

LEITI MULTI-STAKEHOLDERS STEERING GROUP

MINUTES OF THE 43RD MEETING

LEITI CONFERENCE ROOM • OLD BUREAU OF THE BUDGET BUILDING • REDEMPTION ROAD, MONROVIA
THURSDAY, DECEMBER 16, 2010 AT 12:00 NOON

Present

<u>GOL</u>	<u>Institution</u>	<u>Status</u>
Roosevelt G. Jayjay	MLME	Co-chair
George P. Gonpu	MOF	Member
Erasmus D. Fahnbulleh	House of Representative	Member
E. Ekema A. Witherspoon	MIA	Member
John D. Kantor	FDA	Member
Tamba Y. Boakai	MOA	Member

CSO

Alfred L. Brownell	Green Advocates	Member
Philip Sandi	PWYP Liberia	Member
Nathaniel Z. M. Tarr		
Momo A. Bainda	GODIWOU	Alternate
Helena Jackson-Thornes	GODIWOU	Alternate

Private Sector

Roosevelt Forh	AmLib	Member
Matenneh Rose L. Dunbar	ORANTO Petroleum	Member
John S. Deah	LTA	Member
Eric Swen	ArcelorMittal	Member
Betty Mends-Cole	BHP Billiton	Alternate

In Attendance

LEITI Secretariat

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

International Partners

Rebecca Alper	US Embassy	Observer
Jan Rabantek	UNMIL-Civil Affairs	Observer
Alexander Deline	IMF	

The 43rd meeting of the LEITI Multi-stakeholders Steering Group was held on Thursday, December 16, 2010 and chaired by Hon. George P. Gonpu, Deputy Minister for Budget, Ministry of Finance on behalf of the MSG Chairperson, Honorable Augustine Kpehe Ngafuan, Minister, Ministry of Finance.

1. Adoption of Agenda

- Motion made by Eric Swen of ArcelorMittal and seconded by Roosevelt Forh of AmLib that the draft Agenda be used as a tool to guide for the meeting.

2. Draft Minutes of the 41st MSG Meeting: correction, adoption and matters arising therefrom

- Minutes reviewed page by page
- No corrections made
- Minutes opened for discussions

MATTERS ARISING

LEITI Operation Manual

- Due to difficulty in getting Committee Members to meet, two scheduled meetings could not be held to discuss the Manual;
- Secretariat to send any amendments by email to committee members for their comments within a week to enable MSG approves draft manual.

Appointment of New MSG

- HOS made contact to meet with Minister McClain to push the appointment by the President.
- HOS to also meet with the Chair to follow up this issue
- Secretariat to have response by mid January, 2011
- Civil Society registered that these excuses are unacceptable because since July 2010, the matter had been before the President and they see it as a non-political will of the Government to implement the EITI process, which has led to a sharp decline in the EITI implementation in Liberia and evidence by the low level of GOL representation at the LEITI MSG meetings. CSO said that it expects the Government representatives on the MSG to be able to get the matter to the attention of the President.
- CSO maintained that the appointment of the LEITI MSG is significant to the implementation of the EITI in Liberia as mandated by the LEITI Act, and that the current MSG could be acting without any legal authority.
- Other MSG members called on the CSO not to be too harsh on the Government's role in the appointment as the error came from the MSG that submitted a listing of both alternates and permanent members to the President for appointment. The CSO maintained that the issue of alternates is consistent with the EITI process.
- The Secretariat to follow the matter up.

Power situation and Productivity

- Secretariat reported that considering the power problems over the period, the Ministry of Finance submitted a letter to the Secretariat through the Financial Management Training Program that the generator will officially run from 8:30 am – 5:30 pm Monday - Friday.
- HOS said that the time is insufficient as the Secretariat sometimes has work to do far beyond the 5:30 period and sometimes on Saturdays.

- HOS intends to make a proposal for the Secretariat to either purchase its own generator to run outside of the stipulated period or explore the possibility of acquiring power from the Liberia Electricity Corporation (LEC).
- The issue of the Secretariat finding its own office was also raised, but the HOS said that due to the current financial situation at the Secretariat, finding an office space right now will not be prudent.
- Three issues were discussed: (1) purchasing own generator; (2) contributing to additional fuel; and (3) LEC. On the LEC power, the Co-chair explained that there is currently no LEC power in the area, but that the Secretariat could meet with the LEC management as plans are on the way to have LEC power in the area very soon.
- After discussing all the odds, it was agreed that purchasing additional fuel to run for the period outside of the stipulated time will be less costly and preferable than purchasing another generator since this was against the policy of the MOF
- Following much discussion, the meeting Chair promised to meet with the Minister of Finance so as to work on the flexibility of all the issues raised.

Motion made by Atty. Brownell of Green Advocates and seconded by Mr. John Deah of the Liberia Timber Association that the minutes form part of the LEITI archives.

3. 37th Secretariat Report

The 37th Report of the LEITI Secretariat was presented by the Head of Secretariat, Mr. Sayon Henry Yaidoo. In his presentation, Mr. Yaidoo highlighted activities of the Secretariat as well as the financial report for the period under review.

4. Presentation of initial findings of the 3rd LEITI Report by the Reconcilers, Moore Stephens, LLP

- The auditors presented initial findings/key issues relative to the status of the preparation of the LEITI 3rd Report.
- The auditors reported the following:
 - The LEITI database of taxpayers presented at the beginning of the reconciliation exercise was not comprehensive in that the final number of taxpayer was 126 instead of the 70 which was foreseen;
 - The two weeks time allotted for the submission of the templates was not respected
 - That although it was made clear during the workshop that taxpayers should submit templates certified by an external auditor, only 36 taxpayers complied with this requirement;
 - The main challenges faced during the preparation of the report was (1) total non-compliance by some companies; (2) no designated officer at the Ministry of Lands, Mines and Energy solely responsible to respond to EITI issues;

- That every line agency and ministry including the LEITI consider capacity building for key staffs;
- The auditors thanked Mrs. Bropleh and her team from the Ministry of Finance including the LEITI Secretariat for the level of support they received during the entire reconciliation process
- The first draft report is expected by December 31, 2010

5. Any Other Business (AOB)

Approval of participants for 5th EITI Global Conference

- Initially, the Secretariat suggested a total of nine (9) delegate, following much discussion including the possible sponsorship of the private sector, the list was revised to include a total of thirteen (13) delegates as follows:
LEITI Secretariat – 3 persons; Development Partners – 2; Civil Society – 2; Private Sector – 2; and Government of Liberia – 4.
- The Secretariat to coordinate the submission of nominations of names from the constituency.

EITI National Exhibition – Call to Action

- Atty. Brownell said that Liberia EITI has to do more to keep its award as the leader in EITI implementation. He therefore proposed to set up a committee or task force to prepare the relevant documents/documentaries to showcase what the Liberia EITI is doing in its EITI implementation.
- The Secretariat was mandated to set up a task force to include a representative from each sector plus support from the delegates. The mandate of this task force is to develop the necessary documentations/audio and hard copies to take to the conference.

Draft TOR for process audit of contract and concessions

- Draft TOR to be resent to MSG members by mail for final respond.

6. Time and date of next meeting

- The time and date of the next meeting was set for the last Wednesday in January, which is January 26, 2011.