

MINUTES

REGULAR LEITI MULTI-STAKEHOLDERS STEERING GROUP MEETING HELD IN THE CONFERENCE ROOM OF THE KENDEJA RESORT AND VILLAS •KENDEJA VILLAGE, PAYNESVILLE, LIBERIA • FRIDAY, JUNE 26, 2015

PRESENT

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| Boiyan Kpakolo | Proxy Chairperson, MLME |
| Chea B. Garley | Proxy for the Minister of Agriculture |
| Wilfred Bangura | Liberian Senate/Proxy for the President Pro-tempore |
| Habib M. Sherif | Proxy for the Co-Chair |
| B. Al-Dennis | Proxy for the Commissioner General LRA |
| Elvin C. A. Frank | Proxy for the Minister of Internal Affairs |
| Edward Kamara | Proxy for the Managing Director/FDA |
| S. Tobias Wesseh | Proxy for the President of NOCAL |

CSO

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| James Yarsiah | Rights & Rice Foundation |
| Cecelia T. Danuweli | PWYP |
| Marpue M. Speare | WONGOSOL |

Private Sector

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| Ansu Konneh | Western Cluster Ltd. |
| Laurentine H. Bass | ExxonMobil |
| Esiaka B. Konneh | Gold & Diamond Brokers Association of Liberia |

IN ATTENDANCE

Partners/Observers

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| Kofi Ireland | UNMIL |
| Lilieth Whyte | US EMBASSY |
| Mark Mattner | GIZ |

OTHERS

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| Aquilla G. Jallah | NTCL |
| Paul W. Boe | NTCL |
| Juliane Weymann | GIZ |
| Marcus Zarway | GIZ |
| Samule J. Askie | MIA |
| Bernard Sarnya | LRA |
| J. Kofa Torbor | PWYP |
| Frances R. Deigh Greaes | NCSCCL |

LEITI Secretariat

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| Konah D. Karmo | LEITI |
| Myer W. Saye | LEITI |
| Samson Wonnah | LEITI |

I. Preliminaries - The Regular Monthly meeting of the LEITI Multi-stakeholders Steering Group (MSG) was held on Friday, June 26, 2015 in the Conference Room of the RLJ Kendeja Resort and Villas, Kendeja Village, Paynesville, during the second day of the MSG Retreat organized to validate a draft 5-year Strategic Plan for the LEITI. The meeting commenced at 1:20pm. In opening the session, HOS Konah D.

Karmo welcomed everyone to the meeting and announced that both the Chair and Co-Chair of the MSG were absent as well as their regular proxies. However, he said, the meeting would be chaired by Hon. Boiyan Kpakolo, Deputy Minister at the Ministry of Lands, Mines and Energy, serving as Proxy for the Chair and that Hon. Kpakolo would be supported on the table by him (HOS) and Mr. Habib M. Sherif of the Ministry of Finance and Development Planning, representing the Co-Chair. The HOS then handed the microphone to Hon. Kpakolo who welcomed everyone to the meeting and requested that participants introduce themselves across the floor.

II. Adoption of the Agenda: The agenda for the meeting was read, with the Approval of the Draft Strategic Plan being the only key item. A concern was raised on whether the agenda could be amended so the approval request is deleted since the Strategic Plan was still in draft after some revisions were done during the retreat. It was rather agreed that the agenda be adopted as it was, and that the decision on whether the Strategic Plan is approved immediately or deferred to another date, be addressed under “Matters Arising”.

With no amendments made, a motion was made and seconded that the agenda be used to inform discussions at the meeting.

III. Draft Minutes:

- ***Corrections:*** The Chair declared opened for corrections, the minutes from the meeting held on May 20, 2015. In response, Mr. Kofi Ireland of UNMIL referenced a session of the last minutes in which the MSG agreed that corrections to minutes should be made prior to the next meeting to avoid using much of the meeting time for corrections. He then stressed that it was time that the MSG began implementing decisions reached, and that there was need to correct the minutes at that point. Few arguments emerged on the floor on this issue, with some suggesting that those with corrections send them to the note taker.

- ***Adoption:*** Finally, a motion was made and seconded that the minutes be adopted without corrections and form part of the Secretariat’s archives. This was concluded.

- **Matters Arising:** From the minutes adopted, few concerns were raised and addressed as follow:
 - ***Exxon Mobil’s Position on Beneficial Ownership***—the Representative of Exxon Mobil informed the body that she made a submission in writing to EITI Board Chair Clare Short during Madam’s Short brief visit to the MSG retreat the previous day. The submission, she said, highlights her company’s position on the Beneficial Ownership Disclosure Exercise being conducted by the LEITI and that she wanted it to be considered by the MSG. Responding to her comments, the HOS said “Matters Arising” is meant to discuss issues from the minutes and if her concerns were from the minutes, she could proceed with bringing them forward. It was agreed that her concerns be moved to the “Any Other Business” segment of the Agenda.

 - ***Contract Matrix and Scoping Study:*** Another concern was raised on whether the drafts of the Contract Matrix and Scoping Study referenced in the Secretariat Update on Page 3 of the minutes were provided by the respective consultants to the Secretariat. The HOS responded that these documents were provided, but not in the formats intended to be circulated to the MSG. He furthered that the Consultants have been requested to get the document ready in the proper formats to be shared with the MSG subsequently.

 - ***Scheduled Meeting with the House Speaker:*** the Western Cluster Representative, Ansu Konneh asked whether the engagement with the Speaker of the House of Representatives as agreed in the last meeting in support of budgetary increment for the LEITI was held. The HOS’s response was that the meeting could not be held as Madam Juah Feika, who was to form part of the Delegation to the Speaker, was not available. This issue drew a lot of concerns from the floor. Kofi Ireland of UNMIL was unequivocal that if Liberia fails EITI Validation, the MSG is to

take the primary responsibility. Mr. Ireland recalled that it was agreed in the last meeting that the MSG writes a formal letter to authorities of the MFDP, highlighting the priority needs of LEITI in line with the pending Validation. He noted that it would be embarrassing for Liberia to fail Validation after the President and the Vice President have received several awards for Liberia's impressive achievements in EITI implementation, and advised that the current situation be put on record. A suggestion emerged that instead of writing, the MSG along with the Secretariat could meet with the Speaker and President Pro-tempore of the Senate. Mr. Yarsiah of Rights and Rice Foundation responded that the both suggestions were complimentary and could be pursued simultaneously. Madam Cecelia Danuweli of PWYP suggested that it was a waste of time to write the Minister of Finance and Development Planning to see need for supporting LEITI's activities when the Minister is a Co-Chair of the MSG. She then recommended that the MSG directly engages the Minister. Al Dennis of LRA suggested that instead of engaging the Minister of Finance, it would be more effective to engage the President who is the Champion of the EITI process in Liberia. Mr. Konneh of Western Cluster reminded that when the Executive submits a budget to the Legislature, the Executive cannot do any more amendments on the budget and advised that it would be proper to engage the relevant Legislative Committees and not the President. On the suggestion that letter be written the Minister of Finance and Development Planning, HOS Karmo reminded that the Secretariat has already written a letter to the effect and what was required was for the MSG to make a follow-up. After several arguments had been entertained on this issue, it was finally agreed that a delegation be established to meet with the Speaker of the House and that such delegation carried along, a written list of priority programs and activities that are linked to the Validation. The proposed delegation include:

1. Ansu Konneh—Western Cluster
2. Cecelia Danuweli—PWYP
3. The Chair of the MSG
4. The Co-Chair of the MSG

It was agreed that the Delegation would decide when the meeting should be held.

- *Sourcing Funding from World Bank:* It was also questioned whether the Secretariat has engaged the World Bank in relations to funding for civil society capacity building as suggested by Hon. Findley when presenting his report from the recent Board meeting held in Zambia. The HOS said that the Secretariat has an ongoing relationship with the Bank which is currently supporting some programs in the LEITI Work Plan. He revealed that the Secretariat intends to meet a senior staff of the Bank that is expected in the country shortly to discuss various funding concerns including one in question.
- *E-Club Mentorship:* Another concern was raised on whether the listing of volunteers for mentorship at the e-Club schools was available as concluded in the last meeting. The HOS said the update would be provided in the next meeting.

IV. *Secretariat Update:* An update of the Secretariat covering the period May 20-June 24, 2015 was presented by the Head of Secretariat Mr. Konah D. Karmo. The key highlights are summarized below:

- Submission of templates for the 6th Report is in progress. June 19, 2015 was set as deadline for reporting government entities and companies to submit their reports. The Secretariat has received templates from some of the reporting entities while some have also submitted theirs by email to the Independent Administrator.
- The Secretariat has reviewed the first draft of the Contract Matrix submitted by the Consultant and forwarded its input to the Consultant for incorporation. Work on the Matrix is expected to be completed by the end of June 2015.

- During the period under review, the Secretariat organized speaker series at four of the schools participating in the e-Club Program in collaboration with the administrators of the schools. The activities allowed over 700 students from these schools to participate in discussions on selected subjects around resource governance. The Secretariat has also requested and received two months extension from the donor to enable full implement of activities under the first phase of this program.
- The Secretariat has drafted the LEITI Annual Activity Report for 2014. The draft Report will be circulated with the MSG shortly for approval. The report is an EITI requirement and deadline for its submission to the International Secretariat is July 1, 2015.
- Dissemination of the 5th EITI Report has commenced with over hundred copies of the summary of the Report distributed to key stakeholders, including companies, government ministries and agencies and the media. As a culture, arrangements are also being made for the nationwide outreach activities during which findings of the Report will be shared with citizens and their input solicited towards improving the resource governance process.
- The Communications Assistant/Youth Program has tendered in his resignation because he is permanently joining his family in the USA. Mr. Alphonso Cooper's resignation takes effect on June 25, 2015. He was one of two Communication Assistants recruited in January 2014 to provide support to the LEITI E-Club Program.
- On Friday, June 9, 2015, the Head of the European Union Delegation to Liberia, Ambassador Tiina Intelmann paid a courtesy visit at the Secretariat, seeking to know the status of the EITI Program in Liberia. During a brief meeting with the Head of Secretariat, Ambassador Intelmann pledged the Delegation's commitment to supporting the LEITI.
- Draft report of the Scoping Study is expected from the consultants by June 30, 2015. The Draft report will be circulated to MSG Members for review, inputs and approval once received from the Consultants.
- During the period under review, the Ministry of Finance and Development Planning (MFDP) provided to the LEITI draft budget submitted to the Legislature containing allocation of **US\$474,929 to the LEITI** for 2015/2016. Meanwhile, the Secretariat wrote the Ministry of Finance and Development Planning seeking clarification on an off-budget allocation of US\$1M to the LEITI as being from donor of which the Secretariat had no prior knowledge or information.
- **Discussion of the Secretariat update:** Following the update, Hon. Kpakolo thanked the Head of Secretariat and declared the update opened for discussions. Various comments, concerns and issues raised in relation to the Secretariat Update are highlighted below:
 - **Linking Focal Persons with Civil Society**– Relative to the deployment of Focal Persons in the counties, Mr. Yarsiah of the Rights and Rice Foundation inquired whether it was possible for the Secretariat to link the Focal Persons with civil society organizations in the counties to enhance collaboration and knowledge sharing since it seems the Focal Persons do not know much about the LEITI. Responding to his inquiry, the HOS said such linkage and collaboration is already ongoing and there is nothing wrong with it. He noted that while the Focal Persons may not be highly knowledgeable about the EITI process, most of them have been associated with the LEITI in the past and have some knowledge about the process while others were recruited from civil society with backgrounds in advocacy and awareness creation. However, he noted the Secretariat is making plans provide them in-depth training on the EITI process.

- Sixth Report Data Collection: Mr. Ireland of UNMIL, in respect to the update regarding the submission of templates for the 6th Report, advanced that the Secretariat needs to make available a full report on the status of submission to allow the MSG make relevant decisions. He noted that while the funding issue discussed earlier was important to the pending validation, the report is also crucial and should be taken seriously. The HOS acknowledged this and promised that the full update will be provided through email.

V. Approval of Draft Strategic Plan:

- The meeting Chair, Hon. Kpakolo declared this agenda item opened for discussion. The Consultant, Madam Tove Strauss, was invited to make a brief presentation on the Strategic Plan. She did the presentation, and informed the MSG that all changes made to the document during the retreat have been finalized and that it was left with the MSG to approve the document now or any time at their convenience. The Chair asked for the will of the body concerning the matter. Several suggestions emerged from the floor. Some members, including Al-Dennis of LRA and Mr. Yarsiah of the Rights and Rice Foundation suggested that the document be further reviewed before the approval while others suggested that it be approved straightaway since everyone in the meeting was involved in the review process. This issue attracted lengthy arguments. The Deputy Head of Secretariat, Myer W. Saye cautioned that delaying the approval will have lot of consequences including financial since the contract with the consultant has a time limit. The HOS also suggested that approval of the document be done through email with “No Objection”, but Mr. Ireland of UNMIL countered that there are lots of challenges with seeking “No Objection” from MSG members. Mark Mattner, an Observer representing GIZ also cautioned that the MSG will gain nothing from delaying approval of the document, but if it seems necessary to the body, the approval will not affect payment of the contract amount to the consultant which is GIZ’s obligation. After a lengthy period of arguments on the issue, a motion was finally made and seconded that the Strategic Plan be approve straightway, and without any objection, the document was approved by the MSG.

VI. Any Other Businesses—After the key agenda items were exhausted, other issues were brought on the floor and discussed as follow:

- ExxonMobil’s Submission on Beneficial Ownership: The Representative from ExxonMobil was given the chance to bring forward details of the submission she said was made on the previous day to the EITI Board Chair Clare Short. Reading from the paper she brought, she complained that the time frame given for the Beneficial Ownership was not realistic. In other countries, she noted, three months are given and not the two weeks deadline given here in Liberia. She continued that the instructions provided in the beneficial ownership template was in disregard to the EITI Standard of 2013 and requested an explanation. Responding, the HOS clarified that the EITI process in Liberia is governed by a local legal framework, which makes it different from the processes in other countries. Mr. Karmo further explained that the beneficial ownership disclosure is requesting for the stock exchange companies such as ExxonMobil are placed under as well as the names of individuals or companies that have contract with the companies in relations to their extractive business in Liberia. He said the instruction is not requesting the disclosure of ExxonMobil’s shareholders worldwide. On this, Mr. Ireland of UNMIL responded that whatever response ExxonMobil or any other companies have, should be lifted in the template.

VII. Summary of Decisions Reached

- The MSG agreed to meet with the Speaker and make a case for increment in the LEITI budget and in this vein, established a delegation comprising of the Chair, Co-Chair, Mr. Ansu

Konneh of Western Cluster and Madam Cecelia Danuweli of PWYP to have the meeting, taking along a written list of priority programs and activities that are linked to the Validation.

- The 5-year Strategic Plan was approved and the Secretariat asked to properly format and share copies with MSG members.

VIII. Date and time of next MSG meeting: The next MSG meeting was scheduled for Wednesday, July 29, 2015.

The meeting was adjourned at 3:10pm.