[Mongolia]

Stakeholder engagement – template for EITI data collection

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**Period under review**: [from previous Validation to commencement of this Validation)

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

**Deadline for submission**: [Validation commencement date]

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

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## 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.**

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

|  |
| --- |
|  |

**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. | *[e.g. “MSG ToR, section 3” or “Presidential Decree n 100”]* | *[Have the roles, responsibilities and rights been respected in practice?]* |
| Adherence to the EITI Association code of conduct, including addressing conflicts of interest. |  | *[Has the code of conduct been adhered to in practice? If conflicts of interest have emerged, how have these been addressed?]* |
| **Approval of work plans and oversight of implementation​** |
| Approval of annual work plans. | *[e.g. “MSG ToR, section 3” or “Presidential Decree n 100”]* | *[Did the MSG approve the latest work plan? If yes, when?]* |
| Oversight of the EITI reporting process and engagement in Validation, including approval of Independent Administrator ToRs and EITI Reports. |  | *[Is the MSG providing effective oversight of implementation? Has the MSG approved ToRs and EITI Reports? If yes, when?]* |
| **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. | *[e.g. “MSG ToR, section 3” or “Presidential Decree n 100”]* | *[Have all MSG members been able to table issues for discussion in practice?]* |
| Procedures for nominating and changing multi-stakeholder group representatives, incl. alternates |  | *[Indicate the practice in Part I and in constituency-specific questionnaires.]* |
| Decision-making procedures, e.g. rules for voting and quorum |  | *[Have the decision-making procedures been followed in practices? Has the MSG taken any decisions by vote?]* |
| Duration of the MSG’s mandate |  | *[Have provisions regarding the duration of the MSG’s mandated been respected in practice?]* |
| Per diems |  | *[Were per diems for MSG meetings paid out in the period under review? If yes, what was the per diem per meeting and how much was paid out in total?]*  |
| Frequency of meetings |  | *[How often did the MSG meet in the period under review?]* |
| Advance notice of meetings and timely circulation of documents |  | *[How much advance notice was given for MSG meetings? How much ahead of meetings were documents circulated?]* |
| Record-keeping |  | *[Were written records kept of MSG discussions in the period under review?]* |
| **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.**

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## MSG approval

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

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# 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 \_\_ to \_\_ [insert period under review]. 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.**

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

|  |
| --- |
|  |

**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 |
|  |  |

**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 |
|  |  |

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

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**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.**

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## 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 |
|  |  | *[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]* |

**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

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## 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.

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## 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) |
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# 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 \_\_ to \_\_ [insert period under review]. 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 |
| By government resolution Mongolian national mining association nominates the members list representing industry.At the MNMA, MSG members list is drawn up on voluntary bases.  | Full |

**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 |
| See above for reference. Any changes in MSG member, MNMA provides new name with consultation from National coordinator.  | Full.  |

## 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 |
| Mongolian mining association interacts with its members through online correspondence, or quarterly meetings. When it is representing the sector /not only members/ at collective bargaining and EITI etc it goes through working groups or special committees.  | The MNMA acts as a rallying point for the companies on notion of responsible mining. (Transparency been one of the major factor in responsible mining)  | *[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]* |

**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

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| --- |
| Inputs, on above mentioned documents, are received at the working group meetings, annual meetings, MSG meetings, and trough constant email exchange.  |

## 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.

|  |
| --- |
| Yes. Social posts by MNMA some datas are from EITI reports <https://www.facebook.com/miningassociation> <https://ikon.mn/n/22kk> <https://ikon.mn/n/28y9> <https://ikon.mn/n/28y9>  |

## 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.**

|  |
| --- |
| No |

## 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) |
| Enkhbold D. | enkhbold@miningmongolia.mn | 07 Dec 12 |  |
|  |  |  |  |
|  |  |  |  |
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# 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 \_\_ to \_\_ [insert period under review]. 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 |
|  |  |

**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 |
|  |  |

## 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 |
|  |  | *[Please describe how the constituency coordinated on EITI matters in the period under review, including a description of actors engaged.]* |

**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

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## 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.

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## 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. |  |
| 2.2 Operation: Civil society representatives are able to operate freely in relation to the EITI process. |  |
| 2.3 Association: Civil society representatives are able to communicate and cooperate with each other regarding the EITI process. |  |
| 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. |  |
| 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. |  |

## 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) |
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# 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 [country]**

[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.