



51st Board meeting

Virtual 20-21 October 2021

Revised by: EITI International Secretariat

on: 8 December 2021

Minutes

These Minutes capture the purpose and agreed outcomes of the 51st meeting of the EITI Board.

MINUTES OF THE 51ST EITI BOARD MEETING

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51-1 Welcome and adoption of the agenda

The **EITI Board Chair, Rt Hon. Helen Clark** opened the meeting and welcomed the Board members to the EITI's 51st Board meeting. With the Board meeting proceeding on a virtual basis for a fifth occasion because of the pandemic, the Chair expressed her appreciation for the high rate of Board members' attendance and engagement, despite not having been able to meet in person. She added that meeting again in person will be vital to building trust and sense of common purpose, and noted that work is being done to explore opportunities for possible hybrid and in-person Board meetings in the coming year, while being very mindful of the risks and the ongoing health impact of the pandemic in many EITI countries. The Chair recognised the difficulties the pandemic brought to everyone, with some having experienced it at a very personal level. Some EITI office holders have lost their lives and others have lost their loved ones. The Chair turned to Stuart Brookes to say a few words about Jean-Francois Lasalle, EITI's former Board member and committed colleague, who passed last month due to COVID-19. Stuart thanked the Chair and recognised the important role Jean-Francois Lassalle had on the EITI from the onset. A minute of silence was observed.

The Chair welcomed new Board members to their first Board meeting:

- Ms Kimberly HARRINGTON, Director of the Office of Policy Analysis and Public Diplomacy in the Bureau of Energy Resources at the US Department of State who succeeded Erin Kotheimer as an alternate member representing the supporting countries constituency in September and Mr François GAVE, Special Representative for Corporate Social Responsibility and the Social Dimension of Globalisation at the Ministry of Europe and Foreign Affairs, France who succeeded Odile Roussel as an alternate Board member representing the supporting countries' constituency in October.

The Chair thanked Board members leaving the Board:

- Ms Maria Teresa HABITAN, Assistant Secretary of the Department of Finance, Philippines, has informed us that she will be retiring from the Department of Finance on 31 October 2021. This October meeting, therefore, is the last meeting she attends as a Board member. Her successor will be named shortly.
- Ms. Odile ROUSSEL, Ministry of Europe and Foreign Affairs, Government of France, stepped down from the Board after the 50th Board meeting in June.
- Mr Django COULIBALLY, National Coordinator, Mali has been replaced as Mali's National Coordinator and has stepped down from the Board as notified via BC 314. His successor is yet to be confirmed.

The Chair also noted the apologies from Dyveke Rogan and Solange Ondigui.

Lastly, the Chair thanked Ines Marques, EITI Secretariat's Policy Director for her commitment and hard work and noted her upcoming 12-months leave of absence that would take place from November 2021.

The draft Board meeting agenda was approved.

51-2 Report from the Secretariat

Board paper 51-2-A: Implementation Progress Report

Mark Robinson provided a summary of the IPR for the period June–September 2021 and noted that the Secretariat had focused on capacity building and implementation support to member countries. The International Secretariat had also expended significant time and effort on planning priorities for implementation support in 2022, in consultation with national stakeholders and partners.

Mark noted that a number of countries continued to experience political instability. Myanmar remained suspended as conflict between the military regime and civilians continue to escalate. Taliban take-over has completely stalled the EITI process in Afghanistan. Coups had taken place the last year in Chad, Guinea and Mali without apparent immediate implications for implementation. Intensifying violent conflict in Ethiopia and Mozambique also raised concerns about the prospects for investments in the extractive industries. Mark noted that the Secretariat continued to monitor these cases and the risks posed to EITI stakeholders closely and would continue providing regular updates to the Board Chair, Implementation and Rapid Response Committees.

Gay Ordenes shared updates on Afghanistan and Myanmar. On Afghanistan, she noted that since the Taliban took over Afghanistan in mid-August, there has been no progress with EITI implementation. She highlighted that a recommendation on the status of Afghanistan will be made when consultations could be undertaken with stakeholders. On Myanmar, Gay Ordenes mentioned that the country continues to be suspended as conflict between the military regime and civilians continue to escalate. The military has informed the Secretariat in July that it is in the process of establishing an MSG. The Secretariat responded by reiterating the conditions that need to be fulfilled for suspension to be lifted, including the restoration of genuine civic space.

Mark highlighted that flexible reporting had strengthened EITI implementation, with 16 countries having adopted flexible reporting and three countries exploring alternative approaches to reporting. He noted that efforts around systematic disclosure continued apace; the latest data from the systematic disclosure dashboard showed that on average 24% of data required by the EITI is systematically disclosed in 32 countries, while almost 55% was only available through conventional EITI reporting. Furthermore, he noted the continued momentum around beneficial ownership, with ten countries having formally joined the Opening Extractives Programme and six leading extractive sector companies having signed a commitment to support beneficial ownership transparency.

On environmental reporting, he signalled that implementing countries were increasingly using the EITI as a way to be able to report on environmental management and monitoring efforts. He also noted that there had been progress on the implementation of gender-related requirements with an increase of 4% in the percentage of women members in MSG over the 12 months period and 60% of EITI countries publish some kind of gender-disaggregated information on employment, up from 33% last year.

Board members raised the following points:

- Concerns were raised about the political instability in several EITI member countries. It was emphasised that a decision should be made in the near future on the status of Afghanistan, with some Board members questioning how Afghanistan has not yet been

suspended due to political instability if its MSG no longer exists. Board members may through their institutions be available to support efforts on the ground in fragile states. The Secretariat noted that there could be value in revisiting the Board policy in cases where there is violent overthrow of elected civilian governments and what would be the appropriate approach.

- Industry and supporting country representatives asked to be more involved in the events and discussions taking place in the run-up to the COP26 as well as other discussions on the energy transition. The Secretariat noted that materials related to the energy transition were made available on the Board internal page in response to the request.
- The Secretariat could support efforts to encourage companies to comply with environmental requirements in countries of operation.
- The Secretariat could further consider and reflect the corporate dimension of gender and extractives and highlighting efforts and progress that the corporate sector is making towards gender equality.

Actions:

- The Secretariat to continue monitoring the situation in politically instable and fragile contexts and report to the Board, and prepare a recommendation on Afghanistan to be shared with the Implementation Committee, ahead of the 52nd Board meeting.

Board paper 51-2-B: Outreach Progress Report (OPR)

Andrew Irvine presented the report and noted there were no new developments to report on in Australia, Brazil, Chile, South Sudan, United States and Zimbabwe. He updated the Board on the expected candidature application from **Angola** in March 2022, recent developments in **Equatorial Guinea**, and delays due to political instability in **Lebanon** and **Tunisia**. Andrew also shared updates on initial discussions with **Jamaica**, **Serbia** and **Sudan**. Andrew also indicated corporate outreach activities have been limited, though the Secretariat plans to use Africa Oil Week in Dubai in November 2021 to conduct outreach.

Board members raised following points:

- It was suggested that certain allegations of corruption against members of government in Equatorial Guinea may be outdated and that the country appeared to have provided relevant high-level government engagement in the EITI process. The Secretariat confirmed that the allegations are recent, and that it has asked for renewed high-level government commitment as a result of ongoing concerns.
- There are some countries that have been dropped off from the report without an update being provided. Board members requested that an update of progress or its lack of should be provided before removing a country from future OPRs.

Actions:

- Secretariat to include an update on non-active countries before removing them from the OPR.
- Secretariat to continue with its outreach efforts to financial institutions.

51-3 Report from the World Bank

Rachel Perks, EGPS Acting Practice Manager with the Energy and Extractives Global Practice, presented the report from the World Bank Group (WBG). Rachel provided an overview of the World Bank's response to the challenges that the pandemic has posed in many of EITI implementing countries and more specifically:

- In April 2020 a [first group of projects](#) using the dedicated COVID-19 Fast-Track Facility (also called the COVID-19 Strategic Preparedness and Response Program (SPRP)), amounting to USD 1.9B and assisting 25 countries, was rolled out.
- In May 2020, the World Bank Group announced that its emergency operations to fight COVID-19 reached [100 developing countries](#) – home to 70% of the world's population.
- In October 2020, USD 12B was approved for developing countries to finance the [purchase and distribution of COVID-19 vaccines](#), tests, and treatments for their citizens.
- In June 2021 President Malpass [announced the expansion of financing](#) available for COVID-19 vaccine financing to USD 20B over the next 18 months, adding USD 8B to the previously announced USD 12B.

Within the EGPS programme, she noted the emergency response in the artisanal and small mining projects in order to ensure that those that are most vulnerable are protected against the risks of the COVID-19 pandemic. Rachel continued with providing an update on the EGPS grants, noting that Albania, Chad, Ghana and Mali received their grants amounting to USD 2,6M in May 2021. Lastly, the Board was informed of the stock-taking exercise that the World Bank will initiate in October 2021 to reassess the rationale of the Bank's engagement in EITI support, its strategies, and its instruments, and identify the critical factors that need to be in place on the client side for a successful WB engagement in EITI implementation.

Board members raised the following points:

- Concerns were raised around continual requests for disclosing information about the financial support to civil society organisations (CSOs). A board member also noted that his request on disclosing agencies in countries receiving the funding has not been addressed, yet again. He expressed his hope in having this addressed in the stock-taking exercise mentioned by Ms. Perks. Rachel responded that the WB expects to conclude the funding cycle for CSO's within the next quarter and sympathised with the frustration expressed at the meeting.
- More information on the stock-take and its implications on funding of EITI implementation was requested. Rachel noted that the findings are meant to provide substantive input to the EGPS management and donor partners in order to shape the Bank's strategy and operations going forward.

51-4 Report from the Implementation Committee

Board Paper 51-4-A: Status update on energy transition and EITI (for discussion)

Erica Westenberg, Co-Chair of the Implementation Committee presented the paper. She

reminded the Board of the recommendations agreed in October 2020 and emphasised that “energy transition” and EITI primary focus is not on examining whether EITI countries should be changing their domestic energy mix. Rather, it was about the reality that the global imperative of decarbonization is reshaping the extractive sector, and that this is and will be impacting many EITI countries in significant and varied ways. She noted that the focus of the Board’s energy transition discussions remained on exploring how to ensure that national EITI processes continued to foster disclosures and dialogues that were timely and relevant to the most pressing sectoral shifts and policy decisions that countries are facing.

In response to the questions for discussion, Board members raised the following points:

- An area of work to position the EITI could be to encourage implementing countries to provide or refer to information on progress in meeting Nationally Determined Contributions (NDCs) under the Paris agreement and outline their plans and policies on the energy transition as it may relate to the extractive industries.
- Some Board members highlighted that a critical step would be to start working on changes to the Standard in order to be consistent with the global energy transition goals. Several Board members proposed that a working group be created to begin considering changes to the Standard. Board members further suggested that ahead of changing the Standard, it would be important to reach a shared understanding of what the EITI should aim to achieve in addressing the energy transition.
- It was noted that the focus should be on supporting implementing countries in the transition, especially oil and gas dependent countries. It would be important to channel the voice of resource-rich countries in global policy dialogues and Board-level discussion on the energy transition.
- Board members discussed the importance of avoiding duplication of efforts by other initiatives. The focus should be directed on the unique added value of the EITI with (1) its multi-stakeholder structure (where citizens of resource-rich states, who will be so heavily impacted by the energy transition, have a seat at the table); and (2) its ability to bring together the voices of resource-rich countries in global policy dialogues on the energy transition.
- Board members highlighted that in the context of an increased demand for critical minerals and competition among different actors, the risk of corruption and conflict in resource-rich countries would be higher. Areas of the Standard such as beneficial ownership transparency, contract transparency, and tax disclosure would be relevant in this context. The work on artisanal and small-scale mining and collaboration with OECD should also be revisited with the critical minerals angle in mind.

Actions:

- The Secretariat will reflect the feedback from Board members in the final 2022 work plan and propose a process for reviewing lessons learned from the EITI Standard and potential areas for revision to the Implementation Committee.

Board Paper 51-4-B: Adapted implementation request: Central African Republic (for decision)

Ian Mwiinga, Co-Chair of the Implementation Committee, presented Central African Republic's (CAR) adapted implementation request. He shared the recommendation from the Committee to lift the suspension and to agree on adapted implementation, based on the assessment of improving security situation and evidence of resuming EITI implementation.

Board members raised the following points:

- The supporting countries' constituency requested more information on the assessment due to concerns on reports of human rights abuses. It also requested information on the number of zones certified as compliant by the Kimberley process.
- Civil society constituency members supported the lifting of the suspension but noted that the adapted implementation should not mean lack of information on license ownership or restricted civic space.
- Implementing country constituency members supported the recommendation, noting that the good work already made should continue and that EITI has to give an opportunity to CAR. It was noted that several EITI countries which were not suspended were facing similar challenges.

Nassim Bennani from the International Secretariat provided the following explanations:

- The assessment acknowledges the restricted civic space in general in CAR and is based on what the minimum is for the EITI to function, following closely the five sign up steps agreed for a country to join the EITI. It also relies on consultation with PWYP international who supported local civil society in the recent EITI process. Nassim Bennani provided examples of those evidence notably for civil society engagement.
- The adapted implementation concerns the regional perimeter and unilateral government disclosures for the first report, as mining is primarily ASM. EITI adapted implementation in CAR will still require adherence to the civil society protocol and license and contract information. There are 8 regions covered by the Kimberley process currently, but the number can vary depending on the future level of control of the country by the government.

To allow the remaining questions to be addressed, the Chair postponed the conclusion of the discussion to the second day of Board deliberations.

Representatives from the supporting country constituency presented proposed revisions to the recommended Board decision, noting that while the constituency was not aiming to block the decision, an individual constituency member had objected to the proposed recommendation on the grounds of political instability. It was also proposed that the EITI Chair issue a statement raising concerns about the political situation and clarifying that lifting of suspension will allow for closer monitoring of EITI implementation in the country.

The Chair asked for the Board's endorsement of the recommendation from the Implementation

Committee. The recommendation was adopted.

Actions:

- The Chair to write to the Government of Central African Republic announcing the Board decision.
- The Secretariat to publish the revised recommendation on CAR's adapted implementation request, together with the Chair's statement.

51-5 Report from the Validation Committee

Board Paper 51-5-A: Report from the Validation Committee

Stephen Douglas, Chair of the Validation Committee introduced the report, noting the two items *for decision* on the Validations of Senegal and the United Kingdom, and a third item *for discussion* on the Validation of the Philippines.

Representatives from Senegal recused themselves. Stephen Douglas introduced the Validation Committee's recommendation that Senegal had achieved a 'very high' score in its implementation of the 2019 Standard, with a recommended 36 months before its next Validation. The Board considered the outstanding gap related to Requirement 2.2 on contract and license allocations, where the objective of the requirement had not yet been met. The Board approved the recommendation from the Validation Committee.

Representatives from the United Kingdom recused themselves. Stephen Douglas introduced the Validation Committee's recommendation that the United Kingdom had achieved a 'high' overall score in its implementation of the 2019 Standard, with a recommended 36 months before its next Validation. Despite minor gaps in technical aspects of Requirements 2.2 on contract and license allocations and 2.3 on license registers, the assessment was that the requirements' objectives had been met. The Board approved the recommendation from the Validation Committee.

Following remarks from Maria-Teresa Habitan and Cielo Magno, representatives from the Philippines recused themselves. Stephen Douglas introduced an update on the Validation Committee's draft recommendation on the Validation of the Philippines. The Validation Committee had reached consensus on the assessments of all aspects of the EITI Standard aside from Requirement 1.3. Despite consensus on the assessments of breaches of the civil society protocol ('EITI Protocol: Participation of civil society'), there was no agreement on whether the assessment of Requirement 1.3 was 'mostly met' or 'partly met', which would lead to suspension.

Board members raised the following points:

- Board members from civil society argued for the assessment of Requirement 1.3 as 'partly met' due to the gravity of breaches of the EITI Protocol: Participation of civil society, which describes how Requirement 1.3 is to be assessed.

- Board members from industry and implementing countries argued that Requirement 1.3 should be assessed as ‘mostly met’ given the existence of both breaches of the Protocol as well as evidence of civil society’s engagement in the EITI process despite these obstacles.
- There was broad agreement that the corrective action should address the breaches of the EITI Protocol: Participation of civil society, while identifying specific government agencies that would be tasked with remedial actions.

An ad hoc working group convened to refine the draft corrective action related to Requirement 1.3. The Board considered the proposed language agreed by the working group and agreed on the substance and wording. Several options for compromise on a Board decision were considered, including trade-offs between the assessment of Requirement 1.3 and the timeframe for the next Validation.

The Board did not reach consensus on the findings of the Validation of the Philippines and directed the Validation Committee to draw on the revised corrective action and continue its deliberations on the assessment of Requirement 1.3 and the timeframe for the next Validation, with a view to agreeing a recommendation to the Board *for decision*.

Actions:

- The Chair to write to the Governments of Senegal and the United Kingdom announcing the Board’s decision.
- The Secretariat to publish the results of the Validation of Senegal and the United Kingdom including the supporting documentation.
- The Validation Committee to draw on the revised corrective action related to Requirement 1.3 and discuss the assessment of Requirement 1.3 in the Validation of the Philippines and the timeframe for the next Validation, with a view to agreeing a recommendation to the Board *for decision*.

51-6 Report from the Outreach and Candidature Committee

Board Paper 51-6-A: Candidature application: Gabon (for decision)

Diana Kaissy, Chair of the Outreach & Candidature Committee, introduced the Board Paper and the Outreach and Candidature Committee’s recommendation to admit Gabon to the EITI.

Nassim Bennani provided background information on the EITI support in this sign-up process and the involvement of international partners. He also presented the assessment from the EITI International Secretariat that the five sign up steps are met, following the methodology adopted by the Board as presented in the paper.

Board members made the following comments:

- An implementing country member supported the recommendation and congratulated the secretariat
- The supporting country constituency supported the recommendation

The Chair concluded that the recommendation was adopted.

Actions:

- The Chair to write to the Government of Gabon announcing the Board decision.

51-7 Report from the Governance and Oversight Committee

Board Paper 51-7-A: Recommendations from assessment of Company Expectations (for decision)

Oleksiy Orlovsky, Chair of the Governance and Oversight Committee (GOC), presented Board Paper 51-7-A. He explained the paper included recommendations to repeat the assessment process, to include an initial review of new supporting companies and to publish the results of future assessments. He noted the Committee did not reach agreement on how to address instances where supporting companies are not meeting the Expectations and did not agree changes to the Expectations. The Committee plans to address these issues ahead of the February 2022 Board meeting. He proposed that a working group be established to recommend changes to the Expectations recognizing the short time before the February 2022 Board meeting. Oleksiy commended the company constituency and Secretariat on publication of Annex A.

Andrew Irvine from the Secretariat presented the details of the committee's recommendations. He noted the value of the assessment process, but recognized the process required significant staff time and would not be feasible to repeat annually. Thus, the GOC recommended that (1) the assessment process be repeated ahead of the 2023 Global Conference and (2) every 3 years thereafter. Andrew explained the section in the paper on 'Changes to the Expectations' provided suggested clarifications to the language of some of the Expectations, but that they did not represent the full scope of potential clarifications or revisions that could be made to the Expectations.

Andrew noted that through the assessment, the Secretariat established a general baseline upon which progress could be monitored according to the Expectations. To contribute to this baseline, the GOC recommended that (1) the company constituency update its company constituency guidelines ahead of the February 2022 Board meeting to include an initial Secretariat-led review against the Expectations as part of the process for new supporting companies to join the EITI. The GOC also recommended that (2) the company constituency guidelines be updated to specifically indicate supporting companies are expected to adhere to the Expectations. Additionally, the GOC recommended that (3) the results of future assessments be published, subject to a similar process to that used for Annex A from the last assessment.

Board members raised the following points:

- The time between assessments of 3 years is too long and companies not making progress on an expectation should be expected to make progress more quickly, and perhaps be subject to more frequent assessments
- While it makes sense for Companies to have the opportunity to review their individual assessment results first, Companies should not have the opportunity to “object” to publication of their individual assessment results;
- Sanctions should be imposed on companies not meeting the Expectations;
- Sanctions would not be appropriate as the Expectations are not “requirements” and concern aspirational company reporting in non-EITI countries;
- Companies with members on the Board should demonstrate leadership by meeting the Expectations, and should not be allowed to hold Board or Alternate seats if not fully meeting the Expectations;
- Consultation with the company constituency concerning changes to the Expectations is critical, but has been difficult;
- A working group should be formed to consider changes to the Expectations, considering how little progress was made between June and October, and how much remains now to be done before next February;
- A working group should not be formed, rather the GOC should consider changes through regular committee process;
- The goal of a working group should be decided, and the company constituency should have a first chance to contribute to changes to the Expectations;
- Further progress on changes to the Expectations should be made to hold companies accountable.
- While the companies constituency has addressed certain of the recommended next steps and explained the difficulty in consulting with the broader constituency, the pace of progress does not appear to be quick enough. The Chair clarified that decision has been reached on repeating the assessment process, including an initial review against the Expectations as part of the sign-up process for new supporting companies and publishing the results of future assessments. She stated the GOC should decide whether to form a working group for cross-constituency consultations. She indicated that further recommendations, including on changes to the Expectations, would be considered at the February 2022 Board meeting.

Actions:

- The recommendations should be published in the Board minutes.
- The GOC should consider formation of a working group.
- The GOC should provide recommendations on changes to the Expectations and how to address instances where a company is not meeting the Expectations at 52nd Board meeting in February.

51-8 Report from the Finance Committee and Governance and Oversight Committee

51-8-A Draft 2022 EITI International Secretariat work plan (for discussion)

Oleksiy Orlovsky, Chair of the Governance and Oversight Committee presented the EITI International Secretariat's 2022 Work Plan. Oleksiy noted that because the Work Plan is not only a planning and resource allocation tool for the Secretariat, but also an accountability tool for the Board and donors to exercise oversight on Secretariat's priorities and planned activities, it had been reviewed by both the Finance Committee (FC) and Governance and Oversight Committee (GOC). Oleksiy noted that the Work Plan builds on the Board-approved Strategic Priorities 2021-2022 paper, with an emphasis on activities to support implementing countries, the Board, companies and key stakeholders in regard to energy transition, anticorruption efforts and impact.

Mark Robinson noted that the Work Plan differed from previous years in that it was based on results-based planning and devolved budgeting processes, was more succinct, and did not include a review KPIs, which are being reviewed to ensure that they are fit for purpose. In regard to planned support to implementing countries, Mark noted several shared priorities and objectives across regions, including revitalised stakeholder engagement, alignment with national priorities, and accelerated systematic disclosure, in addition to an emphasis on the EITI's Strategic Priorities.

Mark further described the Work Plan's emphasis on leveraging the new Validation model to maintain robust quality assurance of EITI implementation while building technical capacities. Mark also highlighted the breadth of global policy and partnership work at the country and global levels, and how this will support consultations regarding changes to the Standard ahead of the 2023 Global Conference. Mark closed by noting the emphasis on strengthening communications in the Work Plan, as well as global governance and management activities aiming to strengthen trust and accountability between constituencies, while reflecting the diversity of stakeholders in a changing global environment.

Board members made the following comments:

- Implementing countries welcomed the result-based planning and increased focus on support to implementation.
- Ongoing concerns in regard to Requirement 1.3 and the Civil Society Protocol were suggested to be reflected in the Work Plan, particularly in regard to monitoring the participation of civil society and implementation of the Civil Society Protocol. This was emphasized in light of limitations to World Bank direct support to civil society, discussed in Day 1.
- A request was made for more effort in outreach and engagement in Russian-speaking countries. Concerns were raised around the inability of local communities in Eurasia and Central Asia to follow all EITI developments, including readability of guidance notes, due to lack of translations in Russian (most of the guidance notes are currently only available in English and French).
- The Work Plan was seen as a culmination of consultation held at the 2020 February Board meeting on thematic priorities, and to display a welcome attention to regional objectives and many countries' national priorities. The emphasis on regional support, support in response to the Covid-19 pandemic, and support in regard to the new Validation model were also welcome.
- The focus on energy transition was seen by some as overly ambitious and not totally in line with earlier conversations in the Implementation Committee. It was suggested that the way in which energy transition is mainstreamed throughout the Work Plan

and understood as part of the EITI mandate should be subject to further Board discussion.

- The Work Plan was seen to meet ambitions ahead of the 2023 Global Conference, to strengthen and reinforce ambitions, and to address key challenges, many of which require further attention. There was a desire to further discuss some of the partnerships presented in the Work Plan.
- There was a desire to consider whether the Work Plan should address consideration of revising the EITI Articles of Association in response to discussions about company expectations, though it was noted that this might be better addressed in the Governance and Oversight Committee than in the IS Work Plan.
- It was commented that progress on adapting to the energy transition was moving too slowly and that the EITI should be facilitating more ambitious and progressive action in this regard.
- The desire for a Working Group on energy transition was reiterated, based on an understanding of the Energy Transition as an existential crisis of paramount importance, and a lack of clear guidance to implementing countries on this issue, despite a year and a half of discussion in the EITI Board. It was asserted that EITI Work Planning should focus on the role of disclosures in this regard, and that this was not sufficiently addressed in the 2022 Work Plan and budget.
- It was suggested that there was an opportunity for the IS to share contemporary policy initiatives on the energy transition, as a service to the many constituencies seeking guidance in this regard.
- It was noted that the Work Plan reference to exploring outreach and membership interest among renewable energy companies was a fundamental strategic initiative that deserved additional Board discussion before being pursued.

Mark responded by thanking Board Members for confirming that the Work Plan reflected implementing country priorities. In regard to support to civil society, Mark noted that a portion of a Director's time had been recently allocated towards this work stream, and that this was also reflected in several public statements by the EITI Board Chair and Executive Director of the International Secretariat. Plans to consult and engage with civil society members of MSGs were also highlighted as part of this effort, and Mark noted that the engagement challenges mentioned in central Asian countries were recognized and being addressed by a dedicated Director position for the region (as reflected in the Work Plan), though the challenges mentioned were not all within the control of the International Secretariat.

In regard to the energy transition, Mark noted the variety and breadth of comments, and that the International Secretariat was following guidance from the Board, in particular with regard to the four activities in the Board Paper on Strategic Priorities, which were fully costed for 2022. Mark also noted challenges in securing project-based resources for this work, and strategies currently being explored to raise dedicated resources. In regard to engagement with renewable energy companies, Mark noted that this had been highlighted in several Secretariat documents. Interest in the EITI had come from a Norwegian-based company, and there are plans to follow up with a roundtable with several companies in the Nordic region in December in line with the Board paper.

Helen noted that the International Secretariat would revise the 2022 Work Plan based on this discussion and would send a final draft for decision via Board Circular.

Helen then turned discussion towards the International Secretariat budget for 2022.

Dominic Emery presented 2022 Budget on behalf of the Finance Committee and noted that:

- The expected income of USD 10.165m was projected to cover expenditures of USD 10.121m. This represented a 19% increase from the 2021 budget. The budget increase would enable the Secretariat to provide targeted support to implementation, while remaining within its mandate. He further added that some preparatory work related to the Global Conference was foreseen in 2022 and reflected in the budget.
- Project-specific funding continued to grow, but overall funding for the Secretariat showed a healthy balance of 60% core funding and 40% as project specific.
- The Finance Committee agreed to discontinue scenario budgeting for 2022 and subsequently requested a more detailed analysis of budget assumptions and underlining risks to ensure financial stability and effective budget execution. Consistent with this approach, funding sources were classified by various degrees of certainty. The first category of secured funding included confirmed multi-year funding agreements with supporting governments (core funding and project specific) and with ICMM (core funding); as well as project specific funding agreements with foundations and International Financial Institutions (IFIs).

Bady Balde reported that almost two-thirds (65%) of the proposed budget would be covered by secured funding, which was expected to grow substantially before the end of the year as ongoing negotiations are finalised. Anticipated funding amounted to 27% from supporting companies and planned proposals to 8% from supporting countries without a multi-year agreement. 23% of the funding was expected from international development partners and 8% from companies and financial institutions. It was agreed that no follow-up would be undertaken on funding from implementing countries, due to the COVID-19 challenges many countries are facing.

On expenditure, Bady reported that staff costs and staff associated costs remained the largest expenditure item, with reduced travel due to the lockdowns necessitated by the COVID 19 pandemic, He reported that support to implementation was expected to increase by 74% and capacity building by 45%. Some of the increased implementation support was as a result of project-specific funding, notably the Opening Extractives programme, as well as project funding from the Government of Belgium with a focus on DRC and Niger. A 10% reduction in the estimated cost of validation was mainly the result of the implementation of the new validation model. Secondly, a reduction in the communication budget was expected due to the completion of the website upgrade in early 2022.

Actions:

- The Secretariat to share the work plan and budget for approval via circular.

Annex A – Board country decisions

Board decision on Central African Republic

The EITI Board agreed to lift the suspension of the Central African Republic, with a first EITI Report to be produced by 31 December 2022 and the next Validation to start on 1 April 2024.

Lifting of suspension will allow national and global stakeholders to monitor progress in the implementation of the EITI Standard and assess the level of continuous progress in Validation.

The Board recognises the challenging environment in which the EITI operates in the country. The Board urges the Government to ensure that natural resources are managed in the benefit of all citizens and to take steps to mitigate risks of corruption, abuse or mineral smuggling that could undermine peace and stability in the country. The Board will continue to closely monitor the situation and consult stakeholders and partners in country to ensure that the EITI Principles and requirements are adhered to.

The EITI Board also accepts the multi-stakeholder group's request for adapted implementation with respect to:

Regional perimeter: the EITI perimeter can be limited to the areas approved as compliant by the Kimberley process to export diamonds.

Reporting cycle: The first EITI Report due in 31 December 2022 may be based on unilateral disclosures from the government for the fiscal year 2020 or more recent.

This adapted implementation is valid until the end of the Validation expected to start on 1 April 2024.

The EITI Standard allows for adapted implementation "where the country faces exceptional circumstances that necessitate deviation from the implementation requirements" (Section 4 Article 1). In taking this decision, the EITI Board recognises the Central African Republic's concern that the Government and the multi-stakeholder group do not currently have the means to fully implement all of the EITI Requirements and recognises the recent effort made to re-start the EITI process.

The Board requires that the Government of the Central African Republic continues its efforts to fully implement the EITI Requirements in coming years and guarantees the respect of the EITI civil society protocol. The Board also requires the Government to commit to ensure full disclosure of information in line with the EITI Standard, to adapt the EITI institutional framework to the latest provisions of the 2019 Standard and to ensure effective mobilisation of the funding necessary to implement the EITI work plan.

In addition, the Board requests that the multi-stakeholder group takes steps to ensure that EITI Reports include an assessment of the quality and comprehensiveness of

disclosures. The Board further recommends that the multi-stakeholder group takes steps to strengthen collaboration with the Kimberley Process to find a sustainable solution for ensuring transparency in the country's natural resources, as well as with all relevant stakeholders in the extractive sector value chain.

Board decision on Gabon:

The EITI welcomes Gabon as an EITI implementing country as of 21 October 2021. In accordance with the EITI Standard, Gabon is required to publish the required information (typically through an EITI Report) within 18 months of being admitted as an EITI implementing country (i.e, by 21 April 2023). Validation will commence within two and a half years of becoming an implementing country.

Board decision on Senegal:

Senegal has achieved a very high overall score in implementing the 2019 EITI Standard (93 points). The overall score reflects an average of the three component scores on Stakeholder engagement, Transparency and Outcomes and impact.

The EITI Board commends Senegal for achieving a very high score on “Outcomes and impact” (99.5 points). EITI data has been used to inform public debate and Senegal EITI has followed up on recommendations at the highest political levels, including with the President of Senegal. The MSG has regularly taken stock of the outcomes and impact of implementation, and there is extensive evidence of Senegal EITI feeding into tangible reforms in government policies and industry practices. Senegal's EITI outreach activities have adapted to the impacts of the COVID-19 pandemic to continue to strive to make extractive data accessible. Senegal was awarded three and a half additional point for the effectiveness and sustainability of EITI implementation.

On “Transparency”, Senegal reached a high score (91 points). EITI Senegal has played a key role not only in disclosing new information to the public but also in improving the accessibility of systematically disclosed information spread out over multiple government and company websites, such as beneficial ownership of license information. Modern mining and petroleum cadastral systems have been established, beneficial ownership information is in process of being added to the commercial register and the oil and gas state-owned enterprise Petrosen has begun regularly publishing its audited financial statements as a result of EITI implementation. New areas of the 2019 EITI Standard such as project level reporting have been comprehensively implemented in a timely manner. In many areas, EITI Senegal has gone beyond the mapping of existing disclosures to conduct a diagnostic of current governance practices, such as in mining licensing and subnational transfers of extractive revenues. There is strong public demand for EITI data on both the established mining sector and the nascent oil and gas industry, which creates opportunities for EITI Senegal to expand its coverage of areas of increasing public interest such as on the environmental impact and local content contribution to the extractive industries. While Senegal EITI's diagnostic work on licensing practices in the mining sector are exemplary, it has yet to replicate this detailed review to the oil and gas sector despite significant public outcry over allegations of improper licensing activities in the petroleum sector that arose in 2019, related to licenses awards several years earlier.

Senegal achieved a high component score on Stakeholder engagement (90 points). The government, civil society and extractive companies are actively engaged in EITI

implementation. The three constituencies have institutionalised their EITI engagement and appear to be functioning in an efficient and dynamic manner, maintaining regular communication with non-MSG members. In the context of broad-based demand and interest for information on the extractive sector, stakeholders engaged in the EITI are considered authoritative sources of information and reliable technical partners for stakeholders including government entities, industry associations and researchers.

The Board has determined that Senegal will have until a next Validation commencing on 1 October 2024 to carry out a corrective action regarding contract and license allocations (Requirement 2.2).

Failure to demonstrate progress on “Transparency” in the next Validation may result in temporary suspension in accordance with Article 6 of the EITI Standard. In accordance with the EITI Standard, Senegal’s MSG may request an extension of this timeframe or request that Validation commences earlier than scheduled.

Full Board decision is available [here](#).

Board decision on the United Kingdom:

The United Kingdom (UK) has achieved a high overall score in implementing the 2019 EITI Standard (90 points). The overall score reflects an average of the three component scores on Stakeholder engagement, Transparency and Outcomes and impact.

The EITI Board commends the UK for achieving a high score on “Outcomes and impact” (91 points). This reflects the MSG’s efforts to ensure that the EITI becomes a tool for increasing the accessibility of extractive data and centralising information on opportunities for multi-stakeholder input to extractive industry governance. The UK’s achievements in improving transparency in beneficial ownership disclosures have established best practice that have inspired other EITI implementing countries. The COVID-19 pandemic has curtailed MSG plans for in-person outreach across the country, affecting progress to build local stakeholder engagement. The UK was awarded one additional point for the effectiveness and sustainability of EITI implementation.

On “Transparency”, the UK reached a high score (90 points). The UK has made commendable efforts to strengthen data management systems of the 11 extractive licensing authorities. Most non-financial information required by the EITI Standard now appears to be systematically disclosed on government websites, with UKEITI disclosures of extractive payments and revenues leading EITI implementing countries in their timeliness. The UK is encouraged to lead international best practice in disclosures related to licensing and contracts by addressing gaps identified in this Validation. There is an opportunity for the UKEITI to expand public disclosures of environmental aspects of extractive industry governance, including in environmental taxes and in monitoring rules and practices, responding to growing public demand for this kind of information.

The UK achieved a high component score also on “Stakeholder engagement” (90 points). The MSG is exercising its oversight role effectively. The government and extractive companies have mostly sustained a high level of commitment. The civil society constituency’s efforts to engage stakeholders from communities hosting extractive activities are commendable, even if they have not yet been successful in ensuring direct participation of such groups on the MSG.

The Board has determined that the UK will have until a next Validation commencing on 1 October 2024 to carry out a corrective action regarding contracts (Requirement 2.4).

Failure to demonstrate progress on “Transparency” in the next Validation may result in temporary suspension in accordance with Article 6 of the EITI Standard. In accordance with the EITI Standard, the UK’s MSG may request an extension of this timeframe or request that Validation commences earlier than scheduled.

Full Board decision is available [here](#).

Annex B– Participant List – 51st EITI Board meeting

Participant List

(Board members not attending in grey)

Chair

Rt Hon. Helen CLARK

Countries

Implementing Countries

Mr Ruslan BAIMISHEV, Deputy Minister, Ministry of Industry and Infrastructure Development, Kazakhstan

Alt: **Ms Viktoriia GNATOVSKA**, Director of Energy and Resource Efficiency Policy Formation Directorate, Ministry of Energy, Ukraine

Ms Maria Teresa S. HABITAN, Assistant Secretary of the Department of Finance, Philippines

Alt: **Mr Sampe L. PURBA**, Natural Resource Economics Advisor to the Minister of Energy and Mineral Resources, Indonesia

Mr Ian Chitumba MWIINGA, National Coordinator, EITI Secretariat, Zambia

Alt: **Ms Frances Piagie ALGHALI**, Minister of State, Office of the Vice-President, Sierra Leone

Ms Awa Marie COLL-SECK, Minister of State, Senegal

Alt: TBC

Ms Agnès Solange ONDIGUI OWONA, EITI National Coordinator, Cameroon

Alt: **Mr Michel OKOKO**, EITI National Coordinator, Republic of Congo

Mr Sherwin LONG, National Coordinator, EITI Secretariat, Trinidad & Tobago

Alt: **Ms Laura RÓPOLO**, Undersecretary of Mining Development (*Subsecretaria de Desarrollo Minero*) - Ministry of Production, Argentina

Supporting Countries

Mr Rinaldo JEANTY, Director General and Chief Inspector of Explosives, Lands and Minerals Sector, Natural Resources, Canada

Alt: **Ms Kimberly HARRINGTON**, Director, Office of Policy Analysis and Public Diplomacy Bureau of Energy Resources, State Department, USA

Mr Taco WESTERHUIS, Coordination of international Circular Economy and Commodities policies, DG International Cooperation, Directorate for Inclusive Green Growth (IGG), Netherlands

Alt: **Mr François GAVE**, Special Representative for Corporate Social Responsibility and the Social Dimension of Globalisation at the Ministry of Europe and Foreign Affairs, France

Ms Christine DETAILLE, Head of Unit Transitional Development and Governance, Ministry of Foreign Affairs, Foreign Trade and Development Cooperation, Belgium

Alt: TBC

Civil Society Organisations

Mr César GAMBOA, Executive Director, Derecho, Ambiente y Recursos naturales, Perú

Alt: **Mr Óscar PINEDA**, Community Organising Coordinator, Project on Organizing, Development, Education and Research (PODER), Mexico

Mr Brice MACKOSSO, Secrétaire Permanent, Commission Justice et Paix, Republic of Congo
Alt: **Mr Mtwalo MSONI**, National Coordinator, Publish What You Pay (PWYP), Zambia

Ms Cielo MAGNO, Bantay Kita/PWYP Philippines; Associate Professor University of the Philippines, Philippines
Alt: **Ms Diana EI KAISY**, Advisory Board Member, The Lebanese Oil and Gas Initiative (LOGI), Lebanon

Mr Oleksiy ORLOVSKY, Programme Director, International Renaissance Foundation, Ukraine
Alt: **Ms Mariya LOBACHEVA**, Executive Director, Echo - Public Association, Kazakhstan

Ms Erica WESTENBERG, Director of Governance Programs, Natural Resources Governance Institute (NRGI)
Alt: **Mr Simon TAYLOR**, Co-founder and Director, Global Witness

Companies including Investors

James NICHOLSON, Head of Corporate Responsibility, Trafigura Group
Alt: **Ms Dyveke ROGAN**, Senior Analyst, Norwegian Bank Investment Management (NBIM)

Mr Stuart BROOKS, Manager, International Relations, Chevron
Alt: **Mr Matt GOBUSH**, Senior Advisor for Public and Government Affairs, Exxon Mobil Corporation

Mr Erik NÜRNBERG, Senior Legal Policy Adviser, Equinor
Alt: **Mr Stephen DOUGLAS**, Senior Adviser to the President, Exploration & Production, Total

Mr James ENSOR, Executive Director, BHP Billiton Foundation
Alt: **Mr Carlos ARANDA**, Manager Technical Services, Southern Peru Copper Corporation

Mr Alan McLEAN, Executive Vice President Taxation and Corporate Structure, Royal Dutch Shell
Alt: **Mr Dominic EMERY**, Vice President, Group Strategic Planning, BP

Mr Lawrence DECHAMBENOIT, Global Head of External Affairs, Rio Tinto
Alt: **Mr Richard MORGAN**, Head of Government Relations, Anglo American

Board Secretary

Mr Mark ROBINSON, Executive Director, EITI International Secretariat, Oslo

Observers

Ms Laura ATIENZA, Head of Sector, Unit E2 – Micro-economic analysis, investment climate,

private sector, trade and employment, European Commission, Belgium

Ms Jara BAKX, Policy Officer Inclusive Green Growth, Ministry of Foreign Affairs, Netherlands

Mr Torge BARTSCHT, Intern, D-EITI Secretariat, Germany

Mr Joe BARDWELL, Campaigns Manager, Publish What You Pay (PWYP), UK

Ms Maria Emilia BERAZATEGUI, Campaigns Coordinator, Publish What You Pay (PWYP), UK

Ms Ingvild BERGSKAUG, Senior Advisor, Department of Energy I Environment, The Norwegian Agency for Development Cooperation (Norad), Norway

Ms Cecile BILLAUX, Head, Unit E2 – Micro-economic analysis, investment climate, private sector, trade and employment, European Commission, Belgium

Ms Valery Joy BRION, Director, Department of Finance, Philippines

Ms Jackie CULLEN, Senior Legal Counsel, Social Responsibility, Shell Canada Services Limited, Canada

Mr Sören DENG, Head of Division, Energy, Infrastructure and Raw Materials, Federal Ministry for Economic Cooperation and Development, Germany

Ms Marième Anna DIAWARA, EITI National Coordinator, Senegal

Ms Sophie DONSZELMANN, Senior Programme Officer, International Council on Mining and Metals (ICMM), United Kingdom

Mr Peter ELLEHØJ, Special Advisor Anti-Corruption, Ministry of Foreign Affairs, Denmark

Mr Mustapha FALL, Legal Advisor, EITI Senegal

Mr Lukas GIELEN, Intern, D-EITI Secretariat, Germany

Ms Sophie GIRKE, Advisor at the Extractives for Development Programme (X4D), GIZ, Germany

Ms Mareike GOEHLER-ROBUS, Advisor, D-EITI Secretariat, Germany

Ms Lisa GÜNTHER, Policy Officer, Federal Ministry of Economic Affairs and Energy, Germany

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Mr Fred KABANDA, Division Manager, Extractives, African Development Bank, African Natural Resources Centre (ANRC), Cote D'Ivoire

Mr James LAUER, Director, Natural Resources, Canada

Mr Giada LEPORE, Human rights, Transparency & Global Sustainability, Sustainability Dept., ENI

Ms Sandrine LEVY, Executive Administrator/ Event Manager / Office Manager, Publish What You Pay (PWYP), UK

Mr Johannes LOHMEYER, Advisor, Extractives for Development – X4D, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, Germany

Mr Henrik LUNDEN, Senior Advisor, Department of Energy & Environment, The Norwegian Agency

for Development Cooperation (Norad), Norway

Ms Vicki MAK-ROMO, Office of Policy Analysis and Public Diplomacy, Bureau of Energy Resources, Department of State, USA

Mr Jason MANNIKAM, Senior Manager, Extractive Sector Transparency Measures Act Program, Natural Resources, Canada

Mr Robert MECHLER, Legal Trainee, Federal Ministry for Economic Affairs and Energy, Germany

Mr Thomas MASBOU, Policy Officer, Extractives Industry Governance, Ministry of Europe and Foreign Affairs, France

Ms Peta MILLS, Acting Director, Business Partnerships and Carbon Markets (PRV), Department of Foreign Affairs and Trade (DFAT), Australia

Ms Svitlana MIZINA, Adviser, GIZ, Ukraine

Mr Daniel MULÉ, Policy Lead, Extractive Industries Tax and Transparency, Oxfam America

Ms Larysa MYKYTKO, State expert, Directorate of Energy and Resource Efficiency Policy, Ministry of Energy, Ukraine

Mr Hiroshi NAKAMURA, Deputy Director, Ministry of Foreign Affairs, France

Ms Olesia NEKHOROSHKO, EITI National Coordinator, Ukraine

Ms Emily NICKERSON, Senior Policy Advisor, Natural Resource Governance (NRCan), Canada

Ms Carly OBOTH, Interim Director, Publish What You Pay (PWYP), USA

Mr Orji Ogbonnaya ORJI, Executive Secretary, EITI, Nigeria

Mr Marwan Abdallah OPES, Project Manager, Organization for Energy Sustainability-PWYP Lebanon

Mr Papa Alioune Badara PAYE, Secrétaire Permanent Adjoint & Responsable Gestion des Données, Secrétariat Technique - Comité National ITIE, Senegal

Ms Rachel PERKS, Acting Manager, EGPS Program Manager, World Bank, USA

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Ms Haley RICE, Consultant, Publish What You Pay (PWYP), UK

Mr Mark RICHARDS, Chief Advisor – Global External Affairs and Economic Policy, Rio Tinto

Mr Pierre SAADE, MENA Regional Coordinator, Lebanon

Ms Ioanna SAHAS-MARTIN, Director, Natural Resources and Governance Division, Global Issues and Development Branch, Canada

Ms Melissa SÄILÄ, Coordinator, Taxation & Development Programme, Ministry of Foreign Affairs, Finland

Mr Luigi SAMPAOLO, Vice President, Projects & Sustainability Strategic Relations, Sustainability Department, ENI

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Mr Luke SOOKOCHEFF, Deputy Director, Natural Resources Governance

Ms Fanie THIBEAULT, Senior Advisor, Natural Resources and Governance, Foreign Affairs, Trade and Development, Canada,

Ms Lusine TOVMASYAN, Head, Extractive Industries Transparency Initiative (EITI) Secretariat, Armenia

Mr Pasquale VETTA, Head for Human Rights, Transparency and Global Sustainability Issues, Sustainability Department, ENI

Mr Jürg VOLLENWEIDER, Deputy Head, Macroeconomic Support Division, State Secretariat for Economic Affairs (SECO), Switzerland

Mr David Waigwa WACHIRA, EITI unit liaison, World Bank, USA

EITI International Secretariat

Ms Brenda Jay ANGELES MENDOZA, SLA Contractor

Ms Chiugo AGHAJI, Country Officer

Ms Marie AH-LIME, Admin Officer, Africa

Mr Bady Mamadou BALDÉ, Deputy Executive Director & Africa Director

Mr Nassim BENNANI, Country & Policy Manager

Ms Christina BERGER, Francophone Regional Director

Ms Natalia BEREZYUK, Operations Officer

Mr Emanuel BRIA, Asia Officer

Mr Emmanuel Aguilar BURGOA, LAC Officer

Mr Mark BURNETT, Asia Senior Advisor

Ms Benedicte Nerdrum BØGWALD, Communications intern

Ms Lucia CIRIMELLO, Programme Manager – Opening Extractives

Ms Clémence CONTENSOU, Francophone Africa Advisor

Mr Christopher CLAUSSEN, Technical Manager

Mr Alex GORDY, Validation Director

Ms Gisela GRANADO, Francophone Regional Director

Ms Rachel HOLLARS, Communications Officer

Mr Andrew IRVINE, Legal and Corporate Engagement Director

Ms Sylvia JOHANSEN, Finance Manager

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Ms Lyidia KILPI, Director, Director, Disclosure Group
Ms Leah KROGSUND, Capacity Building & Events Manager
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Ms Angela MUTSOTSO, Intern: Energy Transition Project Support
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Ms Monica OSORIO, Admin Officer, LAC/Asia
Mr Hugo PARET, Technical Officer
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