

[Philippines, January 2017 - March 2021]

MSG review of the outcomes and impact of the EITI

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Introduction

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

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

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

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

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

Part I: Relevance of EITI implementation

Work plan (Requirement 1.5)

1. Basic information about the current EITI work plan.

Period covered by the current EITI work plan	January – December 2021
Information on how the public can access the work plan.	http://pheiti.dof.gov.ph/work-plan/ https://pheiti.dof.gov.ph/?post_type=wpdmprom&p=1293&wpdmdl=1293&refresh=605174a177c3e1615951009
Process for producing the current EITI work plan	<p><i>[Summarise the process here. Include references to MSG meetings and other events where the work plan was discussed.]</i></p> <p>The PH-EITI work plan for 2021 is founded on the medium-term (2020-2022) strategic objectives that the Multi-stakeholder Group (MSG) developed in its strategic planning activity in October 2019. It has been developed after a thorough review of PH-EITI's progress in implementing its previous work plan, and with due consideration of the issues and concerns that stakeholders raised at PH-EITI's subnational engagements in 2020. The work plan is envisioned not only to be responsive to the EITI Standard, but also to the data and information needs of extractives stakeholders. In addition, the work plan is aligned with some of the strategic priorities of the EITI International Board, and includes deliverables related to the government's commitments to other international initiatives such as the Open Government Partnership, where</p>

the Philippines is a founding member. It has been guided by the MSG's thematic priorities, which put emphasis on sustaining transparency and accountability in the extractives sector by moving towards systematic data disclosures, expanding coverage, and making disclosures more relevant and meaningful.

The following are the thematic priorities that the MSG adopted for its work plan for 2021:

1. Systematic Disclosure;
2. Transparency and Accountability (BO and Contract Transparency);
3. Expanded Coverage of Nonmetallic Mines;
4. IP Royalties;
5. Gender Inclusion;
6. EITI Mainstreaming in the Small-scale Mining Sector

In crafting the work plan, the PH-EITI used the Results-based Management (RBM) Framework in identifying desired outcomes, outputs, success indicators, and specific activities to allow better monitoring of progress and impact. The specific deliverables and activities have been divided into 10 subprograms, with each subprogram being handled by a member of the PH-EITI Secretariat. The following are the subprograms developed to efficiently manage the implementation of the 2021 work plan:

1. Validation;
2. Systematic Disclosure;
3. Transparency and Accountability;
4. Gender Inclusion;
5. Report Production;
6. Stakeholder Engagement;
7. Legislative Advocacy;
8. Communications;
9. Resource Mobilization;
10. Secretariat Management

In general, events and activities shall be held online in view of the ongoing COVID-19 situation. The plans and activities identified in the work plan shall be implemented with a total budget of PhP 13,346,000.00 (~USD 274,900.00), and with the technical and administrative support of the PH-EITI Secretariat, including services of technical consultants. Following weeks of preparation and careful discussion, the MSG approved the current work plan in its 65th meeting on January 15, 2021.

MSG approval of the
work plan

January 15, 2021

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

The PH-EITI work plan for 2021 is consistent with the reform agenda of [Executive Order Number 79, series of 2012](#) (EO 79) where the government mandated environmental protection and responsible mining in the utilization of mineral resources. In the same EO, the government committed to implement the EITI and ordered policies that pertain to data disclosures, improvement of small-scale mining activities, and capacity-building of local government units in terms of natural resource governance and management of shares from national wealth. Activities that address these mandates are part of the work plan for 2021.

In the same manner, the work plan responds to and embodies the MSG's exercise of its mandates as provided for in [Executive Order Number 147, series of 2013](#), including, among others, the setting of the strategic direction required for effectively implementing the EITI in the Philippines.

Still in line with EO 79, the Department of Environment and Natural Resources (DENR), under the [Philippine Development Plan 2017-2022](#) (PDP), is mandated to strengthen regulatory enforcement, monitoring and evaluation, and reporting mechanisms through fact-finding reviews of small- and large- scale mining operations; and enhance the participation of the mining industry in EITI implementation "to ensure greater transparency and accountability in the management of natural resources" (PDP, PDF-page 321). The work plan for 2021 includes activities that seek to expand EITI reporting to cover small-scale mines and all large-scale mining activities, including non-metallic mines. EITI implementation is also hoped to continuously inform efforts to enact a new fiscal regime for mining, which has been mandated by EO 79 and included in the PDP (Footnote 1, Table 15.2, PDF-page 252) as one of the government's legislative agenda under the fiscal sector.

EITI reporting or report production, which is one of the subprograms identified in the work plan, is also a priority program under the Participatory Governance Cluster (PGC) of the Cabinet and is part of the [PGC Performance and Projects Roadmap for 2017-2022](#).

To operationalize these mandates and plans, and to ensure company participation in EITI reporting, the [DENR issued Department Administrative Order \(DAO\) No. 2017-07](#), which enforcement is discussed in the MSG after each reporting cycle. The DAO penalizes nonparticipation of mining contractors in the PH-EITI. The work plan for 2021 includes the seventh (FY 2019) and eight (FY 2020) EITI reporting cycles.

Aside from capturing the MSG's strategic plans in meeting the EITI Standard, the work plan also responds to the government's commitment to other international initiatives. Specifically, mainstreaming the implementation of EITI in the Philippines--which falls under the systematic disclosure subprogram of the work plan--is included in the [Philippine Open Government Partnership National Action Plan \(PH-OGP NAP\) 2019–2022](#). The commitment describes mainstreaming as "the creation and issuance of policies and development of web-based systems that will effect systematic disclosure (to replace traditional publication) of data and information about the extractive industries

in the country (mining and oil and gas)... In addition, mainstreaming seeks to enhance the role and sustain the operations and activities (data analyses, research, creation of policy recommendations, outreach, and communications) of the Multi-stakeholder Group." Among specific deliverables under the NAP that are part of the work plan are: the completion of a mainstreaming feasibility study; MSG discussion of a new terms of reference for the MSG and the secretariat; data sharing agreement with the Open Data Portal; and establishment of a public registry of extractives beneficial ownership information.

The work plan, as the operationalization of the foregoing issuances, commitments, and plans, also directly or indirectly responds to government statements that pertain to extractives, including the following.

In the President's third [State of the Nation Address](#), he stressed that it is his administration's priority to protect the environment and warned the mining industry about the destruction of the environment. The President said, "My policy in the utilization of these resources is non-negotiable: the protection of the environment must be top priority and extracted resources must be used for the benefit of the Filipino people, not just a select few."

Amid the pandemic, the [Department of Finance \(DOF\) said](#) that the Philippine government is pushing for the revival of the mining industry to provide jobs and improve the economies in areas outside Metro Manila. The finance department has taken steps to clear legal obstacles that slow down the efforts to privatize idle mining assets and revive its operations.

In 2020, the Department of Environment and Natural Resources Mines - Geosciences Bureau (DENR-MGB) also looked into projects in the mining industry that would generate employment and revenues to the government. In an [interview](#) with the Philippine Information Agency, the Director of DENR-MGB disclosed that the mining sector's recovery program has been submitted to the DENR and the DOF.

The DOF chairs the PH-EITI, and co-chairs the Mining Industry Coordinating Council (MICC) with the DENR.

Relevant documents:

Philippine Open Government Partnership - National Action Plan 2019 - 2022, p. 65 – 70
[https://www.opengovpartnership.org/wp-content/uploads/2019/12/Philippines Action-Plan 2019-2022 Revised.pdf](https://www.opengovpartnership.org/wp-content/uploads/2019/12/Philippines_Action-Plan_2019-2022_Revised.pdf),

Updated Philippine Development Plan 2017 – 2022, p. 319:
<http://pdp.neda.gov.ph/wp-content/uploads/2021/02/Pre-publication-copy-Updated-PDP-2017-2022.pdf>

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

Over the years, the PH-EITI has utilized various frameworks in identifying priorities and specific activities aimed at meeting the EITI Standard, fulfilling the mandates set forth by EOs 79 and 147, and addressing issues and concerns in natural resource governance and extractives transparency. Most recently, the PH-EITI used the Results-based Management Framework in a desire to better pursue and monitor impact of implementation. After a careful review of issues and concerns raised in subnational stakeholder engagements, desired outcomes had been identified and from there, outputs, activities, and deliverables were mapped out. While the work plan links specific activities to desired outcomes, it does not comprehensively describe or illustrate how a particular change is expected to happen especially in the case of desired outcomes that are set in the long-term or may take more time and interventions before coming into fruition. As such, the MSG has begun discussing a theory of change and instructed the secretariat to convene a technical working group for this purpose.

Notwithstanding the current lack of a clearly expressed theory of change, the MSG has been guided over the years by its long-term goals, which in essence, captures the change and outcomes that the PH-EITI hopes to catalyze. In particular, the MSG aims to:

1. Show the direct and indirect contributions of extractives to national development;
2. Improve public understanding of the management of natural resources and availability of data;
3. Strengthen government systems for natural resource governance;
4. Create opportunities for dialogue and constructive engagement in natural resource governance in order to build trust and reduce conflict among stakeholders; and
5. Pursue and strengthen the extractives sector's contribution to sustainable development.

Further, the MSG in 2019 developed the following strategic objectives for the medium term (2020-2022):

1. Improve the platform of commitment for transparency and create a safe space for dialogue and debate on natural resource governance
2. Maintain an impartial and verified database on the extractives sector
3. Develop capacities to effectively participate in natural resource governance
4. Strengthen and expand the linkages of EITI
5. Formulate and propose policy reforms, including processes and mechanisms of natural resource governance.

Relevant document:

[PH-EITI Primer, pp. 11-13, Why is the Philippines Implementing EITI?](#)
[Minutes of Special MSG Meeting, March 23, 2021, Theory of Change](#)

Monitoring progress

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

[Summarise progress in implementing the previous work plan. Provide a link to the previous work plan with a more detailed analysis of progress in undertaking planned activities and achieving each objective or attach it to this submission.]

The period under review, 2017-2020, starts with the commencement of the 2017 EITI Validation of the Philippines. Since then, significant progress has been observed in several areas of EITI implementation including report production, stakeholder engagement, and systematic disclosure, among others.

The period under review has seen the production of three (3) country reports (4th to 6th Reports) covering fiscal years 2015 to 2018. The production of the 7th Report (FY 2019) has started in 2020 but the COVID-19 pandemic and ensuing administrative challenges have delayed publication. Notwithstanding, country reporting in general saw significant strides in sustaining and expanding EITI implementation in the country.

- The 4th Report has closed the gap in EITI reporting to one year by covering FYs 2015 and 2016. It has also piloted the reporting of five (5) non-metallic mines.
- The 5th Report expanded the coverage of EITI reporting to include the top 20 non-metallic mines, and piloted the reporting of beneficial ownership and small-scale mining with each report having one volunteer/targeted reporting entity. The 5th Report is the first report to be produced with the aid of the Online Reporting in Extractives (ORE) Tool, which replaced the cumbersome manual paper reporting.
- The 6th Report, the report under review, is PH-EITI's case study and first attempt in producing a report that has systematically disclosed data and information. The Report references information already published in previous reports, and data readily available in government portals. The 6th Report has also been produced with a significantly reduced budget and with the active role of the PH-EITI Secretariat in data gathering. These elements and/or practices in the recent reporting cycle are being seen as possible components or nature of the mainstreaming model that the PH-EITI may soon develop.
- The reports and the specific data therein have been popularized to inform public debate and enable stakeholders to meaningfully participate in natural resource governance.

In terms of stakeholder engagement, the PH-EITI has consistently conducted national, subnational, and international activities that promoted extractives transparency among stakeholders, communicated the key findings of EITI reporting to a wide range of audience, and gathered feedback and concerns on EITI implementation and natural resource governance in general. In summary, the PH-EITI has completed four (4) national conferences, three (3) subnational roadshows, seven (7) mine and community visits, and other specialized events, workshops, and capacity-building activities that aimed to equip stakeholders in pursuing extractives transparency and participating in natural resource governance. Hundreds of participants have been reached and serviced by these activities which continued to broaden stakeholder engagement to include metallic mines, nonmetallic mines, small-scale miners, oil, gas, and coal companies, local government units, community leaders, academicians, students, and members of the media.

- From the latter part of 2017 to the first few months of 2018, members of the media had been engaged and equipped to write more [nuanced stories on extractives using PH-EITI data](#).
- In 2018, a [student conference](#) was held to empower students to participate in natural resource governance.
- Still in 2018, the PH-EITI rolled out the largest nationwide roadshow so far that covered seven (7) regional clusters and engaged about 800 stakeholders.
- Being the first country to have been declared compliant with the 2016 EITI Standard, the Philippines in 2018 hosted learning exchanges for fellow EITI implementing countries, including Papua New Guinea and Madagascar.
- Fast forward to 2020, the year of the COVID-19 pandemic, technology, telecommunications, and other innovative ways of conferencing had been utilized to reach out to stakeholders amidst the public health crisis. Despite logistical constraints, the PH-EITI was able to sustain conversations on extractives transparency through all 13 online regional forums held from September to November 2020.
- Workshops to facilitate the implementation of new requirements, including BO transparency, have also been held in the period under review.
- Specific events also reached out to the small-scale mining sector.
- Partners' events served as opportunities to engage stakeholders that are not usually seen in PH-EITI initiated activities.
- Members of the MSG and the secretariat also participated in various international workshops and events to build capacity in implementing the Standard and in addressing issues in natural resource governance.
- The PH-EITI was also actively involved in Open Government Partnership events, including co-creation consultations. In 2019 alone, the PH-EITI had participated in at least seven regional co-creation workshops which ultimately resulted in the inclusion of the DOF commitment to the final copy of the PH-OGP National Action Plan. In 2020, OGP commitments had been adjusted/revised due to the anticipated administrative and logistical challenges that the COVID-19 crisis may cause. At least three online co-creation consultations were held to effect adjustments/revisions to DOF's commitment.

Innovation is also a key component of the activities conducted in the period. There has been continuous development of web-based tools to aid in efficient reporting and data gathering for better transparency in the extractives.

- Enhancements to the Environment and Natural Resources Data Management Tool ([ENRDMT](#)) had been implemented in the year under review.
- The [NCIP monitoring tool](#) that had been developed in [2015](#) was also pilot tested and rolled out in the period under review.
- The Online Reporting in the Extractives (ORE) had been developed and rolled out in 2018. The 5th and 6th Reports had been produced using ORE. The 7th Report also gathered data through the web-based tool that is now hosted in the Department of Finance system. The ORE may be accessed via <http://orepheiti.dof.gov.ph/>.
- The [Mines and Geosciences Database Portal](#) has also been enhanced and populated with data.

- Annotations, new contracts, and other features have also been added to the [PH-EITI Contracts Portal](#). To date, the portal has almost 200 contracts and other associated documents (MMT Reports, SDMP Reports, Environmental Impact Statements, et cetera).
- The Extractives Data Generator ([EDGE](#)) was developed to host a comprehensive PH-EITI database in open format. It facilitates easier search and sorting of specific data needed by stakeholders.
- An extractives [beneficial ownership registry](#) has recently been developed to provide stakeholders with access to extractives BO data in open format. The establishment of the registry is part of DOF's commitment to the Philippine Open Government Partnership.

Several publications have also been produced in this period covering areas of [impact assessment](#), and [gender](#).

- The PH-EITI [impact study](#) was conducted by the University of the Philippines Statistical Center Research Foundation. It surveyed the stakeholders that participated in the 2018 nationwide roadshow. The study's primary objective is to assess the effectiveness and impact of EITI implementation in the Philippines.
- The [Women and Large-scale Mining in the Philippines](#) has been launched in 2020. The study located and assessed the roles and benefits of women in the mining industry. It involved two case studies, 17 companies as respondents to a gender and employment reporting tool, and evaluated 27 SDMP projects. The gender and employment reporting tool has since been included in the Online Reporting in the Extractives as one of the required reporting templates. It was first used in the seventh reporting cycle. While PH-EITI has already been disclosing gender data in previous reports, information was limited to the number of male and female workers/employees only. The new reporting template is deemed more comprehensive with over 40 sections that include questions on positions held, compensation, benefits, opportunities for skills development training, anti-sexual harassment policies, and unions and womens groups, among others.
- The ongoing [mainstreaming feasibility study](#) has surveyed the readiness of government agencies and companies to systematically disclose EITI data. The initial assessments and recommendations of the study have been presented to the MSG in 2020.

The PH-EITI has also been involved in Congress deliberations of bills seeking to institutionalize transparency. The bill filed in the House of Representatives in 2017 was presented for first reading. In 2019 and 2020, four new bills were filed to enact an EITI law. To support the proposed legislation, the DOF made EITI institutionalization a commitment under the PH-OGP National Action Plan. Accordingly, the PH-EITI developed a legislative advocacy plan to lobby the passage of the said bills.

In terms of the previous work plan (2020), implementation of activities have been challenged, if not entirely delayed or deferred, due to the COVID-19 crisis. Notwithstanding, the PH-EITI has successfully completed majority of its activities including the timely publication of the Sixth PH-EITI Report, the national conference, 13 clusters of the nationwide roadshow, seven thematic forums, three regular and two special MSG meetings, three TWG meetings, and enhancement of online tools (ORE, EDGE, Contracts Portal), among others. Most significant areas of progress include the publication of extractives BO information, and publication of a gender scoping study and adoption of the gender and employment reporting tool in ORE. The MSG also approved the production of a flexible PH-EITI report with additional chapters on industry outlook and Social Development and Management Program (SDMP) of mining projects to properly document the impact of the pandemic and make the report more relevant and useful for stakeholders. As

previously mentioned, the MSG has developed a legislative advocacy plan and the initial findings of the ongoing mainstreaming feasibility study have been released. Overall, 2020 has been a productive year for PH-EITI, and EITI implementation has meaningfully progressed to new levels and forms of extractives data disclosures.

References:

PH-EITI Annual Reports

<https://pheiti.dof.gov.ph/annual-progress-reports/#>

- July 2016 – June 2017
- June 2017 – July 2018
- July 2018 – 2019
- January - December 2020

[PH-EITI Work Plan for 2020](#)

[PH-EITI 2020 Work Plan Progress Matrix](#)

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

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

2017 Validation Recommendations

Recommendation:	Status/progress:
	<i>[Has the recommendation been partly or fully addressed? How is the MSG following up on the recommendation? Has the MSG identified an agency or actor responsible for addressing the recommendation? If the MSG has decided not to implement the recommendation, please document the rationale.]</i>
1. To further strengthen implementation, each constituency is encouraged to ensure that their representatives' attendance at MSG meetings is	MSG meetings are always able to muster a quorum and are attended by either the full or alternate representatives, who are capable of engaging in the discussions and making decisions

<p>consistent and at a sufficiently high level to allow the MSG to take decisions and follow up on agreed matters. “In order to strengthen implementation, PH-EITI should continue its active efforts to encourage and facilitate company participation, including through mainstreaming. Future PH-EITI Reports should contain a detailed calculation of total government revenue as well as the materiality of any non-participating companies, as this information is currently unclear in the report. The IA is also advised to ensure that future calculations of % company participation are done with reference to total government revenues in the reporting templates to avoid misunderstandings about the coverage of reconciliation.”</p>	<p>on behalf of their respective agencies/organizations.</p> <p>The summary of MSG attendance in meetings is annexed to every PH-EITI Annual Progress Report.</p>
<p>2. To protect and strengthen the implementation of the work plan, the MSG could consider funding EITI through the government budget.</p>	<p>EITI implementation in the Philippines has always been funded by the government through the Department of Finance.</p> <p>“Upon the effectivity of this Order, the amount necessary to carry out its implementation shall be charged against the budget of the DOF. Thereafter, appropriations for the PH-EITI implementation shall be included in the budget of the DOF.” (<i>Executive Order 147, s. 2013 Creating the Philippine Extractives Industries Transparency Initiative Section 9. Funding</i>) https://www.officialgazette.gov.ph/2013/11/26/executive-order-no-147-s-2013/</p>
<p>3. PH-EITI should continue to work with the MGB and DOE on the reforms underway with regard to online cadastres and verify that these cadastres include the date of application for any licenses and contracts that are issued in the future.</p>	<p>The MGB has continuously enhanced its Database Portal to include data required by EITI. The dates of license applications, however, have yet to be included in the disclosures.</p> <p>The DOE has yet to have an online license register but it discloses information on oil, gas, and coal contracts and licenses on its website.</p>
<p>4. Building on the work related to contract transparency so far, PH-EITI could consider publishing the remaining contracts pertaining to oil and gas, mining and coal companies operating in the country, and MoAs with IPs. The PH-EITI could also summarise the key terms of the contracts for better public consumption.</p>	<p>As of 29 March 2021, there are almost 200 contracts published in the Contracts Portal, which include contracts of all projects covered in PH-EITI Reports.</p> <p>Aside from the contracts, associated documents are published to include copies of SDMP reports, MMT reports, Environmental Impact Statements/Assessments, among others.</p>

	A summary database of all contracts in the portal with key information such as coordinates, signatories, date of signature, commodities, among others, is also available.
5. It is recommended that PH-EITI considers piloting beneficial ownership reporting in the forthcoming EITI Report in order to increase awareness of beneficial ownership transparency and pilot beneficial ownership definitions and thresholds. PH-EITI may also wish to conduct broader outreach to the companies on the objectives of beneficial ownership transparency, as well as hold consultations with government agencies on how to make such disclosures mandatory.	<p>PH-EITI has done pilot reporting on BO in 2018, with follow up BO workshops for companies and public forums in the succeeding years.</p> <p>In 2020, the PH-EITI published its 6th Report with a chapter on BO disclosure. BO information of several extractive projects have been published in the report.</p> <p>Consistent with the EITI Standard and to DOE's commitment to the OGP, an online register of extractives BO information has also been published in open format in the PH-EITI website.</p>
6. PH-EITI should consider studying the efficiency of operations of state-owned companies, particularly in relation to the management of SOEs' stakes in extractives projects.	The MSG has briefly discussed the matter of SOE transparency in a special meeting. Future meetings shall include follow-up discussions of the matter.
7. PH-EITI should work with DOE to ensure that up to date production values for coal are disclosed.	Consistent efforts have been had to engage the DOE towards this end. Unfortunately, the agency appears to have no data on oil, gas, and coal production value. Nevertheless, the PH-EITI was able to capture this information through company disclosures in the Online Reporting in the Extractives (ORE).
8. PH-EITI should continue to work with MGB on ensuring that the recommendations related to monitoring and accuracy of production data are considered and followed up. PH-EITI may wish to explore opportunities to improve the reporting and monitoring of export data.	The MGB continuously monitors production data.
9. To strengthen implementation, PH-EITI should continue its active efforts to encourage and facilitate company participation, including through mainstreaming.	<p>The Department of Finance has committed under the Open Government Partnership to mainstream EITI implementation. Accordingly, the PH-EITI has commissioned a mainstreaming feasibility study to assess the readiness of reporting entities for systematic disclosures and further inform mainstreaming plans.</p> <p>Prior to this, the PH-EITI, its partner agencies, and reporting companies have gradually moved towards systematic disclosure of several EITI data through the PH-EITI Contracts Portal, the Environment and Natural Resources Data Management Tool (ENRDMT), the Online Reporting in the Extractives (ORE), the MGB</p>

	Database Portal, the NCIP Monitoring Tool, and the Extractives Data Generator (EDGE).
10. PH-EITI is encouraged to work with government agencies on the reforms related to LGU tax records.	The BLGF is consistently enhancing local financial management systems including the Environmental and Natural Resources Data Management Tool (ENRDMT). The ENRDMT is one of the tools that will be integrated in the LGU Integrated Financial Tool or LIFT. One of the features that the PH-EITI recommended in one of the consultations is to allow public access to data submitted through the tool/s.
11. Given the low level of materiality, PH-EITI could reconsider the costs and benefits of reconciling subnational flows although it is noted that reconciliation is as much a means of building capacity and outreach to LGUs. PH-EITI is also encouraged to continue its strategic engagement with the Autonomous Region of Muslim Mindanao (ARMM) with a view to including them in future reports.	<p>Pending the implementation of mainstreaming plans, and to sustain momentum of EITI reporting, the MSG has decided to continue reconciling EITI data.</p> <p>The MSG has also consistently engaged the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) through subnational activities. Recently, the President of the Philippines has ordered the close monitoring of rehabilitation efforts in mined-out areas in specific BARMM provinces. Consequently, it was suggested that the EITI be introduced to the new Bangsamoro Government through the Intergovernmental Relations Body, where the Secretary of Finance sits as co-chair.</p>
12. In light of the stakeholder support for project-level reporting, PH-EITI is encouraged to consider disaggregating data by project. PH-EITI may wish to proceed to project-level EITI reporting ahead of the deadline for all EITI Reports covering fiscal periods ending on or after 31 December 2018, agreed by the EITI Board at its 36th meeting in Bogotá.	PH-EITI has started implementing project-level reporting in 2018 with the 5th Report (FY 2017).
13. In order to strengthen implementation, it is recommended that PH-EITI strengthens its efforts to publish more up to date EITI reports in order to ensure that the data is more relevant and useful to the public.	PH-EITI has narrowed the gap in reporting to one year with the publication of the 4th Report (FYs 2015 and 2016). Recently, administrative challenges and the COVID-19 crisis delayed the production of the 6th Report, but the work plan for 2021 has included the publication of two more reports (7th and 8th) to bring the gap in reporting back to only one year.
14. PH-EITI could consider continuing to work on transparency related to IP royalties, including disclosure of all royalty transfers and other benefits to IPs, disclosure of community development plans for use of royalties, and tracking of the implementation of such plans.	The PH-EITI has exerted consistent efforts to engage the NCIP towards this purpose, but manpower issues and other challenges within the NCIP have hampered progress on this matter. Nonetheless, the NCIP continues to provide the PH-EITI with data on IP Royalty Payments, albeit usually incomplete.
15. To strengthen implementation, it is recommended that PH-EITI sufficiently disclose the materiality threshold for sub-national transfers and work with DBM on making	This recommendation has been adopted/addressed in the 6th Report.

the calculations of the revenue share publicly accessible on a routine basis.	
16. To strengthen implementation, PH-EITI could consider looking into tracking the spending of extractive industry revenue earmarked for specific purposes.	The PH-EITI Report enables local treasurers to monitor and estimate national wealth shares from extractives but there remains no authoritative reference on allocations derived from extractives revenues as these form part of an aggregate amount given to local governments. A joint memorandum circular (https://pheiti.dof.gov.ph/download/draft-jmc-on-fees-and-charges/?wpdmdl=1577) has been drafted towards this purpose, but the approval and signing of this document remains pending at the Department of Budget and Management.
17. PH-EITI is encouraged to work with companies and MGB on the follow up on recommendations related to SDMP.	The MSG has approved for the 7th Report the production of a thematic report on SDMP, which is hoped to assess the efficacy of SDMP projects and address issues and recommendations related to the SDMP development.
18. It is recommended for future Philippine's EITI Reports that the materiality threshold calculation and methodology used is clearly defined and thoroughly disclosed by the Independent Administrator in the country report.	The IA has addressed in the 6th Report questions on the materiality threshold used for reconciliation.
19. To further strengthen implementation, the government is encouraged to strengthen the MICC's role in following up on EITI recommendations to further link PH-EITI to ongoing reforms and sustain the momentum of EITI evidence-based reforms.	The PH-EITI Secretariat has recently held meetings with the MICC Secretariat on the matter of EITI Validation and the PH-EITI legislative advocacy agenda. The PH-EITI will continue engaging the MICC to follow up recommended reforms based on annual EITI reporting.
20. To further strengthen implementation, the MSG may wish to consider undertaking an impact assessment, with a view to identifying tangible impacts to local communities and other stakeholders in order to determine the extent to which the EITI has contributed to improving public financial management and governance of the mining, oil and gas sectors.	The PH-EITI has commissioned in 2018 an Impact Study to assess the impact of EITI implementation in the Philippines. The study surveyed hundreds of stakeholders that participated in the 2018 nationwide roadshow. Results of the study are accessible at https://pheiti.dof.gov.ph/download/measuring-impact-of-philippine-eiti/?wpdmdl=1381&refresh=6051c66e2d0d61615971950 .
21. The definition of material for social expenditures needs to be clearly disclosed by the MSG for future EITI reports.	Material social and environmental expenditures are defined and identified in the 6th Report.

PH-EITI MSG's Recommendations and Assessment of Progress

MINES AND GEOSCIENCES BUREAU		
MSG Recommendations from the 5th Report	Agency Updates/Progress	MSG Recommendations for the 6th Report

<p>Include in the memorandum the roles and functions of the local NGOs especially in the planning and implementation of the ISHES monitoring.</p>	<p>Safety and Health, Environmental, and Social Development and Management (SHES) monitoring is a regular activity solely conducted by the Mines and Geosciences Bureau (MGB) Regional Offices as part of its regulatory function.</p> <p>Local Non-Government Organizations (NGOs) are involved during the conduct of Multipartite Monitoring Team monitoring, which is a separate monitoring activity pursuant to Section No. 174, "Environmental Monitoring and Audit," of Department of Environment and Natural Resources Administrative Order (DAO) No. 2010-21, "Revised Implementing Rules and Regulations of RA 7942"</p> <p>Furthermore, criteria for selection and functions of Local NGOs as members of MMT are stipulated under Article No. IV of DAO No. 2017-15, "Guidelines on Public Participation Under the Philippine Environmental Impact Statement (EIS) System, re: Public Participation in Monitoring of Impacts of Projects with ECC."</p> <p>Thus, the inclusion of the roles and functions of the local NGOs in the MGB Memorandum Circular No. 2018-02, "Guidelines for Compliance Monitoring and Rating/Scorecard of Mining Permits/Contracts," was found to be unnecessary.</p>	
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<p>Consider capturing the qualitative aspect of monitoring as opposed to just measuring or ticking compliance list.</p>	<p>Qualitative aspect of monitoring is being captured in the conduct of air and water quality monitoring which is under the function of the MMT and Environmental Management Bureau as stated under Section Nos. 6 and 8 of DAO No. 2015-02, "Harmonization of the Implementation of the Philippine Environmental Impact Statement System and the Philippine Mining Act of 1995 in Relation to Mining Projects."</p>
<p>Consider laying down the technical capability requirements/capacity building needs of those who will implement the scorecard.</p>	<p>Qualitative aspect of SHES Monitoring can only apply for checking the quality of program/project implementation of the company. This can be subjective in nature, basing solely on the standards of the personnel conducting the monitoring, thus, at most times avoided. Nevertheless, the MGB ROs includes this as part of their other findings. Subsequently, recommendations are also provided by the MGB ROs based on the said findings.</p>
	<p>MGB personnel are considered technically capable on conducting TSHES monitoring as MGB's management ensures that each personnel's profession and skills is in line with its respective works/ tasks.</p>
	<p>With regard to the execution of SHES monitoring checklist and scorecard under MGB MC</p>

	<p>No. 2018-02, series of capacity building were undertaken on the MGB ROs prior the implementation of the said MC. This is to ensure standardized implementation of the SHES Monitoring and to enhance the technical skills of MGB ROs' personnel, including the embedded MGB personnel in the Provincial Environment and Natural Resources Office / Community Environment and Natural Resources Office.</p> <p>Furthermore, the MGB Central Office's Mine Safety, Environment and Social Development Division and Mining Tenements Management Division are currently conducting a Systems Audit on MGB ROs. This aims to validate/ assess implementation of the SHES Monitoring and provide guidance to MGB ROs if certain lapses were noted.</p>	
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<p>Consider strengthening capacity and active participation of the MMT and MRFC members particularly on how they can effectively participate during field visits and meetings.</p> <p>Consider identifying and regularly involving other representatives from civil society including academics, media, Church people, the youth, and community leaders who are passionate in pushing for environmental sustainability.</p> <p>Actively disseminate information about monitoring activities and findings of MMTs and MRFCs.</p>	<p>As per Section 185 of DAO No. 2010-21, MMT is the monitoring arm of MRFC and is tasked to conduct monitoring activities on site. MMT members particularly MGB-MSESDD personnel, conducts annual workshop to improve its guidelines on monitoring compliances of mining companies.</p> <p>It is noted that that MMT acts as a technical team to monitor the compliances of mining companies with different environmental laws, thus, DAO No. 2010-21 specifically requires environmental NGO. However, in the MRFC, other representatives of CSO such as but not limited to church people, academe and youth can be a member of MRFC, provided, that it has gone through the selection process. On the proposed revision of DAO No. 2010-21, MRFC may designate an additional member of MRFC through a Resolution.</p> <p>Currently, MGB is continuously providing MMT reports to EITI; however, it will pilot test uploading of MMT Reports on its Portal.</p>	<p>MMT reports should be timely disclosed. The MMT reports should be included in the PH-EITI Contracts Portal.</p> <p>The list of MMT members/representatives in each area should also be part of the disclosure.</p>
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<p>Consider institutionalizing a system of civil society participation in the entire extractives value chain particularly on the monitoring of the accuracy of production.</p> <p>Consider enjoining CSOs in monitoring the details of the production process at the field level.</p> <p>Release updates on the purchase of the monitoring equipment and reports on initial evaluation of the regular (or random) sampling – i.e. if it has been rolled out. If delayed, indicate the causes.</p>	<p>The localization of EITI governance model i.e. establishment of subnational MSG mechanisms, should be introduced to local government units, in this way the participation of the relevant stakeholders in the entire extractives value chain will be institutionalized and may address context specific issues on natural resource governance in each area.</p> <p>The localization of EITI governance model may also address the mainstreaming of data and disclosures.</p>
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<p>Consider enhancing the function of the Monitoring Trust Fund to ensure sufficient and independent funding for all MMT monitoring activities for the year. Companies must have no hand in the disbursement of MMT allowances, and MMT members must be precluded from asking for additional allowances or compensation from the company or the fund.</p> <p>Ensure the regularity of monitoring activities of the MMT and also reporting of ROs on the activities feedback/updates on the use of MTF in relation to MMT</p>	<p>MTF is deposited in a government depository bank and disbursement from the said from trust fund is regulated thru Section 186 of DAO No. 2010-21:</p> <p><i>“Withdrawal from the MRF shall be made by the Contractor/Permit Holder only with the written instruction to the bank issued by the MRF Committee authorizing the Contractor/Permit Holder to withdraw the amount from the MRF. The amount to be withdrawn shall be in accordance with the AEPEP and shall be approved by the MRF Committee, copy furnished the CLRF Steering Committee. Any one of the following shall be authorized to issue the instruction to the bank on behalf of the MRF Committee:</i></p> <p><i>a. The Chair,</i> <i>b. The Co-Chair or</i> <i>c. The designated representative of either (a) or (b).</i></p> <p><i>In the event that none of the above-mentioned persons issues the instruction to the bank after the lapse of thirty (30) calendar days from the time the written request for instruction is received by them, the Contractor/Permit Holder shall have the authority to sign the instruction on behalf of the MRF Committee and to withdraw the amount in accordance with the approved AEPEP.”</i></p>	
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	<p>MMT operations, including honoraria, are guided by the Manual of Operations (MOO), which is being agreed upon and approved.</p> <p>Apart from it, financial accomplishment of mining companies, including MTF, is being scored using TSHES Scorecard.</p> <p>MMT is mandated to conduct quarterly monitoring as per Section 174 of DAO No. 2010-21.</p>	
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<p>A regular multi-sectoral discussion should be scheduled. Ensure that proceedings of the meeting be documented. Consider including in the discussions a review of current guiding laws and identify the flaws/gaps for eventual amendments or crafting of new policies.</p>	<p>The National Summit for the Presentation of the Proposed amendment of the Revised IRR of Republic Act No. 7076 and the 1st National Assembly of the Philippine National Coalition for Small-Scale Miners with a theme “Responsableng Pagmimina.Kaunlaran ng Bayan” was held last July 29 to 31, 2019 at the provincial Capitol, Nabunturan, Compostela Valley.</p> <p>The National Summit and the 1st National Assembly of the Philippine National Coalition for Small-Scale Miners was attended by representatives from various government agencies such as the DENR, MGB, BSP, NCIP, LGU of Compostela Valley, other Agencies such as BAN TOXICS, Caring Gold Project, Social Justice Decent Work and Small-Scale Miners from all over the country.</p> <p>The event was envisioned that regular multi-sectoral meetings are to be conducted and proceedings thereof focusing mainly on the proposed amendments to RA No.7076 or the People’s Small-Scale Mining Act and EO 79 and other issues/concerns hounding the small scale mining industry.</p>	
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<p>Consider institutionalizing guidelines into policy particularly on defining what is “compliance” for mining contractors under DAO 2017-07 as well as clarify who (as between the MPSA holder and the operator) has the responsibility to submit the template/report. Consider discussing the DAO with Environmental Management Bureau for close coordination.</p> <p>Consider conducting a study on the non-participation of mining contractors.</p>	<p>MGB has a plan to make EITI reporting part of its compliance monitoring scorecard for mining permits or contracts.</p> <p>The MGB has also integrated PH-EITI’s reporting template for small-scale mining in its efforts to institute reforms in the small-scale mining sector.</p>	
<p>Consider linking supporting documents when publishing data as an additional quality validation mechanism to ensure that the report produced by PH-EITI will be more reliable.</p> <p>Consider publishing in data in open format so that viewers/visitors can easily download data that they need.</p> <p>Consider publishing auxiliary rights in the MGB Portal.</p>	<p>MGB has mainstreamed disclosures through its Database Portal accessible at databaseportal.mgb.gov.ph. The portal contains updated mining tenements data... mine safety and health, environment, and social development data and industry statistics, among other information.</p> <p>MGB will continue to provide scanned MMT reports EITI; however, it will pilot test uploading MMT reports in its Portal for public dissemination.</p>	<p>As preparation for the environmental impact reporting of PH-EITI, the auxiliary rights (water rights, tree cutting permits) given to extractive companies should be disclosed.</p>

<p>Consider creating a National Mineral Resources Board (or assigning at least a dedicated division within MGB) to monitor and gather data on all the activities of the various PMRBs/SSMs and carry out doable action points and monitor/consolidate situation, tasks, actions and results.</p> <p>The MICC cannot perform the function of a national mineral resources board that can monitor the activities of all PMRBs and SSM contractors.</p>	<p>The Mining Technology Division of the MGB-Central Office and Small-Scale Mining Focal Person in the MGB Regional Offices are currently in the frontline to monitor and gather data on all the various activities of the PMRB'S/SSM's in the country.</p>	
<p>Consider including the participation of PH-EITI and other CSOs in the crafting of the manual of operations for the PMRBs to help strengthen existing management systems and ensure participation of the CSOs in the monitoring and evaluation of permits and small-scale mining contracts.</p> <p>Consider outlining the tasks, roles, expectations among MGB ROs and Divisions to ensure clarity in governance issues of SSM. Ensure coordination of policies and actions that affect the inter-relations of small scale and large-scale operations as well.</p>	<p>To be considered as additional Input /s in the proposed amendment of the implementing Rules and Regulations of EO 79.</p>	

<p>MGB may also want to align the 5-year SDMP programs with local (<i>provincial, municipal and/or brgy.</i>) development plans.</p> <p>Plans/programs/activities that don't achieve the desired results should not be funded again, or ensure community capacity-building measures first be implemented. MGB may also study the possibility of putting a cap on "unsustainable" projects or programs, such as large infrastructure projects.</p> <p>Consider including the NEDA, academe/experts, and local development boards in the development of the 5-year SDMP.</p> <p>In reviewing SDMP guidelines, consider a sustainable development framework and outline (at least) a medium-term strategic area development plan with corresponding project management, monitoring and evaluation framework.</p>	<p>It is mandated in the CDAO that the 5-Year SDMP is prepared in consultation and partnership with the host and neighboring communities. Prior to its approval, it is evaluated and assessed by MGB-RO if the SDMP is aligned with the local development plans. That is why, reminder is always made that the Company invite representatives from the MPDO and LGU heads to participate and be involved in the planning workshop;</p> <p>This is one of the purpose of the Planning Workshop mentioned above, to avoid duplication and/or continuation of unsustainable P/P/As. Evaluation is being conducted by the MGB-RO during the ASDMP monitoring made and in the approval of the ASDMPs. Assessment and evaluation is being made on previous and proposed P/P/As for its effectiveness and sustainability. Also, some companies conducts Social Impact Assessment to determine any P/P/As that need not be continued on to the next phase of the Program;</p> <p>Under Section 136-B of CDAO 2010-21, the MGB-RO shall evaluate the submitted 5-Year SDMP for its form, substance and completeness. A Technical Conference is held together with invited credible experts from relevant agencies such as NEDA, DOH, CHED, etc., to</p>	<p>SDMP should be aligned with local development plans of the local government units (provincial/municipal/barangay). In planning for the SDMP, the mining-affected and neighboring communities should be consulted and engaged.</p>
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	further evaluate the said document.	
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<p>Consider performing qualitative assessments of the impacts of SDMP projects by engaging developmental experts alongside a multi-partite team to perform the assessment, if necessary, and suggest refinements to the projects being funded by the program. Consider developing a separate tool aimed at measuring impact of the projects.</p> <p>Release updates on the rollout of the scorecard.</p>	<p>Mining companies usually conducts SIA to expiring 5-Year SDMP so as to facilitate the said qualitative assessment of the impact of the Program prior to its submission to MGB-RO.</p>	
<p>Provide regular updates on the release of the MC that includes and incorporates inputs based from the reports, feedback, and discussions with CSOs.</p>	<p>MGB had a meeting with Bantay Kita last July 5, 2018 to discuss the updates on the proposed Guidelines in the Selection Process of CSO Representatives to MMT and MRFC.</p> <p>In the proposed revisions of DAO 2010-21, standard guidelines in the selection process of MRFC and MMT composition will be provided. The draft CSO selection process proposed by Bantay Kita will be used as one of the inputs on the said guidelines.</p>	<p>A guideline for the selection process of civil society organizations in MMTs and MRFCs should be released by MGB.</p>
		<p>The PH-EITI Contracts Portal should be regularly updated with new documents such as the MMT, MRFC reports, etc., contracts of the non-metallic mining companies, coal contracts.</p>

		All extractive companies should be required to participate in EITI reporting. The non-operating companies due to no production should still provide its updates on other activities happening within its contract area i.e. updates on maintenance, rehabilitation of mined-out areas, etc. because they still have an existing/ contract with the government.
		As preparation for the environmental impact reporting, extractive companies should disclose and provide updates on its rehabilitation activities i.e. actual land area disturbed and rehabilitated lands, efforts on bringing back the natural ecosystem.

DEPARTMENT OF ENERGY		
MSG Recommendations from the 5 th Report	Agency Updates/Progress	MSG Recommendations for the 6 th Report
<p>Provide updates on SMPC's response to the letter.</p> <p>Consider including CSOs in the process of compelling SMPC to participate in the EITI process.</p>	The draft department circular mandating the participation of all Petroleum Service Contractors and Coal Operating Contractors in PH-EITI is undergoing legal evaluation.	

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

MSG Recommendations from the 5th Report	Agency Updates/Progress	MSG Recommendations for the 6th Report
Consider including CSOs (e.g., independent body or academic institutions) in the team that will conduct the study to track the national government/LGU share and spending of extractive industry revenue.	The Environmental and Natural Resources Data Management Tool (ENRDMT) has already been incorporated in DOF-BLGF's electronic Statement of Receipts and Expenditures (eSRE). Local government unit (LGU) compliance to this reportorial requirement is >90%. The ENDRMT has already been incorporated in the eSRE. Hence, the national government has significantly increased visibility as well as periodic availability of information on the matter, particularly (i) remittance on shares of national wealth to the LGUs; and (ii) utilization thereof.	
Consider partnering with CSOs in discussing and presenting to the public the studies conducted related to the impact of revenues from the extractives to local communities and other stakeholders (e.g. "Assessment of the Impact of Social Development Management Programs of Large-Scale Mining Companies in Selected Host Communities in the Philippines")	At the turn of 2019, the last study generated from the PPEI – Alternative Green Investments, has been turned over and provided to PH-EITI and furnished Bantay Kita as well.	

Provide updates on the response/ action point/resolution of Bureau of Local Government Supervision (BLGS) of DILG with regard to the 4 th Report's recommendation to conduct a feasibility study to assess viability of PH-EITI disclosure as a component of the Seal of Good Local Governance for LGUs hosting mining.	<p>There are no existing indicators relative to the PH-EITI disclosure of LGUs hosting mining in the SGLG. The DILG-BLGS shall take into consideration this recommendation for consideration of the National Committee to include as one of the indicators in the SGLG assessment.</p> <p>Note: PH-EITI disclosures are confined to around 400 LGUs hosting mining and energy projects/operations.</p>	
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BUREAU OF LOCAL GOVERNMENT FINANCE		
MSG Recommendations from the 5 th Report	Agency Updates/Progress	MSG Recommendations for the 6 th Report
Consider including CSOs in monitoring the spending of shares from the national wealth.	BLGF will coordinate with DILG being the lead agency for this activity	
Consider including CSOs (e.g., independent body or academic institutions) in the team that will conduct the study to track the national government/LGU share and spending of extractive industry revenue.	BLGF coordinate with DILG being the lead agency for this activity	

DEPARTMENT OF BUDGET AND MANAGEMENT / BUREAU OF TREASURY		
MSG Recommendations from the 5 th Report	Agency Updates/Progress	MSG Recommendations for the 6 th Report
Consider requiring an allocation plan on how the LGU shares will be spent before the release of the funds and a copy be publicly disclosed for purposes of transparency and for CSOs to be able to monitor the same shares at the local level.	Finalization of the draft Joint Memorandum Circular (JMC) in the 4 th Quarter of 2019	The PH-EITI MSG should persistently push and advocate for the Joint Memorandum Circular (JMC) of the Department of Budget and Management i.e. set a meeting with DBM, DILG, discuss as an agenda of the PH-EITI TWG/MSG to strategize.
Progress on the 4 th Report's recommendation for the <i>"BTr [to] provide the list of AGSBs of LGUs to collecting agencies to reduce delays in the release of funds. The list can be used by the collecting agencies to double-check if the LGU has an existing AGSB. If the LGU has no existing AGSB listed to the BTr, the LGU can inform the collecting agency and the BTr before endorsing the documentary requirements to DBM."</i>	The list of Authorized Government Servicing Banks (AGSBs) of LGUs is already available.	

<p>Progress on the 4th Report's recommendation to:</p> <p><i>Consider extractive companies' certification of excise tax paid as prima facie proof of payment, and basis for computation of the LGU share</i></p>	<p>The draft JMC prescribes a template of the certification that will be issued by the BIR and BTr to expedite the reconciliation of accounts as reflected from their respective records and to eliminate delays.</p>	
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NATIONAL COMMISSION ON INDIGENOUS PEOPLES		
MSG Recommendations from the 5 th Report	Agency Updates/Progress	MSG Recommendations for the 6 th Report
Consider participating actively in the PH-EITI MSG and TWG Meetings for better coordination.	NCIP Central Office participated at the national level meetings and PH EITI recommendations are being studied.	
NCIP must dedicate funding and resources to ensure that regional offices are able to regularly transmit IP royalty monitoring reports to NCIP Central Office.	Additional funds have already been included in the proposed budget but the Annual Budget remains the same. Also, due to lack of manpower.	
Assess how the tool was used and then measure its effectiveness and efficiency and address gaps when found.	Monitoring tool is still being tested for further improvement	

Undertake development of other tools to build capacities of IPs.	Proposed capacity building for IPs has already been included in the NCIP Strategic Directions but was not considered by the Department of Budget and Management.	
Prioritize IP-centric initiatives to help ensure proper monitoring and reporting of IP royalties.	Capacity building has been considered including the proper management of their royalties, however, budget proposals not considered by the DBM.	
Request for updates on the implementation of the directive.	This will be considered in the next reporting.	
Request regional NCIP offices to write an annual progress narrative to be included in PH-EITI reports.	PH-EITI provides NCIP a template or guidance.	

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

Considering feedback from stakeholders and the review of the previous work plan, the current work plan now has a greater focus on systematic disclosure, transparency and accountability initiatives, report coverage expansion and gender inclusion.

These areas intend to not only improve transparency and accountability in the extractives sector but also improve the efficiency of reporting and the accessibility of the data and information. For one, improving transparency in IP royalty payments is now a priority in the current work plan to address one of the concerns raised in the virtual roadshow concerning transparency in royalty payments. PH-EITI also recognizes the need for greater transparency in small-scale mining and so the upcoming reports are planned to include data on the small-scale mining sector. To broaden stakeholder engagement, the PH-EITI also seeks to increase the participation of nonmetallic mines and IP communities.

Link to the PH-EITI 2021 work plan:

<http://pheiti.dof.gov.ph/work-plan/>

Innovations and impact

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

Small-scale Mines

Under the EITI Standard, the engagement and reporting of small-scale mines is not mandatory, but pursuant to the Philippines' EO 79 (2012), where the government mandated the improvement of small-scale mining activities, including through training and capacity building of small-scale mining cooperatives and associations, the PH-EITI has consistently engaged the sector through talks, workshops, and a pilot EITI reporting. The MSG is aware of the deemed social and economic contribution of the small-scale mining sector, which has yet to be thoroughly monitored. As such, in 2018, the MSG developed a reporting template and had it tested by one small-scale mining association. The pilot reporting is part of the [5th PH-EITI Report](#). In its 2020 work plan, the MSG approved the mainstreaming of EITI in the small-scale mining sector as one of its priorities. Among related activities is a follow up SSM reporting, which is currently planned to cover at least five small-scale mines. The MSG shall revisit the results of the 2018 reporting, including the efficacy of the reporting template, and include SSM disclosures in the 8th PH-EITI Report.

Non-metallic Mines

Considering various factors such as public demand for data, the government's heavy spending on infrastructure projects, and the mandate set forth by the DENR Department Administrative Order No. 2017-07, the MSG has piloted in 2017 ([4th PH-EITI Report](#)) the reporting of five nonmetallic mines. The inclusion of the sector in the PH-EITI report increased public awareness of the direct and indirect contribution of mining both at the national and subnational level. For instance, there are regions/provinces in the Philippines that have more non-metallic mining projects than metallic mines. The increased coverage of the report also increased the amount of reconciled revenues, in turn, demonstrating greater contribution of the industry and relevance to key government programs. The pilot reporting of five non-metallic mines was followed by the reporting of the top 20 non-metallic mines in the succeeding reports (5th and 6th). For the 7th PH-EITI Report, the MSG looked into the feasibility of fully covering the rest of the non-metallic mining sector, but constraints brought about by the pandemic made the MSG decide to expand, for the meantime, to only the top 25 non-metallic mines in terms of production value. The scope of EITI reporting shall be revisited when the MSG finalizes the terms for the 8th Report.

Systematic disclosure, beneficial ownership transparency, gender inclusion, and institutionalization of transparency and accountability in the extractives

With systematic disclosure as the expected end-state of EITI implementation, the Department of Finance committed, under the Philippine Open Government Partnership initiative, to mainstream EITI implementation in the Philippines by 2022. The commitment includes specific milestones and deliverables related to extractives beneficial ownership information publication (beneficial ownership disclosure is also a government commitment under FATF), mainstreaming gender in

EITI implementation, and institutionalization of transparency and accountability mechanisms in the extractives. As such, the MSG, for the past year, worked hard to follow through the commitment, accordingly yielding the following results and updates thus far:

- Beneficial ownership information of the extractives, including the declaration of politically exposed persons, have not only been published in the 6th Report but have also been disclosed in open format through a publicly accessible [online register](#). The PH-EITI also continues to engage the Securities and Exchange Commission to effect reforms that would streamline beneficial ownership disclosure mechanisms, and allow public access to information. Further, both the MSG and the SEC are working on plans and bills to institutionalize beneficial ownership transparency through legislation.
- A study on gender in extractives, particularly [women and large-scale mining](#), have been commissioned to locate and assess the role of women in the sector, including their contribution to the industry and the impact of the industry on women. Launched in November 2020, the study was intended to inform policy recommendations towards a more gender sensitive and inclusive extractive industries. The study used a comprehensive gender survey form as one of its data gathering instruments. The MSG adopted and further developed this form to become the new [gender and employment reporting template](#), which the companies are now required to fill out every EITI reporting cycle starting with the 7th PH-EITI Report. While the PH-EITI has been disclosing gender data in earlier reports, data were limited to the number of men and women working in the extractives. The new form, which was added into the Online Reporting in the Extractives, also captures information on compensation, position, skills development opportunities, livelihood programs for women, unions and women's groups, services and benefits available to women, and anti-sexual harassment policies, among other information. The MSG is expected to analyze the results of the recent reporting on gender and employment, and assess the efficacy of implementation. Further, the MSG intends to pursue the recommendations of the study and conduct a more comprehensive research as necessary. MSG activities related to gender are consistent with government requirements on [gender and development planning](#) pursuant to the Magna Carta of Women.
- Following a series of MSG training and workshops, a [legislative advocacy plan](#) was developed to support pending bills seeking to institutionalize transparency and accountability in the extractives. While systematic disclosure may be done through outreach to and capacity-building of government agencies and reporting companies, the proposed legislations shall institutionalize routine disclosures as well as participatory resource governance and constructive engagement through the Multi-stakeholder Group. In February 2021, the MSG attended a committee meeting at the Philippines House of Representatives to serve as resource persons in the hearing of two of the four bills pending in Congress.

Social Development and Management Program

The global COVID-19 crisis has prompted the government to optimize existing mechanisms to support response and recovery specifically at the subnational level. In response to the pandemic and the [Republic Act No. 11469](#) also known as the *Bayanihan to Heal as One Act*, the Department

of Environment and Natural Resources - Mining and Geosciences Bureau (DENR-MGB) authorized mining companies to realign any unspent Social Development and Management Program (SDMP) funds for COVID-19 response, which forms include but not limited to social amelioration programs and distribution of Personal Protective Equipment for mining host and neighbouring communities. So far, a total of Php 407,613,801.32 SDMP funds have been realigned for the said purpose. The government further expanded the policy to allow realignment of funds for response to natural disasters. With the new policy in place, the MSG commissioned a thematic report on SDMP to monitor SDMP realignments and assess overall efficacy of the SDMP as a development framework for mining communities. SDMP funds are one of the mandatory social and environmental payments that go directly to mining communities in the form of programs and projects.

The forgoing activities and steps that the MSG has taken to implement and even go beyond the EITI requirements are on top of previous and ongoing efforts to make disclosures and access to data more systematic. These efforts include the following.

- Launched in 2015, the PH-EITI Contracts Portal now houses almost 200 contracts and is continuously being enhanced and populated with relevant documents. Contract disclosure was also a DOF commitment under the previous PH-OGP National Action Plan (2017-2019).
- The MSG developed the Online Reporting in the Extractives ([ORE](#)) Tool in 2018 to simplify the reporting process for companies. The tool was proven more useful in 2020 when mobility and transfers of physical documents became more challenging due to community quarantines that were implemented to fight the spread of COVID-19. For 2021, the MSG is looking into optimizing the tool for the reportorial requirements of related agencies such as the MGB and NCIP to enable submission of reports in open format as opposed to the usual physical and PDF submissions. This is also seen to eliminate duplication of reporting mechanisms as the reports will be readily accessible to the relevant agencies through a single portal.
- The MSG developed the Extractives Data Generator ([EDGE](#)) to allow public access to PH-EITI data in open format. The creation of the web-based tool is consistent with the Philippines' Open Data Policy.

References:

Final Report on SDMP Realignment:

https://mgb.gov.ph/images/Covid_Advisories/Final_Report_on_SDMP_Realignment.pdf

Related news on SDMP Realignment:

<https://www.manilatimes.net/2020/07/27/business/companies/mining-firms-mobilize-p402m-for-covid-19-aid/746431/>

<https://mb.com.ph/2020/06/27/miners-to-shift-p385-4-m-of-sdmp-funds-for-covid-19-efforts/>

Open Government Partnership National Action Plan (2019-2022), p. 65:

https://www.opengovpartnership.org/wp-content/uploads/2019/12/Philippines_Action-Plan_2019-2022_Revised.pdf

House Bills 1691 and 6005; and Senate Bills 349 and 1489:

https://www.opengovpartnership.org/wp-content/uploads/2019/12/Philippines_Action-Plan_2019-2022_Revised.pdf

<https://drive.google.com/drive/folders/1krht14sv3OSH2OCakUdcUmQ35kOFi6Lj?usp=sharing>

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

[Explain how the MSG tracks outputs, outcomes and impact and include link(s) to any relevant documents. Summarise the outcomes and impact of efforts to ensure that EITI implementation addresses national or local extractive sector priorities. If the MSG has documented this elsewhere, please provide a link to relevant documents. Outcomes and impact can be disaggregated by constituency or beneficiary group, if relevant.]

The PH-EITI religiously gathers stakeholder feedback in events. Feedback forms inform the PH-EITI how to improve stakeholder engagement activities and which issues the stakeholders wish to focus on in future engagements. Documentations of breakout sessions, open forums, and focus group discussions also inform the MSG of the issues and concerns raised by stakeholders. These issues and concerns are summarized, categorized, and are systematically monitored and addressed. The PH-EITI responds to these issues and concerns or refers them to the appropriate government agency. [Responses are published online](#) to inform the public of progress in addressing issues and concerns in the extractives. In this manner, the PH-EITI is able to make engagements more meaningful, relevant, and impactful.

In 2018, the PH-EITI has also commissioned an impact study. PH-EITI engaged the services of the University of the Philippines Statistical Center Research Foundation, Inc. or UP SCRFI to undertake an assessment survey that will measure the impact of EITI implementation in the Philippines. The impact survey specifically aimed to evaluate the development and status of PH-EITI with regard to its relevance, impact, efficiency and sustainability. Impact was measured based on PH-EITI's five (5) overall objectives.

UP SCRFI used a modified American Customer Satisfaction Index (ACSI) model to measure the impact of EITI implementation. The study used self-administered survey forms given to PH-EITI stakeholders in attendance at PH-EITI events such as the Roadshow 2018 and ORE Tool Launch in July and August 2018.

There were a total of 630 respondents. Final PH-EITI score indicated overall satisfaction ratings with 7.8 from a scale of 1-10 as the average rating. Majority or 77.9% of responses gave ratings at the 7 to 9 range, while 8.9% gave perfect scores. Only one respondent gave a rating of 1.0. Except for a) Public debate in relation to extractive industries, and b) Public understanding on extractive industries, which had ratings of 6.6 and 6.8 respectively, all other dimensions/indicators had final ratings of above 7.0. EITI received higher ratings, at least 8.0, on a) Publication of Annual Country

Report, b) Local Outreach Activities, c) National Outreach Activities, and d) PH-EITI Official Website.

Specific impact of implementation include the following:

For national government

- EITI enabled the government to ensure efficient and sound collection and management of revenues from extractive operations through the provision of comprehensive data that serves as a basis for policymaking and action.
- EITI Reports enable stakeholders to surface discrepancies in collections/payments, thereby identifying possible leakages and leading to measures to improve revenue collection and tax administration.
- EITI Reports provide disaggregated production data (per company/per project) which are useful in assessing proper taxes from extractive companies.
- Comprehensive data strengthens forecasting of revenues from the extractive sector, which is useful in overall revenue programming and budgeting processes.
- Data on expenditures enable examination of where money from extractives go and how they are spent, thereby providing insight into revenue allocation and utilization.

For local government

- Data around local government share in national wealth clarifies how much LGUs are actually getting and how much they should be getting.
- Comparison facilitated by the disclosure of data surfaced gaps in subnational transfers, which gaps can then be addressed by evidence-based policymaking.
- Knowledge of these revenues enables LGUs to do revenue forecasting to help local development planning and budgeting.
- Data on extractive activities within their jurisdictions enable LGUs to manage the natural resources in their territories well and to take steps to ensure that their constituents (especially the communities most affected) benefit from these extractive activities.

8a. If the MSG has plans to include new issues or approaches to EITI implementation, please describe these.

EITI Reporting

MSG's plans for future EITI reporting include small-scale mining reporting beginning with the 8th PH-EITI Report (FY 2020). This shall follow the pilot report done in 2018 (5th PH-EITI Report).

EITI reporting shall be gradually expanded to cover more non-metallic mines. Only the top 20 of around 60 non-metallic mines have been covered in the 6th PH-EITI Report (FY 2018). For the

seventh reporting cycle (FY 2019), only the top 25 non-metallic mines were requested to participate.

To make it more timely and relevant, the 7th PH-EITI Report shall also include information on how companies responded to the COVID-19 pandemic in 2020, particularly the realignment of SDMP funds for pandemic response.

Upcoming reports shall also aggressively collect data on gender and IP royalties. It is important to note that IP royalty payments consistently recorded the highest post-reconciliation variance in previous reporting mainly due to incomplete submission of data.

In several meetings and activities, the MSG has touched on the matter of reporting on downstream industries, local procurement reporting, and environmental impact monitoring, among other stages and issues in the extractives value chain. The MSG has yet to have follow-up discussions on these matters.

In terms of report production, the MSG has increased the involvement of the national secretariat in data collection. The Online Reporting in the Extractives is directly being managed by the national secretariat. Future reporting sees the national secretariat becoming more involved in data processing, reconciliation, and analysis, which may eventually become or form part of the mainstreaming model that the MSG is planning to develop. A mainstreaming feasibility study is underway to further inform these plans.

Relevance of Disclosures

With about eight years worth of extractives' data and information, the MSG is pursuing activities to make disclosures more useful and relevant. For instance, under the 2021 work plan, the MSG shall conduct more analyses of contract and beneficial ownership disclosures. Using publicly available tools, such as tools developed by the NRGi, the MSG will use contracts and beneficial ownership data in diagnosing risks of conflicts of interest and corruption in general. The MSG will also conduct analysis of social and environmental data, and gender and employment data to inform policy recommendations.

EITI implementation shall also invest more time and resources in subnational stakeholder engagement to build capacities of local stakeholders in using data and the multi-stakeholder platform in resource governance.

Role of the MSG

With the systematic disclosure of EITI data as the desired end-state, the MSG will soon move beyond discussions of data disclosures and will focus more on data analyses and deliberations of

issues and concerns on extractives governance, particularly the issues raised by stakeholders in subnational engagements. With this in mind, the MSG is set to discuss and decide on new terms of reference for the MSG, the national secretariat, and the independent administrator. The discussion of the terms of reference is in the 2021 work plan, and is in line with the ongoing mainstreaming feasibility study and the commitment of the DOF to the Philippine Open Government Partnership National Action Plan. The discussions will also touch on the inclusiveness of the MSG as a platform and may tackle recommendations on the inclusion of representatives from other agencies (e.g., the NCIP) and industries (e.g., non-metallic mines, small-scale mines, and non-associated mines).

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

Current and future plans on EITI reporting and implementation are aimed at providing the public with timely, comprehensive, comprehensible, and relevant extractives disclosures and analyses. Implementation is hoped to address governance issues through data-informed policy recommendations and aggressive follow-up on government actions on these recommendations. Implementation is also intended to be more inclusive with considerations on gender balance and possible inclusion of more agency and industry representatives.

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

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

Implementation

Government agencies represented in the MSG have exerted effort to strengthen EITI implementation by making company participation in the PH-EITI mandatory.

- The DENR issued Department Administrative Order No. 2017-07 to compel mining contractors to participate in the PH-EITI with nonparticipation punishable by the suspension of the pertinent Environmental Compliance Certificate and non-issuance of ORE Transport and/or Mineral Export Permit.
- The Department of Energy (DOE) has drafted a similar [department circular](#) but the proposed measure remains pending up to this day.

Meanwhile, the Securities and Exchange Commission has made beneficial ownership disclosure to the government mandatory for both [domestic \(SEC MC No. 15, s. 2019\)](#) and [foreign \(SEC MC No. 30, s. 2020\)](#) corporations. The MSG continues to engage the SEC to enhance implementation including by allowing the publication of specific extractives BO data and the disclosure of beneficial owners who are politically exposed persons.

Scope of Reporting

Every reporting cycle, the MSG agrees on the terms and scope of EITI reporting. Almost each year, the scope of reporting expands with the latest plans including the reporting of small-scale mines and coverage of more or all non-metallic mines for the upcoming reports. The reporting of small-scale mines and non-metallic mines are among the priorities of the MSG for 2021.

To make reporting more meaningful and relevant, the MSG has also authorized the collection of more data on gender and employment by adopting the [gender and employment reporting form](#) used in the “[Women and Large-scale Mining](#)” study, which was conducted in 2019 and published in November 2020. The form requires information on compensation, position, benefits and services available to women, livelihood programs, skills development opportunities, unions and women’s groups, and anti-sexual harassment policies, among others.

Data Reporting and Accessibility

PH-EITI has embarked on the Systematic Electronic Extractives Disclosure (SEED) initiative which aims to make reporting more efficient and cost-effective. This includes the development of several tools which include the Environment and Natural Resource Data Management Tool (ENRDMT), and Online Reporting for the Extractives (ORE) among others. These tools are continuously being updated to make reporting more efficient and to capture as much relevant data as possible.

Stakeholder Engagement

The MSG has held activities that reached out to various stakeholders including [small-scales mines](#) (page 30), [students](#) (page 22), and the [media](#). Gender balance is also always being considered in putting together events and inviting participants and resource speakers to help ensure equal representation.

Impact

The MSG commissioned the University of the Philippines Statistical Center Research Foundation to conduct an [impact study](#). The study's primary objective is to assess the effectiveness and impact of EITI implementation in the Philippines.

Part II: Public debate

Open data (Requirement 7.2)

11. Open data policy and disclosures

Provide a link to the open data policy agreed by the MSG (Requirement 7.2.a)	<p><i>[Add link(s) to relevant open data policy(ies) and any commentary.]</i></p> <p>https://pheiti.dof.gov.ph/download/ph-eiti-open-data-policy/?wpdmdl=1685&fbclid=IwAR0525nC9QG arul6dYNseZDpFRMnQripMnGoPDB7P4uvta5eLeOE2ICtqM</p>
Is EITI data available in open data format and publicised? (Requirement 7.2.b)	<p><i>[EITI data refers to disclosures within the scope of the EITI Standard, including the tables, charts and figures from EITI reports.]</i></p> <p>Yes, PH-EITI data and information, including copies of extractive contracts, are available in open format. PH-EITI data are available on EDGE while all PH-EITI reports are machine readable.</p>

	<i>Data on EDGE are in csv format.</i> https://pheiti.dof.gov.ph/extractive-data-generator/
Has the MSG identified gaps in the availability of EITI data in open format? If yes, what kind of gaps? (Requirement 7.2.b)	
Has the MSG undertaken efforts to improve the availability of data in open format? If yes, please describe these. (Requirement 7.2.b)	The MSG has developed EDGE, which facilitates easier search, sorting, and manipulation of EITI data.
Have summary data files been completed for each fiscal year for which data has been disclosed? (Requirement 7.2.c)	See latest template here: Summary data files from FY 2012 to 2018 may be found here: https://drive.google.com/drive/u/1/folders/1vbQwLHnICFCPgmllyh36fv0u9vPAdDYL
<i>What systematically disclosed data that is in the scope of EITI disclosures is machine-readable and interoperable? (Requirement 7.2.d)</i>	Contracts, revenue, and social and environmental data are in open format or are machine-readable. Production, export, employment and other economic data are available in csv or excel in various locations including the Philippine Statistics Authority .

Outreach and communications (Requirement 7.1)

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

PH-EITI has come up with brochures and primers about EITI and the different aspects of EITI requirements and implementation. Some of these knowledge products have been translated to different local languages to better communicate with host and neighboring communities.

The key findings of PH-EITI reports are also communicated to stakeholders through outreach activities. The language used in these activities varies per location to better communicate with local stakeholders. For instance, the 2020 roadshow, which was done online, used a mix of Tagalog

and Bisaya/Cebuano in its regional clusters. Playback of these online clusters are accessible at <http://bit.ly/OnLearnPlayback>.

The documentation of the roadshows, national conferences, and other engagements may be found in the online Validation dossier that can be accessed <https://pheiti.dof.gov.ph/2021validation/>

13. Describe examples of use of EITI data.

PH-EITI publishes extractives data through country reports and through its online portals such as the main website, Contracts Portal, and EDGE. The data found in the portals are in open format and are publicly accessible.

From time to time, PH-EITI also receives requests for extractives data and information, particularly from legislators, development institutions, and the media.

Recently, the PH-EITI provided data to a district representative who is seeking information, in aid of legislation, on the actual contribution of mining projects in their province (Dinagat Islands), where a considerable number of nickel mines operate.

The data published by PH-EITI are also used in seminars for natural resource governance, usually led by civil society groups.

Some links to cited PH-EITI information:

PH-EITI DATA

“Agata Mining Ventures (which operates in Agusan del Norte) paid 50,206,025 Philippine pesos (approximately USD 1 million) in excise taxes in 2016, according to the Fourth Philippine Extractive Industries Transparency Initiative (PH-EITI) Report. Assuming production and the price of the iron ore/nickel product it exports remain similar through 2018, it would then pay twice that amount to the government this year. Local government units (LGUs) hosting the Agata project are entitled to 40 percent of excise taxes, as is the case for all other LGUs. Under the new law and using the same assumption as above, Agata’s host LGUs could see their share from excise tax increase from an estimated PHP 20,082,410 (USD 390,000) to PHP 40,164,820 (USD 780,000).”

<https://resourcegovernance.org/blog/philippines-will-train-run-over-mining-sector>

“The report reconciled mining sector data for 2015 and 2016, showing that the industry generated P27.29 billion and P27.55 billion in taxes for those respective years.”

<https://www.bworldonline.com/small-scale-miners-to-also-face-government-scrutiny/>

The report recorded a total of PhP 63.4 billion in reconciled revenues from the mining, oil, and gas industries for 2018. This amount is higher by 68% than the reconciled revenues reported in 2017. The report explains that the increase was a result of the implementation of the TRAIN Law and the

overall improvement of the PH-EITI reporting process, among other factors. Following the improvements in the reporting process, the overall variance after reconciliation went down to 0.09% from 3% in 2017.

<https://www.dof.gov.ph/ph-eiti-report-revenues-in-extractive-industries-up-by-68-to-php-63-4-billion/>

“Table 3 shows that total revenues collected from mining, oil and gas amounted to P39.1 billion in 2017, which is 42% higher than in 2016. The BIR and DOE are the top collecting agencies. In 2015, BIR collected P11.8 billion while DOE reported a revenue of P13.2 billion. The DOE consistently has the highest collections, but in 2017, BIR collections of about P17.7 billion almost matched that of the DOE (P17.9 billion).”

https://cpbrd.congress.gov.ph/images/PDF%20Attachments/Facts%20in%20Figures/FF2019-48_Fifth_PH-EITI_Report.pdf

“In a Workshop on Beneficial Ownership held last 18 October 2019 in Makati City by the PH-EITI in cooperation with the SEC, participating companies were reminded that they are given the latitude to identify the applicable category of beneficial ownership, as described under SEC MC No. 15, and that disclosure is not limited to one beneficial owner or one category. In filling up the new BOD form, the SEC requires disclosure of the full name of the individual beneficial owner, residential address (not office address), nationality, date of birth, tax identification number, percentage of ownership (for stock corporations) or percentage of voting rights (for non-stock corporations), type of beneficial ownership, and category/ies of beneficial ownership.”

<https://platonmartinez.com/articles/disclosure-of-beneficial-ownership-for-companies-engaged-in-mineral-oil-and-gas-industries-in-the-philippines>

LEGISLATION

The bill also provides that mining contractors for all mining operations, whether large-scale or small-scale, observe fiscal transparency and will be exempted from application of the confidentiality clauses of the NIRC of 1977, as amended, to the extent of their participation in Extractive Industries Transparency Initiative (EITI).

<https://business.inquirer.net/260454/house-passes-bill-on-fiscal-regime-to-ensure-fair-govt-share-from-mining>

“The Philippine Extractive Industries Transparency Initiative (PH-EITI) is urging the government to enact a law that will regulate the small-scale mining industry which accounts for more than half of the country’s total gold production.”

<https://www.philstar.com/business/2017/08/08/1726740/government-urged-craft-law-small-scale-miners>

“In a news statement issued on Monday, Secretary Roy A. Cimatu of the Department of Environment and Natural Resources (DENR) said that to improve transparency and accountability in the mining sector, all mining companies, whether those engaging in large-scale or small-scale mining, must take part in the PH-EITI.”

<https://businessmirror.com.ph/2018/04/23/denr-chief-reminds-miners-comply-with-ph-eiti-rules/>

“According to the report, the engagement of the PH-EITI in formulating recommendations for reform and driving these proposals in the sector, including the distribution of mining revenue from

central to local levels and revenue management within local governments, “has ensured the EITI has had tangible impact, particularly in terms of reform of government systems.

<https://interaksyon.philstar.com/breaking-news/2017/10/10/102392/villanueva-pitches-foi-for-mining-bill-as-ph-meets-global-standards-on-extractive-industries-transparency/>

BENEFICIAL OWNERSHIP

“The PH-EITI, the government’s transparency initiative for the extractive sector, required the reporting of beneficial owners of mining and oil and gas companies in line with an international campaign to counter or prevent the use of anonymous shell companies to hide or launder money and conceal potential conflicts of interest within the extractive sector,” it said

<https://business.inquirer.net/282286/mining-oil-firms-given-until-jan-1-to-disclose-real-owners>

MANILA, Philippines — The government is now on the lookout for the real owners of the country’s extractive industries as part of its efforts to promote transparency.

The Philippine Extractive Industries Transparency Initiative (PH-EITI) is now requiring mining, oil and gas firms to declare their beneficial owners in the general information sheet (GIS) they need to file annually with the Securities and Exchange Commission (SEC).

<https://www.philstar.com/business/2019/10/19/1961332/government-targets-beneficial-owners-mining-firms-transparency>

PUBLIC DEBATE

We write with great concern about the unreasonable column of Prof. Solita Monsod titled “Resource Curse” (Opinion, 5/13/17). We wonder how she discarded all semblance of objectivity or fact-checking as expected from a professor and media personality of her stature when she questioned the speech of Finance Secretary Carlos Dominguez III before the Philippine Extractive Industry Transparency Initiative (PH-EITI) National Conference, where he said: “Never again should suspensions be meted out on the basis of unseen audits and never again should honest industries be subjected to levies without legal basis.”

<https://opinion.inquirer.net/104103/conjectures-and-insinuations>

“When Finance Secretary Carlos Dominguez, at the 2017 Philippine Extractive Industries Transparency Initiative (PH-EITI) National Conference said, “Never again should suspensions be meted out on the basis of unseen audits. Never again should honest industries be subjected to levies without legal basis,” no one could possibly doubt that he was referring to former environment secretary Gina Lopez and her actions.”

<https://opinion.inquirer.net/103965/resource-course>

MGB joins PH-EITI Extractives Transparency Week

<https://region4b.mqb.gov.ph/archive/news-archive/356-mqb-joins-ph-eiti-extractives-transparency-week-2020>

MGB supports use of PH-EITI EDGE for data analysis

<https://mgb.gov.ph/2015-05-13-02-02-11/mgb-news/622-mgb-supports-use-of-ph-eiti-edge-for-data-analysis>

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

Event name	Brief description of the event	Date	Location	Organiser	Number and type of attendees	Links to further information
2017						
Technical Working Group Meeting on Proposed Reforms relating to the Extractives Sector	The PH-EITI Secretariat served as resource person in a TWG Meeting on bills regarding direct remittance (by companies to LGUs of their share in national wealth). By participating in this meeting, the Secretariat was able to advance the cause of PH-EITI and push for inclusion of transparency provisions in the bills being deliberated upon.	19 January 2017	Senate of the Philippines	Senate Committee		

Consultation Workshop on Piloting Implementation of the NCIP Monitoring Tool	<p>A significant part of promoting transparency in the extractive industries is disclosing information on the mandatory royalties paid to Indigenous Cultural Communities or Indigenous Peoples (ICCs/IPs) by mining companies operating within ancestral domains. Thus, PH-EITI has included such information in its reports.</p> <p>The first two PH-EITI Reports dispensed similar recommendations pertaining to the need to establish a monitoring system for IP royalty payments and implementation of Memoranda of Agreement (MOA) between companies and ICCs/IPs. Acting on the recommendations, PH-EITI, in coordination with the National Commission on Indigenous Peoples (NCIP), developed a tool for monitoring IP royalty payments and MOA implementation. The monitoring tool was approved by the NCIP on 26 November 2015, as contained in Commission En</p>	14 March 2017	Davao City	PH-EITI, NCIP and Bantay Kita (funded the activities)	Representatives of NCIP Central and Regional Offices (Region XI and CARAGA), concerned ICCs/IPs, and operating companies in the selected areas	NCIP Monitoring Tool NCIP Commission En Banc Resolution on IP Royalty Monitoring
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	<p>Banc Resolution No. 06- 033-2015. Subsequently, the NCIP submitted to the Mining Industry Coordinating Council (MICC).</p> <p>The workshop aimed to, among others: (1) improve the management of natural resources within ancestral domains; (2) implement the MSG recommendation to improve the monitoring system for IP royalties and the performance of MOAs; (3) enhance the exercise of the NCIP's monitoring powers under the law; (4) equip and enable concerned Ips/ICCs to monitor the royalties due them; and (5) conduct multi-stakeholder consultation to prepare for the pilot implementation and subsequent rollout of the monitoring tool.</p>					
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2017 CSO Conference and Action Planning Workshop	The conference/workshop sought to provide an overview of the extractive industry in the Philippines, present the findings of the 3 rd PH-EITI Report to civil society and community representatives, offer a platform for capacity building on EITI and other aspects of extractive governance (national and subnational), provide a venue for knowledge exchange among participants, strengthen the civil society coalition, and introduce tools and methods on action planning.	9-10 May 2017	Manila Hotel	PH-EITI and Bantay Kita	The event was attended by some 121 participants representing community-based, non-government, peoples' organizations, members of Indigenous Peoples, and academe	https://docs.google.com/document/d/1lGL6d5wD6ZiKEAiWMZuEaYEr5AXNRKzrrnDPgVSSKc/edit
Mining Industry Forum	Coming from an onslaught of public criticism that arose from a controversial DENR mine audit, the mining industry saw the event as a morale booster, appreciating the discussion on the challenges and opportunities in the governance of the mining industry and a workshop on effective communications for the industry.	10 May 2017	Manila Hotel	PH-EITI and Chamber of Mines of the Philippines	95 participants attended the forum including industry experts, company leaders and officers, and other government officials	APR 2016-2017 https://pheiti.dof.gov.ph/annual-progress-reports/

<p>The National Conference 2017: Extracting Value in Transparency: Towards Sustained Disclosure and Dialogue for Development (3Ds)</p>	<p>The Conference highlighted the 3rd Report while emphasizing the means by which EITI intends to better the governance of natural resources – disclosure and dialogue. At the same time, the event drew attention to the importance of sustaining, if not accelerating, the efforts of key players and stakeholders to secure the ultimate goal of achieving national development through open and accountable natural resource governance.</p> <p>The National Conference aimed to: (1) communicate the findings of the 3rd Report to stakeholders; (2) inform stakeholders of the progress and status of government agency actions on the recommendations of the MSG from previous Reports; (3) provide a venue for continuing multi-stakeholder dialogue on the issues surrounding the extractive industries and natural resource governance with a</p>	<p>11 May 2017</p>	<p>Manila Hotel</p>	<p>PH-EITI</p>	<p>Participants included representatives from the national and local governments, extractive companies, and civil society organizations (CSO) across the country, as well as development partner agencies and members of the media. The Conference drew some 521 participants, the biggest turnout in PH-EITI's history.</p>	<p>https://pheiti.dof.gov.ph/download/ph-eiti-national-conference-2017-proceedings/?wpdmdl=1514</p>
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	view to addressing gaps and improving EITI implementation in the country; and (4) present current initiatives to promote transparency in the extractives.					
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Mines and Geosciences Bureau (MGB) Stakeholders' Forum	<p>The PH-EITI Secretariat served as resource person in a stakeholder's forum on "Understanding Policy Issuances Relating to Mining, and Best Practices in Mining and Processing that Promote Responsible Mining". The Secretariat headed by the National Coordinator gave a presentation on "Understanding EITI" and "Key Findings of the 3rd Report".</p> <p>By participating in this event, the Secretariat was able to communicate and promote PH-EITI to two groups of stakeholders – CSOs including academe and industry players including non-metallic mining companies.</p>	29-30 June 2017	Quezon City	Mines and Geosciences Bureau (MGB)		https://mgb.gov.ph/en/2015-05-13-02-02-11/mgb-news/550-mgb-conducts-stakeholders-forum
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<p>The 2017 PH-EITI Roadshow - Extracting Value in Transparency: A Forum on Promoting Local Development Through Sustained Disclosure and Dialogue</p>	<p>With the theme, “Extracting Value in Transparency: A Forum on Promoting Local Development through Sustained Disclosure and Dialogue”, this year’s roadshow highlights the 3rd Report while focusing on how the EITI process – through continued disclosure and dialogue among stakeholders – can help strengthen natural resource governance at the subnational level and ensure that extractive activities benefit local communities in a sustainable way.</p> <p>Each leg of the roadshow consists of a multi-stakeholder Forum on the first day; and, on the second day, a Workshop on the enhanced Environment and Natural Resource Data Management Tool (ENRDMT), the online reporting tool for LGUs jointly developed by DOF-BLGF, DILG-PPEI, and PH-EITI, and made part of the Electronic Statement of Receipts and Expenditures (eSRE) system for Local Treasurers by DOF</p>	<p>2-24 August 2017</p>	<p>2-3 August 2017 - Baguio City</p> <p>7-8 August 2017 - Manila</p> <p>9-10 August 2017 - Palawan City</p> <p>14-15 August 2017 - Davao City</p> <p>16-17 August 2017 - Cebu City</p> <p>23-24 Butuan City</p>	<p>PH-EITI</p>	<p>PH-EITI Roadshow was participated by 844 stakeholders comprised of:</p> <p>Local Chief Executives; Representatives of the Provincial, Municipal and City Councils and their Technical personnel (local treasurer/accountant); Regional Directors of the Mines and Geosciences Bureau, National Commission on Indigenous Peoples, Department of Energy, Bureau of Internal Revenue, Philippine Ports Authority, Bureau of Customs, Department of Budget and Management and Department of the Interior and Local Government and Bureau of Local Government Finance; Representatives of civil society organizations; Representatives from the academe; Representatives of mining companies in the locality (Executives, Resident Managers, Community Relations Officers, Mine Environmental Protection and Enhancement Officers); and Representatives of the media</p> <p>2-3 August 2017 - Baguio City (153 participants)</p>	<p>https://pheiti.dof.gov.ph/download/ph-eiti-annual-roadshow-2017/?wpdmdl=1513</p>
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	<p>Department Order No. 49-2016.</p> <p>For selected regions, namely those covered by the Baguio, Puerto Princesa, and Butuan legs, a Consultation Workshop on implementing the National Commission on Indigenous Peoples (NCIP) – PH-EITI tool for monitoring IP royalty and Memorandum of Agreement held simultaneously with the ENRDMT Workshop in a separate activity but in the same venue on the second day.</p>				<p>7-8 August 2017 - Manila (145 participants)</p> <p>9-10 August 2017 - Palawan City (113 participants)</p> <p>14-15 August 2017 - Davao City (93 participants)</p> <p>16-17 August 2017 - Cebu City (121 participants)</p> <p>23-24 Butuan City (219 participants)</p>	
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<p>Facing the Media: Art of Media Engagement for the members of the PH-EITI Multi-stakeholder Group</p>	<p>“Facing the Media: The Art of Media Engagement” is a two-day workshop session that aims to provide participants from the Multi-Stakeholder Group (MSG) of the Philippine Extractive Industry Transparency Initiative (PH-EITI), with the skills to confidently and effectively deliver messages to the media on various issues related to their activities, services and other concerns in an effective manner.</p> <p>The workshop sessions aim to help participants understand the nature of Philippine media and journalists; know the proper appearance and body language during interviews; handle difficult questions; learn effective crisis communication strategies; understand the audience; and craft appropriate messages according to their main objective. The lectures are backed by a messaging exercise and simulated interviews with guest media practitioners.</p>	<p>12-13 October 2017</p>	<p>Hotel Jen Manila, Pasay City</p>	<p>PH-EITI</p>	<p>MSG Government representatives - 4</p> <p>MSG Industry representatives - 5</p> <p>MSG Civil Society Representatives - 9</p> <p>PH-EITI Secretariat - 13</p> <p>Probe Media Foundation - 11</p>	<p>https://pheiti.dof.gov.ph/download/a-media-training-for-ph-eiti-multi-stakeholder-group-members-october-2017/?wpdmdl=1660</p>
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	<p>The workshop has three parts: (1) A lecture from veteran journalist Ms. Luz Rimban, on understanding Philippine media; (2) A session from strategic planner Ms. Vicky Ortega on how to craft effective messages, understanding the power of the story and the art of being interviewed; and 3) Lastly, an exercise where participants were interviewed by guest media practitioners to reinforce learning.</p>					
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Media Training and Fellowship Program Media Training (Covering the Extractives Industries, Digging Out Stories That Matter) Media Fellowship Workshop	From December 2017 to January 2018, the Philippine Extractives Transparency Initiative (PH-EITI) partnered with the Philippine Press Institute (PPI), the national association of newspapers, for a series of seminar-workshop for members of Philippine media, a sector increasingly seen by PH-EITI as a stakeholder.	7-9 December 2017 4-6 January 2018 10-12 January 2018 8 March 2018	Cebu City Surigao City Baguio City Manila	PH-EITI	Cebu City 6-9 December 2017 - 14 participants Surigao City 3-6 January 2018 - 20 participants Baguio City 10-12 January 2018 - 24 participants	https://drive.google.com/drive/folders/1qjaoirsRwNGZ_2oZkdBuX0WPwbzrLaQc
	The Seminar-workshops had the following objectives: (1) To raise awareness of global and national efforts to improve transparency and accountability in the extractives industries; (2) To equip and encourage the media, in particular the community newspapers, to produce stories about the extract sector using data and other information generated by the multi-stakeholder group (MSG), which oversees the implementation of					

	<p>the EITI in the Philippines and Petroleum Association of the Philippines (PAP), and Civil Society Organizations (CSOs) together with other sources of information; (3) To showcase the compelling stories - including narrative ones - that shed nuanced light on issues involving the sector with a view to improving the quality of public debate about the extractive players in the country and state governance; (4) To prepare a platform for dialogue between the sector and the media (alongside relevant government agencies) to generate better understanding of the issues at hand, which in turn could yield carefully crafted and timely stories that, among others, allow multiple stakeholder voices to be heard, framed in appropriate contexts.</p>					
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2018						
Engaging the Small-Scale Mining Sector	Pursuant to Requirement 6.3(a) to disclose information about the contribution of the extractive industries, with “an estimate of informal sector activity, including but not necessarily limited to artisanal and small scale mining” (SSM), PH-EITI has long identified transparency in SSM as an issue it seeks to address by inclusion of the sector in the country reports. After publishing a scoping study on the small-scale metallic mining sector in 2015 and including contextual information about the sector in the PH-EITI reports, the MSG has decided to do pilot reporting on SSM in the Fifth Report.	January, February, and June 2018	Benguet Camarines Norte Negros Occidental South Cotabato	USAID - funded initiatives		APR 2017 - 2018, Page 30 https://pheiti.dof.gov.ph/download/cy-2017-2018/?wpdmdl=955
PH-OGP Participatory Governance Cluster Regional Dialogues	As PH-EITI is a commitment holder in the Philippine OGP (PH-OGP), joined the PH-OGP – Participatory Governance Cluster (PGC) Regional Dialogues in order to promote the OGP platform and 4th National Action	30-31 January 2021 6-7 February 2018 20-21 February 2018 28 February 2018	Bacolod City General Santos City Zamboanga City Manila	The roadshow was led by the DILG, DBM, CODE-NGO, DOF, and the Philippine Chamber of Commerce, with support from the USAID-Facilitating Public Investment Project.		Annual Progress Report 2017-2018 https://pheiti.dof.gov.ph/download/cy-2017-2018/?wpdmdl=955

	Plan and the PGC and its roadmap; to consult with local stakeholders regarding the content of the action plan/roadmap; and to localize the OGP principles of transparency, accountability, and citizen participation.					
2018 CSO National Conference	Back-to-back to PH-EITI National Conference, BK conducted a two-day National CSO conference on transparency and accountability initiatives in the extractive industry, with the theme <i>"Towards Empowered Communities Claiming Space, Amplifying Voices"</i> .	16-17 April 2018	Century Park Hotel, Manila	PH--EITI and BK	With 111 participants	https://docs.google.com/document/d/19xtNOve-xbEAhCMYDyugq00FuRJI9cechRudqiln2H8/edit
The National Conference 2018: PH-EITI Moving Beyond Transparency	Departing from the usual slide presentations, PH-EITI launched the 4th Report during the main event in a more humanized and interactive way, incorporating salient data and findings from the report in a brisk talk backed by a panoramic screen that made the report come alive for the audience.	18 April 2018	PICC, Pasay City	PH-EITI	NatCon 2018 brought together a total of more than 350 stakeholders from national government (15 agencies 04 19.4% of total attendance), local governments (27 LGUs, 11 local executives - 12% of total), extractive companies (30 companies, 13 top executives - 18% of total), CSOs (24% of total), the academe, including university students (12% of	https://pheiti.dof.gov.ph/download/ph-eiti-roadshow-2018-proceedings/?wpdmdl=1523

	<p>Further, it featured Transparency Talks, or T Talks, which presented 15-minute talks by leaders from government, industry, and CSO who expounded “PH-EITI Moving Beyond Transparency” from the unique perspective of their respective sectors and with the speaker’s personal stories and insights. PH-EITI also presented the Media Fellowship Program that it ran with the Philippine Press Institute or PPI, the national association of newspapers considered the oldest professional media organization in the Philippines. The PH-EITI - PPI partnership was a two-part program (December 2017-April 2018) that aimed to capacitate and support print journalists across the country to produce stories about the extractive sector, using PH-EITI data and other information sources</p>				<p>total), development partners, and the media (11% of total).</p>	
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National Resource Governance Student Conference	As part of NatCon 2018, and this time in partnership with the Chamber of Mines of the Philippines (COMP) and the Petroleum Association of the Philippines (PAP), PH-EITI held the first-ever National Resource Governance Student Conference (NRGSC). The NRGSC sought to engage and capacitate university students and build a network of transparency- and resource governance-conscious youth leaders grounded in EITI's data driven and multi-sectoral framework.	17-19 April 2018	Century Park Hotel, Manila	PH-EITI / COMP and PAP	The participants – 40 in all – came from different fields of study, including mining and petroleum engineering, geology, environmental science, the social sciences, communications, information technology, and business administration, from more than 10 colleges and academic institutions in seven extractives-relevant regions across the country. PH-EITI also strove for gender balance in the participants by requesting the same of the targeted institutions, which resulted in a participant composition of 23 males and 17 females.	Annual Progress Report 2017 - 2018, Page 22 https://pheiti.dof.gov.ph/download/cy-2017-2018/?wpdmdl=955
Participation in the TRAIN Roadshow		June 2018	Legazpi City Dumaguete City			

<p>Towards Mainstreaming EITI in Provincial Mining Regulatory Boards (PMRBs)</p>	<p>Small-scale mining in the Philippines has been characterized by challenges in monitoring and formalizing of operations throughout the country. The sector has also been plagued by issues such as environmental degradation and child labor.</p> <p>Since the First Country Report of the Philippine Extractive Industries Transparency Initiative (PH-EITI) published in 2014, there has been a push from stakeholders to include small-scale mining operations in the disclosure and reconciliation process. Hence, PH-EITI commissioned a scoping study on the sector as part of its Second Country Report. The MGB, in its agency updates for the Fourth Country Report, mentioned that it has already drafted an amendment to DAO 2015-03 to make EITI participation a pre-requisite for the issuance of small-scale mining permits.</p> <p>“Towards Mainstreaming EITI in Provincial Mining Regulatory</p>	<p>25 June 2018</p>	<p>Tryp Hotel, Pasay City</p>	<p>PH-EITI</p>	<p>Members of Provincial Mining Regulatory Boards including representatives from:</p> <p>Regional Office of the Mines and Geosciences Bureau</p> <p>Provincial Local Government Unit</p> <p>Representative from Large-Scale Mining Operations</p> <p>Representative from Small-Scale Mining Operations</p> <p>Representative from Local CSOs</p> <p>Representatives from local academic institutions</p>	<p>https://pheiti.dof.gov.ph/download/towards-mainstreaming-eiti-in-provincial-mining-regulatory-boards/?wpdm_dl=1668</p>
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<p>PH-EITI 2018 Roadshow - Moving Beyond Transparency: Integrating Extractives Disclosure and Dialogue in Local Development</p>	<p>“Moving Beyond Transparency: Integrating Extractives Disclosure and Dialogue in Local Development” embodies PH-EITI’s thrust of mainstreaming extractives transparency at the subnational or local level. Alongside presenting the 4th Report to local stakeholders, Roadshow 2018 aims to highlight the continuing relevance of transparency by promoting its integration in local systems of data disclosure and dialogue and in the local development process as a whole. This means making important extractives information publicly available and accessible through government reporting systems, databases, websites, and other open data initiatives, as well as through regular fora for discussion and dialogue among stakeholders.</p> <p>To do the foregoing, PH-EITI will give updates on EITI implementation in the Philippines and present a host of</p>	<p>July - August 2018</p>	<p>Manila Clark, Pampanga Cebu City Davao City Surigao City Masbate Baguio City</p>	<p>PH-EITI</p>	<p>Local Government Units; National Government Agencies; Civil Society Organizations; Academe; Indigenous Peoples; Metallic/non-metallic and oil/gas companies; Provincial/City Mining Regulatory Boards; and Media</p> <p>Breakdown of participants:</p> <p>Manila - 126 participants</p> <p>Clark, Pampanga - 78 participants</p> <p>Cebu City - 116 participants</p> <p>Davao City - 104 participants</p> <p>Surigao City - 191 participants</p> <p>Masbate - 59 participants</p> <p>Baguio City - 130 participants</p> <p>TOTAL: 804 participants</p>	<p>https://pheiti.dof.gov.ph/download/ph-eiti-roadshow-2018-proceedings/?wpdmdl=1523</p>
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	tools and innovations developed to systematize data disclosure and facilitate people's access to and use of extractives information, with the greater goal of empowering all stakeholders, especially those most affected, to take part in ensuring that the extraction of our country's natural resources redound to their benefit in a sustainable manner.					
ORE Tool and Launching and Workshop	To make participation in EITI more efficient and cost-effective, PH-EITI replaced manual paper reporting with a web-based application called ORE or Online Reporting in the Extractives Tool. ORE was developed to centralize in one platform the reporting of mining, oil and gas companies, and national government agencies. It can receive data from reporting entities, and it can process submitted data to generate reports. The ORE Tool enhances data accuracy through automated submission, and it reduces the	24 August 2018	DOF, Manila	PH-EITI	The workshop demonstrated the functions and features of ORE to about 100 participants from government agencies and extractive companies. To Access the online tool, participants, as authorized representatives of their respective offices, were given user accounts.	APR 2018-2019 https://pheiti.dof.gov.ph/download/6th-ph-eiti-annual-progress-report-jul-2018-dec-2019/?wpdmdl=1909

	manual labor required in the process.					
Roundtable Discussion on Responsible Mining	These RTDs were carried out to 1) provide a safe space to discuss the concept of responsible mining amongst multi-stakeholders; 2) foster a continuing dialogue on the topic; 3) build knowledge on the concept and practice of responsible mining; 4) find points of convergence and agree on the concept that may contribute to the legal definition of “responsible mining” to support the review of current mining and mining related policies ; and, 5) develop and build consensus on a set of standards to monitor agreed commitments to pursue responsible mining.	27 November 2018 11 December 2018		Bantay Kita - Publish What You Pay	Two RTDs were held on November 27, 2018 and December 11, 2018 for the Large-scale Mining (LSM) and Small-scale Mining (SSM) operators, respectively. In each of the RTD, representatives from the extractive industry, government and the civil society organizations were also present to contribute in the exchanges. A total of 60 participated in the consultations with 38 males and 22 females	http://www.bantaykita.ph/uploads/2/9/9/2/2/9922649/discussion_paper_on_responsible_mining.pdf

2019						
EITI Mainstreaming Workshop	PH-EITI welcomed 2019 with a renewed commitment to extractives transparency demonstrated through ongoing efforts for the systematic disclosure of extractives data. In an EITI mainstreaming workshop aimed at developing a mainstreaming roadmap for PH-EITI, and integrating the roadmap in PH-EITI's work plan for 2019 to 2022.	14 January 2019	DOF, Manila	PH-EITI	MSG Members and PH-EITI Secretariat	APR 2018-2019 https://pheiti.dof.gov.ph/download/6th-ph-eiti-annual-progress-report-jul-2018-dec-2019/?wpdmdl=1909
PH-OGP National Action Plan Co-Creation Workshops	As a proponent agency, DOF, through PH-EITI, participated in the PH-OGP co-creation workshops from July to October 2019. The co-creation workshops aimed to raise public awareness on OGP, increase understanding of the respective agencies' proposed commitments for the NAP, and gather inputs and comments from civil society to improve the commitment design, milestones,	PH-EITI participated in five (5) of the 16 regional workshops. These include the co-creation workshops in Koronadal City for Region 12 (July 25), Tacloban City for Region 8 (August 1), Batangas City for Region 4A (August 13), Tuguegarao City for Region 2 (August 20), and Manila (September 13). In addition, PH-EITI attended the special PH-OGP Steering Committee co-		PH-OGP		APR 2018-2019 https://pheiti.dof.gov.ph/download/6th-ph-eiti-annual-progress-report-jul-2018-dec-2019/?wpdmdl=1909

	indicators, and monitoring.	creation workshop on October 2, and the culminating workshop on October 30.				
Mining Philippines International Conference and Exhibit 2019	Leading companies showcased their best practices, latest technologies and innovations, and current and pipeline projects that will move forward the mining industry in the country.	10-12 September 2019	Sofitel Plaza Manila	Chamber of Mines of the Philippines (COMP)		<p>Photos from the event - September 10, 2019</p> <p>https://mobile.facebook.com/MiningPhilippines/photos/?tab=album&album_id=2328192693965500&_rdr</p> <p>Photos from the event - September 11, 2019</p> <p>https://mobile.facebook.com/MiningPhilippines/photos/?tab=album&album_id=2330267973757972&_rdr</p> <p>Related social media posts</p> <p>https://web.facebook.com/hashtag/ourfutureneedsmining</p>

The National Conference 2019: Forging New Frontiers: The Fifth PH-EITI Report (FY 2017)	This event brought together government, industry, and civil society stakeholders in a multi-sectoral forum to discuss the findings on the country report, update the progress of agency actions on EITI recommendations and to recognize the outstanding performance and achievement of EITI implementation.	18 September 2019	Hotel Jen Manila	PH-EITI	NGAs - 94 CSOs - 50 Industries - 145 LGUs - 40 IA / PwC - 2 Media - 20 Academe - 5	https://pheiti.dof.gov.ph/download/2019-ph-eiti-national-conference/?wpdmdl=1473
Workshop on Beneficial Ownership and Mainstreaming	This activity provided an overview and roadmap on beneficial ownership and the current direction of EITI implementation in the country – “mainstreaming” transparency in systems that would lead to more open, innovative, and systematic extractives governance.	18 September 2019	Hotel Jen Manila	PH-EITI	Finance/Accounting Staff of the companies	https://pheiti.dof.gov.ph/download/beneficial-ownership-and-mainstreaming-workshop-september-2019/?wpdmdl=1664

Beneficial Ownership Workshop	This workshop provided a venue for corporations required to report on beneficial ownership to both the Securities and Exchange Commission (SEC) and to PH-EITI, get direct and official guidance on how to comply with the BO requirements. The workshop was facilitated by the SEC's Enforcement and Protection Department, together with the PH-EITI secretariat, with the aim of accomplishing the relevant reporting forms by the end of the activity.	18 October 2019	Lepanto Building, Makati	PH-EITI in partnership with Chamber of Mines of the Philippines	Corporate Secretaries, Finance/Accounting Staff	https://pheiti.dof.gov.ph/download/press-release-ph-eiti-workshop-on-beneficial-ownership/?wpdmdl=1863
PH-EITI MSG 2019 Year-end Assessment and Strategic Planning - Governing the Future	<p>The PH-EITI MSG Year-end Assessment and Strategic Planning aimed to:</p> <p>(1) Evaluate the PH-EITI performance for 2019 and craft the strategic and operational plan for 2020; and</p> <p>(2) Set the parameters of and define purposive roles and terms for the MSG as administrator of PH-EITI in the years ahead.</p>	3-4 November 2019	Holiday Inn, Hotel, PASig City	PH-EITI	MSG Members and PH-EITI Secretariat	https://pheiti.dof.gov.ph/download/msg-year-end-assessment-and-planinnng-2019/?wpdmdl=1459&refresh=60540f3702de21616121655

2020						
Roundtable Discussion on Responsible Mining with the Financial Sector	<p>Central to this discussion paper is the question, “What is responsible mining?” For several years since the passage of Republic Act 7076, or the People’s Smallscale Mining Act of 1991, and Republic Act 7942, or the Philippine Mining Act of 1995, their policy vision of improving the quality of life of the Filipinos through wealth creation and its equitable distribution remains elusive. Most of the communities playing host to these mining operations are yet to lift themselves out of poverty and conflict. Allegedly, fingers point to the irresponsible practices surrounding the extractive industry, both large scale and small scale.</p> <p>The objectives of the RTD: (1) to raise awareness on responsible mining with the financial sector; and (2) See areas of opportunity to continue discussion on responsible mining</p>	17 February 2020	RCBC Tower, Makati City	Bantay Kita - Publish What You Pay	Financial Sector – RCBC, Landbank, Bank of the Philippines Philippine Extractive Industries Transparency Initiative (PH-EITI) Mines and Geosciences Bureau Chamber of the Mines of the Philippines Bantay Kita VBDO	https://docs.google.com/document/d/1CvOPxyST9paYunm0EY9bbsUlee9uQML6Pr8HM_0ebeE/edit

EITI Orientation with Indigenous Communities and Local Government Units (Barangay level)	The PH-EITI Secretariat together with its civil society partner, Bantay Kita-Publish What You Pay Philippines, held community orientations in a mining area in Benguet Province. The community orientations reached out to the local government of Tuba, Benguet, the impacted barangay of Philex Mining Corporation, and the women leaders of the province. The activity sought to orient indigenous communities and local government units on the EITI process, provide an overview of the EITI Bill, and generate subnational support for the proposed legislation through a signature campaign.	4-6 March 2020	Tuba and Baguio, Benguet Province	Bantay Kita-Publish What You Pay	NGAs - 1 LGUs - 16 Indigenous Communities, (barangay officers/staff) - 51	APR 2020 https://pheiti.dof.gov.ph/download/annual-progress-report-2020/?wpdmdl=1952
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5th National Geology and Mining Engineering Convention	With the theme, “Lithify: Merging the Youth with Today’s Mining Industry towards National Development and Environmental Sustainability”, the convention will reach out and connect with youth the relevance of the mining industry in order to create a roadmap for economic growth and environmental protection based on responsible mining.	5-7 March 2020	University of the Philippines, Diliman - Department of Mining Metallurgical and Materials Engineering	University of the Philippines Mining Engineering Society (UP MINERS)	The event was held at the UP Department of Mining, Metallurgical, and Materials Engineering, and was attended by over hundred high school students from 12 different schools	Photos as published on social media: https://web.facebook.com/NGEMC/?rdc=1&_rdr APR 2020 https://pheiti.dof.gov.ph/download/annual-progress-report-2020/?wpdmdl=1952
Legislative Advocacy Training and Planning Workshop	The PH-EITI MSG held a series of online workshops to develop a legislative advocacy plan with the view of lobbying Congress for the institutionalization of transparency and accountability in the extractives sector. There were several consultations with an external consultant, meetings and email exchanges with the MSG Technical Working Group, and at least two writing workshops to draft a consolidated position on EITI bills filed in	July 2020	via online platform	PH-EITI	<u>14 July 2020</u> MSG Members - 18 Secretariat - 7 Guest & Faci - 2 <u>16 July 2020</u> MSG Members - 14 Secretariat - 10 Guest & Faci - 2 <u>23 July 2020</u> MSG Members - 14 Secretariat - 9 Guest - 1	https://pheiti.dof.gov.ph/download/2020-ph-eiti-legislative-advocacy-training-and-planning-workshop/?wpdmdl=1511&refresh=605b676ea65ed1616602990

	Congress. The PH-EITI also had a stakeholder mapping workshop to identify possible champions and lay down specific action steps to push the advocacy.					
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<p>Online Learning on Extractives (OnLearn) Phase 1</p>	<p>In lieu of the LGU Roadshow that requires physical gathering, the PH-EITI developed the Online Learning on Extractives or On Learn, a series of webinars arranged in regional clusters that will allow stakeholders to continue dialogue and exchange ideas in pursuit of sustainable development.</p> <p>The OnLearn will be done in two phases. The first phase (Phase 1), with the subtheme, “Making Extractive Information Work for Data Providers and Users”, will be participated in by entities that disclose data to PH-EITI and target users of EITI data. The second phase (Phase 2), with the subtheme, “Making Extractive Information Work for the Members of the Community”, will be joined in by leaders and members of community organized groups.</p> <p>Overall, the On Learn series aims to (i) present the key findings of the 6th Report, with the view of sharing how extractives transparency and EITI processes and</p>	<p>15 September 2020 – Regions 9, 10, 11, SOCCSKSARGEN and BARMM</p> <p>22 September 2020 – Visayas & MIMAROPA and Bicol</p> <p>24 September 2020 – CALABARZON, Central Luzon, and Northern Luzon</p> <p>2 October 2020 - CARAGA</p>	<p>Online via Zoom and Facebook</p>	<p>PH-EITI in partnership with Bantay Kita</p>	<p>Local Chief Executives, Provincial/Municipal/City Treasurers and Accountants, Environment and Natural Resources Officers, Planning and Development Officers</p> <p>National/Regional/Provincial Implementing Government Agencies</p> <p>Extractive Industries – Executives, Resident Managers, Community Relations Officers, Mine Environmental Protection and Enhancement Officers</p> <p>Civil Society Organizations</p>	<p>https://drive.google.com/drive/folders/1wINYisrP33v5R0_66uSHVvEVctuNOPCN</p> <p>Video Playback: https://drive.google.com/drive/folders/1FBuEx03ZyevPTpgPdh8uankuUsig8ddz?usp=sharing</p>
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	<p>systems support the strengthening of natural resource governance at the subnational level, and (ii) gather insights on how extractives data and information can best serve local communities. At the end of every cluster, the participants should have: (1) Raised comments and recommendations on the findings of the 6th Report; (2) Analyzed and articulated how data and information in the 6th Report can be used in their locale; and (3) Shared recommendations to improve the reporting process and increase the relevance of EITI implementation.</p>					
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Orientation on EITI Beneficial Ownership Disclosure Requirement	The PH-EITI has conducted an Orientation on Beneficial Ownership Disclosure Requirement: (1) to explain the rationale of the PH-EITI's requirement on beneficial ownership disclosure; and (2) to explain the process of complying with the beneficial ownership requirements.	September 2020	via zoom platform	PH-EITI	<p>Metallic Companies - 31 participants</p> <p>Non-metallic companies - 12</p> <p>Oil and Gas companies - 5</p>	https://pheiti.dof.gov.ph/download/orientation-on-eiti-beneficial-ownership-disclosure-requirement-proceedings/?wpdmdl=1666
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<p>Online Learning on Extractives (OnLearn) Phase 2</p>	<p>The second phase (Phase 2), with the subtheme, “Making Extractive Information Work for the Members of the Community”, was joined by leaders and members of community organized groups. Like the first phase, Phase 2 had a two-pronged goal—on one hand to provide a venue where the community could understand the relevance of EITI in strengthening natural resource governance at the sub-national level, and on the other hand, gather insights on how local communities could participate in the EITI process.</p> <p>Overall, On Learn aims to (i) present the key findings of the 6th Report, with the view of sharing how extractives transparency and EITI processes and systems support the strengthening of natural resource governance at the subnational level, and (ii) gather insights on how extractives data and information can best serve local communities. With the end goal that the participants should have: (1)</p>	<p>10 November 2020 – Mindanao</p> <p>11 November 2020 – Visayas</p> <p>12 November 2020 – North Luzon</p> <p>13 November 2020 – MIMAROPA and Batangas</p> <p>13 November 2020 – Dinagat Islands</p>	<p>Online via Zoom and Facebook</p>	<p>PH-EITI in partnership with Bantay Kita</p>	<p>The main participants were leaders of community organized groups (COGs) or people’s organizations who have been active in the discussions and issues on natural resource governance and environmental protection.</p>	<p>https://drive.google.com/drive/folders/1IHHr0FYIHmwH_vzzZXxO2zyARcHjWvay</p> <p>Video Playback: https://drive.google.com/drive/folders/194k6z42-mx3Dbk-vfVK2XNy0LL018LFu?usp=sharing</p>
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	Expressed their level of appreciation of the EITI implementation; (2) Articulated the role of community in the implementation of EITI as platform for natural resource governance, at the sub-national level; and (3) Identified actions on how their community can continuously participate in the oversight and management of natural resources through the EITI implementation.					
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Extractives Transparency Week (ETW): Women in Extractives	<p>Women and Extractives is a talk on the roles of women in the extractives and the sector's impact on their lives.</p> <p>Through the event, PH-EITI launched its publication, "Women and Large-scale Mining: A Scoping Study," which features information on the issues and challenges women in mining communities face, and the policy gaps in addressing these issues and challenges. The talk also provided updates on PH-EITI's initiatives to make EITI implementation in the Philippines more gender-inclusive.</p>	<p>23 November 2020</p>	<p>Online via Streamyard, Facebook and Zoom</p>	<p>PH-EITI</p>	<table><tr><td>NGAs</td><td>9</td></tr><tr><td>LGUs</td><td>9</td></tr><tr><td>Industry</td><td>17</td></tr><tr><td>Academe</td><td>6</td></tr><tr><td>Media</td><td>1</td></tr><tr><td>CSOs</td><td>4</td></tr><tr><td>Secretariat</td><td>10</td></tr></table>	NGAs	9	LGUs	9	Industry	17	Academe	6	Media	1	CSOs	4	Secretariat	10	<p>https://drive.google.com/drive/folders/19qdF6mN7HtmXJoe3Wgd9Vvm50kHttxl6</p>
NGAs	9																			
LGUs	9																			
Industry	17																			
Academe	6																			
Media	1																			
CSOs	4																			
Secretariat	10																			

Extractives Transparency Week (ETW): EITI 101	<p>This event introduced PH-EITI to stakeholders, especially catering to those who are not familiar with the EITI process. The event showcased PH-EITI programs--from the production of country reports to stakeholder engagement activities, and how these benefits the public. The session also featured the progress and milestones in the EITI implementation in the Philippines over the past seven years. Participating entities and the recipients of previous Transparency Awards delivered testimonials on how the PH-EITI platform helped improve extractives governance in the country.</p>	<p>23 November 2020</p>	<p>Online via Streamyard, Facebook and Zoom</p>	<p>PH-EITI</p>	<table><tr><td>NGAs</td><td>8</td></tr><tr><td>LGUs</td><td>12</td></tr><tr><td>Industry</td><td>14</td></tr><tr><td>CSOs</td><td>6</td></tr><tr><td>Academe</td><td>3</td></tr><tr><td>Media</td><td>1</td></tr><tr><td>Secretariat</td><td>9</td></tr></table>	NGAs	8	LGUs	12	Industry	14	CSOs	6	Academe	3	Media	1	Secretariat	9	<p>https://drive.google.com/drive/folders/1ULu8M-7mXV_xD71yN1WUKU78mlZVJBIR</p>
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Extractives Transparency Week (ETW): Revenue Collection and Allocation	This learning session equipped participants with knowledge of the processes and formulas involved in the collection, allocation, and utilization of revenues derived from natural resource extraction. The event also shed light on how mandatory payments are computed. This session also showed how stakeholders could optimize PH-EITI reports in monitoring company payments to the government and LGU shares in national wealth.	24 November 2020	Online via Streamyard, Facebook and Zoom	PH-EITI	<table><tr><td>NGAs</td><td>13</td></tr><tr><td>LGUs</td><td>49</td></tr><tr><td>Industry</td><td>13</td></tr><tr><td>CSOs</td><td>5</td></tr><tr><td>Academe</td><td>5</td></tr><tr><td>Media</td><td>1</td></tr><tr><td>Secretariat</td><td>8</td></tr></table>	NGAs	13	LGUs	49	Industry	13	CSOs	5	Academe	5	Media	1	Secretariat	8	https://drive.google.com/drive/folders/15J6a20yTBiLLb8fGTog338GbnIsdvi9K https://fb.watch/4xe5wb2PGg/
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Extractives Transparency Week (ETW): Real Owners	The Real Owners is a forum about good corporate governance featuring the government's anti-corruption and anti-money laundering efforts through the disclosure of the beneficial or "real" owners of extractive companies. The session discussed implementation updates from the Securities and Exchange Commission, and information about other national and international initiatives geared towards making the extractive industries more open and accountable. There were also featured testimonials from industry members that actively and willingly complied with MC 15 and the PH-EITI's BO disclosure requirement.	24 November 2020	Online via Streamyard, Facebook and Zoom	PH-EITI	<table><tr><td>NGAs</td><td>26</td></tr><tr><td>LGUs</td><td>14</td></tr><tr><td>Industry</td><td>9</td></tr><tr><td>CSOs</td><td>7</td></tr><tr><td>Media</td><td>1</td></tr><tr><td>Academe</td><td>3</td></tr><tr><td>Secretariat</td><td>7</td></tr></table>	NGAs	26	LGUs	14	Industry	9	CSOs	7	Media	1	Academe	3	Secretariat	7	https://drive.google.com/drive/folders/1aDZWdROquUfcg5QRJCITbqQvDF3-UBL
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Extractives Transparency Week (ETW): Systematic Disclosures	<p>This is an online consultative workshop aimed at assessing the comprehensiveness and reliability of PH-EITI disclosures. The session revisited PH-EITI's mainstreaming efforts and reviewed data and information that are already systematically disclosed. The discussion was facilitated by the PH-EITI's consultants for the seventh reporting cycle and mainstreaming feasibility study, and was exclusive for the members of the Multi-stakeholder Group and representatives of EITI implementing agencies.</p>	<p>24 November 2020</p>	<p>Online via Facebook and Zoom</p>	<p>PH-EITI</p>	<table><tr><td>NGAs</td><td>43</td></tr><tr><td>CSOs</td><td>8</td></tr><tr><td>Industry</td><td>6</td></tr><tr><td>Secretariat</td><td>8</td></tr></table>	NGAs	43	CSOs	8	Industry	6	Secretariat	8	<p>https://drive.google.com/drive/folders/1hZ0tzpMES75k2b_t_sVa2ZiMPiyJwDYx</p>
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Extractives Transparency Week (ETW): Extractives Data Blitz	The Extractives Data Blitz is PH-EITI's virtual conference-exhibit featuring "lightning talks" or five-minute talks on timely and relevant topics such as the participating companies' social and environmental initiatives and efforts to address the impact of the COVID-19 pandemic in mining areas. The exhibit served as a platform for non-governmental organizations to showcase extractives-related studies, researches, and tools. Conference participants, who wanted to know more about a particular topic or presentation, could visit virtual exhibit booths, where more thorough discussions were facilitated.	25 November 2020	Online via Facebook and Zoom	PH-EITI	<table><tr><td>NGAs</td><td>5</td></tr><tr><td>LGUs</td><td>17</td></tr><tr><td>CSOs</td><td>16</td></tr><tr><td>Industry</td><td>7</td></tr><tr><td>Academe</td><td>1</td></tr><tr><td>Secretariat</td><td>9</td></tr></table>	NGAs	5	LGUs	17	CSOs	16	Industry	7	Academe	1	Secretariat	9	https://drive.google.com/drive/folders/1ri2kqrfXsFJ-iOMp623VT6a_wtiLaYktG
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Extractives Transparency Week (ETW): Extractives Governance and Community Development	This session highlighted mechanisms in place to ensure the good and inclusive governance of the country's natural resources, especially with regard to extractive industries. Resource persons shared updates on policies that govern the sector, explored policy and implementation gaps, and recommended actions to improve governance. A tool to diagnose corruption risks in the extractives was also presented.	25 November 2020	Online via Streamy ard, Facebook and Zoom	PH-EITI			https://drive.google.com/drive/folders/1aBn2v1200qwnW_b-o1-xPshz303dzcEH
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					Academe	2	
					LGUs	14	
					Media	1	
					CSOs	13	
					Secretariat	9	

National Conference (NatCon) 2020	<p>The annual National Conference serves as a platform for multi-stakeholder dialogue in the country's extractives sector. The program included a presentation of the key findings of the 6th Report, a retrospection of EITI implementation in the last seven years, and a presentation of PH-EITI's position paper on bills seeking to institutionalize extractives transparency. The event will also serve as the culminating activity of the Online Learning on Extractives (On Learn), the virtual edition of the annual PH-EITI LGU Roadshow. It also featured the Transparency Awards, PH-EITI's annual award-giving ceremony to recognize outstanding performance and achievement in the implementation of EITI and promotion of extractives transparency as a whole.</p>	26 November 2020	Online via Streamyard, Facebook and Zoom	PH-EITI	<table><tr><td>CSOs</td><td>12</td></tr><tr><td>Industry</td><td>38</td></tr><tr><td>NGAs</td><td>38</td></tr><tr><td>LGUs</td><td>25</td></tr><tr><td>Media</td><td>3</td></tr><tr><td>Academe</td><td>2</td></tr><tr><td>Student</td><td>1</td></tr><tr><td>Secretariat</td><td>9</td></tr></table>	CSOs	12	Industry	38	NGAs	38	LGUs	25	Media	3	Academe	2	Student	1	Secretariat	9	https://drive.google.com/drive/folders/1ftPvKivDvP6fn7nNmG1sC81hTmLhlbkl
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15. Describe the MSG efforts in the period under review to consider access challenges and information needs of data users, including different genders and subgroups of citizens.

List efforts of MSG to make data more accessible

In the period under review, the MSG has reproduced copies of reports, executive summaries, and other related knowledge products in print, and distributed them to stakeholders during subnational engagements such as the nationwide roadshow, and community, mine, and LGU visits. The key findings of reports are communicated to the stakeholders through the same events/activities, which also serve as platforms for dialogues and gathering of feedback. Representatives from the national government and the industries join the activities to directly respond to concerns raised by stakeholders. Local media are also invited to these events to share report findings and the ensuing discussions to the wider public. Copies of reports and even event materials such as presentations and slides are also made available online at the PH-EITI website or are sent directly to participants via email.

In 2020, the COVID-19 pandemic has posed challenges in mobility as physical gatherings were prohibited. The MSG adapted to this by holding events online and exploring different tools and technology available to sustain engagement with stakeholders. The MSG also made the subnational forums accessible via Facebook, especially for communities with weak internet connectivity or insufficient equipment, and are hence unable to join Zoom meetings. To ensure meaningful participation, the usual number of regional forums has also been increased and the participants distributed to several clusters to manage discussions.

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

[Document whether the MSG has

- *produced summary reports, thematic reports or other analysis that is accessible, concise and easily understood by target audiences; -*
- *summarised and compared the share of each revenue stream to the total amount of revenue that accrues to each respective level of government.*
- *undertake capacity-building efforts, especially with civil society and through civil society organisations, to improve understanding of the information and data from the reports and online disclosures and encourage use of the information by citizens, the media and others.*

MSG efforts to distribute information

PH-EITI prints and reproduces copies of reports, executive summaries, and knowledge products. These materials are distributed to stakeholders during subnational engagements. Softcopies are also available online at the PH-EITI website or are emailed directly to stakeholders.

PH-EITI also distributes copies to relevant institutions such as member agencies, upper and lower houses of Congress, universities, and development partners, among others.

To explain information contained in the report and the related knowledge products, the PH-EITI holds workshops, capacity-building activities, fora, conferences, and webinars. Members of the media are also invited to these events to disseminate information and encourage the use of EITI data in news stories.

Members of the MSG, particularly industry and civil society representatives, also conduct their own activities, where PH-EITI data and information are shared and explained.

PH-EITI publications

The following are some of the publications and knowledge products of the PH-EITI:

Woman and Large-Scale Mining in the Philippines

<http://ph-eiti.dof.gov.ph/resources.html>

Initial Findings of the Mainstreaming Feasibility Study

<https://pheiti.dof.gov.ph/download/feasibility-study-on-mainstreaming-eiti-data-in-the-philippines/?wpdmdl=1380&refresh=6051c5f71fdb1615971831>

Extractives News Stories

<http://ph-eiti.dof.gov.ph/cup-of-t>

<https://pheiti.dof.gov.ph/ppi-newsstories/>

Key Findings for the 5th Report

<http://ph-eiti.dof.gov.ph/presentations.html>

Large-Scale Non-Metallic Mining: Scoping Study

http://ph-eiti.dof.gov.ph/uploads/1/2/1/8/121891939/large-scale_non-metallic_mining_scoping_study.pdf

Small Scale Metallic Mining: Scoping Study

http://ph-eiti.dof.gov.ph/uploads/1/2/1/8/121891939/small_scale_metallic_mining_scoping_study.pdf

Scoping Study on Local Revenue Streams and Subnational Implementation

<http://ph-eiti.dof.gov.ph/publications.html>

Other published resources:

(New website) <https://pheiti.dof.gov.ph/resources/>

(Old website - for complete migration) <http://ph-eiti.dof.gov.ph/resources.html>

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

In principle, PH-EITI data is accessible to all Filipinos through online disclosures and printed copies/materials. In addition, the MSG has exerted effort to reach out to specific local governments, communities, and project sites. In some cases, members of the MSG or the national secretariat have granted broadcast interviews where PH-EITI information has also been shared. MSG members, particularly industry and civil society representatives, have also conducted outreach activities to their respective constituents. In short, all stakeholders have access to PH-EITI data.

If any, there are opportunities for better or targeted engagement such as in the case of IP communities, and local government units and extractives host communities in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). For the newly-established BARMM, there was a recent proposal to introduce EITI to the Bangsamoro Government through the Intergovernmental Relations Body (IGRB), where the Secretary of Finance sits as co-chair. BARMM engagement is not a priority under the current work plan, but the MSG anticipates a few activities related to BARMM engagement following an order from the President of the Philippines to monitor rehabilitation efforts in mined-out areas in the region.

For IP communities, there is a need to facilitate better collection of data on IP royalty payments, and for better communication of IP royalty data analyses to stakeholders. Capacity-building of IP communities and regional offices of the NCIP towards this purpose is necessary.

Connectivity concerns, especially in far-flung communities, may also hinder real time and sustained access to PH-EITI data and information. Again, the MSG has considered these scenarios even before, that is why printed materials are made available and distributed to stakeholders during community and mine visits. The MSG even established [Bayaminahan Boards](#) (community bulletin) in some areas to make key PH-EITI data points more conspicuous for public/community information.

The following are other steps that the MSG is considering to improve accessibility and distribution of PH-EITI information:

- Translation of all knowledge products in various/major local languages;
- Publication of knowledge products tailor-made for specific stakeholders, such as IP communities, Bangsamoro government/citizens
- Conduct of events or capacity-building activities tailor-made for specific stakeholders

Part III: Sustainability and effectiveness

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

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

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

[Add MSG response and additional information/evidence.]

Objectives of EITI implementation

In the early years of implementation, consultations with government, industries, and CSO representatives revealed the following issues that should be addressed:

1. The need for more transparency and accountability in the extractive industries
2. Conflicting laws and fiscal regime in relation to extractive industries
3. Lack of or conflicting information on taxes paid and benefits received by communities from extractive industries
4. The need for a stronger law enforcement to regulate small-scale mining and stop illegal mining and errant operators in the extractive industries
5. Unclear sharing of revenues between the national and local governments
6. Lack of understanding of how the extractive industries work
7. Conflict among stakeholders

Based on these issues, the MSG has determined the following goals of EITI implementation in the Philippines:

1. Show the direct and indirect contributions of extractives to national development.
2. Improve public understanding of the management of natural resources and availability of data.
3. Strengthen government systems for natural resource governance.
4. Create opportunities for dialogue and constructive engagement in natural resource governance in order to build trust and reduce conflict among stakeholders.
5. Pursue and strengthen the extractives sector's contribution to sustainable development.

The identified key results of the EITI process in the Philippines are as follows:

1. Publication of EITI report
2. Platform for dialogue for government, civil society and industry
3. Policy recommendations and reforms to improve governance of the extractive sector
4. Increased transparency in revenue collection and expenditures
5. Increased awareness of issues in natural resource management through public debates

Government priorities

EITI implementation contributes to the government's mining reform agenda set forth in [EO 79 \(2012\)](#). Implementation of EO 79 and monitoring of progress is primarily done by the Mining Industry Coordinating Council, but the PH-EITI contributes to reforms through multi-stakeholder dialogue and provision of data for better informed policies. The following are some of EO 79's mandates and other government priorities, and some PH-EITI initiatives that respond to these mandates and priorities.

- Small-scale Mines

Under the EITI Standard, the engagement and reporting of small-scale mines is not mandatory, but pursuant to the Philippines' EO 79 (2012), where the government mandated the improvement of small-scale mining activities, including through training and capacity building of small-scale mining cooperatives and associations, the PH-EITI has consistently engaged the sector through talks, workshops, and a pilot EITI reporting. The MSG is aware of the deemed social and economic contribution of the small-scale mining sector, which has yet to be thoroughly monitored. As such, in 2018, the MSG developed a reporting template and had it tested by one small-scale mining association. The pilot reporting is part of the 5th PH-EITI Report. In its 2020 work plan, the MSG approved the mainstreaming of EITI in the small-scale mining sector as one of its priorities. Among related activities is a follow up SSM reporting, which is currently planned to cover at least five small-scale mines. The MSG shall revisit the results of the 2018 reporting, including the efficacy of the reporting template, and include SSM disclosures in the 8th PH-EITI Report.

- Non-metallic Mines

Considering various factors such as public demand for data, the government's heavy spending on infrastructure projects, and the mandate set forth by the DENR Department Administrative Order No. 2017-07, the MSG has piloted in 2017 (4th PH-EITI Report) the reporting of five nonmetallic mines. The inclusion of the sector in the PH-EITI report increased public awareness of the direct and indirect contribution of mining both at the

national and subnational level. For instance, there are regions/provinces in the Philippines that have more non-metallic mining projects than metallic mines. The increased coverage of the report also increased the amount of reconciled revenues, in turn, demonstrating greater contribution of the industry and relevance to key government programs. The pilot reporting of five non-metallic mines was followed by the reporting of the top 20 non-metallic mines in the succeeding reports (5th and 6th). For the 7th PH-EITI Report, the MSG looked into the feasibility of fully covering the rest of the non-metallic mining sector, but constraints brought about by the pandemic made the MSG decide to expand, for the meantime, to only the top 25 non-metallic mines in terms of production value. The scope of EITI reporting shall be revisited when the MSG finalizes the terms for the 8th Report.

- Systematic disclosure, beneficial ownership transparency, gender inclusion, and institutionalization of transparency and accountability in the extractives

With systematic disclosure as the expected end-state of EITI implementation, the Department of Finance committed, under the Philippine Open Government Partnership initiative, to mainstream EITI implementation in the Philippines by 2022. The commitment includes specific milestones and deliverables related to extractives beneficial ownership information publication (beneficial ownership disclosure is also a government commitment under FATF), mainstreaming gender in EITI implementation, and institutionalization of transparency and accountability mechanisms in the extractives. As such, the MSG, for the past year, worked hard to follow through the commitment, accordingly yielding the following results and updates thus far:

- Beneficial ownership information of the extractives, including the declaration of politically exposed persons, have not only been published in the 6th Report but have also been disclosed in open format through a publicly accessible [online register](#). The PH-EITI also continues to engage the Securities and Exchange Commission to effect reforms that would streamline beneficial ownership disclosure mechanisms, and allow public access to information. Further, both the MSG and the SEC are working on plans and bills to institutionalize beneficial ownership transparency through legislation.
- A study on gender in extractives, particularly [women and large-scale mining](#), have been commissioned to locate and assess the role of women in the sector, including their contribution to the industry and the impact of the industry on women. Launched in November 2020, the study was intended to inform policy recommendations towards a more gender sensitive and inclusive extractive industries. The study used a comprehensive gender survey form as one of its data gathering instruments. The MSG adopted and further developed this form to become the new [gender and employment reporting template](#), which the companies are now required to fill out every EITI reporting cycle starting with the 7th PH-EITI Report. While the PH-EITI has been disclosing gender data in earlier reports, data were limited to the number of men and women working in the extractives. The new form, which was added into the Online Reporting in the

Extractives, also captures information on compensation, position, skills development opportunities, livelihood programs for women, unions and women's groups, services and benefits available to women, and anti-sexual harassment policies, among other information. The MSG is expected to analyze the results of the recent reporting on gender and employment, and assess the efficacy of implementation. Further, the MSG intends to pursue the recommendations of the study and conduct a more comprehensive research as necessary. MSG activities related to gender are consistent with government requirements on [gender and development planning](#) pursuant to the Magna Carta of Women.

- Following a series of MSG training and workshops, a [legislative advocacy plan](#) was developed to support pending bills seeking to institutionalize transparency and accountability in the extractives. While systematic disclosure may be done through outreach to and capacity-building of government agencies and reporting companies, the proposed legislations shall institutionalize routine disclosures as well as participatory resource governance and constructive engagement through the Multi-stakeholder Group. In February 2021, the MSG attended a committee meeting at the Philippines House of Representatives to serve as resource persons in the hearing of two of the four bills pending in Congress.

- Social Development and Management Program

The global COVID-19 crisis has prompted the government to optimize existing mechanisms to support response and recovery specifically at the subnational level. In response to the pandemic and the [Republic Act No. 11469](#) also known as the *Bayanihan to Heal as One Act*, the Department of Environment and Natural Resources - Mining and Geosciences Bureau (DENR-MGB) authorized mining companies to realign any unspent Social Development and Management Program (SDMP) funds for COVID-19 response, which forms include but not limited to social amelioration programs and distribution of Personal Protective Equipment for mining host and neighbouring communities. So far, a total of Php 407,613,801.32 SDMP funds have been realigned for the said purpose. The government further expanded the policy to allow realignment of funds for response to natural disasters. With the new policy in place, the MSG commissioned a thematic report on SDMP to monitor SDMP realignments and assess overall efficacy of the SDMP as a development framework for mining communities. SDMP funds are one of the mandatory social and environmental payments that go directly to mining communities in the form of programs and projects.

The forgoing activities and steps that the MSG has taken to implement and even go beyond the EITI requirements are on top of previous and ongoing efforts to make disclosures and access to data more systematic. These efforts include the following.

- Launched in 2015, the PH-EITI Contracts Portal now houses almost 200 contracts and is continuously being enhanced and populated with relevant documents. Contract disclosure was also a DOF commitment under the previous PH-OGP National Action Plan (2017-2019).

- The MSG developed the Online Reporting in the Extractives ([ORE](#)) Tool in 2018 to simplify the reporting process for companies. The tool was proven more useful in 2020 when mobility and transfers of physical documents became more challenging due to community quarantines that were implemented to fight the spread of COVID-19. For 2021, the MSG is looking into optimizing the tool for the reportorial requirements of related agencies such as the MGB and NCIP to enable submission of reports in open format as opposed to the usual physical and PDF submissions. This is also seen to eliminate duplication of reporting mechanisms as the reports will be readily accessible to the relevant agencies through a single portal.
- The MSG developed the Extractives Data Generator ([EDGE](#)) to allow public access to PH-EITI data in open format. The creation of the web-based tool is consistent with the Philippines' Open Data Policy.

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

[Add MSG response and additional information/evidence]

Some data and information on extractives contracts, state-owned enterprises, production, exports, and employment can be considered systematically disclosed, although enhancements to format and presentation may still be implemented. Reporting of revenue and social and environmental data, meanwhile, has been improved through the use of the Online Reporting in the Extractives (ORE) Tool. Disclosure of company beneficial ownership information to the government is mandatory, but public access remains prohibited.

To improve disclosures, the Department of Finance, as chair of the PH-EITI, committed to institutionalize transparency and accountability in the extractives through mainstreaming under the [Philippine Open Government National Action Plan \(2019-2022\)](#). Specific deliverables include systematic data disclosure, creation of an extractives BO register, and gender inclusion, among others. Pursuant to the commitment, the PH-EITI commissioned a [mainstreaming feasibility study](#), which initial findings have already been presented to the MSG. The MSG is awaiting the completion of the study, and hopes to implement recommendations by the second half of the year consistent with the approved 2021 work plan.

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

Section 5(h) of EO 147 (2013) provides for outreach to, and capacity-building of, various sectors in support of the PH-EITI implementation at national and sub-national levels and communicate and build awareness about EITI and the progress of its implementation in the Philippines.

As such, the PH-EITI holds community, mine, and LGU visits to reach out to stakeholders who otherwise cannot participate in the usual forums. Many times, stakeholders were also invited to subnational engagements; the PH-EITI shoulders accommodation, meals, and transportation costs in a sincere effort to equip and empower stakeholders to participate in natural resource governance using PH-EITI data.

The Open Government Partnership Initiative, where the Philippines is a founding member, also promotes co-creation consultations, reasoned responses to stakeholders, and closing the feedback loop in implementing programs. Being a commitment holder, the Department of Finance is also able to consult the vast civil society and peoples' organizations network of the OPG in the Philippines.

Other opportunities where affected communities were able to participate in dialogue include initiatives by the civil society constituency of the PH-EITI. Some of these initiatives are the following:

- To improve public understanding of the management of natural resources and availability of data, BK organized an Open Data Capacity Building Sessions for CSOs on January 22, 2017 (Marinduque); January 27 and March 12, 2017 (Palawan); and March 16, 2017 (Leyte).
- Facilitated a Negros Occidental CSO Outreach and Capacity Building on T&A Initiatives on January 19-20, 2017, and May 20-24, 2017
- Developed a model for Indigenous People Community Wealth Fund, November 2016-April 2017
- Organized Bicol CSO Outreach/Workshop for Natural Resource Governance on March 28-31, 2017

Philippine Grassroots Engagement in Rural Development Foundation, Inc.

- Conducted meetings and organized the sub-national MSG in five (5) different municipalities of the Provinces of Dinagat Islands and Surigao Del Norte on February - March 2017
- Conducted four (4) subnational EITI-MSG consultation with the CSOs, LGUs, and mining companies in four (4) municipalities in the Province of Dinagat Islands and Surigao Del Norte on January to March 2017

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

The MSG communicates EITI information to stakeholders through the annual roadshows wherein the local language is also used. The roadshows also serve as a platform for discourse and feedback on EITI implementation. The key findings of the latest country report is also presented in the annual National Conference.

PH-EITI publishes extractives data through its website and the PH-EITI country reports. These are also referred to by government agencies and civil society representatives in their stakeholder engagements.

Some cited PH-EITI data online:

“Agata Mining Ventures (which operates in Agusan del Norte) paid 50,206,025 Philippine pesos (approximately USD 1 million) in excise taxes in 2016, according to the Fourth Philippine Extractive Industries Transparency Initiative (PH-EITI) Report. Assuming production and the price of the iron ore/nickel product it exports remain similar through 2018, it would then pay twice that amount to the government this year. Local government units (LGUs) hosting the Agata project are entitled to 40 percent of excise taxes, as is the case for all other LGUs. Under the new law and using the same assumption as above, Agata’s host LGUs could see their share from excise tax increase from an estimated PHP 20,082,410 (USD 390,000) to PHP 40,164,820 (USD 780,000).”

<https://resourcegovernance.org/blog/philippines-will-train-run-over-mining-sector>

“The report reconciled mining sector data for 2015 and 2016, showing that the industry generated P27.29 billion and P27.55 billion in taxes for those respective years.”

<https://www.bworldonline.com/small-scale-miners-to-also-face-government-scrutiny/>

“Table 3 shows that total revenues collected from mining, oil and gas amounted to P39.1 billion in 2017, which is 42% higher than in 2016. The BIR and DOE are the top collecting agencies. In 2015, BIR collected P11.8 billion while DOE reported a revenue of P13.2 billion. The DOE consistently has the highest collections, but in 2017, BIR collections of about P17.7 billion almost matched that of the DOE (P17.9 billion).”

<https://cpbrd.congress.gov.ph/images/PDF%20Attachments/Facts%20in%20Figures/FF2019-48 Fifth PH-EITI Report.pdf>

“In a Workshop on Beneficial Ownership held last 18 October 2019 in Makati City by the PH-EITI in cooperation with the SEC, participating companies were reminded that they are given the latitude to identify the applicable category of beneficial ownership, as described under SEC MC No. 15, and that disclosure is not limited to one beneficial owner or one category. In filling up the new BOD form, the SEC requires disclosure of the full name of the individual beneficial owner, residential address (not office address), nationality, date of birth, tax identification number, percentage of ownership (for stock corporations) or percentage of voting rights (for non-stock corporations), type of beneficial ownership, and category/ies of beneficial ownership.”

<https://platonmartinez.com/articles/disclosure-of-beneficial-ownership-for-companies-engaged-in-mineral-oil-and-gas-industries-in-the-philippines>

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

[Add MSG response and additional information/evidence]

The PH-EITI data has been a constant reference in drafting the mining fiscal regime bill, not only for the DOF but also for the technical staff of the legislators.

The mining fiscal regime proposed by the DOF has been pending for discussion with the Senate Committee on Ways and Means since 30 July 2019. Senate Bill No. 240 (An Act Amending Chapter VII Title VI and Section 151, and Creating New Sections 151-A and 151-B, of Republic Act No. 8424, Otherwise Known as the National Internal Revenue Code of 1997, as amended, and for Other Purposes) was authored by Senate President Vicente Sotto III. Meanwhile, the proposed mining fiscal regime under House Bill No. 6135 (An Act Establishing the Fiscal Regime for The Mining Industry) has been approved by the House Committee on Ways and Means and has been pending for plenary discussion since 2 February 2020.

Various government agencies, such as the Bureau of Local Government Finance and the Mines and Geosciences Bureau of DENR, already have an online portal for extractives data. Because of these updates in the websites, the public now has easy access to these data. PH-EITI has provided the needed push for the development and enhancement of these online tools.

The NCIP monitoring tool was also developed to monitor the memorandum of agreement and IP royalty agreed upon during the FPIC process. The tool was made possible through PH-EITI and NCIP collaboration.

EITI implementation in the country was also strengthened through department orders that help ensure participation of relevant entities. To ensure company participation in EITI reporting, the DENR issued Department Administrative Order (DAO) No. 2017-07. The DAO penalizes nonparticipation of mining contractors in the PH-EITI.

Part IV: Stakeholder feedback and MSG approval

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

Every year, PH-EITI holds a roadshow to communicate to stakeholders the latest findings of the most recent country report and facilitates discussions to gather feedback from stakeholders. The roadshow either leads to or follows an annual National Conference which also serves as a platform for multi-stakeholder discussions on issues pertaining to the extractives sector. The MSG also conducts mine, community, and local government visits to engage local stakeholders.

Aside from these annual activities, PH-EITI also holds events for different sectors. In 2017, PH-EITI supported a conference of UP MINERS which centered on the extractives sector and conversations with the members of the academe. Such partnerships also help broaden the reach of PH-EITI as in the case of the partnership with the Philippine Press Institute (PPI) wherein members of the media engaged in a capacity-building activity to help them in pursuing stories in the extractives sector using EITI data.

The MSG also ensures that, as much as possible, stakeholders are made aware of the latest developments in the sector. In 2019, PH-EITI and the Securities and Exchange Commission organized a workshop for the mining companies to orient them on the beneficial ownership requirement of SEC and its Memorandum Circular (MC) No. 15. Workshops on BO transparency were also conducted to orient the industries on the BO roadmap of PH-EITI and its requirements for disclosure.

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

Subnational engagements include breakout sessions or focus group discussions where stakeholders are encouraged to provide feedback on the latest PH-EITI report and on EITI implementation in general. Issues and concerns are recorded, assessed, and are considered in crafting the next work plan. Issues that can be addressed immediately either by MSG members or representatives from implementing agencies are tackled right at the activity. Otherwise, issues are referred to the appropriate agency for action. An example of a recurring issue that has been adopted as a priority in the current work plan is the monitoring of IP royalty payments.

To measure the impact of each specific activity, participants are requested to submit evaluation and feedback forms. Stakeholder feedback is considered in enhancing implementation.

In 2018, stakeholders that participated in the nationwide roadshow were requested to respond to an [impact assessment survey](#). The results revealed that based on average ratings, EITI has been doing well in the following areas: (i) publication of annual country report; (ii) local outreach; (iii) national outreach; and info dissemination through the PH-EITI website. Further all sectors

surveyed consider EITI implementation in the Philippines impactful (page 41). Respondents said that the most positive impact or result of EITI implementation is the promotion of transparency in the sector, followed by the publication of extractives revenues that could be used in determining taxes for companies (page 41). The next two most positive results of EITI implementation is the increased public awareness and understanding of extractive industries, and communication among stakeholders that is made possible by the EITI platform (page 42).

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

31 March 2021