

The Netherlands, 2021

MSG review of the outcomes and impact of the EITI

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Introduction

Regular disclosure of extractive industry data is of little practical use without public awareness, understanding of what the figures mean, and public debate about how resource revenues can be used effectively. The EITI Requirements related to outcomes and impact seek to ensure that stakeholders are engaged in dialogue about natural resource revenue management. EITI disclosures lead to the fulfilment of the EITI Principles by contributing to wider public debate. It is also vital that lessons learnt during implementation are acted upon, that recommendations from EITI implementations are considered and acted on where appropriate and that EITI implementation is on a stable, sustainable footing.

The multi-stakeholder group may use this template to monitor the outcomes and impact of EITI implementation. Where information is already available elsewhere, it is sufficient to include a link to other publicly available documentation. The scope of this template reflects EITI Requirement 1.5 on work plan and Requirements 7.1 to 7.4 on outcomes and impact.

The MSG is required to review the outcomes and impact of EITI implementation annually (Requirement 7.4). The MSG is encouraged to update this document annually to monitor progress, keep track of efforts to improve data accessibility and inform work planning.

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To inform Validation, the MSG is required to submit the completed form to the International Secretariat Validation team by the Validation commencement date. The period captured in this review may be the period since the previous Validation or the previous calendar/fiscal year. The MSG should clearly indicate the period covered by its review.

The MSG's annual review of the outcomes and impact of EITI implementation should be publicly available, and stakeholders beyond MSG members should have an opportunity to provide feedback on the EITI process (Requirement 7.4).

Part I: Relevance of EITI implementation

Work plan (Requirement 1.5)

1. Basic information about the current EITI work plan.

Period covered by the current EITI work plan	2021
Information on how the public can access the work plan.	The NL-EITI Workplan 2021 is published on the NL-EITI website (www.eiti.nl).
Process for producing the current EITI work plan	The workplan has been drafted by the NL-EITI Secreteriat on the basis of earlier discussions in the MSG, was discussed at the MSG meeting on 1st March 2012 and approved in the MSG meeting on 7th April 2021. The workplan was published on the NL-EITI website on 19th April 2021 (www.eiti.nl – under' multi-stakeholdergroep').
MSG approval of the work plan	7 th April 2021.

2. Explain how the work plan's objectives reflect national priorities for the extractive industry. Provide links to supporting documentation, such as studies or national development plans, if available.

The objective of the EITI in the Netherlands and of the work plan has been established and adapted through several discussions within MSG meetings (29.6.2017, 31.8.2017, 11.10.2017, 28-11-2017, 11.10.2017 and 1.3.2021). The objective of the EITI in the

Netherlands, as stated in the work plan 2021, is: "to make factual information about mineral extraction in the Netherlands and the revenues for both the mining industry and the Dutch government accessible. The NL-EITI wants to contribute to the public debate about the significance of the extractive industry for Dutch society".

In order to contribute to the public debate, the MSG focusses in her reports on national priorities and relevant changes in the industry and in government policy. In the 2018 report for instance the MSG wrote about the significance of the energy transition for the extractive industry and changes in the mining law relating to the production from the Groningen field.

Two documents served as the base for the implementation of the EITI in the Netherlands:

- In 2010 the Dutch government commissions Roland Berger to write the Extractive Industries Transparency Initiative (EITI) Feasibility Study (Haalbaarheidsonderzoek Extractive Industries Transparency Initiative [EITI]), which examines the advantages and disadvantages of EITI implementation in the Netherlands. In 2014 the Dutch government commissions Roland Berger to update his 2010 study to reflect the actual state of affairs (please see: rb addendum eiti rapport haalbaarheidsonderzoek.pdf (rvo.nl))
- In 2015, the Dutch government commissions Royal HaskoningDHV to carry out a scoping study for EITI implementation in the Netherlands (please see: https://eiti.org/files/documents/5._scoping_report_eiti_12062015.pdf) and a survey of civil society organisations to gauge their interest in taking part in NL-EITI.

Please see also the <u>NL-EITI Candidature Application</u> for more information.

3. Optional question: Has the MSG developed a theory of change on how EITI implementation will address the identified challenges of the sector in your country? If yes, please reference the corresponding document here.

No, the MSG has not formally developed a theory of change. However, the MSG has the objective to contribute to the public debate about the challenges of the sector, such as the impact of climate change and the role the extractive industry plays in the energy transition in the Netherlands. The NL-EITI is also sharing information and experience with the EITI in the UK and Germany about the MSG's role in this respect.

Monitoring progress

4. Provide an overview of activities undertaken in the period under review and progress in achieving the objectives of the previous work plan. The MSG is encouraged to provide a summary here and to document progress in more detail in the work plan itself.

The NL-EITI work plan 2020 can be found on the NL-EITI website (www.eiti.nl), under library ('bibliotheek'): 'werkplan NL-EITI 2020).

The progress in undertaking planned activities and achieving each objective can be found in the NL-EITI Annual Progress Report 2020 (NL-EITI Annual Progress Report 2020 def_0.pdf (rvo.nl) and the minutes of the MSG meetings (please see www.eiti.nl).

The main topics in 2020 were:

- Issue and complete an European procurement for an Independent Administrator.
- Address the recommendations of the Independent Administrator in the NL-EITI report 2017 in order to improve the NL-EITI report 2018, i.e reconciliation process, EITI Req. 4.2. and project level reporting.
- Ensure that the new requirements of the 2019 EITI Standard are implemented.
- Execute the reconciliation for 2018.
- Approve and publish the second NL-EITI report 2018 in time.
- Review the NL-EITI Terms of Reference.
- Evaluate the NL-EITI MSG, its goals, communications and processes.

5. Provide an overview of the multi-stakeholder group's responses to and progress made in addressing the recommendations from EITI reporting and Validation and gaps in information in accordance with Requirement 7.3.

The multi-stakeholder group is required to list each recommendation and the corresponding activities that have been undertaken to address the recommendations and the level of progress in implementing each recommendation. Where the government or the multi-stakeholder group has decided not to implement a recommendation, it is required that the multi-stakeholder group documents the rationale.

Recommendation:	Status/progress:
Recommendations Independent Administrator NL-EITI report 2017 and 2018	Please see the NL-EITI Progress Report 2020 for the way the MSG dealt with the recommendations of the Independent Administrator as a result of the first and second reconciliations that were published in 2019 and 2020 (the Report can be found on the NL-EITI website, www.eiti.nl , under 'multi-stakeholdergroep').
	For the 3 rd NL-EITI report 2019, that will be published in 2021, the MSG followed up on several of the recommendations that are ongoing:

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- Gender balance in the NL-EITI MSG representation: the MSG added their intention to 'consider the diversity of their members, including a good balance between the number of men and women, in the appointment of their members' to section 4 in the MSG ToR in December 2020.
- Overall coverage of the EITI report: the NL-EITI Secretariat contacted again the non-NOGEPA companies with the aim to include them in the NL-EITI process. Only one of these companies, in addition to the one that already joined in 2020, agreed to be involved. Reasons why others did not join are challenging times because of the current corona crisis, including a lack of staff. Some companies did express willingness to participate to the NL-EITI for future reports.

In addition, the Ministery of Economic Affairs and Climate Policy managed to get 2 of the 3 salt companies involved in the reconciliation 2019/2020. The third salt company was sold to a French company in March 2021. This may have resulted in their decision not to join this year.

 <u>Late submission of reporting templates</u>: the reconciliation process started already in February this year in order to avoid delays.

6. How have lessons learned from EITI implementation informed the current work plan?

The NL-EITI work plan 2021 has mainly been determined by:

- The ambitions of the MSG with regard to communications (i.e. the development of a new website, including Open Data, and the set up of a renewed communications strategy). As a result of this an additional employee (Advisor NL-EITI) has been hired within the NL-EITI Secretariat. The Advisor NL-EITI has been hired for 2 years, as of 1 March 2021;
- The decision to do both the reconciliation of 2019 and 2020 in 2021; and
- Increasing the exchange of knowledge and information between the MSGs in the Netherlands, the UK and Germany.

Innovations and impact

7. Summarise any steps taken by the MSG to exceed EITI Requirements in a way that addresses national or local extractive sector governance priorities.

By publishing the NL-EITI report, the MSG brings together already existing public information and not publicly available information (such as information about the Dutch SEO (Energie Beheer Nederland (EBN)) and the revenues and reconciliation of extractive companies) into one single source in a transparent, clear and objective way.

The MSG has put information about the history of the extractive industry, including its raw materials, within both NL-EITI reports. In addition, the MSG has put information about subsidies for renewable energies, wind energy and geothermal energy into the 2018 report, and information about the role of the extractive industry (i.e. gas) within the energy transition. The MSG has planned more discussions on how to deal with the energy transition in their reports in 2021.

In 2021, the MSG is developing a new NL-EITI website, including Open Data sources. The new website is expected to go live in Q4, 2021.

The MSG has the ambition to publish as much up-to-date information (and data) as possible. Therefore, the MSG decided to publish two reconciliation reports this year (i.e. 2019 and 2020) instead of one report (i.e. 2019).

8. What kind of outcomes and impact have these measures resulted during the period under review?

The overall outcomes and impact of the EITI implementation in the Netherlands to date are:

- The MSG has enjoyed good engagement from the three constituencies and operated pragmatically and as efficient and effective as possible during its existence:
 1) the NL-EITI MSG operates in a pragmatic way since the support from the NL-EITI Secretariat is limited in fte's, as is the time the MSG members have available to invest in the NL-EITI;
 - 2) the MSG starts to operate more efficient and effective as time progresses and the MSG gains more experience in implementing the EITI Standard.
- The NL-EITI MSG has met regularly and provided valuable and diverse oversight of EITI implementation in the Netherlands.
- The trust amongst the three constituencies has risen during its existence.
- The MSG is supported by subgroups that oversee different elements of EITI implementation and make recommendations for discussion and agreement at MSG meetings. This has proved an effective and efficient model.
- The Netherlands first EITI report was published in 2019. The Netherlands second EITI report was published in 2020. Both reports were published in time.

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- The result of the reconciliations 2017 and 2018 (remaining differences of Euro 562 (2017) and Euro 0,- (2018)) were negligible and non-existent, which demonstrates that the system in the Netherlands is reliable and transparent.
- By publishing the NL-EITI reports, the MSG provides factual and comprehensible information about the value chain of the extractive industry to the Dutch public. Many of the disclosures required by the EITI are already available, although not always easily accessible and insightful. The information in the EITI reports has complemented the available information, made it accessible in one place and put it into context. The MSG is considering steps to ensure that information is more systematically disclosed.
- Recently the focus has turned more to improving the contribution to the public debate.
 A new NL-EITI website is currently being developed, including Open Data files, which is planned to go live in Q4 2021. The website will be a key tool in the move towards communicating about the implementation of the EITI in the Netherlands and systematic disclosure going forward.
- Annual progress reports have been published since 2018 on a yearly basis.
- The MSG organized an awareness raising event in March 2018. Another one that was scheduled for April 2020, had to be postponed due to Covid-19.
- There has not been a big shift in the public debate on the extractive industry in the Netherlands, following the publication of the NL-EITI-reports. That is most probably because the information that the NL-EITI is providing to the Dutch public is in most cases already available, thus not new, nor controversial. In addition, the NL-EITI is not quite known in the Netherlands yet. The Netherlands is currently working on a new NL-EITI website, including a new communications strategy, in order to raise awareness of the EITI as an initiative and to contribute to the public debate about the significance of the extractive industry for Dutch society.

9. If the MSG has plans to include new issues or approaches to EITI implementation, please describe these.

The MSG is currently discussing to put more information in the third NL-EITI report 2019 about the energy transition: i.e. hydrogen, geothermal energy and CO2-storage.

10. What kind of outcomes and impact are these plans expected to result in?

By focusing more on the role of the extractive industry within the energy transition, the MSG hopes to become more relevant and to be able to contribute better to the public debate in the Netherlands.

11. Summarise the MSG's efforts to strengthen the impact of EITI implementation in the period under review, including any actions to extend the detail and scope of EITI reporting or to increase

engagement with stakeholders. The MSG is encouraged to document how it has taken gender considerations and inclusiveness into account.

The MSG has worked – and is still working - in a number of areas to strengthen the impact of the EITI in the Netherlands. This includes:

Financial data. The NL-EITI report 2018 does include project-level reporting for the payment streams that can be reconciled on this basis. The upcoming NL-EITI report 2019, will cover the reconciliation of two years, i.e. 2019 and 2020.

Transparency. The NL-EITI report 2017 included 13 E&P companies, 2 gastransport companies sand the salt industry was included in the contextual information. The NL-EITI report 2018 included 15 E&P companies, 2 gastransport companies and the salt industry was included in the contextual information as well as financials were unilateral disclosed. The NL-EITI report 2019 will include 16 E&P companies, 2 gastransport companies and the salt industry (2 out of 3 companies) will be included in the contextual information as well as the reconciliation 2019 and 2020.

Communications. The MSG has discussed the next steps, now that we have laid a solid base for the yearly reporting process. The ambition is to better unlock the information of the NL-EITI report and to contribute to the public debate about the present and future role of minerals in the Dutch society. Amongst other a new NL-EITI website will be developed in 2021, to help realizing the ambition of the MSG and create a tool to provide Open Data sources.

Open Data. The new NL-EITI website will include Open Data sources. The NL-EITI MSG approved the NL-EITI Open Data Policy at their meeting on 21 June 2021. The policy is published on the NL-EITI website: www.eiti.nl (under 'multi-stakeholdergroep').

Terms of Reference. The MSG ToR was updated in 2020 to ensure consideration for the diversity of its members in its nominations processes, including gender balance.

Part II: Public debate

Open data (Requirement 7.2)

12. Open data policy and disclosures

Provide a link to the open data policy agreed by the MSG (Requirement 7.2.a)	www.eiti,nl
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Is EITI data available in open data format and publicised? (Requirement 7.2.b)	No, not yet. It is the priority of the NL-EITI MSG to develop and launch a new NL-EITI website in Q4 2021, including Open Data sources (CVS or Excel format).
Has the MSG identified gaps in the availability of EITI data in open format? If yes, what kind of gaps? (Requirement 7.2.b)	Yes. The MSG works with three external organisations that provide the MSG with data for the NL-EITI reports, i.e. the Statistics Netherlands (CBS), TNO (www.nlog.nl) and the Netherlands Enterprise Agency (RVO). Only CBS publishes data in an open format.
Has the MSG undertaken efforts to improve the availability of data in open format? If yes, please describe these. (Requirement 7.2.b)	Yes, the NL-EITI Secretariat is talking to the above mentioned organisations on a regular basis about the possibility of developing open data sources in the future. In addition, the industry is discussing publishing their Payments to Governments report on their websites.
Have summary data files been completed for each fiscal year for which data has been disclosed? (Requirement 7.2.c)	Yes – summary data files are available for each year. Both summary data files (2017 and 2018) have been set up and approved by the MSG.
What systematically disclosed data that is in the scope of EITI disclosures is machine readable and inter-operable? (Requirement 7.2.d)	Nothing yet. It is the priority of the NL-EITI MSG to develop and launch a new NL-EITI website in Q4 2021, including Open Data sources (CVS or Excel format).

Outreach and communications (Requirement 7.1)

13. Describe the MSG's efforts in the period under review to ensure that information published about the extractive sector is comprehensible and available in appropriate languages.

The NL-EITI reports have been written in a factual and comprehensible manner and have been edited by a professional editor. It has also been translated into English. Both versions (Dutch and English) have been published on the NL-EITI website (www.eiti.nl).

The MSG is currently developing a new NL-EITI website, including Open Data sources, that is expected to go live in Q4 2021.

14. Describe examples of use of EITI data.

- MSG members have distributed, and are sharing on a regular basis, the NL-EITI reports to their contacts and constituencies through various channels, such as email, websites and social media.
- MSG members share the NL-EITI report on a regular basis to new top management members in order for them to efficiently receive profound and correct information on the oil and gas industry in the Netherlands.

15. Provide information about outreach events organised to spread awareness of and facilitate dialogue about governance of extractive resources, building on EITI disclosures.

Event name	Brief description of the event	Date	Locatio n	Organiser	Number and type of attendees	Links to further information
Nationa I event	Launch of the NL-EITI implementatio n in the Netherlands, including 3 speakers and a debate between MSG members and students with regard to the future of the extractive	7.3.2018	RVO offices in The Hague	RVO/NL- EITI Secreteriat in cooperatio n with the NL-EITI MSG	participant s, coming from the industry, governmen t, civil society and knowledge institutions	NL-EITI- Programma- MSG- bijeenkomst 1.p df (rvo.nl)

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	industry in the Netherlands			
Public event		23.4.202 0		This event has been postponed due to Covid-19

16. Describe the MSG efforts in the period under review to consider access challenges and information needs of data users, including different genders and subgroups of citizens.

Please see the information under 13. The MSG does not differentiate between genders and/or subgroups of citizens. There are no issues on access of public information in the Netherlands.

17. Describe other efforts by the MSG in the period under review to ensure that information is widely accessible and distributed.

- The NL-EITI reports 2017 and 2018 have been published on the NL-EITI website (please see: www.eiti.nl).
- Both Ministers of Economic Affairs and Climate Policy and Foreign Affairs have sent letters to the Dutch parliament informing on the publications of the NL-EITI reports 2017 and 2018 (please see: Kamerstuk | Rijksoverheid.nl and <a href="https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2021Z01598&did=2021D03636).
- MSG members have published news message including the link to the NL-EITI reports on their website and through social media channels (please see the Stakeholder engagement template, Liaison with the broader constituency Use of data, sections II.5, III.5 and IV.5).
- TNO published the NL-EITI reports 2017 and 2018 on the www.nlog.nl website: please see: Zoeken naar EITI | NLOG. The www.nlog.nl website is financed by the Ministry of Economic Affairs and Climate policy and is the Dutch Oil & Natural gas Portal in the Netherlands (also including salt and geothermal energy).

18. How could the MSG improve the accessibility and distribution of information, considering the needs of different subgroups of citizens?

In 2021, the MSG is working on a renewed communications strategy, including the launch of a new NL-EITI website. The NL-EITI website will serve as the basis for further communication.

Part III: Sustainability and effectiveness

19. The MSG is requested to present any additional information and evidence related to the indicators for assessing the sustainability and effectiveness of EITI implementation.

Each indicator will be assigned 0, 0.5 or 1 points by the EITI Board. The points will be added to the overall score of the country. The assessment of performance on the indicators will draw on information provided by the MSG, publicly available sources, stakeholder consultations and disclosures by the implementing country and companies. Please see the EITI Validation Guide for further information about how performance on these indicators will be assessed.

I. EITI implementation addresses nationally relevant extractive sector governance challenges. This indicator also recognises efforts beyond the EITI Standard.

Please see Part I:2.

The MSG has put information about the history of the extractive industry, including its raw materials, within both NL-EITI reports. In addition, the MSG has put information about subsidies for renewable energies, wind energy and geothermal energy into the 2018 report, and information about the role of the extractive industry (i.e. gas) within the energy transition. The MSG has planned more discussions on how to deal with the energy transition in their reports in 2021.

In 2021, the MSG is developing a new NL-EITI website, including Open Data sources. The new website is expected to go live in Q4 2021.

II. Extractive sector data is disclosed systematically through routine government and corporate reporting.

Extractive sector data is disclosed systematically through routine government websites such as the data center of the Dutch Oil & Gas Portal: <u>Datacenter | NLOG</u> and Statistics Netherlands (CBS): Open data (cbs.nl).

In 2021, the MSG is developing a new NL-EITI website, including Open Data sources. The new website is expected to go live in Q4 2021.

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III. There is an enabling environment for citizen participation in extractive sector governance, including participation by affected communities.

There are many ways how affected parties can influence government activities. E.g.:

- An affected party can have a say in the decision to grant (or reject) the mining production license.
- In addition, there are moments to participate in the environmental permit, the approval, amendment and withdrawal of the extraction plan and in the EIA procedure. These are the so-called consultation or appeal rounds throughout the process of minerals extraction.

See for more information, the following websites:

Inspraak - Winnen Fase - Hoe Werkt Gaswinnen?

The Dutch Oil & Gas portal: www.nlog.nl

https://mijnbouwvergunningen.nl/

IV. Extractive sector data is accessible and used for analysis, research and advocacy.

Extractive sector data is disclosed systematically through routine government websites such as the data center of the Dutch Oil & Gas Portal: <u>Datacenter | NLOG</u> and the Statistics Netherlands (CBS): <u>Open data (cbs.nl)</u>.

In 2021, the MSG is developing a new NL-EITI website, including Open Data sources. The new website is expected to go live in Q4 2021.

V. EITI has informed changes in extractive sector policies or practices.

By publishing the NL-EITI report, the MSG brings together already existing public information and non existing public information (suc as information about the Dutch SEO (EBN) and the revenues and reconciliation of extractive companies) into one single source in a transparent, clear and objective way.

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Part IV: Stakeholder feedback and MSG approval

20. Describe opportunities provided to stakeholders beyond MSG members to give feedback on the EITI process, including the EITI work plan.

Government engagement:

Apart from meetings in the framework of the Dutch EITI MSG, there are no structural
settings within the Dutch government for communication on EITI matters between the
different agencies involved. If deemed necessary, each department communicates
internally on relevant developments. Within the Ministry of Foreign Affairs for instance,
developments in certain EITI Standard implementing countries and reactions within EITI
are reported to the country desks or relevant embassies. Recently for instance on the
DRC, Mali, and Myanmar.

SOE engagement:

• As of 1st January 2020, the Dutch SOE (Energie Beheer Nederland (EBN)) is participating in the NL-EITI MSG meetings as an observer.

Civil society engagement:

- During a meeting in March 2016, ActionAid Netherlands, Both Ends, Cordaid, Hivos, OxfamNovib, Pax, Tax Justice Netherlands, Transparency International Netherlands, FNV were consulted on their interest in participating in the NL-EITI. Later that year, interest groups in gas producing areas and environmental organizations such as Greenpeace, MilieuDefensie and Waddenvereniging were also consulted. For most organizations the NL-EITI did not have sufficient priority. Transparency International Netherlands, FNV and Open State Foundation decided to join the MSG of the NL-EITI.
- In 2019, most of these organizations were again consulted on their interest in forming a structure for liaison and consultation. There was insufficient interest to establish such a structure. Instead it was decided to consult others on an ad hoc basis.
- Several civil society organizations consulted on the draft version of the 2017 NL-EITI report. This was done via email and during a meeting of Tax Justice Netherlands were most organizations were present.
- Several civil society organizations outside the NL-EITI MSG participated in the NL-EITI launch event in March 2018.¹

Company engagement:

 If important decisions need to be made, these will be discussed in the Legal and Communication Committees, the Working Group Fiscal Matters for endorsement and

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¹ Details of attendance are available on request at the NL-EITI Secretariat.

finally for approval in the Executive Committee of the industry organization (NOGEPA) by MSG member (Marieke van den Akker).

NL-EITI Secretariat:

- Frequent contact with the EITI International Secretariat (Sam Bartlett) to discuss issues around validation, awareness raising etc.
- Monthly meetings with colleagues in the German and UK Secretariat's to discuss issues of mutual interest and concern.

21. Describe how any feedback from stakeholders beyond MSG members have been considered in the review of the outcomes and impact of EITI implementation.

- In 2019, an expert and former member of the EITI International Board raised questions about the project level reporting in the 2017 NL-EITI report. The limitations and reasons for decisions made by the MSG in this regard were explained during a face-to-face meeting with a MSG delegation (please see the minutes of the MSG meetings on 4.3.2020, 17.6.2020 and 23.9.2020).
- The Dutch SOE (Energie Beheer Nederland (EBN)) is participating as an observer in the MSG meetings and MSG subgroups as of 22 January 2020.
- The in point 20 mentionned NOGEPA Committees and Working Group file comments regarding the draft texts of the EITI reports in any year and the final report will always be approved in the Executive Committee of the industry organization (NOGEPA).
- Several people/organisations assist in writing and approving texts for the NL-EITI reports, i.e. the Chair NL-EITI MSG, representatives from different departments within the Ministry of Economic Affairs and Climate Policy, the Ministry of Infrastructure and Water Management, the Ministry of Justice and Security and the Ministry of Finance, and three external organizations, i.e. TNO, Energie Beheer Nederland (EBN) and Statistics Netherlands (CBS).

22. Date of MSG approval of this submission and information on how the public can access it, e.g. link to national EITI website.

The MSG approved this submission on 30 June 2021.

The above information is available on the EITI International website (www.eiti.org).

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