noted that the Articles of Association stated that the Members' Meeting should seek to take decisions by consensus.

Chair reports on activities and plans

The Chair invited the Secretary to the Board Jonas Moberg to present Paper 4-2 EITI Progress Report 2016. Jonas reported on the number of implementing countries, number of EITI reports published and validations completed since the last Members' Meeting in Sydney. He also introduced the revisions to the EITI Standard as approved by the EITI Board. The members took note.

Articles of Association

Jonas introduced the proposed amendments to the Articles of Association. The members approved the amendments as proposed in Members' Meeting Paper 4-4 (attached).

In response to a question from the floor, the Chair explained that anyone who was registered was welcome to join the meeting.

Election of the EITI Chair and Board

On proposal from the EITI Board, Fredrik Reinfeldt was elected by the Members' Meeting as

EITI Chair.

Following a last-minute decision by one of the candidates to remove his nomination, the Members' Meeting elected Members and Alternates on nomination from the constituencies (see attached).

Close

The new EITI Chair Fredrik Reinfeldt was invited to address the Members' Meeting. Fredrik thanked members for their trust and noted the challenges ahead. Reflecting on his experience as Prime Minister of an eight year coalition government in Sweden and his Presidency of the European Council, he expressed a desire and experience to help all parts pull together towards further progress.

Clare Short expressed her gratitude to the members for her time as Chair of the EITI.

Jonas Moberg

Head of the EITI International Secretariat and EITI Board Secretary

List of elected Board members

Chair

Mr Fredrik REINFELDT

Countries

Implementing Countries

Ms Olga BIELKOVA, Member of Parliament, Ukraine

Alt: **Mr Nurabaev Bazarbai KANAEVICH**, Chairman, Committee of Geology and Subsoil Use, Ministry of Investment and Development, Kazakhstan

Mr Montty GIRIANNA, President, EITI National Committee, Indonesia

Alt: **Mr Enkhbayar NEMEKHBAYAR**, Director-General, Strategic Policy and Planning Department, Ministry of Mining, Mongolia

Ms Zainab AHMED, Federal Minister of State Ministry of Budget and National Planning, Nigeria

Alt: **Mr José Fernandes ROSA CARDOSO**, National Coordinator, São Tomé e Príncipe

Mr Didier Vincent Kokou AGBEMADON, National Coordinator, Togo

Alt: **Mr Ismaila Madior FALL**, Minister, Legal Adviser to the President and Chair of the EITI National Committee, Senegal

Mr Jeremy Mack DUMBA, National Coordinator, Democratic Republic of Congo

Alt: **Ms Agnès Solange ONDIGUI OWONA**, National Coordinator, Cameroon

Mr Victor HART, Chair of TTEITI, Trinidad and Tobago

Alt: **Ms Maria Isabel ULLOA**, Vice Minister of Mines, Colombia

Supporting Countries

Ms Mary WARLICK, Principal Deputy Assistant Secretary of State, Bureau of Energy Resources, State Department, USA

Alt: **Mr Mark PEARSON**, Director General, External Relations, Science and Policy Integration, Natural Resources Canada, Canada

Mr Nico VAN DIJCK, Advisor, Office of Economic Interests, Directorate-General for Bilateral Affairs, Ministry of Foreign Affairs, Belgium

Alt: **Ms Catarina HEDLUND**, Deputy Director at the Department for International Trade Policy, Ministry for Foreign Affairs, Sweden

Ms Marine de Carne DE TRÉCESSON, Ambassador, Corporate Social Responsibility, Ministry of Foreign Affairs, France

Alt: **Ms Kerstin FAHRMANN**, Head of Division, Energy, Infrastructure, Raw Materials, Federal Ministry for Economic Cooperation and Development (BMZ), Germany

Companies including Investors

Ms Carine Smith IHENACHO, Vice President Legal, Statoil

Alt: **Mr Jean-François LASSALLE**, Directeur Affaires Publiques, Total

Mr Stuart BROOKS, Manager, International Relations, Chevron

Alt: **Mr John HARRINGTON**, Upstream Issues Manager, Exxon Mobil Corporation

Mr Dominic EMERY, Vice-President, Long-Term Planning, BP

Alt: **Mr Alan McLEAN**, Executive Vice President, Tax and Corporate Structure, Royal Dutch Shell

Mr Jim MILLER, Vice President, Environmental Affairs, Freeport-McMoRan, Copper&Gold

Alt: **Mr Ian WOOD**, VP Sustainable Development, BHP Billiton

Ms Laurel GREEN, Group Executive, Legal & External Affairs, Rio Tinto

Alt: **Mr Carlos ARANDA**, Manager Technical Services, Southern Peru Copper Corporation

Mr Sasja BESLIK, Head of Responsible Investments at Nordea Asset Management

Civil Society Organisation

Mr Daniel KAUFMANN, President, Natural Resource Governance Institute

Alt: **Ms Wendy TYRRELL**, Transparency International – Australia

Mr Gubad IBADOGLU, Senior Researcher, Economic Research Center, Azerbaijan

Alt: **Ms Oleksyi ORLOVSKY**, International Renaissance Foundation, Ukraine

Ms Faith NWADISHI, Executive Director, Koyenum Immalah Foundation/National Coordinator Publish
What You Pay, Nigeria

Alt: **Mr Brice MACKOSSO**, Commission Justice et Paix, Republic of Congo

Ms Ana Carolina Espinosa GONZALES, Universidad Externado de Colombia, Colombia

Alt: **Mr Cesar GAMBOA**, Derecho, Ambiente y Recursos naturales, Peru

Ms Cielo MAGNO, Bantay Kita, the Philippines

Alt: **Mr Moses KULABA**, Governance and Economic Policy Forum, Tanzania

Annex 1

Civil Society Statement for the EITI Board Meeting – 25 February 2016 (delivered by incoming PWYP Executive Director Elisa Peter)

Thank you chair for the opportunity to address this meeting.

The decisions of the Members Meeting on Tuesday were not valid because the majority of civil society was not represented at the meeting. We are not an established board, until all three constituencies have confirmed the nominations of the Chair and the Board.

We support the approval by the assembly of the amendments to the EITI Articles of Association. However, we register our opposition to the remarks that were made by the former Chair to the validity of the interference in the selection process.

To remedy the situation and to avoid similar occurrences in the future, we request:

- That our [full statement](#) on the interference in the self-selection process of civil society and our remarks today be both attached to the minutes of the members meeting.
- That the EITI Articles of Association be revised to address governance gaps, based on the principles of independence of the different constituencies, transparency and accountability, specifically in regards to the nomination process.
- That a review of the events leading up to the breach of protocol be conducted to ensure accountability and to document lessons learned.
- That the first draft of the governance review be circulated, reviewed and approved by the new board for implementation.
- That the Terms of Reference of the Governance Working Group be implemented.

The successful achievement of these requests depends on engagement and mutual accountability across all stakeholders. We look forward to working together to develop a defined action plan that will ensure timely response.

With the understanding that we are collectively working towards addressing these requests, the civil society constituency hereby ratifies the new board and the new chair.

We invite other stakeholders to comment on our request.