
Meeting minutes of 12th MEITI-Multi-Stakeholder Group meeting held in Inya Lake Hotel, Yangon on March 16, 2018

Objective

12th MEITI-MSG meeting was held to – discuss regarding the second and third Myanmar EITI pre-final report; future works regarding the beneficial ownership; share experiences of template training regarding forestry sector and date setted out to release the forestry report; roughly discuss the ToR to be able to review the current laws and policies to make EITI laws in Myanmar; to present the draft agenda of proposed SOE- Extractive Industry regarding the state-owned enterprises and to discuss correspondingly about SNU formations and future works.

Meeting Participants

(8) government representatives, (8) representatives from civil society, (6) reps from private sector, (2) reps from World Bank, (6) reps from donor agencies, (3) reps from MOBD, (13) responsible persons from NCS, (18) observers from other departments and companies; total (58) attended the 12th MEITI-MSG meeting. Details of the list of attendees are described in Annex -1.

1. Opening remark and speech

(A) Opening remark (Chairman of MEITI-MSG, Deputy minister of Ministry of Planning and Finance)

He mentioned that – the time to relase second and third report was drawing near; discussions on reports were thouroughly made during the 11th meeting; as a result, IA was able to send draft reports to MSG and other corresponding departments on March 11; there could still be imperfections and necessities in the findings and recommendations in the draft reports; these could be completed during the time remaining; it was decided to permit for the representatives from MEITI-MSG to discuss in leading committee meeting on February 19 to which all three union ministers attended; responsables persons from NCS along with the MSG members led by the vice-chair of MSG went to Damwei on February 26 and 27 for SNU formations; regional SNU was also formed on February 16 in Mandalay region; regional level SNU meeting was held for the first time on February 28; prime minister of Mandalay region led and hosted the meeting; the following meeting was to discuss the activites of formed SNU to follow the processes; the rest of the states and regions would be visited by NCS for SNU formations; and official letters informing that NCS and other corresponding departments would be coming for negotiation and discussion had been released; plans were

on the way to form BO task force regarding beneficial ownership; it was decided in the 6th working committee meeting on March 14 that TOR of task force and working processes were discussed in detailed; depending on the TOR and functions, representatives and persons to involve in the force would be discussed and decided.

He added that – reporting templates had been informed by the Ministry of Planning and Finance to the department of natural resources and environmental conservations to be able to submit forestry sector in the second and third reports; it had been informed to send the completed reporting templates to NCS latest by March 21; office of auditor general of the union had been negotiated to audit the sent reporting templates and sent it back to IA latest by April 11.

He concluded by saying that – while making discussions and decisions to release pre-final reports for draft reports of 2014-15 and 2015-16, a vision to develop transparency in the future should be approached by the departments, private owners and civil societies to avoid missing of information and misunderstandings; it is required to ensure the consistency of information and coverage of field and scopes in the reports; it is required to discuss whether the IA is satisfied with the reactions and solutions by the departments to the findings and suggestions and whether it was reliable since some of the recommendations were general and some detailed; improvements would be observable during the period of reconciliation only when the recommendations were in an applicable state; to find answers why the taxes given by the companies were not included in the government’s official releases; and finally, everyone must try to develop a country with proper transparency.

(B) Opening Message (Vice-chair, MEITI-MSG)

Vice-chair of MEITI-MSG gave a message. He mentioned that – discussions should be emphasized on whether there was consistency and truthfulness of data including in the draft reports and whether the findings and recommendations were practical; since March 31 was the deadline, everyone should discuss carefully in the following meeting; recommendations including in the report in the previous committee meeting needed more specifications for it was difficult to implement if the recommendations were too general; and if the departments also replied in general that they were working on it, it would seem that there was no improvement for each and every year; and finally he wanted all to discuss the details before the report came out.

(C) Message (MEITI, National coordinator, NCS)

By the speech of national coordinator of MEITI NCS, he described that – IA sent the draft reports for 2014-15 and 2015-16 to MSG and other corresponding departments on March

11; on the following day, the IA, Moore Stephen would explain the draft reports; he encouraged the representatives from MSG and other intellectuals to discuss about the reports; a mining cadastre system was already in implementation according to the recommendation from the first report and the mining cadastre consultant submitted interim report on February 5; interim report stated to form pre-cadastre unit and it had drawn a pre-cadastre plan and thus the plan should also be discussed; the BO consultant, ASI group met with the chair of EITI committee i.e. the deputy minister of the Ministry of Planning and Finance and presented the BO concept note under the instruction of the chairman of Myanmar EITI working committee; while requesting a list of volunteer companies, (9) companies from mineral sector, (6) companies from petroleum and gas sector but no list of companies had been submitted by the MGE for the treasury sector and needed to negotiate for cooperation; reporting template training was held by IA (Moore Stephen) on February 26 and reconciliation would be conducted in the last week of March and second week of April; auditing for forestry sector would be made during March 21 and April 9; NCS was continuing the SNU formation processes; SNU workshop was held one and a half days to exchange discussions and transparency in SNU formation in the states and regions; it was recommended that PMs and representatives from government discussed during the first day and reps from civil societies and private sectors discussed during the second day; Mandalay regional SNU had already been formed through executive instructions of the Mandalay prime minister on February 16, 2018; regarding the formation, statement instructing the participatory formation of MEITI-MSG and MEITI-NCS had been planned according to the discussions of EITI working committee meeting on March 11; consultation to be conducted on March 21 and 22, 2018 for Myanmar government MSG long-term sustainable development plan; chair of MEITI leading committee and chair of MEITI working committee ordered to officiate the formation of Mandalay SNU (10-Government reps, 5- Reps from private sector, 5- Reps from civil societies) by meeting with the prime minister on the way; MSG members were to validate the official formation of that SNU; and finally, he encouraged vibrant discussions among MSG members, corresponding departments, civil societies and reps from private sector in order to be able to implement the MEITI processes successfully.

2. Review on Implementating status of 11th meeting decisions (Program Advisor)

Program advisor of NCS presented the implementation situations for recommendations from 11th meeting decisions. He described that – reps from NCS and MSG went to Tanintharyi on

26 and 27, February regarding the SNU formation; NCS was continuing its works regarding the SNU members and details would be discussed again; workplan and government meeting had already been conducted; BO concept notes (how to form BO, future plan, how to conduct workshop for future implementation) would be discussed during the meeting of the following day; situations on mining cadastre would be inclusively discussed during the meeting too; communication sub-committee meeting had already been conducted; forestry IA update would also be discussed in the meeting; NCS was undertaking the implementation of recommendation from the first report; moreover, time-line and action plan to implement the recommendation should be discussed in details in MSG meeting; under the same agenda, corresponding departments should also discuss about their implementation situations regarding the recommendations; MSG suggested that there could be misunderstandings in completion of the reporting templates which are to be completed annually, misunderstanding could be about the information already been given, delivered or not; therefore, a guideline for completion should be prepared; NCS had prepared the proposed agenda to hold SOE workshop (Extractive industry sector) in April; this was also discussed in sub-committee meeting; reps from private sector still need to submit a list of names while choosing focal person for private sector, government sector and that list from oil and gas sector and treasury sector had already been received; this should be discussed and focals should be chosen in the upcoming MSG meetings; EITI law and policy had been discussed in workplan and governance meeting (how to hire consultant, to elaborate the discussion on defining TOR); if the discussion didn't end, it was suggested that the topic was carried to the sub-committee meetings; Moore Stephen had requested the data regarding unilateral disclosures from IRD regarding the main report; issues about audit certificates in the draft reports had been discussed in the previous MSG meetings; some companies were late to submit auditor's certificates; for this delay, date in pre-final report was also belated; the companies who submitted in time were recorded as they were; after the last MSG, most companies sent audit report cover sheets to auditor certificates to NCS; MEC was one of them and MSG members to discuss whether to continue the receipt and sending, specific records were made for all the receipts; Moore Stephen also described the date as it was as the NCS submitted; things had been made in accordance with previous MSG meeting decision; list of companies with receipts, list of companies with no receipts, and list of companies with late receipts were recorded separately; this should be discussed to an end at the following meeting; previous decision to hold 12th MSG meeting was being commenced at the time being; pre-final report (2014-15 and 2015-16) had been received from Moore

Stephen on 12; this had been distributed to the corresponding departments and MSG members; this would be emphasized as part of the discussions on today's meeting; it has been requested to MOGE to provide with necessary information; meeting between MOGE and Moore Stephen was held on 15 regarding the matter; MOGE told that some information would be delivered to NCS on 20 (Tuesday); they should do so in time; Gay JJ India company being tax free for (5) years according to the Myanmar Investment Commission law had been informed officially to MOGE and NCS; therefore, remark should be given for this company; works had been continued to follow up requested information from Myanmar Pearl sector and other corresponding departments.

3. Latest update on EITI Pre-final reports 2014-2015 and 2015-2016 (Moore Stephen)

Moore Stephen described that – to update the EITI pre-final reports 2014-15 and 2015-16; table of contents consisted of main figures, reconciliation measure, completion of EITI datas and data consistency, tax figures for mineral resources sector, results of reconciliation, other information, findings and recommendations; these reports mainly consisted of main figures from four sectors – oil and gas, jade and jewellery, other minerals and minerals; the net variance counted 2.8% in the 2014-15 report with 1.9% in the 2015-16 report; there were 94% participation of companies and government departments from oil and gas sector, jade and jewellery sector and mineral sector in actual reconciliation and auditing process for 2014-2015 report; there were 84% participation of companies and government departments from oil and gas sector, jade and jewellery sector and mineral sector in actual reconciliation and auditing process for 2015-2016; taxation for each sector by the companies from mineral sector had been categorized as taxes, non-tax funds, social payments for oil and gas, jade and jewellery, other minerals and mineral sectors whereas taxation requested by the officer had been separately described as SOE, DOM, Forest department, IRD-customs, Social payments listing as taxations gained from each mineral sector; 83% from SOEs and 71% from MOGE were collected; it was found that among the funds gained from SOEs, only 48% had been saved as SOEs other accounts; funds received by government from mineral sector stated in as only 44% in the payment slip; taxations collected from SOEs in 2015-16 draft reports stated 35% and 38% received by the government from mineral sector describing that it had been saved in SOE account.

According to the results of reconciliation and auditing, there were gaps between the government's announcement on money receipt and the company's announcement on taxation provided. In 2014-15 report, the variance counted til 2.8%. Only 2% gap tolerance

was allowed for the direct payment but there were differences between funds that EITI exposed and balances in SOE accounts.

There was 1.9% variance between announcement of government and announcement of company (Gov-2807196 bn & Extractive company-2754640) according to the results of the reconciliation and auditing of 2015-16 draft report. Since it was lesser than 2%, it was fairly acceptable.

It was suggested that – high differences in balances could be because of the difference in the date paid by the company and the date saved to government’s SOEs accounts or the cut-off errors; regarding the CSR all was listed voluntary whereas marked compulsory for Shwe Moe Yan’s CSR sector; among the datas provided by the government, there are still missing figures that the companies didn’t provide; taxations related to on shore blocks in MOGE had not been paid; since MPE is separated body, it assumed that it was not necessary; MOGE needed to release a statement for off shore blocks payments; in-kind payments should be described with figures too; In-kind data had not been received from MOGE regarding SOE; although it could not be mentioned in the report before the validation, this should be published on websites; it was found that MPE didn’t publish sales data; in the sector of data consistency, Gall JJ India company was (5) years tax-free company under the Myanmar Investment Commission law and hence no data entry was found for the company; however, it was required that the company release an Nil declaration that they did not pay the taxes.

In EITI implementations for the recommendations, it was described that – it was required to reveal the missing date of licensing, date of license awarding, lifespan and location and area of license in the contracts for the oil and gas sector and mineral sector; conducting trainings, entering database accounts for companies, empowering research groups were required to improve the quality of IRD; by the administration of jade and jewellery, the government departments did not practice consistent usage of the Tax Payer Identification number –TIN for taxations by the companies from mineral sector; TIN number were kept separately; in establishing a fund division system for mineral sector, for example, it should be determined how much would be spent on rehabilitation and how much would be spent on other sectors; management of jade and jewellery in treasury information, field exploring and pricing still needed to be improved; it was required that treasury management models were defined; instructions were needed to be made for pricing procedures, mining situations and scoping studies; there would be like no transparency without datas even though there were in-kind supports from MOGE to SOE; the transparency was weak between connections

of government and SOEs; SOE needed to make public aware of its companies; all SOEs needed to come up together with a report; what kind of relationships were there between the state and SOEs, roles and responsibilities of SOE, government supports as well as the role of SOE participation in licensing its companies – needed to be clarified; and that lessening the complain of interest was required.

A responsible person from MOGE explained that – although it was listed in-kind, according to PSC contracts, all were cash in onshore, offshore; for example, if two sides agreed to produce 1500 tons and produced 1800 ton, extra 300 were divided and purchased from the companies; at offshore, purchases were made for domestic usages; the datas would be provided latest by 23; the deputy director himself would explain details; information contained in the contract would be exposed; and that MOGE to help publish on the website if it was too late to be included in the report.

It was then discussed that – in the results of taxation accounts in draft report, findings that half of funds obtained by SOE went into expenses and expenditures was because while giving interests for the loans, payig cash calls and commercial taxes, expenses were made from the balance of OA and paid one-third as a commercial tax.

A responsible person from IRD said that – there were 3 recommendations from first report 2014-15 and 13 from second report 2015-16; implementations of these recommendations would be explained with tables by the upcoming Monday; departments were under reforms with two objectives; (a) To transform from Office assessment system OAS into Self-assessment system SAS, (b) To transform commercial tax to Value added tax; Tax administration procedure law had been proposed to the parliament; strategic plan was set out in 2011-2012 and in 2014 450 companies initiated exercising SAS and in 2015, 700 companies and at the time being the system had been implemented by 1400 companies; established Middle Tax Officer (MTO) office was managing and establishment of 5 MTO by 2020 was provisioned; works had been initiated to form Sub Middle Tax Officer; (3) auditing teams were also working with international auditing standards; and finally that datas were in hands as it was described in the recommendations and hence could provide them at once.

It was discussed further that – recommendations would be useful in validation process and hence recommendations in the reports should not be lessened; deputy director from mineral department would send a letter to NCS regarding inclarities on the CSR activity, donation activity and license.

4.Explanation of implementations regarding Beneficial Ownership (Technical Coordinator, NCS)

It was discussed that – in ensuring beneficial ownership, there were (4) sectors; (1) political promises and participation of government representative, (2) legal reforms, (3) accessibility of information and (4) consistency and reliability of information; there would be (11) departments in forming BO task force; U Soe Win (National Coordinator) had been elected as Champion; as an option (A), there would be both pros and cons if CSO and private sector involved in BO formation; as an option (B), there would be both pros and cons too if BO was formed only with government departments; in Indonesia, BO was formed only with governments; it should be considered which company would be chosen as Pilot and whether it would be chosen from the companies including in the templates; the company must be encouraged for inclusive participation, workshops must be conducted for those participants, it should also be encouraged that BO giving out certificates; it would be meaningful during the discussion only when the CSO, government, private sector were acknowledged clearly with the concept of benefits, roles and responsibilities of being involved in the task force; it would also be convenient through comprehension only when all the participants had commitment, with companies encouraged for fair and equal market competitions; instructions could be released for the companies but their understanding is required for full cooperations.

It was also discussed that – there were 2 stages; the first was the period of pre-test running of the program with volunteer approach and the situation would be reported in June, the second was developing MEITI road map but this could be implemented only after the BO task force had been formed.

It was also recommended that – the reporting line should present through working committee to the leading committee whether the reporting regarding the BO task force would be executed directly to leading committee or from the side of the working committee;

since there were directors and managing directors from all various departments in the working committee, they should be acknowledged about that too.

DOM discussed that – DOM had ceremony of delegation to executive groups on 1.4.2018; companies would be chosen to involve and the selection of companies to involve in BO would be done systematically in April.

It was also discussed that – final report would be available on 28.3.2018, MSG was to validate that report and after the validation, date to launch the report must be set.

5. Improvement situations regarding IA Forestry and information regarding the Legal Review (Technical Coordinator, NCS)

U Htun Paw Oo (technical coordinator, MEITI-NCS) then discussed the situations of implementation and improvement regarding the forestry sector by IA.

He discussed that – forestry templates had been sent out to companies and other departments and the completed templates must be sent back to NCS on March 21; hard files must be sent on May 30; it was set out in reporting timeline that the period of data collection was from February 26 to March 21 and the period of review was from March 22 to April 9; variances would be checked and attended when Moore Stephen and Addy came to Myanmar from March 25 to April 7 and meeting with the departments and the companies; draft report would be released on April 20 and Moore Stephen would be presenting it during the MSG meeting; pre-final report was estimated and set out to be released on May 11 and the summary report on May 28; it was requested that hard files were sent before the office relocation of NCS; it was encouraged that hard files were sent no later by April 18; the departments would be contacted then for new NCS office address; as developing the MEITI policy was discussed in the 11th MSG meeting, policy review and legal review must be conducted; MEITI reports, currently collected enacting laws (34 Laws) regarding resources, financial, taxes, corruptions and anti-money laundering – should be researched and suggestion of any other laws were welcomed; it should be studied that whether EITI processes supported the laws and how to adjust the two; EITI standards and reports of

other ministry departments must be studied along with conducting man meetings ahead; consultant would be hired; and criteria and credentials such as (5) years minimum experiences, graduated with Law and experience to review the laws, familiar with Myanmar Laws, and TORs –should be discussed in the Technical and reporting sub-committee meeting; period of review had been defined as 3 months; that TOR was only a drafted version and if permitted, would be discussed in the technical and reporting sub-committee meetings; and that negotiation among MOBD and World Bank was necessary to draw a TOR.

A representative also discussed that – it was necessary to discuss in the technical and reporting sub-committee for the legal framework; which law was to review and the limit of review could be discussed; it would be better in his opinion if it was discussed with MSG and bill committee in the parliament to develop a law.

It was then discussed that – it was not about drafting an EITI law but about making a legal review to analyse how much works were supported to EITI processes; World Bank did a legal review regrading the MEITI in 2013.

A rep from MEITI-MSG suggested that – among the consultant’s TOR, instead of “graduate from any law school”, it should be “any graduate or diploma holder majored in development and political/policy with experience in legal review” and the candidate with “public policy” instead of legal sector should be favoured; the candidate should be at Master level and with minimum (5) years experience.

It was then discussed that – draft TOR had been developed through discussion with NRGi since it must be presented in the upcoming MSG meeting according to the meeting decision of 11th MSG meeting; as for the agenda, opening speech first, followed by discussion of NRGi on SOE governance, reforms in the mineral sector by the corresponding departments, current situations, and international experiences (professionals from Liberia came and shared their experiences regrading the forestry sector and they proposed that they wanted to share their experiences there) in the evening; and one panel discussion.

6. Explanation of SOE Workshop (Technical Advisor, NCS)

He described that – he would like to go through Group discussion and presentation (How to engage SOE compromization, SOE financial reporting structure and SOE oversight); SOE workshop was estimated to be held by the end of April or in May; he encouraged the discussions regarding the TOR. A representative from MSG reacted that – different sectors called for different interests; a space for questions and answers after each program were encouraged; in the first day and second day, it was important that all of the stakeholders participate since it would consist of MSGs that was related to mineral sector and forestry sector despite having different scopes; knowing which country’s reform would be referred and to what extent would the policy be considered would smoothen the process; and it would be meaningless to discuss and make decisions at once without properly knowing the current situations and measures of the processes of other departments. It was then discussed that –pre-meeting with corresponding departments should be held before the SOE workshop; technical inputs regarding SOE reform from RI, NRG, MDI should be retrieved first and then made connection to discuss in the MSG meetings.

7. Improvement situations regarding the SNU formation (Program manager, NCS)

Program manager from NCS then presented the improvement situations regarding the SNU formation.

He described that – NCS group and some reps from MSG had visited Tanintharyi for SNU formation on February 26 and 27; representatives and side-reps could be validated; NCS had informed the Tanintharyi government to release an official statement on the validation; currently, they were waiting for the statement to come out; permit for SNU formation had been submitted; according to MATA, SNU formation in Mandalay was led by the prime minister, conducting a workshop on February 28; regarding the matter, instructions for the processes such as conducting pre-meetings regarding the formation and leading organizing turned out to be unclear; therefore, the prime minister misunderstood and perceived that organizing should be done under his leadership; and suggestions were welcomed whether to support the formed SNU in Mandalay or the other way or how to engage; for the SNU

formation in Tanintharyi, order and validation of the prime minister was still in waiting list; NCS submitted a letter on 7.3.2018 since it had to wait for the list of names from the oil and gas sector; follow-ups were being ensured and was only waiting for the validation of the prime minister; and that NCS national coordinator U Soe Win would send the letter requesting the release of official validation to the resources minister of Tanintharyi, U Myint Maung. A representative from MSG then discussed that – there had been no official letter sent for Mandalay SNU formation; however, follow-up showed that formation had already been made; and that although Mandalay SNU formation was acceptable, situations of formation should be officially informed to NCS.

A MSG representative also discussed that – in Mandalay SNU formation, there was “representatives from Oil and Gas shops” which could lead to ambiguity and misunderstanding whether it represented MOGE or private sector or even if they were allowed in other states and regions; and additionally there would be consequences to make recognition and accountability without explaining and informing the purpose and concept of SNU either by NCS or MSG reps from MEITI.

It was then discussed that – NCS first needed to work on retrieving official letter for Mandalay SNU formation; secondly, it should travel to Mandalay to explain the objectives of SNU formation and other process concepts; moreover, although (5:5:5) quota had been used for SNU formation in other states and regions, Mandalay used (10:5:5) with 10 reps from government sector, 5 reps from private sector and 5 from civil society sector; so it should be clarified whether that quota was accepted or not; since it was described as “representative from corresponding department from the government sector”, it would be more than 5 reps from the sector; and that more reps from departments in Mandalay such as (MOGE, Jades and Gems, Oil and Gas) should be involved.

MSG representative then discussed that – union minister of MPF released a letter of order on March 15, 2018; although there was previous release, clarification of role of NCS and SNU formation was highlighted in recently released letter; in the previous letter, it stated “One delegate from each of the corresponding departments from these following Ministries in the corresponding state/region” and in the newly released one, it stated “One delegate from each of these following ministries in the corresponding state/region”; and that the sent out letters hence were all mistakes.

A MSG rep then discussed that – NCS letter of informing had been submitted for newly released letters of orders for corresponding departments from the remaining states and regions such as Mandalay, Shan, Sagaing and Rakkhine, reading materials, and visit to those

states for SNU formation; formations processes in Madalay were encouraged to be done within the following month; this would support the objective of making one formation for each and every month; and that only after the Mandalay formation was finished, should other states and regions follow.

It was then discussed that – if Mandalay was to be revisited, MSG reps attending now were encouraged to cooperate; if contacting corresponding departments in Mandalay went fine, NCS would inform these corresponding MSG reps; although Shan state had been contacted, meeting could be conducted only in April or May due to busy schedule; and that according to the weather situations, mountain areas in rainy season was not convenient that after Thingyan, implementation in Shan State was encouraged to rush.

Findings – according to the experiences on SNU formation trips and the feedbacks;

It was discussed that –

- (A) roles and responsibilities of chair and secretary to be clarified
- (B) In SNU TOR, as it was stated that “Members of SNU, if necessary, can conduct field observation”, to how much extent they can involve in field observation was questioned; SNU questioned the meaning of field observation, field of scope and safety protocols.
- (C) In the first section, it was defined that budget division regarding the SNU would go to each state and region (currently 6). However, measures till 2019 showed that it would cover all states and regions which meant that the budget was few. Hence, budget sector should be connected with the correction of work-plan being made in the work-plan and governance sector.
- (D) SNU members also asked that while supporting SNU depending the budget, what processes would be supported by MEITI for SNU.
- (E) Since there is a budget problem, how the SNU activities would be connected with MSG activity should be taken into consideration too.
- (F) After the official instruction, SNU formation will become validated and thus after the formation, how MSG and NCS would provide supports should be considered and whether these findings would be discussed in the sub committee meetings.

A representative then added that – these findings were necessary to be discussed in the sub committee meetings; and that objective of the formation would be successful only when explanation of roles and responsibilities of chair and secretary, and future workplans of the

members were made; it was required that SNU TOR validated from sub committee meeting through SNU formation workshops and processes were discussed in details.

8. Update information regarding the mining cadastre (Technical Coordinator, NCS)

It was discussed that – pre-cadastre Action Plan (Complete and clean disclosure, Alphabet numbers, coordinates, graphical works) had been added; MEITI-MSG to validate the TOR of pre cadastre working group and TOR for the consultant; hiring the consultant for pre-cadastre unit would cost 22,000 USD and the MEITI-MSG to validate the decision; it was required that MEITI-NCS send the TOR along with the letter requesting permission for formation of pre-cadastre working group to the Ministry of Natural resources and environmental conservations; and that the director from the corresponding departments would be leading in organizing the pre-cadastre working group.

Fifth MEITI-MSG Meeting Decisions (28th July 2017)

Sr. No.	Description	Action Taken By	Status
1	Agreed and decide to hire translator for the translation of Implementation Manual and EITI Standard 2016.	MEITI-NCS Team	Ongoing

Seventh MEITI-MSG Meeting Decisions (2nd October 2017)

Sr. No.	Description	Action Taken By	Status
1	Unilateral disclosure by MGE/IRD/CD of revenues collected from companies not selected in the reconciliation scope	IRD	Done
2	IRD has to engage the process to collect data on revenues collected from extractive sector based on the list of companies provided by the MONREC and MOPF MONREC has to also consider the submission of disaggregated data for revenues collected from small scale operators		Done
3	Companies involved in EITI report should be given credits or MSG recognition	MSG/NCS	Ongoing

8th MSG Meeting Decisions (6 November 2017)

Sr. No.	Description	Action Taken By	Status
2	To draft EITI bill which all the stakeholders can involve so that EITI process can continue regardless of government transmission. Before EITI Bill can be passed, to include EITI process in the existing laws and to discuss EITI process at the Pyidaungsu Hluttaw	MSG	Ongoing
3	To liaise with the 8 EAOs which have signed cease fire agreement to raise awareness Since EITI is included in the NCA,	MSG	Not yet
4	To complete and review the Action Plan and the Communications Plan	NCS	Ongoing
5	The Communications and Out-reach sub-committee to include grievance procedures in the Communications Plan/strategy	NCS and the communications and out-reach sub-committee	Ongoing
6	NCS coordinate with State/Region in order to form sub-national coordination units (SNU_	NCS	Ongoing

9th MEITI-MSG meeting Decisions (19th December 2017)

Sr.	Description	Time	Action Taken By	Status
1.	Phanteeyar will voluntarily support the development of Open Data Format according to EITI 2016 standard, and NCS also to look for and contact with other organizations which can support on that work		NCS	Ongoing
2.	To brainstorm on who should involve as stakeholders in BO taskforce		MSG NCS	Done

Decisions from 10th meeting of MEITI- MSG

No .	Decisions	Time	Action taken by	Status
1.	During the 7 th meeting of MSG, the quantity of Gold was asked to mark according to the “Unit” agreed in the contract. However, Gold in ToZ was only described in “in-kind payment flow reconciliation” and thus the Independent Administrator(IA) is to re-examine. And to put the conversation units from Department of Mines in newly constructed column.		Independent Administrator (Moore Stephens)	Done

2.	During the 7 th meeting of MSG, the quantity of gold still needs to be offered were promised to be described in “In-kind” but since the information hasn’t been revealed, it is to be retrieved and send it to IA.		ME-2, NCS	Done
3.	To conduct orientation in one region or state while workshop is conducted in another region or state simultaneously regarding to SNU. SNU-related trips will be made twice a month and MSG members are to participate in SNU workshop that will be held 2-Days.		NCS, MSG	Ongoing
4.	SNU orientation in Shan State is to be conducted one time in combination in Taunggyi township and number of members to organize SNU is to be asked and reported.		NCS, MSG	Ongoing
5.	To negotiate with respective government departments the date for conducting Reporting Entities Template Training for government departments working on development of report on Forestry and other companies		NCS, FD, MTE, FPJVC	Done

Decisions from 11th meeting of MEITI- Multi-Stakeholder Group

No.	Description/Decisions	Period	Implementation Body	Status
1.	To send information about potential individuals from NCS in advance for the formation before SNU Formation. (For e.g, EITI Standard) To retrieve permission from NCS to each of the Constituency for the list of representatives from Tri-party Coalition to join the activities in (6) States and Regions.	February 20, 2018	NCS, MFMA, MGJEA, MFPMF, MATA, Oil and Gas companies	Done
2.	SNUs from the states and regions must have workplan and ToR, connecting with MSG Workplan and to comply the budgeting with the guidelines currently using in National Level.		National Coordination Secretariat (NCS)	Ongoing
3.	Member from SNU are invited in each and every MSG meeting for discussion. SNU to be listed as a Part of the Validation at this stage yet but to be considered in long-term		National Coordination Secretariat (NCS)	Ongoing
4.	Workplan and Governance Sub-committee meeting	February 22, 2018 (9:00 AM to 12:00 AM)	NCS, Sub-committee members	Done
5.	To host Technical & Reporting Sub-committee meeting to discuss about BO Concept note	February 22, 2018 (1:00 PM to	NCS, Sub-committee members	Done

		5:00 PM)		
6.	Mining Cadaster Sub-committee meeting	February 23, 2018 (9:00 AM to 12:00 PM)	NCS, Sub-committee members	Done
7.	Communication and Outreach Sub-committee meeting	February 23, 2018 (1:00 PM to 4:00 PM)	NCS & Sub-committee members	Done
8.	To conduct a forestry-related “Reporting Template Workshop” on February 26 and the NCS to send invitation corresponding companies and departments.	February 26, 2018 (9:00 AM to 4:00 PM)	NCS	Done
9.	To conduct SNU Formation Workshop in Tannintharyi on February 26 and 27.	February 26 and 27, 2018	Selected members of MSG and NCS	Done
10.	To establish Timeline and action plan for implementation of recommendations from the first report cycle.		NCS	Done
11.	Discussions (1) Guidelines and instructions for reporting templates are to be published both in Burmese and English languages (2) To include situation analysis on matters related to “pearls” (Connection with MPE, Licensing, details of the company, Pearl emporium data) in the report (3) Determined regular meeting mechanism for each period (or) inviting MSG to attend the meeting regarding the topics of discussion (i.e. Reform and recommendations follow-up) (4) To conduct SOEs Workshop regarding the “extractive sector” in April		MSG, NCS & IA	Ongoing
12.	To allocate 1 or 2 focal person for each of the Constituency among MSG. However, for the private companies, representatives from each working mechanism of the enterprise are to be selected and hence, (4) total focal persons. Selected focal persons related to the meeting agendas will be invited by the secretariat to join the meetings of leading committee and working committee.		Representatives from (3) selected sectors, NCS	Done
13.	Developing of EITI law according to the recommendations from the first MEITI report is to be presented to leading committee for discussion. To discuss the discussions regarding the concept note with the leading committee.		NCS	Ongoing
14.	To continue discussing in details on workplan and	February 22,	NCS, Sub-	Done

	governance sub-committee regarding the EITI law and policy	2018 (9:00 AM to 12:00 PM)	committee members	
15.	To hire consultant for legal review on the extractive sector		NCS, MOBD	Ongoing
16.	To send official request letter to the Office of the Auditor General of the Union, asking to audit the data related to completed taxations of the companies regarding the resources (Unilateral Disclosure data) although it is not covered in the auditing fields that will be completed by the Internal Revenue Department.	February 23, 2018	NCS, MOBD & OAG	Done
17.	In the appendix of the drafted report, the companies that didn't receive the Auditor certification sheet will be listed with the companies who submitted beyond deadline but no other remaining companies. To highlight with remarks about the companies with belated submissions in the report.		MSG, IA	Done
18.	12 th MSG meeting	March 16, 2018	MSG members and NCS	Done
19.	Auditing team will send the second EITI report (Pre-final) that covers 2 fiscal years; 2014-2015 and 2015-2016 on March 9, 2018.	March 9, 2018	Auditing team (Moore Stephens)	Done
20.	Myanmar Oil and Gas Enterprise is to reveal the situations of (4) companies among (8) natural gases companies that was listed as missing data in 2015-2016 Myanmar EITI report but have paid the data fees- to NCS and NCS is to translate the document and send it to the IA.		MOGE, NCS, IA	Done
21.	MOGE is to contact Gail JJ India Ltd. which is petroleum and natural gas company that haven't received reporting template hard copy.		MOGE	Done
22.	NCS to release a letter requesting information from Myanmar Pearl Enterprise(MPE) to include in Myanmar EITI report.	February 16, 2018	NCS and MPE	Done
23.	NCS to follow up and send the received information from the corresponding departments to include in the report of the IA.		NCS, Government Departments and IA	Done

Decisions from 12th meeting of MEITI- MSG

No.	Decisions	Period	Implementati on Body
1.	To inclusively discuss details about Action plan regarding the recommendation from the first report in the upcoming MSG meeting agendas.		MSG, NCS

2.	The government sectors and private sectors have received the list of focal person but not the Forestry and Mining sectors for the enterprise sector. (leading committee)		MSG, NCS
3.	If the remaining information from MOGE couldn't be disseminated in time, it is to be uploaded on MEITI website. To disclose some of the contracts and related information and data. To provide the total sale information latest by Tuesday (03/20/2018) to include in the report.	March 20, 2018	MOGE, NCS
4.	To provide information to NCS on CSR activity, Donation activity regarding the mining sector and some clarifications yet to be made about licensing by next week.	Next week	DOM
5.	To provide information such as whether the implementation for recommendation are in progress and whether it can meet the schedules timeline and sorts. To be completed before validation.		MSG
6.	List of potential volunteer to participate in BO task force from MGE will be provided in April after the workshop, no later by the BO timeline.	April	MEG, NCS
7.	Awareness trainings regarding the volunteer companies are to be conducted in advance. Workshop is also conducted to enhance and comprehension and participation of the involvers. It is important that owners and investors are aware of the benefits of BO and understand the concept of incentives (Stakeholder Mapping) to cultivate real participation.		ASI, NCS
8.	In the reporting line, leading authority to be reached through working committee step by step regarding the BO task force.		MSG, NCS
9.	To report the Deputy prime minister to provide with the transaction digits regarding the OA from the Treasury department	March 19, 2018	MOPF, NCs
10.	After receiving the report on 28, the date of 13 th MSG meeting was validated as (30) in Yangon.		MSG, NCS
11.	Roles and responsibilities and criteria(Master Degree, Public Policy, Development Study etc;...) for the consultant who will be hired for the drafting of EITI law and policy in Myanmar through observing and researching existing laws and policies – are to be discussed in Technical and Reporting Sub-committee meeting		Technical & Reporting Sub-Committee member, NCS
12.	Technical inputs discussed in SOE workshop are to be presented in upcoming MSG meeting, connecting with government departments, RI, NRGI, MDI working on reform processes.		NCS
13.	NCS to follow up for the release of press order regarding Dawei SNU Formation.		NCS
14.	Agree that - list of representatives for SNU formation in Mandalay are to be discussed again with Mandalay region and trips to Mandalay for Formation and Awareness are needed and that the list and number of members organized in Mandalay. (To visit in March)	March & April	MSG, NCS
15.	To visit Shan state SNU in April	April	MSG, NCS

16.	Details about SNU are to be continuously discussed in Communication and Outreach Sub-committee Meeting	Time TBC	MSG, NCS
17.	Implementation plans regarding the mining sector are to be continued even after the consultant had returned and NCS is to release a press to form Pre-Cadaster Working group. Agreed to hire consultant.		NCS
18.	Details to support the reform regarding the report launching after the report has been developed and details about political back-ups are to be continuously discussed in the working committee. To deliver message and recognition for all the involvers in the reporting process.		NCS

Annex 1 – 12th MSG Meeting Attendance List

N0.	Name	Organization	Title	E-mail
1	U Win Htein	DOM	DG (Retd.)	uwinhtein58@gmail.com
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10	U Aye Maung Kyi (alternate of U Tin Myint)	GAD	alternative	
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