SLEITI Sierra Leone Extractive Industries Transparency Initiative
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OFFICE OF THE VICE PRESIDENT

Minutes of Meeting of the SLEITI Multi-Stakeholder Group held on Tuesday, 28th May 2019

Venue: Office of the Vice-President, Tower Hill, Freetown

Attendance

Government:	**Civil Society:**
Francess Pragie Alghali - OVP/Chair	Cecilia Mattia-NACE
Amadu Mansaray - PD	Abu Brima-NMJD
Morie Lansana - ASSL	Joseph Rahall –Green Scenery-NACE
Abu B. Tarawalie - NRA	
Donald Williams - NRA	
Mohamed Jalloh - NRA	
Ramatu B. Massaquoi - EPA	
Jozel Masseroh - NMA	
Michala Mackay - CAC	
Prince B. Williams - CAC	
Yusuf Dauda Sama - NMA	
Emmanuel A. B. Turay - MIC	
Mining Companies:	**Secretariat:**
	Musa Horace
	Annie Lansana
	Mohamed F. Conteh

Apologies: Aminata Kamara, S/Rutile; Kadie Jumu, NACE; Abdul Bangura, S/Minerals, Ibrahim Turay, Koidu Holdings

Agenda

1. Opening
2. Correction and adoption of minutes of 24th January 2019 & 10th May 2019
3. Report on SLEITI MSG Internal Rules and MOU

4. Update on the EITI 2019 Global Conference
5. Matters Arising from the minutes of 24th January 2019 & 10th May 2019
6. Other Business
7. Closing

1 **Opening**

The Chair called the meeting to order and welcomed all members to the meeting. She explained that the late start of the meeting was due to the absence of the mining companies' constituency to form a quorum. However, the companies' representatives later gave their consent for the meeting to proceed in their absence.

Ramatu Massaquoi moved the motion for adoption of the agenda seconded by Michala Mackay.

2. **Correction and Adoption of Minutes of 24th January 2019 & 10th May 2019 Minutes of 24th January 2019**

The following corrections were made

Page 2, agenda item 3, 1st: Titled - '2017/2018 Report Production'

Delete the word 'House' on Line 1.

Page 7, agenda item 14 titled – 'Any Other Business'

Delete the word 'Any'

With no further corrections, the MSG approved the minutes of 24th January 2019. The motion for adoption was at the minutes was moved by Donald Williams, seconded by Yusaf Suma.

Minutes of 10th May 2019

The following corrections were made:

Page 2, Agenda item 1 - Titled: Prayers: Opening, to replace 'that' with 'the' on line 4

Page 5, Agenda item 9: titled 'Any other Business'

Delete the word 'Any'

With no further corrections, the MSG approved the minutes of 10th May 2019. Prince Williams moved the motion for adoption of the minutes seconded by Morie Lansana.

3. **Report on SLEITI MSG Internal Rules and MOU**

The Chair recalled that assessment of MSG governance (Requirement 1.4) during the recent validation exercise showed inadequate progress and to address this shortcoming, the EITI

recommended updating of the SLEITI MOU and Internal Rules in accordance with Requirement 1.4b

Madam Alghali expressed appreciation to Michala Mackay and team for swiftly reviewing of the SLEITI MOU citing that the team exceeded her expectations. Michala provided a brief presentation of the MOU's format, commented on the areas where the MOU was updated and later raised a number of issues that required clarification or confirmation by the MSG for completion of the MOU. See below

a. Michala said the MOU was very important for proper functioning of the multi-stakeholder group. The old MOU was updated based on guidance from some other EITI countries with established MOUs and that some of the good and applicable practices from these MOUs were incorporated into the SLEITI MOU.

b. The draft MOU was divided into nine (9) Parts.

   i. Preamble
   ii. Scope
   iii. SLEITI MSG Mandate
   iv. MSG Structure
   v. Specific Responsibility for each member group
   vi. Meetings
   vii. Decision making and voting
   viii. Proxy
   ix. Effect of MoU

   i. **The preamble** contained background information on SLEITI implementation and the MSG is free to add to the information.

c. There was need for accountability on the part of the MSG. Under the MSG mandate, the new MOU contained specific responsibilities of government, companies and civil society to ensure each group took ownership of its responsibilities. The mandate of SLEITI should not be limited by the EITI Standard.

d. Anything that was subject to change overtime should not be included in the main MoU. For example, the names of MSG members and their alternates, the SLEITI organogram, MSG standing committees membership etc should be annexed to the MoU. These annexes could be amended as and when necessary.

ii. **The scope** was generic and looked at the responsibility of the MSG and the primary responsibility to meet the EITI Standard.

a. *The MSG should provide clarifications in the following areas for completion of the MoU:*

b. The Petroleum Directorate and the Chamber of Mines were to discuss and agree on whether the Chamber of Mines could extend membership to the oil and gas companies.

iii. **SLEITI MSG Mandate** - The MSG to determine whether provision should be made for observers to attend meetings to add value to the discussions. The observers would not be eligible to vote and they would sign confidentiality agreement to prevent the release of information outside the official channel

a. The MSG should decide if a Council should be created. This body, if created, would have oversight of the MSG.

b. For records purpose it should be confirmed if the Vice-President is the titular head of the MSG.

iv. **Under MSG structure**, it was suggested that the three constituencies should have equal representation. All full members are to submit the names of two alternates and any person not listed should not be allowed to participate in meetings

a. For change of member(s) the change(s) should be submitted for approval at the start of each year. The selection criteria has to be outlined and referred to if abided by. SLEITI Secretariat should check whether the constituencies have followed their rules for replacement of members and followed by MSG endorsement of the new candidate(s). All substantive members should have an alternate to ensure continuity on issues. Change in membership will lead to a change of the annex containing the list of members

b. The participation of members should have tenure to avoid dominance. Members should serve a maximum period of two terms under any MOU

c. There should be clarity on whether the Vice-President is the MSG Chair.

d. The civil society representation on the MSG should be expanded beyond NACE to include those representatives outside the extractives to ensure balance. The media should be fully involved. The old MOU showed that civil society representation on the MSG was limited to NACE.

e. Minutes of meetings should be publicly accessible.

f. The Government should consider establishing a legal basis for the MSG.

g. The MSG should decide what makes a quorum for meetings.

v. **Meetings** - One meeting should be held in every quarter and minutes of meetings made publicly available for transparency purposes.

vi. **Decision making & votes** - Absolute consensus vote could be taken or modified consensus. If the Chair was not given voting rights the MSG would have to determine how to handle a deadlock

MSG feedback following Ms Mackay's presentation

Cecilia Matia requested to be given until 7th June 2019 to discuss the MOU with her colleagues and report to the MSG

Abu Bonsu said the new MOU calls for a new way of conducting the affairs of SLEITI and added that there was need to expand civil society group on the MSG beyond NACE. He recommended that all constituencies hold consultative meetings instead of limiting it to civil society only and that the consultations should not be skewed towards having six (6) representatives as proposed in the draft MOU.

The MSG agreed that:

a. The Vice President's Office along with the SLEITI Secretariat should undertake a consultative process with CSOs working on transparency issues to have a refreshed representation on the MSG and CSOs on the MSG should take the lead on this activity. This activity should take place before the MOU is finalised

NACE should submit their legal status, general membership and process for selecting MSG members

It was noted that equal numerical representation on the MSG was not necessary.

On another note, Joe Kahoi suggested that the secretariat should cross check with CSOs prior to sending out notice of meetings as their work involves a lot of travelling.

In concluding the above discussion, the Chair urged all to make the best use of the EITI and find new ways of doing things as His Excellency the President is keen on transparency and accountability issues. She requested the Petroleum Directorate to send their feedback on the draft MoU as soon as possible.

4. Update on the EITI 2019 Global Conference in Paris, 18-19 June 2019

The Communication Officer, Mohamed F. Conteh reported that he was still awaiting for SLEPA, NMA, Ministry of Information and other entities to act on their commitments to provide IEC materials for the Global Expo. Mohamed requested the provision of branded SLEITI materials such as t-shirts, caps, pens etc. The meeting noted that the Secretariat had still not received funding to procure Conference materials such as SLEITI full and Summary 2016 report in addition to the above-mentioned items

Mohamed further informed the meeting that Sierra Leone was expected to deliver a short presentation at the Conference on a SLEITI related idea or an example of data usage or any other topic of interest. The MSG decided that the National Coordinator should do the presentation and she was to submit the subject of her presentation along with bullet points to members for their input.

The Minister of State informed members that the Conference organisers could not accommodate the full list of delegates submitted due to limited space.

5. Matters Arising from Minutes of the meeting of 10th May 2019

a. Procurement of IA for 2017 - 2018 SLEITI Report

The National Coordinator informed members that the procurement of the IA had commenced and that submission of Request for Expressions of Interests (REOIs) is ongoing. In preparation for the evaluations government, companies and civil society were requested to submit the names of two representatives each, against 30th May 2019, to participate in the evaluation of the REOIs and for the technical evaluations. The Secretariat will join the evaluation committees

b. Beneficial Ownership Disclosure - The Chair informed members that the representative from the Attorney General's Office had still not joined the beneficial ownership committee as the designated representative was transferred the PPRC.

c. **Chamber of Mines** - Daniel Gbondo reported that a new Mines Minister had been appointed and as such the meeting for the re-establishment of the Chamber of Mines would take place after the Minister was settled in office.

d. **Validation Consultations** – NACE representatives complained that they felt intimidated by the attitude of the validation team towards them during their meeting in November 2018

Members responded that civil society should have communicated their feelings when providing feedback on the draft Validation report

v. **Work plan** – Members agreed that the secretariat should develop and submit the SLEITI 2019 - 2020 work plan to the technical committee to serve as zero draft for discussions and the updated plan shared with the MSGs for review. A one-day consultative meeting with broader SLEITI stakeholders to finalise the plan will follow the review of the work plan. In preparation for the consultative meeting, the secretariat was requested to update stakeholders on progress made with the 2017-19 work plan and prepare a draft program and budget against 27th June 2019 for members' input. The facilitator for the consultative meeting would be determined later.

The broader CSO consultative meeting was to be held in the 3rd week of June 2019. SLEITI should develop a budget and a program for MSGs input including recommendations of names with responsibilities

f. **Website** – All dissemination activities including technical and financials should be uploaded on the SLEITI website

Online disclosures by MDAs – All reporting entities both national and subnational should endeavour to regularly publish their revenue inflows through their websites. The Ministry of Information representative informed members that his Ministry was working on a national portal and hoped to share updates on this process with SLEITI.

6. **Other Business**

a. **Reporting on Capital Gains Tax** – Regarding the USD 8 million CGT payment by Iluka Resources which according to the Validation findings was unaccounted for by the GoSL during the 2016 reporting, the Chair informed members that finally the company had produced a receipt and other documentations showing evidence of payment made to the NRA. She said these documents had been forwarded to the Ministry of Finance to be reconciled and added that any further updates would be communicated

b. **Dissemination of the 2015 and 2016 Reports**

The Chair informed that the dissemination was quite enlightening with most of the key MDAs such as the NMA, FPA, PD, Audit Service and many others in attendance. She added

that subsequent awareness raising programs would be planned differently to ensure maximum cooperation from the full MSG.

7. Closing

With no other matter to discuss, the meeting was adjourned with the motion moved by Abu Brima seconded by Moore Lansana

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Signature of Chair

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Signature of Secretary