

Philippine Extractive Industries Transparency Initiative
1ST STAKEHOLDER ENGAGEMENT COMMITTEE MEETING
09 February 2023, Friday | 10:30 AM - 12:00 NN | Hybrid Meeting
Department of Finance, Manila, and Google Meet

Attendees

Government	
1. Dir. Anna Liza Bonagua	Department of the Interior and Local Government (DILG)
2. Engr. Romualdo Aguilos	Department of Environment and Natural Resources - Mines and Geosciences Bureau (DENR-MGB)

Civil Society	
1. Mr. Chito Trillanes	Social Action Center - Ecology Desk, Diocese of Tandag, Surigao del Sur
2. Mr. Vincent Lazatin	Bantay Kita - Publish What You Pay Philippines (BK-PWYP)

PH-EITI Secretariat	
1. Mr. Eastword Manlises	
2. Ms. Mary Ann Rodolfo	
3. Mr. Jeremiah Magno	
4. Ms. Andrea Denise Samson	
5. Ms. Pamela Kim Aquino	

Agenda

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Proceedings

I. Call to order

Dir. Anna Liza Bonagua of the Department of Interior and Local Government (DILG) chaired the meeting. The meeting was called to order at 10:33 AM.

II. Approval of the agenda of the 1st meeting

The Acting Chair sought the approval of the agenda.

A government representative motioned for the approval of the agenda. The motion was seconded, and the agenda was approved.

III. Housekeeping

The Secretariat discussed the background and rationale for the creation of the Stakeholder Engagement Committee. The Secretariat then presented the Multi-stakeholder Group (MSG) Resolution No. 4, s. 2022 titled “Creating the Committee on Stakeholder Engagement,” which was signed on 16 September 2022.

The Secretariat also enumerated the roles and responsibilities of the Stakeholder Engagement Committee:

- Monitor the status of stakeholder engagement in Philippine extractives, discuss progress in implementing activities as stipulated in the PH-EITI work plan, and develop recommendations to the PH-EITI MSG for addressing gaps in the participation of each constituency;
- Recommend actions through resolutions on strengthening the participation of stakeholders in EITI implementation and natural resource governance;
- Oversee the implementation of MSG recommendations and EITI corrective actions related to stakeholder engagement; and
- Establish and implement a reporting, monitoring, and feedback mechanism for EITI-related stakeholder engagement issues.

1. Chairpersonship

The secretariat presented the composition of the Stakeholder Engagement Committee, to wit:

Constituency	Name	Agency/Organization
Government	Anna Liza Bonagua	DILG
	Maricor Cauton	ULAP
	Engr. Romualdo D. Aguilos	DENR-MGB
Industry	Atty. Joan D. Adaci-Cattiling	OceanaGold
	Eulalio Austin	PHILEX
CSO	Vincent Lazatin	Bantay Kita
	Chito U. Trillanes	Diocese of Tandag
	Glenn Pajares	STANCe

The Acting Chair updated the meeting about the chairpersonship of the DILG. With a prior agreement from DILG Undersecretary for Local Government Marlo L. Iringan, they are currently seeking his commitment to the position.

A member from the Civil Society nominated Mr. Trillanes as the Co-chairperson of the Stakeholder Engagement Committee. Mr. Trillanes accepted the nomination.

2. *Discussion on Proposed Committee Rules*

To lay the protocols for the operation of the Committee, the following rules were discussed and agreed upon:

- Waiving of quorum - The secretariat suggested adopting the MSG rule on quorum wherein regardless of the number of committee members, as long as at least one (1) participant from each constituency is present, a quorum is reached.
- Frequency of meeting - The secretariat advocated that committee meetings shall be conducted on a needs basis.

A member from the Industry, who was unable to participate in the meeting, responded that she agreed to the waiving of the quorum since there was no representative from their constituency for this meeting.

A member from the Civil Society resonated with the adoption of MSG rules subject to refinements as relevant to the Committee.

IV. Corrective Actions on Requirement 1.3

The Secretariat tackled the 10 Corrective Actions on Requirements 1.3 as well as the its status and description of progress:

a. Corrective Actions:

- The Government of the Philippines is required to ensure that there are no obstacles to civil society participation in the EITI process;
- The government should ensure that there are no obstacles for civil society to organize EITI-related activities;
- The government should ensure that the MSG establishes a working group with representation from all constituencies on the MSG to develop an action plan and implement a monitoring mechanism to ensure that these corrective actions are met. The working group should also include representatives from civil society organizations impacted by breaches of the EITI Protocol: Participation of civil society. The working group is expected to monitor the following through reports from various agencies involved in the EITI process;
- Drawing on their multi-stakeholder forums, the Mines and Geosciences Bureau (MGB), the National Commission on Indigenous Peoples (NCIP), and the Union of Local Authorities of the Philippines (ULAP) should regularly report to the MSG on civil society's participation in existing public consultation and participation mechanisms related to extractive industry governance;
- Extractive companies engaged in the EITI process are encouraged to express their support for civil society's freedom of expression and operation;
- The Department of the Interior and Local Government (DILG) should monitor, in consultation with impacted civil society organizations, the environment for civil society engagement in all aspects of the EITI process, including at the subnational level;

- The MSG may wish to engage with relevant human rights organizations such as the Commission on Human Rights, Social Action Centers, and non-governmental organizations in its monitoring; and
- The government, in collaboration with the MSG, should consider practical solutions for ensuring that civil society can engage in the EITI process freely in all regions of the country.

b. Proposed Action Steps and Status:

- CA1.3-1. Creation of a permanent working group on stakeholder engagement with representatives from the government, industry, and civil society; **DONE**
- CA1.3-2. Strengthening of spaces for multi-stakeholder participation along the extractive industries value chain
 - Mapping of mandated spaces and identification of stages in the value chain where there are no spaces for multi-stakeholder participation. (Include labor sector, particularly for critical minerals)
 - Ensuring that these spaces are functioning and there is genuine representation.
 - Discussion and agreement on the definition of terms, such as “EITI-related activities” and “obstacles to participation”.
 - Conduct of review, consultation, and feedback sessions regarding the implementation of ATA and other policies that impact civic engagement;
- CA1.3-3. Strengthening engagement of all stakeholders through amendments to EO 147; **ONGOING**
- CA1.3-4. Inclusion of government and industry public expression of support to civic engagement in PH-EITI outreach activities; **DONE**
- CA1.3-5. Preparation of an MSG statement on an Anti-Red Tagging Bill once filed in Congress;
- CA1.3-6. Inclusion of an MSG report on the state of civic engagement in the Philippines in the annual country report.

c. Description of Progress:

- For CA1.3-1. In its 81st meeting, the MSG approved a resolution creating the permanent working group on stakeholder engagement. The working group is chaired by the Department of the Interior and Local Government.
- For CA1.3-3. The MSG-endorsed amendments to EO 147 have provisions strengthening multi-stakeholder participation.
- For CA1.3-4. Held a ceremonial expression of support for civic engagement during the PH-EITI National Conference scheduled on November 8, 2022.

The Chair clarified that the DILG plays an active role as part of the committee that oversees the implementation of the Anti-Terrorism Act. Aside from policies and programs on the national level, the Department also aids community projects and infrastructure at the barangay level.

Mr. Trillanes shared his observations in the process of applying for an exploration permit in the One Stop Shop. With a case of falsified attachments, communities pointed out that there is indeed a lack of due diligence. He emphasized that this can be addressed through policy as well as the importance of engagement of the civil society, especially in this stage of the value chain.

The Chair stated that grievances like this, or any matters concerning the services of the LGU, can be immediately raised to the DILG. The Chair emphasized that the Ease of Doing Business Law shall not be used as an excuse to skip or limit consultations.

The Chair advocated for the inclusion in the agenda of the next meeting the following matters:

- Definition of terms stated in CA 1.3-2 regarding “EITI-related activities” and “obstacles to participation”
- Invitation to a member of the Anti-Terrorism Council to provide updates and discuss CA 1.3-2 and proposed action steps.
- Formulation of content and framework of the report on the state of civic engagement.

The Secretariat updated the Committee that the proposed amendments of the MSG to EO 147 are now with the DOF. The Chair requested a presentation to the Committee on the recommended amendments.

The Chair recommended the discussion on PH-EITI's participation in the Open Government Partnership (OGP).

The Secretariat shared that the MSG Statement on Anti-red tagging is yet to be drafted. Hence, the Secretariat has been instructed to disseminate among Committee members the copies of related bills, namely HB 1152 and HB 4941, to review the provisions and provide recommendations.

Mr. Trillanes was pleased to share that a recent meeting he attended in Mindanao also invited representatives from civil society. Issues on red-tagging, conservation of biodiversity, and programs of the DENR and the dioceses, were discussed. Mr. Trillanes hoped that through the SE Committee, the parameters of engagement with the civil society will be further clarified.

The Secretariat raised that the EITI International Secretariat is keen on providing a presentation on the terms "EITI-related activities" and "obstacles to participation."

The Chair motioned to adopt the protocol of having a rotation of presenters on the Committee's outputs to the MSG. A member of the government and civil society seconded the motion, and the protocol was then adopted. In relation to this, the Committee Meeting must be set ahead of time before the MSG Meeting.

V. Summary of Agreements

The Secretariat presented the summary of agreements and recommendations, to wit:

Agreements	In-Charge	Timeline
The Committee has allowed the waiving of the quorum for the meeting to proceed.	All members	
The Committee has decided to adopt the PH-EITI Internal Rules, subject to refinements as may be necessary, including the rule that a quorum is reached when at least one (1) participant from each constituency is present.	All members	

The Committee has agreed that there should be no fixed frequency of meetings. The committee may meet every time the need arises.	Secretariat	
Mr. Chito Trillanes agreed to co-chair the Committee.	Secretariat	
The Committee has agreed to include in the agenda of the next meeting the definition of terms stated in CA 1.3-2 regarding “EITI-related activities” and “obstacles to participation”	Secretariat	
The Chair proposed inviting a member of the Anti-Terrorism Council in future meetings concerning CA 1.3-2.	Secretariat	
The Secretariat has been instructed to present to the Committee the recommended amendments to EO 147.	Secretariat	
The Chair recommended for the discussion on PH-EITI to be part of OGP.	DILG	
The Secretariat has been instructed to disseminate copies of the house bills on anti-red tagging to the Committee.	Secretariat	
The Chair suggested formulating the content and framework of the report on the state of civic engagement.	All members	
The Committee has agreed to the protocol of having a rotation of presenters on the Committee’s outputs to the MSG. The Committee Meeting must be set ahead of the MSG Meeting.	All members	

VI. Other Matters

Mr. Aguilos queried whether the Meeting represents the entire composition of the SE Committee. The Secretariat responded that the two (2) members of the industry were absent and five (5) more alternate representatives from the civil society were bound to join in the succeeding meetings.

1. Setting of the Next Meeting

The Chair advised the Meeting that the Committee members will be informed about the further details of the next meeting, which shall be held at least 3 days before the MSG Meeting.

VII. Adjournment

With no other matters to be discussed, the meeting was adjourned at 11:51 am.