

LEITI MULTI-STAKEHOLDERS STEERING GROUP

MINUTES OF THE 38TH MEETING

4TH FLOOR, MINISTRY OF FINANCE BUILDING, MONROVIA

WEDNESDAY, AUGUST 4, 2010 AT 12:00 NOON

Attendance

GOL

<u>GOL</u>	<u>Institution</u>	<u>Status</u>
Eugene H. Shannon	MLME	Member
Tarnue M. Mawolo	MOF	Member
Prince H. Totimeh	Liberian Senate	Member
Moses D. Wogbeh, Sr.	FDA	Member
E. Ekema A. Witherspoon	MIA	Member
Chief Zanzan Karwor	NTCL	Member
E. Musu Coleman	NTCL	Alternate
Fulton D. Reeves	NOCAL	Alternate
Oliver N. Rogers	MOF	MOF Focal Staff
Amadu Sherman	MOF	MOF Focal Staff
Juanita Bropleh	MOF	MOF Focal Staff

CSO

Atty. Alfred L. Brownell	Green Advocates	Member
Philip A. Sandi	PWYP	Alternate
Helena Jackson Thornes	GODIWOUN	Alternate

Private Sector

Roosevelt K. Forh	AmLib	Member
Marcus S. Wleh	ArcelorMittal	Member
Esiaka B. Konneh	Miners and Brokers Association	Member
Matenneh Rose L. Dunbar	ORANTO Petroleum	Member
Betty Mends-Cole	BHP Billiton	Alternate

Forestry

John S. Deah	LTA	Member
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LEITI Secretariat

Sayon Henry Yaidoo	Head of Secretariat	LEITI
Edward R.A Smith	Deputy Head of Secretariat	LEITI
Hnede L. Berrian	Administrative Manager	LEITI

Others:

Peter Kluczny	GTZ	Observer
Jan Rabantek	UNMIL	Observer
Monique Cooper	UNDP	Observer
Rebecca Alper	USG	Observer
Francis K. Colee	PWYP	Observer
Page Dykstra	Revenue Watch	Guest
Emmanuel Kuyole	Revenue Watch	Guest

1. Adoption of Agenda

The 38th meeting of the LEITI Multi-stakeholders Steering Group was held on Wednesday, August 4, 2010 in the LEITI Conference Room. The Meeting was chaired by Honorable Tarnue Mawolo, Deputy Minister of Finance, on behalf of the LEITI Chairperson, Minister Augustine Kpehe Ngafuan.

Calls were made for corrections or addition to the draft agenda. With no corrections or additions made, the draft agenda was adopted as a tool to guide the meeting.

2. Introduction

The Chair welcome the new LEITI Head of Secretariat, Mr. Sayon Henry Yaidoo on behalf of the LEITI MSG. He also welcomed the Revenue Watch Team and asked everyone to introduce themselves starting with the Deputy Head of the LEITI Secretariat, Mr. Edward R. A. Smith.

3. Draft Minutes of the 37th MSG Meeting: correction, adoption and matters arising

The minutes were reviewed page by page with Mr. Philip Sandi of PWYP asking for the correction in the placement of the Miners & Brokers Association. Mr. Sandi said that the Miners & Brokers Association should be placed under the Private Sector and not civil society.

With this and other typo corrections made, it was moved and seconded that the minutes of the 37th MSG Meeting form part of the LEITI archives.

4. 32nd LEITI Secretariat Report

The 32nd Report of the LEITI Secretariat was presented by the Deputy Head of Secretariat, Mr. Edward R. A. Smith. In his presentation, Mr. Smith highlighted major activities of the Secretariat as well as financial report of the Secretariat for the period June 25 to July 28, 2010. Following the presentation of the report, the issues below were discussed:

- a) Preparation of LEITI 3rd Report:** Relative to the preparation of the 3rd LEITI Report, Atty. Brownell explained that during the previous MSG meeting, the Secretariat was asked to prepare a Memorandum of Understanding (MOU) on the quality of previous LEITI reports so as to improve the 3rd Report. He also asked whether a TOR was designed for approval by the MSG.

Mr. Smith responded in the affirmative. He explained that a Request for Expression of Interest (REOI) was prepared by the Secretariat, approved by the MSG and a copy sent to the Public Procurement Concession and Commission (PPCC) before it was published. Following some discussions on the importance of producing an analysis of previous LEITI Reports instead of an MOU, the Head of secretariat, assured the MSG members that the Secretariat will conduct an analysis before finalization of the 3rd LEITI Report.

The Chair mandated the Secretariat to prepare the analysis with details from the civil society through Atty. Brownell and have a draft by the date of the next meeting. This analysis should be done before the proposals for the 3rd LEITI Report is accepted.

- b) Final Report-Resolution of unresolved discrepancies in the LEITI First Report:** The final draft report of the resolution of unresolved discrepancies in the First LEITI Report was presented by Mr. Sam Monbo on behalf of the company. In his presentation, Mr. Monbo said that all discrepancies in the First Report were reconciled and that said discrepancies came about as a

result of improper record keeping and not actual payments. He said that all receipts and payments were fully reconciled.

Mr. Monbo than reported the deliberate refusal of UFC Regnal to cooperate with the auditors in resolving the discrepancies in the First Report despite several visits and follow-up calls by the Auditors and the Secretariat.

After much deliberation, the Secretariat was mandated to liaise with FDA to begin progressive sanctions against UFC Regnals for persistent non-compliance with the LEITI process; and also work with MLME and Monbo & Company to authenticate the existence of the 3 companies that did not report.

Monbo & Company was mandated to reflect the comments made at the meeting including making all corrections to the report and forward said report to the Secretariat within two days of this meeting.

- c) **Summer Course Regional Extractive Industries knowledge Hub (GIMPA, Ghana):** Mr. Smith reported that two staff of the Secretariat, a representative from CENTAL and the new Head of Secretariat attended a two-week course on the governance of oil and gas at the Ghana Institute of Management and Public Administration. The purpose of the course was to share knowledge of the governance of oil and gas amongst resource rich countries. Mr. Smith said that discussions are underway to have representatives from the CSO to attend future or other trainings at GIMPA.

The idea of having members of the Liberia EITI going outside the country to be trained in EITI implementation raised some concern by Atty. Brownell and other MSG members. They said that Liberia having acquired the status of the first EITI compliant country in Africa and the second to be validated has a lot to share and/or teach instead of its members going to “learn” something which they are considered leaders. Atty. Brownell proposed that the Liberia EITI established a Center of Excellence where the story of the Liberia EITI can be told and Liberia can also have the opportunity to teach other countries how to succeed in its EITI implementation. Other MSG members agreed with the view of Atty. Brownell but were quick to point out that most of the EITI trainings were knowledge sharing and not basically going to learn. They called on the LEITI to initiate training programs and best practices in collaboration with civil society organizations on the EITI implementation process and the entire governance transformation process of Liberia. They said that the LEITI must capture in its budget learning package, videos, and manuals and invite other EITI implementing countries for training.

- d) **LEITI Dissemination and Outreach:** The Chairman of PWYP, Mr. Philip Sandi informed the MSG that the PWYP as the leading civil society organization on EITI implementation issues is not aware of the LEITI outreach activities. He asked for clarifications on Mr. Martin Kerkula’s involvement on the LEITI outreach activities.

Mr. Smith explained that most times, the Secretariat inform and invite MSG members via email to its outreach activities and some members who are available always attend. Mr. Deah of the Liberia Timber Association and Mr. Roosevelt Forh of AmLib confirmed Mr. Smiths statement and explained that the Secretariat always tries to bring those with best practice in EITI implementation especially after they have been trained.

Following much discussion, the Secretariat was encouraged to coordinate with relevant MSG members especially civil society organizations in its outreach programs stressing the need to utilize institutional knowledge.

- e) **Relocation of Secretariat:** The Secretariat explained that the major issue relative to its relocation was the issue of generator and the MOF training room, which is expected to be used by the LEITI for its regular MSG meetings. The Secretariat proposed the possibility of purchasing its own generator so as to have some sought of control relative to fuel consumption and how the generator is maintained. But the MOF explained that it does not want a situation where every institution relocated at the BOB will decide to have its own generator and have connections of wires running all over the building. The Chair maintained that the leakage on the roof housing the generator will be resolved and the possibility of having a new generator at the BOB is been looked into. He said that the generator will run regularly as the generator at the MOF and that anyone asking for fuel should be referred to him. Finally, he said that he will have someone looked into the issue of the MOF training room as soon as possible.
- f) **Fine imposed on Cocopa:** The MSG was informed that the Chairperson of the LEITI MSG and Minister of Finance, Hon. Augustine Kpehe Ngafuan asked the Secretariat to hold on to issuing the fine imposed on Cocopa until certain issue between the Government and Cocopa is resolved. This did not go down well with members of the MSG. They said that decisions taken by the MSG as a body must be respected and that if the Chairperson held a different opinion, this should be done in writing to the MSG.

The issue of the discrepancy by Cocopa in the 2nd LEITI Report was also raised. The MOF representative, Mr. Oliver Rogers explained that the management of Cocopa was fully involved and corporative in resolving the discrepancy. He said that Cocopa provided all relevant receipts and documents on its business registration and that these documents were verify with the MOF database and corrected except for a US\$900.00 receipt which was issued by one of the MOF's Outstation collectors. The matter is been investigated by the MOF and the report will be submitted to the Secretariat.

- g) **MSG Retreat:** The Secretariat proposed that the retreat be held on the 24 and 25 of August, 2010 since the 24 was a holiday, but this did not go down well with some members of the MSG, therefore they asked that the Secretariat adjust the date of the retreat to the 27 and 28 of August 2010.

All other items in the draft program were approved and the Secretariat was mandated to finalized arrangements.

5. Draft Integrated LEITI Operational Manual

The Head of Secretariat, Mr. Sayon Henry Yaidoo requested the MSG to allow him a month to thoroughly review the document since it is an important management tool with which the Secretariat will be guided through the year. His request was granted with the view that other MSG members will also review the document for adoption during the next MSG meeting.

6. Draft Budget 2010/2011

The Budget Committee, which was headed by NOCAL, reported that a reversed draft budget was resubmitted to the Secretariat with corrections and inputs made by the committee, which he said was not reflected in the copy the Secretariat returned to the Committee. Therefore, the issue could not be discussed.

In response, the Secretariat claimed that the prints of the corrections made by the Committee were not recognizable; therefore it could not clearly identify some of the characters in the report. The Secretariat however promised to work with the committee and have the budget resubmitted by Friday, August 6, 2010. Mr. Reeves on behalf of the Committee said that the budget would be ready by Wednesday, August 11, 2010.

7. Any Other Business (AOB)

Revenue Watch Team Visit: A two person visiting team from Revenue Watch headed by Mr. Emmanuel Kuyole, the Regional Coordinator for Africa and Ms. Page Dykstra, Program Associate of Revenue Watch International visited the country. The team requested to meet with key CSOs, members of the LEITI MSG and other international donors. Therefore, the Secretariat requested and the MSG agreed to have the team attend the MSG meeting and make a short presentation on the purpose of their visit.

Mr. Kuyole said that the purpose of the team's visit was already met just by having them attend the MSG meeting. He informed the MSG about Revenue Watch key focus in the entire EITI process. Mr. Kuyole explained that the main purpose of the team's visit was to ascertain on how the Liberia EITI can tell its story. Be it a documentary on the entire validation process to post validation issues, beyond validation and how the process is linked to various Government initiatives.

He said that the team intended to visit and hold consultation with various Civil Society Organizations to discuss these issues and what ideas could be sought. Mr. Kuyole said that Liberia is part of three African countries to benefit from a grant to CSOs on various EITI implementation issues.

Following Mr. Kuyole's presentation, the Chair thanked Revenue Watch for the visit and called on all to see this as an opportunity to initiate the Hub (Center of Excellence) as earlier discussed. A small committee comprising of the LEITI Secretariat, CSO (PWYP), MOF (Oliver Rogers), AmLib (Roosevelt Forh) and FDA was set up to look into the process of establishing a Hub of excellence in Liberia.

8. Time and date of next meeting

Next MSG meeting was scheduled to be held following the MSG Retreat.

Submitted by: _____

Hnede L. Berrian
Administrative Manager