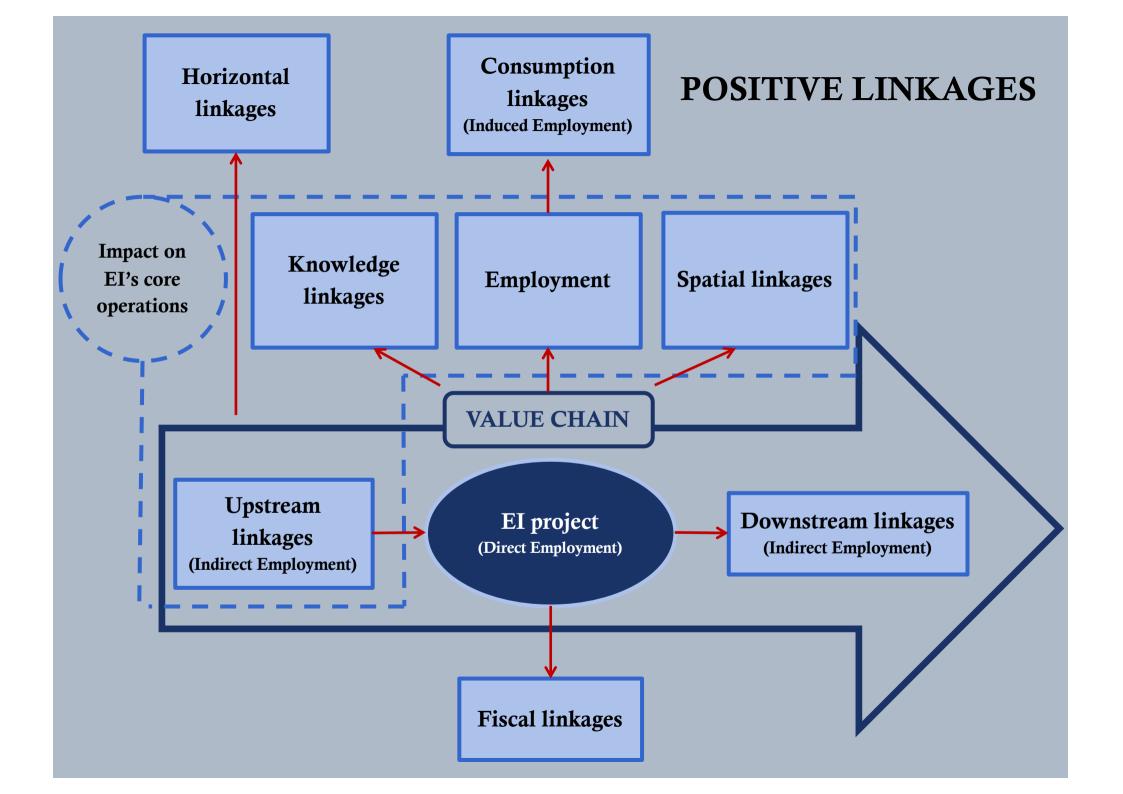
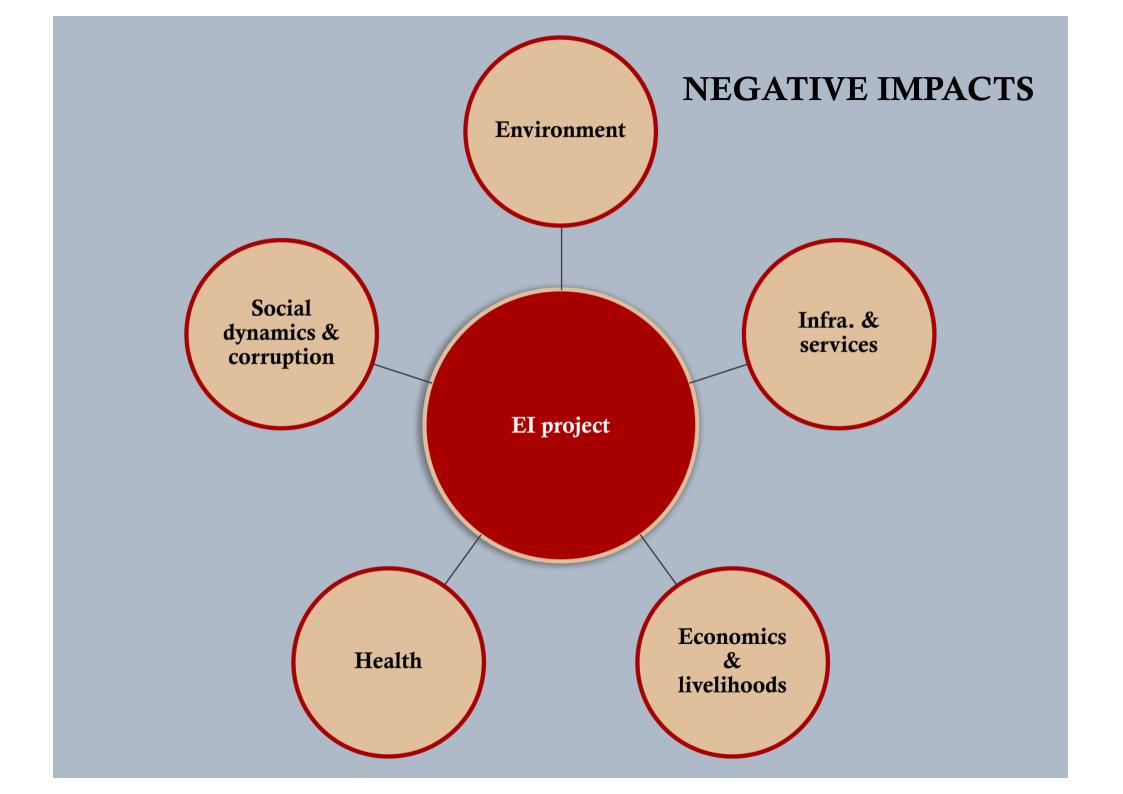
# Integrating non-fiscal impacts into cost-benefit analyses of extractive industry projects

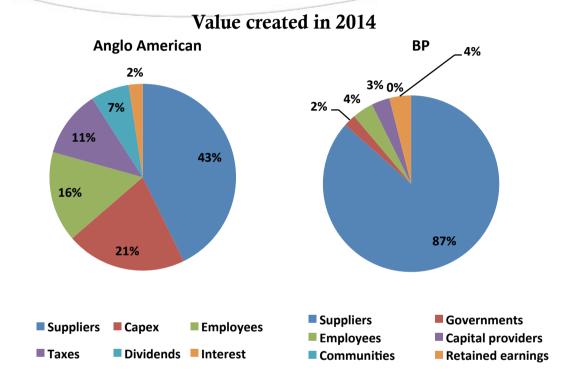
September 2018







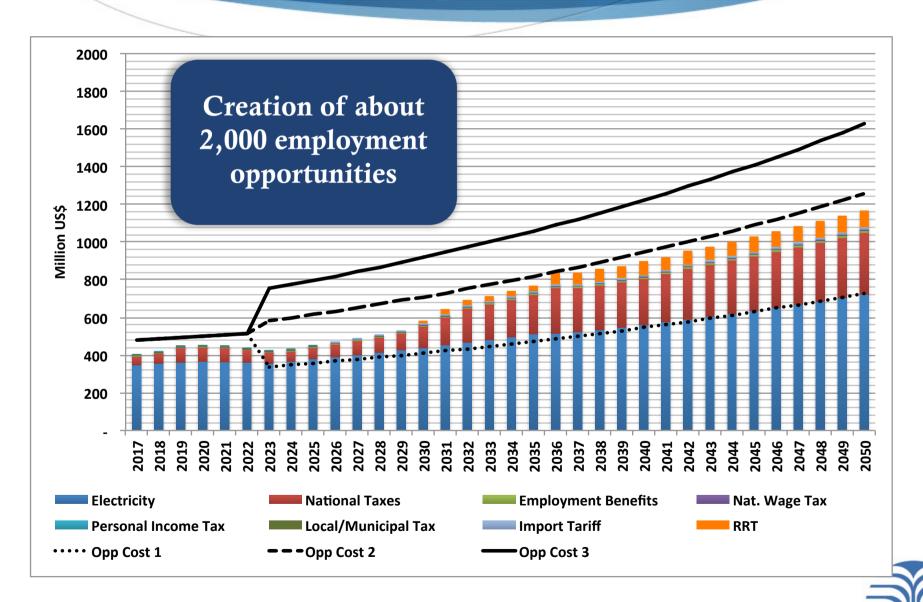
## Quantifying upstream impacts



#### **Employment multipliers vary significantly**

Industry	Location	Direct impact	Indirect impact	Direct and indirect impact	
Africa (not including South Africa)					
Mining	Tanzania	1.0	7.6	8.6	ICMM (2007) <sup>58</sup>
Gold mining	Tanzania	1.0	6.87	7.87	Ernst & Young (2013)44
Cooper mining	Zambia	1.0	2.61	3.61	ICMM (2014) <sup>45</sup>
Gold mining	Tanzania	1.0	3.0	4.0	World Gold Council (2009) <sup>59</sup>
Gold mining	Mali	1.0	6.0	7.0	United Nations Conference on Trade and Development (2007) <sup>60</sup>
Median value			6.0	7.0	

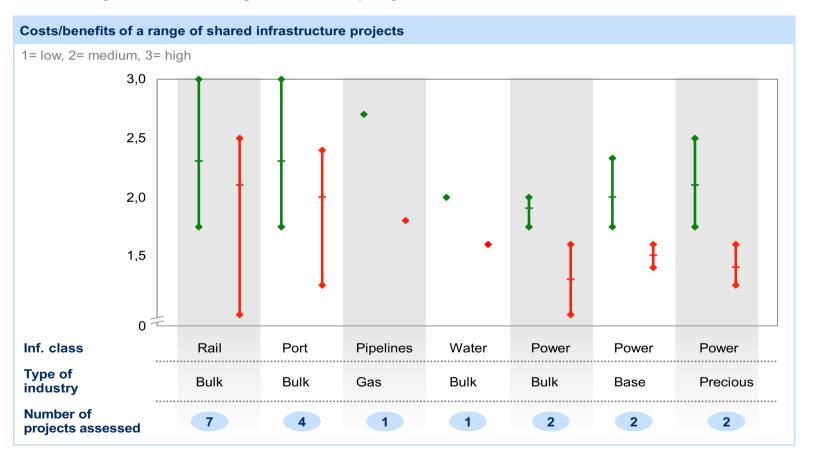
## Quantifying downstream beneficiation impacts

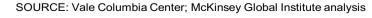


## Quantifying shared-use infrastructure impacts

While sharing is generally beneficial, the associated costs vary substantially between projects



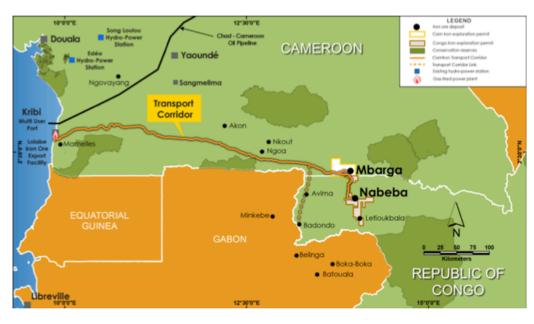






## Quantifying GHG impacts

#### CamIron Project



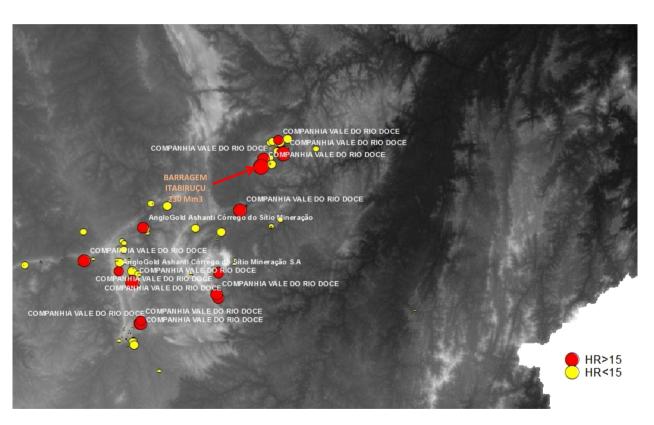
- ♦ 1,740 sqkm concession
- 580km railway line & port
- 35mtpa of iron ore
- 18 million tons of CO2 over project life

#### Carbon offset of CamIron CO2 footprint



- Proposal to protect Forest
   Management Unit 10034 164,000 ha
   of intact forest from logging by leasing
   area for \$6/Ha per year
- If the concession remains unlogged, offset 4.5 million tons of CO2

## Quantifying environmental risks



- Around 300 tailing dam failures have been reported between 1915-2016
- Overtopping is failure mechanism in 30-40% of cases
- Calculated hazard rating based on:
  - Dam height
  - Tailings stored
  - Distance traveled
  - Impacted area



#### Summing up

- Focus on fiscal aspects important particularly in the oil sector
- Non-fiscal positive linkages to extractive industry investments often reviewed/negotiated separately, but may be of key importance to both parties
- Negative externalities, risks and opportunity costs are not priced into project appraisals. However, these externalities are particularly relevant for impacted regions
- There is a need to provide stakeholders with tools to be able to integrate non-fiscal impacts of extractive industry investments in sector & project appraisals.
- Probalistic impact assessments improve with more data from existing case studies.
- Such tools could also help improve risk monitoring.





## EITI reporting on artisanal and small-scale mining

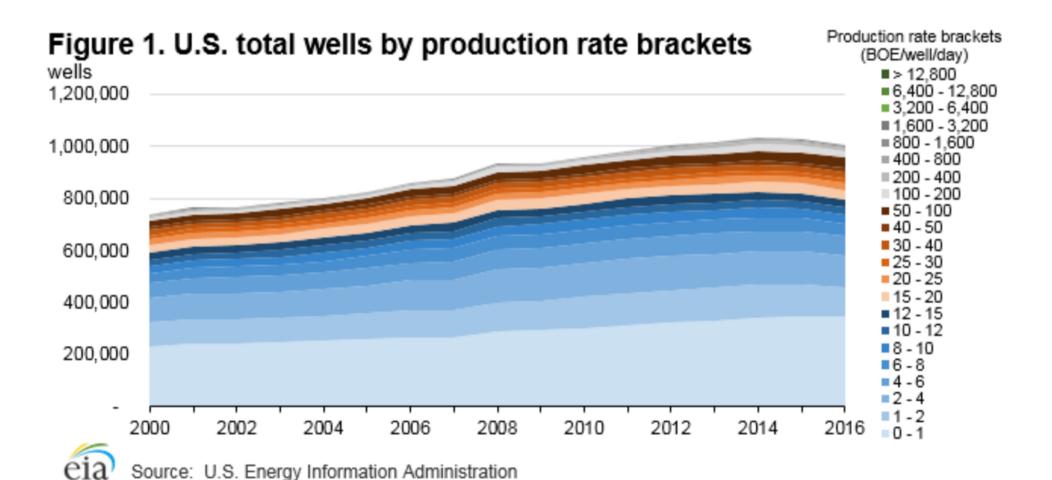
Priorities for strengthening extractive sector governance, Oslo, 5-7 September 2018

#### Overview of the session

- EITI and the ASM, a brief recap.
- Potential outcomes, results and impact: Panning for data: artisanal and small-scale mining (ASM) in EITI countries
- Connecting local ASM activities with multi-level regulatory frameworks OECD presentation
- EITI country case studies: Ethiopia, Myanmar and DRC
- Q&A session and next steps.



## ASM can mean many things....



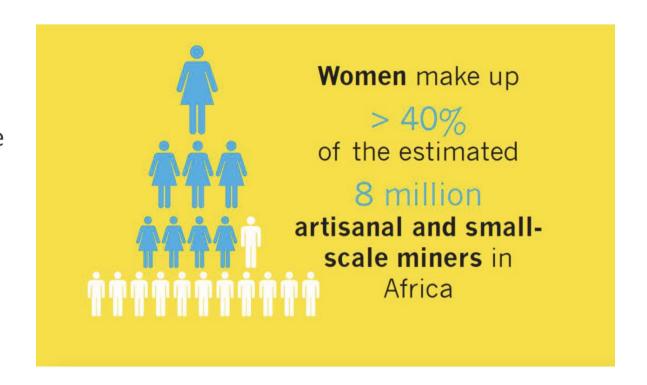


## Artisanal/informal is more complex



## Key governance challenges and potential

- Mineral smuggling can in some cases finance conflicts, illegal activities, lost revenues, harm to the environment....
- We also recognize that millions of people depend on this sector for their livelihood.
- Those people are often the poorest and most vulnerable.

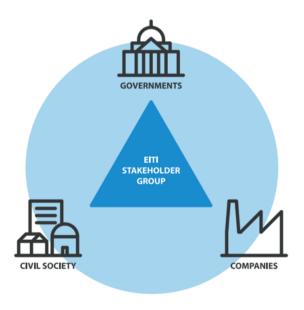




## EITI potential role in ASM

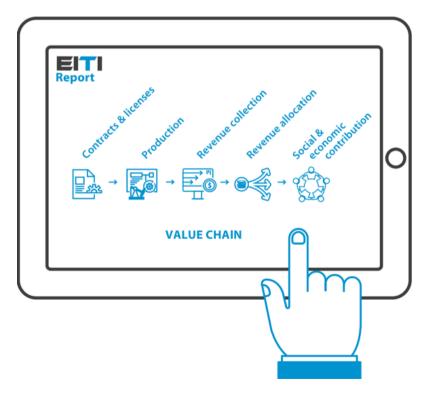
#### A space for dialogue

A national **mutli-stakeholder group** (government, industry & civil society) in each country decides how their EITI process should work.



#### A source of reliable data

Key information about the governance of the sector is reported annually alongside **recommendations for improving sector governance.** 





## Coverage of ASM information in EITI reporting: key findings

- While many of the countries with significant ASM sector wish to use the EITI to address challenges related to ASM, few EITI countries have <u>clear</u> <u>objectives</u> for how to do so.
- <u>Engagement by key ASM stakeholders</u> in the EITI process is important for the EITI to be an effective platform for addressing ASM issues.
- There are <u>diverse practices</u> among EITI countries on disclosure of information related to the legal and regulatory framework for ASM.
- Disclosure of production figures, estimates of volumes and values of exports and government revenues from ASM are limited.
- Disclosure of estimates of employment figures are often based on old studies.



### Panning for data: ASM in EITI countries



BRIEF

- Increasing transparency in the sector
- Contributing towards the formalisation of the sector
- Sparking public debate and providing platforms for discussion

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Source: <a href="https://eiti.org/document/panning-for-data">https://eiti.org/document/panning-for-data</a>

#### PANNING FOR DATA

ARTISANAL AND SMALL-SCALE MINING (ASM) IN EITI COUNTRIES

EITI International Secretariat

June 2018



## Ethiopia: Efforts undertaken on ASM

.

- More people than previously estimated are likely to be involved in ASM activities: Difference between government estimate (300,000-350,000 people) and report estimate (about 1.26 million people)
- The majority of ASM is informal: About 94% of the artisanal and small-scale miners are non-licensed
- Lack of oversight and poor management of licensed areas
- Gaps in the legal framework and significant need to improve enforcement of regulations related to ASM
- Significant potential for the government to improve its take of royalty from ASM production: Only 36% of potential royalties were collected in 2014
- Lack of consistent information about prices







## Ethiopia: EEITI study on ASM

Table 9: Collectable and Actual Collected Royalty on the Use of Artisan Mining (Gold and Opal) estimated for 2014/15, in Birr

	Regions	Actual Collected Royalty (a)	Collectable Royalty (b)	Loss to the government (c = a-b)
I	Oromia	7,888,153	35,892,000	28,003,847
2	BGR	340,519	4,260,000	3,919,481
3	SNNPR	13,692,148	21,512,000	7,819,852
4	Tigray	Na	50,544,000	Na
5	Amhara	274,966	1,968,000	1,693,034

Source: (a) from Woreda/zonal offices of Revenues; (b) Own calculation, based on estimated volume of artisan gold production (Table 6) and average individual income from the opal mining per annum (Table 8).

Source: <a href="https://eiti.org/document/ethiopia-eiti-study-on-artisanal-smallscale-mining-asm-sector">https://eiti.org/document/ethiopia-eiti-study-on-artisanal-smallscale-mining-asm-sector</a>



#### Myanmar: Context

- Access to the lucrative gem-producing concessions is highly regulated with little room for formal ASM to take place
- However, Myanmar's gem-producing areas have many subsistence 'wastepickers' who are free to search mining company waste dumps for any valuable gem materials that may have been overlooked. This is unregulated.
- Gemstone value chain is slightly different. Rough trading and jewelry trading are hugely important



### Myanmar: Where EITI could contribute

- Mapping gemstone producing areas where ASM takes place
- Determining how material are the payments from the ASM sector and how material revenues could be reflected in the report
- Include revenues from trading in the scope of the EITI process
- Subnational Myanmar EITI processes could help in data gathering and formulation of policies



## The Democratic Republic of Congo

Tableau 4.3.2: Flux financiers du secteur minier artisanal en 2013 et 2014

Percepteurs	Type de flux financiers
	Avis de mise en recouvrement (AMR A)
l <b>.</b>	Avis de mise en recouvrement (AMR B)
19G	Impôt sur les bénéfices et profits (IBP) Impôt professionnel sur les Rémunérations (IPR)
_	Impôt professionnel sur la Rémunération des Expatriés (IER)
	IBP sur prestation des personnes physiques non résidentes en RDC
	Redevance pour agrément des comptoirs d'achat - de vente des substances minérales (or et de diamant).
	Redevance pour acheteur supplémentaire.
a	Caution des comptoirs de l'or et de diamant, des pierres de couleur et autres substances autorisées (exploitations d'un comptoir d'or, de diamant et de cassitérite)
	Quote part du Trésor dans la taxe rémunératoire.
	Droit d'enregistrement des dragues extractrices.
DGRAD	Droits pour extension permis de recherche à d'autres substances.
90	Taxe Autorisation d'exportation des produits miniers autres que l'Or et le Diamant.
	Taxe sur l'autorisation d'exportation des matières minérales à l'état brut.
	Taxe sur l'autorisation de minage temporaire.
	Frais de rémunération des services rendus par le SAESSCAM.
	Autorisation de traitement ou de transformation des substances.
	Taxe d'extraction des matériaux de construction.
CEEC	Taxe rémunératoire de 1% de la valeur à répartir entre les différents services intervenant pour les comptoirs.
90	Droits de la carte d'exploitation artisanale des substances minérales précieuses et semi-précieuses
Directions Provinciales des Recettes	Carte de creuseur (Or, Diamant, Hétérogénite, Cuivre, Cassitérite, Coltan); Carte de négociant (or, diamant, hétérogène, cassitérite, cuivre, coltan); Carte de fondeur (Hétérogénite, Cassitérite, Cuivre).
	Taxe sur autorisation d'achat de Cassitérite.
	Taxe sur l'autorisation d'achat des substances minérales autres que l'Or et le Diamant.
	Amandes transactionnelles
	Redevance annuelle caution et frais dépôt pour agrément comptoir.
	Autorisation de transformation des produits de l'exploitation artisanale.

Source: EITI DRC, 2015, https://eiti.org/sites/defau lt/files/documents/itie ra paudind cadragcouverexp loitmin estrdc 1.pdf

KATANGA 2013

Nº	Nom et Post-Nom	N° Note de perception
1	BANZA KABILA NATHALIE	24872
2	NYEMBO NGOY BIENVENU	24871
3	LUTUMBA KADIMA ROGER	24868
4	YAV KALEND	25857
5	MITONGA KYOZI Gelardin	24874
6	KAZADI TSHIAMB Thierry	24880
7	LUMBU KYUNGU John	27654
8	ANGA NKULU Dorothe	27669
9	KABUNDI KAMI Alain	27683
10	MUTABA TSHIKALA Albert	43414
11	MWEMA NKULU OSCAR	33832
12	NDOMBE ALI ANTONIO	33828
13	HAMURI BUSHIRI BIN RAMAZANI	33396
14	MWANSA KATAYI ODILON	50773
15	JEROME NYEMBO MULONGO	33835

Source: Divisions Provinciales des Mines



## The Democratic Republic of Congo

Tableau 14 : Production totale de l'or brut en kilogramme au 1er semestre 2018

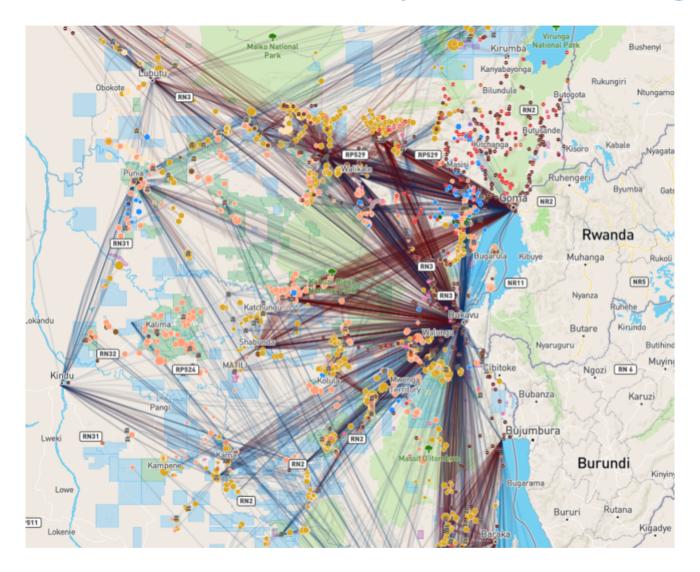
	Production Industrielle	Production Artisanale	Cumul
Janvier	3 007,36	17,14	3 024,50
Février	2 600,26	15,02	2 615,28
Mars	2 898,16	11,40	2 909,56
1er Trimestre	8 505,78	43,56	8 549,34
Avril	2 594,39	27,92	2 622,31
Mai	3 227,45	39,52	3 266,97
Juin	3 475,57	34,18	3 509,75
2e Trimestre	9 297,41	101,62	9 399,03
1er semestre	17 803,19	145,17	17 948,36

Source: <a href="http://mines-rdc.cd/fr/wp-">http://mines-rdc.cd/fr/wp-</a>

content/uploads/documents/Statistiques/2018/STATISTIQUES PREMIER SEMESTRE 2018.pdf



## The Democratic Republic of Congo



Source: IPIS, 2018, <a href="http://ipisresearch.be/pub/lication/interactive-map-artisanal-mining-exploitation-eastern-dr-congo-2018-update/">http://ipisresearch.be/pub/lication/interactive-map-artisanal-mining-exploitation-eastern-dr-congo-2018-update/</a>



## The Democratic Republic of Congo: Where EITI could contribute

- Compile what is already systematically disclosed by government agencies and partner organisations to make EITI reporting more comprehensive (legal framework, fiscal regime, licenses, overview of specific challenges and characteristics, production, exports, share compared to the industrial sector, contribution to the economy, social and environmental impact)
- Describe the different supply chains, including actors involved, highlighting specific challenges in collecting data and reporting on each commodity
- Create an inventory of local, national, regional and global initiatives working on mapping ASM, due diligence guidelines, responsible sourcing, etc...
- Provide a local hub and coordinating platform for these initiatives, including discussing policies for reform and formalisation of the sector



#### Questions for discussion

Can the EITI do anything about these challenges?

Should the EITI do anything on ASM?

• If so what?



## Possible next steps?

- Conduct pilot projects with a country for comprehensive ASM disclosures, adding a due-diligence component to it (Burkina Faso with the OECD?)
- Support EITI implementing countries that wish to disclose more data about their ASM sector, including through:
  - Supporting the development of fully-costed work plans that identify clear objectives for how to use the EITI to cover ASM
  - Encouraging countries with significant ASM activities to consider undertaking scoping of ASM to help determine the extent to which the ASM sector is material
  - Innovative and thematic reporting
- Update the EITI Guidance Note 21 on the coverage of ASM under the EITI Standard: <a href="https://eiti.org/document/guidance-note-on-coverage-of-artisanal-small-scale-mining-asm-under-eiti">https://eiti.org/document/guidance-note-on-coverage-of-artisanal-small-scale-mining-asm-under-eiti</a>
- Collaborate with global and regional actors to explore opportunities for EITI to contribute to ongoing efforts to improve transparency and accountability of ASM





## EITI and beneficial ownership transparency

EITI partners retreat, 6 September 2018

### Overview of implementation support

- Linking to national reforms Indonesia
- Bringing together stakeholders (including intergovernment collaboration) Mongolia
- Establishing legal and institutional frameworks (draft legislation/regulations) DRC
- Beneficial ownership data collection (reporting templates and EITI reporting) - Myanmar
- Company guidance and outreach Zambia
- Establising public registers Kyrgyz Republic
- Capacity building on analysis of BO data Kazakhstan



#### Indonesia

#### Progress on beneficial ownership reforms:

- Presidential Regulation and Ministerial Decree
- OGP commitment to disclose BO data

#### Need for support:

- Making the BO register publicly accessible
- Data verification mechanisms for the register
- Outreach to companies
- Linking with PEP's asset disclosure practices

#### Targets:

- BO disclosures by 2019
- Arrangement with the Anti-corruption Commission on reporting obligations for PEPs



#### Myanmar

#### Progress on beneficial ownership reforms:

- BO Task Force created
- BO pilot
- Plans to include BO information in the mining cadastre

#### Results of BO pilot:

- Disclosed 31 natural persons holding 5% or more of the shares or voting rights, directly of indirectly, or exercise control over the respective participating companies via other means
- a majority of the participating companies provided additional information on their beneficial owners, such as date of birth, identity number, country of residence, residential or service address
- Only 2 were declared PEPs
- Of these 17 companies, however, 4 participants disclosed ownership information only up to the level of their legal owners.



#### Myanmar

#### Support needs:

- Better definition of BO within the Myanmar context (e.g. what to do with government holdings in private companies?)
- Data verification mechanisms
- Capacity-building in understanding BO concept and in providing information
- How to host BO data in the license register
- Support for legal reforms
- Securing political commitment
- Use of BO data



## Kyrgyz Republic

#### Progress on beneficial ownership reforms:

- Adopted new Law on Subsoil Use (May 2018)
- Draft regulation on BO with support from EBRD
- OGP commitment to disclose BO data (suggested)
- Signed MoU with OpenOwnership

#### Need for support:

- Establishing BO register/transforming license register
- Data verification mechanisms for BO register
- Workshops on BO for companies
- Linking with PEP's asset disclosure practices
- Capacity building for civil society

#### Targets:

- BO disclosures through public register by 2020
- Verification procedures in place



## Beneficial ownership legal survey

- Scope: 16 jurisdictions
- Examination of key provisions:
  - Legal source
  - Competent authority
  - BO definition
  - Level of detail
  - Data verification
  - Reporting entities
  - Requirements for updating
  - Sanctions
  - Public access



### Beneficial ownership legal survey

#### Some preliminary findings:

- While most laws identify one agency as competent authority, other laws do not identify this at all, or refers to various agencies, resulting in fragmented regulation
- Majority contain definition for BO but some do not specifically refer to natural persons
- Thresholds range from 5% to 25% of shares, voting rights, capital, or share in profits



#### Beneficial ownership legal survey

- Countries are not covering disclosures of owners who are politically exposed
  - Only 2 countries refer to close associates (Ghana and Malawi)
  - PEPs are only mentioned in Ghana, Ukraine and the EU Directive



# Beneficial ownership legal survey

- Data verification mechanisms are not detailed and some are not specific to BO data
- Few have explicit provisions on public access: EU (subject to exemptions) Ghana, Kyrgyz Republic, Ukraine (subject to exemptions), UK
- Some allow conditional access (upon payment of fee, request, only to public authorities)



# Key messages:

- It is possible to implement beneficial ownership disclosure when there is political commitment
- Technical and financial support will be critical for progress
- At the current rate, the majority of implementing countries are not likely to meet the EITI Requirement by 2020



# Next steps

- Targeted support to EITI countries where funds are available (EBRD and DFID priority countries)
- Supporting improved BO disclosures: Targeting
  Cameroon, DRC, Ghana, Indonesia, Kyrgyz Republic,
  Mongolia, Myanmar, Senegal, Zambia
- Facilitating peer learning: Regional events in Africa (October), Asia (February 2019), LAC?
- Improving guidance on establishing legal frameworks, data collection and verification
- Expand our network and reach to stakeholders





# **CONTRACT TRANSPARENCY**

Lessons from validation and country opportunities

# EITI's contribution to contract transparency debate

- Creating a forum for debate
- Facilitating disclosures
- Providing access to contracts
- Supporting legal reform enabling contract transparency



# **Key Findings from Validation**

- The EITI has significantly influenced the contract transparency debate in implementing countries.
- Validation has highlighted several benefits of contract transparency for many stakeholders.
- Limited use of contracts for analysis.



# **Key Findings from Validation**

• There appears to be little focus on the EITI's encouragement of contract transparency in Validation.

- There continues to be a discrepancy between policy and practice in countries that provide for full disclosure.
- Validation has shown a need for clarification of the meaning of confidentiality clauses.



# Challenges during Validation

 Accessibility: A survey of the initial assessments and EITI Reports shows that little attention has been given to data accessibility and the format in which contracts are disclosed.

Conflicting sources and outdated information:

Validation revealed that there is often lack of clarity on which government agency is responsible for publishing contracts and challenging in keeping contract databases up to date



# Challenges during Validation

- Confidentiality clauses: Validation has highlighted a need to interrogate the confidentiality of the contracts in further detail.
- Commercial sensitivity: The question of commercially sensitive information in contracts was not frequently cited by EITI Stakeholders as a reason not to disclose contracts.
- Fear of instability: In some countries, governments officials seem to fear public criticism or instability if contracts were to become public.



# **Need for Country Support**

- Identifying opportunities for reforms (e.g. ongoing legal amendments, revision of model contracts)
- Formulating key messages and arguments, language for legal provisions
- Engaging key people
- Creating platforms for disclosure (extractives hub, contract portals)
- Identifying commercially sensitive information, what could be redacted?
- Use of contracts



# Next steps:

- 1. Joint projects/activities?
- 2. Priority countries?
- 3. Targets for the Global Conference
- 4. Side event for the Global Conference
- 5. Other suggestions?









#### Board Paper 41-1-A

Dakar, 30 - 31 October 2018

on: 27 August 2018

Submitted by: EITI International Secretariat

# Draft Agenda

#### **Tuesday 30 October 2018**

09:00 41-1 Welcome by the Chair and adoption of the agenda

Board Paper 41-1-A Draft agenda

Board Paper 41-1-B Board meeting participant list

09:10 41-2 Report from the Secretariat

Board Paper 41-2-A Implementation Progress Report

Board Paper 41-2-B Outreach Progress Report

10:10 41-3 Report from the World Bank

10:30 Break

10:45 41-4 Report from the Implementation Committee

(The following is an indicative list only, subject to further consideration by the Committee) Board Paper 41-4-A How EITI can improve its engagement with state-owned enterprises

Board Paper 41-4-B Update on commodity trading transparency Board Paper 41-4-C Options for clarifications to the EITI Standard

12:00 Lunch

13:00 41-5 Report from the Validation Committee

(The following is an indicative list only, subject to further consideration by the Committee)

Board Paper 41-5-A Validation of Afghanistan – for decision Board Paper 41-5-B Validation of Ethiopia – for discussion Board Paper 41-5-C Validation of Nigeria – for discussion

Board Paper 41-5-D Validation of Papua New Guinea – for decision

Board Paper 41-5-E Validation of Seychelles – for decision

15:00 41-6 Report from the Governance and Oversight Committee

(Papers TBC)

#### 15:30 Session ends

#### Wednesday 31 October 2018

09:00	41-6 Report from the Governance and Oversight Committee continued.
09:30	<b>41-7 Report from the Finance Committee</b> Board Paper 41-7-A 2018 Q3 Accounts and full year forecast
	Board Paper 41-7-B Draft 2019 Work plan
	Board Paper 41-7-C Draft 2019 Budget
10:15	41-8 EITI Global Conference
10:45	41-9 Any other business
11:00	Coffee
11:15	41-10 Report from the Nominations Committee and the Chair (closed session)
12:00	Close
12:00	Lunch



# **Global Conference 2019**

Oslo

7 September 2018

### **EITI GLOBAL CONFERENCES**

- 1. Lancaster House (2003) EITI
- 2. London (2005) EITI Source book
- 3. Oslo (2006) EITI International Board
- 4. Doha (2009) EITI Members' Association
- 5. Paris (2011) EITI Rules
- 6. Sydney (2013) EITI Standard
- 7. Peru (2016) Revised EITI Standard



### **2019 GLOBAL CONFERENCE**

- Systematic EITI disclosures
- Beneficial ownership transparency
- Contract transparency, SOE and commodity trading, subnational implementation, ASM, gender, local content, license allocation, CSO engagement.
   Project-level and environmental reporting.





# Strengthening systematic disclosures related to State-Owned Enterprises (SOEs) and Commodity Trading

EITI Partner Retreat, Norway September 2018





### Overview of 2018 activities

- Review of lessons learned from EITI Validation
- Mapping of SOE governance challenges, frameworks and opportunities for EITI to contribute further
- Establishment of EITI SOE transparency network
- Targeted country support (DRC, Myanmar, Ukraine)
- ➤ Recommendations for how EITI can contribute to SOE transparency in at Board meeting in Dakar in October



# Challenges of State-Owned Enterprises

- Over 146 SOEs in the upstream oil, gas or mineral sectors worldwide
- Around 80% of the world's oil reserves and 24% of its mine production controlled by NOCs
- Nine of the 81 SOEs assessed in the 2017 Resource Governance Index (RGI) achieved above 75/100
- 58% of national oil companies and 72% of national mining companies measured in RGI do not disclose enough quality, timely information
- Over 80% of countries Validated under the EITI Standard and who have SOEs achieved less than "satisfactory progress" in SOE-related EITI Requirements



# EITI Requirements related to SOEs

#### 2.6 State participation.

### Where state participation in the extractive industries gives rise to material revenue payments, implementing countries must disclose:

- a) An explanation of the prevailing rules and practices regarding the financial relationship between the government and state-owned enterprises (SOEs), e.c the rules and practices governing transfers of funds between the SOE(s) and the state, retained earnings, reinvestment and third-party financing. For the purpose of EITI reporting, a SOE is a wholly or majority government-owned company that is engaged in extractive activities on behalf of the government. Based on this, the MSGs is encouraged to discuss and document definition of SOEs taking into account national laws and government structure
- b) Disclosures from the government and SOE(s) of their level of ownership in mining, oil and gas companies operating within the country's oil, gas and mining sector, including those held by SOE subsidiaries and joint ventures, and any changes in the level of ownership during the reporting period. This information should include details regarding the terms attached to their equity stake, including their level of responsibility to cover expenses at various phases of the project cycle, e.g., full-paid equity, free equity, carried interest. Where there have been changes in the level of government and SOE(s) ownership during the EITI reporting period, the government and SOE(s) are expected to disclose the terms of the transaction, including details regarding valuation and revenues. Where the government and SOE(s) have provided loans or loan guarantees to mining, oil and gas companies operating within the country, details on these transactions should be disclosed.

#### 4.5 Transactions related to State-owned enterprises (SOEs).

The multi-stakeholder group must ensure that the reporting process comprehensively addresses the role of SOEs, including material payments to SOEs from oil, gas and mining companies, and transfers between SOEs and other government agencies.

#### 6.2 Quasi-fiscal expenditures.

Where state participation in the extractive industries gives rise to material revenue payments, implementing countries must include disclosures from SOE(s) on their quasi-fiscal expenditures. Quasi-fiscal expenditures include arrangements whereby SOE(s) undertake public social expenditure such as payments for social services, public infrastructure, fuel subsidies and national debt servicing, etc. outside of the national budgetary process. The multi-stakeholder group is required to develop a reporting process with a view to achieving a level of transparency commensurate with other payments and revenue streams, and should include SOE subsidiaries and joint ventures.



# Common SOE-related challenges identified in Validation

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	Board decision date	25/10/16	11/1/17	11/1/17	11/1/17	11/1/17	8/3/17	8/3/17	8/3/17	8/3/17	8/3/17	24/5/17	24/5/17	5/10/17	25/10/17	25/10/17	25/10/17	26/10/17	26/10/17	4/12/17	13/2/18	13/2/18	13/2/18	13/2/18	14/2/18	8/2/18	81/5/8	29/6/18	29/6/18	29/6/18	29/6/18	29/6/18
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MSG oversight	Civil society engagement (#1.3)					-			+				-	-										+	+	+	+					
visa oversight	MSG governance (#1.4)					_										_								+		+						
	Work plan (#1.5)					_	_	-	_							_								+								
	Legal framework (#2.1)					+			+															+								
	License allocations (#2.2)																		+					+			+		+			
	License register (#2.3)													-										+			+					
Licenses and contracts	Policy on contract disclosure (#2.4)				$\rightarrow$	_								-					$\vdash$					+	-							
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	State participation (#2.6)												_	_			_															
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Monitoring production	Production data (#3.2)													+										+			+					
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Revenue allocation	Subnational transfers (#5.2)														//									7			///					
	Revenue management and expenditures (#5.3)	,,,,,,,			ľ							~~~								,,,,,,,												
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	Economic contribution (#6.3)			ľ	uuna		91111	2							<i>""</i>	<i>////</i>	''''									///	unun		<i>,,,,,,,</i>			
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	Data accessibility (#7.2)																															
Outcomes and impact	Follow up on recommendations (#7.3)																															
	Outcomes and impact of implementation (#7.4)																							$\dashv$								
Overall assessment	Outcomes and impact of implementation (#7.4)				_		_											_						4	4			4				

# Common SOE-related challenges identified in Validation

Validation results for Requirement 2.6



• **Biggest challenges**: SOE definitions, financial relations, loans and guarantees, reconciliation of SOE transactions, quasi-fiscal expenditures.



# Mapping of SOE transparency and governance norms and guidelines

- Mapping study on 14 different SOE-related guidelines and standards (from OECD, NRGI, GRI, IMF, World Bank).
- Options for deepening EITI support for SOEs: certification, new standard, building on existing requirements of the Standard, international forum, technical assistance...

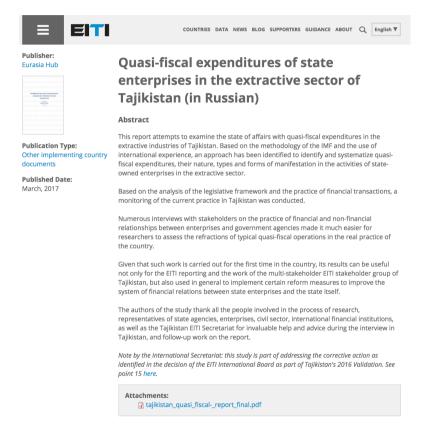
Table 3. Topics covered by a subset of guidelines and standards covered in this report

Document	Context / legal framework	Mandate / objectives	Shareholdings	Corporate structure	Partnerships	Board / corporate governance	Commercial activities	Non-commercial activities	Contracts	Risk factors	Finances	Performance	Transfers to/from treasury	Social and env impacts
<u>EITI</u>	Х	Х	X	Х	X	Х	X	X	Х		X		Х	
PEFA							Х	Х		Х	Х	Х		
GIFT	Х	Х			X	X	X	Х	Х		Х	Х	Х	X
OECD	Х	Х	Х	Х	Х	Х				Х	Х	Х	Х	
World	Х	Х	Х	Х	Х	Х	Х	Х		X	Х	Х	Х	
<u>Bank</u>														
NRGI	Х	Х	Х	Х	Х	Х	Х	Х	Х		Х	Х	Х	Х
GRI	Х		Х	Х	Х	Х	X	X		X	Х		Х	Х
IMF Code	х			Х	Х		х	х		Х	Х	Х	Х	Х



# Examples of country SOE work





Study on QFEs, self-funded, based on IMF methodology.



# Examples of country SOE work



Initiative pour la Transparence des Industries Extractives (ITIE-RDC)

Rapport de revue des états financiers des entreprises publiques extractives GECAMINES, MIBA, SODIMICO et SONAHYDROC

Exercice 2016

Kinshasa, juillet 2018

• Review of SOEs' AFS, funded by DfID, Secretariatexecuted.



# Opportunities for more targeted SOE engagement

- Incentivising strengthened SOE disclosures (e.g. SOE certification)
- Piloting 'systematic' SOE disclosures, building on existing disclosures
- Supporting development of disclosure policies
- Strengthening SOE Requirements in EITI Standard
- Convene network and encourage peer learning

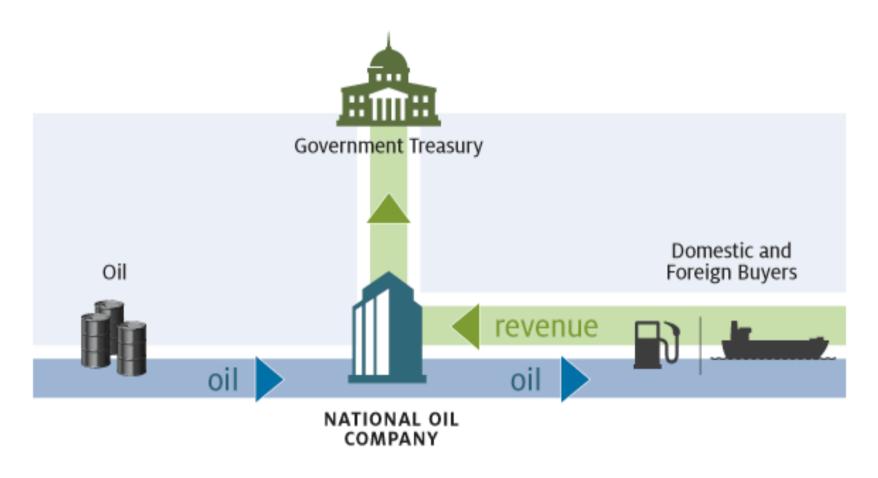








# Transparency of the "first trade" in commodity trading is crucial for improving accountability



Source: NRGI



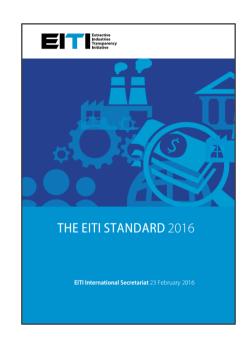
### **Timeline**

- 2013: Adoption of the EITI Standard including requirement on sale of state's share of production or in-kind revenues
- 2015: Creation of the EITI Commodity Trading Working Group
- 2016: Adoption of a refined Standard, development of reporting templates and Guidance Note 26.
- 2017: Targeted effort in commodity trading transparency in a select group of implementing countries (Albania, Cameroon, Chad, Ghana, Indonesia, Nigeria)
- 2018: Evaluation of the targeted effort and consultation on the definition of key terms.



# EITI Requirement 4.2 aims to ensure transparency in how governments are selling oil, gas and minerals:

- "Where the sale of the state's share of production or other revenues collected in-kind is material, the government, including state owned enterprises, are required to disclose the volumes sold and revenues received. The published data must be disaggregated by individual buying company"
- Disclosure of "the type of product, price, market and sale volume" encouraged
- Reconciliation of volumes sold and revenues with buying companies encouraged





### EITI Standard template for reporting on 'first trades' of oil

	1. What oil is being sold?											
	Core information		Additional information									
Name of seller	Oil grade and quality (e.g. API) - cargo by cargo disclosures only	Date of Sale - (Bill of lading date cargo by cargo disclosures only)	Type of state-owned oil sold (e.g. profit oil)	Contract # / p/o # / invoice #								
NNPC	46,6	13.09.2013	NNPC share of TUPNI Akpo profit oil	COS/09/080/2013								
NNPC	41,33	18.10.2013	NNPC equity lifting from NAOC JV	COS/10/092/2013								

	2. Who is buying the product?											
Core information	Additional information											
Buyer	Beneficial owner of buyer	Incoterms	Load port, terminal or depot									
Voyage Oil and Gas Ltd.	info not available	FOB	Akpo terminal									
Sahara Energy Resource Ltd.	info not available	FOB	Brass terminal									

	3. What return did the country receive from the sale?											
Core information												
Volumes sold (barrels)	Revenues received	Price information: Official selling price	Price information: Pricing Option	Contract type								
996 400	\$108 692 294,00	\$109,09	Deferred	Term								
320 588	\$35 333 285,83	\$110,21	Prompt by Default	Term								

Additional information												
Fees, charges and credits	Forex rate	Payment receipt date	Payment account	Destination (sellers only)								
-\$25,00	n/a	15.10.2013	NPC-CBN JP Morgan Dollar Crude Oil Accour	INDIA								
\$0,00	n/a		INPC-CBN JP Morgan Dollar Crude Oil Accour									



# Guidance for countries reporting on the sale of the state's share of oil

# Guidance note 26 - Reporting on first trades in oil

#### Guidance note 26 – Requirement 4.2

#### **Table of Contents**

Introduction	2
Overview of the guidanceOverview of an MSG-led reporting process	4
Overview of an MSG-led reporting process	6
Key terms	7
Section 1. Reporting on standard 'first trades'	10
How should sale data be reported?	10
Standard 'First trade' data reporting template	12
Section 2: Reporting on contextual data	18
Section 3. Reporting on special cases of first trades	22
NOC sales to other domestic SOEs or domestic state-owned trading or downstream divisions	22
Swap sales	23
Pre-payment deals and oil-backed loans	24



### Results so far:

- 1. More detailed information on commodity trading by SOEs is being published often for the first time
- The buyer selection process is becoming more transparent
- 3. Countries are making significant progress in disclosing the value of "unconventional sales" such as e.g. swaps or oil-backed loans for future purchases of crude oil



# Results: More granular commodity trading data

#### Annexe 13 : Etat de commercialisation des parts d'huile de l'Etat et de la SNH fonctionnement

#### • Détails des exportations :

Société	N° / Ref. Cargaison	Date d'expédition / Cargaison	Poids / Volume	Unité	Champs	Prix unitaire (USD)	Décote / Brent USD	Valeur totale (en USD)	Valeur totale (en FCFA)	Entité acheteur	Pays du destinataire de l'expédition/la cargaison
SNH Mandat SNH Mandat	681/LS	02/01/2015 02/01/2015	474 119 60 000	BARRILS BARRILS	LOKELE DISSONI	42,389	5,470	20 097 430 2 543 340	12 331 953 706	REPSOL	Espagne
SNH Mandat SNH Mandat	1931/KS02	17/01/2015 17/01/2015	852 698 25 000	BARRILS BARRILS		45,359	2,50	38 677 529 1 133 975	22 535 929 032	CEPSA	Chine
SNH Fonct		17/01/2015	5 000	BARRILS	D1	45,359	2,50	226 795	128 380 884		
SNH Mandat SNH Mandat	682/LS	28/01/2015 28/01/2015	481 395 65 582	BARRILS BARRILS	LOKELE DISSONI	41,659	6,20	20 054 434 2 732 081	13 176 105 332	ADRIA	Norvège
SNH Mandat SNH Mandat	1932/KS03	08/02/2015 08/02/2015	913 468 24 000	BARRILS BARRILS		55,532	2,60	50 726 705 1 332 768	29 832 074 496	GLENCORE	Inde
SNH Fonct		08/02/2015	5 000	BARRILS	D1	55,532	2,60	277 660	159 109 828		
SNH Mandat SNH Mandat	684/LS	18/03/2015 18/03/2015	520 315 38 390	BARRILS BARRILS	LOKELE DISSONI	48,674	7,25	25 325 812 1 868 595	16 841 353 590	GLENCORE	Inde
SNH Mandat SNH Mandat	1935/KS06	24/03/2015 24/03/2015	882 423 17 000	BARRILS BARRILS		53,674	2,25	47 363 172 912 458	28 919 395 041	CEPSA	Inde
SNH Fonct		24/03/2015	4 000	BARRILS	D1	53,674	2,25	214 696	128 613 100		
SNH Mandat	685/LS	17/04/2015	594 177	BARRILS	LOKELE	53,213	6,55	31 617 941	19 178 850 941	ADRIA	France
SNH Mandat SNH Mandat	1937/KS08	22/04/2015 22/04/2015	942 399 25 000	BARRILS BARRILS		58,293	1,47	54 935 265 1 457 325	34 432 759 930	GLENCORE	Portugal
SNH Fonct		22/04/2015	5 000	BARRILS	D1	58,293	1,47	291 465	177 965 658		
SNH Mandat SNH Mandat	1938/KS09	06/05/2015 06/05/2015	970 765 12 500	BARRILS BARRILS		62,418	1,90	60 593 210 780 225	35 848 917 383	CEPSA	Espagne
SNH Fonct		06/05/2015	2 500	BARRILS	D1	62,418	1,90	156 045	91 147 649		
SNH Mandat SNH Mandat	1939/KS10	21/05/2015 21/05/2015	970 363 12 500	BARRILS BARRILS		62,418	1,90	60 568 118 780 225	36 146 478 507	GLENCORE	Inde
SNH Fonct		21/05/2015	2 500	BARRILS	D1	62,418	1,90	156 045	91 941 803		
	1941/KS11	11/06/2015 11/06/2015	960 075 17 000	BARRILS BARRILS	D1	60,195	1,49	57 791 715 1 023 315	34 348 406 651	UNIPEC	Chine
SNH Fonct		11/06/2015	3 500	BARRILS	D1	60,195	1,49	210 683	123 040 118		



# Buyer selection process more transparent

Table 54 - Summary of Auctions organized 2013 - 2015

Auction year	Quantity in ton	Auction starting price	Winning bid	Non-winning applicants	Access to procedure
2013	200,000	Brent/1.65 \$bbl. +	IConsortium between "TPD-Trading Petrol & Drilling (NUIS L21807013N)" and "Interpetrol Ltd (NUIS L52013058A)" with K = 0.12 \$/bbl.	Durres Ltd	Filed in the Ministry of Energy and Industry archive
2013	30,000	Brent/1.65 \$bbl. + K equivalent to Brent × 60.61% \$bbl. + K	Liona Sh.a. (NUIS L31731005C) with K = 0.1 \$/bbl.	No other applicants	Filed in the Albpetrol archive
2015	100,000	Brent x 72.52% - 5.55 \$/bbl. + K	TPD-Trading Petrol & Drilling (NUIS L21807013N) with K = 0.1 \$/bbl.	No other applicants	http://www.albpetrol .al/njoftim-ankandi- per-shitjen-e-naftes- brut-sasia-100-000- ton/

Source: 2015 EITI Report Albania, p.136



## Better overview of the oil revenues

**OIL PRODUCTION COST OIL PROFIT OIL** ROYALTY ALBPETROL'S AKBN'S CONTRACTOR'S SHARE SHARE SHARE CONTRACTOR'S **PROFIT** ROYALTY & SHARE AFTER PROFIT TAX DIVIDENDS TOTAL CONTRACTOR'S SHARE **TOTAL GOVERNMENT'S SHARE** 

Figure 5 – Allocation of revenue form the oil and gas sector

Due to current organization of the oil sector main revenue stream allocated to the State budget are royalty, profit tax and revenue generated from its direct investment in Albertol.

Source: EITI Albania 2013-2014 Reports, Deloitte, December 2015, page 37 <a href="http://www.albeiti.org/">http://www.albeiti.org/</a>



# Increased reporting on "unconventional"



#### SITUATION DE LA DETTE GLENCORE SHT II AU 31.12.2015

	Facturation					Échéance de prépaiement		Autres remboursements					
N°	N° BL	Date de chargement	Barils nets chargés	Brent daté	Décote	Prix de vente	Valeur de cargaison	Principal	Intérêts	Quotte-part Transportation cost	Quotte-part Cash Call	Total retenu	Capital restant dû
													1 356 250 000
1	0571	05/01/2015	949 871	46,526	-11,05	35,476	33 697 623,60	0,00	14 558 997,00	7 738 626,60	11 400 000,00	33 697 623,60	1 356 250 000
2	0579	04/03/2015	950 362	47,142	-10,85	36,292	34 490 537,70	0,00	0,00	7 490 537,70	27 000 000,00	34 490 537,70	1 356 250 000
3	0587	28/04/2015	949 985	54,943	-9,50	45,443	43 170 168,36	0,00	14 501 564,00	13 668 604,35	15 000 000,00	43 170 168,35	1 356 250 000
4	0595	26/06/2015	949 796	61,553	-8,00	53,553	50 864 425,19	1 641 803,00	22 832 391,00	1 390 231,19	25 000 000,00	50 864 425,19	1 354 608 197
5	0603	25/08/2015	950 067	46,283	-7,35	38,933	36 988 958,51	0,00	0,00	25 488 958,51	11 500 000,00	36 988 958,51	1 354 608 197
6	0613	07/11/2015	950 226	47,532	-7,95	39,582	37 611 845,53	0,00	30 974 924,00	0,00	6 636 921,53	37 611 845,53	1 354 608 197
7	0620	31/12/2015	907 935	34,245	-10,05	24,195	21 967 487,33	0,00	0,00	5 175 820,65	16 791 666,67	21 967 487,32	1 354 608 197

#### Annexe 16 : Détail des contrats de préfinancement (déclaration de Glencore Energy UK) :

Les parties à l'accord	Montant total	Date de l'accord	Période de remboursement	Taux d'intérêt	Montant non remboursé au 31/12/2015	Montant remboursé au cours de l'année	Toute mise à jour du calendrier de remboursement
Glencore Energy UK et SHT	Jusqu'à 600 million USD	Date de Prépaiement 7 Mai 2013  1) Premier tirage : le 13 mai 2013 USD 291 590 000 (cà-d. 300 000 000 USD moins les déductions contractuelles);  2) Deuxième tirage : 14 août 2013 145 775 000 USD (soit 150 000 000 USD de moins déductions contractuelles)	Mai 2013 - Août 2015	L + 6,625%	Un montant de 93 659 522 USD restait impayé avant la restructuration de SHT 1 et de SHT2 le 15 décembre, date à laquelle les deux facilités ont été fusionnées	85 691 581 USD	En août 2013 et en décembre 2015 (Restructuration avec le 2ème
Glencore Energy UK et SHT	1 450 million USD	- 30 Avril 2014 : 255 000 000 USD (soit 262 116 935 moins de déductions contractuelles) -le 09/05/2014 : 924 709 176 USD (soit 987 883 065 moins les déductions contractuelles) - 12/06/14 : 194 500 000 (soit 200 000 000 moins de déductions contractuelles)	1) mai 2014 - 31 avril 2018 2) Puis reporté en décembre 15 pour prolonger jusqu'au décembre 2022	L + 6.60%	1 448 267 709 USD (le montant inclut 93 659 522 du premier prêt fusionné avec le 2ême prêt après la restructuration)	57 804 944 USD	Au 31 décembre 2015, la date d'échéance a été prolongée de quatre ans

Source: 2015 EITI Report Chad, p.165

Uslo, 5-/ September 2018

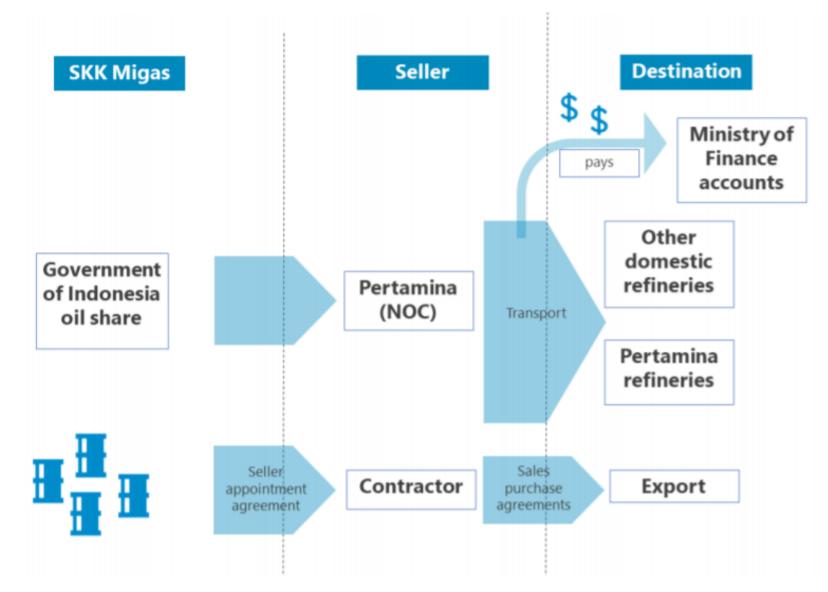


# Indonesia commodity trading report

- Prices of LNG sold show great variation. Sales of identical gas from the same field or terminals to different customers can vary by as much as 400% within a single month
- Even with the same customer, variations can be observed
- More than 99% of the production is sold to the refinery units of the national oil company Pertamina



### Oil and cash flows in Indonesia

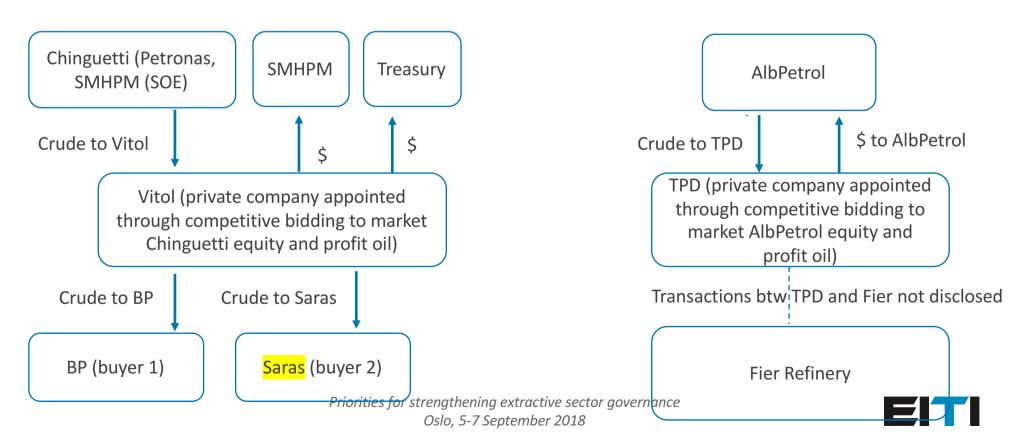




# Ongoing consultation to clarify key terms

What is "first trade"? Indonesia, Mozambique

- Who is the seller/buyer? Albania, Mauritania, Mozambique
- What about sale of equity oil? Kazakhstan, Norway



# Potential next steps for reporting of firsttrade sales

- Supporting target effort countries with implementation and follow-up on findings
- Event in Switzerland in early 2019 to evaluate outcomes of targeted efforts
- Updating guidance reflecting results of consultations and Board decision
- Consider potential for expanding to sale of gas and minerals
- Potentially supporting analysis of data disclosed and support civil society in using the data





# The case for systematic disclosure and rethinking EITI Reporting

EITI Partners retreat
Oslo, September 2018

# May 2010

Georgetown, Guyana







## Timeline

- May 2010. PM Commitment
- ... scoping study
- ... scoping study v2
- ... scoping study v3
- Dec 2015 Ministerial Commitment
- Dec 2015 Stakeholder workshop
- July 2016 Stakeholder workshop
- Oct 2016 Stakeholder workshop
- Nov 2016 Stakeholder workshop
- Feb 2017 MSG formation
- July 2017 2017-2020 Work plan (@ USD 575k)
- Aug 2017. Candidature Application
- Oct 2017. Admitted as EITI Candidature
- (18 months!)
- April 2019. Deadline for First EITI Report (Probably 2016 data)
- April 2020. First Validation.

9 years no new information



# Guyana's EITI Report (a prediction)

- Published in April 2019, covering 2016 data
- A unique overview of the oil, gas and mining sectors in 2016
- Data <sup>2</sup> 20 revenue streams (3 account for 90% of revenues)
- Data on <sup>\*</sup> 40 companies (projects) (5 account for 90% of revenues)
- A focus on reconciliation (with few discrepancies)
- Cursory treatment of underlying audit and assurance systems
- No IA commentary on the reliability of the data
- Limited public interest
- Questions about Impact and Value for money
- Calls to "use the EITI data"



# A better way! (Argentina)

- 2016. Government Interest
- 2018. Government Commitment
- 2018. Consultations:

**Exploring Demand.** "what information is needed?" **Reviewing Supply.** "what information is disclosed today? (Systematic disclosure)

- Timely? Disaggregated? Reliable? Open data?
- 2019. A costed EITI work plan that focuses on addressing stakeholder demands and addressing information gaps ("mainstreaming")
  - Strengthening systems (and routine auditing and assurance)
  - EITI Reporting as an interim measure, bring all the data together.



# Feb 2018





Board Paper 39-4-A

Oslo, 13-14 February 2018

Submitted by: Implementation Committee

on: 30 January 2018

# **Encouraging systematic** disclosure

<u>For decision</u> For discussion For information

Summary

The 2016 EITI Standard enables implementing countries to disclose the information required by the EITI



**Systematic disclosure** ... refers to the desired end-state, where the EITI's disclosure requirements are met through routine and publicly available company and government reporting. This could include, public financial reporting, annual reports, information portals, and other open data and freedom of information initiatives.

This should include an explanation of the underlying audit and assurance procedures that the data has been subject to, with public access to the supporting documentation.

Mainstreaming refers to the process for realising this goal, which may include interim measures, pilots, and other capacity building activities."



Systematic disclosure is the default expectation, with EITI Reports to be used where needed to address any gaps and concerns about data quality.

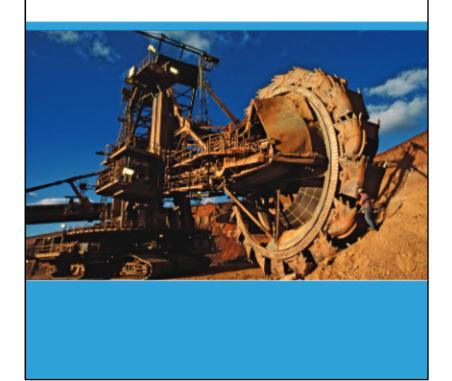
In taking this decision, the Board recognises that implementing countries face challenges in fully mainstreaming EITI implementation. In some countries, this transition will require substantial reforms and sustained political, technical and financial support. Not all countries will be able to transition to systematic disclosure at the same speed.

Multi-stakeholder groups should consider the opportunities and priorities.





## **Extractive Industries Transparency Initiative**Report of the International Advisory Group



# 2005: Report of the International Advisory Group

"It was recognised that an international structure was required to channel advice and financial support and to exchange lessons learnt. However, such a structure should be light touch and designed with an eye on the ultimate goal for EITI to be 'mainstreamed', with its criteria and principles becoming the normal way of working in all the relevant extractive industries within three to five years"





Board Paper 39-4-A

Oslo, 13-14 February 2018

Submitted by: Implementation Committee

on: 30 January 2018

# Encouraging systematic disclosure

For decision

For discussion

For information

#### Summer

The 2016 EITI Standard enables implementing countries to disclose the information required by the EITI Standard through routine government and corporate reporting, and consultation systems such as websites, annual reports etc. This paper recommends that systematic disclosure should be firmly established as the default expectation, with EITI Reports used to address any gaps and concerns about date quality. Implementing countries could still continue to publish annual EITI reports collating and analysing the information from primary sources in order to make this information more accessible and comprehensible, especially for stakeholders that do not have access to online information.

This approach to EITI implementation can deliver more timely, comprehensive and reliable data to inform public debate. It will reduce the number of EITI processes operating in a silo detached from other government efforts. It is also more cost effective and helps address the limited funding available for standalone EITI reporting and national secretarists.

While this transition is already well underway in many implementing countries, most countries face challenges in fully mainstreaming EITI implementation. In some countries, this transition will require substantial reforms and sustained EITI implementation. In some countries, this transition will be able to transition to systematic disclosure at the same speed. The paper therefore suggests a gradual transition that takes national circumstances into account.

This work raises questions about the future role and responsibilities of EITI multi-stakeholder groups (MSGS). In some cases, the function of MSGs may evolve to focus on monitoring whether disclosures are comprehensive, analysing the data, raising public awareness, and/or developing recommendations for reform. In other cases, as illustrated in Norway, stakeholders may prefer other channels for stakeholder consultation, advocacy, engagement and dialogue.

#### Supporting documentation

Board paper 35-9-C Towards mainstreaming action plan: <a href="https://elfl.org/document/mainstreaming-action-plan">https://elfl.org/document/mainstreaming-action-plan</a>
Board Paper 37-2-A - Is the EITI achieving its mission?

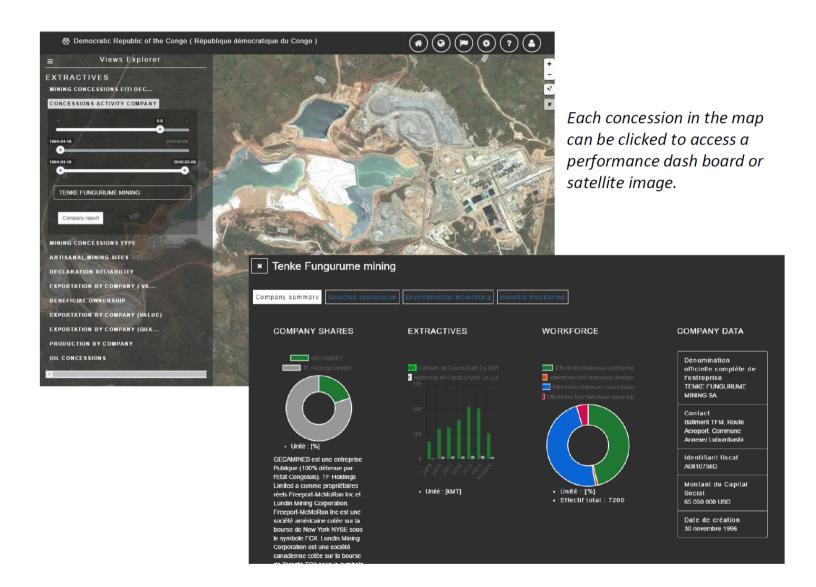
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### **Challenges**

- Excitement from some; hostility from others
- Improves the EITIs linkages to other reform efforts
- Funding and technical assistance
- Concerns about data quality?
- What is the role of the MSG?
- Validation of mainstreamed EITI implementation



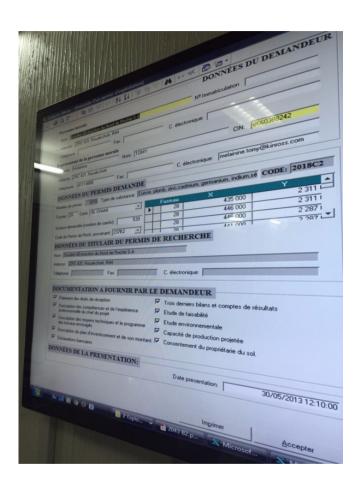
## **DRC**











Systematic Disclosure

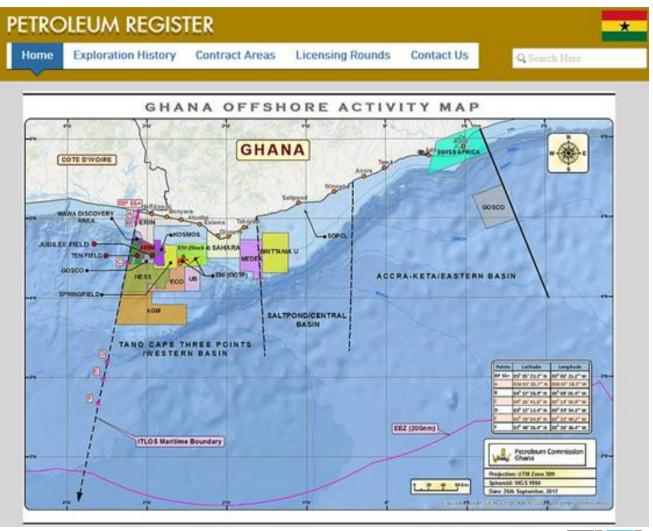


### Ghana

New Petroleum register.

Comprehensive data on:

- License allocation (2.2),
- Register of licenses (2.3)
- Contract transparency (2.4).



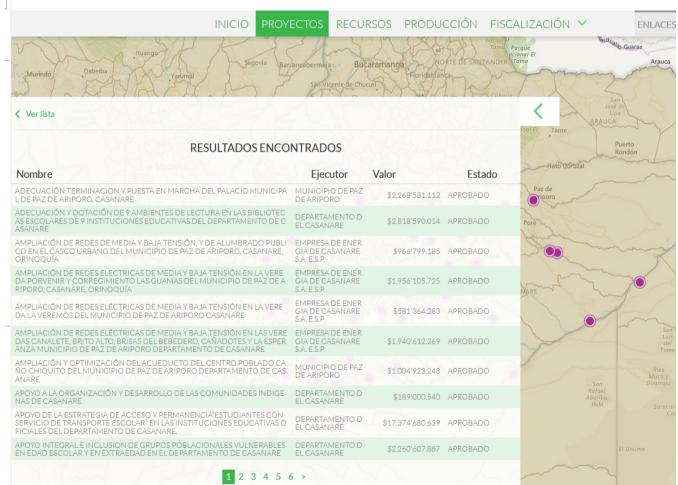


### Colombia

- Projects paid using royalties
- 5.1 Distribution of extractive industry revenues.











# Thank you!



Author: Sam Bartlett

Date: 06 September 2018

Occasion: EITI partners retreat

Email: sbartlett@eiti.org - Telephone: +47 22 20 08 00

Address: EITI International Secretariat, Skippergata 22, 0154 Oslo, Norway



# CSO challenges in mainstreamed environment

EITI Partners retreat, 5-7 September 2018

# Challenges

- Lack of trust to their governments to keep the quality of data and provide unlimited access (seeing mainstreaming an easy way out for the governments and companies);
- Lack of single format of data released;
- Data quality and reliability:
- Uncertain role of MSGs in the mainstreamed set up and a fear that multi-stakeholder platform will be lost;



# Challenges

- A fear that when approving mainstreaming requests, the Board can overrule civil society on a local and international level;
- Lack of capacity to analyse the data and lack of understanding where to look for it;
- Uncertainty of CSO role when the EITI is mainstreamed;
- Lack of access to electricity and internet.



# How CSOs can address raising challenges

- Civil society needs to have an active role in systematic disclosure processes: overseeing feasibility studies, defining MSG role, designing work plans, following the application process.
- Civil society needs to build its own technical capacity on overseeing systematic disclosure, using multiple databases and analysing the data.
- Civil society needs to undertake regular checks on systematically-disclosed data
- Civil society needs to leverage the open data policy which should lead to having access to government and company data.





# Domestic Resource Mobilisation (DRM) and the EITI

EITI Partners retreat
Oslo, September 2018

## Timeline

How much tax was paid?

 What systems / procedures are in place to ensure that the correct amount of tax is paid?

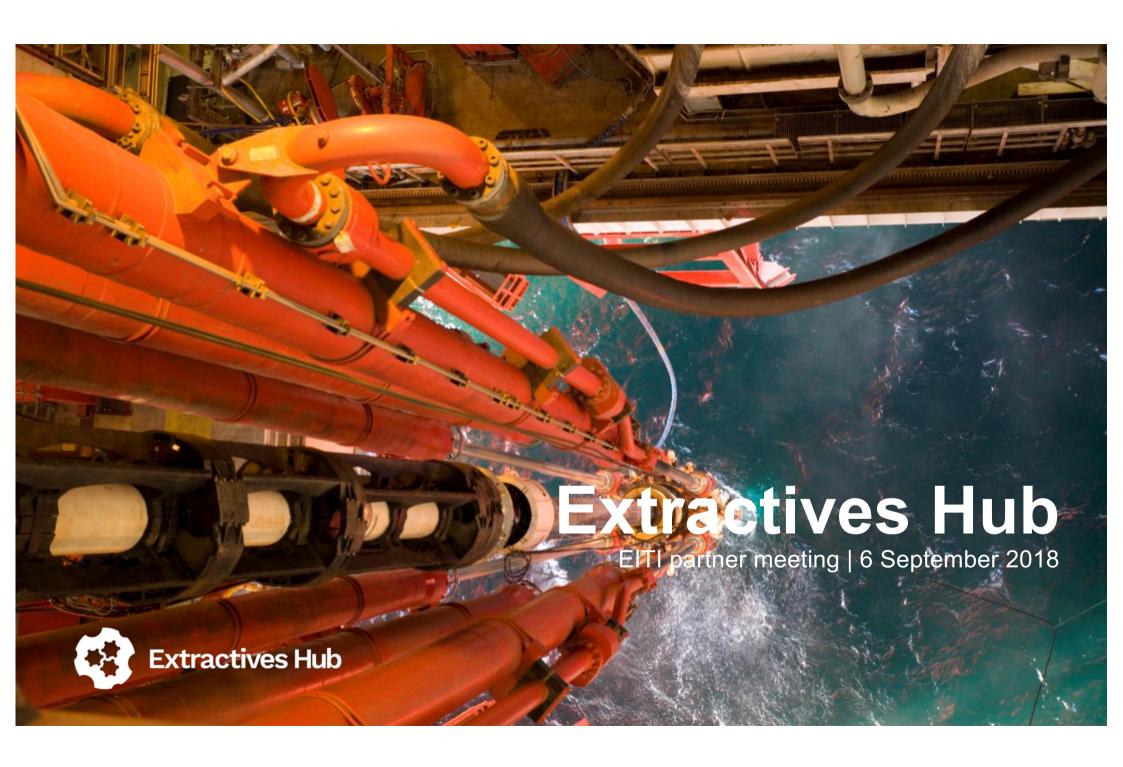
Was the correct amount of tax paid?

• Is this fair?

Core EITI today

EITI to focus more on





### Discussion outline

- 1. Our purpose
- 2. Our approach
- 3. User and helpdesk data
- 4. Upcoming developments, including mobile access to EITI data
- 5. What's next for the Extractives Hub?



## Some discussion questions

- 1. How might the Extractives Hub evolve to better meet user needs over the next three to five years?
- 2. How could the Extractives Hub do more to support the transparency/accountability agenda?
- 3. Where should the Extractives Hub be hosted or should it be an independent entity? If the latter, how can it be supported?







### Our purpose

To support decision makers and governments with the information they need to manage extractives sector resources to the benefit of citizens.



### A user-centric approach

Who is the user?

How do they consume information?

What are the barriers to users accessing information?

How do we shift these barriers over time?

Continually testing new ideas, incorporating feedback, remaining contemporary...



#### User data: website

50,000 sessions

30,000 unique users



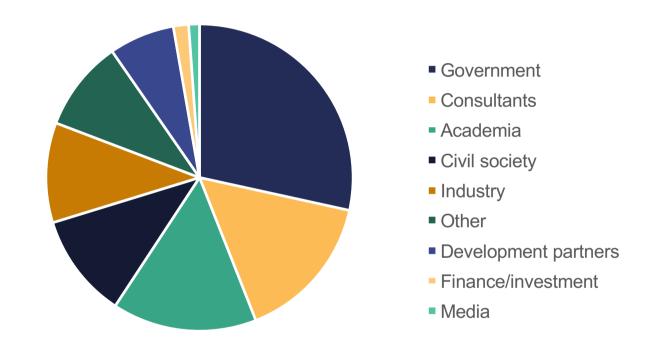




#### User data: Registered users



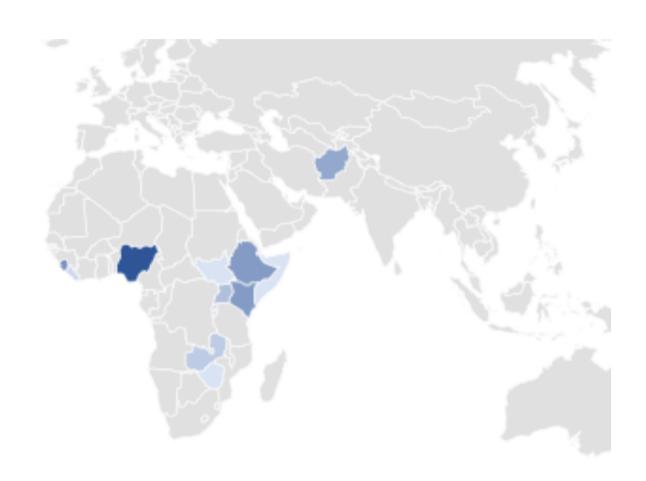
27% government





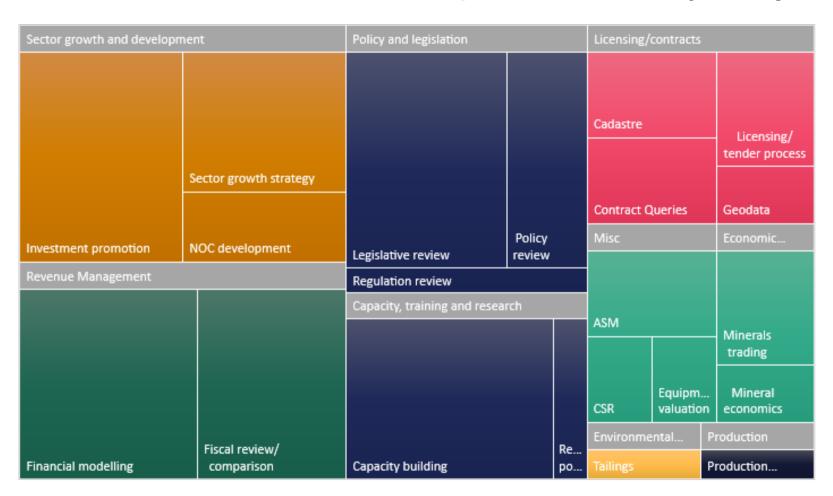
### Helpdesk data: by country

Nigeria	13
Sierra Leone	8
Ethiopia	7
Kenya	7
Afghanistan	6
Uganda	4
Zambia	3
Liberia	2
Rwanda	2
Lebanon	1
Somalia	1
South Sudan	1
Zimbabwe	1





### Helpdesk data: by subject area

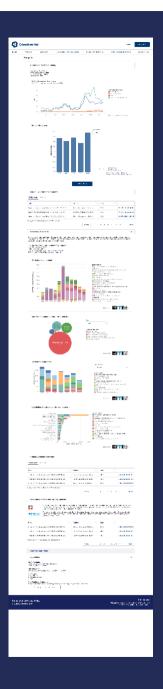




### EITI data for mobile







#### What is next for the Extractives Hub?

We anticipate that user needs will change significantly over the next 3-5 years, as access to technology and information increase, but that the Hub will have a role to play as a *trusted* provider of customised information and short-term consultancy, *informing decisions by providing quick answers to specific questions*.

#### **Next steps (short to medium term)**

- 1. 2019 onwards Create a multilingual resource for sector stakeholders, starting with a Hub designed for Francophone Africa.
- 2. Include energy transition resources on the site to encourage the responsible transition from oil and gas led development to alternative energy sources.
- 3. Continued evolution to keep pace with communications trends and improved access, technology and skills.





#### Discussion questions...

- 1. How might the Extractives Hub evolve to meet user needs over the next three to five years?
- 2. How might the Extractives Hub better support the transparency/accountability agenda?
- 3. Where should the Extractives Hub be hosted or should it be an independent entity? If the latter, how can it be supported?



# FROM DISCLOSURE TO DEVELOPMENT (D2D)

AN INITIATIVE FUNDED BY THE BHP FOUNDATION

September 7, 2018 EITI, Oslo

Alla Morrison, Program Manager amorrison@ifc.org



#### **D2D: PROGRAM OBJECTIVES**

**Program objectives**: to improve utility of natural resource industry data for development impact

Structure: joint WB/IFC program led by IFC

Funding: \$2.5 million over 2 years

What do we hope to achieve? Move the needle to enable the various stakeholders to effectively re-use NR data for purposes that are relevant to them



#### D2D: WHAT STAKEHOLDERS ARE TELLING US

WHAT WE HEARD	CHALLENGE	WHAT IT MEANS FOR D2D
"It's not about identifying a universal problem but in helping define specific problems to solve for specific users."  "Are we even measuring things the community cares about (e.g., wells vs. cows)?"	FOCUSING ON USERS	<ul> <li>Focus on users and their information needs from the outset</li> <li>Crowd in infomediaries, subject matter experts, the private sector, civil society, media.</li> <li>Include local CSOs in advisory committee</li> </ul>
"Nurturing a data culture at the local level needs more attention."  "We need to go beyond the "usual suspects" to uncover currently underserved groups."	IDENTIFYING TARGET GROUPS	<ul> <li>Drill down to the "critical" tiers of suppliers and users – those who are essential for addressing mismatches in data supply and demand</li> <li>Sharpen country focus and target communities</li> </ul>
"We should focus on <b>getting actionable information out</b> that is <b>helpful to all stakeholders</b> , including local citizens, government and private sector."	ACCOMMODATING DIFFERENT USER NEEDS	<ul> <li>Understand what exists and where the gaps are</li> <li>Explore methodologies, such as guiding principles, to help drive meaningful and actionable data disclosure</li> </ul>
"We must disclose in a way that is accessible and understandable for the particular stakeholder and context. Without trust, it is meaningless."	BUILDING TRUST	<ul> <li>Make the process inclusive and emphasize participation.         Consider using the WBG to establish common priorities.     </li> <li>Commit to ongoing sharing of results.</li> </ul>
"The civil society space is closing, and there's a lack of civic space to use data for accountability."  "It's a difficult political climate in which to engage."	ADAPTING TO NEW CIVIC ROLES	<ul> <li>Select pilot countries/communities with existing and active civil society</li> <li>Engage proactively with civic actors, and support their broader development.</li> </ul>
"The <b>political will</b> to make data available and to develop sound policies <b>is not always there</b> ."	ADDRESSING POLITICAL WILL	<ul> <li>Leverage various initiatives such as EITI, OGP, and others and seek out new partnerships to help deliver D2D.</li> <li>Build the business case for government</li> </ul>



#### **D2D: THEORY OF CHANGE**

#### Purposeful Transparency

D2D will help improve the utility of quantitative and qualitative natural resources (NR) data disclosures by improving disclosure in pilot countries, providing global public good knowledge products, and contributing to global dialogue on the harmonization of reporting requirements and standards.

evidence base of successful use cases,

identifying barriers to effective data

re-use, and studying mandatory and

voluntary disclosure practices.

#### **Innovative Solutions**

D2D will study the application of NR data for informational purposes or action to demonstrate best practices of effective re-use of disclosed government and private-sector data.

D. The demonstration effect of data re-use will help

create a positive feedback loop for better

disclosure.

#### Intermediate Outcomes

Better disclosure and effective re-use of NR data will enable a fact-based public discourse on ethical, political, and socio-economic challenges.

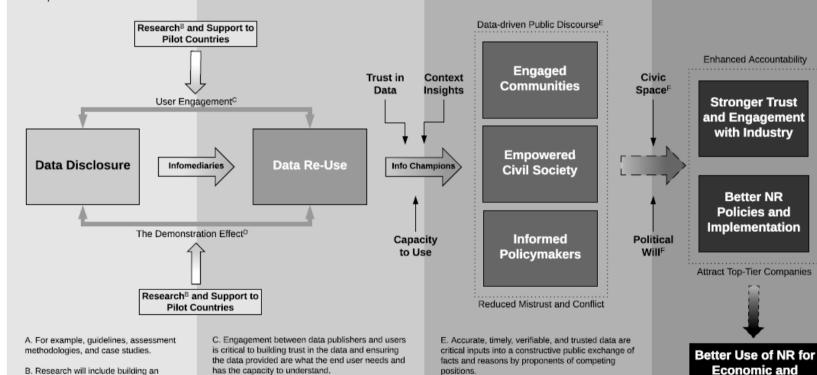
F. Civic space and political will are preconditions for

data re-use to result in effective public discourse

and ultimately affect engagement and policies.

#### **Long-Term Outcomes**

Data-driven policies and implementation, increased trust, and stakeholder engagement will help curb corruption and promote the equitable sharing of NR benefits.





Social Development

#### **D2D: PROGRAM ACTIVITIES**

#### Research:

- Evidence base of effective NR data re-use
- Assessment of national NR data ecosystems (4 pilot countries)
- Effective infomediaries
- Barriers to data re-use by communities and civil society
- IFC clients experience

#### Convening & knowledge sharing:

- National working groups on NR data for development impact
- Knowledge products and exchange among countries
- Global dialog on NR data disclosure and re-use challenges

#### **Innovation:**

 Test innovative approaches in the pilot countries: Ghana, Mongolia, Peru (public/private sector interventions)



#### **D2D: CROSS-REGION APPLICATIONS & LESSONS**

COUNTRY

#### Peru/Colombia: Revenue Management

Provide technical assistance to:

- municipalities to improve investment process and become transparent, effective, accountable, responsive to citizens
- local leaders to enhance capacity to engage in municipal planning decisions and demand accountability



Mongolia: Water Stewardship

- Establish industry-led voluntary code of practice on responsible water management, including:
  - disclosure of water risks, water use and water recycling data
  - universal portal for raw data access
  - accessible annual reports for communities to monitor
- Trained communities, local government, and companies on water data collection



**Ghana: Local Economic Development** 

Enhance economic development by:

- increasing access to information and local participation in supply chain, especially women;
- improving capacity of formal and informal entrepreneurs;
- convening regional development partners and create opportunities for communities to participate in decisions

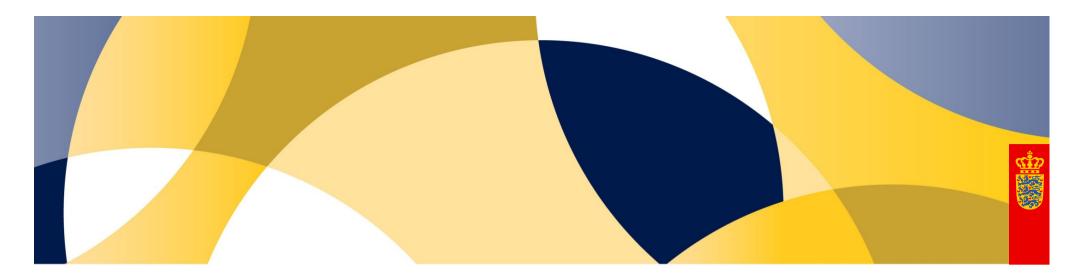
#### CONDUCT NR DATA ECOSYSTEM ASSESSMENTS → TEST TARGETED INTERVENTIONS

### POTENTIAL ENGAGEMENT

- Capture lessons from government transparency websites and IFC's experience in the field
- Link to open data opportunities
- Track local CSO action based on new access to information
- Partner with local NGOs and media to disclose water monitoring info in an accessible format for communities
- Convene a national multi-stakeholder working group
- Support open data implementation
- Procurement data re-use

- Convene a national multi-stakeholder working group
- Support open data implementation
- Support collaborative design -- subnational revenue distribution application





#### **International Anti-Corruption Conference 2018**

Presented by: Frode Neergaard

EITI meetings, Oslo, 6-7 September 2018



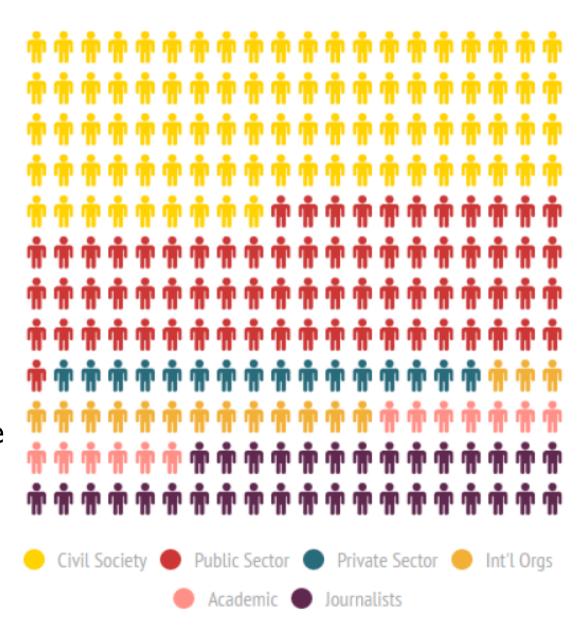
#### **Format of IACC**

Organised by Transparency International, IACC Council and a host country (Denmark)

Over 1,200 participants

3 days

**Purpose:** Push forward the global agenda on anti-corruption





#### **IACC 22-24 October 2018**

#### **Anti-corruption in Development Cooperation & SDGs**

IACC sessions

Plenary

Workshops

Film festival High-level segment

Around 40
OECD and
non-OECD
countries, int
org., private
sector

National / organisational commitments

North/ South dialogue between parliamentarians

Youth involvement

Young journalists

Social entrepreneurs



#### **High-level segment**

#### Invitations sent to:

- OECD countries: Sweden, Norway, Finland, Canada, France, Finland, Netherlands, UK, Germany, USA, Ireland, Australia
- Non-OECD countries: Afghanistan, Argentina, Burkina Faso, Colombia, China, Nigeria, Sri Lanka, Tunesia, Tanzania, Singapore, Georgia, Ukraine, South Africa, Ghana, South Korea, Kenya, Ethiopia
- Organisations: UNDP, UNODC, UNOPS, UN Global Compact, OECD-DAC, World Bank, the African Development Bank, the Asian Development Bank, IMF, OSCE, AIIB, EITI, EU, AU, OGP
- Private enterprises



#### Themes for the high-level segment

Strengthening international cooperation on anti-corruption in relation to development cooperation

- Tax
- Anti-money laundering
- Beneficial ownership
- Transparency
- Infrastructure and procurement
- And more...



#### **IACC 2018: Expected Outcomes**

- Joint statement
- National and organisational commitments
- Not necessarily new commitments.
- Focus on implementation of past commitments: "Now is the time to act"
- Follow-up mechanism at country level



## Data Analysis Tools

Erica Westenberg Robert Pitman

6 September 2018



# Data analysis key to transition from transparency to accountability

## Across the value chain/EITI Standard

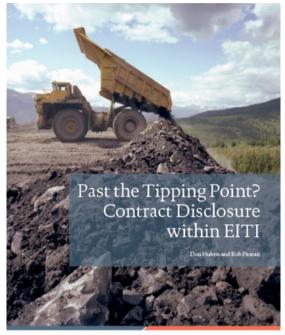
- Contracting/ subcontracting
- Licensing/BO
- Payments/revenues
- SOEs
- Commodity trading
- Revenue management/local impacts

## Cross-cutting Issues

- Civic space
- Mainstreaming
- Open data
- Corruption risks
- Sustainability
- Gender impacts



### **Contract Transparency**



 Research products (redactions coming next)

• Global tracker on host government practice

and policy

MARCH 2017



## **Contract Transparency**

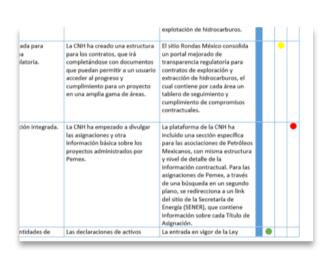


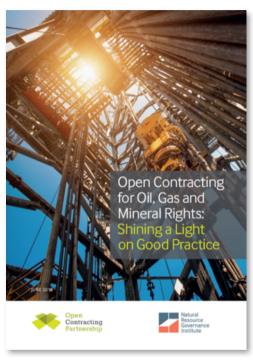
- Resourcecontracts.org global repository and country sites
- National level advocacy support
- Support and training on using the contracts



# Mainstreaming transparency & monitoring in contracting

 Guide on good practices in contracting transparency (with OCP)

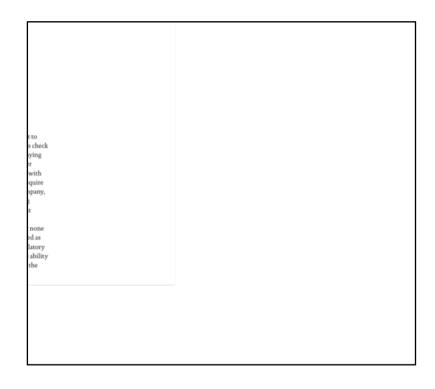




Support to gov't & civil society on monitoring contractual obligations
 (e.g. Mexico)

# Embedding BO transparency & analysis in licensing

 Customizable template provisions on including BO disclosure & corruption risk screening in licensing rules



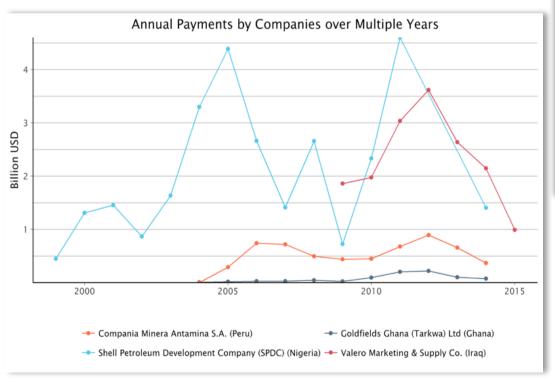
Natural Resource

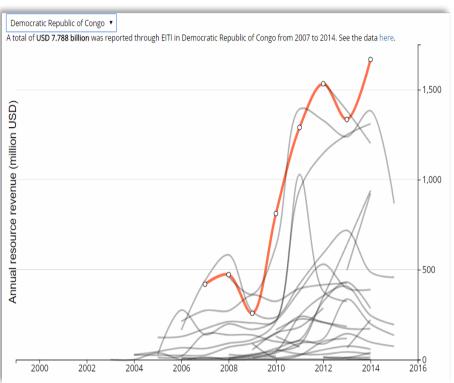


 TA to gov't & civil society while designing new licensing/ contracting processes (e.g. Ghana)

# Unlocking EITI revenue data for multi-year & cross-country analysis

 Resourcedata.org enables analyzing payment/revenue trends across multiple years, countries & companies

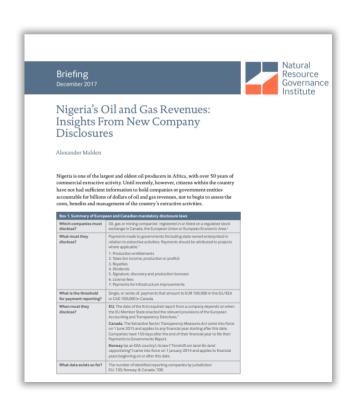


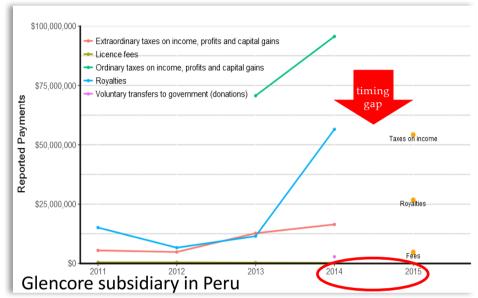




# Linking EITI data & mandatory payment data

 Resourceprojects.org enables tracking mandatory payment data + tools like new GW guide





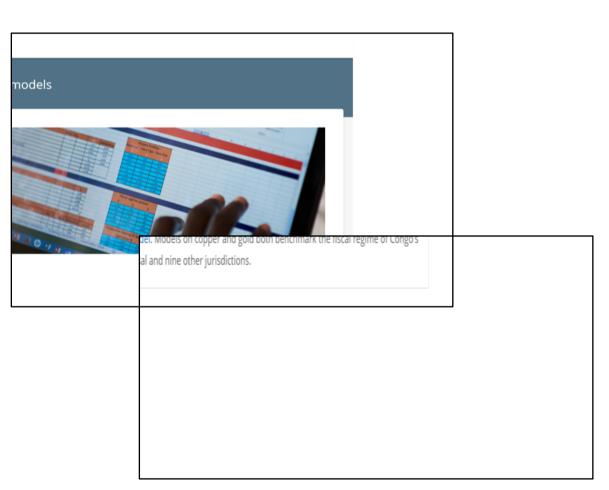
 Capacity development on using payment data to inform national policy debates (e.g. Nigeria)



# Linking EITI project data & economic modelling

Publicly available economic models

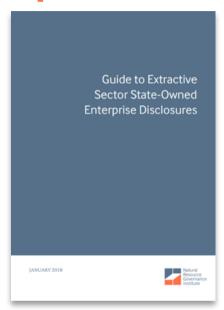
 Timely transition to project-level reporting critical for EITI data to be useful in modelling





# Mainstreaming transparency & data analysis in SOE operations

 Guide on incorporating transparency best practices within SOEs



 TA w/ SOEs in Ghana, Guinea, Myanmar & Tanzania



### NRGI National Oil Company Database

#### What?

- A compilation of a data on 74 National Oil Companies using published financial statements and EITI reports.
- 80+ data variables on operational & financial data:
  - Exploration and production
  - Revenues and expenditures
  - Transfers to treasury

#### When?

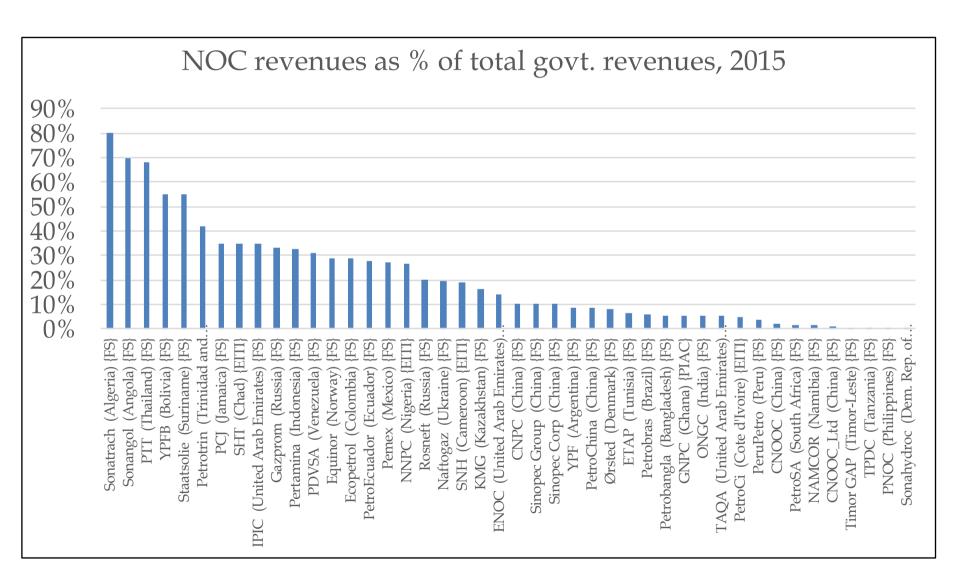
 Currently finalizing data clean-up and web tool for publication in early 2019

#### Why?

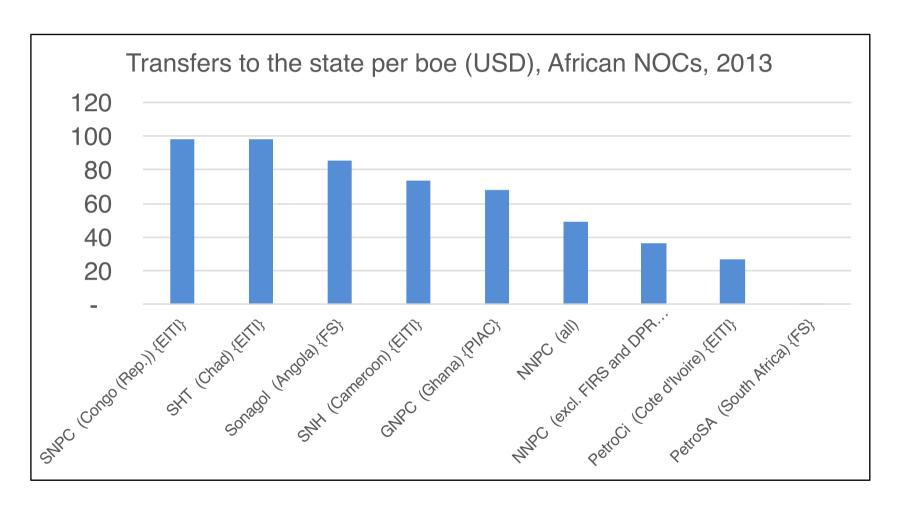
- Taking advantage of growing information available and further demonstrating its value for public discourse
- Enhancing knowledge of role of NOCs globally and in-country
- Improving citizens' ability to benchmark performance



# Global trends and tendencies example: NOCs occupy large fiscal space, with significant variation



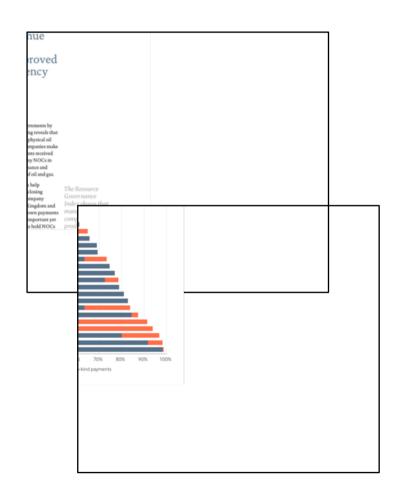
# Tool for in-country analysis example, comparison against peers



Caveats apply! Variance in geology, fiscal regime, etc. But valuable as a point of comparison and a basis for questions about the value NOCs are delivering.

### Commodity trading transparency

- Guide on commodity trading transparency & data analysis on relevance to NOCs
- Supporting EITI "targeted effort" on trading transparency
- Facilitating linkages between EITI and other global trading-related initiatives (e.g. OECD)





## Looking forward

- Subcontracting
- Non-fiscal costs & benefits/sustainability
- Gender
- Blockchain
- Engaging ESG investors
- Impact of transparency on civic space





Connecting local ASM activities with multi-level regulatory frameworks



# Artisanal and small-scale mining (ASM) in the world

- ASM is a major source of mineral resources production in the world
- 20+ million artisanal miners globally
- 100+ million people depending for their livelihood 30%+ are women
- ASM is largely informal, and is associated with low levels of safety measures, health care or environmental protections
- ASM can however be a huge driver of inclusive growth in developing countries

Artisanal and small scale mining proportion of world production of various metals in 2011

Metal	ASM share (%)	ASM production (tonnes)	Total world production (tonnes)
Tantalum	26	205	790
Tin	25	88,500	354,000
Gold	25	681	2,724
Tungsten	>6	>4,320	72,000
Iron ore	<4	<79,720,000	1,993,000,000
Lead	3	140,100	4,670,000
Zinc	1	129,640	12,964,000
Copper	0.5	80,175	16,035,000



Artisanal gold represents over 25% of yearly production – roughly around 700 tonnes in 2014

Source: Polinares, Raw Materials Data



# OECD Guidance and artisanal and small-scale mining (ASM)

- ✓ ASM has a key role, can drive sector-wide changes in responsible sourcing
- ✓ The Guidance enables market access through collaborative efforts of all actors involved
- Detailed Appendix on ASGM
   provides roadmap to create
   economic and development
   opportunities for artisanal miners
- ✓ All stakeholders (e.g. governments, industry, civil society) encouraged to use the suggested measures in the Appendix



OECD Secretariat released in May 2016 an 'ASM FAQ" to clarify expectations of the Guidance with regard to responsible ASM engagement by int'l private sector



### **OECD DDG Appendix: roadmap for a responsible ASGM sector**

(p.114 of the document)

#### **✓** Formalisation and legalisation:

- Provide technical assistance, e.g. equipment, geological data and information
- Assist ASM to obtain mining rights and licenses
- Facilitate dialogue where illegal mining exists, encourage good faith engagement, consider revenue-sharing agreements, or mediated disputes as a last report
- ✓ **Provide financial support,** including capital, revenue-sharing agreements
- ✓ Promote competitive marketing of ASM Gold
- ✓ Foster international cooperation on ASM issues, including through donor programmes, among mining and custom authorities to enable better understanding and access for ASM gold



# **OECD Implementation Programme - Focus on ASM activities**

- ✓ World Bank OECD ASM Centre of Excellence Connecting donors with ASM projects, incorporating OECD standards in World Bank projects, creation of one-stop shop for ASM data
- ✓ **Support to on-the-ground responsible supply chain programs** e.g. CRAFT Code Committee, international Tin Supply Chain initiative; "Just Gold" in DRC; Fairmined, etc.
- ✓ **Artisanal and small-scale mining Frequently Asked Questions** to promote responsible investment in ASM sector
- ✓ Cooperation and technical assistance with the ICGLR and Colombia on ASM formalisation regulation best practices including Gold baseline assessments (Colombia and DRC) focusing on ASM supply chains



### **Supporting the implementation of the Minamata Convention**

#### 1. Awareness-raising

- Sensitization of governments in gold producing countries (ex: in the Great Lakes region of Africa)
- Introduction to the Convention and implementing tools to other stakeholders (private sector;
   CSOs) through outreach activities (including trainings and workshops)
- 2. Cooperation with the Global Environment Fund to identify and promote innovative formalisation projects on the ground, in particular in conflict-affected and high-risk areas (ex: in West Africa and Latin America)
- 3. Increase visibility of responsible ASGM with international buyers (gold refiners in particular) through our implementation programme

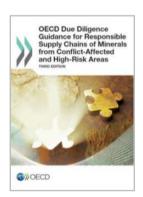


### **OECD Secretariat contacts**

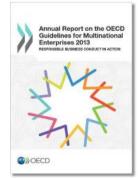
Tyler.Gillard@oecd.org
Hannah.Koep-Andrieu@oecd.org
Louis.Marechal@oecd.org
Rashad.Abelson@oecd.org
Luca.Maiotti@oecd.org

http://mneguidelines.oecd.org/
http://www.oecd.org/corporate/mne/mining.htm











# OECD Responsible Mineral Supply Chains Implementation Programme

Rashad Abelson@oecd.org





OECD's role is to clarify due diligence expectations in line with the Guidance and to convene global stakeholders to foster convergence and avoid duplication of efforts.



# Addressing conflict and serious human rights abuses in mineral supply chains

- Exploitation and trade of mineral resources is a source of growth, but can be associated with significant adverse impacts, including
  - Serious human rights impacts (e.g. child labour, forced labour)
  - Money-laundering, conflict/terrorist financing & sanctions violations
  - Bribery
- Global issue (Africa, Asia, Latin America, Europe)
- Affects all mineral resources (tin, tantalum, tungsten, gold, cobalt, precious stones, coal, oil & gas, etc.)
- For mining, affects to different extent ASM and LSM



# Example: artisanal gold from the Democratic Republic of the Congo

- Informally and/or illegally mined
- Estimated annual output: ~15 tonnes (low estimate)
- 98% estimated to be smuggled out; 65% of mines recorded presence of illegal armed groups
- Estimated market value: \$570 million



# OECD Due Diligence Guidance for Responsible Mineral Supply Chains

#### **Objective**

- ✓ To provide **clear**, **practical guidance for companies** to ensure responsible operations and sources of supply:
  - No support to non-state armed groups, No "serious abuses"
  - Prevent & mitigate support to public security forces, bribery, tax evasion, money-laundering and fraud in supply chains
  - > Strengthen internal controls, due diligence systems, engagement with suppliers (e.g. supplier upgrading)



#### Method and scope

✓ **5-step risk-based due diligence process**, applies to **all mineral resources** & **all companies** throughout the entire mineral supply chain that **potentially contribute to conflict**, **serious abuses**, **bribery**, **tax evasion and money laundering** through **mining or mineral sourcing practices** 

#### **Principles**

- ✓ **Progressive improvements** over time and **good faith and reasonable efforts** promoting constructive engagement with suppliers
- ✓ Global scope intended to enable investment and trade in conflict-affected and high-risk areas, i.e. no blacklists, no embargoes, no protectionism



### Responsible mineral supply chains

Global support for OECD Due Diligence Guidance (2011)



#### **Political**

- **G8** (2007, 2008, 2009, 2011, 2013)
- UN Security Council Resolutions on DRC (2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016) Ivory Coast (2013, 2014, 2015) and CAR (2016)
- ICGLR Heads of States Lusaka Decl. (2010)
- OECD Council Recommendation (2011)
- EU Parliament; CSR strategy
   + Commissioners statement
   on raw materials
- China-OECD Programme of Work

# Industry & Consumer

- Consumer campaigns and civil society (e.g. Amnesty Int'l, Global Witness, Human Rights Watch, PAC, Enough Project)
- Industry: EICC (electronics), AIAG (automotive), AIA (aerospace) LBMA, RJC & WGC (gold & jewellery), CCCMC (China), and DMCC (Dubai)



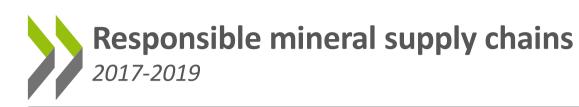
OECD-benchmarked industry audits cover ~85-90% of total refined gold production



✓ OECD-benchmarked industry audits cover ~93% Ta, ~75% Sn, ~60% W production

# Legal & regulatory

- Section 1502 of U.S. Dodd-Frank Act conflict minerals reporting
- **EU regulation** on responsible mineral supply chains
- Legal requirement in DRC, Rwanda, Burundi & Uganda
- Conflict Minerals Bill in Canada
- Relevant legislation on modern slavery & child labour (e.g. UK & US)
- AQSIQ China national standard & decrees (forthcoming)







Technical support & research for country implementation



Assess alignment & boost capacity on due diligence



Assess & enhance impact of responsible mineral sourcing efforts



Support implementation of OECD Guidance beyond 3TG

#### **Activities**

- EU countries (launch)
- Monitoring Adherents (launch)
- China (cont'd)
- India (launch)
- Colombia (cont'd)
- West Africa (cont'd)
- Central Africa (cont'd)

#### **Activities**

Alignment assessment for CFSI, LBMA, RJC, DMCC & iTSCi

Assisting London Metals Exchange to develop standard for listed companies

Training programmes in producing countries

Measuring cost/benefit analysis of due diligence

#### **Activities**

Scoping framework & indicators for measuring results

OECD-World Bank platform for artisanal & small-scale mining

Law enforcement coordination (FATF, WCO, national authorities)

#### **Activities**

Portal for Supply Chain Risk Information (BETA version)

Demand-driven support to programmes & initiatives to implement OECD Guidance



# Increasing engagement / cooperation with other international organisations





# Responsible mineral supply chains

### Highlights - last 20 months



#### Policy & law

- EU Input to EU institutions on EU regulation for responsible mineral supply chains
- China Advice to Chinese authorities & industry to support alignment of national standards with OECD Guidance, Responsible Cobalt Initiative
- India fostered Government & industry commitments, Guidelines under development
- Colombia Government commitment, exchange of letters, changes underway

#### **Reports & Tools**

- Colombia gold baselines: Overview, Antioquia, Chocó,
- Alignment assessment pilot tool & methodology & report
- Practical actions to address worst forms of child labour
- Frequently Asked Questions on ASM
- Portal for Supply Chain Risk Information (Risk Portal)

#### **Outreach Events**

- <u>Latin American Workshop on Responsible Mineral Supply Chains</u>, 1-2 December 2016, Bogotá, Colombia
- Workshop on sustainable development of artisanal & small-scale mining in West Africa, 1-3 March 2017, Abidjan, Côte d'Ivoire
- West Africa Forum, Ouagadougou, 3 November 2017, Burkina Faso

#### **Cooperation & partnerships**

- Partnerships with World Bank (ASM); initial engagement with Interpol, FATF & WCO (Law Enforcement)
- Partnership with Autorite de Liptako & GIABA (West Africa report forthcoming)
- Initial participation in Kimberley Process Certification Scheme for diamonds
- Engagement with London Metals Exchange



# For further information on the OECD's work on Responsible Business Conduct

OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas

FAQ on sourcing gold from artisanal and small scale miners

Gold industry and sector initiatives for the responsible sourcing of minerals (2014)

Mineral supply chain and conflict links in Eastern Democratic Republic of Congo

Report on due diligence in Colombia's gold supply chain

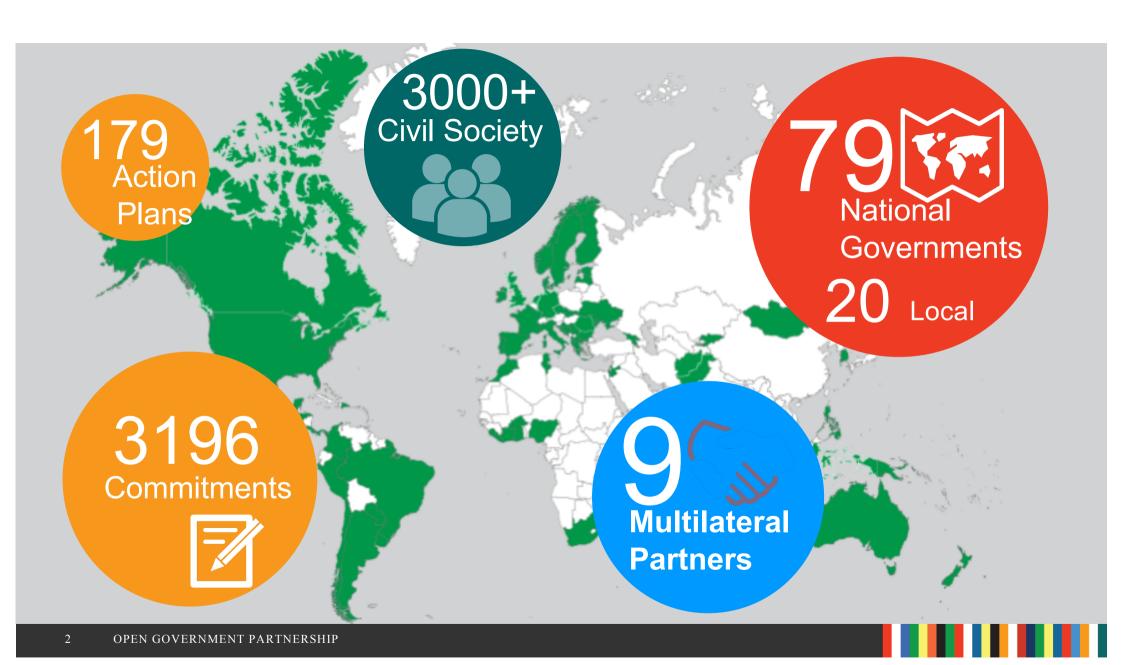
OECD Council report on the implementation of the due diligence guidance



# OGP & EITI: advancing collaboration

September 6, 2018

Open Government Partnership



# The numbers – OGP & EITI

36 commitments

22 countries

40% have extractives commitments

13% natural resource commitments - starred

# Countries leveraging OGP

### What next?

More on BOT Emerging Cross-cutting Engagement at the country level OGP 2018-Gender - SOEs More countries 2019 action plans Civic space Contract Better implementation transparency Peer coordination, learning Environmental including with events disclosures partners **Partners** 

# OGP country engagement

- Meeting OGP point of contact/ Minister
- Assist in drafting specific commitments EITI roadmaps, reports
- MSFs participate in OGP co-creation processes
- Connect relevant ministries
- Co-create knowledge resources & tools
- High level political engagement

# OGP strategic highlights

# Thank you

tonu.basu@opengovpartnership.org @TonuBasu

> Open Government Partnership



# Sharing the Norwegian Experience

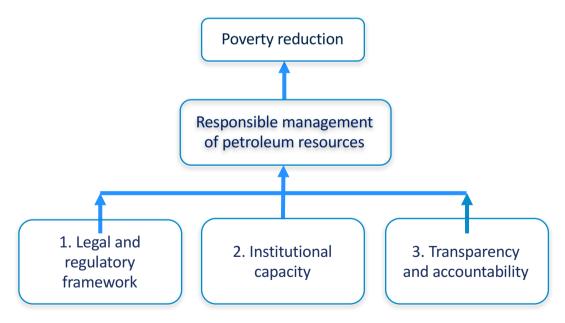
Marte Briseid / Per Landberg
Oil for Development Secretariat
Norad



### **Operative Goal**

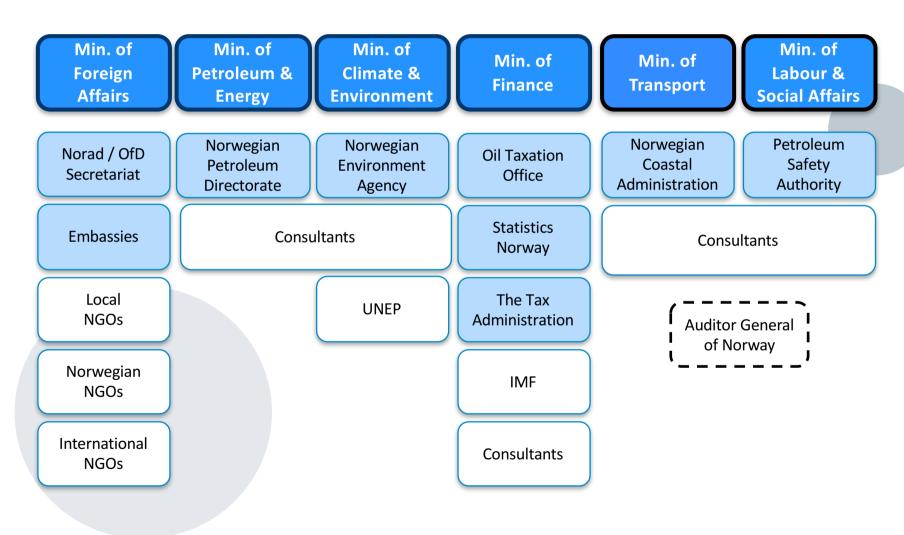
"Economically, environmentally and socially responsible management of petroleum resources, safeguarding the need of future generations".

### Theory of Change





### Norwegian institutions engaged in OfD





Resource management

Revenue management

**Environment** management

- Legal and Regulatory frameworks
- Resource mapping
- Data management
- Resource extraction, enhanced recovery
- Strategic environmental impact assessments
- Initiatives to promote transparency



Resource management

Revenue management

**Environment** management

- Petroleum fiscal regimes
- Sovereign Wealth Fund issues
- Macroeconomic and fiscal frameworks
- Revenue administration
- Initiatives to promote transparency



Resource management

Revenue management

**Environment** management

- Legal frameworks
- Environmental sensitivity mapping
- Environmental impact assessments
- Emergency preparedness and oil spill response plans
- Compliance monitoring
- Initiatives to promote transparency



Resource management

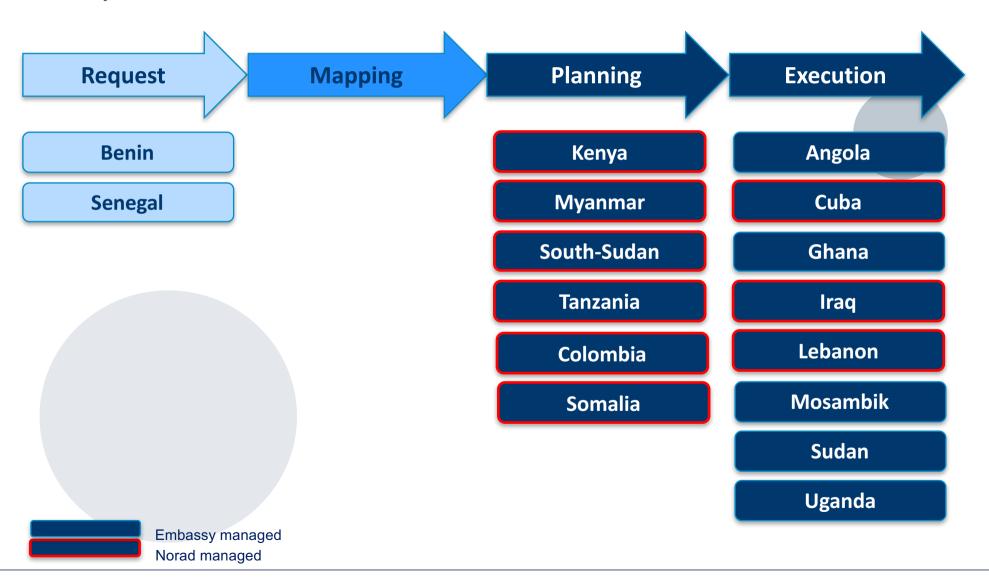
Revenue management

Environment management

- Safety legislation and non-legal safety standards
- Disaster prevention
- HSE legislation and institutionalization
- Three-party cooperation between trade unions, employer unions and the authorities
- Initiatives to promote transparency



### OfD portfolio status June 2018





# Transparency and accountability

The authorities are transparent in their management of the petroleum sector, and the public holds the authorities accountable

- Initiatives to promote transparency integrated in the institutional cooperation programs
- Supplemented by civil society support
- Global Witness
- NRGI
- World Wildlife Foundation
- Oxfam America
- Norwegian Church Aid
- Norwegian People's Aid
- Embassy-managed grants

11.09.2018

# Open Financial Modelling: The Next Stage of Contract Transparency

September 2018 anton.ruehling@openoil.net



# Contracts: complex interlocking financial web

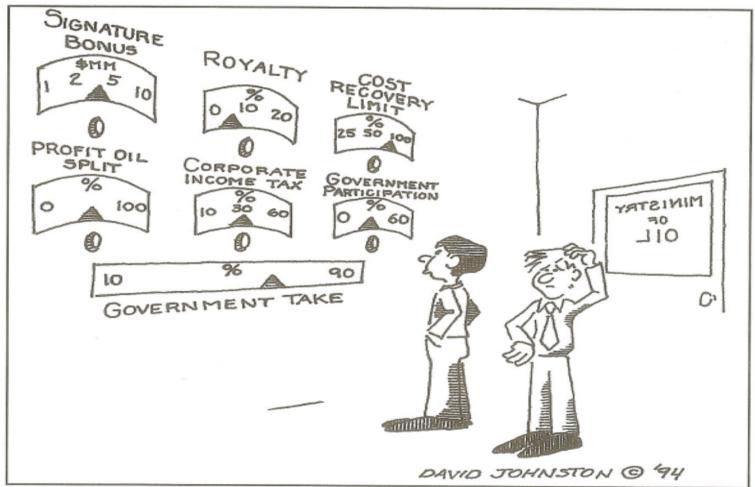


Illustration 4-1 Fiscal design



# Gov't revenues: which terms bring most money over project life?

	4
-	1
	ı

Fiscal parameters		
5.00%	Royalty	
80%	Cost recovery limit	
30%	Government share of profit oil	
30%	Income tax rate	
5	Depreciation of development costs (years)	
10%	State participation (from development)	

2

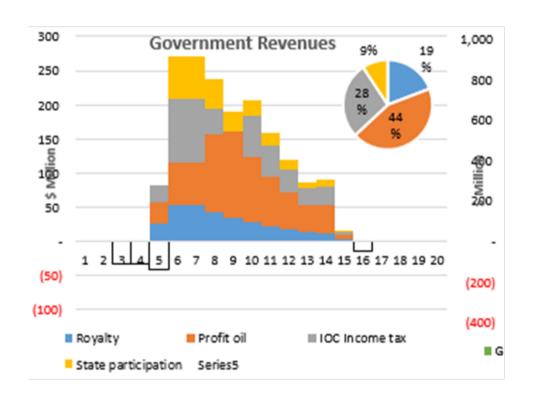
Fiscal parameters		
12.00%	Royalty	
80%	Cost recovery limit	
18%	Government share of profit oil	
30%	Income tax rate	
5	Depreciation of development costs (years)	
5%	State participation (from development)	

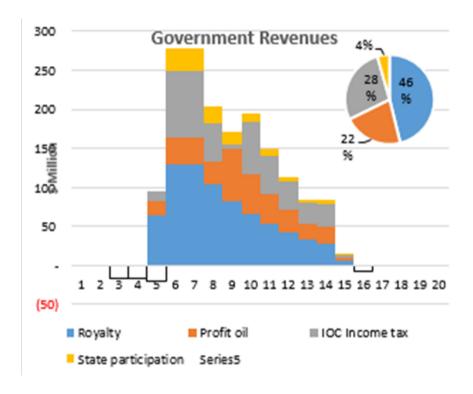
3

Fiscal parameters		
5.00%	Royalty	
40%	Cost recovery limit	
20%	Government share of profit oil	
30%	Income tax rate	
5	Depreciation of development costs (years)	
10%	State participation (from development)	



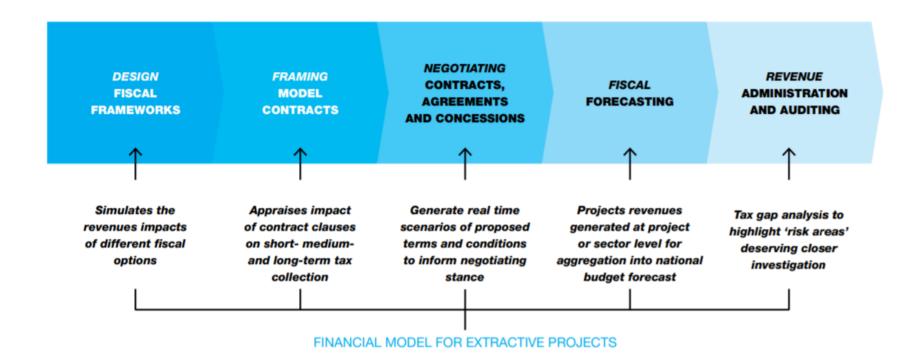
# Answer: same amount of money, different revenue streams





# Financial Modelling Use-Cases

THE EXTRACTIVE POLICY CYCLE AND FINANCIAL MODEL



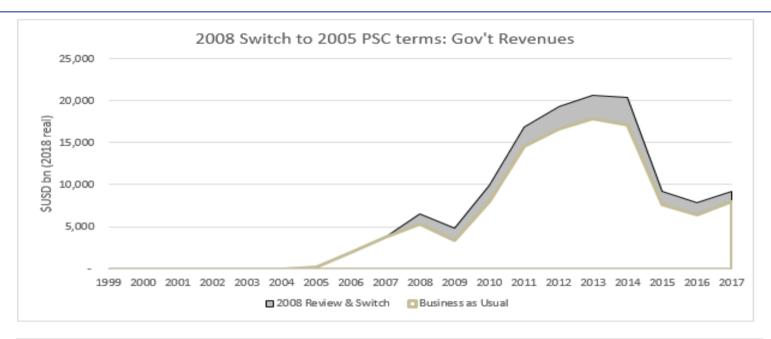


# In EITI: next-level reconciliation

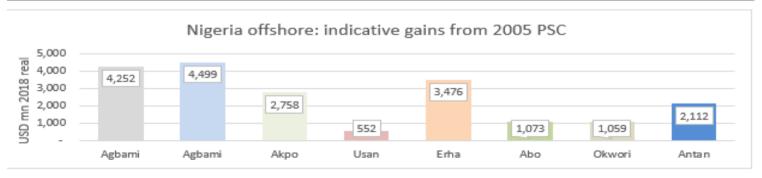
- Move from: what has been paid to what should have been paid
- The litmus of public interest financial modelling: is the model itself published?
- EITI countries with projects modelled:
   Afghanistan, Ghana, Tanzania, (Guyana), Kyrgyzstan,
   Colombia, Mongolia, Cote d'Ivoire, Indonesia, Malawi,
   (Nigeria), (Philippines)
- Other EITI MSGs engaged:
   Zambia, Senegal, Albania, Trinidad & Tobago
- Other countries with financial models published or coming: Lebanon, Kenya, Argentina, Brazil, Ireland
- EITI convening power: standardisation can *massively* accelerate institutional capacity



## NEITI: 1993 PSC contract review



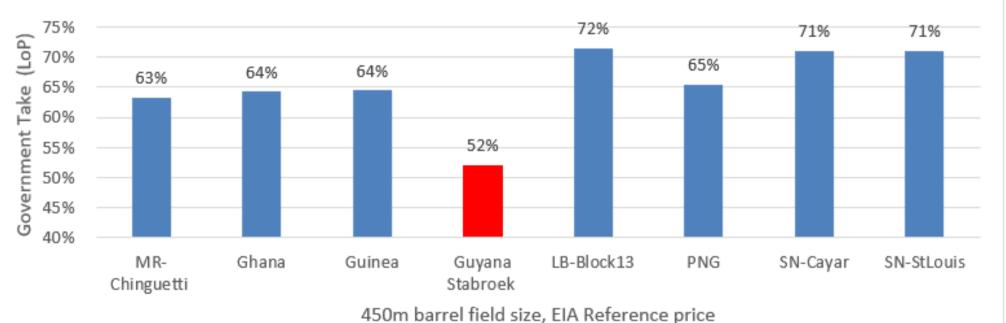
2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
1,250	1,429	1,885	2,245	2,648	2,789	3,326	1,590	1,460	1,158	19,781





# Guyana: Fiscal Regime Comparison











# EGPS update

Oslo, September 2018

Sven Renner

Manager
EGPS – The Extractives Trust Fund
The World Bank





## **EGPS** Financials

Berlin, June 2018

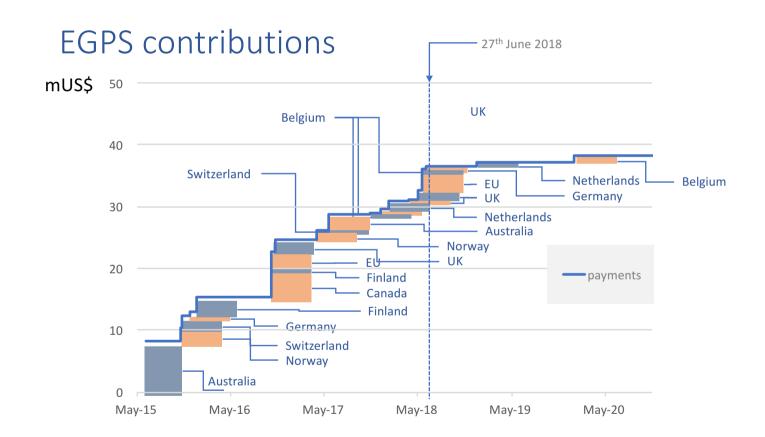


# EGPS donors and funds (in M US\$)

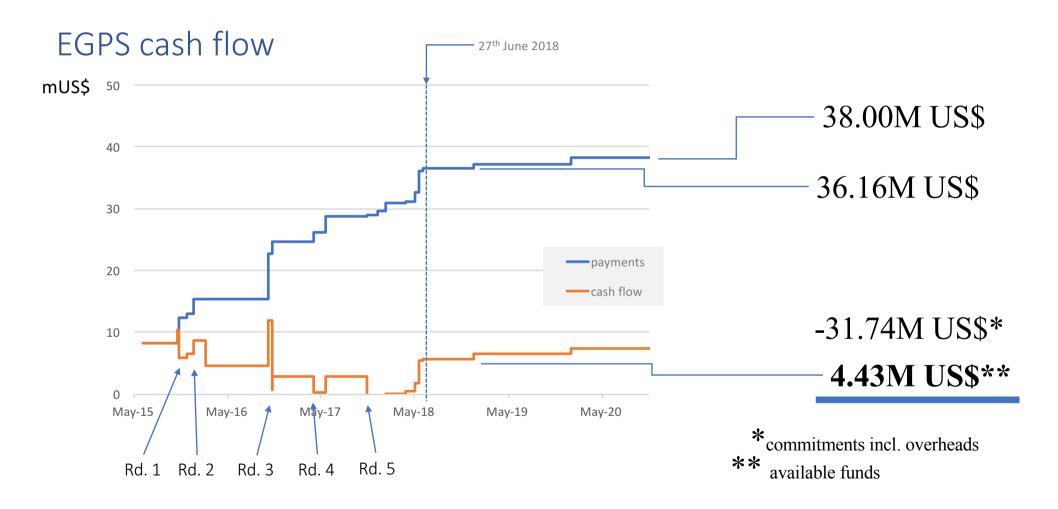
\*by June 2018

Government	paid*	committed
Australia	10.21	10.21
European Commission	2.67	5.63
Canada	4.56	4.56
United Kingdom	3.7	3.7
Norway	3.51	3.51
Switzerland	2.59	2.59
Finland	2.42	2.42
Belgium	1.31	2.32
Netherlands	1.29	2.02
Germany	0.63	0.95
total	32.89	37.9







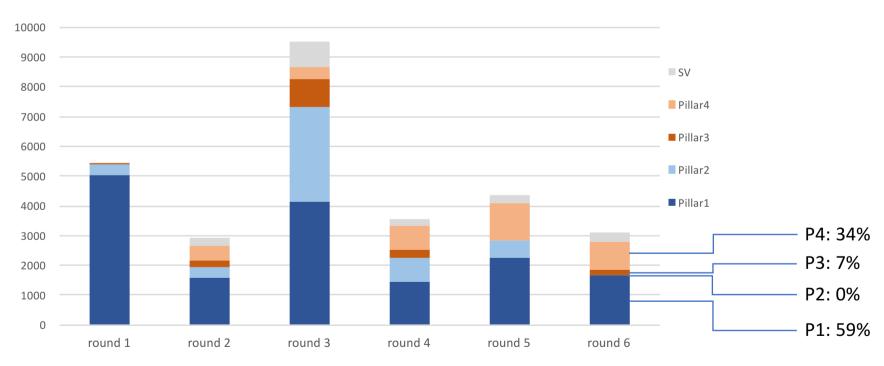






#### EGPS allocation 2015 - 2018

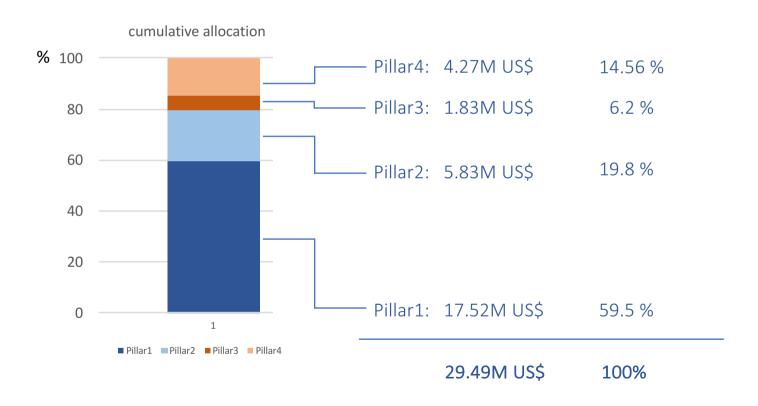
#### allocation in K\$







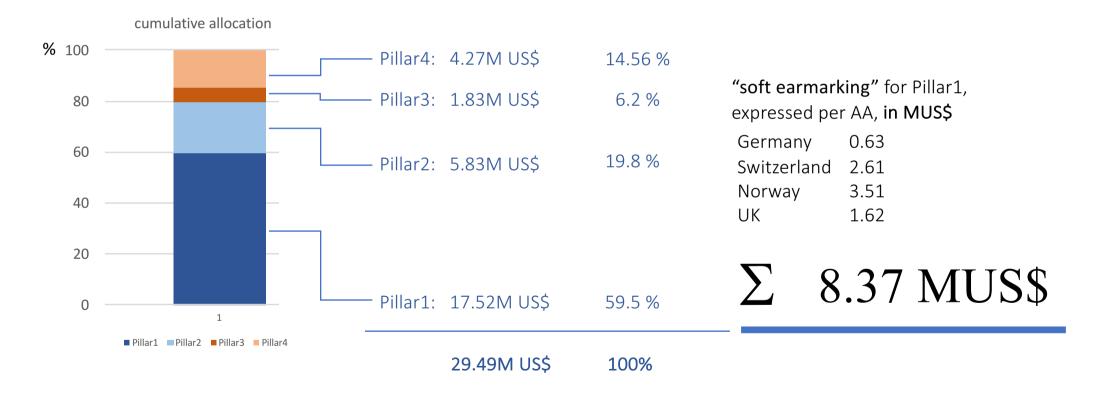
#### EGPS cumulated allocation 2015 – 2018 (Rd's 1 through 6)







#### EGPS cumulated allocation 2015 – 2018 (Rd's 1 through 6)







#### EGPS funds called since Jan 2018 (in MUS\$)

EU	2.91	(called)
Germany	0.32	(called)
UK	1.33	(received)
UK	0.29	(received)
Belgium	0.49	(received)
Total	5.34	(called+received)



## EGPS Portfolio – round 6

Berlin, June 2018



## EGPS proposed pipeline: Africa

Project	RE/BE	Development Objective	Budget (KUS\$)	Comments
Chad Mainstreaming EITI	RE	To contribute to implementation of the 2016 EITI Standard and the mainstreaming of EITI reporting.	400	Evidence of urgent demand, clear proposal structure. Activities may change subject to the findings of the September 2018 validation.
Senegal EITI Support	RE	Maintaining the dynamism of the EITI process in Senegal in a post validation context by consolidating the achievements and ensuring the sustainability of the initiative.	250	High relevance; country was just validated and achieved Satisfactory Progress.



## EGPS proposed pipeline: Europe & Central Asia

Project	RE/BE	Development Objective	Budget (KUS\$)	Comments
Mongolia Study of the impacts of targeted procurement and local content policy	BE	To quantify the impact favorable local content and local procurement policies have when government and mining operators work together on sustainable development.	75	Relevant topic, Oyu Tolgoi is one of the few successful cases of citizen engagement and establishment of a supply industry through a mining project. Good value for money.
Tajikistan EITI Support	RE/BE	To support continued EITI implementation in Tajikistan	375	Evidence of demand, strong government buy-in (as reported by EITI IS). Conventional approach: funding for reporting, stakeholder training, mainstreaming and BO support unspecific, outcome indicators to be specified.



#### EGPS proposed pipeline: Latin America & Caribbean

Project	RE/BE	Development Objective	Budget (KUS\$)	Comments
Dominican Republic EITI Support	RE	Contributing to implementation of the 2016 EITI Standard and mainstreaming of EITI reporting.	300	Relevant, evidence of demand and CMU support, clear proposal. Second grant. Recipient track record has been good.
Ecuador EITI Support	RE	Assisting the Government of Ecuador on increasing transparency and accountability in the extractives sector.	390	Relevant newcomer support, strong government commitment, potentially high impact. Ecuador is expecting a mining boom.
LAC Region Improving Tax Administration and Revenue Mobilization	BE	Strengthening institutional capacity in mining tax collection and administration through both a regional and country-focused programmatic approach	260	Relevant topic, strong demand in the region, aligns with GEEX priorities, potentially high impact.



#### EGPS proposed pipeline: Global (I)

Project	RE/BE	Development Objective	Budget (KUS\$)	Comments
ELLED CoP: driving change and bridging the knowledge-operations gap	BE	Further expand the reach and influence of the ELLED CoP.	120	High relevance and demand for the Bank to drive knowledge and innovation in local content, interaction of CS, industry and govt's. Second phase.
Closing the Gender Gap in Extractives (P164671)	BE	To provide operational support to Task Teams to close the gender gap in our future operations.	280	Relevant topic, tested approach to streamline gender aspects into TA projects.
ASM Global Platform and Global Database	BE	To provide the global community of practitioners implementing ASM formalization solutions with a platform to share best practices and to optimize on-the-ground financing partnerships.	350	High relevance, massive leverage (US\$22.5 million GEF money); high impact. It is the third ASM activity under EGPS. Good track record and good perspective for external long-term funding.



#### EGPS proposed pipeline: Global (II)

Project	RE/BE	Development Objective	Budget (KUS\$)	Comments
Review of cadastral systems and licensing processes	BE	Review through comparative technical and institutional assessment, of a "best practice benchmarking guide" for the implementation of computerized cadastres.	320	Relevant topic, clear proposal, evidence for demand in client countries. Feeds into the BO discussion



## EGPS post review

Project	Budget	Justification
Uganda National Content Development for the Oil Sector	\$30,000	Supervision top-up. CMU that allocated additional 60K Bank Budget for operations.
Iraq Gas-to-Power Technical Assistance	\$100,000	Operation top-up. Implementation for Gas Market Reform Framework. Additional 350K were allocated by the MENA MDTF, adding up to the required \$450,000.
Iraq EITI Support	\$50,000	Supervision top-up. Project supervision is provided by the Baghdad team.



## EGPS Mid-Term Review

Berlin, June 2018



#### MTR: Goal and Scope

to assess the EGPS performance against its objective and results framework and identify potential for <u>adjustment within the constraints of the current Concept</u> Document and Administrational Agreements.

to assess the demand for a continuation of the program (beyond it current closing date of October 2020) and provide recommendations as to the structure and operation for the upcoming phase.



#### MTR Approach: OECD DAC criteria

- 1. Relevance: relevance to the client countries (by responding to challenges in producing countries), to global processes, (Agenda 2030, Paris agreement, etc.), alignment with donor priorities. The MTR will provide recommendations on how to manage potential disconnects.
- 2. Effectiveness: of the current results framework, effectiveness of the Program Secretariat and its interaction with the SC, its structure and staffing and funding level, its processes and principles for project selection
- 3. Efficiency: Visibility and communication, financial and operational efficiency (overheads and lead times)
- **4. Impact**: broadly, the MTR will assess if the EGPS is under way to achieve its objectives. It will also assess the program's innovation potential and track record.
- 5. Sustainability: financial sustainability



#### EGPS end disbursement date extension

EGPS end of program: October 31<sup>st</sup> 2020 Current end disbursement date: April 30<sup>th</sup> 2020

With a minimum duration of 1 year and a 6 month margin for project preparation, the last EGPS project approval will be made no later than October 2018

#### Option 1: Donors want to revisit the Administration Agreement

Discussion of required changes, preparation of revisited AA's, signature approx. June 2019 (no round 7 before June 2019)

#### Option 2: Maintaining the current AA's

Preparation of AA amendments for an extension by 5 ys., **signature before October 2018** for a seamless operation.



#### Information Exchange with EITI IS

<u>Information to be made available to the EITI Board by the EGPS Program Secretariat through the WB observer at the EITI Board</u>

- a) Project-by-project approval and disbursement status (tracking table)
- b) EGPS state of funding including funding forecasts



#### Information Exchange with EITI, operational level

Joint missions and sharing mission announcements and briefing notes, aide memoires and back to office reports

- a) EGPS secretariat will request TTLs to jointly meet with MSGs, EITI champions and "friends of EITI" where and when possible and coordinate joint missions where there is an EITI overlap
- b) TTLs are also encouraged to share with the IS aide-memoires and reports that refer to EITI, if not confidential and under the information disclosure policy as "for official use only" i.e. not to be circulated outside the IS team
- c) EITI Country Managers will alert TTLs about all upcoming missions and, where appropriate, seek to do them jointly. CM will exchange with TTLs before and/or after the mission and share back-to-office reports.
- d) EITI Country Managers will share country assessments in the Implementation Progress Report plus any other key Board papers.



#### Information Exchange with EITI IS and CMs

#### Interaction between EGPS, project leads and the EITI IS

- a) Tri-annual (January June September) staff meetings between project leads, EGPS Secretariat and the IS on key EITI policy and implementation issues. Topics will be suggested by both sides
- b) An annual in-person meeting in Washington to do the above in more detail and allow more faceto-face interaction.





**EGPS** 

Trustee level

Pillars 1-4

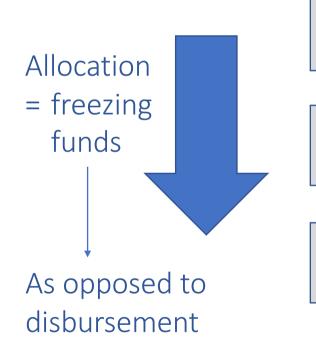
Window level

projects

project level







**EGPS** 

Trustee level

Pillars 1-4

Window level

projects

project level





#### Allocation

- On rolling basis
- Via call for proposals

#### Selection criteria

- Readiness for implementation, CMU support
- Value for money, Leverage of funds
- Ownership, Sustainability





#### WB Social and environmental safeguards

- Forests
- Natural habitats
- Indigenous peoples
- Physical-cultural resources
- Involuntary resettlement
- Safety of dams
- Projects in international waterways
- Projects in disputed areas





# TF management – TF's < 2M US\$

Avoid social and env. safeguard triggers

WB fiduciary safeguards (RETF)

- Financial management
- Procurement
- Grievance mechanisms

#### Lead times

- 6 months (RETF)
- 4 months (BETF)





#### Delays (RETF)

- Financial management safeguards
- Procurement, grievance mechanisms
- Approval processes in the Bank (CMU)
- Signature of grant agreement by the client