

**REPORT ON CSO MEETING TO ELECT REPRESENTATIVES TO THE 4TH TEITA COMMITTEE
(2019-2022)**



DATE: 9TH -10TH SEPTEMBER 2019

VENUE: KISENGA HALL, LAPF TOWER, DAR ES SALAAM-TANZANIA

ABBREVIATIONS

BAKWATA	National Muslim Council of Tanzania
CCT	Christian Council of Tanzania
CSO	Civil Society Organisation
MSG	Multi-Stakeholder Group
NGO	Non-Governmental Organisation
NUMET	National Union for Mining and Energy Workers in Tanzania
PWYP	Publish What You Pay
SHIVYAWATA	Tanzania Federation of Disabled People's Organizations (SHIVYAWATA)
TEC	Tanzania Episcopal Conference
TEITA	Tanzania Extractive Industries (Transparency and Accountability) Act
TEITI	Tanzania Extractive Industries (Transparency and Accountability) Initiative
TGNP	Tanzania Gender Network Program

ANNEXES

1. Minutes of the CSO Meeting to plan for the CSO TEITI representatives' election Process
2. Government Notice through the Minister of Minerals dated on 10 July 2019
3. HakiRasilimali mandate to coordinate the CSO MSG election process
4. CSO MSG feedback PowerPoint presentation
5. Road map for the CSO engagements in TEITI processes for 2019-2022
6. Election Criteria Forms
7. Application Forms
8. Result forms
9. Event Pictures
10. List of Participants

DAY 1 (9 SEPTEMBER 2019)

AGENDA

1. Introduction and background to the meeting
2. Official Opening
3. Panel Session: Civil Society Organisations Multi-Stakeholder Group TEITI outreach and Engagement for 2016-2019
4. Setting road map for the CSO engagements in TEITI processes for 2019-2022
5. Closing remarks for day 1

1. INTRODUCTIONS AND BACKGROUND TO THE MEETING

The introduction and background to the CSO meeting to elect its representatives to the TEITI committee was given by Ms. Racheal Chagonja, Coordinator for HakiRasilimali at 09:00 am. In her speech, Ms Chagonja, reiterated that, the meeting was a follow up to the CSO meeting that was held on 26th August 2019 (**Annex 1**), following up the Government Notice through the Minister of Minerals made on 10th July 2019 (**Annex 2**). The meeting aimed at CSO constituencies to plan for the elections of the CSO representatives to the TEITI Committee as required by the law¹. The Law requires for five (5) representatives from civil society organizations to be appointed by the respective umbrella organizations in accordance with procedures set out by such organizations and submitted to the Minister for announcement.

ii) Mandate to coordinate or facilitate the CSO MSG election:

In 2015, HakiRasilimali was mandated by the wider CSO group to convene (**Annex 3**). This term has ended in 2019 and therefore represented constituencies needed to discuss and appoint a new organisation that could lead and convene the 4th CSO MSG processes in TEITI for the period of 2019-2022. In the meeting held on 26 August 2019 (planning meeting to elect CSO representatives), it was thus agreed that HakiRasilimali to continue to convene, coordinate or facilitate the CSO MSG processes to serve in the coming term 2019-2022. And that there shall be in future, a rotational processes convene CSO MSG election processes.

iii) Election observers

In the meeting held 26 August 2019, the following were chosen to be election observers

¹ Section 5(4) of the Tanzania Extractive Industries (Transparency and Accountability) Act of 2015

- a. TEITI secretariat
- b. National Council of NGOs

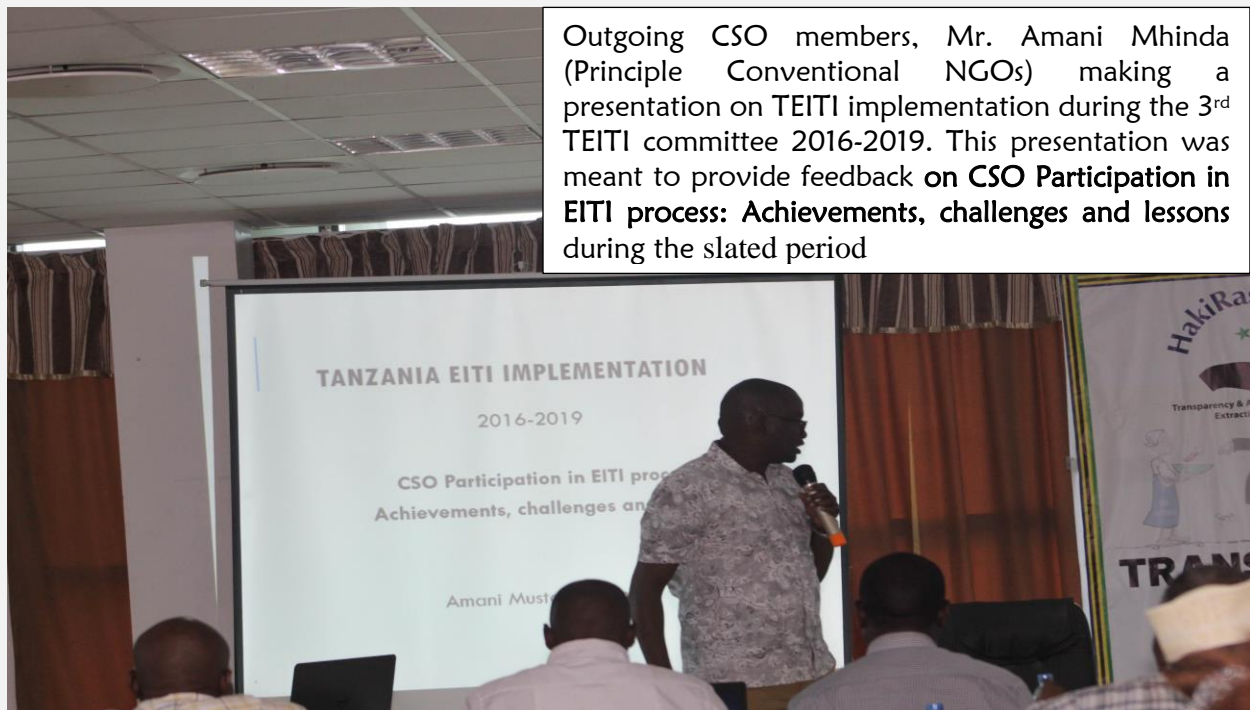
2. OFFICIAL OPENING

The CSO meeting to elect its representatives to the 4th TEITI committee was officiated by Mr. Ismail Suleiman, the Executive Secretary for the National Council of NGOs (NACONGO). In his remarks Mr. Ismail made the following points; expressed his happiness that Most of the CSOs are under the NGO law ; it was important that this meeting got the NACONGO blessings; He opined that NGOs have grown and shown significant steps; We need to elect credible and capable persons and avoid tendency of just filling ; Vacancies without basic skills and competencies; He recommended that The government should establish a specific funding mechanism for CSOs and donors support the initiative . He finally said his term of service as a secretary is coming to an end so capable people can start thinking to contest.



3. PANEL SESSION: CIVIL SOCIETY ORGANISATIONS MULTI-STAKEHOLDER GROUP TEITI OUTREACH AND ENGAGEMENT FOR 2016-2019

Presentation of the three years (2016-2019) CSO-MSG members' performance report was done by outgoing MSG members, Mr. Amani Mhinda, (principle Conventional NGOs) and the discussions were contributed by Ms. Blandina Sembu (Principle Shivyawata) and Dr. Kassala Camillus (Principle Interfaith , Mrs. Philotea Ruvumbagu (Principle Trade Union) and all the outgoing alternate CSO MSG members.





The presentation made by the outgoing CSO representatives was on the following outlines;

The CSO participation in the EITI process in resource rich countries like Tanzania is guided by the Protocol “Participation of Civil Society” that remains to be a core part of the EITI Standard 2013. The protocol outlines main principles of **free, full, independent, active and effective participation of civil society**, including the Right to appoint own representatives; Transparent selection; Independence; Active in design, monitoring and implementation.

The EITI standards clearly states the necessity of civil society to work with other stakeholders among others to: Define the MSG TORs and EITI work-plan; Determine the scope of the EITI process; Define TOR for, and select EITI administrator; Monitor EITI report preparation; Analyse EITI reports and making recommendations; Disseminate results and generate debate.

Key events during the 2016-2019: Since joining the EITI, Tanzania has produced eight EITI reports, which cover July 1, 2008 to June 30, 2016. TEITI 2014/15 and 2015/16 reports were published in June 2017 and April 2018 respectively. In 2017, The National Assembly passed three laws namely: the Natural Wealth and Resources (Permanent Sovereignty) Act, 2017; the Natural Wealth and Resources Contracts (Review and Re-Negotiation of Unconscionable Terms) Act, 2017 and the Written Laws (Miscellaneous Amendments) Act 2017. President J.P Magufuli appoints Hon Ludovick Utouh (former CAG) as the second TEITI Chairperson on retirement of Hon Mark Bomani in June 2018. During this period, Tanzania completed the validation in October 2017, the EITI Board determined that Tanzania has made meaningful progress overall in implementing the EITI standard. Tanzania was supposed to undergo second validation in April 2019.

Outgoing CSO MSG representatives in a panel during the feedback session



- 1) ***Validation Processes:*** The EITI Board noted that overall Tanzania made satisfactory progress on requirements: Few concerns were on the engagement of industry and civil society; Legal and; fiscal framework; Exploration data; Disaggregation, timeliness; Documenting outcomes and impact of implementation. The EITI Board also recommended corrective actions concerning the requirements of the EITI Standard relating to :
 - a. Government engagement
 - b. MSG governance –Absence of Chairperson
 - c. EITI work plan
 - d. License allocations and register
 - e. The government’s policy on contract disclosure
 - f. State participation in extractive activities
 - g. Production and export data
- 2) ***Areas for corrective measures:*** Among others including ; Comprehensiveness of revenue disclosures; transportation revenues; State-owned enterprises transactions ; Direct subnational payments ; Revenue management and expenditures ; Quasi-fiscal expenditures by state-owned enterprises; Economic contribution of the extractive sector; Public debate on the TEITI reports.
- 3) ***Success for cso engagement within the TEITI Committee:*** Include but not limited to Participation in the TEITI MSG meetings on regular basis; Engagement with various legal reforms in Mining, Oil and Gas; Tanzania Extractive conference held every year in Dodoma; Various policy briefs on various issues including Beneficial Ownership, Contract transparency; Engagement with global and regional process such as EITI Global conference, East Africa and Africa level processes; Served in various technical committees with TEITI on procurement, legal reforms, communication and validation.

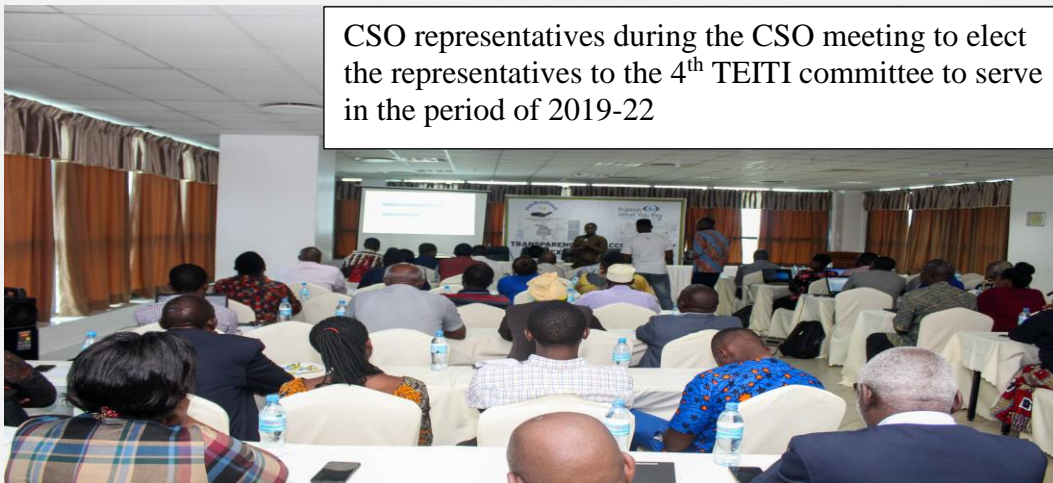
- 4) **Challenges for TEITI.** TEITI challenges include but not limited to ;
- Contracts disclosure:** Section 16 (1) of The Tanzania Extractive Industries Transparency Act, 2015 requires Mining, Oil and Gas contracts to be disclosed. This has not been realized to date.
 - Beneficial Ownership:** Consultant on Disclosure of Beneficial Ownership submitted report pointing out several legal weaknesses in respect to disclosure of beneficial ownership information.
 - Lack of Public Understanding and Awareness of TEITI:** *This is can elevate and promote healthy policy debates on issues of importance to local communities and general public.*
 - TEITI legal and institutional framework:** Though TEITA law was passed in 2015, it took slightly over two years for the regulations to be developed. There are still several issues that may require amendment to satisfy the spirit embodied within EITI.
 - Limited Financial and Human capacity at TEITI Secretariat**
- 5) **Challenges for CSO in TEITI process:** The engagement of CSO in the TEITI processes in 2016-2019 was challenged by the following;
- Insufficient technical and industry knowledge:** Technical and Industry knowledge is not readily available amongst Civil Society actors. The sector is also very dynamic and requires multidisciplinary skills across legal, economic, social and scientific aspects of the extractives.
 - Challenging coordination and cooperation within CSOs:** There was no clear mechanism to coordinate CSO work in the EITI process between 2009-2015. In 2015, HakiRasilimali took the lead to coordinate, holding national debate and build CSO capacity across various sub sectors.
- NB: However there is a lot of shaky cooperation and unnecessary competition within various sub-constituencies. There is negative perceptions about the role of HakiRasilimali.
- Limited Outreach and capacity building work:** Limited Funding for Extractive work especially at grass root level. The last 6 years has seen increased support to the extractive transparency work, mostly at national and sub-national level. Lack of trickle down has been a challenge leaving out communities impacted with the extractive sector.
 - Limited Voluntarism and wastage of resources:** The formal CSO movement kicked off with lots of organizing and sharing of resources in the early 2010. There are so many examples to highlight this spirit. There is less interest in similar leaving this burden to the nascent HakiRasilimali, while risking leaving more CSOs out of the process.
 - Dynamic Political and Social Context:** Understanding the political economy of the sector is critical for effective engagement in the multi stakeholder process. The political and civic space is becoming more and more challenging which require different set of

skills and orientation. There is need for analytical and technical skills for TEITI Committee members who represent our views to the Government and Corporates

4. SETTING ROAD MAP FOR THE CSO ENGAGEMENTS IN TEITI PROCESSES FOR 2019-2022

After the feedback session from the purging CSO MSG representatives, the wider CSO had the opportunity to reflect from the panel session and setting the road map for the CSO engagement with EITI processes in the period co erring 2019-2022 (**Annex 5**).

1. Collaboration: In overall, there is need for the CSO MSG to work in collaboration rather than isolation
2. Advocacy and outreach: Stakeholders to ensure extractive related contracts are made public and engage in analysis and engaging with the wider community.
3. Developing strategies for using media-mainstream and social media
4. The CSO MSG to strive to educate the community on the goals of TEITI and its benefits to ordinary citizens.
5. To develop a Tanzanian model of an extractive knowledge hub



AGENDA FOR DAY TWO (2) ON 10TH SEPTEMBER 2019

1. Shortlisting feedback from the screening team (shortlisting team)
2. Breakout groups; Sub-Constituency election
3. Announcing of the elected names and closing remarks
4. Closing remarks.

1. SHORTLISTING FEEDBACK FROM THE SCREENING TEAM (SHORTLISTING TEAM)

During the planning meeting, it was solidly agreed that CSO MSG sub-constituencies that is Trade unions, Interfaith, Conventional NGO, Gender and Disability and PWYP are to be maintained. The meeting also agreed that there should be an online application [LINK](#) that shall be generated for assessment by the screening (shortlisting team) composed of Natural Resource Governance Institute,-NRGI, REPOA, ESRF, FCS, Wajibu and Women Fund of Tanzania among others.

NB: The session on shortlisting can be viewed online via [SHORTLISTING LINK](#)

Election Observers:

The TEITI secretariat was appointed to be observer for the CSO election process



Criteria for Applications

To assist the screening team, the rationale for the criteria and the guidelines of the applications was based on the critical importance of the role of the Civil Society in the EITI process. This critical importance is underlined by three key statements given in The EITI Standard 2019.

1. **RATIONALE FOR THE CRITERIA AND GUIDELINES:** The rationale for the criteria and the guidelines is based on the critical importance of the role of the Civil Society in the EITI process. This critical importance is underlined by three key statements given in **The EITI Standard 2019**. These statements are as follows:

- 1.1 **From EITI Principle 4:**“We recognize that a public understanding of government revenues and expenditure over time could help public debate and inform choice of appropriate and realistic options for sustainable development”. (*EITI Standard 19*, p. 6). The engine for this public debate is none other than the civil society.
- 1.2 **From EITI Requirement 1.3 a):** “Civil society must be fully, actively and effectively engaged in the EITI process” (*EITI Standard 19*, p. 11)
- 1.3 **From EITI CSO Participation Protocol:**“The participation of civil society is fundamental to achieving the objectives of EITI....is key to ensure that the transparency created by the EITI leads to greater accountability. ... Citizens’ ability to work actively to make use of the information generated by the EITI is therefore a critical component of EITI implementation and civil society participation in the EITI”. (*EITI Standard 19*, p. 44)

2. **THE CRITERIA AND GUIDELINES AS DERIVED FROM THE THREE RATIONALE STATEMENTS:**

b. The Criteria:

i. From EITI Principle 4:

The criteria are:-

- a) Ability to stimulate public debate.
- b) Fundamental awareness of the logic behind government revenues and expenditure.
- c) Ability to take part meaningfully in a public debate.
- d) Basic understanding of sustainable development and the 2030 SDGs.
- e) Satisfactorily informed about appropriate and realistic options for national development.

ii. From Requirement 1.3:

The criteria are:-

- a) Ample time for active and effective engagement.
- b) Courageous enough to defend CSO fundamental EITI rights.
- c) Ability to face obstacles to CSO participation.
- d) Confidence in speech freedom about transparency and natural resources governance despite restraint, coercion and reprisal.
- e) Having basic knowledge of the design, implementation, monitoring and evaluation of EITI process.

iii. From EITI CSO Protocol

The criteria are:

- Basic understanding of the EITI process.
- Critical awareness of the legal, regulatory, administrative and actual environment.
- Familiarity with non-MSG CSOs.
- Ability to cope with technical, financial and other capacity constraints affecting CSOs.
- An analytical and advocacy mind in order to be able to use data, reports and media effectively.

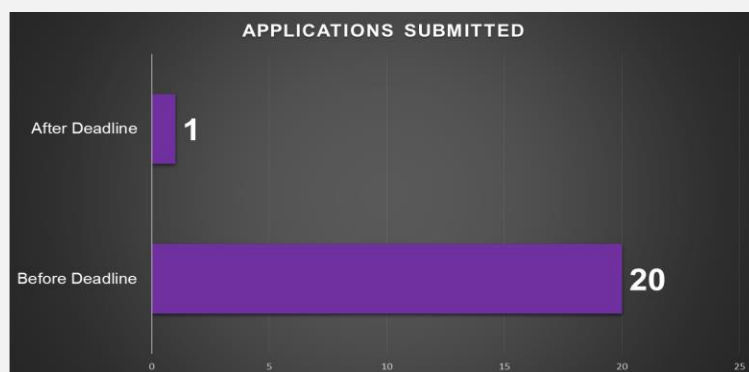
2. THE GUIDELINES

When choosing possible MSG candidates, CSOs should be guided by the following recommended guidelines:

- Your candidate is fully conversant with the aims, objectives and goals of your CSO.
- As a CSO you are happy with your candidate in terms of his/her involvement with your programmes/projects or other systematic activities.
- Your candidate can contextualize your CSO within the ambit of natural resources governance.
- Your candidate has good enough working English and Kiswahili reading and writing skills.
- As much as reasonably and rationally possible, observe gender balance in your nomination process.

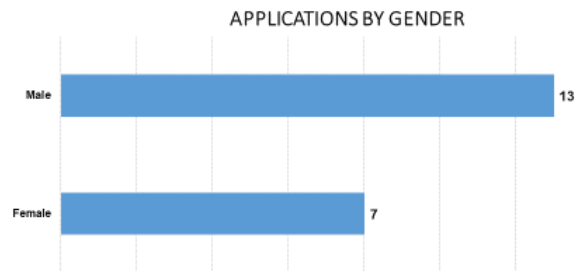
SCREENING AND VOTING RESULTS:

The Chairperson for the screening team then presented the summary of the applications per sub constituencies as follows

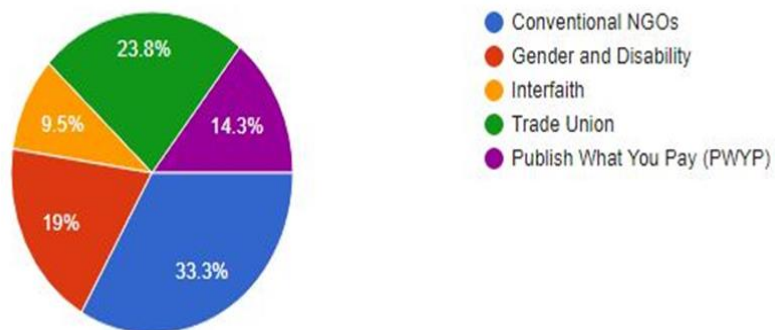


- Applications were launched on 28 August 2019
- Applications deadline was on 8 September 2019

Out of 20 applications, 13 were males representing 65% of the total applications, whereas 7 were females representing 35% of the total applications



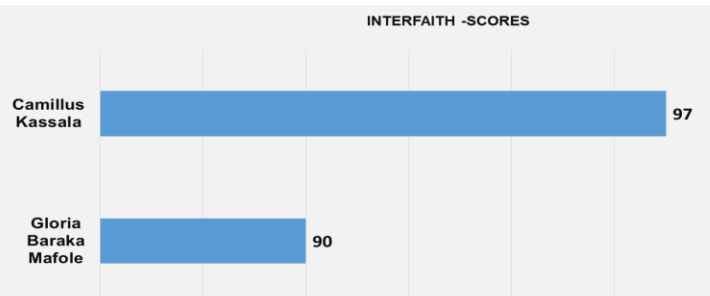
INTERFAITH

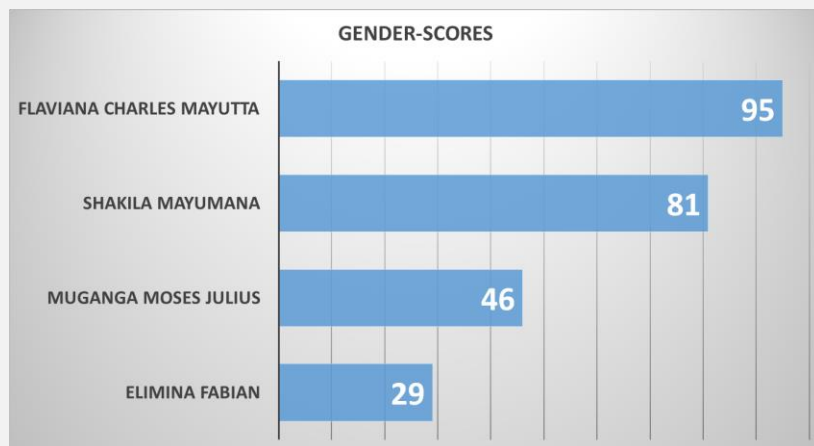


ELECTION RESULTS

Dr. Camillus Kassala was elected as Principle for the interfaith Sub-Constituency and Mrs. Glory Mafole as alternate

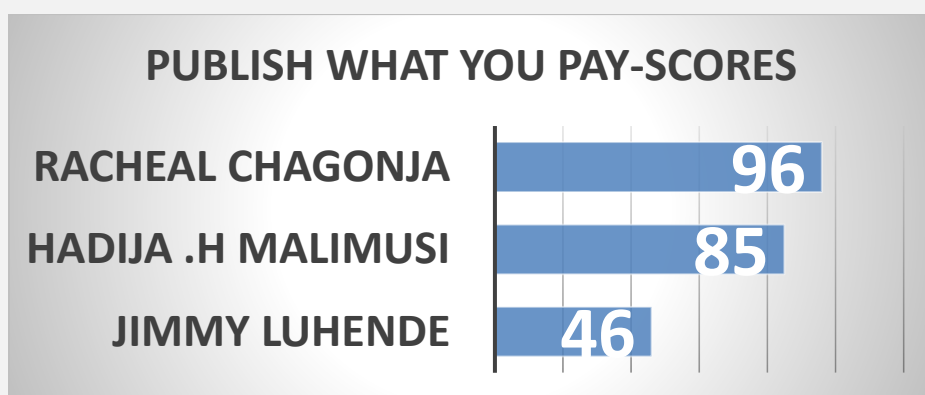
Maintained constituencies include; PWYP, Interfaith, Trade Union, Conventional NGOs, Gender and Disability





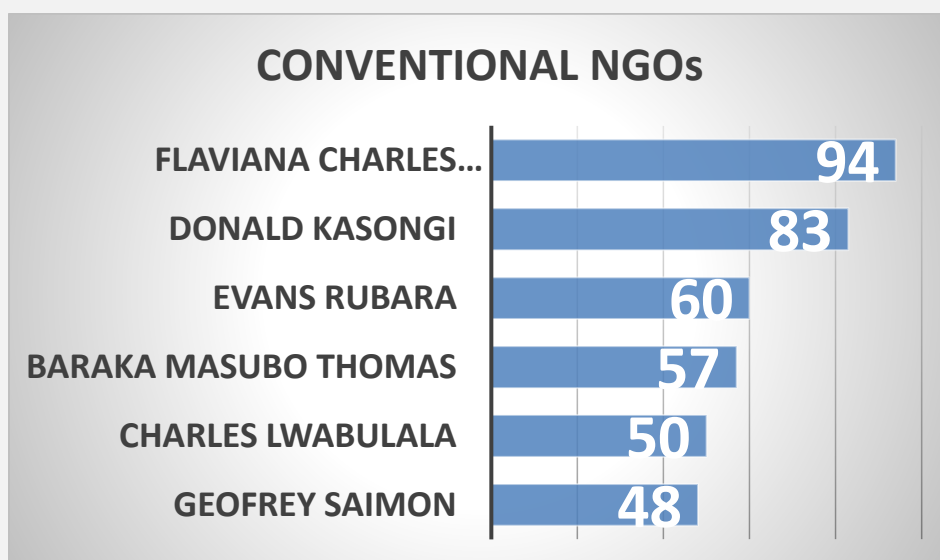
ELECTION RESULTS

Ms. Shakila Mayumana was voted as Principle representative for the Gender and Disability Constituency whereas Mr. Muganga Moses Julius was voted as alternate



ELECTION RESULTS

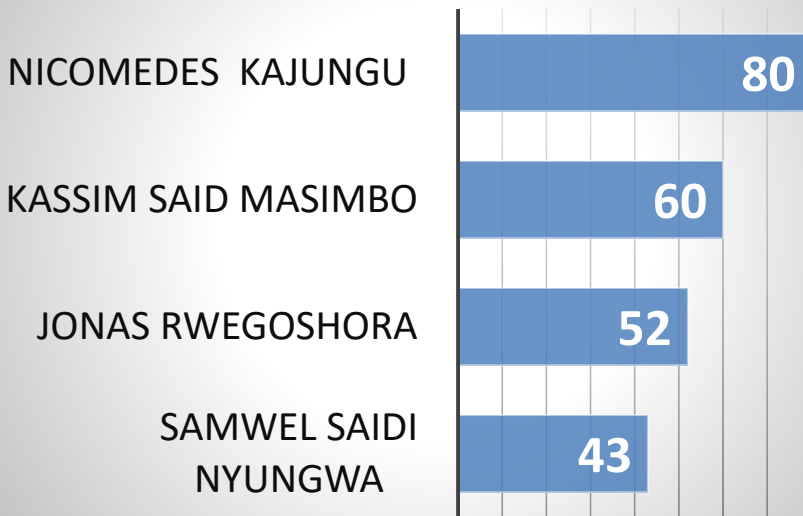
Ms. Racheal Chagonja was voted as Principle representative for the PWYP sub constituency and Mrs. Hadija Malimusi was voted as alternate member.



ELECTION RESULTS

Mr. Donald Kasongi was elected as principle representative for the sib-constituency Conventional NGOs and Flavian Charles was elected as alternate member

TRADE UNION-SCORES



ELECTION RESULTS

Mr. Nicomedes Kajungu was elected as Principle representative for the Trade Union Sub Constituency and Kassim Said Masimbo was elected as alternate members

ELECTION PROCESS IN THEIR RESPECTIVE CONSTITUENCIES



Gender and Disability representatives
from TGNP and SHIVYAWATA



Interfaith representatives from
BAKWATA, TEC, CCT



Conventional NGOs representatives



PWYP CSO
representatives



CLOSING REMARKS

The closing ceremonies were graced by the TEITI committee acting coordinator, Mariam Mgaya who in her speech congratulated CSO for having completed the process to elect its representatives. In her speech she also welcomed the elected representatives promising to work with them closely. After that, she welcomed the Guest of Honor Bishop Dr. Stephen Munga to officiate the closing of the meeting.



Elected Principle
CSO representatives
to the TEITI
Committee (2019-
22)

In his speech, Dr Munga, started by congratulating the screening committee for putting in place mechanisms to enable a smooth election process. Congratulating the outgoing MSG members through the TEITI secretariat for having worked for the period of 2016-2019. He believes that their contribution to TEITI process have enabled an increase in transparency and accountability in the extractive sector in Tanzania ([LIVESTREAMING LINK](#)).

He reiterated the need to have an induction meeting to capacitate the new elected representatives to understand what TEITI is, in order to easy their effective scrutiny while engaging in EITI processes in the country.



Dr. Munga also empathised the elected representatives among others on the following issues;

1. To see themselves as missionaries who have been sent by the wider community to represent well the interest of the Tanzania and making meaningful impact in the management of natural resources in Tanzania.
2. MSG to remember that there is already enhanced development in the extractive sector compared to how it started during the 2009. In consideration to that, the elected representatives in the MSG should focus on that rather than taking the opportunity for their own interest.
3. The need to be trustworthy without being compromised
4. To work in collaboration for greater impact

5. Not to rush to share information in the public space that is not yet formal from the MSG. All information / data to come out timely to avoid creating confusion among stakeholders.
6. The elected representatives have the mandate to make sure that TEITI is well known and understood by the stakeholders especially government officials across all sectors, and the wider Tanzanian community.



Prepared by

HakiRasilimali secretariat
(On behalf of the represented constituencies²)

² Conventional NGOs-Policy Forum; Gender and Disability –TGNP and SHIVYAWATA; PWYP –HakiRasilimali, Trade Union-TAMICO and NUMET; Interfaith-Interfaith Standing Committee (BAKWATA, CCT and TEC)