

4TH MEITI MULTI-STAKEHOLDER GROUP (MSG) MEETING

MYA YEIK NYO HOTEL, YANGON

30 APRIL 2014

Draft Minutes

MEITI Coordination Office/Secretariat

12th May 2014

DRAFT MINUTES OF THE 4TH MEITI MSG MEETING

Yangon, 12th May 2014

1 Welcome from the Chair of MEITI-MSG and MEITI National Coordination Office, and Outline of Meeting Agenda/Objectives

Dr Maung Maung Thein, Chair of MEITI-MSG and U Min Zar Ni Lin from the Myanmar EITI Coordination Office welcomed the MSG members and outlined the aims and objectives of the meeting: to approve the MSG Terms of Reference (TOR) as agreed in the 3rd MSG Meeting and to receive comments and agreement on Myanmar's EITI candidacy application. He then also highlighted the importance of submitting the application as soon as possible, in time for consideration at the next EITI International Board meeting on 1-2 July.

2 TOR Discussion and Approval

Daw Kay Thi from the Myanmar EITI Coordination Office presented the points that had been incorporated after being agreed during the 3rd MSG meeting. These points were Section 6.1(j) and 7.2(d) specifically. A new 10th principle, 'Consensus' was also added to Section 4, 'Basic Principles of the MSG TOR'. The MSG TOR was then approved by the MSG and it was agreed that it would be included in the MEITI candidacy application.

Actions

The MEITI Coordination Office will ensure that the Myanmar and English versions of the MSG TOR are the same.

3 Workplan

CSO MSG representatives made 2 comments that CSOs would like to be included in the workplan in the future. These are:

- Legal Review and Study – CSOs would like to ensure that any obstacles and laws that prohibit CSOs free participation in the process are included in this work.
- To review and update the budget calculations

The CSO MSG members suggested that a number of issues that CSOs would like to incorporate in the Workplan can be reflected in the MSG meeting minutes and can then be reviewed by the MSG another time.

The MEITI Coordination Office confirmed that with regards to the legal study (Activity 1.2.1), it will be the responsibility of the MSG to agree the scope, terms of reference etc. With regards to the budget calculations, it was highlighted that this had already been discussed in the 3rd MSG meeting and it had

been agreed that it would be reviewed in the future. The MSG Chair Dr. Maung Maung Thein reconfirmed that the budget will be reviewed by the MSG members in the future and that this should be recorded in the meeting minutes. The workplan was approved by the MSG again.

Actions

The MEITI Office will ensure CSOs' points are recorded in the meeting minutes.

4 Myanmar EITI Candidacy Application Discussion and Approval

U Min Zar Ni Lin from the MEITI Coordination Office presented the draft Myanmar EITI candidacy application to the MSG members. He also highlighted any comments received from stakeholders, including CSOs, on the candidacy application. MEITI Technical Adviser, Emma Irwin explained the changes and additions that had been made to the draft, based on discussions with CSOs, relating to CSO outreach and constituency building. CSOs then requested that the section relating to environmental (and social) impact assessments and disclosure be clarified. There was a lengthy discussion about EIA disclosure, including private sector stakeholders, and whether this was the government or private sector's responsibility. Finally, based on the discussion, the Chair of the MSG suggested that the wording of the relevant sentence on page 13 of the candidacy application be changed to, "In addition, there have been a number of other legal and regulatory reforms, including the 2012 Environmental Conservation Law which includes Environmental (and Social) Impact Assessment requirements, *including public and timely disclosure, that will also extend to all new extractive industry contracts.*"

The MSG members agreed to approve the current draft MEITI Candidacy Application subject to a final review over the next few days during which no substantive changes were expected. All MSG members agreed that the application should be submitted to the International EITI Secretariat on 7 May 2014.

Actions

The MEITI Coordination Office will send the final draft Myanmar EITI Candidacy Application to the MSG on 1 May 2014 and MSG representatives will send any final comments by 2 May 2014. These will be incorporated into the final application that will be sent to the EITI International Secretariat on Wednesday 7 May.

5. General Discussion and Any Other Business

CSO representatives asked if the formal notification document that established the MSG had been distributed to all government departments in the states and regions. The CSO representative said they are experiencing some difficulties at the grassroots level because the state and regional governments do not know about the EITI process. Therefore he requested whether the General Administration Department of the Ministry of Home Affairs could support the EITI process further. The MSG Chair reconfirmed that the notification had already been distributed to all regions and states. The MSG Vice Chair U Myint Zaw explained that the EITI process is also currently being explained to the regional and state governments that he visits. The MEITI Coordination Office said that the MEITI team will carry out more EITI outreach functions. The MSG Chair agreed and said that MSG members as well as the MEITI Coordination Office should carry out outreach activities after submitting the candidacy application to broaden people's knowledge in EITI.

A CSO representative reported that there will be two CSO coordination offices in Yangon and Mandalay each. CSO requested to use the name of MATA officially in the Myanmar EITI candidacy application. He

said that this coordination office is aimed to work closely together with MSG members. Regarding to this point, MSG Chair asked to invite the government departments and to have talk.

A CSO representative asked for clarification regarding communication channels between the World Bank and MSG representatives (government, private sector and CSO), given that MDRI is now currently communicating with the World Bank directly. The MEITI Coordination Office responded that MDRI and the World Bank are independent organisations that sometimes collaborate for specific studies. With the Chair of the MSG's permission, the World Bank representative was invited to respond to CSO's question. The World Bank representative clarified that the World Bank communicates with all stakeholders directly, especially regarding matters of financing in the EITI process. As such, the World Bank representative raised 3 points relevant for the MSG that relates to financing for MEITI:

- World Bank Multi-Donor Trust Fund (MDTF) for EITI (for financing the MEITI Workplan)
- Transition of MEITI Secretariat to Ministry of Finance (to meet MDTF funding requirements and align with other EITI countries structural arrangements)
- MEITI Scoping Study (financed by the World Bank)

The World Bank representative suggested that these points be discussed by the MSG at the next meeting and perhaps could be addressed by the MSG sub-committees. The Chair of the MSG agreed.

A CSO representative suggested that the MSG should consider media engagement such as holding a press conference, now that the candidacy application is being submitted. The MSG members agreed that media engagement is important and this can be discussed at the next meeting.

Gold Petrol announced the replacement of a new country manager, Mr.Song Huaiyu. The MSG welcomed the new member, Mr.Song Huaiyu.

Actions

The MEITI Office will ensure:

- CSOs' points are recorded in the meeting minutes
- the 3 points raised by the World Bank representative are on the agenda of the next MSG meeting
- media engagement is on the agenda of the next MSG meeting.

6. Agreed Actions for Follow up at Next MSG Meeting

What	Who	When
Final Draft MEITI Candidacy Application incorporated with MSG members' review	MEITI National Coordination Office	1 May 2014

and feedback to be sent to MSG members		
To send feedback and comments on MEITI Candidacy Application to MEITI National Coordination Office	MSG Members	By 2 May 2014
Submit MEITI Candidacy Application to International EITI Secretariat	MEITI National Coordination Office	7 May 2014
Ensure Myanmar and English versions of MSG TOR are the same	MEITI National Coordination Office	ASAP
Ensure MSG meeting minutes reflect key points of discussion raised by CSOs	MEITI National Coordination Office	Draft minutes
Add 3 points to next MSG agenda: <ul style="list-style-type: none"> - MDTF financing - Transition of MEITI Secretariat to Ministry of Finance - MEITI scoping study 	MEITI National Coordination Office, MEITI-MSG Members	Next MSG meeting
Media engagement (press conferences etc.) to be added to agenda for next MSG meeting (if possible?)	MEITI National Coordination Office MEITI-MSG Members,	Next MSG meeting
Carry out more EITI outreach functions	MEITI National Coordination Office, MEITI-MSG Members	After submitting MEITI Candidacy Application

Participant List

Chair

Dr Maung Maung Thein, Deputy Minister, Ministry of Finance

Vice Chair

U Myint Zaw, Deputy Minister, Ministry of Energy

MSG Members & Alternative Members

1. U Win Htein, DG, Ministry of Mines
2. U Myo Myint Oo, MD, MOGE
3. Daw Myint Myint Than, Director, Union Auditor General Office
4. U Htun Hla Aung, General Administration Department
5. U Soe Naing, Director, IRD (alternate)
6. U Khaing Kaung San, Wan Lark Foundation (Rakhine)
7. U Tin Thit, Sein Yaung Soe
8. Dr. Kyaw Thu, Paung Kuu
9. Daw Moe Moe Tun, Green Trust (POL)
10. U Aye Thwin, Goldpetrol (alternate)
11. Mr. Li Hongyuan, CNMC
12. Namita Shah, GM, Total
13. Andy Tin Win– Petronas
14. Mr. Song Huaiyu – Goldpetrol
15. U Khin Maung Han, MFMA (alternative)
16. U Soe Thura, MPRL E&P Pte Ltd. (alternative)

Observers /Alternates/Others

1. U Saw Chit Aye, Director (Finance), MOGE
2. U Kyaw Thet, Director, MOM
3. U Sun Win, Assistant Director, MOF
4. Daw Nant Thein Thein Mya, MATA
5. Mr. Bertrand Brun, TOTAL E&P Myanmar

6. Daw Thi Thi Myat, MFMA
7. U Than Htay Aung, MOGE
8. U Aung Soe Oo, GAD
9. U Win Maw, Director, MOECF
10. U Salai Cung Lian Thawng, Pyoe Pin
11. Daw Khin May Hla, Deputy Director, Union Auditor General Office
12. U Ye Thein Oo, Sein Yaung So
13. U Tint Lwin Oo, Deputy Director, MOEP
14. U Aung Myo Min, Equity Myanmar
15. U Maung Dan, Humanity Institute
16. Daw Nyo Mar Than, Spectrum
17. Mr. Yang, CNMC
18. Daw Su Hlaing Myint
19. Daw Tar Yar Maung, MATA

International Observers

Edie Bowles, World Bank

MEITI Coordination Office/Secretariat

Min Zar Ni, Deputy National Coordinator

Kay Thi, Senior Programme Coordinator

Thi Thi Han, Programme Assistant

May Sandar, MEITI Office Intern

Emma Irwin, MEITI Technical Adviser