Sub-National Coordination Unit Formation

Workshop Report

26-27 February, 2018

Dawei Hotel, Dawei, Thaninthayi Region

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I. Executive Summary

This is the two-day workshop held on 26 and 27 February at Dawei Hotel, Dawei, Thaninthayi region. There are altogether 72 participants in Day 1 and 60 participants in Day 2 attended the workshop respectively, and the attendees include the relevant regional minister, speaker of the regional parliament, regional MPs, the government officials from the concerned departments, the representatives from the invited CSO, private companies, the donor representatives, and invited media.

The objectives of the workshop are: To have awareness about EITI process and its implications in Myanmar; To increase awareness and exchange of information among participants about extractive governance challenges in the area; To have understanding about SNU – Role, ToR and functions of Sub-national Committees; and Sub-national coordination committee is formed in Thaninthayi region. The two day workshop encompass introduction about EITI and its implementation in Myanmar, introduction to EITI Standard, sharing of challenges and findings on first EITI report reconciliation process and implementing of recommendation from the first EITI report, potential challenges and opportunities for implementation of EITI in the sub/national level, sharing of SNU ToR, formation of SNU in Thaninthayi region and discussion on next steps of SNU.

The workshop was jointly facilitated by the responsible individuals from NCS, from MEITI-MOBD and representatives from MSG.

II. Introduction

The objective of this workshop report is to record the process of the SNU formation workshop and the outputs, and to share the findings, the challenges and lesson learnt of the workshop organizing and events with the MSG and subcommittee members. Besides, this report is intended to provide supporting

information for the team members from the implementing agency NCS in organizing and preparing for facilitation of the other SNU workshops in future.

Hence, in this report the contents of discussion, especially on the practical issues in implementation EITI, is mainly highlighted in writing rather describing the general information of what are already known such as what EITI is, what the EITI standards are, MSG governance structure, and TOR of sub–national coordination units (SNU).

In this report, the main information for each session is written in the chronological order as in the agenda of the workshop, and then findings on challenges and lesson learnt from this event are recorded in a separate section in the later part of the report. Besides, the workshop agenda, the attendance list, SNU ToR, List of Nominees for SNU, and the photo galley can be found out in the annexes.

III. EXPECTED OUTCOME AND OBJECTIVES

The expected outcome of the workshop is: after the workshop, local multi-stakeholder have understanding on how this initiative could support promoting accountability & transparency, reduce conflict and improve development outcomes in the region. Moreover, this workshop will bring the positive stance for further collaboration among three main entities.

The objectives of the workshop are:
1) To have awareness about EITI process and its implications in Myanmar
2) To increase awareness and exchange of information among participants about extractive governance challenges in the area
3) To have understanding about SNU – Role, ToR and functions of Sub-national Committees
4) Sub-national coordination committee is formed in Thaninthayi region

IV. Duration and Venue

The SNU formation workshop was held for two days on 26 and 27 February at Dawei Hotel, Dawei, Thaninthayi region.

V. Participants

There are altogether 72 participants in Day 1 and 60 participants in Day 2 respectively. The attendees include the Speaker of the Regional Parliament, the Minister of Natural Resource Conservation from Thaninthayi region, members of parliament from Taninthary Hluttaw, the officials from the government departments, MSG representatives, the responsible official from MOBD, the invited representatives from the private companies, local CSO, media, representatives from DFID and World Bank, and the responsible people from MEITI national coordination secretariat. Find the list of the participants in **Annex 2.**

Day 1

VI. Workshop Introduction

Firstly, the workshop was opened by welcoming and introducing of the participants. In this session, participants' names, positions and organizations were introduced in plenary. Next the knowledge on EITI and their experience in taking part as part of EITI was accessed in a slight informal ways. It was found that over nearly one fourth of the participants have some knowledge of EITI, and a few numbers of people had exposures with EITI in terms of participating in meeting and consultation or awareness raising of EITI implementation in the previous government time.

Then the objectives of the workshop and the agenda were presented to the participants. The detail of the agenda can be seen in **Annex 1.**

VII.   EITI AND ITS IMPLEMENTAION IN MYANMAR

This session is about introducing EITI in general and the implementation process of EITI in Myanmar. The prepared power-point presentation was used to introduce and explain about what EITI is, member countries, its process, who involve in EITI process, benefits of implementing EITI, its history and update of implementation of EITI in Myanmar. Besides, the governance structure of EITI implementation was also presented to the participants.

VIII.   INTRODUCTION TO EITI STANDARDS

In this session, the EITI standard (2016) was introduced to have knowledge on what are mentioned in the EITI standard, and to have some reference points for discussion about context, opportunities and challenges of implementing EITI in the subnational level in the later sessions.

During this session, the participants were asked to sit in groups and the key points of EITI Standard were introduced by providing the handouts of EITI standards. The standards introduced and explained were about 1) Oversight by the multi-stakeholder group 2) Legal and institutional framework, including allocation of contracts and licenses 3) Exploration and production 4) Revenue collection 5) Revenue allocations 6) Social and economic spending 7) Outcomes and impact.

Participants were to read and discuss on how they understand on the particular given standard in their group. Then the group representative shared how they understand on the particular standard, with the process guide by the facilitators.

IX.   OPENING REMARKS

After lunch break, U Myint Maung, Minister of Natural Resource and Environmental Conservation, Thaninthayi region, delivered the opening speech.

He mentioned that Thaninthayir is the research rich areas and he wished this event to be the step for implementing EITI in the region with the participation of the representatives from the different groups in natural resource governance in extracting, production and allocation of the revenue systematically.

U Myint Maung also pointed that there have been issues of trusts and oppositions among different groups since there have been the reasons for those cases. Whatsoever, as by having more transparency, all the relevant stakeholder groups could be satisfied on the extraction and allocation of the revenue. He then finally request all the participants to participate and coordinate along the process of EITI for the benefits for the people and the country.

The MSG Vice-chair U Win Htein also continued the opening remark. He welcome the participants expression his gratitude for seeing the attendance of the stakeholders from Hluttaw, Private Sectors and CSOs to this event. He recognized that with the leadership of U Soe Win, the national coordinator from NCS, the first visit and orientation session was conducted in the Thaninthayi region. He apologized for inconvenience of the attendance from the MSG members to this workshop because of flight delays for two times yesterday as well as this morning. He reflected that for the time being, according to the conversation with the other MSG members, he understands that the awareness on EITI is still low among private sectors and government officials. He also explained the objectives of the EITI implementation programme and brief on the history of EITI in Myanmar.

U Win Htein also explained and shared updates of the EITI report preparation progress to the participants. In 2015, the first EITI report could be produced, but the process for second report was suspended because of the changes in government. Currently, MEITI is being under the process of preparing the 2014-15 report and 2015-16 report which are to be finalized, endorsed and published on March 31. After that, international EITI board will validate the report and the progress of Myanmar.

U Win Htein also briefly introduced about EITI structure and key members of EITI Leading committee, working committee and the MSG members. Then, he moved to the topic about forming subnational coordination units in the state/ regional levels. The list of regions for SNU, the brief of SNU structures and how MSG works at the national level are introduced. He also shared that there were difficulties in coordination among different stakeholders in the beginning and highlighted the importance of undergoing the EITI process bit by bit with no rush. He also shared that EITI in Myanmar has made progress as a country, which has just in the stage of preparing second and third reconciliation report.

U Win Htein also highlighted that to have transparency and accountability in the resource governance, the participation, implementation and coordination from the SNU are also necessary. Finally, he said the SNU committee will be formed on day 2 with the facilitation from the responsible people joining the event, expressed his honored to Thaninthayi region as a first region for SNU and concluded by thanking the participants.

X. FINDINGS ON PROCESS FOR EITI FIRST REPORT

This section is conducted as a Panel Discussion with participation of the MSG representatives- one from each entity- and facilitated by the programme manager from NCS.

Basically, this is the sharing of the past experiences and the findings of the panel members on the first EITI reporting period. During the panel discussion, the members shared about challenges of preparing for the first EITI reconciliation report, success made during first term, implementation of the recommendation on first EITI report and experience of SNU piloting in the first term.

The key sharing points are noted as follow:

Challenges while preparing for the first EITI reconciliation report

Private Sector Representative

- Gap in providing the data because of different assumption when reconciling the data from companies and IRD
- Limitation according to the term of contract for the data disclosure
- Coordination among different departments is found limited and their own procedures also sometimes hinder the process of EITI implementation

Government Representative
- PSC contract and data secrecy (challenge)
- Challenges are found from he company sides when disclosing the data to public because of the competition among them.
- Not to overlap with the government budget given by the concerned ministry (e.g. subnational level education budget) for the local social development with the contribution 2% of net profit is officially taken as CSR budget for SOE for the local development (since 2015-16)

CSO representative
- How the data from EITI report would relate to and how it would support in solving the daily practical issues on group for the local community and for local development is still challenge. It is concern about the impact of EITI.
- It also depends on how the government and the decision makers taken the recommendation on the allocation of revenue gained from the extractive industry for implementation social and local development.
- Another challenge is the conflict of role of government, for instance, as described in the EITI recommendation, ME 1 and ME 2's role to oversight the mining companies at one side, but on the other side, they have production sharing with the companies. These two roles need to be clear, and there could be lots of concern from the private sector side.
- How far we can make the transparency on contract agreement providing the current limitation in practice of PSC contract is one of the existing challenges.
- In the first report, as it was the first time of preparing for the reconciliation report, there were lots of difficulties, and the public awareness raising and situation in which wide public participation in debate was the weakest part. This is what we have to give more attention in this time. Besides advocacy for better change and data analysis for reforms also should be central.

- Another challenge is EITI is implemented by decree and commitment of the government in power. So during the time of transition from one government to another, there is the stagnant and limits the momentum, So, preparation for enacting EITI Law, which is part of EITI work plan, is also important to avoid such kind of drawback in coming 2020.

Findings on preparation for the first report

Government Representative
- 2016 March, we could hold the sharing press conference for the first EITI report, which could provide the information about the inductive industry.

Private Sector Representative
- MEITI takes the world standards and it is also important to adapt with the local context.
- Coordination among the different government departments as well as among different administrative levels, and the government initiate for better coordination is necessary based on the EITI standards.
- Public consultation with the support from the sub-national level government is also necessary.

Implementation of the recommendation on first EITI report

Government Representative
- Some recommendation could be taken immediately and could implement within short term, however, some would need the continuous efforts, for instance TIN. Some could be implemented well, for example, with regards recommendations related to MOGE and mining sector.

Private Sector Representative
- The numbers of representing companies which participated in the first reconciliation report were not asymmetrical among different sectors- for instance, Oil and Gas with almost full representation but less representation in the mining sectors especially not from small scale. However, there are more numbers of participating companies to disclose their information and an attempt to aggregate of small-scale mining companies in the second and third reconciliation reports.

CSO Representative

- The Forestry sector is taken and pearl sector are also explored according to the first recommendation, however, there are still some recommendation we couldn't accomplished yet, for example, timely access to information and issuing tax receipt vouchers. We need to make sure not to repeat the same mistakes in future report periods. Besides, getting the data about tax exemption to some organizations, for instance, U-Paing/ MEC is also still necessary to address.
- There are some progressing areas such as License allocation in mining industry and improvement in the procedure with transparency though still there are rooms for improvement. Besides, the process for implementing on-line Mining Cadasters System is also now started.
- BO, which is important especially for the resource-rich countries like Myanmar, is also started on voluntary basic according to the EITI Standard, but would be mandatory in 2020.
- Taking from the holistic view of reform for country, some areas such as Anti- corruption, transparency in license allocation and resource governance system development are to be taken as priority.

Sharing about SNU piloting in the first term

Private Sector Representative

- In the piloting period in the first term, there were some conflicts. Besides, there were some misunderstanding between the companies and the local communities regarding the CSR activities. Besides, there were some interested organizations working as EITI, there were confusion occurred, but now SNU will become the official coordination body in the local levels.

CSO Representative

- The combined efforts of SNU will become the key support factor to implement EITI successfully as a whole country. At the same time the understanding of representatives in SNU will also be the key. For MSG, as already passed the time together in the first term, they have become familiar with the EITI process and its nature. Although SNU at the local level, as the nature would not be the same like in MSG, it is believed that

sticking on the principals and making discussion in the open and transparent ways with mutual understanding would be much helpful and beneficial for implementing EITI at the local level.

- Besides, it would be necessary to carry out the capacity building and experience sharing activities to make sure awareness and understanding on the standards, process, principles and nature of works among SNU members.

XI. CHALLENGES AND OPPORTUNITIES FOR IMPLEMENTING EITI AT THE SUBNATIONAL LEVEL

This is the session for the participants to have discussion and exchange the perceived potential challenges and opportunities for implementing EITI in Thaninthayi region. Participants were groups according to their entities and asked to have discussion within their groups and to report back to the others in plenary.

In this session, as the ways they take opportunities and challenges were different, the answers varied from group to group. The discussion points from each group are as follow.

Group	Opportunities	Challenges
MPs	- Opportunity for the country to have good reputation - Opportunity to have more international as well as domestic investments - Opportunity to reduce the anti-corruption - Opportunity to have trust from the general public and from the international community - Opportunity to support having proper taxation	- Difficult to get consensus as different nature of three entities - Difficult to get the data from oil and gas companies - Difficult to get the right information in the EAO administer areas - No clear policy with regards CSR - Confidential/ Secrecy Clause in the contract of MOGE

Government officials	• Opportunity for the having development outcome in the region if constructive discussion could be made among different entities • Opportunity to contribute to national Environmental Management Fund from PPP/ PES (e.g.: disaster)	• Most of the companies are not systematically formed • As the monthly/ yearly income and expenses are not well recorded, it will be difficult to calculate the figures (e.g.: CSR %) • As the contract, especially oil and gas companies, are made at the national level, it is difficult to get the data at the regional level. • Regional government has authority in providing mining plots according to the Mining Law (2018). Regional Government needs to form the committees to perform and manage the tasks for 1) Rental fees 2) Signature Bonus 3) Permission fees. Without them, it will be difficult to collect the data and information. • Tackling the legal vs. illegal mining • Poor coordination among the different land management departments. • Challenge in bureaucracy in EIA procedure for scrutinizing the companies on having proper and effective social and environmental impact assessment
Private Sector	• Opportunity for providing more job opportunity to the grass root workers	• Not getting the public support for listening to have the land property in the mining areas in a short period of time • No measures for identifying mining areas • To identify more flexible criteria by the government regarding the CSR

		and EMP fund
		• To have fair production ration
		• To have guarantee to get the production permission for the companies which invest in the exploration
		• To identify the time duration limit for the process from license application to getting the permission
		• To take legal actions to the companies which do illegal trade in mining
		• To identify the different license for mining and to provide supports for SME development
CSO	When looking from the bright side, it can be the opportunity • To have regular meeting among three entities • To have more information • To build trust • To have debates • To create mutual respect • To have more data and information on the revenue management from the extractive industry	When looking from the dark side, there will be the challenge • To have disputes • Not getting data and information • More clash between CSOs and business owners (private sector) • Misunderstanding among government, CSO and private sector • Absence to have regular attendance to meetings

This is worthy to note that apart from the above points, some participants raised the concern that how to negotiate and discuss with the EAO is a big area of challenge for getting the data and information.

In this session, although it was planned to have report back after the group discussion, as the group discussion took time longer than expected, the presentation to plenary was carried forward to Day 2.

DAY 2

Day 2 was started by recapping the key points on the EITI standard, and then continued by the report back about challenges and opportunities for implementing EITI in Thaninthayi region.

At the end of the session, some participants shared that they became more aware of there are different challenges in each entity and it can take time to find out the solutions together. They said there would be fictions or conflicts, however, it is important not being to be hurry when finding the solutions.

Then rest of the day was focus on sharing the information about roles and function of SNU, its ToR and SNU formation, and discussion for next steps of newly formed SNU in Thaninthayi region.

XII.   FORMATION OF SNU AND ITS ROLE IN IMPLEMENTING EITI

Day 2 was then continued by sharing the experience of formation of SNU in the previous government term by one of the MSG representatives from CSO.

Firstly, the history of MSG was shared. There was no trust among three entities although sitting together in one table. Then from time to time the representatives tried to understand each other by developing the ToR. Because of different nature with different interests, though there were disputes, MSG members could try to reach the consensus.

With regards the SNU formation, the representative shared the following points.

- There were many issues such as conflict between the company and local public at the bottom, and MSG members wondered if there would be more chance to sort out the issues in the region by having the SNU at the sub-national level.
- After some time taken, the directive came out to form SNU in four regions

previously as pilot in Shan, Rakhine, Magway and Mandalay regions, however, it didn't work well. For instance, Mandalay SNU formation was started in March 2015 and the relation was not good since in the invitation stage.

- There was tension between the organizing/ coordination body and CSO; the questions among PS, CSO and Government were tense and not lenient. Although the formation was done, the follow up meetings couldn't be held. As it didn't work well in Mandalay, taking it as lesson, the formation workshop was conducted for two days in Magway by having awareness raising and discussion with particular entities separately first on how they would like to have the process for SNU formation and coordination among them in the regional level.

- Then, the MSG representative spotted that in this time, they are considering to invite the representatives from each entity in turn and join the MSG meeting as observers to see how the coordination and meetings are run.

- According to the experience, the MSG representative shared that the major challenge is there are different directions among different constituencies, and leads difficulties in getting the information. Besides, general public are very limited access to information such as production data, CSR, etc.

- Moreover, the government bureaucrats also do not know well on what information and how much information to provide to the public, having perception that these information are not concerned with the public, and undermining of people's level of understanding on the information.

- The MSG representative urged that having adjustment and negotiation is important while working on EITI. Another challenge is reaching consensus for making the decision and trust. However, now in this government time, the trust has been raised among different constituencies, and could cooperate and support each other.

The representative concluded the session by highlighting the benefits of being three entities together- there will be chance to coordinate each otters though the interests are different. It was also highlighted the importance of cooperation with the local community, not having the mindset of finding the solution only working with the government. Finally, the would-be SNU members

were encouraged to add on the ToR shared based on their needs though it can't be deleted.

XIII.   SHARING OF SNU ToR

This session is about introduction of the SNU ToR including the why EITI at the subnational level, who to involve by decree, what to function as SNU and the link among MSG, the national level coordination unit and the SNU.

Besides the role of SNU in implementing EITI process is also shared. It was also explained that SNU could implement different activities ranging from awareness campaign, research, and debates to part of reforms. As SNU, they can perform the main functions such as Coordination. Task Management, Capacity Building and Networking & Communication, and can organize those functions on their own decisions and/ or coordinate with the national EITI works.

Then, the copies of SNU ToR document were shared to the participant and questions were invited if there is something they need clarifications. The details of the SNU ToR can be found in **Annex 3**.

XIV.   FORMATION OF SNU IN THANINTHAYI REGION

After sharing the ToR of SNU, the SNU formation session was conducted with the participation of all the attendees. The participants were asked to sit in their own group of entity and to come up with the list of nominees and alternatives from each entity.

While running this discussion session, as the lists of proposed nomination lists as SNU members and alternates were already identified in the concerned associations in the mining sector and in MATA, it could reduce some time and the dynamic was smooth. However, it was slightly difficult to have SNU nominees and alternates lists from the other sectors such as from Forestry/ Timber and Oil and Gas because of poor prior communication with the local level organizations.

Besides, it was observed that government sector found difficult for them to come up with the SNU nominee and alternates list because they were not given the directives/ instructions by the department heads or the government to become the members of SNU. Therefore, they came up with the designation/ positions and the departments to involve in rather than giving the names.

Finally, the lists of nominees and alternates were presented by each entity to the plenary and were endorsed by the attendees. The detail lists can be found in the **Annex 4.**

XV.   DISCUSSION FOR NEXT STEP

After the sub-coordination committee members were identified and endorsed, the detail discussion on what to do as next steps were made with the sub-committee members.

Here are the lists of discussion point to take as next steps:

1. To have an (initial) meeting with among the patron and (3) secretaries within a week after the directive on Thaninthayi SNU formation is issued
2. NCS to send the letter to the chief minister of the Thaninthayi region to be able to issue the directive for formation of SNU before the initial meeting
3. To have discussion and getting confirmation from the MSG on the responsibilities of Parton and Secretary of SNU
4. To have discussion on how to define the scope of 'field observation' and it's safety during the meeting
5. To discuss on who, what and how on capacity building
6. To discuss and agree on the frequency of the SNU meeting (once a month or bi-monthly)
7. To discuss the SNU workplan (which has link with the national MSG workplan?)
8. In the first meeting, to discuss how to communicate for inviting the MPs to the SNU meetings as observers

XVI. CLOSING

In the closing session, before the closing remark delivery, the MSG representatives made the thanking remarks from the government and private sector.

Thanking remark by MSG representative- 1

It is encouraged to the private companies to bear in mind the national interest, regional development and for the benefits of the local people, and mutual benefits for all. Beside, the importance of the enabling environment for the private sector is highlighted.

The government officials and bureaucrats are urged to inform the general public about tax paid by the private companies and what they get and what they do for the local people.

Thanking remark by MSG representative -2

Although the representatives from oil and gas companies/ MOGE, the list of nominee and alternates will be provided within a week.

Although some information is difficult to disclose, the international oil & gas companies have given the information on bidding ground according to the EITI Criteria. The expenses or Exploration is charged by the concerned companies but not by the MOGE. The money gained from the production are shared with the state over 83.xx% and taken 16.xx% by the companies. Thaninthayi is the region where majority of the many gained from the extractive industry, and wishing the best for more success. Companies are also encouraged to implement EMP plan and CSR on ground practically.

Closing Remark by MSG Vice-chair

U Win Htein, the MSG Vice chair in the closing session, delivered the closing remark. In his remark, the following points were delivered. Thaninthayi region is as recognized as the first region where the SNU formation could be done, thanking all the participants- MPs and representatives from 3 entities.

Working on the extractive industry governance needs the cooperation from the interested individuals from all three sectors. Although there are weaknesses, we are going for better change gradually and three entities- government, private sector and CSO- need to go hand-in-hand together in harmony to keep a beast with other ASEAN countries in the region. Although we come from different background, as we are going to the same direction in EITI, there can be the cases where we are coincided to get the consensus. However, he believed that SNU will support and MPs also would also participate o have extractive industry transparency in the Thaninthayi region.

XVII.   CHALLENGES AND LESSONS LEARNT

Challenges

o   Limited personnel to arrange the event from NCS but the MSG member from MATA based in Dawei and its admin supported the event in reception and in facilitation for two days.

o   Very limited preparation time for organizing the event, however, discussed together with the Com and Outreach Sub-committee members in Yangon before going to Dawei for the formation workshop)/ Prepare and send the logistic notes in advance so that the Administration tasks could be managed

o   Flight time changes for two times and the Vice Chair and MSG members who to participate and take the presentation/ panel discussion couldn't reach to the events on time. They reached to Dawei half day late, which is the unexpected challenge. Besides, the flight delay affected on regional government trip plan and their attendance to the workshop. Therefore, the workshop schedule was adjusted for three times.

Lessons learnt for future SNU

o   To prepare the Duties and Responsibilities of each main positions (Patron, Secretary and SNU members)

o   SNU members asked about 'field observation' in ToR – the scope & guarantee for the safety of SNU members

- To have proper budget information to share with SNU members (Allocation for each SNU)
- To have clear reporting and coordination mechanism between SNU and MSG and NCS
- To have clear plan on what kind of activities MSG would support and how.
- Considering the budget constraint, link between SNU activity workplan with MSG workplan.
- To have clear next step for supporting the newly formed SNU in the beginning stage & the vision in a long run.
- To prepare and plan on how to do the capacity building on the awareness and understanding on the Implementation Manual, Budget, and Workplan development of the SNUs
- To run the parallel session/ or change the session design while discussion on the next step with SNU members (many participants not engaged in this session)
- To make sure for asking the list of nominees from the government before the workshop (like asking from the private sector and CSO)

ANNEX 1 - AGENDA OF SNU FORMATION WORKSHOP

Day 1

Session	Content	Resource
9:00- 9:30	Participant Introduction & Workshop Objective Introduction	NCS
9:30 – 10:30	Introduction about EITI and its implementation in Myanmar	MOBD
10:30-10:50	Tea-break	
10:50- 12:00	Introduction to EITI Standard	NCS, MSG representatives
12:00 – 1:00	**Lunch Break**	
1:00-1:10	Opening Speech by U Myint Maung, the Minister of Natural Resource and Environment Conservation, Thaninthayi region	Minister of Natural Resource and Environment Conservation
1:10-1:20	Opening remark by the Speaker of the Regional Parliament	Speaker of the Regional Parliament
1:20-1:30	Opening remark by U Win Htein, MSG Vice-chair	MSG Vice-chair
1:30 – 2:45	Sharing of challenges and findings on first EITI report reconciliation process and implementing of recommendation from the first EITI report	MSG representatives, NCS
2:45-3:10	Photo recording and Tea Break	
3:10– 4:15	Group discussion- Potential Challenges an Opportunities for implementation of EITI in the sub/national level (Thaninthayi region)	Participants, NCS
4:15 – 4:30	Summary and recap	NCS

Day 2

Session	Content	Resource
9:00 – 9:10	Introduction to Day 2 Agenda	NCS
9:10-10:10	Experience Sharing – Formation of SNU and its role in implementing EITI	MSG representative
10:10–10:45	Sharing of SNU ToR	NCS
10:45-11:05	Tea Break	

11:05 – 12:30	Submission of list of nominees & alternates for SNU and formation of SNU in Thaninthayi region	NCS
12:30 – 1:30	Lunch	
1:30 – 3:00	Discussion on next steps	NCS, MOBD, MSG
3:00 – 3:30	Tea Break	
3:30– 4 : 00	Summary of discussion	NCS
4 00– 4:15	Words of thanking	Participants
4:15 – 4:30	Closing Remark	MSG Vice-chair

ANNEX 2 - ATTENDANCE LIST OF SNU FORMATION WORKSHOP

Day 1 (26/2/2018)

Sr	Name	Organization	Title	Email
1	U Ye Myint Swe	Taninthary Hluttaw	MP	yemyintswe007@gmail.com
2	U Kyaw Min	Taninthary Hluttaw	MP	
3	Dr. Htoo Nay Aung	Taninthary Hluttaw	MP	
4	Daw Yi Yi Cho	Taninthary Hluttaw	MP	yiyicholin@gmail.com
5	U Tin Tun	Taninthary Hluttaw	MP	
6	U Mann Swe Myint	Taninthary Hluttaw	MP, chairman of ethnic committee	
7	U Aung Thu Ra	Taninthary Hluttaw	MP	
8	U Hla Htwe	Taninthary Hluttaw	MP	
9	U Toe Lwin	Taninthary Hluttaw	MP	
10	U Ye Min Htet	EE	Electrical Engineer	
11	U Khai Kyi	Mahar Myint Kyi	Site Officer	
12	U Arkhar Min	DOM	Clerk	
13	U Thein Win	DOM	AD	
14	U Win Myint	Myanmar Rock Ltd	Manager	
15	U Mya Aung	DE/CO	DE/CO	
16	U Lunn Maung	DE/CO	DE/CO	
17				
18	U Soe Yi	A&A NRD	SMD	
19	U Min Din	A&A NRD	MD	mindinngo@gmail.com

20	U Myo Myint Aung	Aung Pyae San Ltd		
21	U Than Htut	Myanmar Shae Saung Coltd	MD	
22	U Kyein Han	Sina Chattu Coltd	Manager	
23	U Aye Soe	Kaung Thant Coltd		
24	Daw Myat Thiri Khaing	PPT coltd		
25	Daw Aye Aye Thin	PPT coltd		
26	U Bo Bo Hlaing	Police Force	Commander	
27	U Tint Lwin	A&A NRD	CD	bonlanngo@gmail.com
28	U Aye Myint	Nan Thida Ltd		
29	U Aye Thein	Nan Thida Ltd		
30	U Jaw Ann Ni	East Shan Production Ltd	MD	
31	U Pyone Zin	Eleven	S.Reporter	
32	U Hla Win	Myanmar Subi ltd	Manager	
33	U Myint Shane	AHBW Coltd	MD	
34	U Than Htwe	MOGE	Regional Sale officer	
35	U Thein Kyaw	Planning & Statistic	SO(regional)	
36	U Kyaw Min Thein	A1 Mining Coltd	Manager	Kmtged.yng@gmail.com
37	U Kyaw Tun	GAD(region)	AD	
38	U Than Lwin	Myanmar Wolfram	GM	
39	U Thet Hlaing Htwe	Ngwe Kabar Myanmar Ltd	Director	
40	U Kyaw Swar Lin	Ngwe Kabar Myanmar Ltd	MD	
41	Daw Myint Myint Than	May Flower Mining Coltd	Deputy General Manager	
42	Daw Khin Than Nwet	May Flower Mining Coltd	Deputy General Manager	
43	U Kyi Win	May Flower Mining Coltd	Manager	
44	U Nyan Shane	Marine Partner		
45	Naw Wah Ah Doe	Candle Light		
46	U Nay Thura Soe	Mining Watch		naythuraoo1995@gmail.com
47	U Soe Naing	CSO		

48	U Kyaw Min	88 Generation (Pwin lin)		
49	U Aung Lwin	DWE		
50	U Tint Lwin	Hinthar Media		
51	U Chit Ko Ko	DGSE		
52	U Khin Lay Aung			
53	U Aung Naing Oo		Leader	
54	U Zin Phay		GM	
55	U Htun Htun Oo	ECD	AD	
56	U Kyaw Zay Ya	FD	Director	
57	U Than Swe	LRG		
58	U Yan Naing Soe			
59	U Pho In	GN		
60	U Kyaw Zin Thant	88 Generation (Pwin lin)		
61	U Yan Naing Soe			
62	U Sann Ngwe	Southern Youth	Founder	
63	U Ye Aung	CSLD		
64	Daw Moe Moe War	DRA		
65	Htee Phoe Ni	Pauk Taing		
66	U Aung Phyo Win	DDA		
67	U Yar Zar Aung	DDA		
68	Khine Hset Hset War	DDA		
69	U Kyaw Thu	Paung Kuu	MSG	
70	U Aung Kyaw Moe	Shan MATA	MSG	
71	Daw Moe Moe Tun	CAFT	MSG	
72	U Thant Zin	MATA(Dawei)	MSG	

Day 2 (27/2/2018)

Sr	Name	Organization	Title	Email
1	U Ye Myint Swe	Taninthary Hluttaw	MP	yemyintswe007@gmail.com
2	U Kyaw Min	Taninthary Hluttaw	MP	
3	Dr. Htoo Nay Aung	Taninthary Hluttaw	MP	
4	Daw Yi Yi Cho	Taninthary Hluttaw	MP	yiyicholin@gmail.com
5	U Tin Tun	Taninthary Hluttaw	MP	
6	U Mann Swe Myint	Taninthary Hluttaw	MP, chairman of	

			ethnic committee	
7	U Aung Thu Ra	Taninthary Hluttaw	MP	
8	U Hla Htwe	Taninthary Hluttaw	MP	
9	U Toe Lwin	Taninthary Hluttaw	MP	
10	U Thar Myat Kyaw	DOM		
11	U Ye Min Htet	EE	Electrical Engineer	
12	U Thaung Tun	MOGE	CE (2)	
13	U Zaw Tun	MOGE	Representative	
14	U Than Htwe	MOGE	Regional Sale officer	
15	U Aung Myint	Regional Dept of agricultural management and statistic	SO	
16	U Thein Win	DOM	AD	
17	Daw Than Than Htay	No.2 DOM	AGM	
18	U Htun Htun Oo	ECD	AD	
19	U Kyaw Zay Ya	FD	Director	
20	U Kyaw Tun	GAD	AD	
21	U Sun Win	MOBD	DD	
22	U Thet Hlaing Htwe	Ngwe Kabar Myanmar Ltd		thethlainghtwe1.vrc@gmail.com
23	U Soe Yi	DOM	Vice-Chair	
24	U Mya Aung	DE/CO	DE/CO	
25	U Lunn Maung	DE/CO	DE/CO	
26	U Than Htut		TRMH	hlilimgb@gmail.com
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30	U Myo Myint Aung	Aung Pyae San Ltd		
31	U Aye Myint	Nan Thida Ltd		
32	U Khai Kyi	Mahar Myint Kyi		
33	Daw Aye Aye Thu	Dawei Land ltd	MD	
34	U Khaw Lwin	King of Mountain Ltd	GM	
35	U Jaw Ann Ni	East Shan Production Ltd	MD	

36	U Aye Soe	Wood-base Industry ltd		
37	U Myint Shain	AHBW Coltd	MD	
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41	Ko Su Paing Htwe	KLH		
42	U Yan Naing Soe	Youth Network		
43	Ko Su Paing Htwe	KLH		
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45	U Nay Thura Soe	Mining Watch		naythuraoo1995@gmail.com
46	U Soe Naing	CSO		
47	U Win Myint	Myanmar Rock Ltd	Manager	
48	U Nyan Shein	Marine Partner		
49	U Aung Kyaw Moe	MATA (Shan)		
50	U Kyaw Min	88 Generation (Pwin lin)		
51	U Kyaw Zin Thant	88 Generation (Pwin lin)		
52	U Tee Pho Ni	Pauk Taing		
53	U Aung Lwin	DWE		
54	Daw Moe Moe Wah	DRA		moemoedra@gmail.com
55	Naw Wah Ah Doe	Candle Light		
56	U Kyaw Thu	MATA	MSG	
57	U Ye Aung	CSLD		
58	U Thant Zin	MATA	MSG	
59	Daw Tinzar Htun	World Bank	Consultant	thtun@worldbank.org
60	U Than Lwin	Myanmar Wolfram	GM	

Myanmar Extractive Industries Transparency Initiative (MEITI)
Multi-Stakeholder Group (MEITI-MSG)
Sub-national Coordination Groups'
Formation, Responsibility and Authority (Draft)

1. Introduction

In accordance with the decision form the meeting of the Myanmar Extractive Industries Transparency Initiative, Multi-Stakeholder Group's (MEITI-MSG), the formation Sub-national Coordination Groups in the respective State and Division has been agreed. Accordingly, it is here by issue Sub- national Coordination Group's Formation, Responsibility and Authority in order to implement the work plans successfully.

1.1 Vision

To collaborate from the respective entities in managing of the work plans in the respective State and Division, in order to have the least damage to the environment to sustain the socioeconomic development according to the international standard.

2. Missions

i. To support from the government, private and civil society organizations in raising awareness of EITI and implementing information about capacity building

ii. To accelerate the collaboration between the multi-stakeholder groups

iii. To find out ways to settle the disputes together, ways to handle the difficulties with collaboration where shall occur in implementing sub national level EITI tasks, and to collaborate in preventing the disputes

iv. To adhere and respect ethic and regulation of the national level Multi-Stakeholder Group.

v. To encourage the companies to be more transparent which have been operating in extractive industries in the state and divisions

3. Basic Principles to adhere

The Sub-coordination Group shall adhere Myanmar Extractive Industries Transparency Initiative, Multi-Stakeholder Group's basic principles of role and responsibility mentioned in the paragraph (4). These groups shall be responsible and negotiate the consequences of the tasks, which has been discussed and agreed. If there occurs deviation form the tasks, which have been agreed from the discussions among the groups, individual person or representatives shall be responsible. Furthermore, it shall be informed in advance to the patron of the concerned state/ region (The Minister) coordination unit in implementation of the tasks, which have been agreed and discussed.

4. Formation

4.1 The Patron

A member of the government minister at the regional level, who are relevant with EITI process, appointed by the Prime Minister in the respective State and Division, shall be the patron of sub national coordination group; and shall support its group's tasks in order be successful.

4.2 Government Representatives

In the formation, it shall be formed with each representative of the following ministries form the respective region.

  i. State and Division Government Office (General Administration Department)
 ii. Ministry of Electricity and Energy
iii. Ministry of Natural Resources and Environmental Conservation
      (Department of Environmental Conservation and Forestry, Department of Mining)
 iv. Ministry of Agriculture, Livestock and Irrigation
      (Department of Agriculture Land Management and Statistics)

4.3 Representatives from Civil Society Organizations

It shall involve five members of representatives who are interested in the process of EITI, which have been agreed and selected from the MATA, the civil society organization from the region relating with the environment and the process of EITI.

4.4 Private Sector Representatives

As the accountability is important in the process of EITI, it shall involve five representatives in total from the respective region which have been agreed and selected from the private (sectors) association related to EITI in the region such as Myanmar Federation of Mining Association, Myanmar Gems & Jewellery Entrepreneurs Association, Myanmar Timber Merchants Association, MEPTMA and merchants from oil and natural gas sector.

4.5 The Secretary Group

The Secretary Group shall be appointed with each representative of the relevant group.

5. The Main Functions- (4) Tasks

Sub National Coordination Groups shall implement the following four main tasks.

(i) Coordination

- The groups' formation, roles and responsibilities, and work plans shall perform in accordance with the agreement of its members and representatives.
- To negotiate with MEITI in implementing the tasks of groups.
- The secretary office and MEITI-MSG shall negotiate and work together.
- Shall collaborate with the multi stakeholder group in implementing this group's tasks.

(ii) Task Management

- Holding meeting (monthly meeting)
- Shall implement effectively in accordance with the regulations of holding a meeting

- To invite the meeting at least one week in advance via the secretary group.
- The secretary group shall propose the draft meetings agenda and take the confirmation from the attendance before the meeting.
- The draft meeting agenda shall publish within one day and shall take the advise within 3 days from those who have attended.
- The meeting shall be held at the place, which is convenient for all the representatives upon the agreement.
- If necessary, emergency meeting can be held and study to the field can be done.
- The meeting is accomplished if two third of the representatives (more than half of the representatives from each group) attended.
- The meeting shall be done in accordance with the MEITI-MSG's TOR.
- The meeting decision shall be done regularly with the agreement of the representatives who attend the meeting. (When there is a conflict in making decision from those who attend the meeting, to negotiate between the representatives who attended)
- The meeting record shall be done from the secretary group and shall publish regularly with the agreement of the representatives.
- A work plan, which includes the expenses, shall be drawn.
- In order to implement this group work plans in a timely manner, monitoring and collecting the necessary information in the project areas in line with EITI standard if necessary, analyzing in the field visits, review and revise shall be implement effectively.
- Supervise and responsible to look for fundraising, spending and managing of this group's tasks.

(iii) Capacity Building

This group shall implement the tasks of raising awareness, increasing the capacity and quality relating with EITI continuously and effectively, in favor of the following people by engaging with the national level multi-stakeholder group.

- Respective organization's representatives, accountable people, relevant authorities
- Local people from the respective region
- Newsletters shall be published to give awareness and increase the capacity.

(iv) Networking and Communication

- This group shall implement practically in collecting and documenting the necessary information of EITI regularly and continuously; collecting the public opinions, replying (informing) and negotiating to the public.
- It shall support in building communication for the implementation communication strategy in order to receive the information widely relating with EITI.
- Monthly meeting records and annual report shall send to the Patron and the Secretary of EITI negotiation office. It shall implement effectively according to the reviews.
- These implementations shall carried out in accordance with the description of EITI 2016 standard.

ANNEX 4 – LIST OF SUB-NATIONAL COMMITTEE MEMBERS,

THANINTHAYI REGION

SNU Government Sector Representative List

Sr. No	Designation and Department	
1	Minister of Natural Resource and Environmental Conservation	Patron
2	Deputy Director General, GAD	Secretary
3	Deputy Director (Regional Trading Officer), Myanmar Oil Products Trading Enterprise	Member
4	Director, Mining Department	Member
5	Director, Forestry Department	Member
6	Deputy Director (Regional Officer), *Le'se-inn*	Member

SNU Government Sector Alternates List

Sr. No	Designation and Department	
1	Director, GAD	Alternate

2	Oil sector representative officer, Myanma Oil & Gas Enterprise	Alternate
3	Associate General Manager, ME 2	Alternate
4	Director, Environmental Conservation Ministry	Alternate
5	Deputy Director (Associate Regional Officer), *Le'se-inn*	Alternate

SNU Private Sector Representative List

Sr. No	Name and Company	
1	U Than Htut, Managing Director, Myanmar Golden Banner Mining Co.Ltd	Secretary- from Mining
2	U Mya Aung, Director, Delcom Mining Co.Ltd	Member- Mining
3	U Thet Hlaing Htwe, Senior Manager, Sein War Shwe Pyay Mining Co.Ltd	Member- Mining
4	Daw Myat Thiri Khine, Secretary, Forest Product Association	Member- Forestry
5	One representative from Yadanar Natural Gas Programme	Member- Oil & Gas

SNU Private Sector Alternate List

Sr. No	Name and Company	
1	U Soe Yi, Manager, Golden Sea Co. Ltd,	Alternate- Mining
2	U Myo Myint Aung, Managing Director, Aung Pyae San Co.Ltd	Alternate - Mining

3	U Myint Shein, Managing Director, Aung Hein Bo Win Co.Ltd	Alternate - Mining
4	U Aye Soe, Chairman, Forest Product Association	Alternate - Forestry
5	One representative in turn from Jotika and Ye' Da Gun Programmes	Alternate - Oil & Gas

SNU CSO Sector Representative List

Sr. No	Name and Organization	
1	U San Ngwe, Director, Southern Youth Development Organization, Myeik	Secretary
2	U Kyaw Thant Zin, member of 88 Nyein/Pwint, Kawk Thaung	Member
3	U Aung Lwin, Director, Dawei Development Association, Myeik	Member
4	U Nay Thura Oo, Team leader, Mining Watch Group, Pulaw	Member
5	U Po In, Director, Green Network (Mergui Archipelago), Kyunsu	Member

SNU CSO Sector Alternate List

Sr. No	Name and Organization	
1	U Soe Naing, Team Leader, Mining Watch Group, Boke Pyin	Alternate
2	Tee Phoe Ni, Chairman, PaukTaingChaung	Alternate

	Development Committee, Boke Pyin	
3	Naw Sae Ae Mu, Programme Coordinator, Tarkapaw, Dawei	Alternate
4	Daw Moe Moe Wah, Dawei Research Association, Dawei	Alternate
5	U Than Swe, In-charge, Land Rights Group, Dawei	Alternate

Figure 1 At the presentation session about EITI

Figure 2 Panel Discussion- MSG representatives

Figure 3 Group Discussion- CSO representatives

Figure 4 Group Discussion- Government Officials

Figure 5 MSG representative sharing of SNU past experience

Figure 6 Closing Remark by MSG Vice-chair

Figure 7 Group Photo- SNU Formation Workshop in Dawei