[Zambia]

Stakeholder engagement – template for EITI data collection

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**Period under review**: 2 December 2019 to 1 May 2021

**Validation team**:

**Deadline for submission**: 1 April 2021

# 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) |
| Civil Society | Full | 07/18 | Edmond Kangamungazi | PWYP Steering Committee Member and Head of Programmes- Economic and Social Accountability | Caritas Zambia | Male | 4 Meetings attended.  29 January 2020, 9 July 2020, 8 October 2020 and 9 December 2020 |
|  | Full | O7/18 | Edward Lange | Country Coordinator | Southern African Resource Watch | Male | 4 Meetings attended.  29 January 2020, 9 July 2020, 8 October 2020 and 9 December 2020 |
|  | Full | 06/20 | Petronella Phiri | Programs Officer | Youth Alliance for Development | Female | 3 Meetings attended.  9 July 2020, 8 October 2020 and 9 December 2020 |
|  | Full | 07/18 | Andisen C. Zulu | Programme Officer | Council of Churches in Zambia | Male | 2 meetings attended.  9 July 2020 and 8 October 2020 |
|  | Full | 07/18 | Mwiya Mwandawande | National Coordinator | Extractive Industries Transparency Alliance | Male | 2 meetings attended.  29 January 2020 and 9 July 2020. |
|  | Full | 07/18 | Edgar Siakacoma | Executive Director | National Empowerment Forum | Male | 4 Meetings attended.  29 January 2020, 9 July 2020, 8 October 2020 and 9 December 2020 |
|  | Alternate | 07/18 | Claude Kabemba | Executive Director | Southern Africa Resource Watch | Male | No meetings attended. |
|  | Alternate | 07/18 | Rev. Sam Mtonga | Board Subcommittee Member | Council of Churches in Zambia | Male | No meetings attended. |
| Mining Industry | Full | 01/15 | Hugh Carruthers | Chief Geologist | Zambia Chamber of Mines-FQM | Male | 3 meetings attended.  29 January 2020, 9 July 2020 and 8 October 2020. |
|  | Full |  | Sokwani Chilembo | Chief Executive Officer | Zambia Chamber of Mines | Male | 3 meetings attended.  9 July 2020, 8 October 2020 and 9 December 2020. |
|  | Alternate |  | Talent Ng’andwe | Deputy Chief Executive Officer | Zambia Chamber of Mines | Male | 3 meetings attended.  9 July 2020, 8 October 2020 and 9 December 2020. |
|  | Full |  | Pauline Mundia | Vice President | Federation of Small Scale Miners Association | Female | 3 meetings attended.  29 January 2020, 9 July 2020 and 8 October 2020. |
|  | Alternate |  | Yewa Kumwenda | Research and Policy Manager | Zambia Chamber of Mines | Male | 1 meeting attended.  29 January 2020. |
|  | Alternate |  | Martford Mumba | Secretary General | Federation of Small Scale Miners Association | Male | 2 meetings attended.  29 January 2020 and 9 December 2020. |
|  | Full | 01/21 | Chikusi Banda | Manager Tax | Zambia Chamber of Mines-Mopani Copper Mines | Male | No meetings attended. |
|  | Full | 01/21 | Hambani Ngwenya | Tax Manager | Zambia Chamber of Mines -Lubambe Copper Mines | Male | No meetings attended. |
|  | Full | 06/20 | Evans Kanche | Country Manager | Association of Zambia Mineral Explorations-Rio Tinto | Male | 1 meeting attended.  9 July 2020. |
| Government | Full | 09/19 | Barnaby B. Mulenga | Permanent Secretary | Ministry of Mines and Minerals Development | Male | 1 meeting attended.  9 July 2020. |
|  | Full |  | Fredson K. Yamba | Secretary to the Treasury | Ministry of Finance | Male | No meetings attended. |
|  | Full | 03/21 | Joseph Nonde | Director-Budget Office | Ministry of Finance | Male | No meetings attended. |
|  |  | 04/19 | Shilambwe Mwaanga | Assistant Director | Ministry of Finance | Male | 1 Meeting attended. 9 December 2020. |
|  | Full | 03/21 | Ignatius Mvula | Assistant Director-Mining Audit Unit | Zambia Revenue Authority | Male | No meetings attended. |
|  | Alternate | 03/21 | Spyton Phiri | Senior Tax Inspector-Mining Audit Unit | Zambia Revenue Authority | Male | 3 meetings attended.  9 July 2020, 8 October 2020 and 9 December 2020 |
|  | Full | 03/21 | Francis Chilunga | Commissioner for Law Revision | Ministry of Justice | Male | 1 meeting attended.  9 July 2020. |
|  | Alternate | 03/21 | Masiliso Chibambo | Principal Parliamentary Council | Ministry of Justice | Female | No meetings attended |
|  | Full | 03/21 | Sylvia Masabo | Principal Planner-Policy and Planning. | Ministry of Local Gvernment | Female | No meetings attended. |

***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 |
| Civil Society | Mtwalo Msoni | 12/19 | No longer works with PWYP under Caritas Zambia. | Petronella Phiri. |
|  | Caspiano Sampa | 01/20 | No longer a member of the National Empowerment Forum | N/A |
|  | Goodbye Chinyama | 12/10 | No longer works for ActionAid Zambia. | N/A |
|  | Jeston Lunda | 08/20 | No longer works for ActionAid Zambia. | N/A |
| Mining Industry | Mubiana Akakandelwa (Konkola Copper Mines) | 06/20 | End of membership tenure. | Chikusi Banda (Mopani Copper Mines) |
|  | Chibuluma Copper Mines | 12/20 | End of membership tenure. | Lubambe Copper Mines |
|  | David Wood ( Association of Zambia Mineral Explorations) | 06/20 | Failure to attend 3 consecutive ZEC meetings. | Evans Kanche (Rio Tinto) |
| Government | Paul M. Chanda | 09/19 | No longer works for the Ministry of Mines and Minerals Development. | Barnaby B. Mulenga |
|  | Brian Simukoko | 03/21 | End of membership Tenure | Sylvia Masabo |
|  | Kayula Chimfwembe | 03/21 | End of membership Tenure | Joseph Nonde |

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

|  |
| --- |
| 1. **Mainstreaming Technical Working Group**  This working group could take the role of outreach to various reporting entities on the opportunities for systematic disclosure of EITI information. As part of its TORs, the working group will develop a framework that focuses on medium and long-term strategies for systematically disclosing EITI information. This could be through the ZEITI website in the short term and reporting agencies’ platforms in the long term. The working group could also be tasked to identify and document any legislation that needs to be reviewed to enable systematic disclosure of EITI information. The working group will work closely with the Consultant who will undertake the mainstreaming feasibility study with current funding from the World Bank.  **Members:**  a. Zambia Revenue Authority  b. Chamber of Mines  c. Southern African Resource Watch  d. Ministry of Justice 5. Chibuluma Copper Mines Plc  e. BarrickLumwana Copper Mines Plc  **2. Data Quality Assurance Technical Working Group**  This working group working alongside the Office of the Auditor General could develop a quality assurance framework that enables the MSG to check the quality of disclosed data on various platforms. All matters related to data reconciliation and verification could be handled by this working group. One of the issues the working group could tackle is the development of a framework for undertaking data assurance such as data sampling mechanisms and risk-based reconciliation. For example, the working group could decide what materiality threshold could be applied on a revenue stream or reporting entity that would merit a reconciliation of the data.  **Members:**  a. Ministry of Local Government  b. AZMEC  c. Ministry of Finance  d. Publish What You Pay  e. Actionaid Zambia  **3. Policy and Data Analysis Working Group**  This working group could be responsible for developing the annual ZEITI work plan and the overall implementation strategy of the ZEITI. The working group could also be responsible for data analysis from the EITI reporting and the production of policy briefs for dissemination to various stakeholders. In addition, the working group could be tasked to work closely with the ZEITI Champion and other key stakeholders in raising the profile of activities being implemented by the ZEITI. This working group could also lead the dissemination activities of the ZEITI in addition to the production of activity reports for the ZEITI.  **Members:**  a. Bank of Zambia  b. Council of Churches in Zambia  c. National Empowerment Forum  d. Extractive Industries Transparency Alliance  e. Konkola Copper Mines Plc  f. Federation of Small Scale Miners Association of Zambia |

## 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.**

|  |
| --- |
| <http://zambiaeiti.org/wp-content/uploads/2019/01/TORs-for-the-Technical-Working-Groups.pdf> |

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

|  |
| --- |
| March 2011 |

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

|  |  |  |
| --- | --- | --- |
| **Elements of MSG Terms of Reference (1.4.b)** | | |
|  | *In the ZEITI MSG Members physical file* | ***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. | *ZEC TOR Part III* | *The roles, responsibilities and rights been respected in practice.* |
| Adherence to the EITI Association code of conduct, including addressing conflicts of interest. |  | *The code of conduct has been adhered to in practice.*  *There was a single conflict interested recorded in the period under review between the Minibg Industry constituency and the Civil Society Constituency. The matter was resolved by allowing both parties to discuss the matter within their constituencies and present their resolutions during the ZEC meeting.* |
| **Approval of work plans and oversight of implementation​** | | |
| Approval of annual work plans. | *Section III item 7.7 of the ZEC TOR.* | *Yes,on 9 December 2020.* |
| Oversight of the EITI reporting process and engagement in Validation, including approval of Independent Administrator ToRs and EITI Reports. | Section III item 7.4 to 7.10 | *The MSG provides effective oversight of implementation. The MSG has approved ToRs and EITI Reports. The latest being on the approval of the 2019 ZEITI report and the TORs for the production of the 2020 ZEITI report on 9 December 2020.* |
| **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. | Section I item 5.2 of the ZEC TORs. | Yes. |
| Procedures for nominating and changing multi-stakeholder group representatives, incl. alternates | Section II items 6.3, 6.5, and 6.6 of the ZEC TORs. | [Indicate the practice in Part I and in constituency-specific questionnaires.] |
| Decision-making procedures, e.g. rules for voting and quorum | Section II items 6.11, 6.12, 6.13 | The decision-making procedures have been followed in practices. Decisions have been taken by vote. |
| Duration of the MSG’s mandate | Section II item 6.4 | The provisions regarding the duration of the MSG’s mandate have been respected in practice except in certain instances e.g the Chairperson who is the Secretary to the Treasury in the Ministry of Finace, the represenatives for the Bank of Zambia Governor and the Zambia Revenue Authority Commisioner. |
| Per diems | No specific section speaks to this in the ZEC TORs | *Per diems were for paid MSG meetings in the period under review. Per diem per meeting differed slightly depending on how many members confirmed attendance. In total K*106,334.40 *was paid out towards per diems for ZEC meetings.* |
| Frequency of meetings | Section II item 6.15 of the ZEC TORs. | *The MSG agreed to meet every quarter during the period ubder review. Only one meeting did not physically take place during the period under review due to the Covid19 pandemic. However, decisions were made electronically/virtually inaccordance with Section II item 6.10 to 6.12 of the ZEC TORS.* |
| Advance notice of meetings and timely circulation of documents | Section II item 6.9 of the ZEC TORs. | *A meeting schedule was shared with members at the beginning of the year. Documents were circulated atleast 10 working days ahead of meetings.* |
| Record-keeping | Section V items 9.1 and 9.5 of the ZEC TORs. | *Written records of MSG discussions were kept in the period under review.* |
| **Other aspects covered in the ToR that the MSG wishes to highlight** | | |
| Functions of the National Secretariat | Section V of ZEC TORs. |  |

## 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.**

|  |
| --- |
| Quarter 1 ZEC meeting was held on 29 January 2020  Quarter 3 ZEC meeting was held on 9 July 2020.  Quarter 4 ZEC meeting was held on 9 December 2020.  **NOTE:** The second quarter meeting was not held due to the outbreak of the Covid-19 pandemic. |

## MSG approval

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

|  |
| --- |
| 08/04/2021 |

# 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*](mailto: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.**

|  |
| --- |
| The Minister of Mines and Minerals Development launched the 2019 Zambia EITI Report. |

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

|  |
| --- |
| Mr. Fredson K. Yamba, Secretary to the Treasury, Ministry of Finance. |

**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 |
| The MSG agreed that a senior government official should be appointed as Chair person of the ZEC to ensure government’s commitment to the implementation of the EITI process in Zambia. | The Secretary to The Treasury has been the ZEC Chairperson from the inception of EITI implementation in Zambia. |

**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 |
| The Government follows the procedures of replacement of members stipulated in the ZEC TORs section II item 6.5. | The members were replaced following the ZEC TORs procedure. |

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

|  |
| --- |
| The Governemnt of the Republic of Zambia has been funding the ZEITI Secretariat through an annual grant paid through the Ministry of Mines and Minerals Development. Under the period under review the Government allocated stands at ZMW 2,948,500.00. |

**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.**

|  |
| --- |
| The Government has maintained a close working relationship with CSOs and mining companies by engaging them in its activities. For example mining companies and civil society organisations made up the majority of stakeholders that were consulted during the amendment of the Mines and Minerals Development Act and the technical team for the drafting of the Transparency nd Accountability Bill. |

## 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 |
| Management Meetings  MSG Meetings | Monthly updates given to the Ministry of Mines and Minerals Development.  Representatives from each Government agency/ ministry that sit on the ZEC are expected to share | *The senior mamagement team at the Ministry of Mines and Minerals Development, made up of Directors and Heads of Department were given monthly updates on the EITI implementation in Zambia.*  *It is expected that each representative of a Givernment agency or ministry that sits on the ZEC gives regular updates to the sponsoring agency or ministry in the period under review.* |

**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

|  |
| --- |
| The MSG has sought input from the broader constituency on (a) by inviting stakeholders such as PACRA and MMMD to attend ZEC planning sessions and provide input on the priorties of EITI implementation.  In response to (b) the latest annual review of outcomes and impact has been shared with MMMD and Secretariat is awaiting feedback. |

## 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.

|  |
| --- |
| Government representatives have contributed to the communicating of EITI by joining the Secretariat during dissemination of ZEITI reports and other outreach activitiess. Further they have used EITI to monitor the effects of changing fiscal regime on the mining sector. |

## 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) |
| Barnaby Mulenga | [bbmulenga@gmail.com](mailto:bbmulenga@gmail.com)  +260978824325 |  |  |
| Francis Chilunga | [franchilunga@gmail.com](mailto:franchilunga@gmail.com)  +260977-422994 |  |  |
| Masiliso Chibambo | [MASILISO.SITALI@moj.gov.zm](mailto:MASILISO.SITALI@moj.gov.zm)  +260974703945 |  |  |
| Joseph Nonde | [Joseph.Nonde@grz.gov.zm](mailto:Joseph.Nonde@grz.gov.zm)  +260968446833 |  |  |
| Spyton Phiri | [phiris@zra.org.zm](mailto:phiris@zra.org.zm)  +260976-449853 |  |  |
| Shilambwe Mwaanga | [skmwaanga@gmail.com](mailto:skmwaanga@gmail.com)  +260976-323-936 |  |  |
| Sylvia Masabo | [Slykas2@yahoo.com](mailto:Slykas2@yahoo.com)  +260960281056 |  |  |
| Peter Zyambo | [pzgambo@boz.zm](mailto:pzgambo@boz.zm)  +260967533014 |  |  |
| Kamwi Mulele | [kamwimulele@yahoo.co.uk](mailto:kamwimulele@yahoo.co.uk)  0977-838940 |  |  |
| Ignatius Mvula | [mvulaik@zra.org.zm](mailto:mvulaik@zra.org.zm)  +260977752399 |  |  |

# 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*](mailto: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 |
| According to the ZEC TORs each stakeholder group shall have the right to independently select and replace its members on the Council. | The Industry has been followng the laid down procedures for selecting MSG members.  During the period under review the ZEC members agreed that new members were to undergo security by the Government security wings. |

**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 |
| The industry follows the procedures of replacement of members stipulated in the ZEC TORs section II item 6.5. | The members were replaced following the ZEC TORs procedure. |

## 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 |
| Annual ZCM meetings | Update on EITI implementation in Zambia. | *Members of the Zambia Chamber pf Mines were given updates on the implementation of EITI in Zambia.* |

**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

|  |
| --- |
| The MSG has sought input from the broader constituency on (a) by inviting experts from the industry to attend workshops and trainings as well as provide input on the priorties of EITI implementation.  In response to (b) the latest annual review of outcomes and impact has been shared with the industry through the members that sit on the ZEC. |

## 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.

|  |
| --- |
| Company representatives have contributed to communicating or using EITI data by providing financial support towards outreach activities such as hiring of venue for hosting of the ZEC Planning meetings and providing expert ananlysis on the extractive sector during the dissemination of the ZEITI reports. |

## 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**](mailto:XXX@eiti.org)**) by the commencement of the Validation. Please provide supporting evidence if available. Requests for confidentiality will be respected.**

|  |
| --- |
|  |

## 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) |
| Pauline Mundia | [chipazuba@yahoo.co.uk](mailto:chipazuba@yahoo.co.uk)  +260977849153 |  |  |
| Sokwani Chilembo | [chilembos@mines.org.zm](mailto:chilembos@mines.org.zm)  +260955-203574 |  |  |
| Evans Kanche | [evans.kanche@riotinto.com](mailto:evans.kanche@riotinto.com)  +260966929412 |  |  |
| Hugh Carruthers | [Hugh.Carruthers@fqml.com](mailto:Hugh.Carruthers@fqml.com) [hughcarruthers01@gmail.com](mailto:hughcarruthers01@gmail.com)  +260966790955 |  |  |
| Pauline Mundia | [chipazuba@yahoo.co.uk](mailto:chipazuba@yahoo.co.uk)  +260977849153 |  |  |
| Martford Mumba | [mumbamart@yahoo.com](mailto:mumbamart@yahoo.com)  +260977575690 |  |  |
| Chikusi Banda | [Chikusi.banda@mopani.co.zm](mailto:Chikusi.banda@mopani.co.zm)  +260979247333 |  |  |
| Hambani Ngwenya | [Hambani.Ngwenya@lubambe.com](mailto:Hambani.Ngwenya@lubambe.com)  +260960775685 |  |  |
|  |  |  |  |

# 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*](mailto: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 |
| According to the ZEC TORs each stakeholder group shall have the right to independently select and replace its members on the Council. | The members were replaced following the ZEC TORs procedure.  During the period under review the ZEC members agreed that new members were to undergo security by the Government security wings. |

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

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| --- | --- |
| Agreed procedure for replacing civil society MSG members | Practice in the period under review |
| The CSOs hold electionsevery three years to decide which CSO siits on the ZEC. | Elections were conducted in June 2018 to elect the current CSO members of the MSG. |

## 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 |
| -National/Provincial/ District Aternative Mining Indaba Committee  -  - Publish What You Pay Consrtium | Bi-annual feedback sessions with CSOs involved in the extractive sector.  -CSO Annual General Meetings | *The CSO constituency has carried out update and feedback sessions on the implementation of EITI in Zambia through annual general meetings, social media platforms as well as grassroots interventions with local communities.* |

**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

|  |
| --- |
| The MSG has sought input from the broader constituency on (a) by inviting stakeholders from the CSO constituency provide input on the priorties of EITI implementation in Zambia through PWYP.  In response to (b) the latest annual review of outcomes and impact has been shared with CSO and a call for comments has been made by the Secretariat. |

## 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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| --- |
| CSO representatives have contributed to communicating or using EITI data by providing logistical support towards outreach activities such as hiring of venue for hosting of the ZEC meetings, ZEITI report launch venue and facilitating communication with grassroot audiences to disseminate the ZEITI reports. |

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

## 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) |
| Edmond Kangamungazi | [edmondkanga@gmail.com](mailto:edmondkanga@gmail.com)  +260965-830365 |  |  |
| Edward Lange | [edwardklange@gmail.com](mailto:edwardklange@gmail.com)  +260966-533874 |  |  |
| Andisen C. Zulu | [andisenzulu@gmail.com](mailto:andisenzulu@gmail.com)  +260977-772319 |  |  |
| Mwiya Mwandwane | [Eitazambia2009@gmail.com](mailto:Eitazambia2009@gmail.com)  +260975-744106 |  |  |
| Petronella Phiri | [pettytaophiri@gmail.com](mailto:pettytaophiri@gmail.com)  0968056765 |  |  |

# 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.