

MINUTES

REGULAR LEITI MULTI-STAKEHOLDERS STEERING GROUP

LEITI CONFERENCE ROOM • OLD BUREAU OF THE BUDGET BUILDING • REDEMPTION ROAD, MONROVIA
WEDNESDAY, FEBRUARY 20, 2013 AT 12:00 NOON

PRESENT

GOL

Angela Cassell-Bush
Carlton S. Miller
Edward S. Kamara
E. Ekema A. Witherspoon
Edward R. A. Smith

Proxy for the Chairperson LEITI MSG & Minister of Finance
Proxy for the Co-chairperson, Ministry of Lands, Mines & Energy
Proxy for the Managing Director FDA
Proxy for the Minister of Internal Affairs
Proxy for the President of NOCAL

CSO

Alfred L. Brownell
Mohammed A. Nasser

PWYP/Green Advocates
Federation of Liberia Youth

Private Sector

John S. Deah
Betty C. Mends-Cole
Eric Swen
Esiaka B. Konneh
Karl Cottrell

Liberia Timber Association
BHP Billiton
ArcelorMittal
Miners & Brokers Association of Liberia
Chevron

Others

Paul W. Boe

National Traditional Council of Liberia (NTCL)

IN ATTENDANCE

Partners/Observers

Alexander Deline
McNeil M. Wilson
Koffi Ireland
Mark Mattner
Juliane Weymann
Amos T. Kofa
Ernest Parker
J. Meshach Barkemeni
Yede L. Tarr
Bneshnev D. Passewe
Clarence R. Goetteh
Thomas Doe-Nah

IMF
UNDP
UNMIL
GIZ
GIZ
ADB
Parker & Associates
Parker & Associates
Parker & Associates
Federation of Liberian Youth
WANEP-Lib
CENTAL

LEITI Secretariat

Roosevelt G. Jayjay
Samson Tokpah
Hnede Berrian-Sillah

LEITI Board Representative
LEITI
LEITI

I. Introduction

The regular monthly MSG meeting which was scheduled for January 30, 2013 and later rescheduled for February 7 was postponed to February 20, 2013. Participants at the February 7th meeting could not meet the quorum.

II. Adoption of Agenda

Adoption of the Draft Agenda was made by the Presiding, Proxy Chairperson of the MSG, Hon. Angela Cassell-Bush. Agenda item number six (6) – EITI Global Conference - was deleted to form part of the Secretariat Update and replaced by the presentation of a request to approve the Contract Matrix for the simplification of existing contracts in the extractive sectors.

With this addition and correction, it was moved and seconded that the draft agenda be used as a tool to guide the meeting.

III. Self Introduction - Self introduction was made by everyone.

IV. Draft Minutes of November 28, 2012 meeting

a. Corrections

The Minutes of November 28, 2012 was reviewed and few corrections made.

b. Adoption

Following these reviews and corrections, it was moved and seconded that the minutes be adopted as corrected to form part of the Secretariat's archives.

V. Matters Arising

- LEITI Reports – Hon. Bush called on all heads representing line ministries and agencies to try as much as possible to complete their portion of the LEITI requirements/reports as the African Development Bank grant support of US\$12m to the Government of Liberia is heavily dependent on the timely submission of these reports.

This point was unanimously accepted by MSG members with calls for the line ministries and agencies to see the LEITI Report as an integral part of their operations and not only to satisfy donor support.

- Follow up with Former Head of Secretariat on payment request – during the last MSG meeting held in November, the Head of Secretariat presented a communication from the former LEITI Head of Secretariat, Mr. Sayon Henry Yaidoo, in which Mr. Yaidoo requested the settlement of a fifteen (15) day un-used annual leave. Request to settle this amount was disapproved by members of the MSG and the Secretariat mandated to formally communicate with Mr. Yaidoo on its decision.

The Secretariat reported that the communication was sent to Mr. Yaidoo outlining the MSG decision.

- All other matters arising were deferred to be reported during the Secretariat Update.

VI. Secretariat Update

The Secretariat provided a rather comprehensive update of activities for the period November 28, 2012 to February 19, 2013. The Update was presented by the LEITI Head of Secretariat, Mr. Samson S. Tokpah who began his presentation by firstly thanking members of the MSG whose continuous support, he noted, led to the gains the LEITI made in Year 2012.

He provided highlights on the status of the preparation of LEITI 4th Report, the Post Award Process Audit, Status of non-compliant companies, LEITI representation at the EITI Global Conference, establishment of the LEITI e-clubs, procurement, recruitment, meetings attended, grant support, etc. At the end of the presentation, the Secretariat presented a MSG Participation Scorecard showing attendance records over the

last thirteen (13) months. This Scorecard showed instances where proxies designated proxies to attend meetings and at times no attendance at all.

The Secretariat maintained that this lack of direct participation by key stakeholders dampens policy implementation as the LEITI heads towards EITI Validation in 2014.

The Secretariat reported that the scorecard will be updated monthly and distributed to MSG members.

Members of the MSG thanked the Secretariat for the good initiative but cautioned that the intent of raising awareness amongst MSG members could be easily misconstrued.

VII. Decisions on Secretariat Update

- 5th LEITI Report - The MSG agreed that if there is no-objection from the MSG by Thursday, February 28, 2013, the Secretariat should commence the preparation for the 5th Report. This was unanimously carried.
- NOCAL support for Global Conference – it was agreed that the Secretariat should accept NOCAL’s support of two (2) representatives at the Global Conference in Sydney. Secondly, nomination for the two persons should be drawn from the Government and the Civil Society. There were no preferences set as in the case of the EITI Secretariat sponsorship where the MSG decided preferences be given to members/organizations that have never attend the Global Conferences in the past. The Secretariat was mandated to coordinate the nomination process.
- Status of LEITI on the EITI Board–Tenure for current EITI Board members ends in May 2013. MSG members were concerned about Liberia maintaining its presence on the EITI International Board. The Secretariat explained that implementing countries have five seats on the 20-member Board; that nominees should be persons and not countries/institutions. Considerations were raised for Liberia’s representation at the level of the Chair/Co-chair but several MSG members declined to support that option on grounds that neither has attended meetings since assuming office over a year ago and may not be fully abreast with EITI issues to appropriately represent Liberia. It was agreed that Liberia should try to maintain a space on the EITI Board and that the two Deputies from the Ministries of Finance and Lands, Mines and Energy (proxies for Chair and Co-chairpersons) consult with the Ministers respectively, while the Secretariat liaise with EITI to seek clarification on deadlines for nomination and other stakeholders on a nominee.
- Post Award Process Audit – the Secretariat met with the LEITI Chairperson, Hon. Amara Konneh to provide updates and challenges on the Reconciliation and Process Audit Reports and other issues at the Secretariat. The Chair formally communicated with line ministries and agencies to provide information in support of the Process Audit with a March 1 deadline. He assured the Secretariat of his ongoing support towards the initiative.
- Sanctioning of Non-compliant Companies–the Secretariat is seeking retainer ship from a Law Firm to provide guidance/suggestions and recommendations on how to deal with non-compliant companies in accordance with the LEITI Act. The MSG requested the Secretariat to share the TOR for the retainer-ship for no-objection before seeking quotations. This activity is covered in the LEITI Budget.
- MSG attendance at meetings–the low level participation by MSG at meetings is causing serious setbacks to the LEITI process. The last meeting scheduled for January 30, 2013 was postponed due to the lack of quorum. The Secretariat was therefore suggesting, as an alternative, the holding of quarterly and rotational meetings instead of monthly meetings in an attempt to spark up attendance. Further, there could be more technical and policy level meetings by the established committees to report at the

quarterly meetings. The Secretariat was asked to circulate copies of the MSG Regulation for review in order to aid members make informed decision on how to proceed.

VIII. Contract Matrix

The Secretariat informed the MSG in October 2012 of its desire to hire legal services to simplify contracts from various companies in the oil, mining, agriculture, and forestry sectors to assist in its outreach activities. A request for no-objection was sought with a member stating an objection while others were in support of the exercise. The Secretariat raised this as an Agenda item to seek guidance from the Board.

The MSG agreed on the production of this Matrix, but cautioned the Secretariat to work closely with the line ministries, agencies, and companies to present accurate information to the public. This activity will be supported with funding from GIZ.

IX. AOB

- Presentation by Parker & Associates – on behalf of the auditing firm conducting the Post Award Audit Process, Mr. Ernest Parker reported of the huge challenges being faced since the inception of the Process Audit. He said that in order to wrap up the audit process, there is a need for the National Oil Company of Liberia, Forestry Development Authority and the Ministry of Lands, Mines & Energy to submit additional documentations as requested. He named the deadline for final submission as March 1, 2013, and indicated that the report will be submitted to the MSG through the Secretariat by April 13, 2013.

The MSG requested the Secretariat to follow up with these line ministries and agencies through the office of the Chairperson.

- Performance Evaluation—it was reported that the new management team headed by Mr. Samson S. Tokpah and Konah D. Karmo, Head and Deputy Head of Secretariat respectively, have not been evaluated since they took over a year ago. It was recommended that an MSG Committee be set up to conduct the evaluation.

The issue of who should evaluate the Deputy Head of Secretariat was also brought forward and the MSG agreed that the Head of Secretariat should conduct the evaluation of the Deputy Head of Secretariat and other key staff of the Secretariat and submit a report to the MSG.

- X. Date and time of next MSG Meeting**—with no other business, the next MSG meeting was scheduled for Wednesday, March 27, 2013.