

# Timor-Leste EITI National Working Group

## MINUTES

20 September 2011

09:00 – 11:25

Secretary of State for Natural Resources Office  
1<sup>st</sup> Floor Fomento Building

### Participants

#### Members\*

Manuel de Lemos	National Coordinator EITI
Tony Heynen	Eni Timor-Leste, Country Representative
Carlos Florindo	ETADEP, CSO Representative
Martinha da Silva	Director FHF
Jose Lobato	Deputy Country Manager ConocoPhillips Timor-Leste
Mericio Akara	CSO Representative Luta Hamutuk
João Demetrio Xavier	Petroleum Tax Division MoF
Brendan Augustin	Country Manager for Sunrise (Woodside)

#### Alternatives, and Non-Voting

Angelina Branco, Alternate	Eni
Filipe Nery Bernardo, Alternate	Petroleum Fund Analyst- MoF
Elda Guterres da Silva	Secretariat EITI, Finance and Administration Officer
Trifonio Flor Sarmento	Assistant Outreach Coordinator & Finance and Administration Officer for Secretariat EITI
Nuno Alves	ANP
Francisco Lemos	Conocophillips
Remigio Viera Laka, Alternate	CSO Representative FSG
Fernando da Silva, Alternate	Chief Accountant –BPA

#### Observers

#### Absent:

Angelo Lay	ANP
Venancio Alves Maria	Executive Director, Banking and Payments Authority (BPA)
David Hook	World Bank

**Chair By:** Manuel Lemos                      National Coordinator EITI

## Agenda for Discussion

- 1) Review Minutes on 18 July 2011 for Approval
  - 2) ToR for Reconcilator and 3 EITI Report
  - 3) Upcoming socialization of 2nd EITI Report
  - 4) Letter from Clare Short for MSG related to the change of the EITI rules 2011.
  - 5) Other business
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1. Visit of Ms. Clare Short, Chair of EITI Board and Ms. Marinke Van Riet, Director of PWYP to Timor-Leste on 22 September 2011
  2. Review of Guidelines for Reporting to the EITI Aggregating Body March 2009, Page No 6 ( Section 2 - Overview).

### **Introduction**

WG welcome Mr. Francisco Lemos to join in the meeting as an alternate from ConocoPhillips.

#### **1 Review Minutes on 18 July 2011 for Approval**

The minutes was approved with a minor amendment.

Based on Guidelines for Reporting to the EITI Aggregating Body March 2009, the WG agreed to delete the sentence “6. Remove word “aggregate” from Scope of Work - item ii” in the agenda No. 2. Draft TL-EITI Tor for the Aggregating Body, hence the word “Aggregate” is maintained in the proposed ToR.

Action: Secretariat EITI will re-circulate once for WG for approval

#### **2 Draft Timor-Leste ToR for Aggregating Body**

The WG discussed the Term of Reference (ToR) for the recruitment of an Aggregating Body for the next EITI report.

CS representative reiterated the importance for the Aggregating Body to present all its finding, including discrepancies regardless of whether it is material or not in their draft report to WG. WG then to decide on whether such discrepancy requires for further investigation or not and how it should be reflected in the final report.

The WG noted that there is no threshold on materiality was agreed which may cause any delay in the finalization of the upcoming report, however WG agreed that it is in the principle of transparency that all findings are to be published.

Industry representative commented on the criterion to select the Aggregating Body such as the qualification and experience of the Aggregating Body and whether it will be widely open or limited to a number of big companies.

Industry agreed to further provide their comments on the ToR via email.

WG also discussed the procedures of submission of the proposal such as separate envelopes for technical and financial proposal, evaluation matrix, and the selection panels.

WG have agreed to use adjusted template of selection criteria previously used to select the Validator.

Action: EITI Secretariat will circulate to WG

### **3 upcoming Dissemination TL-EITI II Report**

WG have agreed the schedule for the upcoming socialization as listed below:

First Regional Seminar will be held in Suai on 30 September 2011, at 8:30 AM till finishing

Second Regional Seminar will be held in Baucau on 07 October 2011, at 8:30 AM till finishing

Third Regional Seminar will be held in Maliana on 14 October 2011, at 8:30 AM till finishing

Fourth Regional Seminar will be held in Oecusse on 11 November 2011, at 8:30 AM till finishing.

CS reiterated it is important to invite high-level government official ie. SERN or MoF to address any questions or issues related to government's overall policy and any specific issues such as budget execution, etc

It was agreed that at least one member from each Pillar to participate and each pillar will make presentation. The Secretariat requested each Pillar to submit the presentation and nomination name for the Regional Seminar to Secretariat EITI by latest 26 September 2011.

Government through Secretary of State for Natural Resources and Ministry of Finances have also Organize the Seminar Regarding to the "Beyond EITI" Industry propose to Invite one person to take part in the WG upcoming Regional Seminar in the Districts.

Action: Secretariat EITI will write Invitation letter to relevant Ministry

### **4. Letter from Clare Short for MSG related to the change of the EITI rules edition 2011.**

WG agreed to bring this letter back to read it and EITI Secretariat will provide a copy of the EITI rules edition 2011 for each MSG in the next meeting.

## **5 Other Business**

### **1. Clare Short Visit Timor-Leste on 22 /09/2011**

Before the Board Meeting in Jakarta on 25-27 /10/2011 Clare Short, Chair of EITI Board, Marinke van Riet Director Publish What You Pay and other Board Members Representative decided to visit Timor-Leste on 22 October 2011. Their draft agenda of the meeting as listed below:

First day on 22 /10/ 2011, they would like to have public meeting to make speech or presentation

Second day 23 /10 2011 they would like to have breakfast meeting with MSG and other Civil Society Organization then site Visit to the District. the objective of the site visit to the district is to heard directly from population opinion on the EITI implementation in East Timor, all MSG required to take part in Breakfast meeting with the Clare Short and Other Board Members Representative.

Third day on 24 /10 /2011 they will have meeting with Dr. Jose Ramos Horta President of The Republic of East Timor.

### **2. Guidelines for Reporting to the EITI Aggregating Body March 2009**

Section 2 - Overview of the current Guidelines for Reporting to the EITI Aggregating Body paragraph 4 and 5 which reads:

“Requirement for companies to respond to these Guidelines is governed by the Petroleum Fund Law (Articles 35 and 36). When there exist Extractive Industries operating in Timor-Leste, that are not governed by the Petroleum Fund law, then such industries will report on EITI matters in accordance with the relevant governing law in place at the time.”

And

“The Aggregating Body for the purpose of these Guidelines is the auditor of the Petroleum Fund.”

These paragraphs are to be amended due to its no longer valid since the WG agreed to go for an open tender of the next Aggregating Body.

Action : Industry will provide inputs to amend the paragraph.

## **4 Next meeting**

The next meeting date will be announced via email and to be held in the Secretary of State for Natural Resources, 1<sup>st</sup> Floor Fomento Building Mandarin.