[Timor-Leste]

Stakeholder engagement – template for EITI data collection

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**Period under review**: [October 2019 to June 2022 )

**Validation team**: [Names and emails]

**Deadline for submission**: [01 July 2022]

# Introduction

The EITI requires effective multi-stakeholder oversight, including a functioning multi-stakeholder group that involves the government, companies, and the full, independent, active and effective participation of civil society.

The key requirements related to multi-stakeholder oversight include: (1.1) government engagement; (1.2) industry engagement; (1.3) civil society engagement, including [EITI Protocol: Participation of civil society](https://eiti.org/document/eiti-protocol-participation-of-civil-society), and (1.4) the establishment and functioning of a multi-stakeholder group.

The purpose of this template is to collect information from MSG members about the implementation of these provisions. Parts I to IV of this template should be completed and submitted to the International Secretariat by the commencement of Validation.

Part I: MSG oversight addresses Requirement 1.4.b and should be approved by the MSG before submission to the International Secretariat.

Parts II to IV should be completed by each constituency and submitted to the International Secretariat. These should be shared with the MSG for information.

The Validation team will undertake virtual or in-person consultations to gather additional information. Ahead of the Validation, a public call for stakeholder views will be launched by the International Secretariat.

# Part I: MSG oversight

*This section is to be filled out by the national secretariat or an MSG working group and should be approved by the MSG before submission to the International Secretariat.*

## MSG members and attendance

**1. Current MSG members. Please fill out the table below. Add rows when necessary.**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Constituency | Full/ alternate member | Member since (MM/YY) | Name | Position | Organisation | Gender | Meetings attended in period under review (dates) |
| Government | Full member | 2019 | Agus Tilman | Director of Commerce | National Petroleum & Mineral Authority (ANPM) | M | 25/02/202002/12/2021 |
| Alternate | 2019 | Honesia Amaral | Manager for Marketing and Revenue Management | ANPM | F | 08/10/201907/11/201931/01/202025/02/202028/04/202206/05/202225/05/2022 |
| Full Member | 2008 | Filipe Nery Bernardo | Coordinator/Head of Office (former Petroleum Fund Analyst) | Ministry of Finance (MoF) | M | 07/11/201025/02/202025/06/202002/12/202128/04/202206/05/2022 |
| Full Member | 2008 | Agostinho Gregorio Ramos | Senior staff and Head of Compliance Department | MoF | M | 31/01/202025/06/202002/12/202114/01/202206/05/202225/05/2022 |
| Full | 2008 | Fernando da Silva Carvalho | Chief Accountant | Central Bank of Timor-Leste (BCTL) | M | Only appear in dissemination program occasionally |
| Alternate | 2008 | Tobias Ferreira | Acting Investment Manager | BCTL | M | Only appear in dissemination program occasionally |
|  | Full | 2019 | Florencio Sanches | Executive Director  | SERVE IP Public Registry | M | 31/01/202025/02/202014/01/202228/04/2022 |
|  | Full | 2019 | Ezaquiel Babo | Director of Investment and Promotion | TradeInvest | M | 31/01/202025/06/202002/12/202128/04/2022 |
| Industry  | Full Member | 2008 | Jose Lobato Goncalves | Country Manager | Santos Timor-Leste | M | 31/01/2020 |
| Full Member | 2008 | Angelina Baptista Branco | Country Representative | Eni | F | 08/10/201907/11/201931/01/202025/02/202025/06/202002/12/202114/01/202228/04/202206/05/202225/05/2022 |
| Full Member | 2008 | Antonio dos Santos | Country Representative | Woodside Timor-Leste | M | 07/11/201925/02/202025/06/202002/12/202114/01/202206/05/2022 |
| Full Member | 2019 | Feliciano Soares | Senior Accountant & Finance Manager | Timor Resources | M | 31/01/202025/02/202025/06/202002/12/202114/01/202228/04/2022 |
| Full Member | 2019-2022 | Angelo Lay | Country Liaison Adviser | CarnarvonTimor Leste (ends operation in April 2022) | M | 31/01/202025/02/202025/06/202002/12/202114/01/2022 |
| Alternate | 2019 | Reinalda Pires | Timor Leste Engagement Coordinator | Santos Timor-Leste | F | 31/01/202025/02/202025/06/202002/12/202128/04/202206/05/2022 |
| Alternate | 2019 | Bela Lopes | Carnarvon |  |  |  |
| SOE | Full | 2020 | Deolinda de Sousa | Accounting Senior Officer | TIMOR GAP E.P | F | 02/12/2021 |
| Full | 2020 | FranciscoPinto |  | TIMOR GAP E.P | M | Was nominated but has not appear yet in meetings |
| Alternate | 2020 | Luis Gusmao Martins |  | TIMOR GAP E.P | M | 25/05/2022 |
| Alternate | 20  | Francisco Alegria  |  | TIMOR GAP E.P | M | 08/10/201907/11/201931/01/202025/02/202025/06/202002/12/202114/01/202228/04/202225/05/2022 |
| CSO | Full Member | 2018 | Estefanus Coli | Director | MDI | M | 07/11/201931/01/202025/02/202025/06/202002/12/202114/01/202228/04/202225/05/2022 |
| Full Member | 2018 | Helio Dias da Silva | Coordinator  | Haberan |  | 08/10/201907/11/201931/01/202014/01/202228/04/2022 |
| Full Member | 2018 | Sabino Fitun | Coordinator  | CGT |  | 08/10/201907/11/201925/02/2020 |

***2.* Changes in membership in the period under review and the reason behind each change. (I.e. if there are people who have been members in the period under review but no longer are.) Please fill out the table below. Add rows when necessary.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Constituency  | Name of former member | End of MSG membership (MM/YY)) | Reason for membership ending | Replaced by |
| Government | Angelo Lay | 2018 | Resigned | Agus Tilman |
| Government | Dulce da Silva | 2019 | New replacement | Honesia |
| Industry | David de Araujo | 2019 | New replacement | Reinalda Pires |
|  |  |  |  |  |

**3. MSG working groups and technical committees. If the MSG has established working groups or committees, please describe briefly their mandate and membership.**

|  |  |
| --- | --- |
| For certain occasion, the MSG in coordination with TL-EITI National Secretariat, establish a committee or panelists consisting of representative of each pillar to undertake a specific task and for a short period of time until the task is completed.Their main role will be guided by an agreed ToR. The committee will then present their recommendation to the MSG for adoption or approval. For example, selection of the independent administrator in 2021 to produce TL-EITI FY 2019 report. |  |

## MSG Terms of Reference and practices

**4. Link(s) to publicly available MSG Terms of Reference and/or other documents containing the provisions of Requirement 1.4.b.**

|  |
| --- |
| [TIMOR-LESTE EITI WORKING GROUP: (mpm.gov.tl)](https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf) |

**5. Date of MSG approval of its latest Terms of Reference or similar document containing the provisions under EITI Requirement 1.4.b.**

|  |
| --- |
| It was approved in 2008 since the formation of TL-EITI MSG working group |

**6. MSG’s policies and practices. Please fill out the table below.**

|  |
| --- |
| **Elements of MSG Terms of Reference (1.4.b)** |
|  | ***Where is the policy documented?***  | ***Briefly describe practices in the period under review. Please explain any discrepancies between the ToR and the practice.*** |
| **The role, responsibilities and rights of the MSG** |
| Definition of the role, responsibilities and rights of the MSG and its members. | MSG ToR (objectives) <https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | Yes. The MSG members’ roles, responsibilities and rights been respected in practice. All members are free to speak and express their thoughts. |
| Adherence to the EITI Association code of conduct, including addressing conflicts of interest. | TL-EITI MSG ToR(currently not mentioned anywhere, but proposed to be included in the revised ToR in future) | So far, there is no conflict of interest has emerged.The revised ToR outlines the procedures and circumstances around the conflict of interest matter. |
| **Approval of work plans and oversight of implementation​** |
| Approval of annual work plans. | TL-EITI MSG ToR: first two objectives, page 1 | The first draft was prepared by the NS and then shared with the MSG for comments and review. Four annual work plans were approved during period under review. The latest TL-EITI Annual Work Plan was approved on 26 April 2022. |
| Oversight of the EITI reporting process and engagement in Validation, including approval of Independent Administrator ToRs and EITI Reports. | TL-EITI MSGToR (Objectives) and Workplans.MSG ToR objective no 3 stated that “*determine and agree the scope of EITI audits/reports in Timor-Leste, in accordance with the most recent EITI Standard , develop EITI reporting templates to be used by companies and government that are easily comprehensible, determine terms of reference for and select an independent auditor to reconcile revenue and payment data, and ensure that EITI reports are published and disseminated”*.<https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | Yes, the MSG providing effective oversight of implementation. The MSG approved ToRs for the selection and appointment of Independent Administrator on July 2021. The latest TL- EITI Report approved was for the FY 2019 on 31 March 2022Approved through emails, minutes of meeting and phone messages. |
| **Internal governance rules and procedures** |
| Inclusive decision-making process throughout implementation, with each constituency being treated as a partner and with the right to table issues. | MSG ToR <https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | Yes, all members are able, encouraged and free to table any issues for discussion.The Working Group will then decide whether such an issue fall within the responsibility of the Working Group or not. |
| Procedures for nominating and changing multi-stakeholder group representatives, incl. alternates | MSG ToR – Membership and term of the membership page 2<https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | Each constituency decides on their representatives at the MSG. |
| Decision-making procedures, e.g. rules for voting and quorum | MSG ToR – decision making/voting page 3<https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | Yes. Meetings only take place where there is a meeting quorum. The MSG always tried to reach concensus. However, confirmation vote always required. |
| Duration of the MSG’s mandate | MSG ToR – Term of membership page 2 <https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | Yes. In accordance of the reality of the extractive activities in the country.The current ToR stated the term duration of 2 years with possibility of extension. In practice, some of the representatives have involved for more than two years. The decision on whether to continue or terminate depending on each institutions policy. |
| Per diems | MSG ToR – Meetings page 2-3<https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | There is no perdiem payment for MSG meetings.The Government, however, allocated a budget under the TL-EITI Secretariat to cover per diems during official local and international travel for members of government and CSO, as needed. The industry covers their own costs. As per MSG- ToR, the National Secretariat shall conduct all coordination and administrative functions necessary, including transport and communication, to support the Working Group and ensure the fulfillment of its specific responsibilities.  |
| Frequency of meetings | MSG ToR | At least once a month or as required. Between mid-2020 and first half of 2021, the meetings were rarely conducted due to the Covid-19 State of Emergencies imposed by the Government. Physical group meetings were prohibited and the Easter Seroja Cyclone in 2021 has affected the internet access to conduct online meetings. |
| Advance notice of meetings and timely circulation of documents | MSG ToR | Around one week prior to the meetings |
| Record-keeping | MSG ToR | Yes, under meeting minutes. |
| **Other aspects covered in the ToR that the MSG wishes to highlight** |
|  |  |  |

## MSG meetings and minutes

**7. Please provide the dates and a link to the published minutes of MSG meetings that have taken place in the period under review or provide any unpublished minutes as an attachment.**

|  |
| --- |
|  |

## MSG approval

**8. Date of MSG approval of this submission.**

|  |
| --- |
| 30 June 2022 |

#

# Part II: Government engagement

*This questionnaire seeks to collect information from government MSG members about the engagement of the government in the EITI process from January 2019 to June 2022. Government MSG members are requested to fill out the form together and either submit it directly to the Validation team (**xxx@eiti.org**) or request the National Coordinator to submit it. Government MSG members may also mandate the National Coordinator to fill out the questionnaire. The deadline for submitting the form to the Validation team is (insert Validation commencement date). It is recommended that government MSG members coordinate to agree one submission. Diverging views within the constituency can be documented in the form. The signatories of the submission should be indicated at the bottom of the form. Stakeholders may contact the Validation team directly to provide additional views.*

**1. Examples of statements or actions in support of the EITI and/or matters in the scope of the EITI Standard by high-level government representatives, such as ministers or the head of state.**

|  |
| --- |
| * Current Government’s 5 years program – 4.2 Oil & Mineral Resources. State that: *Ensure compliance with the Extractive Industries Transparency Initiative (EITI), continuing to submit the required reports*; <http://timor-leste.gov.tl/?cat=39&lang=en#prog4.2>
* Also in Ministry of Petroleum and Minerals’s Organic Law, by establishing the EITI Secretariate, this includes annual budget allocation to support EITI activities in Timor-Leste.
 |

**2. Name and position of senior individual leading implementation.**

|  |
| --- |
| H.E. Victor da Conceicao Soares, Minister of Petroleum and Minerals |

**3. Describe the process for nominating government MSG members, including whether consideration was given to ensuring the seniority and diversity of representation.**

|  |  |
| --- | --- |
| Agreed procedure for selecting government MSG members | Practice in the period under review |
| TL-EITI MSG’s ToR stated what institutions to represent the Government at the MSG.Directly nominated by each government institution <https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | Government representatives at the MSG are directly nominated by the head of institution based on relevant working areaNew institution were added based on necessity according to new EITI standard*.* |

**4. If any MSG representatives changed during the MSG’s term, please describe the process followed for replacing them.**

|  |  |
| --- | --- |
| Agreed procedure for replacing government MSG members | Practice in the period under review |
| TL-EITI MSG’s ToR stated that each institutions is responsible to nominate their representatives in the MSG, this includes appointing alternates and replacing members | Each Government institution is responsible to appoint and replace their representatives at the MSG. Nomination are normaly advised to the Chairperson of the TL-EITI and the Secretariat in writing -via email or formal letter.During the review, the following changes within MSG membership were occurred:Mr Angelo Lay resigned end of 2018 and was replaced by Mr. Agustinho Tilman as the key member of ANPM; Mrs Dulce da Silva was replaced by Mrs Honesia Amaral in 2019 as alternate member for the same organization. The changes of membership was decided internally by the ANPM. |

**5. Government resources directed to EITI implementation in the period under review, such as staff and funding for work plan activities.**

|  |
| --- |
| The Government included EITI implementation and activities as one of the programs under petroleum and mineral sectors. It provide financing through Ministry of Petroleum and Mineral (MPM) budget allocation each year. For 2019-2021 the Government has allocated over $601 thousand to support EITI implementation activities and pay the salary of staff in the Secretariat. For details, please see <http://www.budgettransparency.gov.tl/publicTransparency>The annual budget allocated for the TL-EITI implementation is varied every year depends on the needs of annual TL-EITI implementation and also on the availability of budget from the Ministry (MPM). Most expenditures were allocated to TL-EITI report preparations. In the period under review, between 2019 and 2021, the following expenditures were implemented:* 1. Independent Administrator services: TL-EITI reports (FY 2016, 2017 & 2018) and Feasibility Reports of Mainstreaming & Beneficial Ownership = around US$ 150,000;
	2. Independent Administrator services: TL-EITI report FY 2019 & FY 2020 = US$ 70,000
	3. Dissemination activities: 2 events in 2019 and 2021: around US$ 32,000
	4. Sharing knowledge and workshop: 2019 EITI Standard with EITI International at Timor Plaza, 13 November 2019: US$1673

During the period under review, the budget were sufficient to cover these activities. |

**6. Efforts undertaken by the government to ensure an enabling environment for company and CSO participation in the EITI and/or to remove any obstacles to EITI disclosures.**

|  |
| --- |
| There is no specific EITI law, however there are other legislation (e.g. Petroleum Fund Law, Commercial Law, Petroleum Activities Law) implicitly remove any obstacles to EITI disclosures eg requirement for publication of information. The Government supports the EITI implementation through establishment of TL-EITI Secretariat where civil society and companies are actively participated. They have equal voting weights, where no decision or approval can be made if one of them is absence.The following legal provisions mentioned EITI and transparency initiatives that must be adhered by extractive entities:1. Petroleum Fund Law No. 12/2011, chapter VI, art. 32: <http://mj.gov.tl/jornal/lawsTL/RDTL-Law/RDTL-Laws/Law%2012-2011.pdf.pdf>
2. Petroleum Activity Law No. 13/2005, preamble section: <http://timor-leste.gov.tl/wp-content/uploads/2010/03/Law_2005_13_petroleum_activities_.pdf>
3. Mining Code No. 12 of 30 June 2021, art. 54c. & art. 150: [http://web01.anpm.tl/webs/anptlweb.nsf/vwAll/Resource-Lei-No-12-2021-de-30-de-Junho-Codigo-Mineiro/$File/Lei-No-12-2021-de-30-de-Junho-Codigo-Mineiro.pdf?openelement](http://web01.anpm.tl/webs/anptlweb.nsf/vwAll/Resource-Lei-No-12-2021-de-30-de-Junho-Codigo-Mineiro/%24File/Lei-No-12-2021-de-30-de-Junho-Codigo-Mineiro.pdf?openelement)
4. Decree Law (DL) Offshore Petroleum Operations No. 32/2016, art. 97: <http://www.anpm.tl/wp-content/uploads/2018/08/Decree-Law-Offhore-Petroleum-Operations-in-Timor-Leste-EN-CLEAN.docx_27.09.2016.pdf>
5. DL Onshore Petroleum Activities No. 18/2020, art. 98: <http://www.anpm.tl/wp-content/uploads/2020/10/Decree-Law-18-2020-Onshore-Activity-English-Version.pdf>
 |

## Liaison with the broader constituency

**3. Describe the government constituency’s structures, policies and practices for coordination on EITI matters.**

Please provide supporting evidence. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

|  |  |  |
| --- | --- | --- |
| Structures in place for liaison with the broader constituency, such as coordination groups | Policies and agreed procedures for liaison with the broader constituency | Practice in the period under review |
| Establish EITI Secretariat under the Ministery of Petroleum and Minerals\a | Roles and Responsibility of TL-EITI Secretariat outlined in the MPM Organic Law (art. 13)<http://www.mj.gov.tl/jornal/public/docs/2020/serie_1/SERIE_I_NO_50.pdf> | TL-EITI Secretariat coordinates all EITI activities in Timor-Leste, including organizing MSG meetings, dissemination of information and discussion with broader audience (community leaders, civil society organizations, academia, etc).  |

**4. Have MSG members sought input from the broader constituency on the following documents. If yes, how and did you receive input?**

 a) The latest EITI work plan, including priorities for EITI implementation

 b) The latest annual review of outcomes and impact

|  |
| --- |
| Not applicable, generally these documents are reviewed and approved solely by MSG members. |

## Use of data

**5. Have government representatives contributed to communicating or using EITI data, including participation in outreach activities?**

If yes, please provide examples with links to any supporting evidence, such as reports, speeches or news articles.

|  |
| --- |
| Yes, reports, presentation materials, please check in the links below:EITI reports and activities – TL-EITI websiteANPM website for legal requirements related to petroleum and minerals, existing contract and PSCs, data on production and payment of royalties and profit oils – <http://web01.anpm.tl/webs/anptlweb.nsf/vwAll/Home> Information related to Petroleum Fund in the BCTL website: <https://www.bancocentral.tl/en/go/publications-key-report-petroleum-fund-report>  |

## Sign-off

**Please include below the names and contact details of the MSG members from the government constituency who sign off on submitting the above information to the Validation team. Add rows as needed.**

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Email address or telephone number | Date | Signature (optional) |
| Agus Tilman | mailto:agus.tilman@anpm.tl | 29/06/2022 |  |
| Filipe Nery | mailto:fnbernardo@mof.gov.tl | 29/06/2022 |  |
| Fernando Carvalho | mailto:fernando.carvalho@bancocentral.tl | 29/06/2022 |  |
| Agostinho Ramos | mailto:aramos@mof.gov.tl | 29/06/2022 |  |
| Honesia Amaral | mailto:honesiaamaral@anpm.tl | 29/06/2022 |  |
| Florencio Sanches | mailto:fdcsanches@mof.gov.tl | 29/06/2022 |  |
| Ezaquiel Babo | mailto:ezaquiel.babo@investtimor-leste.com | 29/06/2022 |  |

# Part III: Industry engagement

*This questionnaire seeks to collect information from industry MSG members about the engagement of oil, gas and mining companies in the EITI process from October 2019 to June 2022. Industry MSG members are requested to fill out the form together and either submit it directly to the Validation team (**xxx@eiti.org**) or request the National Coordinator to submit it. The deadline for submitting the form to the Validation team is (insert Validation commencement date). It is recommended that industry MSG members coordinate to agree one submission. Diverging views within the constituency can be documented in the form. The signatories of the submission should be indicated at the bottom of the form. Stakeholders may contact the Validation team directly to provide additional views.*

## MSG nominations

**1. Describe the process for nominating industry MSG members, including whether consideration was given to ensuring the diversity of representation.**

Please provide supporting documentation related to the latest nomination process. This could include the invitation to participate in the MSG, a list of interested organisations or individuals, constituency ToRs, minutes of the election process, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

|  |  |
| --- | --- |
| Agreed procedure for selecting industry MSG members | Practice in the period under review |
| Each operator is given the liberty to nominate their representatives to be part of MSG members.Please refer to MSG TOR on membership section page 2 for details. <https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | As agreed by each entity’s terms, during the period under review, the arrival of the new alternate member of existed company was verbally presented by the key member whereas new entity e.g. Carnarvon Petroleum was directly expressed their willingness to be part of MSG. |

**2. If any MSG representatives changed during the MSG’s term, please describe the process followed for replacing them.**

|  |  |
| --- | --- |
| Agreed procedure for replacing industry MSG members | Practice in the period under review |
| TL-EITI Secretariat and MSG members will be officially informed. Each company has the authority to appoint and replace its members in MSG. MSG ToR – Membership & Terms, page 2, <https://tleiti.mpm.gov.tl/wp-content/uploads/2021/12/Term-of-Reference-for-MSG-1.pdf> | During the period under review, one replacement occurred in 2019 where Mr. David de Araujo was replaced by Mrs. Reinalda Pires as alternate member from SANTOS Timor-Leste. Changes and new assignments based on internal policy of the company. |

## Liaison with the broader constituency

**3. Describe the company constituency’s structures, policies and practices for coordination on EITI matters.**

Please provide supporting evidence, such as constituency ToRs, dates and minutes of constituency meetings, number of emails to mailing lists, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

|  |  |  |
| --- | --- | --- |
| Structures in place for liaison with the broader constituency, such as industry associations | Policies and agreed procedures for liaison with the broader constituency | Practice in the period under review |
| Each operator complies with its internal policies to coordinate EITI matters.If important decisions need to be made, each company will discuss and consult with its HQ (legal, finance, external affairs, communication etc) for endorsement/approval. Decision(s) will then be shared with broader constituency.  | N/A | Industry constituincy in Timor – Leste conducts EITI activities with the same understanding of EITI Requirements and alignment with each operator’s internal policy.  |

**4. Have MSG members sought input from the broader constituency on the following documents. If yes, how and did you receive input?**

 a) The latest EITI work plan, including priorities for EITI implementation

 b) The latest annual review of outcomes and impact

|  |
| --- |
| Each operator share EITI work plan and the priorities for implementation with relevant departments within each company through email communications. The input to the documents will be provided based on internal processes in each company. |

## Use of data

**5. Have company representatives contributed to communicating or using EITI data, including participation in outreach activities?**

If yes, please provide examples with links to any supporting evidence, such as reports, blogs or news articles.

|  |
| --- |
| Each operators have different policies in relation to implementation of EITI in Timor – Leste. Hence, operator’s contribution on using EITI data differs between each operator. Also, company representative have participated in EITI outreach activities organised by EITI Secretariat. The latest participation from the industry in outreach activity was in October 2021 for TL-EITI report dissemination at Covalima represented by Timor-Resource. <https://tleiti.mpm.gov.tl/2021/12/06/press-release/> |

## Obstacles to participation

**6. If company representatives have experienced any obstacles to participation in the EITI, please describe and specify these obstacles below or convey your concerns directly to the Validation team (****XXX@eiti.org****) by the commencement of the Validation. Please provide supporting evidence if available. Requests for confidentiality will be respected.**

|  |
| --- |
| Operators do not observe or experience obstacles  |

## Sign-off

**7. Please include below the names and contact details of the MSG members from the industry constituency who sign off on submitting the above information to the Validation team. Add rows as needed.**

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Email address or telephone number | Date | Signature (optional) |
| Angelina Branco | mailto:angelina.branco@eni.com | 29/06/2022 |  |
| Antonio dos Santos | mailto:antonio.dossantos@woodside.com.au | 29/06/2022 |  |
| Jose Lobato Goncalves | mailto:Jose.Lobato.Goncalves@santos.com | 29/06/2022 |  |
| Feliciano Soares | mailto:feliciano@timorresources.com.au | 29/06/2022 |  |
| Reinalda Pires | mailto:Reinalda.Pires@santos.com | 29/06/2022 |  |
| Angelo Lay | *Official email is no longer active due to company’s closure.* | 29/06/2022 |  |
| Bela Lopes | *Official email is no longer active due to company’s closure.* | 29/06/2022 |  |

# Part IV: Civil society engagement

*This questionnaire seeks to collect information from civil society MSG members about the engagement of civil society in the EITI process from October 2021 to June 2022. Civil society MSG members are requested to fill out the form together and either submit it directly to the Validation team (**xxx@eiti.org**) or request the National Coordinator to submit it. The deadline for submitting the form to the Validation team is (insert Validation commencement date). It is recommended that civil society MSG members coordinate to agree one submission. Diverging views within the constituency can be documented in the form. The signatories of the submission should be indicated at the bottom of the form. Stakeholders may contact the Validation team directly to provide additional views.*

## MSG nominations

**1. Describe the process for nominating civil society MSG members, including whether consideration was given to ensuring the diversity of representation.**

Please provide supporting documentation related to the latest nomination process. This could include the invitation to participate in the MSG, a list of interested organisations or individuals, constituency ToRs, minutes of the election process, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

|  |  |
| --- | --- |
| Agreed procedure for replacing civil society MSG members | Practice in the period under review |
| Yes we agreed for replacing CSO MSG members,We have selection criteria to become CSO representatives as MSG member. All process of the selection conducting by Forum Noun Governamental Timor Leste (FONGTI) as umbrela for SCO in Timor Leste thorugh the process as below:1. Develop ToR
2. Sectoral networks preparation for the selections
3. Selection the candidates at FONGTIL
4. Voting process of the candidates
5. Deliver competency from FONGTIL to the nominated person.
6. Presenting the nominated CSO representatives to the National EITI secretariat.
 | The CSO representatives who seat at MSG as the members has selected since 2018. There was no replacement occurred until June 2022. |

**2. If any MSG representatives changed during the MSG’s term, please describe the process followed for replacing them.**

|  |  |
| --- | --- |
| Agreed procedure for replacing civil society MSG members | Practice in the period under review |
| The process of the replacement based on the consultation with sectoral networks who has delegated their representatives and indentify new person to replace the empty seat at MSG*.*  | During the period under review, there is no replacement or new nomination of CSO members  |

## Liaison with the broader constituency

**3. Describe the civil society constituency’s structures, policies and practices for coordination on EITI matters.**

Please provide supporting evidence, such as constituency ToRs, dates and minutes of constituency meetings, number of emails to mailing lists, etc. If the evidence is available online, please provide a link. If it is not, please annex the evidence to this questionnaire.

|  |  |  |
| --- | --- | --- |
| Structures in place for liaison with the broader constituency, such as networks | Policies and agreed procedures for liaison with the broader constituency | Practice in the period under review |
| The CSO constituency’s structures on EITI matters still not exist  | The CSO representatives use ToR for coordination on EITI matters with broader constituency.  | Usually it is organized by FONGTIL (Timor-Leste NGO Forum) in collaboration with the CSO MSG members.During the period of Covid-19 pandemic CSO rarely implement any kind of practicing on EITI matters with broader constituency  |

**4. Have MSG members sought input from the broader constituency on the following documents. If yes, how and did you receive input?**

 a) The latest EITI work plan, including priorities for EITI implementation

 b) The latest annual review of outcomes and impact

|  |
| --- |
| During the period under review the CSO members of TL-EITI would review and approve the documents described but generally during outreach activities among CSO organizations we often received inputs and ideas from our peers to improve the performance of the CSO in TL-EITI. |

## Use of data

**5. Have civil society representatives contributed to communicating or using EITI data, including participation in outreach activities or use of EITI data in advocacy and campaigns?**

If yes, please provide examples with links to any supporting evidence, such as reports, blogs or news articles.

|  |
| --- |
| Participation in TL-EITI Report dissemination programs in Manufahi (2019) and Covalima (15-16 Nov 2021) which were mainly organized by CSO members of MSG. <https://tleiti.mpm.gov.tl/2021/12/06/press-release/>Core Group Transparency’s (CGT) sharing knowledge activity themed 2019 EITI Standard: changes and impact, between CSO institutions with staff members of Ministry of Petroleum & Minerals, TL-EITI Secretariat and TIMOR-GAP EP in Covalima, 17- 20 Nov 2021. <https://tleiti.mpm.gov.tl/2022/03/22/kapasitasaun-ba-core-group-transparency-kona-ba-mudansa-eiti-standard-2019/> |

## Obstacles to participation

**6. If civil society representatives have experienced any obstacles to participation in the EITI, including the use of publicly available extractive sector data, please describe and specify these obstacles below or convey your concerns directly to the Validation team (****XXX@eiti.org****) by the commencement of the Validation.**

The [EITI’s civil society protocol](https://eiti.org/document/eiti-protocol-participation-of-civil-society) requires that the government ensures an enabling environment for civil society engagement in the EITI. Any concerns related to potential breaches of the protocol should be accompanied with a description of the related incident, including its timing, actors involved and the link to the EITI process. If available, supporting documentation should be provided. . Requests for confidentiality will be respected.

For purposes of Validation, ‘civil society representatives’ refer to civil society representatives who are substantively involved in the EITI process, including but not limited to members of the multi-stakeholder group. The ‘EITI process’ refers to activities related to preparing for EITI sign-up; MSG meetings; CSO constituency side-meetings on EITI, including interactions with MSG representatives; producing EITI Reports; producing materials or conducting analysis on EITI Reports; expressing views related to EITI activities; and expressing views related to natural resource governance.

|  |  |
| --- | --- |
| Provision of the EITI civil society protocol | Potential breach identified in the period under review and accompanying evidence |
| 2.1 Expression: Civil society representatives are able to engage in public debate related to the EITI process and express opinions about the EITI process without restraint, coercion or reprisal. | In Timor Leste we don’t have any potential breach. We have enough space to express our opinion in relation with the EITI issue and other transparency issues. <https://civicus.org/documents/TimorLeste.JointUPRSubmission2021.pdf><http://www.tatoli.tl/en/2022/05/23/timor-leste-jumps-to-17th-position-in-world-press-freedom-rankings/> |
| 2.2 Operation: Civil society representatives are able to operate freely in relation to the EITI process. | Yes, we have our own strategy to engage with the EITI process without any intervention from the other constituencies and stakeholders.  |
| 2.3 Association: Civil society representatives are able to communicate and cooperate with each other regarding the EITI process. | Yes, the CSO’s representatives selected from the members of CGT/PWYP in Timor Leste and we have regular quarterly meeting and from those meeting including share the progress of the EITI.  |
| 2.4 Engagement: Civil society representatives are able to be fully, actively and effectively engaged in the design, implementation, monitoring and evaluation of the EITI process. | Honestly, the CSO representatives in Timor Leste have limited resources in terms of human resources and financial resources to actively and effectively engage in design, implementation, monitoring and evaluation process. We have tried to reformulate our strategy representatives and we expect changes next year.  |
| 2.5 Access to public decision-making: Civil society representatives are able to speak freely on transparency and natural resource governance issues, and ensure that the EITI contributes to public debate. | Yes |

## Sign-off

**7. Please include below the names and contact details of the MSG members from the civil society constituency who sign off on submitting the above information to the Validation team. Add rows as needed.**

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Email address or telephone number | Date | Signature (optional) |
| Helio Dias da Silva | elizero5502@yahoo.co.id | 23May 2022 |  |
| Estevanus Coli | mdi\_fan@yahoo.com | 23May 2022 |  |
| Sabino Fitun | cgt16.fitun@gmail.com | 23 May 2022 |  |
|  |  |  |  |
|  |  |  |  |

# For Validation team’s use: Guiding questions for consultations on stakeholder engagement

* What are the key strengths of the constituency’s engagement in the EITI?
* Obstacles or barriers to participation in the EITI, including related to any of the provisions of the civil society protocol?
* Did actors from other constituencies attempt to influence the MSG nomination process or constituency coordination?
* What are the constituency’s (or organisation’s) priorities for EITI?
* To what extent are the constituency’s or organisation’s priorities reflected in EITI implementation?
* Are other constituencies fully, actively and effectively engaged in EITI implementation?
* Any other remarks, including commentary on the MSG’s functioning.
* For stakeholders not on the MSG: Commentary on opportunities to provide input to the MSG’s work or agenda. Commentary on the representativeness of constituency MSG members, possible conflicts of interest and the openness of the MSG nomination process.
* Context-specific questions arising from the written input to clarify or seek further information.

# For Validation team’s use: Template for “Call for views on stakeholder engagement”

**Call for views on progress in EITI implementation in [Timor-Leste]**

[Summary of status of implementation, including the commencement date of Validation and the outcome of the previous Validation,]

The EITI International Secretariat is seeking stakeholder views on [Country’s] progress in implementing the EITI Standard between [period under review]. Stakeholders are requested to send views to [contacts of Validation team members] by [Validation commencement date].

The EITI Standard requires that the government, extractive companies and civil society are fully, actively and effectively engaged in EITI implementation. The Secretariat is seeking views on the following questions:

1. Are the government, extractive companies and civil society fully, actively and effectively engaged in EITI implementation?
2. Are there any obstacles or barriers to the participation of any of these constituencies or their sub-groups in EITI implementation?

Civil society engagement in the EITI will be assessed in accordance with EITI Protocol: Participation of civil society. Stakeholders are requested to provide input on [Country’s] adherence with the protocol.

Any concerns related to potential breaches of the protocol should be accompanied with a description of the related incident, including its timing, actors involved and the link to the EITI process. If available, supporting documentation should be provided. Stakeholders may also indicate which provision of the civil society protocol they consider the breach(es) to relate to. Responses will be anonymised and be kept confidential.

The Secretariat is seeking views on the following questions related to civil society engagement:

1. Are civil society organisations able to engage in public debate related to the EITI process and express opinions about the EITI process without restraint, coercion or reprisal?
2. Are civil society representatives able to operate freely in relation to the EITI process?
3. Are civil society representatives able to communicate and cooperate with each other regarding the EITI process?
4. Are civil society representatives able to be fully, actively and effectively engaged in the design, implementation, monitoring and evaluation of the EITI process?
5. Are civil society representatives able to speak freely on transparency and natural resource governance issues, and ensure that the EITI contributes to public debate?

For purposes of the protocol, ‘civil society representatives’ refer to civil society representatives who are substantively involved in the EITI process, including but not limited to members of the multi-stakeholder group. The ‘EITI process’ refers to activities related to preparing for EITI sign-up; MSG meetings; CSO constituency side-meetings on EITI, including interactions with MSG representatives; producing EITI Reports; producing materials or conducting analysis on EITI Reports; expressing views related to EITI activities; and expressing views related to natural resource governance.