



# CONTRACT TRANSPARENCY IN EITI COUNTRIES

**A REVIEW ON HOW COUNTRIES REPORT ON  
GOVERNMENT'S CONTRACT TRANSPARENCY POLICY**

## **This brief is issued by**

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# SUMMARY

Contracts, licenses and associated agreements establish many of the commitments between government and companies in the extractive industries<sup>1</sup>. In some cases, the terms of these contracts and licences may be standard and complemented by taxation regimes. In other cases, these contracts, licenses and agreements include detailed terms for how resource owners and companies agree to share risk and reward over the life of long-term resource extraction projects. Fiscal terms will address how costs and profits are shared between the parties and how taxes, royalties and other extraction related fees are to be calculated and paid.

Countries that implement the EITI are required to publish the government's policy on contract transparency (EITI Requirement 12.b). This includes stating whether the legal framework governing the extractive industries, such as for example the petroleum or mining law, mandates the publication of the contracts that the government and extractive companies enter into, or whether there are confidentiality clauses preventing the disclosure of such contracts. Countries are also required to state the prevailing disclosure practice (EITI Requirement 12.b) enabling a verification of whether the policy is being implemented or whether there are deviations. In addition, the EITI encourages implementing countries to publicly disclose any contracts and licenses that provide the terms attached to the exploitation of oil, gas and production contracts (EITI Requirement 12.a).

This paper provides an overview of EITI reporting on contract transparency in the 23 countries which had produced EITI reports under the EITI Standard as of 31 December 2014<sup>2</sup>. Key findings include:

- Half of the implementing countries covered by the review have not fully confirmed the government's policy on contract transparency

in their EITI reports. This includes countries with both oil and mining sectors, but where information is lacking for one or both sectors. Despite the lack of a policy statement, several of these countries confirm that *in practice* contracts are either partially or not disclosed.

- In seven countries, the EITI Report states that the government's policy provides for full contract transparency, however only two of the countries state in the EITI Report that there is full contract transparency in practice. It is not clear from the remaining reports whether all contracts are disclosed in practice, and some reports confirm that contracts are not disclosed despite a policy mandating disclosure.
- Where the policy prevents contract disclosure, actual practice seems to be consistent with the policy. In other words, none of the EITI Reports indicate that contracts are being disclosed in practice despite there being a policy preventing such disclosures.
- There does not appear to be any difference in the occurrence of government policy mandating disclosure of oil and gas contracts compared to mining contracts.

It should be noted that the findings presented in this brief are based solely on information provided in the EITI Reports. The brief does not seek to complement the information in the EITI Reports with other publicly available information on contract transparency, nor does it seek to verify the information provided in the EITI Reports. Section 2 below recalls the EITI Requirements on contract disclosure; section 3 provides an analysis of key findings of the review; section 4 outlines conclusions focusing on areas of improvements; and section 5 contains a country-by-country review of contract transparency.

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1 Throughout this paper, the terms 'contract' and 'license' are used as defined in requirement 3.12(c) and 3.12(d).

2 A list of countries is provided in Table 1 below.

# EITI REQUIREMENTS RELATED TO CONTRACT TRANSPARENCY

EITI Principle 6 recognises that achievement of greater transparency must be set in the context of respect for contracts and laws. The EITI Standard requires that the EITI Report documents the government's policy on disclosure of contracts and licenses that govern the exploration and exploitation

of oil, gas and minerals (requirement 3.12b). The EITI Standard also encourages implementing countries to disclose contracts and agreements that establish the terms for the exploitation of oil, gas and minerals (requirement 3.12a). The EITI Requirements are set out in full in box 1.

## Box 1 – Coverage of contract transparency in the EITI Standard

Requirement 3.12 sets out the reporting requirements related to contracts:

- a) Implementing countries are encouraged to publicly disclose any contracts and licenses that provide the terms attached to the exploitation of oil, gas and minerals.
- b) It is a requirement that the EITI Report documents the government's policy on disclosure of contracts and licenses that govern the exploration and exploitation of oil, gas and minerals. This should include relevant legal provisions, actual disclosure practices and any reforms that are planned or underway. Where applicable, the EITI Report should provide an overview of the contracts and licenses that are publicly available, and include a reference or link to the location where these are published.
- c) The term contract in 3.12(a) means:
  - The full text of any contract, concession, production-sharing agreement or other agreement granted by, or entered into by, the government which provides the terms attached to the exploitation of oil gas and mineral resources.;
  - The full text of any annex, addendum or rider which establishes details relevant to the exploitation rights described in 3.12(c)(i) or the execution thereof; and.
  - The full text of any alteration or amendment to the documents described in 3.12(c)(i) and 3.12(c)(ii).
- d) The term license in 3.12(a) means:
  - The full text of any license, lease, title or permit by which a government confers on a company(ies) or individual(s) rights to exploit oil, gas and/or mineral resources.;
  - The full text of any annex, addendum or rider that establishes details relevant to the exploitation rights described in in 3.12(d)(i) or the execution thereof; and.
  - The full text of any alteration or amendment to the documents described in 3.12(d)(i) and 3.12(d)(ii).

**Source:** EITI Standard, p. 25.

# OVERVIEW OF COVERAGE OF CONTRACTS IN EITI REPORTS

## Comments on methodology

This review of the EITI reporting on contract transparency assesses both government policy on contract disclosure and actual disclosure practice. Both policy and practice have been classified into four sub-categories, namely full disclosure, partial disclosure, no disclosure and no policy confirmed, as explained below.

- **Full disclosure** is used when the EITI Report confirms that the full text of all contracts, side agreements, riders etc. are publicly available. It also includes instances where the EITI Report confirms that all terms are set out in legislation rather than in contracts or agreements.
- **Partial disclosure** is used when the EITI Report confirms that some, but not all contracts, are publicly available. It also includes cases where some or all contracts are published, but where certain information is redacted or where only parts of the contract are published.
- **No disclosure** is used when the EITI Report confirms that no contracts are published. Countries that only publish model contract templates are also placed in this category.
- **No policy confirmed** is used when the EITI report does not confirm the prevailing practice for contract transparency, or when the policy on contract transparency is not stated or unclear.

Where contracts are fully or partially disclosed, the brief provides some commentary on how the contracts can be accessed (in accordance with requirement 3.12.b). Where the EITI Reports provides commentary on reforms that are underway related to contract transparency, these are flagged in the country-by-country review.

**Finally, it should be noted that the findings presented in this brief are based solely on information provided in the EITI Reports. The brief does not seek to complement the information in the EITI Reports with other publicly available information on contract transparency, nor does it seek to verify the information provided in the EITI Reports.**

## Analysis of key findings

In accordance with the methodology set out above, the main findings from the review are summarised in table 1 below, with details provided in section 4 of this brief.

The review shows that **almost all countries include a detailed description of the various contract types that are applicable to the oil, gas and mineral sectors.** Whilst the inclusion of this information in EITI Reports mainly relate to EITI Requirements 3.9 and 3.10 on license registers and allocations, an understanding of the contractual framework that is applicable in each implementing country is helpful to the discussion on contract transparency. Findings reveal that Production Sharing Contracts (PSC), where the detailed terms governing exploration and extraction are set out in the contract, are by far the most widely used contract type in the oil and gas sector. Countries<sup>3</sup> such as Norway and Zambia use petroleum licenses and have the terms governing the extraction set out in legislation. In Iraq and the Philippines service contracts are used. In the mining sector, there is a wide range of different types of permits, authorisations, licenses, contracts and agreements across the implementing countries. In some countries, the key terms governing exploration and production are set out in legislation whereas in others contracts and agreements accompany the various licenses.

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3 Whilst the EITI countries United Kingdom and the United States also have licence systems, neither country has yet produced an EITI Report.

With regards to **disclosure of the government policy on contract transparency**, half of the countries did not fully confirm the policy in the EITI Report. In some cases like for example Iraq and Mongolia, the EITI reports note that the policy is not available. In other cases, the EITI reports simply do not comment on government policy. There are also cases where the EITI report comments on the disclosure practice, but does not confirm if this is consistent with policy. For example, Liberia's EITI Report comments on the number of contracts that have been published as well contracts that are not yet publicly available, but neglects to state that the LEITI Act mandates publication of contracts. There is **little distinction between policy related to exploration and production contracts** in the EITI Reports. Only Mali's EITI Report seems to comment that the legal requirement to publish contracts is only applicable to production contracts. Additionally, in countries with both oil and mining sectors, there is a tendency for EITI Reports to provide **more information on the oil and gas sector compared to the mining sector**. However, there does not appear to be any difference in the occurrence of government policy mandating disclosure of oil and gas contracts compared to mining contracts.

According to the EITI Reports, government policy provides for full contract transparency in seven countries: **Burkina Faso** (mining), **the Republic of Congo** (oil and gas), Côte d'Ivoire (oil and gas), **the Democratic Republic of Congo** (oil, gas and mining), **Mauritania** (mining), **Niger** (oil, gas and mining) and **Zambia** (mining). The main legal instruments allowing for contract disclosure were laws and the petroleum/mining codes. However, in practice, contractual terms are only fully disclosed in two countries, Niger (oil,

gas and mining) and Zambia (mining), whereas in the remaining five countries there is no or partial disclosure. **None of the EITI Reports attempt to explain this discrepancy between policy and practice, nor do they outline any recommendations related to contract disclosure.**

**Where the policy prevents contract disclosure, actual practice seems to be consistent with the policy.** In countries like Albania and Cameroon, the EITI Report contains specific references to legal and contractual provisions preventing disclosure. In Mongolia, Mozambique and the Philippines, there seems to be confidentially provisions in some contracts that may affect whether the contracts are disclosed or not.

With regards to **publication channels**, government websites or national EITI websites seem to be the most common publication channel. Other publication channels include Official Gazettes, public authorities and cadastre systems.

**Table 1 – Summary of key findings**

Country	Sector	Does government policy provide for full, partial or no contract disclosure?	Are contracts fully, partially or not disclosed in practice?	Publication channel
<b>Albania</b>	Oil, gas and mining	No disclosure	No disclosure	
<b>Burkina Faso</b>	Mining	Full disclosure	No disclosure	
<b>Cameroon</b>	Oil and gas	No disclosure	No disclosure	
	Mining	No policy confirmed	No disclosure	
<b>Congo, Rep. of</b>	Oil and gas	Full disclosure	Partial disclosure	EITI website <sup>4</sup>
	Mining	No policy confirmed	Not confirmed	
<b>Côte d'Ivoire</b>	Oil and gas	Full disclosure	No disclosure	
	Mining	No policy confirmed	Not confirmed	
<b>DRC</b>	Oil, gas and mining	Full disclosure	Partial disclosure	Ministry website <sup>5</sup>
<b>Ghana</b>	Oil, gas and mining	No policy confirmed	No disclosure	
<b>Iraq</b>	Oil and gas	No policy confirmed	No disclosure	
<b>Kazakhstan</b>	Oil, gas and mining	No disclosure	No disclosure	
<b>Liberia</b>	Oil, gas, mining and forestry	No policy confirmed	Partial disclosure	EITI website <sup>6</sup>
<b>Madagascar</b>	Oil and gas	No disclosure	No disclosure	
	Mining	No policy confirmed	No disclosure	
<b>Mali</b>	Mining	Partial disclosure	Partial disclosure	Ministry website <sup>7</sup>
<b>Mauritania</b>	Oil and gas	No policy confirmed	Partial disclosure	
	Mining	Full disclosure	No disclosure	
<b>Mongolia</b>	Oil, gas and mining	No policy confirmed	No disclosure	
<b>Mozambique</b>	Oil, gas and mining	Partial disclosure	Partial disclosure	Ministry website <sup>8</sup>
<b>Niger</b>	Oil, gas and mining	Full disclosure	Full disclosure	Official Gazette
<b>Norway</b>	Oil and gas	Partial disclosure	Partial disclosure	Petroleum directorate website <sup>9</sup>
<b>Philippines</b>	Oil, gas and mining	Partial disclosure	Partial disclosure	Government website <sup>10</sup>
<b>Sao Tome e Principe</b>	Oil and gas	Partial disclosure	Partial disclosure	Registration & Public Info. Office (RPIO)
<b>Solomon Islands</b>	Mining	No policy confirmed	No disclosure	
<b>Timor Leste</b>	Oil and gas	Partial disclosure	Partial disclosure	National Petroleum Authorities <sup>11</sup>
<b>Togo</b>	Mining and water	No policy confirmed	No disclosure	
<b>Zambia</b>	Oil and gas	No policy confirmed	Not confirmed	
	Mining	Full disclosure	Full disclosure	Cadaster

4 See [http://www.itie-congo.org/index.php?option=com\\_content&view=article&id=102&Itemid=127](http://www.itie-congo.org/index.php?option=com_content&view=article&id=102&Itemid=127)

5 See <http://mines-rdc.cd/fr/index.php/contrats-des-ressources-naturelles>

6 See <http://www.leiti.org/>

7 See <http://www.mines.gouv.ml/index.php/2013-12-11-12-40-48/conventions>

8 See <http://www.mirem.gov.mz/>

9 See <http://factpages.npd.no/factpages/Default.aspx?culture=no>

10 See <http://data.gov.ph/infographics/eiti-dashboard>

11 See <http://www.anp-tl.org/webs/anptlweb.nsf/vwAll/TLEA>

# CONCLUSIONS

This brief has reviewed the early findings of EITI reporting on contract transparency in the 23 countries that published EITI reports as of 31 December 2014. To conclude, this brief outlines some areas for improvements for consideration by implementing countries and other stakeholders:

- (i) While several reports include substantial information on the types of licenses and contracts that are applicable in the country, more work is needed in most countries in terms of disclosing the government's policy in accordance with the EITI Requirements. Some countries have included clear references to the associated legal or contractual texts regulating disclosure, which helps ascertain the policy. Some of the reports also provide incomplete or incorrect information regarding policy and actual practice. Whilst this brief has only considered what is stated in the EITI Report, implementing countries are encouraged to consider the findings and identify areas for improved reporting in the future.
- (ii) In countries where the government policy provides for full or partial disclosure and where there is partial disclosure in practice, the EITI reports do not provide detailed information about which contracts or what parts of a contract or side agreements are not publicly disclosed. Further commentary on the actual practice seems to be needed to provide a complete picture.
- (iii) A few EITI reports, including from Cameroon, Ghana, Iraq, Mongolia and Norway, state that model contracts or licenses agreements are

publicly available. However, in most EITI Reports whether contracts are either confidential or public, there is no little information about whether model contracts exist and where they can be accessed.

- (iv) Most of the contracts that are published online are available in locked pdfs. As with other EITI information and data, countries that allow for contract disclosure could consider making the information accessible and searchable. This can be done by developing a public online registry containing the terms and conditions, or even integrate these in existing licence registries.
- (v) There appears to be a discrepancy between the discrepancy between policy and practice in many implementing countries. Some EITI Reports, including from DRC, Ghana, Kazakhstan and Mongolia, recommends that the MSG considers contract disclosure. The multi-stakeholder group in these countries are required to document its response to these recommendations and progress in addressing the recommendations in the annual activity reports to be published by 1 July 2015.
- (vi) New standards for disclosing contracts in open and machine-readable formats are emerging<sup>12</sup>. No country has yet made their contracts available in such standards, but some organisations have taken public contracts and made available in open formats<sup>13</sup>.

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12 Open Contracting has launched a 1.0 version of the Open Contracting Data Standard. See <http://www.open-contracting.org>

13 Open Oil has published concession data from 69 contracts. See <http://openoil.net/2015/05/22/come-and-get-it-openoil-publishes-first-open-api-for-oil-rights/>. The Natural Resource Governance Institute, World Bank and Columbia University have developed <http://www.resourcecontracts.org>, a contract portal, which enables governments, researchers and CSOs to publish, access and analyse extractive contracts. The portal contains over 300 documents from 54 countries. A partnership model which could be replicated in other countries has already been piloted between the resourcecontracts.org team and the Government of Guinea to develop a Guinea-specific website (<http://www.contratsminiersguinee.org/>).

## ANNEX - COUNTRY BY COUNTRY REVIEW

### Albania

**Fiscal year** 2012  
**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	Oil and gas: production sharing agreements. Mining: mining concession agreements.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>No disclosure.</b> The EITI report states that detailed terms of petroleum agreements and mining concessions are considered commercial secret and not currently disclosed for public access (EITI Report, p.14-16). It is not clear from the EITI Report whether it is the Law on Petroleum and Law on Mining that prevent contract disclosure, or whether this is regulated in the individual contracts and agreements.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure in practice.</b>
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	N/A
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Burkina Faso

**Fiscal year** 2012

**Sectors covered** Mining

Contractual framework	What contract types are applicable?	Exploration permits, industrial production permits and artisanal semi-industrial production permits. There are also exploration authorizations, quarrying authorizations and quarry research authorizations. Research permits, industrial production permits and semi-artisanal permits are accompanied by an agreement.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>Full disclosure.</b> Article 4 of Decree n°2005-047/PRES/PM/MCE of 3 February 2005 allows for contract publication. Each signed agreement takes the form of a decree. All decrees agreed by the Cabinet of Ministers, ministerial rulings and decisions by the General Director of Mines, are to be published (EITI Report, p.31-32). Permits must be drawn up in keeping with the model contract type determined by Presidential decree.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure in practice.</b> The EITI Report notes that in practice the provisions of the Decree are not followed for mining agreements. The content is not published or accessible online for consultation by the wider public.
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	Contracts are to be made available through the Official Gazette.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Cameroon

**Fiscal year** 2012

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	Oil and gas: Concession contracts and production sharing contracts. Mining: prospecting permits, exploration permits, production permits and artisanal production permits.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>No disclosure of oil and gas contracts.</b> Article 105 of the Petroleum Code prevents the publication of contracts. The EITI Report states that the Hydrocarbon Minister preserves the confidentiality of all documents, reports, statements, data, samples or other information submitted by the Title holder under the Code, from the application decree to the petroleum contract. This information cannot be transmitted to a third party before the latter reports on the intended scope for the information; or in the absence of this, before the end of petroleum operations (EITI Report, p.22-23).  A model contract is available on the SNH1 website.  <b>No policy confirmed for mining permits.</b> It is not clear from the EITI Report whether the mining permits are accompanied by any contracts or agreements, and whether any laws or contractual provisions affect disclosure of any such contracts or agreements.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure in practice.</b> Every time an oil contract is signed, a press release is sent out to the general public, but the details of the contract are not disclosed.
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	N/A
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Congo Brazzaville

**Fiscal year** 2013

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	Oil & gas: Concession contract and production sharing contract. Mining: exploration authorization, prospecting permit and production permit.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>Full disclosure of oil and gas contracts.</b> Article 1 of Law No. 24-94 of 23 August 1994 concerning the Hydrocarbon Code allows for contract publication. The EITI report states that all contracts – production sharing or concession - signed with the State are backed by law and are to be published in the Official Gazette. (EITI Report, p. 25).  <b>No policy confirmed for mining permits.</b> It is not clear from the EITI Report whether the mining permits are accompanied by any contracts or agreements, and whether any laws or contractual provisions affect disclosure of any such contracts or agreements.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure in practice.</b> The EITI Report notes that some of the contracts in the oil and gas sector are public in Congo and that some are available on the national EITI website (EITI Report, p.25).
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	The EITI Report notes that contracts are available on the EITI Congo Brazzaville website <a href="http://www.itie-congo.org/index.php?option=com_content&amp;view=article&amp;id=102&amp;Itemid=127">http://www.itie-congo.org/index.php?option=com_content&amp;view=article&amp;id=102&amp;Itemid=127</a> .
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Cote d'Ivoire

**Fiscal year** 2012

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	Oil and gas: Concession contract, production sharing contract and risk services contracts. In practice, only production sharing contracts are used in the oil and gas sector.  Mining: Prospecting authorisations, exploration authorizations and production authorisation.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>Full disclosure of oil and gas contracts.</b> Modifications to the Petroleum Code, ordonnance 2012-369 of 18.04.2012, allows for the publication of contracts. The EITI Report states that the law requires all companies to participate in data reconciliation and adherence to the principles of transparency and provides for the publication of exploration and production contracts as well as the revenues paid by companies to the State (EITI Report, p. 72).  <b>No policy confirmed for mining authorisations.</b> It is not clear from the EITI Report whether mining authorisations are accompanied by any contracts or agreements and whether any laws or contractual provisions affect disclosure of any such contracts or agreements.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure in practice.</b> The EITI Report notes that contracts signed between the government and mining and oil and gas companies are not published in accordance with the provisions of the Ordonnance (EITI Report, p.72).
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	The contracts are to be published in the Official Gazette of the Republic of Côte d'Ivoire.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report notes that the aforementioned 2012 legislation is a reform related to contract disclosure.

## Democratic Republic of Congo

**Fiscal year** 2012

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	Oil & gas: Production sharing contracts and conventions (exclusive rights to prospect, explore, operate, treat, refine and transport hydrocarbons) Mining: Exploration permits, production permits, mine waste production permits, small-scale mining production permit.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>Full disclosure.</b> Prime Minister decree No. 011/26 of 20 May 2011 allows for the publication of contracts. The EITI Report states that all contracts agreed between the State and a portfolio company (along with its national and international partners, private or public) which engages in prospection, exploration or production of natural resources, are published by the Ministry in charge of the sector with 60 sixty days of the date of its entry into force. (EITI Report, p.42-43).  Mining contracts are available at <a href="http://mines-rdc.cd/fr/index.php/contrats-des-ressources-naturelles/contrats-miniers">http://mines-rdc.cd/fr/index.php/contrats-des-ressources-naturelles/contrats-miniers</a> . Oil and gas contracts are available at <a href="http://www.hydrocarbures.gouv.cd/minhydro.php?page=contrats">http://www.hydrocarbures.gouv.cd/minhydro.php?page=contrats</a> and at <a href="http://mines-rdc.cd/fr/index.php/contrats-des-ressources-naturelles/contrats-petroliers">http://mines-rdc.cd/fr/index.php/contrats-des-ressources-naturelles/contrats-petroliers</a>
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure in practice.</b> The EITI reports notes that not all contracts were public as in the case of Divine Inspiration Group, which was not publicly accessible (EITI Report, p.132 of the French version of the report). Only 5 contracts are published online.
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	Contracts are to be published in the Official Gazette, the website of the line Ministry , in one or several specialized journals, and in at least two daily local newspapers which enjoy a wide readership.  The EITI Report notes that contracts for the hydrocarbon sector are available on the Ministry of hydrocarbon website. Mining contracts are available on the website of the Ministry of Mines (EITI Report, p. 132 of the French version of the report).
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Ghana

**Fiscal year** 2013

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	<p>The Petroleum law regulates exploration and production activities in Ghana. It provides authority to the Ministry of Energy and GNPC to negotiate petroleum contracts. Some fiscal provisions are set out in the law.</p> <p>In the mining sector, reconnaissance licenses and prospecting licenses apply to exploration activities, and mining leases to production activities. According to the EITI Report, most fiscal terms seem to be set out in the Minerals and Mining Act and the Internal Revenue Act.</p>
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<p><b>No policy confirmed.</b> The oil and gas EITI Report notes that "the Ministry of Energy and Petroleum does not have any policy regarding the publication of details of contracts between oil companies and the government of Ghana. There were no indications that the Ministry has any plans to introduce the publication of contracts in the near future" (EITI Report, p.101). A Model Petroleum Agreement is available, which emanates from the Petroleum Law and is intended to guide the negotiation process (including terms and conditions) in any Petroleum Agreement between GNPC, the government of Ghana, and the oil company.</p> <p>The mining EITI Report notes that "the Ministry of Lands and Natural Resources does not have any policy on the disclosure of details of contracts and agreements between the Government and mining companies" (EITI Report, p.59).It is not clear from the EITI Report whether any laws or contractual provisions affect disclosure.</p>
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure.</b> The EITI Report does not contain any information suggesting that contracts are published in practice.
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	Not confirmed.

Reforms underway	Are there any reforms underway which may affect public access to contracts?	The oil and gas EITI Report includes a recommendation that "the Ministry of Energy and Petroleum should introduce licensing rounds including bidding and also make available on its website details of contracts with operators. The amended E&P law should equally be passed quickly." (EITI Report, p.7)
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## Iraq

**Fiscal year** 2012  
**Sectors covered** Oil and gas

Contractual framework	What contract types are applicable?	Service contracts are the most common contract type in Iraq's oil and gas sector.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>No policy confirmed.</b> The EITI Report notes that "the Government of Iraq's policy with regards to the publication/disclosure of contracts was not available" (p. 35). The EITI Report includes a crude oil sales contract template, a development and production service contract template, and a technical service contract template. It is not clear from the EITI Report whether any laws or contractual provisions affect disclosure.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure.</b> The EITI Report does not contain any information suggesting that contracts are published in practice.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	Not confirmed.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Kazakhstan

**Fiscal year** 2013

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	<p>The EITI Report notes that there are two types of subsoil use contracts: Production Sharing Agreement (PSA) and the excess profit tax contract (EPT contract), which is a form of a tax/royalty agreement. The tax regime established for the subsoil user is defined in the subsoil use contract. In addition, information on taxation is set out in the Tax Code.</p> <p>A limited number of PSAs were entered into before 2009. At the beginning of 2010, the government decided that Kazakhstan will no longer enter into PSAs. Rather, all contracts entered into in the present and in the future will be the EPT contracts (EITI Report, p.21).</p>
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>No disclosure.</b> The EITI Report notes that Kazakhstan does not publish contracts (EITI Report, p.85). It is not clear from the EITI Report whether any laws or contractual provisions affect disclosure.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure.</b>
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	N/A
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report recommends that "the issue [of publishing contracts] must be submitted by the NCPC [MSG] to the Government and the Parliament for discussion and taking relevant resolution" (EITI Report, p.85).

## Liberia

**Fiscal year** 2012

**Sectors covered** Oil, gas, mining, forestry

Contractual framework	What contract types are applicable?	The EITI Report does not explain the contractual framework, but makes reference to 'licenses' and 'concession agreements'. The EITI Report also indicates that most terms are set out in the agreements, i.e. "The amounts required to be paid by the companies are specifically stated in each company's concession agreement and are normally fixed (EITI Report, p.21).
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>No policy confirmed.</b> The EITI Report does not explain the government's policy on contract disclosure. It is not clear from the EITI Report whether any laws or contractual provisions affect disclosure although contract transparency may be covered in the LEITI Act.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure in practice.</b> The EITI Report notes that agreements are fully disclosure on <a href="http://www.leiti.org">www.leiti.org</a> . According to the EITI Report, all oil and gas agreements are disclosed. The EITI report lists 42 mining companies for which contracts could not be obtained, and one forestry company for which the contract could not be obtained (EITI Report, p.57).
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	Contracts are disclosed on <a href="http://www.leiti.org">www.leiti.org</a> . It is not clear from the EITI Report if this is the stipulated contract disclosure mechanism.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report makes recommendations to LEITI for updating the contracts database.

## Madagascar

**Fiscal year** 2013

**Sectors covered** Oil and mining

Contractual framework	What contract types are applicable?	Oil and gas: Production sharing contract and joint venture. Mining: Research permit, production permit, small mining producers permit and exclusive scope reconnaissance authorization.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>No disclosure of oil and gas contracts.</b> The EITI report states that the Petroleum Code does not include any specific provisions on the publication of petroleum contracts. A standard contract is available online. Article 36.5 of the Onshore model contract contains a confidentiality clause that prevents the publication of contracts: No party should divulge information related to petroleum operations to any person, organization, affiliated company, employee, professional consultants, sub-contractors, bank or financial institution, without the former having first signed a confidentiality agreement which will keep information strictly confidential, unless this is a requirement by law (EITI Report p.58).  <b>No policy confirmed for mining.</b> It is not clear from the EITI Report whether the mining permits are accompanied by any contracts or agreements, and whether any laws or contractual provisions affect disclosure of any such contracts or agreements.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure.</b> There is no disclosure of contracts.
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	N/A.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Mali

**Fiscal year** 2012

**Sectors covered** Mining

Contractual framework	What contract types are applicable?	Mining: Research permits exploration authorization, prospection authorization and research authorization. Production permits - artisanal production (traditional and semi-industrial) authorization, small-scale mining production authorizations and production authorizations.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>Partial disclosure.</b> Article 68 of the Mining Code allows for the publication of mining contracts. However, the EITI Report notes that the publication is only mandatory for production agreements (EITI Report p. 26).
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure in practice.</b> The EITI Report (in section 4.3.7) notes that the Ministry of Mines publishes production agreements established with mining companies. (
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	Production contracts are published on the official website of the Ministry of Mines <a href="http://www.mines.gouv.ml/index.php/2013-12-11-12-40-48/conventions">http://www.mines.gouv.ml/index.php/2013-12-11-12-40-48/conventions</a> .
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Mauritania

**Fiscal year** 2012

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	Oil & gas: prospection authorization and production sharing contract. Mining: Research permit, production permit and small scale production permit.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>Full disclosure of mining agreements.</b> Article 15 of the Mining Code allows for contract publication. The EITI Report notes that the Mining Code stipulates that mining and quarry agreements be registered in the public register, the modalities and content of which are established by the ministerial decree by the Minister of Mines (EITI Report p. 68).  <b>No policy confirmed for oil and gas.</b> It is not clear from the EITI Report whether any laws or contractual provisions affect disclosure of any oil and gas contracts.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure of mining contracts in practice.</b> The EITI Report notes that contracts signed between the government and companies are not published on the Ministry's website (in section 8 as part of the Independent Administrator's recommendations). The EITI Report however notes that there is disclosure of oil and gas contracts, in section 4.3.4 of the 2012 EITI Report.
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	As noted above, mining agreements should be accessible from a public register, but in practice these agreements are not published. Oil and gas contracts are published on the Ministry website: <a href="http://www.petrole.gov.mr/MinesIndustrie/Documents/Contrats/listedescontrats.htm">http://www.petrole.gov.mr/MinesIndustrie/Documents/Contrats/listedescontrats.htm</a>
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Mongolia

**Fiscal year** 2013

**Sectors covered** Oil, gas and mining

<p>Contractual framework</p>	<p>What contract types are applicable?</p>	<p>The EITI report notes that both Production Sharing Agreements as well as exploration and exploitation licenses are applicable in the oil and gas sector.</p> <p>For mining, there are:</p> <ul style="list-style-type: none"> <li>• mineral exploration licenses, giving the license holder the exclusive right to exploration for minerals within the license area for the duration of the license and the exclusive right to obtain a mining license for any part of the area covered by the exploration license;</li> <li>• pre-mining agreements, which can be entered into if exploration license holder registers a mineral reserve within their license area, providing the license holder an additional three years to complete feasibility work;</li> <li>• mining licenses, giving the license holder an exclusive tight to explore and mine for minerals within their license areas for an initial terms of 30 years, extendable twice for terms of 20 years each; and</li> <li>• investment agreements, which depending on the amount to be invested can be entered into for between 10-30 years, providing for stabilisation rates for taxes and other payments as well as other operational requirements.</li> </ul> <p>(EITI Report, p-63).</p>
<p>Policy on contract disclosure</p>	<p>Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?</p>	<p><b>No policy confirmed.</b> The EITI Report notes that "there is no statutory provision relating to disclosure of petroleum production sharing agreements and licence for oil exploration and exploitation" (EITI Report, p. 64). The report also notes that according to the Petroleum Authorities, clause 12 of the standard PSA contains a confidentiality provision (EITI Report, p.14).</p> <p>However, the EITI Report indicates that there is some confusion related to the policy on disclosure of oil and gas contracts. According to the Deputy Minister of Mines "as per the law currently in force, there is no regulation covered confidentiality in major terms of production sharing agreements to be included in the 'Extractive Industries Transparency Initiative 2013' reconciliation report. Therefore, it is considered to be there is no confidentiality issue affecting your request." Senior officials of the Petroleum Authority of Mongolia on the other hand explained that there were confidentiality restrictions which prevented them from releasing copies without the agreement of the companies (EITI Report, p.14). Having consulted the companies, the Independent Administrator notes that</p>

		<p>"We approached oil and gas companies for copies of the PSAs; while the companies we approached would not provide copies of the PSAs explaining the contracts are rather thick and have many pages, they said that if necessary, they had no objection if we obtained copies from the Petroleum Authority of Mongolia" (EITI Report, p.14).</p> <p>The EITI Report does not seem to comment on disclosure of agreements related to mining.</p>
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure.</b> The EITI Report does not contain any information suggesting that contracts are published in practice.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	N/A.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report states: "We recommend that the National Council should work with the Ministry of Mines to ensure that information on contracts is made public in accordance with government policy" (EITI Report, p.112).

## Mozambique

**Fiscal year** 2012

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	The EITI Report notes that reconnaissance contracts; exploration and production contracts; and downstream contracts (infrastructure, pipeline) are applicable to the oil and gas sector. The EITI Report does not seem to explain the contractual framework applicable to mining activities.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>Partial disclosure.</b> Law no. 15/2011 of 10 August (Law on Public-Private Partnerships, Large Scale Projects and Business Concessions) envisages the publication of all contracts signed after the date on which the law was passed. For contracts signed prior to the passing of the law, the Ministry of Mineral Resources have contacted the companies asking them to waive the confidentiality clause in the contract (EITI Report, p.32).  The EITI Report notes that the revised Mining Law (Law no. 20/2014) provides for the publication of the contracts (EITI Report, p.24).
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure in practice.</b> Contracts signed prior to the coming into effect of Law no.15 are only disclosed where companies have agreed to waive confidentiality provisions. The EITI Report contains an overview of the contracts that have been published.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	Contracts are published on the website of the Ministry of Mineral Resources, <a href="http://www.mirem.gov.mz">www.mirem.gov.mz</a> . The EITI Report does not comment on whether this is the mandatory publication channel.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Niger

**Fiscal year** 2012

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	Oil & gas: Licenses. Mining: Prospection authorization, research permits, production permits, artisanal production authorization.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>Full disclosure.</b> Contract transparency is a legal and constitutional obligation in Niger. Article 50 of the Constitution allows for the publication of contracts. The EITI Report states that prospection and production contracts are to be published in their entirety in the Official Gazette of the Republic of Niger (EITI Report p. 25).
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Full disclosure in practice.</b> The EITI Report notes that all contracts are fully published in accordance with the Constitution (EITI Report, in section 3.10.1) The decision to award contracts is taken by the Cabinet and the Cabinet minutes are disseminated in the press.
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	Contracts are published via the Republic of Niger Official Gazette.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Norway

**Fiscal year** 2013

**Sectors covered** Oil and gas

Contractual framework	What contract types are applicable?	The Petroleum Act (Act No. 72 of 29 November 1996 relating to petroleum activities) provides the general legal basis for the licensing system that governs Norwegian petroleum activities. Production licenses then regulate the rights and obligations of the companies vis-à-vis the Norwegian State. The document supplements the requirements in the Petroleum Act and stipulates detailed terms and conditions. The license agreement has two attachments - Attachment A "Participants Agreement", and attachment B "Accounting agreement". The licence agreement with attachments governs the activity, proceedings, financial matters, governance, development and operation (EITI Report, p.13-14). The work program, license group and license shares are published when licenses are awarded.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>Partial disclosure.</b> The 2013 EITI Report notes that license agreements themselves are not publicly disclosed, but standard license agreements related to exploration and production are available from the <a href="#">Ministry of Energy</a> (EITI Report, p. 14). The Petroleum Act Work programmes, progress against work programmes, name of license holders and operator and other information related to the license is publicly available from the Petroleum Register. The EITI Report does not mention if there are legal restrictions affecting publication of the license agreement, nor does the EITI Report explain whether there are any details in the license agreements and the attachments that are not available from the public register.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure.</b> The EITI Report confirms that information related to the licenses are publicly available from the petroleum register, but does not comment on whether in addition, license agreements and attachments can be obtained.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	Publicly available information about each license can be accessed through the petroleum register.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms in this area.

## Philippines

**Fiscal year** 2012

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	<p>Service contracts are used in the oil and gas sector.</p> <p>For mining activities, the following apply:</p> <ul style="list-style-type: none"> <li>• Exploration Permit (EP), which gives the holder the right to explore mineral resources in specified areas.</li> <li>• Mineral Agreements, which is a contract involving mineral production sharing (MPSA), a co-production agreement or joint venture.</li> <li>• Financial or Technical Assistance Agreement (FTAA), which involves financial or technical assistance for large-scale exploration, development and use of mineral resources. It may be entered with foreign-owned corporations or firms where less than 50% of the capital is owned by Filipino citizens.</li> </ul> <p>In the coal sector, production contracts (which are similar to service contracts) apply.</p> <p>(EITI Report, p.86)</p>
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<p><b>Partial disclosure.</b> The laws on mining, oil and gas, coal, revenue, and investments set out the scope of information that are protected by confidentiality clauses, allowed to be disclosed to the public, or are given some degree of disclosure and availability.</p> <p>In the oil sector, some documents, information, data and reports related to petroleum operations within the contract area are confidential. Other information may be disclosed provided that both parties consent (EITI Report, p.76).</p> <p>The mining law classifies the following info as not confidential: (a) production and sales of minerals; (b) employment; (c) royalty and tax payments; (d) metallic and non-metallic reserves; (e) operational parameters and (f) other data as may be agreed upon by the parties (EITI Report, p.75). At the same time, information supplied by mining contractors to the Department of Natural Resources as part of investment guarantee and any information agreed upon by the parties in the negotiation as confidential, is confidential.</p> <p>The EITI Report outlines standard contractual stipulations for the different contract types (EITI Report, p.86).</p>

Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure.</b> The EITI Report states that all contracts are disclosed but only information that is considered not confidential is published.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	The EITI report does not specify whether there are any mandatory publication channels. However, it notes that all contracts can be accessed from: <a href="http://data.gov.ph/infographics/eiti-dashboard">http://data.gov.ph/infographics/eiti-dashboard</a>
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms in this area.

## Sao Tome & Principe

**Fiscal year** 2013

**Sectors covered** Oil and gas

Contractual framework	What contract types are applicable?	Production Sharing Contracts. The legal and tax regime of the PSC in Sao Tome & Principe's Exclusive Economic Zone are contained in the Petroleum Taxation Act, Law 15/2009 of 31 December 2009. In the Joint Development Zone, the PSC model is defined in the JDZ oil regulations, specifically Regulation n° 23.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>Partial disclosure.</b> According to the EITI Report, there appears to be confidentiality clauses in both the JDZ PSAs and EEZ PSAs (EITI Report, p.22). However, the EITI Report notes that the contracts signed between the government and operators/companies in Exclusive Economic Zone (EEZ) are filed in the Registration and Public Information Office (RPIO) and "are available for consultation if the procedures established are fulfilled" (EITI Report, p.14). Parties may agree that certain information should be kept confidential, however this has not been enforced to date and all EEZ contracts are fully available. The EITI Report does not comment on the policy for publishing PSCs governing activities in the JDZ. Publication of JDZ contracts would require the approval of both parties (JDZ EITI Report, p.20).
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure.</b> The Independent Administrator confirms that the PSC applicable to the EEZ are available and have been consulted.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	The EITI Report does not stipulate how contracts ought to be made public. As mentioned above, EEZ contracts are published available from <a href="http://www.grip.st/?#">http://www.grip.st/?#</a>
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Solomon Islands

**Fiscal year** 2013

**Sectors covered** Mining

Contractual framework	What contract types are applicable?	Reconnaissance permits, prospecting licenses and mining leases.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>No policy confirmed.</b> The EITI Report does not comment on the policy for disclosing contracts or agreements related to mining licenses and leases. The EITI Report includes a reference to a confidentiality clause in the contract for publication of financial data (EITI Report, p.42), but does not comment on publication of the actual contract.
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure.</b> The EITI Report does not contain any information suggesting that contracts are published in practice.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	N/C.
Reforms underway	Are there any reforms underway which will improve or that may prevent contract disclosure? Please provide details.	The EITI Report does not comment on any reforms related to contract disclosure.

## Timor Leste

**Fiscal year** 2012

**Sectors covered** oil and gas

Contractual framework	What contract types are applicable?	Production sharing agreements.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<b>Partial disclosure.</b> It is not clear from the EITI Report whether any laws or contractual provisions affect disclosure. The EITI Report notes that the National Petroleum Authorities has published contracts on its website, but does not confirm if all contracts are disclosed (EITI Report, p.10).
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Partial disclosure.</b> The EITI Report does not confirm if all contracts are disclosed.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	The EITI Report does not comment on how contracts ought to be made public, if at all. However, as noted above, the report states that contracts are published on the website of the <a href="#">National Petroleum Authorities</a> .
Reforms underway	Are there any reforms underway which will improve or that may prevent contract disclosure?	The EITI Report does not comment on any reforms related to contract disclosure.

## Togo

**Fiscal year** 2012

**Sectors covered** Mining

Contractual framework	What contract types are applicable?	Mining: Prospection authorization, research permit, construction material production permit, small-scale production permit, large-scale production permit and artisanal authorization.
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report?	<b>No policy confirmed.</b> The EITI Report does not comment on the policy for disclosing contracts or agreements related to mining permits (EITI Report p.64).
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>No disclosure.</b> The EITI Report notes that there is no disclosure of mining contracts (EITI Report, p. X).
Publication channel	How should contract information be made available to the public according to the government's policy? Is the actual mechanism for contract disclosure different from the stipulated mechanism?	Not confirmed.
Reforms underway	Are there any reforms underway which may affect public access to contracts?	The EITI Report does not comment on any reforms related to contract disclosure.

## Zambia

**Fiscal year** 2013

**Sectors covered** Oil, gas and mining

Contractual framework	What contract types are applicable?	<p>Petroleum exploration licenses and petroleum agreements.</p> <p>In mining there are large scale prospecting licences for exploration activities, and large scale mining licences for production activities. There are also separate licenses for gemstones.</p>
Policy on contract disclosure	Is the policy on contract disclosure explained in the EITI Report? Does government policy provide for full, partial or no contract disclosure?	<p><b>Full disclosure of mining licenses.</b> In the mining sector, terms are outlined in the Minerals Act rather than in contracts. The EITI Report notes that "in 2008, this act [the Mines and Minerals Act 1995] was replaced by the Mines and Minerals Development Act 2008, which ruled that no special agreements should be entered into by the government for the development of large scale mining licenses and annulled the development agreements concluded under the previous act. Mining companies now operate under a common legislative framework regulated primarily by the Mines and Minerals Development Act 2008.</p> <p><b>No policy confirmed for disclosure of petroleum agreements and licenses.</b> There are no petroleum agreements signed yet, only petroleum licenses. The EITI Report does not comment on whether terms for petroleum licenses and agreements are set out in the Petroleum Act 2008, or in the individual agreements. It is not clear from the EITI Report whether any laws or contractual provisions affect disclosure.</p>
Disclosure in practice	Are contracts fully, partially or not disclosed in practice? This is irrespective of government's policy.	<b>Not confirmed.</b> The EITI Report does not confirm if there are any details of the petroleum agreements and licenses that are not public.
Publication channel	How should contract information be made available according to the government's policy? Is the actual mechanism for contract disclosure different from the government's stipulated mechanism?	Information on licenses issued can be obtained from the cadastre.
Reforms underway	Are there any reforms underway which will improve or that may prevent contract disclosure?	The EITI Report notes that "The ZEITI has started the process of establishing a database including companies' profiles from the current scope, licencing information, statistics and production data, beneficial ownership, contracts information."(p.64).



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The EITI (Extractive Industries Transparency Initiative) is a global standard that improves transparency and accountable governance of oil, gas and mineral resources. The standard is implemented by governments, in collaboration with companies and civil society.

Countries implementing the EITI disclose information on issues such as tax payments, licenses, contracts, production and national oil companies.

