

**MINUTES REGULAR LEITI MULTI-STAKEHOLDERS STEERING GROUP MEETING HELD IN THE CONFERENCE ROOM OF THE LEITI, OLD BUDGET BUREAU BUILDING REDEMPTION, ROAD, MONROVIA, LIBERIA
Thursday, MAY 25, 2023**

Present in Attendance were:

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| 1. C. Mike Doryen | FDA |
| 2. Gesler E. Murray | MME |
| 3. Thomas Doe-Nah | LRA |
| 4. Benedict Ocran | MFD |
| 5. Eric Daniels | NOCAL |
| 6. Ansu Konneh | MOA |

CSO

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| 1. Fallah B. Kamara | MCSCL |
| 2. Saylor Wahtoson | PWYP |
| 3. Winston Wreh | LLC |

Private Sector

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| 1. George Pah | GVL |
| 2. Ekema Witherspoon | LibTA |

Observer

LEITI

1. Jeffery N. Yates/HoS
2. Zaza Y. Quaqua/DHOS
3. McDonald S. Kerl Sr.-Technical Officer
4. Cedrick Kpadeh/Communications

Others

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| 1. B. Al- Dennis | LRA |
| 2. Franseth B. Mulbah | MME |

Preliminaries: The call meeting of the LEITI Multi-stakeholders Steering Group (MSG) was held on Thursday, May 25, 2023 in the LEITI Conference Room. Commencing at 2:03 GMT, the meeting was called to order by the Chairman of the MSG, C. Mike Doryen of the Forestry Development Authority who immediately after notification of a quorum, instructed the HOS to read out the agenda for adoption.

1. **Opening Prayer:** Silent pray observed for religious tolerance

Reading and Adoption of the Agenda: - The HoS read out a 12-item agenda that was approved as presented.

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3. **Welcome Remarks:** The Presiding extended on behalf of the MSG, sympathy to Benedict Ocran of MFDP for the loss of his wife at recent and thereafter mandated Mr. Franseth Mulbah of the MME to officially welcome the rest of the members. To this, Mr. Mulbah expressed excitement for the gathering urging all to contribute meaningfully as always to the agenda items.
4. **Review of past meeting minutes:** The minutes of March 9, 2023 was presented for review and correction. The only correction came from George Ph of GVL who observed that the name of ELVIS MORRIS was wrongly spelled. With that correction, the minutes was approved through a motion from B. Al-Dennis of LRA.
5. **Secretariat Update:** The HoS presented the Secretariat update covering the period March to May 2023. **See annex 2** for details.
6. **Discussion of the update:** Two issues to center stage during the discussion of the update:
 - I. Sponsorship for Liberia's participation at the pending Global conference: The HoS informed the Body through the update that all efforts to get sponsorship for the Secretariat delegation including himself has proven fruitless and that even though the international secretariat has bought the tickets for three of the CSO membership and will provide accommodations, there was no per diem associated. Eric Daniels of NOCAL inquired as to how much it would cost to underwrite the per diems for the three CSO representatives. The full amount after research came to 1584 USD. Eric promised to consult with his boss to see if NOCAL could provide that amount. The Presiding then appealed for NOCAL to also consider the full coverage for the Head of Secretariat.
 - II. Funding at the Secretariat: In the update the HoS also lamented the lack of funding support for the Secretariat especially from the Government. He stated that since January 2023, the secretariat has received just 6000 USD as allotment for March 2023. He said the situation was constraining him and the deputy as they most times have to bank roll operation activities at the secretariat. After cross examination of suggestions across the floor the Body reach a consensus for to mandate the Secretariat to write to the minister of Finance and Development Planning outlining these situations. That the CSO bloc also writes the MFDP regarding the financial situation at the Secretariat.
7. **Presentation and approval of workplan for fy2023 activities and 2021 APR:** After the HoS presented the workplan activities for fy 2023, the Presiding placed it on the floor for discussion. The MSG had given provisional approval to this document in November 2022. The Body endorsed the document and encouraged the SECRETARIAT to seek outside fundings for activities captured in the Workplan. The Body also approved after review, the 2021 Annual Progress Report.
8. **IA Presentation of the Scoping, discussions and decisions:** At this point, the IA through their local partner-Parker and Associates presented the scoping for the

development of Liberia's 15th EITI Report. The presentation was done in power point after which the following decisions was made: **Please annex I for decisions made**

9. **AOB:** There nothing discussed under AOB and so the Presiding called for a motion for adjournment which was made by Ekema Witherspoon and seconded by Ansu Konneh. The meeting was then adjourned at 4:03 PM.

Summary of key decisions:

- MSG approved the fy2023 workplan activities along with the 2021 APR
- Mandated Secretariat to compile the Body's decisions on the scoping to deliver to the IA.
- That the Secretariat writes the minister of Finance and Development Planning outlining financial constraints and the potential consequences on the Country's validation
- That the Civil Society bloc writes a separate letter to the MFDP requesting immediate intervention to financially strengthen the Secretariat
- 13 persons participated in the meeting
- That NOCAL considers the per diems for the three CSO members as well as the full sponsorship of the Head of Secretariat for the pending global conference slated for Senegal.
- That the LEITI Secretariat writes the LRA to sponsor two persons for the pending conference

ANNEX 1:

Liberia Extractive Industries Transparency Initiative (LEITI)
LEITI MSG's Decisions after Review of the 15th Report Scoping and Examination of the Proposals/Recommendations of the Independent Administrator

Having met on May 25, 2023, the LEITI MSG was presented a PowerPoint of the scoping report by the Independent Administrator. The MSG subsequently deliberated on the scoping report, especially regarding recommendations/ proposals made by the Independent Administrator in the report regarding issues identified during the scoping phase. We juxtapose below the MSG's decisions and the IA's recommendations:

No.	Independent Administrator's Proposal/Recommendation	LEITI MSG's Decision
1.	TGS NOPEC's payment to NOCAL should not be considered extractive company payment. It will only be reported but not captured as oil & gas sector revenue.	The MSG considers the money received from TGS NOPEC by NOCAL as oil & gas revenue coming from transactions in the oil & gas sector and should therefore be captured under the oil & gas sector as revenue rather than being unilaterally disclosed.
2.	LRA collected 98.6% of Government revenue for the period under review. Therefore only LRA revenue data will be reconciled against companies' payment data, and all other MACs revenue data will be unilaterally disclosed.	Given the percentage of revenue collected by LRA, the MSG APPROVED the Independent Administrator's proposal that <u>ONLY</u> LRA revenue data should be reconciled against companies' payment data.
3.	The IA proposed reconciling revenue streams 1% and above of total revenue collected by LRA in the reconciliation scope for all sectors.	The MSG APPROVED the IA's recommendation on the 1% threshold for all sectors.
4.	The IA recommends including mandatory/voluntary social/environmental expenditure data in the reporting scope regardless of any materiality threshold.	The MSG APPROVED the IA's proposal on reporting all social and environmental payments regardless of amount or cost.
5.	The IA suggested including information on infrastructure provisions and barter arrangements through the reporting process from government agencies and extractive companies included in the reporting scope.	The MSG APPROVED the IA's proposal that MACs and extractive companies should provide all information on infrastructure provision and barter arrangements.

6.	The IA suggested including information on transportation arrangements in force from July 2021 to December 31, 2022, through unilateral disclosure by government agencies.	The MSG authorized the Secretariat to seek additional clarity from the IA on this issue based on the scoping data collected.
7.	The IA recommended including information on quasi-fiscal expenditure from July 1, 2021, to December 31, 2022, through unilateral disclosure by government agencies.	The MSG authorized the Secretariat to seek additional clarity from the IA on this issue based on the scoping data collected.
8.	The IA recommended including mining companies that paid over USD 1,000,000 for reconciliation.	The MSG APPROVED the IA's recommendation. However, for clarity the MSG recommends stating the threshold as equal to 1,000,000 or above.
9.	The IA recommended including agriculture companies that paid over USD 1,000,000 for reconciliation.	The MSG APPROVED the IA's recommendation. However, for clarity the MSG recommends stating the threshold as equal to 1,000,000 or above.
10.	The IA recommended including forestry companies that made payments above USD 100,000.	The MSG APPROVED the IA's recommendation on this threshold.
11.	The IA recommended that for assurance purposes, the completed LRA template should be co-signed by an authorized senior manager and the finance/tax officer and certified by the General Auditing Commission (GAC).	The MSG APPROVED , for assurance purposes, that LRA completed templates should be signed by a senior manager of the LRA and certified by the GACs.
12.	The IA recommends that reporting templates for extractive companies be co-signed by an authorized senior manager and the finance/tax officer and certified by an external or statutory auditor. Additionally, this submission should accompany the company's audited financial statement for 2021.	The MSG APPROVED , for assurance purposes, that all extractive companies' templates be signed by a senior manager and certified by an external auditor or statutory auditor.
13.	Based on the analysis of revenue streams, the IA is recommending that 15 revenue streams across the extractive sector be reconciled.	The MSG APPROVED the IA's recommendation to reconcile 15 revenue streams.
14.	Sale of the state's share of production or other revenues collected in kind (EITI Requirement 4.2): None of the government agencies confirmed receiving payments in kind	The MSG approved this recommendation by the IA.

	<p>from extractive entities during the period from July 2021 to 31 December 2022. We conclude that this EITI requirement is not applicable to the Liberian context. The MSG is invited to endorse this decision and document it accordingly.</p>	
15.	<p>Subnational payments (EITI Requirement 4.6) We were not informed of any revenue stream paid by extractive companies directly to subnational Government Agencies. We conclude that this EITI requirement is not applicable to the Liberian context. The MSG is invited to endorse this decision and document it accordingly.</p>	<p>The MSG believes that this requirement is APPLICABLE in the forestry sector because there are payments made directly to affected communities by forestry companies which are considered subnational payments.</p> <ul style="list-style-type: none"> • For commercial forestry concessions on public land, cubic meter fee is paid by operators directly to the CFDCs in the concession area. These funds are stipulated in the Social Agreement. • Bid premiums are negotiated directly with, and paid in full, to communities. • The land rental fees for areas of community forest are <u>allocated by law, 55% to communities and 45% to central Government</u> in the Community Forest Management Agreement.
17.	<p>Subnational transfers (EITI Requirement 5.2) We note that there is no provision within the legislation in Liberia governing the sub-national transfers. According to the Liberia Revenue Code (LRC), all tax revenues shall be considered general revenues of Liberia and shall be paid into the Consolidated Fund and available for appropriation by the Legislature for the general purposes of the government. We conclude that this EITI requirement is not applicable to the Liberian context. The MSG is invited to endorse this decision and document it accordingly.</p>	<p>The MSG believes that this requirement is APPLICABLE in the forestry sector because there are transfers made by the Government to affected communities from payments made by forestry companies which are considered subnational transfers.</p> <ul style="list-style-type: none"> • For commercial forestry concessions on public land (FMC and TSC contracts), full payment of annual land rental fee is paid to the Central Bank of Liberia, and <u><i>is then allocated 40% to central Government; 30% to county funds; 30% to</i></u>

		<i>affected communities through the NBST.</i>
18.	The Scoping Report did not capture in detail discussion around Requirement 2. 5 of the 2019 EITI Standard that deals with Beneficial Ownership	The MSG DECIDED that the IA should collect BO information from all Class A &B mining license holders, Agriculture Concessions holders, FMCs, and TSCs holders for operators in the forestry sector. The IA should also document the progress Liberia has made in Beneficial Ownership implementation under the Opening Extractive Program.
19.	The Scoping Report did not capture in detail discussion around Requirement 2. 4 of the 2019 EITI Standard that deals with Contract Transparency.	The MSG DECIDED that the IA should include in the 15 th EITI Report information on contracts issued in the extractive sector. The IA should also document the progress Liberia has made around Contract Disclosure in the extractive sector.