

The Plenary session focused on discussing various issues relating to developing an effective legal and regulatory framework for ensuring BOT. The speakers discussed the existing BO legal and regulatory framework in South-East Asia, the EITI standard on BOT, and the country experience and progress of Armenia in developing its legal and regulatory framework. The discussions primarily focused on the scope of legal entities to be covered with the BO disclosure regime, the issue of threshold in BO definitions, and the significance of awareness raising and commitment by private stakeholders in promoting BOT. The session highlighted the importance of the wide range of legal persons and legal arrangements to be covered within the BO regime, robust and comprehensive definition of ‘beneficial owners’ with low thresholds, and the role of a dedicated agency (in the case of Armenia) in collecting and verifying BO information.

Parallel sessions. The session on ‘Public Disclosure of BO Information’ focused on the experience of the United Kingdom in establishing a centralized BO registry that is freely available to the public, as well as the existing mechanisms and ongoing reforms in the Philippines on ensuring the BOT. The speakers highlighted the advantages of establishing a publicly available BO register in enhancing the quality of BO data and the approaches taken to balance the public disclosure of BO information with data protection and privacy laws, including the information that should or should not be made available to public and the granting of exemptions on the fulfilment of certain criteria. The challenges faced by the Philippines in making their BO information available to the public and the ongoing reforms have also been discussed. The session also highlighted, although very briefly, the data verification challenges faced by both the UK and the Philippines. Overall, the session concludes by highlighting that the public access to BO information is crucial in not only improving the overall transparency of the business environment but also as a vital element in BO verification. An effective legal and regulatory framework in this regard should be developed to enable this public access, with appropriate safeguards to protect privacy and avoid security threats.

The session on Reporting of PEPs in the BO Registers covered the definition of PEPs and general disclosure requirements globally and on a country level. Mandatory reporting obligations, comprehensive definitions with low thresholds and public access to BO/PEP information are crucial for the due diligence procedures, anticorruption, and public oversight. The speakers highlighted that beneficial ownership of extractive companies by PEPs could potentially lead to bribery, money laundering, contract fraud and other types of financial crime. According to NRG1’s guidelines, disclosure of PEPs is among main red flags in identifying corruption risks in license allocations in the extractive industries. Legal framework, public access to information through unified registers and data use were the main challenges discussed during the session. The participants concluded that strengthening legislation on BO/PEP reporting, enabling public access to information and information exchange across various jurisdiction would help decrease corruption risks.