

# MINUTES

REGULAR LEITI MULTI-STAKEHOLDERS STEERING GROUP MEETING  
HELD IN THE CONFERENCE ROOM OF THE LEITI, OLD BUDGET BUREAU BUILDING • REDEMPTION  
ROAD, MONROVIA, LIBERIA • WEDNESDAY, APRIL 29, 2015

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## PRESENT

### GOL

Stephen Dorbor	Proxy Chairperson, MLME
Florence Chenoweth	Minister of Agriculture
Juah K. Feika	Proxy for the Co-Chair
Adolph A. Lawrence	House of Representative
B. Al-Dennis	Proxy for the Commissioner General, LRA
Evin C.A. Frank	Proxy for the Minister of Internal Affairs
S. Tobias Wesseh	Proxy for the President of NOCAL

### CSO

James Yarsiah	Rights & Rice Foundation
Nellie A. Attidigal	WONGOSOL
Cecelia T.M. Danuweli	PWYP
Ezekiel S. Johnson	Liberia Labor Congress

### Private Sector

Ansu Konneh	Western Cluster Ltd.
Henri Harmon	Golden Veroleum Liberia
Nathaniel Jallah	Exxon Mobil
Zinnah B. Sackie	Aureus/BEA

## IN ATTENDANCE

### Partners/Observers

Kofi Ireland	UNMIL
Juliane Weymann	GIZ
Janice James	UNDP
Alusine Sheriff	US Embassy

### OTHERS

Samuel D. Darpolor	PWYP
Dixon W. Seboe	MFDP
Marcus B. Zarway	GIZ

### LEITI Secretariat

Konah D. Karmo	LEITI
Samson Wonnah	LEITI

I. **Preliminaries** - The Regular Monthly meeting of the LEITI Multi-stakeholders Steering Group (MSG) was held on Wednesday, April 29, 2015 in the Conference Room of the LEITI Secretariat, Old Bureau of the Budget Building, Capitol Hill, Monrovia, Liberia. The meeting commenced at 12:30pm and was chaired by Hon. Stephen B. Dorbor, Proxy of the MSG Chairperson and Deputy Minister for Planning and Research at the Ministry of Lands, Mines and Energy. Following a brief opening remark during which

Hon. Dorbor formally welcomed everyone to the meeting, the attendants introduced themselves one after another across the floor.

**II. Adoption of Agenda:** At start of business, the Chair read the meeting's agenda, which had one key item—submission of report from the Reporting and Communications Committee.

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 minutes from the meeting held on April 29, 2015 was reviewed with the following corrections made:

- On the first page of the document where attendance was recorded, it was noticed that the first name of “Henry Harmon”, of GVL, was wrongly spelled as “**Hewri**”. The correction was requested to be made.
- The middle initials of another participant, “**Cecelia T.M. Danuweli**” were omitted while the name of Mr. Francaise R. D. Greaves, who represented NCSCL, was not recorded.
- On the first page of the minute, the name of the company “ExxonMobil” which is a single word, was written disjointedly as “**Exxon Mobil**” and the correction was requested
- Again, the name of another participant, Ezekiel Johnson, who represented the Liberia Labor Congress, was placed under Private Sector rather than the CSO which is his right constituency.

Regarding claims that some names were omitted in the attendance record, the HOS, Mr. Konah D. Karmo clarified that in preparing the attendance records, the attendance roster made available during meetings is consulted and names from it are lifted in the minutes. The roster as well used to prepare the MSG Scorecard. He observed that some participants' names are omitted because they failed to sign in at meetings and encouraged all participants at MSG meetings to duly sign in on the attendance roster.

- ***Adoption:*** with these corrections effected and the clarifications made by the HOS, a motion was made and seconded that the minutes, as corrected, form part of the Secretariat's archives. This was unanimously agreed.

- **Matters Arising:** From the minutes adopted, few concerns were raised and addressed as follow:

- ***Correction of Date in Past Minutes***—The HOS flared out an issue about the date agreed in the meeting of March 18, 2015 as the schedule for the Finance and Administrative Committee's meeting with the newly recruited Deputy Head of Secretariat to negotiate his salary and other contract terms. In reviewing the minutes of that meeting during the April 29, 2015 meeting, Madam Cecelia Danuweli, a member of the Committed noted that the date agreed was April 2 and not March 14 as captured by the minutes. The MSG requested that the corrections be halted until the right date is confirmed. Mr. Karmo, after consulting the record, confirmed that the right date is March 23, 2015 and not the April 2, 2015 indicated by Madam Danuweli. The correction was requested to be effected.
- ***Review of Minutes:*** Mr. Kofi Ireland of UNMIL observed that often, the MSG has devoted much of the meeting time to correcting the minutes which are bordered more on petty issues such as correcting names. He suggested that since the minutes are circulated before the meetings, the corrections can be done then and each member forwards his/her input to the Secretariat before the date of this meeting. This, he said, would allow for the meeting to concentrate on key decision making. His suggestion was honored and the MSG Members were asked to review the minutes before each meeting.

IV. **Secretariat Update:** An update of the Secretariat covering the period April 29-May 20, 2015 was presented by the Head of Secretariat, Mr. Konah D. Karmo. Key activities highlighted by the HOS are summarized below:

- The Secretariat worked with the Communications and Reporting Committee and representatives of reporting companies and civil society on the MSG to review the draft Inception Report for approval recommendation to the MSG.
- Fifteen Focal Persons recruited in support of the Decentralization Program were deployed to the respective counties on May 1, 2015, for the period of one year.
- The newly recruited Deputy Head of Secretariat, Mr. Myer Saye, commenced work on May 1, 2015.
- During the period under review, the Secretariat worked with the Communication and Reporting Committee to review the draft Gap Assessment Report for approval recommendation to the MSG.
- The beneficial ownership disclosure is concluding its data collection stage. During the period under review, the Secretariat had several meetings with the consultants aimed at removing existing hurdles for early completion of the engagement. Final report from the consulting firm is expected by end of May.
- The first draft of the Contract Matrix is due from the Consultant on May 30, 2015 after which the Secretariat will circulate it to MSG Members and the GIZ for review and comments.
- The Secretariat has received initial inception report of the Scoping Study from the Consultant, MAC-Africa. Draft report is expected from the consultants early June.
- The Secretariat circulated the draft ToR for the development of a five-year strategic plan for the LEITI and received the MSG's No Objection for the conduct of the consultancy.
- During the period under review, the Ministry of Finance and Development Planning (MFDP) provided to the LEITI a budget ceiling of **US\$474,929** for 2015/2016 and requested the Secretariat to submit the LEITI budget input based on the above budget ceiling and also cited the Secretariat to appear and defend the budget input on May 14, 2015.

- **Discussion of the Secretariat update:** Following the update, Hon. Dorbor 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:

- **Venue of MSG Retreat**— Mr. Al Dennis, representing the LRA, raised a concern that the venue of the MSG retreat for validating the Strategic Plan as indicated in the Secretariat Update was not mentioned. It was clarified that the RLJ Hotel is the tentative venue, but planning is still in progress and the final decision will be communicated.
- **LEITI Fiscal Budget**—commenting on the amount earmarked for LEITI in the draft national budget, the Assistant Minister of Finance, Madam Juah K. Feika argued that the total fiscal envelope of the country is much less than anticipated, asserting that government's financial capability was grossly affected by the Ebola crisis. She then advised that state owned institutions and autonomous agencies such as LEITI should be realistic in their planning and prioritize those things that are actually relevant. She particularly referenced the LEITI Decentralization Program which said was ambitious and wondered if it was urgent at this time. Responding to her comments, the HOS said that the Decentralization Program was crucial to ensure increased citizens' participation in the EITI process and that the allocation for it was not ambitious. Mr. Karmo disclosed that the Focal Persons are working part-time and are paid \$150 monthly, sourced from a donor funding for the initial 12 months. The Assistant Minister further cautioned that the LEITI should leave a fall-back position in order to adjust in case the expectations cannot be met.

- Responding further to another question about the budget seminar as to what was the Secretariat's position during the meeting, the HOS revealed that he informed authorities at the MFDP that Liberia is to face EITI Validation early next year and the outcome of the evaluation will be based on the implementation of the activities earmarked and that the implications are clear if these activities cannot be funded.
- Addressing the same issue, Mr. Ireland of UNMIL suggested that the Finance and Administrative Committee of the MSG should work with the Co-Chair who is the Minister of Finance to make a case because failing Validation will be embarrassing for us as a country. He further recommended that the MSG write the Minister of Finance and Development Planning and highlight in that letter what the priorities of the LEITI are, cautioning that this engagement should not be left with the Secretariat alone. Mr. Ireland's suggestion was buttressed by Mr. James Yarsiah of the Rice and Rights Foundation who countered an earlier argument from the Assistant Finance Minister of Finance that the Decentralization exercise was not timely. Mr. Yarsiah said that decentralization of the LEITI should be prioritized as the real need of the people is information which currently is a challenge.
- Also contributing to the discussion, Hon. Adolf Lawrence of the Senate asked that the MSG Co-Chair and the HOS partner with him to meet the Speaker of the House the following Thursday or Tuesday morning. He promised to consult with the Speaker and confirm the schedule.
- *MSG Retreat on Strategic Plan:* Cecelia Danuweli of PWYP expressed that the Strategic Plan mentioned in the Update has not been shared and furthered that the document be developed and shared with the MSG before plans are made on validating it. She also asserted that the date proposed for the retreat was not realistic. Responding, the HOS said that he had his own concerns on the Strategic plan but thought to bring it to the meeting to get the MSG's position on the matter. Responding to comments from the first two speakers, Juliane Waymann of GIZ said that she understood that the retreat was meant to review the draft strategic plan and not to validate it. Validation, she maintained, would be done in the MSG meeting following the retreat. On this point, the HOS countered that it would not be a good use of time to have two major meetings on the same document.
- Addressing the issue, Harmon of GVL questioned whether it was necessary to have retreat in order to validate a document? He argued that that would not be a wise use of money especially in the wake of the financial crisis. The HOS clarified that funding for the retreat will be sourced externally. Mr. Harmon further argued that even if there is donor funding, it should be used wisely. Making his input to the discussion, the Chair of the meeting, Hon. Dorbor highlighted that it is important to devote more time to such things like strategic plan which spans for five years in order to allow people reflect and look at it from different perspectives. This was buttressed by Mr. Yarsiah of Rice and Rights Foundation but with a reservation that the two days allocated was more than needed. Responding to Mr. Yarsiah's reservation, the HOS countered that given the series of presentations required and the contents of the document, the two days was reasonable.
- The schedule for the retreat became a sticky issue. The Chair of the meeting raised a concern as to whether it would be possible to have the retreat as scheduled given that the GIZ has said it would make available the first draft of the document one week before the retreat. There were lots of arguments and counter arguments on when it is feasible to have the retreat based on several concerns including the availability of the Consultants since she was not resident in the country. Finally, it was decided the retreat be held on the 19<sup>th</sup> and 20<sup>th</sup> of June. GIZ was then asked to communicate with the Consultants on the dates and relay their feedback.

- It was also agreed that the MSG meeting in June should be held on the second day of the retreat.
- *Beneficial Ownership:* Mr. Nathaniel Jallah of ExxonMobil sought to understand what the Secretariat has done in removing huddles in the beneficial ownership exercise as promised earlier; whether the issue with the templates has been resolved. On this point, the HOS clarified that the efforts of the Secretariat was not directed at tempering with the template. The Secretariat, he said, helped to locate the companies reminded them of their obligations. Mr. Jallah argued that the oil companies still have problem with Question #9 in the template. He argued that the ExxonMobil, for instance, is not in the position to disclose information about more than 600 shareholders around the world to the MSG here. Madam Nellie Attidigal of WONGOSOL also questioned whether the oil companies are not willing to disclose their beneficial owners to the Liberian people? Also commenting on this issue, Senator Findley said that ExxonMobil is part of the International Board and is aware of the beneficial ownership exercise. He noted that if any companies choose not to comply with the process, they will face the required punishment. Closing on this matter, the Chair of the meeting said issues related to the template has already been decided in the past meeting and was no longer a point for discussion.

**V. Submission of Draft Reports by the Communication and Reporting Committee:**

The Committee submitted its reports on the review of two main documents—Inception Report and Gap Analysis Report—referred to it in the previous meeting. The presentation was made by Mr. Ireland of UNMIL who disclosed that the review sessions were attended by the reporting companies and agencies of government. Details on their findings and recommendations are provided below.

- *Inception Report on the 6<sup>th</sup> Report:* The Committee made several recommendations based on the review of the Inception report. The key ones are delineated below:
  - That the Reconcilers should distinguish the level of non-compliance in the EITI Reports, further describing the category of non-compliance, as the huge list of companies which is mostly due to the fact that most of these companies are no longer in existence sends bad reflection on Liberia.
  - That since they cannot be independently verified, the values of the social contributions should not be reported by LEITI as its raises credibility issues for the Report.
  - That employment data should be a part of the 6<sup>th</sup> Report but it was not included in the Inception Report
  - That pit sawyers should be treated like artisanal and small-scale miners during the data collection process of the 6<sup>th</sup> Report; they should not report individually
- *Gap Assessment Report*—the Committee noted that the Gap Assessment was not really meant for discussion; that it was purely intended to serve as guide for the forward movement of the EITI process in Liberia. However, the Committee said, it summarized the key issues raised and recommendations made to mitigate them.
- *Discussion of the Committee’s Report*—The Committee’s report was opened for discussion after a motion was made and seconded. The key discussions points and decisions reached are delineated below:
- *Employment Data*—Ansu Konneh of Western Cluster stressed that data collection on employment should be coordinated with the Ministry of Labor which is the government ministry with direct oversight over employment issues. His point was noted and further emphasis made that the data would be collected from different sources including the

companies, Ministry of Labor and relevant institutions as it important for the reconciliation exercise.

- *Social Contributions*—Mr. Konneh of Western Cluster also raised the concern that the companies are paying their social contributions as required, but the government is not utilizing them to bring the desired benefits to the communities. Regarding this, the HOS clarified that accountability for the use of social contributions is addressed by the Revenue Tracking component of the EITI reports. Addressing the same concern, Senator Findley sought to understand whether the LEITI is chasing projects or disclosure of payments made to the Government. He argued that it was a waste of resources to chase projects if the project amounts cannot be reported as it is advised by the Communications and Reporting Committee. On this, the HOS clarified that while In-kind contributions are non-obligatory undertakings by the companies, reporting on them is a requirement of the EITI.
- With these discussions, it was moved and seconded that the report from the Committee be adopted and forwarded to the Secretariat which was mandated to communicate the MSG decisions to the Consultants.

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

- *Update from Senator Findley on the 29<sup>th</sup> EITI Board Meeting in Congo*: During the following 15 minutes, Senator Findley provided an update to the MSG on the 29<sup>th</sup> EITI Board Meeting he attended in March 2015. Key points in his update are highlighted below:
  - The Senator noted that during the meeting, one of the key issues discussed was the participation of the civil society in the EITI process. He said, experiences shared from different Implementing Countries point to poor civil society participation in the process worldwide. He disclosed that the World Bank has committed to provide funding to enhance civil society participation in the EITI and asked the Secretariat to liaise with the Bank and ascertain how to access the grant.
  - He also said discussions were also held on Board fees. Board fees, he said, were observed not to be the same in all Implementing countries and further efforts are being made to ensure there is uniformity in compensation to the boards.
  - Mr. Findley also said that the March Board Meeting considered discussions on possible replacement for Madam Clair Short, the current Board Chair whose tenure expires next year. Her replacement will be effected during the Board Meeting scheduled in Peru next year and expressed the hope that Liberia would be represented.
  - Hon. Findley also noted that unlike other countries, Liberia was not represented in the March Board Meeting as he represented a block consisting of seven countries and not Liberia alone.
  - The Senator also disclosed that part one of the key focus of the meeting was discussions on how the EITI can be more aggressive. Aggressive was stressed, he said, because it was reminded that the EITI would not be here forever; that as a country adapts and becomes effective, there will be no need to continue implementing EITI in that country. He also disclosed part of the current focus of the EITI is to get the Latin America and Asian countries to join the EITI.

- *Request for Mentors for e-Club*—The Secretariat requested members of the MSG to volunteer and serve as mentors for students participating in the LEITI Extractive Club Program. It was revealed that the process of recruiting mentors started in the past and that some MSG members have already volunteered to serve. The Secretariat was asked to check its records and see who were already available.

**VII. Summary of Decisions Reached**

- It was agreed that the Finance and Administrative Committee of the MSG works with the Co-Chair who is the Minister of Finance to make a case for increment in the LEITI's budget as failing Validation because the planned activities were not funded would be embarrassing for Liberia.
- Relative to same point above, it was further agreed that the MSG writes the Minister of Finance and Development Planning and highlight in that letter what the priorities of the LEITI are.
- It was decided that the MSG Retreat for the Validation of the Strategic Plan be held on the 19<sup>th</sup> and 20<sup>th</sup> of June and the GIZ was asked to communicate with the Consultants on the dates and relay their feedback.
- It was also agreed that the MSG meeting in June be held on the second day of the MSG Retreat.
- The report from the Communications and Reporting Committee on the Inception and Gap Assessment reports was adopted and forwarded to the to the Secretariat which was mandated to communicate the MSG's decisions to the Consultants.

**VIII. Date and time of next MSG meeting:** The next MSG meeting was scheduled for second day of the MSG Retreat on the Validation of the Strategic Plan.

*The meeting was adjourned at 2:25pm.*