SLEITI Sierra Leone Extractive Industries Transparency Initiative
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Freetown, Sierra Leone
Website: www.sleiti.gov.sl

OFFICE OF THE VICE PRESIDENT

Final

Minutes of Meeting of SLEITI MSG held on Wednesday 3rd October 2018
Venue: Office of the Vice-President, Tower Hill, Freetown

Attendance

Government: Francess Piagie Alghali, OVP/Chair Amadu Mansaray, PD Mohamed Salieu Bah (NMA/PMT) Peter Bangura (NMA) Mohamed Jalloh (NRA) Aruna Abu (ASSL) Jozef Masseroli (NMA) Chernor Gbla (MoFED) Theresa Williams (MMMR) Victoria A. Swali (OVP) Sahr Philip Mansaray (MFMR)	**Civil Society:** Cecilia Mattia (NACE)
Mining Companies: Sylvia Kargbo (Octea Mining)	**Secretariat:** Annie Lansana Mohamed F. Conteh Deborah Massaquoi

Apologies: Paul Lamin (EPA), M. Saticon Conteh (SL Mining)

Absent without Apologies: EPA, SLAJ, MLG&RD, NMJD, Green Scenery

Agenda:

1. Opening
2. Correction and adoption of minutes of 28th June, 2018
3. Matters arising from the minutes of 28th June, 2018
4. Preparation for validation-Update from Secretariat
   a) Beneficial ownership
   b) Review and approve Sierra Leone Project level
   c) Approval of updated SLEITI 2018 Work plan
   d) Update on SLEITI recommendation 2008-2016
   e) Appointment of new Technical Committee Chair
   f) Website
   g) Communications Plan
5. A.O.B.

6. Closing

1. Opening

After silence prayers, the Chair, Madam Francess Piagie Alghali welcomed members and called the meeting to order. This was followed by self-introduction by members.

In her opening remarks, the Chair highlighted the purpose of the meeting noting that it was high time the MSG discussed Sierra Leone's validation slated for 5-9 November 2018 in order to identify progress and challenges.

The Chair recalled that the SLEITI MSG requested for an extension of the validation date among other things to allow the new Champion and MSG Chair to understand the process. The group was also informed that the extension request was not approved by the EITI Board. Prior to requesting for an extension of validation, the Chair had urged all stakeholders concerned including the Secretariat to keep in mind the initial validation timelines communicated by the EITI Secretariat and to also prepare for validation at all cost. Given that the request for extension of validation was not favourably considered by the EITI Board and the timelines were drawing closer, the Chair encouraged all and sundry to redouble their efforts and widen the scope of information sharing with their constituencies to actively participate in the validation exercise.

The agenda was adopted as presented and the motion for adoption was moved by Peter Bangura, seconded by Aruna Abu.

2. Reading and adoption of Minutes of 28th June, 2018

Following an in-depth review of the minutes of 28th June 2018, the motion for adoption was moved by Amadu Mansaray, seconded by Annie Lansana

3. Matters arising from the MSG Minutes of 28th June, 2018

i. **Government Engagement**: In terms of EITI implementation in Sierra Leone, the Chair assured members of H.E. President Bio's unflinching commitment to implementing the 2016 EITI Standard citing the public statement of his intention to use the EITI Standard as a tool to strengthen governance in the mining sector. As Chair of the group, she said her upmost responsibility is to move the process forward and ensure that all key stakeholders fully support the EITI process.

ii. **Company/Industry engagement**: The MSG welcomed a new member from Octea Group, Sylvia Kargbo at the 2nd Quarter meeting of 3rd October 2018. At the MSG meeting of 28th June 2018, the only active company representative from Shandong Steel Ltd. tendered her resignation as she was no longer a staff of the company and therefore was not eligible to represent the company on the

MSG. Related MDAs such as NMA and MMMR were requested to facilitate reactivation of the Chamber of Mines to regularly fill in vacuum created by company representatives. The aforementioned institutions reported that the Ministry of Mines issued a strong warded letter to operating companies to fully and actively participate in the EITI process, however, Shandong Steel could not attend because they were on 'care maintenance' and SL Mining were yet to commence production. Octea Group and Vimetco were the only operational companies.

- On CDF payment by large scale companies to host communities, the MSG observed that a few companies had commenced disbursement of 0.01% of export value while others such as Octea group disbursed up to 0.25% of its export value. The MSG considered the amount significant enough to be monitored and disclosed in the EITI reports. Following deliberations, the group requested NACE and NMA to provide additional information to the MSG on the CDF process. A half-day session on understanding the CDF process was agreed upon and to be held at the Office of the Vice President Conference room.
- The group was also of the opinion that the Minerals Policy had long been developed and validated. The SLEITI MSG was concerned that the final draft was yet to be circulated and was not optimistic whether the MSG comments shared with the MMMR were reflected in the final draft.

iii. **Civil Society Engagement**: It was pointed out that CSO representation was also going to be validated in addition to Government and Companies. CSO participation at the MSG level decrease increasingly and the constituency's absence was seemingly affecting progress with the EITI implementation process. A CSO representative informed that their constituency participation was withheld because they had concerns which needed the attention of key stakeholders. Following deliberations a commitment was made that CSO will be represented at all meetings. The Chair informed the group that she will urge CSOs to fully participate collectively in the EITI process in the planned meeting with them. At the same time, the group unanimously agreed that NACE, as the umbrella body should take responsibility to expand CSO engagement and hence invite CSO members outside NACE to join the MSG.

2017/2018 Report Production:

The group reiterated its commitment to produce a two year report covering 2017/2018 fiscal years. The scope of the reports will focus on oil/gas and mining industries. The Secretariat was urged to **develop the IA's ToR as soon as possible.**

iv. **EITI Secretariat Annual contribution**: Under consideration because most countries have not paid and funding will be factored in the budget allocation for SLETI.

v. **SLEITI Relocation**: The MSG was informed that SLEITI office space rental agreement had long expired, however, a gentleman's agreement was reached with the landlord prior to his overseas trip. To this end, the Chair informed that a plan 'B' was already in place.

vi. **2016 SLEITI APR**: The report was published against the deadline, and the Secretariat acted on comments received from the MSG.

vii. **EITI 2016 Report**: The report was published following its endorsement by the MSG and the IA's response to the MSG and EITI Secretariat comments.

4. Preparation for validation – Update from SLEITI Secretariat

Beneficial Ownership: The Secretariat highlighted key progress made so far with BO disclosure which include submitting a roadmap, creating a BO Working group, training of stakeholders including company representatives, implementing a BO disclosure study and sending out templates to companies for the 2016 report production. However, there were challenges associated with having a BO law against 2020. CAC being the first point of entry for companies and had been earmarked as the leading agency to collect such information and develop a BO law was faced with technical and financial challenges to review its companies act in order to incorporate a BO law and as well as conducting due diligence processes. However, the CAC have so far demonstrated commitment in many ways including developing a Governance Code with BO provisions. Following deliberation, it was agreed that the AG's office should be contacted while the BO working group be expanded in order to move the process forward. The following institutions were selected to serve in the new BO working group-**CAC, MoFED, ACC, PD, AG's Office, Law Reform; OVP,FIU, SLEITI,3 CSO members (1 female, 2 male),MMMR,NMA, NRA.**

The Terms of Reference of the BO Working Group include;

- To come up with a proposal for implementation of Beneficial Ownership disclosure for Sierra Leone
- Action plan for implementation of proposal
- Duration of Assignment- Three (3) months
- Vice president will convey and chair the meeting
- Secretariat is to ensure all steps, documentation are in place in a detailed report which should include actions taking from start of BO discussion and challenges encountered so far.
- There should be 3 BO Subcommittees; 5 people in each committee

Project Level Reporting: The group had the opportunity to discuss Project level definition developed by the Technical Committee. The group cited the EU and EIR Act 2018 definitions which were referenced in the Committees proposed definition. Alongside the definition, the group also discussed the proposed revenue streams which

were considered appropriate in line with the definition. Following deliberations, the definition was adopted by the group. The motion for adoption of the definition was moved by Peter Bangura, seconded by Amadu Mansaray. The revenue streams were approved subject to NMA confirmation with stakeholders in order to ensure that government has accountable, transparent governance and to ensure compliance.

NMA noted that the Agricultural Development Fund (ADF) is collected by MMMR not NMA; Community Development Fund (CDF) is money paid to the community not collected by NMA. NMA report on these funds but companies pay directly to community accounts, NMA is informed but MMMR takes responsibility.

Approval of updated 2018 work plan: Since funding was to be allocated to MDAs by MoFED to end the 2018 financial year, a short term work plan was requested by OVP and was tabled for discussion. After deliberations the group resolved to develop a 3 month work plan. The work plan should cover activities related to validation, 2016 dissemination, MSG retreat and Secretariat logistics. The revised work plan should be circulated as soon as possible and should make provisions for funding institutions to determine which of the activities they will fund.

Also, the group agreed that a few institutions were to be selected to supervise the validation process. They include **NMA, NRA, MOFED, NACE, Koidu LTD, OCTEA**

Update on SLEITI Recommendation 2008-2016: it was observed that a few recommendations were yet to be addressed by relevant MDAs. As part of the outstanding recommendations, NMA pointed out that saved the surface rent policy, but all other related recommendations were been addressed. To this end, NMA promised to share the surface rent policy with the group. All other relevant MDAs were urged to take action on the outstanding recommendations.

Appointment of New Technical Committee Chair: Dr. Mustapha Thomas was the outgoing Technical Committee Chair. The vacuum created after his resignation from the MSG urged members to appoint a new Committee Chair. Since Dr. Thomas was representing CSOs, the group unanimously appointed Mohamed Amara Salisu (A government representative from MoFED) as the Committee's Chair.

The Finance and Management and Communications and Outreach Committees were revised accordingly to accommodate new members. The new members include Local Council, Octea Group, and Vimetco.

Earlier, the Secretariat informed that a few MSG members had long been away while others hardly attend meetings or respond to emails. For this reason, it was advised that a formal letter is sent to those institutions requesting their participation or nominate a new member to join the MSG. On MSG members failing to attend to meetings, it was agreed that invite letters were sent out in hard copies in addition to emails.

Website : The Communications Officer informed the group that the SLEITI Website (www.sleiti.gov.sl) was down , however, the developer (who had already resigned his job from government) and the host service provider were working together to fix it up. The group realised that there was an urgent need to restore the website hence SLEITI was due to undergo validation. Following deliberations NMA opted to provide space on its website to upload key documents ahead of the validation.

Going forward, the group requested the service level agreement between SLEITI and IPLUS (host service provider) which was made available to the group through the Chair. A meeting was planned to update MOS on progress made so far with restoring the website.

Communications Plan: the Communications Officer tabled **SLEITI Medium Short Term Visibility and Communications Plan 2018-2019** for adoption. However, the meeting observed that the plan was good but they needed some time to make input. The group's initial comments pointed out that those activities aimed at universities and high school students should not be restricted to western area only. The motion for adoption of the communication plan was moved by Salieu Bah, seconded by Amadu Mansaray pending inputs from MSG members to improve on the plan.

In the same vein, a 3 months radio and TV talk show scheduled was discussed and the MSG agreed to consider the scheduled as a working documents and advised that the number of radio and TV stations be expanded to accommodate STAR, SLBC , AYV and other key media houses in the regions. On the proposed names to take part in the radio and TV talk shows, the group suggested that they will determine which MSG members will take part.

5. **Any Other Business**:

The NMA Director, Peter Bangura informed that their records showed that stakeholders hardly visit the online repository and it was important to do so in order to keep abreast with development in the sector. He proposed that his institution could hold a half-day refresher training for SLEITI MSG on the use of the online repository. The group welcomed the initiative. The SLEITI Secretariat was to coordinate the half-day session.

6. **Closing**:

The Chair thanked all and promised to inject new spirit in the activities of SLEITI. She said the EITI process is a government led initiative and should therefore enjoy maximum support from various constituencies involved in the process. She called on members to work together to achieve the most while pushing for reforms into the sector.

There being no other business to discuss, Salieu Bah moved that the meeting be adjourned, seconded by Cecilia Mattia.

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Chair

25th/01/2019.

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Secretary

25 Jan '19