

# MALAWI JAN 2022

## Stakeholder Engagement – Template for MWEITI data collection

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Period under review: [2019 to 2021]

Validation Team: [MWEITI Validation MSG Sub-committee]

| <b>VALIDATION MSG SUB-COMMITTEE</b> |                            |                               |               |
|-------------------------------------|----------------------------|-------------------------------|---------------|
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**Deadline for submission:** [Validation commencement date: 1<sup>st</sup> January 2022]

## Introduction

The EITI requires effective multi-stakeholder oversight, including a functioning multi-stakeholder group that involves the government, companies, and the full, independent, active and effective participation of civil society.

The key requirements related to multi-stakeholder oversight include: (1.1) government engagement; (1.2) industry engagement; (1.3) civil society engagement, including [EITI Protocol: Participation of civil society](#), and (1.4) the establishment and functioning of a multi-stakeholder group.

The purpose of this template is to collect information from MSG members about the implementation of these provisions. Parts I to IV of this template should be completed and submitted to the International Secretariat by the commencement of Validation.

Part I: MSG oversight addresses Requirement 1.4.b and should be approved by the MSG before submission to the International Secretariat.

Parts II to IV should be completed by each constituency and submitted to the International Secretariat. These should be shared with the MSG for information.

The Validation team will undertake virtual or in-person consultations to gather additional information. Ahead of the Validation, a public call for stakeholder views will be launched by the International Secretariat.

## Part I: MSG oversight

*This section is to be filled out by the national secretariat or an MSG working group and should be approved by the MSG before submission to the International Secretariat.*

## MSG members and attendance

1. Current MSG members. Please fill out the table below. Add rows when necessary.

| Constituency | Full/<br>alternate<br>member | Member<br>since<br>(MM/YY) | Name                 | Position                  | Organisation                                                        | Gender | Meetings<br>attended<br>in period<br>under<br>review<br>(January<br>2019) |
|--------------|------------------------------|----------------------------|----------------------|---------------------------|---------------------------------------------------------------------|--------|---------------------------------------------------------------------------|
| CSOs         | Full<br>member               | January<br>2019            | Herbert<br>Mwalukomo | Country<br>Director       | Centre for<br>Environment<br>al Policy<br>and<br>Advocacy<br>(CEPA) | Male   | 4/4                                                                       |
| CSOs         | Alternate<br>member          | January<br>2019            | Gloria Kamoto        | Program<br>me<br>Officer) | Centre for<br>Environment<br>al Policy<br>and<br>Advocacy<br>(CEPA) | Female | 3/4                                                                       |

|           |                  |              |                      |                       |                                   |        |     |
|-----------|------------------|--------------|----------------------|-----------------------|-----------------------------------|--------|-----|
| CSOs      | Full member      | April 2021   | Joy Chabwera         | Programmes Officer    | Evangelical Association of Malawi | Male   | 4/4 |
| CSOs      | Alternate member | April 2021   | Rev. Robert Masikamu | Programme Coordinator | Evangelical Association of Malawi | Male   | 0/4 |
| CSOs      | Full member      | April 2021   | Lingalire Mihowa     | Country Director      | OXFAM                             | Female | 2/4 |
| CSOs      | Alternate member | January 2020 | Chisomo Manthalu     | El Coordinator        | OXFAM                             | Male   | 2/4 |
| CSOs      | Full member      | April 2021   | Louis Nkhata         | Desk Officer          | CCJP-KARONGA Diocese              | Male   | 3/4 |
| CSOs      | Alternate member | April 2021   | Mwawi Shaba          | Alternate             | CCJP-KARONGA Diocese              | Male   | 3/4 |
| Companies | Member           | January 2018 | Andrew Musavengana   | Financial Controller  | Sovereign Services Limited        | Male   | 3/4 |
| Companies | Alternate        | January 2018 | Andries Kruger       | Country Manager       | Sovereign Services                | Male   | 1/4 |

|           |          |              |                      |                          |                    |      |     |
|-----------|----------|--------------|----------------------|--------------------------|--------------------|------|-----|
|           |          |              |                      |                          | Limited            |      |     |
| Companies | Member   | April 2021   | Bruno Kloser         | Country Director         | Rukuru Mine Ltd    | Male | 2/4 |
| Companies | Altenate | April 2021   | Matias Kloser        | Alternat e               | Rukuru Mine Ltd    | Male | 4/4 |
| Companies | Member   | April 2021   | Bobby Singh          | Country Manage r         | Optchem 2000 Ltd   | Male | 2/4 |
| Companies | Altenate | April 2021   | Fernando Coroa       | Alternat e               | Optchem 2000 Ltd   | Male | 0/4 |
| Companies | Member   | January 2018 | Prajeesh Padmanabhan | Operatio ns Manage r     | Shayona Cement Co. | Male | 2/4 |
| Companies | Member   | January 2018 | Spencer M'baka       | Administr ative Manage r | Shayona Cement Co. | Male | 2/4 |
| Companies | Member   | April 2021   | Dr. Martin Kansichi  | Country Director         | RAKGAS Ltd         | Male | 0/4 |
| Companies | Member   | April 2021   | HAMRA                | Country Director         | RAKGAS Ltd         | Male | 0/4 |
| Companies | Member   | April 2021   | P. Khishnadas Nair   | General Manage r         | RAIPLY             | Male | 2/4 |

|            |          |              |                     |                                     |                        |  |        |     |
|------------|----------|--------------|---------------------|-------------------------------------|------------------------|--|--------|-----|
| Companies  | Member   | April 2021   | Nathaniel M. Nthala | Forest Manager                      | RAIPLY                 |  | Male   | 1/4 |
| Government | Member   | January 2018 | Kenneth Matupa      | Director of Revenue                 | Ministry of Finance    |  | Male   | 0/4 |
| Government | Member   | January 2018 | Catherine Chlima    | Deputy Director                     | Ministry of Finance    |  | Female | 3/4 |
| Government | Member   | January 2018 | Ken Khoswe          | Manager-Foreign Exchange Operations | Reserve Bank of Malawi |  | Male   | 3/4 |
| Government | Member   | January 2018 | Chisomo Kuyenda     | Economist                           | Reserve Bank of Malawi |  | Female | 3/4 |
| Government | Member   | January 2020 | Burnet Msika        | Ag. Director                        | Ministry of Mining     |  | Male   | 3/4 |
| Government | Altenate | January 2020 | Tikondane Phiri     | Head of Cadaster                    | Ministry of Mining     |  | Male   | 2/4 |
| Government | Member   | January 2018 | Teddie Kamoto       | Deputy Director                     | Forestry Department    |  | Male   | 0/4 |
| Government | Member   | January 2018 | Ruttiya Kayange     | Altenate                            | Forestry Department    |  | female | 0/4 |
| Government | Member   | January 2018 | Charles Maseya      | Director                            | National Audit Office  |  | Male   | 1/4 |
| Government | Member   | January      | Carol Buliyani      | Chief Auditor                       | National               |  | Female | 3/4 |

|            |        |              |              |                     |                          |        |     |
|------------|--------|--------------|--------------|---------------------|--------------------------|--------|-----|
|            |        | 2018         |              |                     | Audit Office             |        |     |
| Government | Member | January 2018 | Davie Khonje | Mining Unit Manager | Malawi Revenue Authority | Male   | 4/4 |
| Government | Member | January 2018 | Evelet Manda | Altenate            | Malawi Revenue Authority | Female | 0/4 |
|            |        |              |              |                     |                          |        |     |

**2. Changes in membership in the period under review and the reason behind each change. (I.e. if there are people who have been members in the period under review but no longer are.) Please fill out the table below. Add rows when necessary.**

| Constituency | Name of Former Member                      | End of MSG membership (MM/YY) | Reason for Member ending          | Replaced by                        |
|--------------|--------------------------------------------|-------------------------------|-----------------------------------|------------------------------------|
| CSOs         | William Chadza                             | April 2020                    | Resignation from the Organization | Herbert Mwalukomo                  |
| CSOs         | Cynthia Simukonda                          | April 2020                    | Resignation from the Organization | Gloria Kamoto                      |
| CSOs         | Moses Mkandawire (Livingstonia Church Aid) | April 2021                    | CSOs elections at their AGC.      | Joy Chabwera                       |
| CSOs         | Jacquiline (Livingstonia)                  | April 2021                    | CSOs elections at their AGC.      | Rev. Robert Masikamu (Evangelical) |



|           |                                            |                |                                                                      |                                                                     |
|-----------|--------------------------------------------|----------------|----------------------------------------------------------------------|---------------------------------------------------------------------|
|           | Church Aid)                                |                |                                                                      | Association of Malawi)                                              |
| CSOs      | Elyvin Chawinga<br>(OXFAM)                 | April 2021     | Resignation from the Organization                                    | Lingalire Mihowa<br>(OXFAM-Director)                                |
| CSOs      | Chisomo Manthalu<br>(OXFAM)                | April 2021     | Internal arrangements                                                | Chisomo Manthalu<br>(OXFAM)                                         |
| CSOs      | Agnes- Mpoto Bandazi (OXFAM)               | September 2021 | Resignation from the Organisation                                    | Agnes- Mpoto Bandazi (OXFAM)                                        |
|           |                                            |                |                                                                      |                                                                     |
| CSOs      | Kossam Munthali<br>(FOCUS-Karonga)         | April 2021     | CSOs elections at their AGC.                                         | Louis Nkhata<br>(CCJP-Karonga)                                      |
| CSOs      | Jabesi Nyirenda<br>(FOCUS-Karonga)         | April 2021     | CSOs elections at their AGC.                                         | Mwawi Shaba<br>(CCJP-Karonga)                                       |
| Companies | Andries Kruger Sovereign Services Limited) | 2020           | By Internal Arrangement Andrew and Andries swapped roles as a member | Andrew Musavengana as a member while Andries remained a an altenate |

|           |                                                 |            |                                                          |                                     |
|-----------|-------------------------------------------------|------------|----------------------------------------------------------|-------------------------------------|
|           |                                                 |            | and alternate                                            | (Sovereign Services Limited)        |
| Companies | Burton Kachinjika (Mkango Resources Ltd)        | April 2021 | Chambers of mine AGC changes of companies representation | Bruno Kloser (Rukuru Mine Ltd)      |
| Companies | Stewart Chibanda (Mkango Resources Ltd)         | April 2021 | Chambers of mine AGC changes of companies representation | Matias Kloser (Rukuru Mine Ltd)     |
| Companies | Diana Longwe (Bwanje Cement Co.)                | April 2021 | Chambers of mine AGC changes of companies representation | Bobby Singh (Optchem 2000 Ltd)      |
| Companies | Misheck Munthali (Bwanje Cement Co.)            | April 2021 | Chambers of mine AGC changes of companies representation | Fernando Coroa (Optchem 2000 Ltd)   |
| Companies | Prajeesh Padmanabhan                            | April 2021 | Second term Re-election                                  | No changes                          |
| Companies | Lowland Mwalweni (Shayona Cement Co. Alternate) | 2019       | Retirement of Mr. Mwalweni                               | Spencer M'baka (Shayona Cement Co.) |

|            |                                                            |            |                                        |                                                                  |
|------------|------------------------------------------------------------|------------|----------------------------------------|------------------------------------------------------------------|
| Companies  | Dr. Martin Kansichi (RAKGAS Ltd)                           | March 2021 | Closure of company in Malawi           | No replacement (No Oil and Gas representative at the moment as . |
| Companies  | HAMRA                                                      | March 2021 | Closure of company in Malawi           | No replacement (No Oil and Gas representative at the moment as . |
| Companies  | P. Khrishnadas Nair                                        | 2020       | No changes                             | No Changes                                                       |
| Companies  | Nathaniel M. Nthala                                        | 2020       | No changes                             | No Changes                                                       |
| Government | Crispin Kulemeka (Director of Revenue-Ministry of Finance) | 2019       | Retirement of Mr. Kulemeka             | Kenneth Matupa                                                   |
| Government | Grecium Kandio                                             | 2020       | Consideration of Gender representation | Catherine Chlima ( Deputy Director of Revenue)                   |
| Government | Ken Khoswe (Reserve Bank of Malawi)                        | 2019       | No changes                             | No changes                                                       |
| Government | Chisomo Kuyenda (Reserve Bank of Malawi)                   | 2019       | No changes                             | No changes                                                       |
| Government | Mr. Salima (Director of Mining-Ministry of Mining)         | 2020       | Death of Mr Salima                     | Burnet Msika (Ag. Director of Mining-Ministry of Mining)         |

|            |                                                               |      |                                                |                                                                    |
|------------|---------------------------------------------------------------|------|------------------------------------------------|--------------------------------------------------------------------|
| Government | Mr. Peter Chilumanga-<br>Altenate –<br>Ministry of<br>Mining) | 2020 | Retirement of<br>Mr. Peter<br>Chilumanga       | Tikondane Phiri<br>(Head of<br>Cadaster-<br>Ministry of<br>Mining) |
| Government | Teddie Kamoto<br>(Forestry<br>Department)                     | 2019 | No changes                                     | No changes                                                         |
| Government | Ruttiya Kayange<br>(Forestry<br>Department)                   | 2019 | No changes                                     | No changes                                                         |
| Government | Charles Maseya<br>(National Audit<br>Office)                  | 2019 | No changes                                     | No changes                                                         |
| Government | Mr. Chikwana-<br>Chief Auditor.<br>(National Audit<br>Office) | 2020 | Transfer from<br>Lilongwe to<br>Zomba district | Carol Buliyani<br>(National Audit<br>Office)                       |
| Government | Davie Khonje<br>(Malawi<br>Revenue<br>Authority)              | 2019 | No changes                                     | No changes                                                         |
| Government | Evelyn Manda<br>(Malawi<br>Revenue<br>Authority)              | 2019 | No changes                                     | No changes                                                         |
|            |                                                               |      |                                                |                                                                    |

**3. MSG working groups and technical committees. If the MSG has established working groups or committees, please describe briefly their mandate and membership.**

**1) Finance Risks and Audit Subcommittee**

The Subcommittee is comprised of at least six members being accounting and auditing professionals . Three members shall represent its constituency. One member shall be the head of the finance or accounts from the Ministry of finance. One member shall come from Malawi revenue Authority and One member from Auditor General's office as an ex-official.

The roles and duties of the subcommittee is to monitor and manages all financial issues of MWEITI. More detailed duties and responsibilities are outlined in the approved Terms of Reference for the committee which can be accessed on MWEITI website. [www.mweiti.mw](http://www.mweiti.mw).

**2) The Communication and Engagement Subcommittee**

The Subcommittee is comprised of total of five members of which three shall be representatives of each constituents of MSG. The objective of the subcommittee is to oversee the dissemination and implementation of the MWEITI Communication strategy.

The roles and duties of the subcommittee is to implementation of all mSG matters pertaining to to communication and engagement. The details of roles and duties covered in the approved Communication and Engagement Terms of reference which can be viewed on MWEITI Website. [www.mweiti.mw](http://www.mweiti.mw).

**3) Beneficial Ownership Disclosure Roadmap Implementation Subcommittee**

The Subcommittee is composed of five members. Three members represents the three constituents of the MSG. The Subcommittee is responsible for implementation of the BOD road map. The details of the subcommittee responsibilities and roles are documented in the Terms of reference which can be accessed through MWEITI website. [www.mweeiti.mw](http://www.mweeiti.mw).

## MSG Terms of Reference and practices

### 4. Link(s) to publicly available MSG Terms of Reference and/or other documents containing the provisions of Requirement 1.4.b.

The MSG ToRs and other requirements are accessible on [www.mweiti.mw](http://www.mweiti.mw).

In a folder called MSG ToRs. However there are additional information which was approved by MSG meeting which increased and extended number of MSG membership to Oil and Gas sector and Forestry Sector which can be found in the minutes number

**MINUTES/MSG/2019/22** agenda number 9. The minutes can also be accessed through mweiti website. [www.mweiti.mw](http://www.mweiti.mw).

### 5. Date of MSG approval of its latest Terms of Reference or similar document containing the provisions under EITI Requirement 1.4.b.

13<sup>th</sup> December 2019, The meeting held at Linde Motel in Dowa.

**MINUTES/MSG/2019/22** agenda number 9.

Elements of MSG Terms of Reference (1.4.b)

|  |
|--|
|  |
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6. MSG's policies and practices. Please fill out the table below.

|                                                                                                | <i>Where is the policy documented?</i>                                                                                                                                                       | <i>Briefly describe practices in the period under review. Please explain any discrepancies between the ToR and the practice.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>The role, responsibilities and rights of the MSG</b>                                        |                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Definition of the role, responsibilities and rights of the MSG and its members.                | <p><b>Section 2 , 2.2,2.2,2.3 of the MSG ToR</b></p> <p><i>On the Mweiti website and can also get copy from the MWEITI Secretariat.<a href="http://www.mweiti.mw">www.mweiti.mw</a>.</i></p> | <p><i>[Have the roles, responsibilities and rights been respected in practice?]</i></p> <p><i>Yes the roles, responsibilities and rights of MSG members has been respected in practice. For example;</i></p> <p><i>1) CSOs constituents stopped the approval of the 4<sup>th</sup> EITI report to ensure that the corruption allegation at the Ministry of Mining is addressed.Refer to 4<sup>th</sup> EITI report.</i></p> <p><i>2) The meetings can not start without a quorum being formed. Refer to minutes of latest meeting minutes.</i></p> <p><i>3) Any constituents can chair the meeting</i></p> |
| Adherence to the EITI Association code of conduct, including addressing conflicts of interest. | Yes, members are free to declare conflict of interest.                                                                                                                                       | <i>The party involved has once askd for an independent opinion from relevant institutons. For example when the Ministry of Mining was requested to act on corruption allegation they called for council of the Ministry of Justice, Department of Human Resources and</i>                                                                                                                                                                                                                                                                                                                                  |



|                                                                                                                                                    |                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                    |                                                                                                                                                                                                                                                                     | <i>Development and the ACB.</i>                                                                                                                                                                                                                                                        |
| <b>Approval of work plans and oversight of implementation</b>                                                                                      |                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                        |
| Approval of annual work plans.                                                                                                                     | <i>The approval of workplan are documented in the MSG ToR and the Annual work plan itself. It is also sometimes documented in the minutes of that meeting where the MSG met to approve the Work plan.</i>                                                           | <i>The current 2021/2022 Work plan was developed by MSG with help from Secretariat and consultant provided by EITI International Secretariat and was approved on 25<sup>th</sup> June 2021</i>                                                                                         |
| Oversight of the EITI reporting process and engagement in Validation, including approval of Independent Administrator ToRs and EITI Reports.       | <p>Done through the approval of the EITI report and IA engagement terms of reference.</p> <p>The IA and EITI report MSG terms of reference report is available and it can be accessed through mweiti website. <a href="http://www.mweiti.mw">www.mweiti.mw</a>.</p> | <p><i>[Is the MSG providing effective oversight of implementation? Has the MSG approved ToRs and EITI Reports? If yes, when?]</i></p> <p><i>Yes the latest EITI report terms of reference for the 5<sup>th</sup> EITI report was approved by MSG on 25<sup>th</sup> June 2021.</i></p> |
| <b>Internal governance rules and procedures</b>                                                                                                    |                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                        |
| Inclusive decision-making process throughout implementation, with each constituency being treated as a partner and with the right to table issues. | <p><i>MSG ToR, Section 2.3</i></p> <p><a href="http://www.mweiti.mw">www.mweiti.mw</a></p>                                                                                                                                                                          | <i>All MSG members have been able to table the issues without hinderances. CSOs have tabled various issues including the issues of corruption allegations without intimidation or restriction.</i>                                                                                     |
| Procedures for nominating and changing multi-stakeholder group representatives, incl. alternates                                                   | <p><i>The processes are stipulated in the MSG ToRs section 3.1a,b,c.</i></p> <p><a href="http://www.mweiti.mw">www.mweiti.mw</a></p>                                                                                                                                | <p><i>[Indicate the practice in Part I and in constituency-specific questionnaires.]</i></p> <p><i>The National Secretariat writes official letters to the constituents of MSG about the expiry of MSG member tenue. The letters are also sent to the contact and</i></p>              |

|                                                              |                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                              |                                                                                     | <p><i>responsible channel stipulated in the MSG ToRs with request for nomination of new members of MSG.</i></p> <p><i>The constituent follow their independent democratic channels to come up with new members and they submit the names to the National Secretariat. Letters are available as evidences.</i></p>                                                                                                               |
| Decision-making procedures, e.g. rules for voting and quorum | <p>MGS ToRs Section 4.2</p> <p><a href="http://www.mweiti.mw">www.mweiti.mw</a></p> | <p><i>The MSG decision making procedures are always followed and there has been no decision that has been undertaken by voting so far. All decision has been by consensus. These can be seen through meeting resolutions in any or all MSG minutes.</i></p>                                                                                                                                                                     |
| Duration of the MSG's mandate                                | <p>MSG TOR Section 3.2</p> <p><a href="http://www.mweiti.mw">www.mweiti.mw</a></p>  | <ul style="list-style-type: none"> <li>• The duration for MSG' mandate is 3 years.</li> <li>• The provision regarding the duration of MSG manadates has been always been repected and in practice.</li> <li>• Currently three MSG tenures has erupted and necessary procedures were followed. <b>Copy of Documentations attached.</b></li> <li>• The current MSG membership is new and come in in April 2021 after a</li> </ul> |

|                                                                          |                                                                          |                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                          |                                                                          | duration of the other members erupted.                                                                                                                                                                                                                                                      |
| Per diems                                                                | GIZ donar per diem policy<br>Government per diem policy                  | <i>[Were per diems for MSG meetings paid out in the period under review? If yes, what was the per diem per meeting and how much was paid out in total?] The per diems were paid for MSG meetings during the period. The total estimated per diems would be around <b>MK 40 million.</b></i> |
| Frequency of meetings                                                    | MSG ToRs Section 4.1<br><a href="http://www.mweiti.mw">www.mweiti.mw</a> | The MSG during the period of validation met about 14 times or 14 meetings both physically and by virtual .                                                                                                                                                                                  |
| Advance notice of meetings and timely circulation of documents           | MSG ToRs Section 4.2<br><a href="http://www.mweiti.mw">www.mweiti.mw</a> | <i>The advance notice given for MSG meetings varied between two weeks stipulated in the ToR and to about 5 days. But at all the time the documents for the meeting were circulated through MSG mailinglist ahead of meetings. This included agenda and dneccesssary documents.</i>          |
| Record-keeping                                                           | MSG ToRs Section 4.2<br><a href="http://www.mweiti.mw">www.mweiti.mw</a> | Meeting proceedings were kept of MSG decisions in the period under review. They were kept in the form of minutes and reports which can be accessed on mweiti website. And those not yet adopted are attached.                                                                               |
| <b>Other aspects covered in the ToR that the MSG wishes to highlight</b> |                                                                          |                                                                                                                                                                                                                                                                                             |

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|



## MSG meetings and minutes

**7. Please provide the dates and a link to the published minutes of MSG meetings that have taken place in the period under review or provide any unpublished minutes as an attachment.**

1. 20<sup>TH</sup> OCTOBER 2021, VIRTUAL MEETING, MINUTES/MSG/2021/30, Attached.
2. 18<sup>TH</sup> OCTOBER 2021, VIRTUAL MEETING, MINUTES/ /MSG-SUBC/2021/30, Attached.
3. 05<sup>TH</sup> OCTOBER 2021, VIRTUAL MEETING,MINUTES/MSG/2021/29, Attached
4. 09<sup>TH</sup> JUNE 2021, BICC-LILONGWE, MINUTES/MSG/2021/28, Attached
5. 18<sup>TH</sup> JANUARY 2021, VIRTUAL MEETING, MINUTES/MSG/2021/27, Attached
6. 14<sup>TH</sup> DECEMBER 2020, VIRTUAL MEETING, MINUTES/MSG/2020/26 Attached
7. 20<sup>TH</sup> NOVEMBER 2020, CAPITAL HOTEL, MINUTES/MSG/2020/25, Attached
8. 21<sup>ST</sup> SEPTEMBER 2020, ZOOM VIRTUAL MEETING, MINUTES/MSG/2020/24
9. 30<sup>th</sup> July 2020, Sunbird Capital Hotel, MINUTES/MSG/2020/23 attached
10. 13<sup>th</sup>December, 2019, Linde Hotel, Mponela, MINUTES/MSG/2019/22
11. 11<sup>th</sup> November, 2019, Sunbird Capital Hotel, MINUTES/MSG/2018/21
12. 11<sup>th</sup> October, 2019, Ministry of Finance, Conference Room, MINUTES/MSG/2019/20.
13. 18<sup>th</sup> September, 2019, Lilongwe Hotel, Lilongwe, MINUTES/MSG/2019/19
14. 20<sup>th</sup> December, 2018, Ministry of Finance Main Conference Room, MINUTES/MSG/2018/18

## MSG approval

### 8. Date of MSG approval of this submission.

15<sup>th</sup> December 2021

## Part II: Government engagement

*This questionnaire seeks to collect information from government MSG members about the engagement of the government in the EITI process from **1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2021** [insert period under review]. Government MSG members are requested to fill out the form together and either submit it directly to the Validation team ([xxx@eiti.org](mailto:xxx@eiti.org)) or request the National Coordinator to submit it. Government MSG members may also mandate the National Coordinator to fill out the questionnaire. The deadline for submitting the form to the Validation team is **1<sup>st</sup> January 2022** (insert Validation commencement date). It is recommended that government MSG members coordinate to agree one submission. Diverging views within the constituency can be documented in the form. The signatories of the submission should be indicated at the bottom of the form. Stakeholders may contact the Validation team directly to provide additional views.*

### 1. Examples of statements or actions in support of the EITI and/or matters in the scope of the EITI Standard by high-level government representatives, such as ministers or the head of state.

1. Budget Statement by the Minister of Finance who is also a Champion.

**i) The 2018/2019 Budget Statement Delivered In The, National Assembly Of The Republic Of Malawi By Minister Of Finance, Economic Planning And Development Honourable Goodall E. Gondwe At The Parliament Building Lilongwe**

"110. Mr. Speaker, Sir, Government remains committed to improving transparency in revenue management and accountability in the Extractive Industries Sector under the Extractive Industry Transparency Initiative (EITI)

which the Government of Malawi is a signed-up member. Currently, Government with the assistance from GIZ is working on the production of the second EITI Report for Malawi." Reference Budget Statement Page 25. Accessible at [www.mof.gov.mw](http://www.mof.gov.mw) or the document attached.

2) High level MSG CSOs negotiation meeting on 4<sup>th</sup> EITI report approval on corruption allegation. The Champion, the Minister of Finance Honourable Mlusu and the Minister of Mining Honourable Rashid Gaffer held a meeting with MSG member where they discussed with CSOs to find the best way forward for Malawi not to miss the reporting deadline. Thi meeting was held at high level. This meeting led to the CSOs to agree and gave a concert for the 4<sup>th</sup> EITI report to be adopted and shared with the EITI International Scretariat.

## 2. Name and position of senior individual leading implementation.

Honouable Felix Litel Mlusu  
The Champion of MWEITI  
The Minister of Finance

## 3. Describe the process for nominating government MSG members, including whether consideration was given to ensuring the seniority and diversity of representation.

| Agreed procedure for selecting government MSG members                                                   | Practice in the period under review                                                                                                   |
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| The 6 key relevant Government MDAs are permanent members of the MSG constituents of Malawi EITI namely, | Government practices during the period.<br><br>1) The Minister of Finance is a Champion and a lead. Provides financing and support to |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Ministry of Mining (MoM)</p> <p>2. Reserve Bank of Malawi (RBM)</p> <p>3. Ministry of Finance (MoF)</p> <p>4. National Audit Office (NAO)</p> <p>5. Ministry of Forestry and Natural Resources</p> <p>6. Malawi Revenue Authority is a permanent Observer due to its strategic nature but treated and has rights like any other MSG member.</p> <p>✓ Names of Officials representing the Government MSG constituent can change but the MDAs shall remain the same. When the MDAs want to change its representatives it should communicate to the National Secretariat.</p> <p>✓ The MWEITI National Secretariat writes the MSG members including Government branch about expiry of the tenure of the MSG office and a need for renewed mandates. The each members communicates changes in a specified period.</p> | <p>secretariat.</p> <p>2) The Director of revenue is a Member of MSG and the permanent Chairperson of the MWEITI MSG meeting. His Deputy Director is an Alternate.</p> <p>3) The Chairperson can delegate.</p> <p>3) In practice any Member of MSG can chair any meeting of MSG upon nomination by the meeting members and shall be regarded as chairperson for that particular MSG meeting.</p> <p>4) The MWEITI National Secretariat writes the MSG members including Government branch about expiry of the tenure of the MSG office and a need for renewed mandates. The each members communicates changes in a specified period.</p> <p>5) Initially we had 4 Government MSG representative and one permanent Observer. But during the period, Government added Forestry sector in the reconciliation and the MSG agreed to include the Department of Forestry as the Member.</p> <p>6) During the same period 2019 to 2021, the Government divided the Ministry of Natural Resources, Energy and Mining into two Ministries with a Minister each. The ministries are now; 1) Ministry of Mining and 2) Ministry of Forestry and Natural Resources.</p> |
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**4. If any MSG representatives changed during the MSG's term, please describe the process followed for replacing them.**

|                                                              |                                            |
|--------------------------------------------------------------|--------------------------------------------|
| <p>Agreed procedure for replacing government MSG members</p> | <p>Practice in the period under review</p> |
|--------------------------------------------------------------|--------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>Government MSG Membership can change due to many reasons like retirement, resignation, transfer of members, promotion, change of office death, etc.</p> <p>When there is a change, the Government MDAs are required to communicate and inform the MWEITI National Secretariat about the changes. The National Secretariat can also do follow up if it observe changes in participation or absentism.</p> | <p>Between the period under validation from January 2019 to the December 2021;</p> <ol style="list-style-type: none"> <li>1. Ministry of Finance. <ul style="list-style-type: none"> <li>• In 2018/2019, Mr. Kulemeka, was replaced by Mr. Matupa due to the retirement of Mr. Kulemeka.</li> <li>• In 2019, Mrs Cathrene Chilima replaced Mr. G.R.T Kandio as an Altenate member of MSG.</li> <li>• In 2020, Mrs Cathrine Chilima took the Position for MWEITI National Coordinator replacing Mr. George Harawa who was transferred to the other Ministry.</li> </ul> </li> <li>3. Ministry of Mining <ul style="list-style-type: none"> <li>• In 2020, Mr. Salima the Director of the Department of Mines was replaced by Mr Burnet Msika due to the death of Mr. Salima.</li> <li>• In 2020, Mr. Peter Chilumnaga, the Deputy Director of the Department of Mines was replaced by Mr. Tikondane the Head of Mining Cadastre Unit due to retirement of Mr. Peter Chilumanga.</li> </ul> </li> <li>4. National Audit Office <ul style="list-style-type: none"> <li>• In 2019, Ms Carol Buliyani replaced Mr. Chikwana as an Altenate member due to transfer of Mr. Chikwana to Zomba District.</li> </ul> </li> <li>5. RBM No changes</li> <li>6. Department of Forestry- No Changes</li> <li>7. MRA No Changes</li> </ol> |
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**5. Government resources directed to EITI implementation in the period under review, such as staff and funding for work plan activities.**

1. 2018/2019 Ministry of Finance Staffs estimated at MK 61.2 Staffs (National Coordinator, 3 Officers working towards EITI support.
2. 2019/2020 Ministry of Finance MK161.2 million through National Budget
3. 2020/2021 Ministry of Finance MK 94 million through National Budget
4. 2022/2023 Ministry of Finance Budget estimate MK225 Million proposed preliminary MWEITI budget.

**Note:** Government officers estimated salaries and Ministry of finance annual budget allocation towards Mweiti activities.

**6. Efforts undertaken by the government to ensure an enabling environment for company and CSO participation in the EITI and/or to remove any obstacles to EITI disclosures.**

- 1) Inclusion of two provision to support EITI and on transparency and accountability in the Minerals and Mining ACT (MMA).
- 2) Provision of transport and accommodatin costs for CSOs and Companies attending the meetings from Outside Lilongwe.
- 3). Provision of agenda and meeting documents in advance for members preparations.
- 4) The Terms of Reference (ToRs) states all the conditions and rights of members. The rules and principals of engagement stipulates the manner in which all members should be free to participate.

## Liaison with the broader constituency

### 3. Describe the government constituency's structures, policies and practices for coordination on EITI matters.

Please provide supporting evidence. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

| Structures in place for liaison with the broader constituency, such as coordination groups                                                                                                                                                                                                                                                                                                                                                                                                     | Policies and agreed procedures for liaison with the broader constituency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Practice in the period under review                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>1. Open Government Partnership- MWEITI is one of the Pillar in Government Open Partnership program managed under Office of President and Cabinet (OPC).</p> <p>2. MWEITI is a partners in the implementation of Beneficial Ownership Disclosure Policy and Law in Malawi which is led by Registrar General Department (RGD) and Financial Intelligency Unit (FIU).</p> <p>3. Government EITI Reporting Entities Group which meets through templates Filling and certification Workshops</p> | <p>MWEITI submits updates to the OGP at OPC periodically through the OPC. <b>Copy of letter attached.</b></p> <p>Member of the team in the BOD task team. Under this MWEITI – MoF engaged RGD, FIU through meeting. MWEITI supported FIU on filling ESMULUG template. <b>Template attached.</b></p> <p>Every year before producing each report the broader constituent meets during template filling workshop and template certification workshop (<b>Report Attached</b>). The stakeholders engaged are</p> <ol style="list-style-type: none"> <li>1. Department of Forestry,</li> <li>2. Ministry of Mining,</li> <li>3. Malawi Revenue Authority,</li> <li>4. Technical Education and Vacation Authority (TEVETA),</li> <li>5. Ministry of Finance.</li> </ol> | <p><i>[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]</i></p> <p>MWEITI submits updates to the OGP at OPC periodically through the OPC. <b>Copy of letter attached.</b></p> <p>Member of the team in the BOD task team. Under this MWEITI – MoF engaged RGD, FIU through meeting. MWEITI supported FIU on filling ESMULUG template. <b>Template attached.</b></p> <p>Every year before producing each report the broader constituent meets during template filling workshop and template certification workshop (<b>Report Attached</b>). The stakeholders engaged are</p> <ol style="list-style-type: none"> <li>1. Department of Forestry,</li> <li>2. Ministry of Mining,</li> <li>3. Malawi Revenue Authority,</li> <li>4. Technical Education and Vacation Authority (TEVETA),</li> <li>5. Ministry of Finance.</li> </ol> |

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**4. Have MSG members sought input from the broader constituency on the following documents. If yes, how and did you receive input?**

- a) The latest EITI work plan, including priorities for EITI implementation
- b) The latest annual review of outcomes and impact

a) The latest EITI Work Plan- Yes through MSG meetings on Work plan. Only those who are in MSG participated on contributing towards the inputs in the 2021/2022 Annual workplan.

b) The latest Annual Review of outcomes and Impacts. The IA consulted broader MDAs on the outcome and impact of EITI which is part of the 5<sup>th</sup> EITI report.

## Use of data

**5. Have government representatives contributed to communicating or using EITI data, including participation in outreach activities?**

If yes, please provide examples with links to any supporting evidence, such as reports, speeches or news articles.

Yes,

1. Karonga Community EITI report dissemination in 2020 in coraboration with FOCUS and CCJP Karonga CSOs. The outreach involved disseminating the EITI report to the locals with special

emphasis with the data and information for the companies within the communities. **(Event Report attached)**

2. Rumphi Community EITI report dissemination in 2020 in coraboration with Church and Society CSO. The outreach involved disseminating the EITI report to the locals with special emphasis with the data and information for the companies within the communities. **(Event report attached)**

## Sign-off

Please include below the names and contact details of the MSG members from the government constituency who sign off on submitting the above information to the Validation team. Add rows as needed.

| Name            | Email address or telephone number | Date | Signature (optional) |
|-----------------|-----------------------------------|------|----------------------|
| Barnet Msika    | burnettmsika@gmail.com            |      |                      |
| Chisomo Kuyenda | ckuyenda@rbm.mw                   |      |                      |
| Davie Khonje    | dkhonje@mra.mw                    |      |                      |

## Part III: Industry engagement

*This questionnaire seeks to collect information from industry MSG members about the engagement of oil, gas and mining companies in the EITI process from **1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2021** [insert period under review]. Industry MSG members are requested to fill out the form together and either submit it directly to the Validation team ([xxx@eiti.org](mailto:xxx@eiti.org)) or request the National Coordinator to submit it. The deadline for submitting the form to the Validation team is **1<sup>st</sup> January 2022** (insert Validation commencement date). It is recommended that industry MSG members coordinate to agree one submission. Diverging views within the constituency can be documented in the form. The signatories of the submission should be indicated at the bottom of the form. Stakeholders may contact the Validation team directly to provide additional views.*

### MSG nominations

#### 1. Describe the process for nominating industry MSG members, including whether consideration was given to ensuring the diversity of representation.

Please provide supporting documentation related to the latest nomination process. This could include the invitation to participate in the MSG, a list of interested organisations or individuals, constituency ToRs, minutes of the election process, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

| Agreed procedure for selecting industry MSG members                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Practice in the period under review                                                                                                                                                                                                       |
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| <p>The procedures are stipulated in the MSG Terms of reference. (ToRs) Section 3.1.i. The copy of the ToRs is available on <a href="http://www.mweiti.mw">www.mweiti.mw</a>.</p> <p>The letter with a call for nominating new memberships and for the MSG members tenure expiry date is circulated. <b>Copy of Letter attached.</b></p> <p>The letter was submitted to MSG and the Industry mother body called Malawi Chamber of Mines and Energy (MCME). <b>Copy of a Letter attached.</b></p> <p>In return the MCME wrote back an email with the names of new nominated members. <b>The copy of email attached.</b></p> <p>For members outside MCME the letter is sent to the Ministry of Mining and for the Forest</p> | <p>The MWEITI National Secretariat various letters on nomination of MSG members . <b>Copies attached.</b></p> <p>The Secretariat received written response in different forms as <b>attached</b> for the period between 2019 to 2021.</p> |

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| sector to the Department of Forest. <b>Copy of letters attached.</b> |  |
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**2. If any MSG representatives changed during the MSG's term, please describe the process followed for replacing them.**

| Agreed procedure for replacing industry MSG members                                                                                                                                                                                                                                                                                                                                                                                                                      | Practice in the period under review                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>The procedures are same. Industries constituents through their mother body MCME through their independent meeting will nominate and select names to represent them. These names are submitted to the National Secretariat. Example of the documentation already attached.</p> <p>Those Industry outside Chambers of Mines are invited through the Ministry of Mining or Department of Forestry and also directly after MSG approval. Letter of such are attached.</p> | <p>1. Forest sector, RAIPLY Ltd joined MSG membership in 2020. <b>Letter attached</b></p> <p>2. Oil and Gas Sector, RAKGAS Ltd joined MSG membership in 2020. <b>Letters attached</b></p> <p>3. After expiry of 2<sup>nd</sup> MSG tenure on February 2021 the were following changes;</p> <ul style="list-style-type: none"> <li>i. Sovereign Svices retuned seat</li> <li>ii. Optchem 2000 Ltd replaced Bwanje Cement Company</li> <li>iii. Rukuru Ltd replaced Mkango Resources Ltd.</li> <li>iv. Shayona Cement Company returned the seat.</li> </ul> <p>4. RAKGAS Ltd communicated through the Chair that their company has winded up and therefore will not be participating the MSG meeting. <b>Email of communication attached.</b></p> |



## Liaison with the broader constituency

### 3. Describe the company constituency's structures, policies and practices for coordination on EITI matters.

Please provide supporting evidence, such as constituency ToRs, dates and minutes of constituency meetings, number of emails to mailing lists, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

| Structures in place for liaison with the broader constituency, such as industry associations | Policies and agreed procedures for liaison with the broader constituency                                                                                                           | Practice in the period under review                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The structure is through Malawi Chambers of Mines and Energy (MCME).                         | <p>During the Annual General Conference they nominate and select MSG members representatives.</p> <p>Have membership of all companies on the Whatsapp group and emailing list.</p> | <p><i>[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]</i></p> <p>The MCME through democratic fashion to its members selected and nominated new MSG members and communicated through the email by the President of the Chamber. <b>Copy of Email attached.</b></p> |

### 4. Have MSG members sought input from the broader constituency on the following documents. If yes, how and did you receive input?

- a) The latest EITI work plan, including priorities for EITI implementation
- b) The latest annual review of outcomes and impact

a) The Latest EITI Work Plan.

b) The latest Annual Review of Outcome and Impact

## Use of data

### 5. Have company representatives contributed to communicating or using EITI data, including participation in outreach activities?

If yes, please provide examples with links to any supporting evidence, such as reports, blogs or news articles.

Yes,

1. Mkango Resources (Lancaster Ltd) twice contributed to the community engagement on the EITI report in Songwe Phalombe district where MWEITI and CEPA and OXFAM conducted outreach in the communities around the mine. **Copy of Report Attached**

2.

## Obstacles to participation

6. If company representatives have experienced any obstacles to participation in the EITI, please describe and specify these obstacles below or convey your concerns directly to the Validation team ([XXX@eiti.org](mailto:XXX@eiti.org)) by the commencement of the Validation. Please provide supporting evidence if available. Requests for confidentiality will be respected.

1. Transportation costs not reimbursed and no allowances provided for those participants travelling from Outside Lilongwe for all GIZ supported activities. (GIZ policy do not support industries financially) **Minutes where this was discussed to be attached.**

2.

## Sign-off

7. Please include below the names and contact details of the MSG members from the industry constituency who sign off on submitting the above information to the Validation team. Add rows as needed.

| Name                                                  | Email address or telephone number                                                                  | Date | Signature (optional) |
|-------------------------------------------------------|----------------------------------------------------------------------------------------------------|------|----------------------|
| Khrishnadah P. Nair<br>(RAIPLY Ltd)                   | <a href="mailto:krisnadas@raiplymalawi.com">krisnadas@raiplymalawi.com</a>                         |      |                      |
| Andrew<br>Musevenganah<br>(Sovereign Services<br>Ltd) | <a href="mailto:andrewm@sovereignmetal.com.au">andrewm@sovereignmetal.com.au</a><br>+265 999445019 |      |                      |
| Prajeesh<br>Padmanabhan<br>(Shayona Cement<br>CO.)    | <a href="mailto:prajeesh@shayonacement.com">prajeesh@shayonacement.com</a><br>0888243897           |      |                      |

## Part IV: Civil society engagement

*This questionnaire seeks to collect information from civil society MSG members about the engagement of civil society in the EITI process from **1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2021** [insert period under review]. Civil society MSG members are requested to fill out the form together and either submit it directly to the Validation team ([xxx@eiti.org](mailto:xxx@eiti.org)) or request the National Coordinator to submit it. The deadline for submitting the form to the Validation team is (insert Validation commencement date). It is recommended that civil society MSG members coordinate to agree one submission. Diverging views within the constituency can be documented in the form. The signatories of the submission should be indicated at the bottom of the form. Stakeholders may contact the Validation team directly to provide additional views.*

### MSG nominations

#### 1. Describe the process for nominating civil society MSG members, including whether consideration was given to ensuring the diversity of representation.

Please provide supporting documentation related to the latest nomination process. This could include the invitation to participate in the MSG, a list of interested organisations or individuals, constituency ToRs, minutes of the election process, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

| Agreed procedure for replacing civil society MSG members                                                                                                                                                                                                                     | Practice in the period under review                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The procedures are stipulated in the MSG Terms of reference. (ToRs) Section 3.1.i.c. The copy of the ToRs available on <a href="http://www.mweiti.mw">www.mweiti.mw</a>.</p> <p>The National Secretariat communicates tenure expiry dates and a need for new members.</p> | <p>The letter with a call for nomination of new MSG members is circulated to all MSG members and constituents. Members are reminded of the end of tenure. <b>Copy of Letter attached.</b></p> <p>The letter was submitted to the NGO board called CONGOMA Extractive CSOs mother body Natural Resources Justice Network (NRJN). <b>Copy of Letter attached.</b></p> <p>The CONGOMA and the NRJN wrote back a letter with the names of new nominated members after their internal processes. <b>The copy of a letter attached.</b></p> |

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**2. If any MSG representatives changed during the MSG's term, please describe the process followed for replacing them.**

| Agreed procedure for replacing civil society MSG members                                                                                                                                                                                                                                                                                                                                     | Practice in the period under review                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>There is a provision in the Terms of Reference (ToRs) Section 3.1.i. Available at <a href="http://www.mweiti.mw">www.mweiti.mw</a>. The a communication is done in a form of an email or letter to a particular CSOs or the Constituent for them to replace the member or the CSOs. Further, the CSOs or the constituent is able to communicate any changes through letters or email.</p> | <p>1. OXFAM</p> <ul style="list-style-type: none"> <li>• changed a member Everyrn Chawinga with Agness Mpoto due to resignation of Mrs Chawinga.</li> <li>• Mrs Mihowa and Agness replaced the previous members after expiry of their tenure as OXFAM</li> <li>• Chisomo Manthalu replaced Agness Mpoto as an altenate due to Agness Resignation in 2021.</li> </ul> <p>2. CEPA changed and replaced its two Initial member and altenate Mr. Chadza and Cynthia Simukonda with Mr. Herbert Mwalukoma and Cynthia Simukonda respectively.</p> <p>3. In April 2021, the two CSOs namely FOCUS and Church and Society were replaced with new CSOs namely CCJP-Karonga and EAM.</p> |

## Liaison with the broader constituency

**3. Describe the civil society constituency's structures, policies and practices for coordination on EITI matters.**

Please provide supporting evidence, such as constituency ToRs, dates and minutes of constituency meetings, number of emails to mailing lists, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

| Structures in place for liaison with the broader constituency, such as networks                                                                                                                                                                                                                                         | Policies and agreed procedures for liaison with the broader constituency                                                                                                                                                                      | Practice in the period under review                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p>The CSOs have various modus operandi under the CONGOMA body and the Natural Resources Justice Network (NRJN).</p> <p>NRJN has a Constitution and program policy Guides.</p> <p><a href="https://www.congoma.mw/about-us/organisational-structure/">https://www.congoma.mw/about-us/organisational-structure/</a></p> | <p>NRJN Constitution and Program Policy Guide attached.</p> <p>The CSOs are affiliated to the mother body NRJN. The agreed procedures are that CSOs MSG members are expected to report issues and get issues from a broader NRJN members.</p> | <p><i>[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]</i></p> <p>1) The CSOs conducted a number of NRJN activities where EITI issues were discussed.</p> <p>2) The CSOs MSG members organize workshops with broader NRJN members to gather comments on the drafts EITI reports which then are submitted for consideration and as input. Reports of NRJN and CSOs on EITI available at NRJN attached.</p> |

**4. Have MSG members sought input from the broader constituency on the following documents. If yes, how and did you receive input?**

- a) The latest EITI work plan, including priorities for EITI implementation
- b) The latest annual review of outcomes and impact

**a) The latest EITI work plan, including priorities for EITI implementation**

Yes, the MSG CSOs constituents represents the broader CSOs family under NRJN. They advance the goals and views of NRJN. The preparation and the draft EITI work-plan is not shared directly with all CSOs in the country but indirectly. It is shared with CSOs MSG constituent.

**b) The latest annual review of outcomes and impact**

Yes, the MSG CSOs and the National Secretariat do conduct consultations at times with CSOs

outside MSG members. However, the latest annual review of outcomes and impact is yet to be conducted at the moment.

## Use of data

### **5. Have civil society representatives contributed to communicating or using EITI data, including participation in outreach activities or use of EITI data in advocacy and campaigns?**

If yes, please provide examples with links to any supporting evidence, such as reports, blogs or news articles.

1) CEPA case study- Phalombe Outreach; Radio and TV EITI panel discussions etc.

2) FOCUS- Karonga Outreach

3. NRJN- Various workshop

4. CCJP-KA- Karonga Outreach

5. Church and Society-Rumphi Outreach

## Obstacles to participation

**6. If civil society representatives have experienced any obstacles to participation in the EITI, including the use of publicly available extractive sector data, please describe and specify these obstacles below or convey your concerns directly to the Validation team ([XXX@eiti.org](mailto:XXX@eiti.org)) by the commencement of the Validation.**

The [EITI's civil society protocol](#) requires that the government ensures an enabling environment for civil society engagement in the EITI. Any concerns related to potential breaches of the protocol should be accompanied with a description of the related incident, including its timing, actors involved and the link

to the EITI process. If available, supporting documentation should be provided. . Requests for confidentiality will be respected.

For purposes of Validation, ‘civil society representatives’ refer to civil society representatives who are substantively involved in the EITI process, including but not limited to members of the multi-stakeholder group. The ‘EITI process’ refers to activities related to preparing for EITI sign-up; MSG meetings; CSO constituency side-meetings on EITI, including interactions with MSG representatives; producing EITI Reports; producing materials or conducting analysis on EITI Reports; expressing views related to EITI activities; and expressing views related to natural resource governance.

| Provision of the EITI civil society protocol                                                                                                                                                                | Potential breach identified in the period under review and accompanying evidence                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1 Expression: Civil society representatives are able to engage in public debate related to the EITI process and express opinions about the EITI process without restraint, coercion or reprisal.          | Yes, The ToRs covers the principles of engagement. However, during the Ilomba license corruption allegation the CSOs felt threatened due to some coercion that took place in trying to balance up time to submit the report against ensuring that the Government acts upon the issue. |
| 2.2 Operation: Civil society representatives are able to operate freely in relation to the EITI process.                                                                                                    | Yes, so far no difficultis worthy talking about.                                                                                                                                                                                                                                      |
| 2.3 Association: Civil society representatives are able to communicate and cooperate with each other regarding the EITI process.                                                                            | Yes, through their AGC and various workshops on EITI.                                                                                                                                                                                                                                 |
| 2.4 Engagement: Civil society representatives are able to be fully, actively and effectively engaged in the design, implementation, monitoring and evaluation of the EITI process.                          | Yes- They are involved in EITI reporting and production processes.<br><br>The task of monitoring and evaluation of the EITI process was tasked to CSOs. (FOCUS) currently a replacement is yet to be nominated.<br><br>The Annual Workplan involves CSOs involvement                  |
| 2.5 Access to public decision-making: Civil society representatives are able to speak freely on transparency and natural resource governance issues, and ensure that the EITI contributes to public debate. | -Yes, Made sure the corruption allegations for the Ministry of Mining is included in the report and that the issues should be followed up until it is concluded.<br><br>-CSOs have organized TV and Radio                                                                             |



|  |                                    |
|--|------------------------------------|
|  | discussion on EITI related topics. |
|--|------------------------------------|

## Sign-off

7. Please include below the names and contact details of the MSG members from the civil society constituency who sign off on submitting the above information to the Validation team. Add rows as needed.

| Name              | Email address or telephone number | Date | Signature (optional) |
|-------------------|-----------------------------------|------|----------------------|
| Joy Chabwera      | Jchabwera6@gmail.com              |      |                      |
| Chisomo Manthalu  | cmanthalu@oxfam.org.uk            |      |                      |
| Herbert Mwalukomo | Herbert@cepa.org.mw               |      |                      |
|                   |                                   |      |                      |
|                   |                                   |      |                      |

## For Validation team's use: Guiding questions for consultations on stakeholder engagement

- What are the key strengths of the constituency's engagement in the EITI?
- Obstacles or barriers to participation in the EITI, including related to any of the provisions of the civil society protocol?
- Did actors from other constituencies attempt to influence the MSG nomination process or constituency coordination?
- What are the constituency's (or organisation's) priorities for EITI?
- To what extent are the constituency's or organisation's priorities reflected in EITI implementation?
- Are other constituencies fully, actively and effectively engaged in EITI implementation?
- Any other remarks, including commentary on the MSG's functioning.
- For stakeholders not on the MSG: Commentary on opportunities to provide input to the MSG's work or agenda. Commentary on the representativeness of constituency MSG members, possible conflicts of interest and the openness of the MSG nomination process.
- Context-specific questions arising from the written input to clarify or seek further information.

## For Validation team's use: Template for "Call for views on stakeholder engagement"

### Call for views on progress in EITI implementation in [country]

[Summary of status of implementation, including the commencement date of Validation and the outcome of the previous Validation,]

The EITI International Secretariat is seeking stakeholder views on [Country's] progress in implementing the EITI Standard between [period under review]. Stakeholders are requested to send views to [contacts of Validation team members] by [Validation commencement date].

The EITI Standard requires that the government, extractive companies and civil society are fully, actively and effectively engaged in EITI implementation. The Secretariat is seeking views on the following questions:

1. Are the government, extractive companies and civil society fully, actively and effectively engaged in EITI implementation?
2. Are there any obstacles or barriers to the participation of any of these constituencies or their sub-groups in EITI implementation?

Civil society engagement in the EITI will be assessed in accordance with EITI Protocol: Participation of civil society. Stakeholders are requested to provide input on [Country's] adherence with the protocol.

Any concerns related to potential breaches of the protocol should be accompanied with a description of the related incident, including its timing, actors involved and the link to the EITI process. If available, supporting documentation should be provided. Stakeholders may also indicate which provision of the civil society protocol they consider the breach(es) to relate to. Responses will be anonymised and be kept confidential.

The Secretariat is seeking views on the following questions related to civil society engagement:

3. Are civil society organisations able to engage in public debate related to the EITI process and express opinions about the EITI process without restraint, coercion or reprisal?
4. Are civil society representatives able to operate freely in relation to the EITI process?
5. Are civil society representatives able to communicate and cooperate with each other regarding the EITI process?
6. Are civil society representatives able to be fully, actively and effectively engaged in the design, implementation, monitoring and evaluation of the EITI process?
7. Are civil society representatives able to speak freely on transparency and natural resource governance issues, and ensure that the EITI contributes to public debate?

For purposes of the protocol, 'civil society representatives' refer to civil society representatives who are substantively involved in the EITI process, including but not limited to members of the multi-stakeholder group. The 'EITI process' refers to activities related to preparing for EITI sign-up; MSG meetings; CSO

constituency side-meetings on EITI, including interactions with MSG representatives; producing EITI Reports; producing materials or conducting analysis on EITI Reports; expressing views related to EITI activities; and expressing views related to natural resource governance.