

# [Mongolia]

## Stakeholder engagement – template for EITI data collection

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**Period under review:** [from previous Validation to commencement of this Validation)

**Validation team:** [Names and emails]

**Deadline for submission:** [Validation commencement date]

## 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/ alternate member	Member since (MM/YY)	Name	Position	Organisation	Gender	Meetings attended in period under review (dates)
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Mongolia EITI National Council							
Government	full	July, 2020	G.Yondon	Chair of EITI National Council	Minister of Mining and Heavy Industry	Mr.	2020.12.22 2021.12.21
Government	full	July, 2020	B.Javhlan	Member	Minister of Finance	Mr.	2019.11.19
Government	full	July, 2020	N.Urtnasan	Member	Minister of Environment and Tourism	Ms	2019.11.19 2020.12.22 2021.12.21
Government	full	July, 2020	B.Choijilsuren	Member	Chairman of Budget standing committee of Parliament	Mr	Not yet
Government	full	May, 2019	D.Zandanbat	Member	Chief Auditor of Mongolia	Mr	2019.11.19 2020.12.22 2021.12.21
Government	full	January, 2021	B.Batdavaa	Member	Chief of National Statistical Committee	Mr	2019.11.19 2020.12.22 2021.12.21
Government	Full	May, 2019	Z.Dashdavaa	Member	Chief of Anti-Corruption Commission	Mr	2019.11.19 2020.12.22 2021.12.21
Government	Full	November, 2020	D.Munkhbaatar	Member	Governor of Tuv aimag	Mr	Not yet
Company	Full	July, 2012	T.Gantumur	Member	President of Mongolian National Mining Association	Mr	2019.11.19 2020.12.22
Company	Full	July, 2012	G,Battsengel	Member	President of Mongolian Coal	Mr	2019.11.19 2020.12.22 2021.12.21
Company	Full	April, 2020	H.Amarjargal	Member	General director of Rio Tinto Mongolia LLC	Ms	Not yet
Company	Full	July, 2012	B.Bolormaa	Member	Chief accountant of Petro China Dachin Tamsag	Ms	2019.11.19
Company	Full	July, 2012	G.Tsogt	Member	Vice President of Mongolyn Alt Corporatiobn MAK	Mr	2021.12.21
Company	Full	July, 2012	G,Battsengel	Member	Executive director of Mongolian Coal	Mr	2019.11.19 2020.12.22 2021.12.21
Company	Full	July, 2012	E.Lkhagva	Member	Senior manager Oyu Tolgoi LLC	Mr	2019.11.19 2020.12.22 2021.12.21
Company	Full	July, 2012	M.Boldbaatar	Member	Leading specialist of Mongol-rostsvetmet SOE	Mr	2019.11.19 2020.12.22 2021.12.21
Company	Full	July, 2012	S.Enkhtuya	Member	Executive director of Monploymet LLC	Ms	2019.11.19 2020.12.22 2021.12.21
Company	Full	July, 2012	G.Tamir	Member	Deputy chief of Representative office of Erdenet SOE	Mr	2019.11.19 2021.12.21
Civil society	Full	January 2019	N.Bayarsaikhan	Member	Head of NGO Steps without border	Ms	2019.11.19 2020.12.22 2021.12.21

Civil Society	Full	January 2019	G.Urantsooj	Member	Head of NGO Human rights and development	Ms	2019.11.19 2020.12.22 2021.12.21
Civil Society	Full	January, 2019	P.Erdenejargal	Member	Executive director of Open Society Forum	Ms	2019.11.19 2020.12.22 2021.12.21
Civil Society	Full	January, 2019	D.Tserenjav	Member	Head of Foundation Transparency	Mr	2019.11.19 2020.12.22 2021.12.21
Civil Society	Full	January, 2019	S.Tserenpurev	Member	Head of NGO New Initiative of Administration	Ms	2021.12.21
Civil Society	Full	January, 2019	L.Tur-Od	Member	President of NGO Transparency International Mongolia	Mr	2019.11.19 2020.12.22 2021.12.21
Civil Society	Full	January, 2019	L.Bor	Member	Head of NGO Ikh Bayan Sharga	Ms	2019.11.19 2020.12.22 2021.12.21
Civil Society	Full	January, 2019	L.Amgalanbayar	Member	Head of NGO of Bugat Zaamar Burgast uul	Mr	Not yet
Civil Society	Full	January, 2019	B.Batbold	Member	Member of Governing Council of Civil Council of Environment	Mr	2019.11.19 2020.12.22
Civil Society	Full	January, 2019	N.Erdenesaikhan	Member	Member of Governing Council of Civil Council of Environment	Mr	2019.11.19 2020.12.22
Government	Full	January 2019,	G.Nandinjargal	Secretary of National Council	State Secretary of MMHI	Mr	2019.11.19 2020.12.22 2021.12.21
M-21, F-9							

1. Please check in attendance sheet of Mongolia EITI National Council-  
<http://www.eitimongolia.mn/p/46>

Constituency	Full/alternate member	Member since (MM/YY)	Name	Position	Organisation	Gender	Meetings attended in period under review (dates)
Mongolia EITI MSG - Multy-stakeholders Working Group							
Government	Full	January 2019,	G.Nandinjargal	Secretary	State Secretary of MMHI	Mr	2019.11.29 2020.08.31 2020.12.15 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Government	full	July, 2017	B.Zayabal	Member	Chief of General Department of Taxation	Mr.	2019.11.29 2020.01.29 2021.03.26 2021.06.30 2021.09.30 2021.11.25

Government	full	December, 2020	T.Gantulga	Member	Chief of General Agency of Professional Inspection	Mr	2019.11.29 2020.01.29
Government	full	December, 2017	P.Kherlen	Member	Chairman of Mineral Resources and Petroleum Authorities of Mongolia	Mr	2019.11.29 2020.08.31 2021.02.25 2021.03.26 2021.09.30 2021.11.25
Government	full	June, 2018	D.Bold	Member	Senior officer of Cabinet Secretariat of Mongolia	Mr	Not yet, but attended NC meeting 2019.12.19
Government	full	July, 2017	S.Dulamsuren	Member	Chief of section of prevention and enlightenment of Anti-corruption Authorities	Ms	2020.08.31 2020.12.15 2021.03.26 2021.06.30 2021.11.25
Government	Full	July, 2019	Ch.Chimidsuren	Member	Chief of Accounting policy department of MOF	Mr	2020.01.29 2021.06.30 2021.09.30 2021.11.25
Government	Full	July, 2019	E.Batbold	Member	Head of Investment and Research department of MMHI	Mr	2019.11.29 2020.08.31 2020.12.15 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Government	Full	July, 2020	D.Batmunkh	Member	Head of department for Environment and natural resources	Mr	2019.11.29 2021.06.30
Government	Full	October, 2016	Zh.Saintsog	Member	Deputy Governor of Selenge aimag	Mr	Not yet, Selenge aimag located more 300 km far away.
Company	Full	June, 2016	Ts.Enkhjargal	Member	Director of Badrakh Energy LLC	Ms	2019.11.29 2020.01.29 2020.08.31 2021.09.30 2021.11.25
Company	Full	June, 2018	D.Ganzorig	Member	Chief of economic department of Baganuur SC	Mr	Not yet, but attended Inception Seminar in 2020.11.06.
Company	Full	June, 2014	T.Munkhzul	Member	Financial director of Boroo Gold LLC	Ms	2020.08.31 2021.06.30 2021.09.30 2021.11.25
Company	Full	June, 2018	B.Bolormaa	Member	Chief accountant of Petro China Dachin Tamsag	Ms	2019.11.29 2021.02.25 2021.06.30 2021.11.25
Company	Full	January, 2019	D.Battulga	Member	Chief of internal control and monitoring	Mr	2019.11.29 2020.01.29 2020.08.31

					section of Erdenes Mongol LLC		2020.12.15 2021.03.26 2021.06.30
Company	Full	December, 2014	D.Enkhbold	Member	Executive director of Mongolian National Mining Association	Mr	2019.11.29 2020.01.29 2020.12.15 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Company	Full	June, 2018	J,Zolbayar	Member	Executive director of Mongolian Coal association	Mr	2019.11.29 2020.01.29 2020.08.31 2020.12.15 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Company	Full	July, 2020	T.Munkhbat	Member	Senior manager Oyu Tolgoi LLC	Mr	2019.11.29 2020.01.29 2020.08.31 2020.12.15 2021.02.25 2021.03.26 2021.06.30 2021.11.25
Company	Full	July, 2019	H.Bayarmaa	Member	Head of section for Public relations f Soth gobi sands LLC	Ms	2019.11.29
Company	Full	July, 2019	S.Amarjargal	Member	Executive director of Petromatad LLC	Ms	2020.08.31 2020.12.15 2021.11.25
Company	Full	November, 2021	B.Davaasuren	Member	Manager of Rio Tinto LLC	Mr	2020.08.31 2020.12.15 2021.06.30 2021.09.30 2021.11.25
Civil society	Full	January 2019	N.Bayarsaikhan	Member	Head of NGO Steps without border	Ms	2019.11.29 2020.01.29 2020.08.31 2020.12.15 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Civil Society	Full	January, 2019	D.Erdenechimeg	Member	Manager of Open Society Forum	Ms	2019.11.29 2020.08.31 2020.12.15 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Civil Society	Full	January, 2019	D.Tserenjav	Member	Head of Foundation Transparency	Mr	2019.11.29 2020.01.29 2020.08.31

							202012.15 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Civil Society	Full	January, 2019	S.Tserenpurev	Member	Head of NGO New Initiative of Administration	Ms	2019.11.29 2020.01.29 2020.08.31 202012.15 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Civil Society	Full	January, 2019	L.Tur-Od	Member	President of NGO Transparency International Mongolia	Mr	202012.15 2021.02.25 2021.06.30 2021.09.30 2021.11.25
Civil Society	Full	January, 2019	L.Bor	Member	Head of NGO Ikh Bayan Sharga	Ms	2019.11.29 202012.15 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Civil Society	Full	January, 2019	L.Amgalanbayar	Member	Head of NGO of Bugat Zaamar Burgast uul	Mr	Not yet
Civil Society	Full	February, 2019	B.Batbold	Member	Member of Governing Council of Civil Council of Environment	Mr	2019.11.29 202012.15 2021.02.25 2021.06.30
Civil Society	Full	February, 2019	N.Erdenesaikhan	Member	Member of Governing Council of Civil Council of Environment	Mr	2019.11.29 2020.01.29 202012.15
Civil Society	Full	January, 2019	L.Byambajav	Member	Head of NGO Alumni of Irkutsk University of Economies	Mr	2019.11.29
Civil Society	Full	January, 2019	D.Sukhbaatar	Member	Member of Governing Council of Responsible Mining Initiative	Mr	2019.11.29 2020.01.29 2020.08.31 2021.02.25 2021.03.26 2021.06.30 2021.09.30 2021.11.25
Government	Full	July 2012,	Sh.Tsolmon	Secretary of MSG	Coordinator of EITI Secretariat	Mr	2019.11.29 2020.01.29 2020.08.31 202012.15 2021.02.25 2021.03.26 2021.06.30

							2021.09.30 2021.11.25
M- 23, F-10							

2. Please check in attendance sheet of Mongolia EITI Multy-stakeholders Working Group- <http://www.eitimongolia.mn/p/47>

**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.**

For the reporting period, compositions of EITI National Council and EITI MSG have stayed, relatively stable, except the Chair of National Council, who was changed because of General elections of Mongolia, held in 2020.

Constituency	Name of former member	End of MSG membership (MM/YY)	Reason for membership ending	Replaced by
Government	Mr.Sumiyabazar, chair of EITI National Council was at the same time Minister of Mining and Heavy Industry, and Member of Parliament.	August, 2020	Mr.Sumiyabazar was elected as Member of Parliament and then changed into Governor of Ulaanbaatar	Mr.Yondon, Minister of Mining and Heavy Industry.

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

For the reporting period, there were 3 sub-technical working group have worked, please check in to linkage - <http://www.eitimongolia.mn/p/11>  
The sub-technical group was established by EITI MSG in February, 2021, to oversight of implementation of a project on defining corruption risk with scope of EITI. The project was implemented by consultancy team hired by NRGi, which has produced a Report and draft plan of actions to be implemented in 2020 by EITI.

## 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.**

Procedure of EITI National Council has not changed for the reporting period, please check in link - <http://www.eitimongolia.mn/p/66>  
Procedure of EITI MSG has not changed for the reporting period, please check in link- <http://www.eitimongolia.mn/p/66>



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

Procedure of EITI National Council has not changed for the reporting period, please check in link -<http://www.eitimongolia.mn/p/66>  
Procedure of EITI MSG has not changed for the reporting period, please check in link-  
<http://www.eitimongolia.mn/p/66>

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

Elements of MSG Terms of Reference (1.4.b)		
	<b><i>Where is the policy documented?</i></b>	<p>EITI MSG and National Council are organizing regular meetings in online format because of Covid-19 Pandemic restrictions and prevent any case of infection.</p> <p>Organizing of online meeting was allowed in procedure of EITI MSG, which has been practiced especially during the time of Pandemic.</p> <p>There are no discrepancies between the ToR and practice in operation.</p> <p>[Briefly describe practices in the period under review. Please explain any discrepancies between the ToR and the practice]</p>
The role, responsibilities and rights of the MSG		
Definition of the role, responsibilities and rights of the MSG and its members.	<p>[e.g. “MSG ToR, section 3” or “Presidential Decree n 100”]</p> <p>Founding legal documents, please check in here:  <a href="http://www.eitimongolia.mn/p/29">http://www.eitimongolia.mn/p/29</a>            Procedure of National Council -  <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a>            Procedure of MSG  <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a></p>	<p>Roles, responsibilities, and rights of members of EITI MSG and National Council are well defined in the procedure and fully observed and respected.</p> <p>[Have the roles, responsibilities and rights been respected in practice?]</p>
Adherence to the EITI Association code of conduct, including addressing conflicts of interest.	<p><a href="http://www.eitimongolia.mn/p/29">http://www.eitimongolia.mn/p/29</a>            Procedure of National Council -  <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a>            Procedure of MSG  <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a></p>	<p>Procedures of EITI MSG and National Council are strictly observed by members and organisers.</p> <p>[Has the code of conduct been adhered to in practice? If conflicts of interest have emerged,</p>

		<i>how have these been addressed?</i>
<b>Approval of work plans and oversight of implementation</b>		
Approval of annual work plans.	<i>[e.g. "MSG ToR, section 3" or "Presidential Decree n 100"]</i> Work Plans <a href="http://www.eitimongolia.mn/p/10">http://www.eitimongolia.mn/p/10</a>	Annual Work Plan is drafted by National Secretariat, then it is overviewed and commented by EITI MSG, and after EITI MSG review is submitted and approved by National Council  <i>[Did the MSG approve the latest work plan? If yes, when?]</i>
Oversight of the EITI reporting process and engagement in Validation, including approval of Independent Administrator ToRs and EITI Reports.		TORs for IA, which produces EITI Report is approved by State Secretary of MMHI, who is at the same time head of EITI MSG, Secretary of National Council and State Client under Procurement law of Mongolia. Prior approval TORs are circulated and commented among Members of EITI MSG and after it is approved.  Draft EITI Report is reviewed and commented by EITI MSG at first and then it is finalized and submitted to National Council for endorsement.  <i>[Is the MSG providing effective oversight of implementation? Has the MSG approved ToRs and EITI Reports? If yes, when?]</i>
<b>Internal governance rules and procedures</b>		
Inclusive decision-making process throughout implementation, with each constituency being treated	<i>[e.g. "MSG ToR, section 3" or "Presidential Decree n 100"]</i> Procedure of National Council - <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a>	All MSG members are entitled to participate in decision making process able and to table for

<p>as a partner and with the right to table issues.</p>	<p>Procedure of MSG <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a></p>	<p>issues, but in reality depending on knowledge level and personal views not every Membe does practice this right.</p> <p><i>[Have all MSG members been able to table issues for discussion in practice?]</i></p>
<p>Procedures for nominating and changing multi-stakeholder group representatives, incl. alternates</p>	<p>Procedure of National Council - <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a> Procedure of MSG <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a></p>	<p>There is no additional procedure to nominate and change representative, as each constituency has own rule.</p> <p>There is a general guide in the procedrue of EITI MSG and National Council on how to nominate to and free from MSG and National Council.</p> <p><i>[Indicate the practice in Part I and in constituency-specific questionnaires.]</i></p>
<p>Decision-making procedures, e.g. rules for voting and quorum</p>	<p>Procedure of National Council - <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a> Procedure of MSG <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a></p>	<p>Decision-making procedures, such as rules for voting and quorum are specified in the Procedure of EITI MSG nd National Council, which are well observed and practiced.</p> <p><i>[Have the decision-making procedures been followed in practices? Has the MSG taken any decisions by vote?]</i></p>
<p>Duration of the MSG's mandate</p>	<p>Procedure of National Council - <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a> Procedure of MSG <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a></p>	<p>There are no limitations for duration of mandate of EITI MSG and National Council, and their members.</p> <p><i>[Have provisions regarding the duration of the MSG's mandated been respected in practice?]</i></p>

Per diems	<a href="http://www.eitimongolia.mn/p/31">http://www.eitimongolia.mn/p/31</a>	No per diems for 3 last years are paid to members of EITI MSG and National Council.  <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?]</i>
Frequency of meetings	Procedure of National Council - <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a> Procedure of MSG <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a>	<i>Frequency of meetings are not specified in procedure of EITI MSG and National Council, but at least 3 times a year meeting for EITI MSG and at least once meeting for National Council is practiced well. For 2021, EITI MSG met 5 times and National Council met once. [How often did the MSG meet in the period under review?]</i>
Advance notice of meetings and timely circulation of documents	Procedure of National Council - <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a> Procedure of MSG <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a>	Advance notice of meeting is practiced at least 6 days prior meeting and circulation of materials of meeting is circulated at least 2-3 days prior meeting.  <i>[How much advance notice was given for MSG meetings? How much ahead of meetings were documents circulated?]</i>
Record-keeping	Procedure of National Council - <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a> Procedure of MSG <a href="http://www.eitimongolia.mn/p/66">http://www.eitimongolia.mn/p/66</a>	As Procedures required the minutes of every meeting is recorded and signed by the relevant authorities.  <i>[Were written records kept of MSG discussions in the period under review?]</i>
Other aspects covered in the ToR that the MSG wishes to highlight		

## 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.

The minutes of meeting National Council are at- <http://www.eitimongolia.mn/p/3>  
And EITI MSG's are at- <http://www.eitimongolia.mn/p/8>

## MSG approval

8. Date of MSG approval of this submission.

December 24<sup>th</sup>, 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 \_\_ to \_\_ [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 (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.

The statement to implement EITI in Mongolia is given in the Government Resolution No.1 dated 3<sup>rd</sup> of January 2006. <http://www.eitimongolia.mn/p/64> and

Another statement: To accept EITI international standard, requirements, recommendations, chapter and protocol within Mongolian legislation, and to work to implement them;- The Resolution of Government of Mongolia, September 20<sup>th</sup>, 2017, No.263- <https://legalinfo.mn/law/?cat=195>  
<https://legalinfo.mn/law/?cat=193>

Since 2017 Mongolia pays membership fee to EITI International Secretariat under amendment of Government Resolution No. 308 dated November 15, 2017  
<https://legalinfo.mn/mn/detail/12947>

2. Name and position of senior individual leading implementation.

Mr. G.Yondon, Minister of Mining and Heavy industry is chairman of EITI National Council in accordance with Government Resolution No.289 of 2018.

<http://www.eitimongolia.mn/p/46> and <http://www.eitimongolia.mn/p/29>.

**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
<p><a href="http://www.eitimongolia.mn/p/64">http://www.eitimongolia.mn/p/64</a> and <a href="https://legalinfo.mn/mn/detail/12895">https://legalinfo.mn/mn/detail/12895</a></p>	<p>Government Resolution No.222/2012 and Prime Minister's directive sets out procedure for selecting, which remains effective and Government Resolution No.263 clarifies naming of some Government officials.</p> <p>There is no practice different from what is specified in Government Resolutions</p> <p>[Practice in the period is specified in Governments Resolutions].</p>

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

Agreed procedure for replacing government MSG members	Practice in the period under review
<p>There is no agreed procedure for replacing government MSG members.</p>	<p>There is totally no change of State organizations and officials represented in EITI MSG and National Council.</p> <p>In accordance with law on Public service, provision, 37.1.6 the attending and participating in EITI MSG meeting and other activities on behalf higher ranking officials is allowed.</p> <p><a href="https://legalinfo.mn/mn/detail/13025">https://legalinfo.mn/mn/detail/13025</a></p>

**5. Government resources directed to EITI implementation in the period under review, such as staff and funding for work plan activities.**

Government pays from the State budget:  
the cost of annual EITI Report (for latest 2020 EITI Report- about USD 17.000),  
Membership fee for EITI (per annum –about USD10.000),  
Office rent (per annum –about USD10.000), and  
Stationery of EITI Secretariat. (per annum –about USD3.000),

**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.**

There is absolutely no obstacle and limitations.

All stakeholders including representatives from Company and CSO are invited in workplan activities, technical working groups, subnational event and consultations

## 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
MMHI has leading role in liaising with broader constituency, as head of MSG and National Council of EITI in Mongolia.	There is no policy and agreed procedure.	MMHI has leading role in liaising with broader constituency, as head of MSG and National Council of EITI in Mongolia.  MMHI itself participates in consultation with CSOs and Company, invites representatives from them for consultation, outreach activities and conferences.  <i>[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]</i>

### 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

One of the mandates of MSG members is to participate in deliberation of EITI Work Plans, comment, and even participate in realization of activities specified in the EITI Work Plans. Therefore, members do play great role in this aspect.



## 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.

Government representatives often participate in outreach activities, such EITI regional conferences, open-day activities and activities of sub-technical groups,

Example:.

## 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)
G.Nandinjargal, State secretary of MMHI, Secretary of EITI National Council, head of EITI MSG.	nandinjargal@mmhi.gov.mn	December 24 <sup>th</sup> , 2021	

## 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 \_\_ to \_\_ [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 (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
<p>By government resolution Mongolian national mining association nominates the members list representing industry.</p> <p>At the MNMA, MSG members list is drawn up on voluntary bases.</p>	Full

#### 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
<p>See above for reference. Any changes in MSG member, MNMA provides new name with consultation from National coordinator.</p>	Full.

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## 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
Mongolian mining association interacts with its members through online correspondence, or quarterly meetings. When it is representing the sector /not only members/ at collective bargaining and EITI etc it goes through working groups or special committees.	The MNMA acts as a rallying point for the companies on notion of responsible mining. (Transparency been one of the major factor in responsible mining)	<i>[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]</i>

### 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

Inputs, on above mentioned documents, are received at the working group meetings, annual meetings, MSG meetings, and through constant email exchange.

## 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. Social posts by MNMA some data are from EITI reports

<https://www.facebook.com/miningassociation>

<https://ikon.mn/n/22kk>

<https://ikon.mn/n/28y9>

<https://ikon.mn/n/28y9>

## 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.

No

## 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)
Enkhbold D.	enkhbold@miningmongolia.mn	07 Dec 12	

## Part IV: Civil society engagement

*This questionnaire collects information from members representing civil society in the MWG on civil society participation during ..... Members representing civil society will complete this questionnaire and submit their responses directly to the Certification Team ([xxx@eiti.org](mailto:xxx@eiti.org)) or through their Secretariat. The deadline for completing the questionnaire is ..... (you can enter the start date for validation). Members representing civil society should respond at once. Disagreements within the section should be included in the relevant form and it shall be signed at the bottom and sent. Stakeholders may contact the Certification Team directly in order to provide information.*

### Appointment to MWG

#### 1. Describe the process of appointing civil society representatives to the MWG. Introduce the widest possible participation.

Please attach relevant supporting documents for the most recent appointment. These include documents such as invitations to participate in the MWG, a list of interested organizations and individuals, stakeholder terms of reference, and notes on selection. Please attach relevant supporting documents for the most recent appointment. If not, please provide proof in this questionnaire.

Procedures for the selection of civil society representatives in the MWG	An overview of the practical work during the reporting period
<p>In 2006, a Memorandum of Understanding was signed between the government, the private sector (NMA) and civil society.<sup>1</sup> The Memorandum of Understanding formalized the principle of equal representation of the above parties in the EITI National Council and Working Group, and that the parties shall elect their representatives internally. This Memorandum is a fundamental document for equal representation and participation of the parties in the EITI Multilateral Group.</p> <p>Since 2006, the EITI Working Group has made five changes. In these case, an equal number of CSO representatives are involved.<sup>2</sup></p>	<p>In accordance with the Memorandum of Understanding signed in 2006, the National Council and a Working Group have been established with equal representation from all tripartite parties.</p> <p>In 2018, the Government issued Resolution No. 289, amending the previous Government Resolution No. 222 of 2012.<sup>5</sup></p> <p>The change abolished the Prime Minister of Mongolia as Chair of the EITI National Council and the Minister of NMA replaced him. Also the working group leader was changed from a Senior Adviser to the Prime Minister to the</p>

<sup>1</sup> [http://resource4.sodonsolution.org/eitimongolia/File/2021/02/02/avansn6ggi0y12e5/Sanamj-bichig.pdf?fbclid=IwAR2xMiypgqdtHcqubgYX\\_jvFOPffg\\_1XKhycKwOvEvTPpXM9oWieGW8TMwo](http://resource4.sodonsolution.org/eitimongolia/File/2021/02/02/avansn6ggi0y12e5/Sanamj-bichig.pdf?fbclid=IwAR2xMiypgqdtHcqubgYX_jvFOPffg_1XKhycKwOvEvTPpXM9oWieGW8TMwo)

<sup>2</sup> <http://www.eitimongolia.mn/p/30>

<sup>5</sup> <https://legalinfo.mn/mn/detail/13694>

<p>Currently, the Government Resolution 222 of 2012, which defines the composition of the EITI National Council and Working Group, is in force.<sup>3</sup> As mentioned in the resolution, the National Council has 10 representatives from government agencies, 10 from the private sectors, and 10 from civil society. The Working Group consists of 11 representatives from the state, 11 from the private sectors and 10 from civil society.</p> <p>The National Council and the Working Group are represented by two coalitions: the Publish What You Pay (PWYP Coalition) and the Mongolian Environmental Civil Council (MECC). The National Council has 8 members from the PWYP Coalition and 2 members from the MECC; the Working Group has 9 members from the PWYP Coalition and 2 members from the MECC.</p> <p>However, there are no rules or regulations on how to involve citizens and other stakeholders. On the other hand, there have been no formal expressions of interest from other stakeholders, citizens and civil society organizations to join the EITI National Council and Working Group.</p> <p>According to Article 8.3.5 of the PWYP regulation, an organization elected as a member of the Coalition's Regulatory Board represents the Coalition as a member of the EITI National Council and Working Group.<sup>4</sup> The Regulatory Board shall consist of a total of 7 members elected by the General Assembly. According to Article 8.3.3 of the regulation, one third of the members of the Regulatory Board are re-elected every two years. However, as mentioned above, the EITI National Council has 8 members from the PWYP Coalition and 9 from the Working Group, so additional members are elected by the General Assembly.</p>	<p>State Secretary of the Ministry of Mines and Heavy Industry.</p> <p>Civil society considers that this is a setback for not only ministries and agencies, but also the private sectors to ensure equal, responsible and business-like participation in EITI activities.</p> <p>The PWYP Coalition approves its strategy for a period of 5 years, and the current strategy expires in 2022. So this year, it is planned to renew the operational strategy and expand the membership of the coalition through youth organizations. This will focus on the open participation of individuals and other interested NGOs in the MSWG of EITI, and on the opportunity to represent the CS in collaboration with the PWYP Coalition.</p> <p>For the past 15 years, the EITI National Council and Working Group have also included representatives from the MECC and the PWYP Coalition has not been informed about the rules and regulations by which the EITI National Council and Working group elect representatives in the EITI. The participation of the MECC in the EITI process is also considered weak compared to the PWYP Coalition. The participation has weakened in recent years, with no participation in 2020-2021 activities, National Council nor working group meetings.</p> <p>As mentioned earlier, the PWYP Coalition elects one-third of the members of the Regulatory Board every two years and also changes its representatives on the EITI WG and NC.</p>
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<sup>3</sup> Defined the Government Resolution No. 222 of 2012 and the composition of the EITI National Council. <https://legalinfo.mn/mn/detail/8791>

<sup>4</sup> - [www.miningwatch.mn/tan?category=603d4ccb3bcf2365a725d661](http://www.miningwatch.mn/tan?category=603d4ccb3bcf2365a725d661)

The changes in the representation of the PWYP coalition in the National Council and the Working Group is notified and approved by the Working Group.	
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**2. An introduction to how a representative is appointed if someone in the MWG has changed.**

Procedures for the selection of civil society representatives in the MWG	An overview of the practical work during the reporting period
According to Article 8.3.5 of the Coalition's regulation, a member of the Coalition's Regulatory Board represents the coalition in the EITI National Council and Working Group. <sup>6</sup> The composition of the Regulatory Board is changed every two years, and the decision to include newly elected members in the MSWG is submitted to the Secretariat for approval. This regulation is being implemented in 2019-2021. <sup>7</sup>	<p>In 2018, PWYP sent an official letter to the EITI Secretariat immediately after the change in the composition of the Coalition's Regulatory Board, but no decision has been made to change the MSWG.</p> <p>Although not specified in the PWYP coalition regulation, PWYP has registered members of the Monitoring Board as members of the National Council and the Working Group and made them to participate in meetings and other events.</p>

## Whether was consistent with a wide range of representatives

**3. Introduce the structure, policies, and practices of civil society stakeholders in relation to EITI.**

Provide evidence such as stakeholder assignments, minutes of meeting, numbers and addresses of emails sent. If the evidence is electronic, provide a link. If not, please attach a proof in this questionnaire.

Structure to be broadly connected as a professional association	Policies and procedures agreed upon by stakeholders to be broadly coherent	Practices implemented during the reporting period

<sup>6</sup> [www.miningwatch.mn/tan?category=603d4ccb3bcf2365a725d661](http://www.miningwatch.mn/tan?category=603d4ccb3bcf2365a725d661)

<sup>7</sup> [www.miningwatch.mn/tan?category=603d4ccb3bcf2365a725d661](http://www.miningwatch.mn/tan?category=603d4ccb3bcf2365a725d661)



<p>PWYP Coalition members receive EITI information through the EITI Secretariat's website and social media page. Thus, members of the Regulatory Board e-mail information provided by the Secretariat to members of the National Council and the Working Group to other members of the Coalition. The PWYP Coalition has an open and closed Facebook group. Information and announcements on EITI and coalition activities are provided to members through a closed group.<sup>8</sup> And public information is shared in an open group.<sup>9</sup></p> <p>In the future, the website <a href="http://www.miningwatch">www.miningwatch</a> is planned to provide information to the public, receive feedback and information from them, and use it as a coalition database and archive.</p> <p>But it is not always possible to consult with members before each National Council or Working Group meeting. In particular, as the information on the issues to be discussed at the meeting arrives at the</p>	<p><b>Responsibilities of the EITI WG and NC members:</b></p> <p>There is no provision in the PWYP Coalition regulation for providing information on issues to be addressed at EITI, National Council and Working Group meetings, and for consultation before a decision is made.</p>	<p>Until 2021, press conferences and other information events had been held only when there is a need to provide EITI information and public support to other civil society organizations and the general public.</p> <p>From 2021, the “Transparent and Accountable Mining - Information Hour” event has been organized and the public has been informed.</p> <p>There are 5 events have been organized on the following topics in 2021 and broadcasted on the Facebook page of Live TV. These include:</p> <p>March 2021:<sup>10</sup></p> <ul style="list-style-type: none"> <li>- Implementaion of EITI, 2019 report</li> <li>- Oyu Tolgoi minefield exploitation and Mongolia's interest (Appendix 1)</li> </ul> <p>April 2021:<sup>11</sup></p> <ul style="list-style-type: none"> <li>- Is Mongolia ready to use uranium? (Appendix 2, Appendix 3)</li> </ul> <p>May 2021:<sup>12</sup></p> <ul style="list-style-type: none"> <li>- Local petroleum operation (Appendix 4)</li> </ul> <p>September 2021:<sup>13</sup></p>
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<sup>8</sup> PWYP Coalition closed Facebook group, <https://www.facebook.com/%D0%A2%D0%90%D0%9D-%D0%98%D1%80%D0%B3%D1%8D%D0%BD%D0%B8%D0%B9-%D0%BD%D0%B8%D0%B9%D0%B3%D0%BC%D0%B8%D0%B9%D0%BD-%D1%8D%D0%B2%D1%81%D1%8D%D0%BB-108534537952252>

<sup>9</sup> PWYP Coalition open Facebook group, <https://www.facebook.com/groups/725529528160605>

<sup>10</sup>

<sup>11</sup>

<https://www.facebook.com/page/287885151275708/search/?q=%D1%83%D1%80%D0%B0%D0%BD%20%D0%B0%D1%88%D0%B8%D0%B3%D0%BB%D0%B0%D1%85%D0%B0%D0%B4%20>

<sup>12</sup> <https://www.facebook.com/livetv.mn/videos/764415050939024>

<sup>13</sup> <https://mpress.mn/p/2413> ; <https://ikon.mn/n/2car>

<p>last minute, it is impossible to consult with members and consolidate their opinions.</p> <p>The PWYP Coalition holds regular General Meetings at least twice a year and approves annual work reports and plans. If necessary, a special meeting is organized by suggestion of the Regulatory Board.</p> <p>Until 2021, press conferences and other information events had been held only when there is a need to provide EITI information and public support to other civil society organizations and the general public.</p> <p>From 2021, the “Transparent and Accountable Mining - Information Hour” event has been organized and the public has been informed.</p> <p>There are 5 events have been organized online in 2021 and broadcasted on the Facebook page of Live TV, which reached 17,800 people.</p>		<ul style="list-style-type: none"> <li>- Transparency of the draft law on the National Wealth Fund</li> </ul> <p>October 2021:<sup>14</sup></p> <ul style="list-style-type: none"> <li>- Position on the draft law on intensifying economic recovery during the Covid-19 pandemic</li> </ul>
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**4. Whether MWG members contributed from the broad representation in the following documents. If so, what did you receive**

- a) Includes the latest EITI work plan and ITI implementation priorities.
- b) The latest results, annual impact review and verification

<sup>14</sup> <https://livetv.mn/p/277212?fbclid=IwAR2mn18NsYGwxu8G5M4nFlzzUX-1hPRWA6eEbEumTCV1bssdaa8aDX7osFO>

**A.** The most recent work plan or the 2022 Action Plan was discussed at the 57<sup>th</sup> meeting of the EITI Working Group on November 23, 2021.

The Secretariat did not provide members with the information on the agenda of the meeting or the EITI Action Plan for 2022 in advance, so it was not possible to present it to other members of the PWYP Coalition and other parties for comments. Even the members of the Working Group did not have the opportunity to get acquainted and prepare their proposals. The Working Group meeting was held on November 23, 2021, but the information on the agenda was provided to the members on November 22, 2021.

Many issues were discussed at the meeting, but the draft documents were submitted only one day before.

- “Mongolian EITI Flexible Report 2020” consolidation project, processing process
- Implementation of the EITI Action Plan for 2021
- Draft action plan for 2022
- Basic needs survey results of EITI sub-council capacity, discuss the draft strategy of the sub-council capacity (Appendix 5.)

So the members of the Working Group were unable to consult with their representatives and comment. Some members of the working group consulted with others of the PWYP coalition over the phone, but there is no evidence to support this.

During the discussion of the first issue or the draft EITI Report of Mongolia 2020, the members of the Working Group criticized the failure to submit the relevant documents in advance and proposed to postpone the meeting. In a vote on the postponement, it was decided that only the discussion of the draft EITI Report of Mongolia 2020 should be postponed and other issues should be discussed on the same day. Some members of the working group did not support the proposal to postpone the meeting entirely.

Therefore, the EITI Working Group meeting was rescheduled for November 25, 2021 to discuss the draft EITI Report of Mongolia 2020. Other issues, such as the 202 Action Plan implementation report and the 2022 Action Plan, were discussed and approved at the meeting on November 23. Two separate minutes of meeting developed from the 57<sup>th</sup> meeting of the EITI Working Group. (Appendix 6, Appendix 7)

**B.** Same as above.

## Data usage

### 5. Did civil society representatives use EITI data, present it to the public, and use it to promote EITI and public events?

If so, include links to the relevant evidence, reports, presentation, articles, and blogs here.

### Activities implemented by PWYP Coalition and its members in 2019

"Some measures to provide transparency in the extractive industry"

The Government Resolution 222 of 2012 was amended and the EITI National Council was no longer be chaired by the Prime Minister, but by the Minister of MHI.

In connection with the reduction of the level of the EITI implementation chairing body, the PWYP Coalition expressed its position and submitted it to the EITI National Council and the Chief Cabinet Secretary. (Appendix 8.)

The Coalition coordinator B.Bayarmaa gave an interview to "Good Governance" magazine on "Companies do not involve their citizens in local agreements".<sup>15</sup>

The PWYP Coalition defended the public interest in amending the Law on Water Pollution Charges and reducing the wastewater fees of mining companies, and won the primary court. The Khuvsgul sea owners Movement NGO has filed a lawsuit on behalf of the PWYP Coalition. A comprehensive advocacy campaign was organized in connection with this advocacy.<sup>16</sup>

Members of the PWYP Coalition jointly organized a capacity building event in Altanbulag soum, Tuv province, and supported the establishment of an EITI sub-committee. Environmental violations of gravel mining, aluminum processing and smelting were documented and reported to law enforcement. (Appendixes 9-1, 9-2, 9-3, 9-4, 9-5)

In cooperation with other non-governmental organizations and coalitions, the Speaker of the Parliament and the Prime Minister were briefed on the amendments to the General Administrative Law and gave an interview to the media.<sup>17</sup> (Appendix 10)

Coalition member Open Society Forum (OSF) NGO jointly with the MMHI and the EITI Secretariat, launched the [www.iltodgereee.mn](http://www.iltodgereee.mn) database and made more than 430 mineral sector agreements publicly. The contract database was expanded in 2020-2021 and as of December 2021, more than 900 contracts have been published due to the addition of local contracts.

<sup>15</sup> <https://sainzasaglal.mn/content/76>

<sup>16</sup> <https://medee.mn/p/140475> ; <https://ikon.mn/n/19sl> ; <http://news1.mn/?p=25049>

<sup>17</sup> <https://dnn.mn/%D0%B1-%D0%B1%D0%B0%D1%8F%D1%80%D0%BC%D0%B0%D0%B0-%D0%B7%D0%B0%D1%81%D0%B3%D0%B8%D0%B9%D0%BD-%D0%B3%D0%B0%D0%B7%D0%B0%D1%80-%D0%B0%D1%80%D0%B4-%D1%82%D2%AF%D0%BC%D0%BD%D0%B8%D0%B9-%D1%85%D1%8F%D0%BD%D0%B0%D0%BB%D1%82%D0%B0%D0%B0%D1%81-%D0%B3%D0%B0%D1%80%D1%87%D0%B8%D1%85%D0%BB%D0%B0%D0%B0/>

The Institute for Inclusive Development NGO monitored and discussed the implementation of the Law on “Termination of the rights of license holders not fulfilled their environmental obligations”.

Ikh бага Bayansharga NGO held a press conference on uranium issues.<sup>18</sup>

In connection with the establishment of a working group by the government to inspect mineral licenses the Prime Minister demanded relevant officials to provide information on violations in the local areas, where PWYP coalition members work. (Appendix 11)

In September 2019, participated in the Open Government Partnership Open House and delivered EITI information to the public.

Coalition member Steps Without Borders, with financial support from the EITI Secretariat, has developed a handbook on “Local Contract process and recommendations”, published and distributed 500 copies, and providing training to requested local communities.

Coalition member OSF, in cooperation with the INRG, developed an e-handbook on “Contract and process of local agreements” and organized a training in Zavkhan province.<sup>19</sup>

OSF analyzed the implementation of end-owner registration<sup>20</sup>, and held forum with the IAAC.<sup>21</sup> It also conducted a survey of the needs and requirements of the draft Law on Transparency in the Minerals Sector.<sup>22</sup>

OSF provided the public with information on the transparency and efficiency analysis of the gold sector based on EITI database.<sup>23</sup>

Coalition member Transparency Foundation NGO uses the data and information included in the EITI Annual Report to create an electronic database of beneficiaries of extractive companies in [iltodsan.wordpress.com/san/mining/](http://iltodsan.wordpress.com/san/mining/)

<sup>18</sup> <https://www.arslan.mn/social/news/610758.shtml> ; <http://www.ord.mn/index.php?newsid=19678>

<sup>19</sup> Local agreement training in Zavkhan province [http://forum.mn/index.php?sel=content&obj\\_id=5703](http://forum.mn/index.php?sel=content&obj_id=5703)

<sup>20</sup> [https://www.forum.mn/res\\_mat/2020/OSF\\_BOanalysisFINALPrinted%20version.pdf](https://www.forum.mn/res_mat/2020/OSF_BOanalysisFINALPrinted%20version.pdf) ;

[https://www.forum.mn/res\\_mat/2020/BO\\_ZuvlumjFINALPRINTED.pdf](https://www.forum.mn/res_mat/2020/BO_ZuvlumjFINALPRINTED.pdf)

<sup>21</sup> Open Society Forum's 2019 activity report, pages 38-50.

[https://www.forum.mn/res\\_mat/2021/Annual%20Report%202019.pdf](https://www.forum.mn/res_mat/2021/Annual%20Report%202019.pdf)

<sup>22</sup> [https://www.forum.mn/res\\_mat/2020/EITIlawReport.pdf](https://www.forum.mn/res_mat/2020/EITIlawReport.pdf)

<sup>23</sup> Gold Sector Transparency Report, OSF,

[http://forum.mn/res\\_mat/2021/%D0%90%D0%BB%D1%82%D0%BD%D1%8B%D2%AF%D0%B9%D0%BB%D0%B4%D0%B2%D1%8D%D1%80%D0%BB%D1%8D%D0%B3%D1%87%D0%BA%D0%BE%D0%BC%D0%BF%D0%B0%D0%BD%D0%B8%D1%83%D0%B4%D1%8B%D0%BD%D0%BC%D1%8D%D0%B4%D1%8D%D1%8D%D0%BB%D1%8D%D0%BB.pdf](http://forum.mn/res_mat/2021/%D0%90%D0%BB%D1%82%D0%BD%D1%8B%D2%AF%D0%B9%D0%BB%D0%B4%D0%B2%D1%8D%D1%80%D0%BB%D1%8D%D0%B3%D1%87%D0%BA%D0%BE%D0%BC%D0%BF%D0%B0%D0%BD%D0%B8%D1%83%D0%B4%D1%8B%D0%BD%D0%BC%D1%8D%D0%B4%D1%8D%D1%8D%D0%BB%D1%8D%D0%BB.pdf)

Coalition member New Administrative Initiatives NGO takes and introduces information on gold mining companies in the soum from the EITI Report while conducting training and monitoring in Yeruu soum, Selenge province.

Coalition member "Khovd Toli" NGO is working on a specific proposal based on data analysis and information related to the activities of mining companies holding licenses in Khovd province from the EITI report while participating in the development and implementation of the work plan of Khovd province EITI sub-council.

Member of the Coalition Step Without Borders NGO conducted 3 trainings and discussions for more than 600 citizens on EITI requirements, how they are implemented in Mongoan lia, and how to use the information open to all citizens, mining project affected areas local personnel, and CRM representatives in 12 soums of 4 aimags in the Gobi region (Airag, Dalanjargalan, Khatanbulag, Ikhkhet soums of Dornogovi province; Ulziit, Khuld, Luus, Bayanjargalan soums of Dundgovi province; Shiveegobi and Sumber suduu soums of Gobisumber province, Tsogttsetsii and Khanbogd of Umnugovi province). 54.8 percent out of above mentioned number were women and 36.7 percent were men. (Appendix 12)

As a member of the EITI National Council and Working Group, Step Without Borders NGO developed 3 additional EITI Report Forms (Impact Zone Community Reporting Form, Concentrator Project Implementer Reporting Form, Chemical Consumption and Hazardous Waste Reporting form). The forms and instructions for completing them were presented to the Professional Meeting of the National Statistical Office in cooperation with the Secretariat and approved by the order of the Minister of MHI. (Appendix 12)

### **Activities implemented by PWYP Coalition and its members in 2020**

PWYP Coalition has developed a mining information and violation registration website [www.miningwatch.mn](http://www.miningwatch.mn). Through this website, information on mining violation in the local area will be obtained from citizens and registered. It will also provides methodological and legal advice to citizens, support them in resolving conflicts and protecting their rights.

The PWYP Coalition, in collaboration with the Ministry of Mining and Heavy Industry (MMHI) and the EITI Secretariat, introduced the draft Minerals Transparency Law to civil society organizations and organized a feedback meeting.<sup>24</sup>

The OSF, in cooperation with the Financial Regulatory Commission, has set the criteria for determining the ultimate owner of a joint stock company, and the Central Securities Depository has begun registering the final owner of those companies. A discussion on "Implementation of Joint Stock Company's Legal Obligations and further issues -2020" was

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<sup>24</sup> CSO discussion on EITI Law <https://www.facebook.com/OpenSocietyForum/posts/3153424761449926>

organized in cooperation with the FRC, and more than 140 companies participated in the discussion regarding the need to disclose the final owner.<sup>25</sup>

OSF, in cooperation with the International Monetary Fund and the MMHI, organized an e-competition (hackaton) “Crafting Mining with Data” to effectively use mineral sector information, develop effective policy solutions based on data analysis, and engage in public consultation. More than 200 young people competed in 60 teams in the fields of data analysis, data journalism, programming and graphic design. In the final round of the competition, there were 13 entries and the winners were announced live. The teams analyzed major data from government and non-government organizations such as EITI, the Environmental Database and Licensing Register, the Minerals Contract Database, and OpenDataLab, and interesting works have been submitted focusing on mining licensing issuance, income management, gold sector efficiency, environmental protection, micromining, local agreement, donations and the transparency of the procurement of state-owned companies. We continue to support and collaborate with selected teams to bring their work to the public and make it a reality.<sup>26</sup> We continue to support and collaborate with selected teams to bring their work to the public and make it a reality.<sup>27</sup> As a result, an article on the benefits and transparency of donations won second place in the Economic Journalism Competition.<sup>28</sup>

At the EITI meeting, the PWYP Coalition announced a target plan for 2020 as the “Year of Capacity Building for the Subcommittee,” however the plan was not implemented due to Covid's quarantine and the financial impossibility of the Secretariat, the parties agreed that the sub-council needed to be strengthened.

#### Activities implemented by PWYP Coalition and its members in 2021

Since 2021, the “Transparent and Responsible Mining Information Hours” event have been organized to provide EITI and other information to the public. There are 5 events have been organized online in 2021 and broadcasted on the Facebook page of Live TV, which reached 17,800 people.

In March 2021, information on EITI implementation and EITI 2019 report was provided to the public, and a discussion on “Oyu Tolgoi minefield exploitation and Mongolia's interests” was held and a request was submitted to Oyu Tolgoi LLC.<sup>29</sup> (Appendix 1)

<sup>25</sup> Discussion with listed companies

<https://www.facebook.com/OpenSocietyForum/posts/3094690017323401>

<sup>26</sup> Data hackaton, [http://forum.mn/index.php?sel=project&menu\\_id=475&obj\\_id=5916](http://forum.mn/index.php?sel=project&menu_id=475&obj_id=5916)

<sup>27</sup> <https://ikon.mn/n/2eng>

<sup>28</sup> <https://www.facebook.com/photo/?fbid=2043988559084254&set=pcb.2043989802417463>

<sup>29</sup> <https://livetv.mn/p/271394?fbclid=IwAR3adJPRDnV5pJLUBu1K1pE61AYGQIOntVObb6vaEW5gw46OtiNUSpvpCFE> ;

In April 2021, a discussion on “Is Mongolia ready to use uranium” was held, information on radioactive mineral licenses was provided to citizens, and a request was submitted to the Parliament.<sup>30</sup> (Appendix 2, Appendix 3)

In May 2021, a discussion on “Petroleum Operations in the Local Area” was held and the voices of the people of Dornod province were made public.<sup>31</sup> (Appendix 4)

In September 2021, the issue of transparency of the draft law on the National Wealth Fund was raised and a request was submitted to the Minister of MHI.<sup>32</sup> As a result, the MMHI released the draft law on its website and organized discussions. Coalition member OSF prepared a comment on the draft law on the National Wealth Fund and submitted it to the MMHI.

In January 2021, a call was made to Oyu Tolgoi JSC to ensure transparency, maintain a transparent account and disclose procurement information.<sup>33</sup>

In October 2021, the draft law regarding the accelerating economic recovery was expressed its position during the Covid-19 pandemic.<sup>34</sup> A press conference was held on the draft law accelerating economic recovery during the Covid-19 pandemic, which risked violation of human rights, reducing transparency and citizen participation, and a request was submitted to the Parliament.<sup>35</sup>

Coalition member Open Society Forum NGO conducted a study on the transparency of procurement of state-owned mining companies,<sup>36</sup> held a discussion,<sup>37</sup> and submitted a draft law on procurement of goods, works and services with state and local funds. (Appendix13)

Coalition member Open Society Forum NGO analyzed and made available to the public the procurement information of state-owned mining companies in order to improve the use

<https://ikon.mn/n/242u?fbclid=IwAR3TEPiV51v78Z8xiN2M9A35hiaYrqujWeoqFwiAW2gUm1oRUa9bfg4ul0> ;

<sup>30</sup>

<https://www.facebook.com/page/287885151275708/search/?q=%D1%83%D1%80%D0%B0%D0%BD%20%D0%B0%D1%88%D0%B8%D0%B3%D0%BB%D0%B0%D1%85%D0%B0%D0%B4%20>

<sup>31</sup> <https://www.facebook.com/livetv.mn/videos/764415050939024>

<sup>32</sup> <https://mpress.mn/p/2413>

<sup>33</sup> Requirements of PWYP Coalition to Oyu Tolgoi company, <https://ikon.mn/n/242u>

<sup>34</sup> <https://livetv.mn/p/277212?fbclid=IwAR2mn18NsYGwxu8G5M4nFlzzUX-1hPRWA6eEbEumTCV1bssdaa8aDX7osFO>

<sup>35</sup> <https://livetv.mn/p/277212?fbclid=IwAR2mn18NsYGwxu8G5M4nFlzzUX-1hPRWA6eEbEumTCV1bssdaa8aDX7osFO>

<sup>36</sup> [http://forum.mn/res\\_mat/2021/OSF\\_CSS%20report%20LAY%20OUT2.pdf](http://forum.mn/res_mat/2021/OSF_CSS%20report%20LAY%20OUT2.pdf)

<sup>37</sup> <https://www.facebook.com/OpenSocietyForum/videos/755489628496681/>



of the EITI database, transparent accounts, tenders, asset and income declaration and to reduce the risk of corruption.<sup>38</sup>

Coalition member Khovd Toli NGO monitored the implementation of the local cooperation agreement between Mon Enco JSC, which is operated in the Khushuut coal exploitation, with Khovd province, and organized a public hearing.<sup>39</sup>

Coalition member Steps Without Borders NGO selected EITI data in the 3-4th quarter of 2021; selected Dalanjargalan soum of Dornogobi province, which has the largest number of licenses in Mongolia, as a model; analyzed open data on mining projects and developed a mobile application [www.mergenboodii.mn](http://www.mergenboodii.mn) and successfully tested it in order to provide them to herders. As a result, 1 /. Identified the need to develop an EITI soum form, 2 /. The soum has compiled a list of information that can be made available to the soum in a given year without waiting for a national reconciliation report. Develop guidelines for this soum form and disclosure information.

The PWYP Coalition after repeatedly identifying needs at the MSWG meeting, declared 2021 as the year to “intensify the activities of the Sub-Council” and has organized a forum with the participation of 13 provincial sub-councils in 3 regions. In addition, a national study has been conducted to identify challenges in improving the functioning of the Sub-Council, and to develop a strategy with ADB's support.

## Were there any obstacles to participation

6. Were there any obstacles for civil society representatives to participate in the EITI, if yes, please report them below or send them to the Certification Team ([XXX@eiti.org](mailto:XXX@eiti.org)) as soon as the Certification begins. If there is relevant evidence, please provide it.

The EITI Participating Civil Society [Protocol](#) states that the government must ensure the participation of civil society in the EITI. Concerns about breaches of the protocol should be related to the case history, the date of the incident, the participant and the EITI activities. If possible, the relevant documents should be attached. Protect privacy requests.

For the purposes of the validation, 'Civil Society Representatives' include representatives of civil society involved in EITI activities and non-members of the MWG. EITI activities means expressing views on issues related to preparations for accession to the EITI, MWG meetings, EITI stakeholder

<sup>38</sup>

<https://dataclub.medium.com/%D0%BD%D1%8D%D1%8D%D0%BB%D1%82%D1%82%D1%8D%D0%B9-%D0%BC%D1%8D%D0%B4%D1%8D%D1%8D%D0%BB%D0%BB%D0%B8%D0%B9%D0%BD-%D2%AF%D0%BD%D1%8D%D0%BD-%D1%82%D3%A9%D1%80%D1%85-be2516b9d0ae>

<sup>39</sup> [https://www.facebook.com/watch/?ref=search&v=268507831302009&external\\_log\\_id=Oba0172e-239d-45ae-8d5d-7613bdd623d8&q=%D0%A5%D0%BE%D0%B2%D0%B4%D1%8B%D0%BD%20%D1%82%D0%BE%D0%BB%D1%8C](https://www.facebook.com/watch/?ref=search&v=268507831302009&external_log_id=Oba0172e-239d-45ae-8d5d-7613bdd623d8&q=%D0%A5%D0%BE%D0%B2%D0%B4%D1%8B%D0%BD%20%D1%82%D0%BE%D0%BB%D1%8C)

civic organizations' meetings, including participation of other stakeholders, EITI reporting, expressing feedback on EITI activities, analyze EITI reports, and develop relevant materials; and natural resource governance.

Civil Society Protocol in EITI	Any evidence of non-compliance during the reporting period, attach relevant evidence
<p><b>Expression of interest:</b> Civil society representatives have the opportunity to participate in public hearings on the EITI process and to comment on the EITI process without any pressure, coercion, or approval. There are no public or private barriers or pressures from civil society organizations to participate in the EITI process and discussions.</p>	<p>The Government Resolution 222 of 2012 “Measures to ensure Extractive Industries Transparency” was amended and the EITI National Council was no longer be chaired by the Prime Minister, but by the Minister of MHI. Thus, tthe implementation of EITI decreased from the government level to the MMHI violated the requirements of EITI standard 1.1.b) EITI implementation should be carried out by as high-ranking officials as possible.</p>
<p>Participation in the EITI process: Civil society participation is not restricted in any way. However, incomplete state participation in the meetings of the National Council and the Working Group, as well as the absence of the decision-makers and incomplete attendance, are considered as an ignorance of civil society participation and comments.</p> <p>It does not focus on supporting civil society initiatives, overcoming financial or other obstacles, or building capacity in the field of EITI.</p>	<p>This risks adversely affecting the implementation of EITI report recommendations and policy changes. Also there is a risk that the involvement of relevant government agencies will be reduced if there is no legal framework to ensure EITI implementation.</p> <p>In 2020-2021, the participation of government agencies in the meetings of the National Council and the Working Group has weakened, and the number involvement of delegates without decision-making power and absenteeism has increased. Although the rights and opportunities of civil society to comment on EITI issues are not directly restricted, the low level of government involvement is a disregard for civil society participation. Another form of disregard for civil society is the lack of attention to criticism.</p>
<p><b>Үйл ажиллагаа явуулах эрх зүйн орчин:</b> Legal environment for maintaining activity: There are no obstacles or any specific prohibitions related to EITI activities. However, some of the draft laws currently under discussion in Parliament have limited information transparency and the participation of citizens and NGOs; and</p>	<p>In 2019-2020, the National Council did not make any policy to improve EITI implementation and sector governance, but</p>

<p>regulations to monitor and restrict the activities of NGOs through a registration and accountability system. For instance, there is a risk that government agencies will disclose non-confidential information under the guise of limited information at their own discretion and will not disclose it to the public if the Public Information Transparency Law categorizes information into closed, restricted, and open.<sup>43</sup> The Law on the Protection of Personal Data is likely to impede the implementation of EITI requirements for end-user transparency.<sup>44</sup> According to the Law on the Legal Status of the Federation and the Law on the Legal Status of the Fund, an NGO will be deregistered if it does not submit its operational and financial reports for 8 consecutive quarters and changes the purpose of its regulation.<sup>45</sup> In this case, the lack of other regulatory options, such as notifying the organization in advance and reminding the organization to rectify the violation, would create unreasonable restrictions on the right of citizens to associate.</p>	<p>only approved the annual work plan, report, and EITI consolidated report. For example, the National Council has not taken any significant decisions or initiatives to legislate transparency in the mineral sector, which has been discussed since 2014. In 2019, an amendment to the Constitution of Mongolia proclaimed the right of citizens to know about the use of natural resources. However, the MMHI, which leads the EITI, has postponed the right to self-knowledge and is not paying attention to the consideration of draft law on transparency in the mineral resources sector.</p> <p>Therefore, due to a lack of funding and government support, the Secretariat staff were unpaid in 2019, and most importantly, failed to implement the 2019 Action Plan.</p> <p>There are initiatives from civil society to accelerate the implementation of the EITI, but there is no support from other parties. They are not responsible for strengthening the capacity of civil society. Even if there is</p>
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<sup>43</sup> Article 7 of the Draft Law on Public Information Transparency.

<file:///C:/Users/chimgee/Downloads/%D0%9D%D0%B8%D0%B9%D1%82%D0%B8%D0%B9%D0%BD%20%D0%BC%D1%8D%D0%B4%D1%8D%D1%8D%D0%BB%D1%8D%D0%BB-%D0%AD%D0%A5%D0%A2%D3%A9%D1%81%D3%A9%D0%BB.pdf>

<sup>44</sup> Article 4.1.1 and Article 8 of the Draft Law on Protection of Personal data

<file:///C:/Users/chimgee/Downloads/%D0%9D%D0%B8%D0%B9%D1%82%D0%B8%D0%B9%D0%BD%20%D0%BC%D1%8D%D0%B4%D1%8D%D1%8D%D0%BB%D1%8D%D0%BB-%D0%AD%D0%A5%D0%A2%D3%A9%D1%81%D3%A9%D0%BB.pdf>

<sup>45</sup> Articles 31.1.5 and 31.1.6 of the draft Law on the Legal Status of the Federation,

[file:///C:/Users/chimgee/Downloads/%D0%A5%D0%BE%D0%BB%D0%B1%D0%BE%D0%BE%D0%BD%D1%8B%20%D1%8D%D1%80%D1%85%20%D0%B7%D2%AF%D0%B8%CC%86%D0%BD%20%D0%B1%D0%B0%D0%B8%CC%86%D0%B4%D0%BB%D1%8B%D0%BD%20%D1%82%D1%83%D1%85%D0%B0%D0%B8%CC%86%20%D1%85%D1%83%D1%83%D0%BB%D0%B8%D0%B8%CC%86%D0%BD%20%D1%82%D3%A9%D1%81%D0%BB%D0%B8%D0%B8%CC%86%D0%BD%20%D1%86%D0%B0%D1%85%D0%B8%D0%BC%20%D1%8D%D1%85%20%D1%85%D1%83%D0%B2%D1%8C%20\(3\).pdf](file:///C:/Users/chimgee/Downloads/%D0%A5%D0%BE%D0%BB%D0%B1%D0%BE%D0%BE%D0%BD%D1%8B%20%D1%8D%D1%80%D1%85%20%D0%B7%D2%AF%D0%B8%CC%86%D0%BD%20%D0%B1%D0%B0%D0%B8%CC%86%D0%B4%D0%BB%D1%8B%D0%BD%20%D1%82%D1%83%D1%85%D0%B0%D0%B8%CC%86%20%D1%85%D1%83%D1%83%D0%BB%D0%B8%D0%B8%CC%86%D0%BD%20%D1%82%D3%A9%D1%81%D0%BB%D0%B8%D0%B8%CC%86%D0%BD%20%D1%86%D0%B0%D1%85%D0%B8%D0%BC%20%D1%8D%D1%85%20%D1%85%D1%83%D0%B2%D1%8C%20(3).pdf)

<p><b>Opportunities for collaboration of civil society representatives:</b></p> <p>The EITI National Council is represented by the following two civil society coalitions.</p> <ul style="list-style-type: none"> <li>- Mongolian Environmental Civic Council (MECC),</li> <li>- Publish what you pay (PWYP).</li> </ul> <p>The main goal of the MECC is to protect the environment, while the PWYP Coalition aims to improve the governance of the mineral sector. Because of the different goals, there is no need for cooperation. In addition, the MECC has virtually ceased to participate in the EITI initiative activity since 2019.</p>	<p>a responsibility of any work it does not have financial or other support.</p> <p>The Secretariat and the MMHI work with donor organizations to implement governance projects and programs, but do not provide funding to civil society. For example, the Secretariat implemented a project to develop a research and communication strategy for the EITI Subcommittee with the support of the Asian Development Bank, but did not involve civil society. It is important to note that the PWYP Coalition is active at the local level and has sufficient capacity and experience to do this work. Due to the high requirements for this type of selection, local civil society organizations are not able to participate. There is no support for civil society capacity building in the selection process.</p>
<p><b>Participate in public decision-making activity</b></p> <p>Transparency of information, participation of citizens and civil society in the drafting of laws and other important decisions by the MMHI have recently weakened.</p> <p>According to the General Administrative Law and the Law on Legislation, administrative decisions and draft laws must be made available electronically for public comment. However, especially after 2020, the presentation of draft laws to the public has been weakened.</p> <p>Discussions are held on specific draft laws, but the information is not shared equally with stakeholders, and NGOs are invited to discriminate at their own discretion.</p>	<p>Civil society, a key institution for good democratic governance, is left out as the government does not make proposals and demands on civil society participation and cooperation to donor organizations. Donors limit the participation of civil society only by inviting them to trainings and conferences. They do not consider it as an official development stakeholder and does not cooperate equally. For example, the following projects have been implemented in the mineral resources sector in recent years.</p> <ul style="list-style-type: none"> <li>- AMEP Program funded by the Government of Australia: Aimed at improving governance in the mineral sector, ensuring citizen participation and stakeholder cooperation.<sup>40</sup></li> </ul>

<sup>40</sup> <https://www.amep.mn/about-us>

<p>The lack of response to requests and demands from NGOs reduces their opportunity to participate effectively in government activities.</p>	<ul style="list-style-type: none"> <li>- The MERIT program, supported by the Government of Canada: aims to build the capacity of government agencies.<sup>41</sup></li> <li>- The SESMIM Program, supported by the Government of Canada: Aims to improve the legal environment, develop stakeholder engagement and partnerships, and build capacity.<sup>42</sup></li> </ul>
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## Signature

Provide information to the Certification Team on Civil Society Participation in the MWG, and include the names, positions, and contact addresses of the signatories below. Add a line if necessary.

Name	E-mail, phone number	Date	Signature (optional)
Dashdorj Erdenechimeg	<a href="mailto:chimgee@forum.mn">chimgee@forum.mn</a>	December 15, 2021	
Namsrai Bayarsaikhan	<a href="mailto:swb.ngo@gmail.com">swb.ngo@gmail.com</a>	December 15, 2021	
Sundui Tserenpurev	<a href="mailto:tserenpurevp@gmail.com">tserenpurevp@gmail.com</a>	December 15, 2021	
D. Tserenjav	<a href="mailto:Tseren2005@yahoo.com">Tseren2005@yahoo.com</a>	December 15, 2021	

<sup>41</sup> <https://www.facebook.com/MERIT.mn/>

<sup>42</sup> <http://edu.mrpam.gov.mn/en/about>



## 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.