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

OFFICE OF THE VICE PRESIDENT

SLEITI MSG 1st Quarter meeting held on 10th January 2023 at the Conference Hall, Office of the Vice President

Attendance:

Government Francess Piagie Alghali - Chair, OVP Mabinty Sesay - MMMR Richard Ashley - CAC Aruna Abu - ASSL Peter Mangoh - ASSL Sheku B. Samai - OVP Swalihu K. Jusu - OVP Shirley O. Fashole-Lucke - OVP Dr. John D. Cooper - MMMR Abu Bakarr Conteh – MoF Mohamed Salieu Bah - NMA/PMT Ramatu B. Massaquoi - EPA Sarah Kosseh – MLGRD	**CSO** Gibril Massie Bah - NACE Dauda Massaquoi - WoME Emmanuel Gbondo - NaRGEJ Cecilia C. Mattia - NACE Gertrude Karimu - WoNES Alphonsus BM Gbanie - HRDN **Others** Steven B. Mansaray - SLAJ
Chamber Consented to abide by the meeting outcome.	**SLEITI** Mohamed Baimba Koroma - Secretary Annie Lansana Mohamed Fernando Conteh Alie Brima Kamara Deborah Massaquoi Marian Turay

Apologies: Abu Brima – NMJD, Aminata Kamara – Sierra Rutile Ltd., Kumba S. Feika – Koidu Limited, Yusuf Suma – NMA, Mohamed A. Salisu – MoF, Solomon Sogbandi - HRDN

Agenda:

1. Prayers
2. Opening
3. Reading of minutes of meetings of 8th and 24th November 2022
4. Matters Arising from Minutes
5. Production of 2020 & 2021 Reports
6. Development of 2023 work plan and financial support
7. Refinement of the 2019 EITI Standard
8. Other Business
9. Adjournment

1. Prayers

The meeting commenced with a call to order by the SLEITI MSG Chair Mrs. Francess Piagie Alghali. This was followed by individual silence prayers.

2. Opening

The meeting was the first to be held at the turn of the year 2023. In this regard, the Chair was pleased to welcome her colleagues MSG members to the meeting. As part of her remarks, the Chair recalled that the MSG achieved exceptional progress in 2022 and expressed optimism for a positive output in 2023. In spites of this, the Chair said the MSG was to consider whether much will be achieved in 2023 taking into account the processes involved in the lead up to the June 2023 general elections. She said by the time the MSG would have commenced implementation of its 2023 work plan and other urgent pending activities, the electioneering processes could likely overshadow planned and approved activities. She urged her colleagues and the SLEITI Secretariat to ensure that most of the planned activities are implemented between January and May 2023.

By way of update on the work of the EITI International Secretariat, the Chair informed that the 2023 EITI Global Conference will be held in June 2023 and it will be hosted by the Government of Senegal. The Global Conference is routine event held every three years to review the global progress of EITI implementation in addition to adopting a refine EITI Standard. She promised to provide additional update as and when available.

3. Reading of Minutes of 8th November 2022 and 24th November 2022

The Chair led members through the minutes of meetings of Tuesday 8th November 2022 and of Thursday 24th November 2022. The group made the following corrections:

On A) Minutes of 8th November 2022:

- To replace 'recused' with excuse on Page 3.

- To do line spacing on joint words on page 5.
- To delete 'Any' from the phrase "Any Other Business" on agenda item 6. The correct phrase should read "Any Business"

The motion for adoption of the updated version was moved by Aruna Abu, seconded by Gertrude Karimu.

B) Minutes of 24th November, 2022

- To add Cecilia Mattia to those who sent in apologies
- To replace the word 'schedule' with 'scheduled'
- To label the different dissemination agendas as A and B
- To add Gertrude Karimu to the list of attendees
- To delete 'Any' from the phrase "Any Other Business" on agenda item 6. The correct phrase should read "Any Business"

Following in-depth review and corrections of the minutes above, the motion for adoption of the minutes of 24th November 2022 was moved by Gertrude Karimu, seconded by Mohamed Massie Bah.

4. Matters arising from minutes of 24th November 2022

The Secretariat, led by the National Coordinator (NC) gave a short progress report of issues deemed actionable in the minutes of 24th November 2022. The following formed part of the major issues:

a) **Beneficial Ownership Disclosure**: In view of demonstrating commitment towards implementation of the BO requirement, members were informed that the BO Chair – Daniel Gbondo was no longer eligible to serve in that capacity as his contract with the Ministry of Mines and Mineral Resources has expired. The group also realized that his deputy- Prince Williams had been absent from meetings in recent times. According to the CAC Alternate, his colleague's absence was not deliberate. He said Mr. Williams was out of the jurisdiction of Sierra Leone. Going forward, the group resolved that he should be briefed accordingly by his alternate and that a BO Technical working Group meeting be convened by March 2023 in order to reconstitute the group's membership.

b) **ASM Data on production and export:** The Secretariat reported that efforts made to further engage the NMA/PMT and BSL were overtaken by the dissemination of the 2022 Sierra Leone Validation report. In this regard, the Secretariat was tasked to follow up with these institutions to ensure that progress is made in addressing the ASM issue which the EITI International Secretariat wanted adequate clarity on how production data is reported. The Secretariat has until March 2023 to complete the assignment.

c) **SLEITI Draft Bill:** The Secretariat reported that the draft bill was received with comments and track changes from the EITI International Secretariat, and same was shared with the MSG in December 2022. Following deliberations on the way forward, the group resolved as follows;

a) the Secretariat to clean up the draft bill before circulation to the MSG, **b)** the draft bill to be shared with the MSG and each constituency to hold consultation with their wider membership **c)** that all comments and contributions from the MSG constituency groups should be submitted to the Secretariat by mid-March 2023, and **d)** the MSG will determine afterwards on the next step.

d) **Stakeholder engagement** – As part of the planned activities lined up to promote understanding of the validation report, stakeholder session was initially considered. With the implementation of the nationwide dissemination of the report, the stakeholder session was deemed to have been taken care of. In light of this, the NC reported that the nationwide exercise was highly successful. Despites this, the NC said in some regions, the number of participants far exceeded the threshold. As a result, the Secretariat had to readjust the budget in order to accommodate the additional participants. Also, there were issues of fake and false representation by participants, to the extent that many were caught during registration process. Following deliberations, the NC pleaded with the organizers to endeavour to invite the 'right and proper' persons to attend such meetings. The Chair was of the view that despite this irregularity, the MSG had achieved its objective of not losing the funding support by the World Bank, which was utilized at a very short notice. She expressed optimism that lessons learnt from the impromptu dissemination will be addressed. She used the occasion to update her colleagues that the 2020-2021 report will be disseminated as soon as funding is secured.

5. Production of 2020-2021 report

The NC reported that the meeting of the technical committee to review the 2020-21 Inception report submitted by the IA was held on Tuesday, 13th December 2022 and commended the group for their support. He said data collection process has commenced and in-scope reporting entities will be invited to report by the IA. The Chair urged all reporting entities especially government agencies to endeavour to meet the specific deadline for submission of the completed templates. Regarding the request for extension of report publication, the NC reported that the letter of extension was submitted to the EITI Board through the Regional EITI International Secretariat team. He said, he was informed that the extension has been approved by the Implementation Committee of the EITI Board and sent to the Board for a formal approval. He stated that even though he was yet to receive the approval from the Board, he was of the opinion that it is highly unlikely that the Board will overturn the recommendation of the Implementation Committee.

6. Development of 2023 Work Plan and Financial support

The NC informed that implementation of 2022 work plan activities was overtaken by several activities including the 2022 Validation exercise and the nationwide dissemination of the Validation report. He was of the view that such activities be rolled over to 2023 work plan activities. During deliberations, members observed that stakeholders were consulted in the development of the 2022 and same should be adopted for 2023 in order to meet EITI provisions on work plan development. The Chair urged the

group to review the three EITI Board Validation templates and incorporate activities earmarked for implementation in 2023. The meeting resolved that the CSO constituency should lead the process. In achieving this, a one-day session on work plan development with key stakeholders should be held by the end of January 2023. The Secretariat was tasked to share a draft with the group as a working document.

With regards funding of work plan activities, the NC said World Bank (WB) has suspended its support to the extractive sector through the EITAP Project and the WB used to be SLEITI's most reliable donor partner. He was of the view that if implementation of activities were to be sustained, the MSG should fall back to the Government of Sierra Leone to increase its annual budget allocation to SLEITI. It was agreed that the final work plan should be shared with the government and donor partners for consideration.

7. Refinement of 2019 EITI Standard

The Chair reported that the EITI Board commenced consultations with implementing countries and stakeholders on refinement of the 2019 EITI Standard following development in the global extractive sector. She said the focus was on energy transition, anti-corruption, gender, revenue reporting and others. She also said that she was a member of the working group committee constituted by the EITI Board to work closely with the Policy Unit of the EITI Secretariat on the refinement of the Standard, ahead of the EITI Global Conference in Senegal, slated for June 2023. She said ahead of the working group meeting to be held in Oslo, MSGs of implementing countries were requested to submit their feedback on the proposed scope of refinement by 13th January 2023.

1. On the question of which of the proposed refinements to consider a high priority for the 2023 EITI Standard? The MSG resolved as follows:

A) **Gender:** The MSG considers Gender as a high priority for the 2023 EITI Standard owing to the fact that the Government of Sierra Leone has passed the Gender Equality and Women's Empowerment Act 2022. This Act makes adequate provision for a minimum 30% quota for women in politics and senior management cadres, protection and other necessary safeguards. In addition, the Standard should request implementing countries to have a minimum percentage of female representation on the MSG.

B) **Energy transition:** The MSG said the importance of Energy Transition cannot be under stated. In light of this, additional expertise will be required to guide the MSG's deliberations on Energy Transition. Currently, the MSG thematic set up does not cover expert or institutions on Energy Transition, and therefore it will require funding and other capacity issues. In the same vein, Sierra Leone is yet to hold or initiate a national dialogue on Energy Transition. The country's current felt need is Energy Access and Security which is a major government commitment.

C) **Anti-corruption:** The MSG in its deliberations said that Sierra Leone has a robust Anti-Corruption institution established by an Act of Parliament in 2002 as a semi-autonomous body to address issues of financial malpractices. The Audit Service Sierra Leone is the country's supreme audit institution with overwhelming mandate to also address financial mismanagement procedures and prudency. Like others, the Financial Intelligent Unit is also mandated to track and fight illicit financial flows etc. With the existence of these state institutions, a requirement on Anti-Corruption into the EITI Standard will lead to overlap of functions by state institutions. It is the view of the MSG that the institutions mentioned above be allow to maintain their mandate and not the MSG.

D) **Revenue collection:** The MSG said that revenue collection remains the country's topmost priority. In this regard, a progressive law such as the Extractive Industries Revenue Act of 2018 is explicit on Sierra Leone's fiscal regimes and could stand the test of times. On the other hand, the EITI Standard is merely a tool and it should not take precedence over the EIRA, adding that its implementation will likely create conflict and overlaps.

E) **Logic & accessibility:** The MSG approved the approach described as 'layout and flow' of the requirements as it relates to stating individual objectives at the start of every Requirement.

On the question of which of the proposed refinements to consider as having high impact for meaningful implementation moving forward? The MSG was of the view that:

If the requirement on gender is implemented, it will have a high impact for meaningful implementation because women's livelihood is mostly disrupted as a result of mining activities. They are also vulnerable and mostly marginalised. However, when women are fully empowered, they will be able to sit around the table with their male counterparts to plan and make decisions on the extractive sector.

On the question of **Are there any proposed refinements considered to be particularly costly to implement?** The MSG agreed that Energy transition is considered particularly costly due to reasons highlighted in previous responses above.

On the question of **Are there additional refinements within the scope agreed by the Board that should be included?** The MSG said No.

During discussions, the MSG raised concerns that additional refinements would make the Standard complicated and difficult for countries to implement. They were of the view that simplifying the Standard will encourage and motivate member countries to implement the Standard.

On the question of whether EITI provisions can be required, expected or encouraged, and which of the proposed refinements or existing EITI provisions should be required, and which ones should be deemed expected or encouraged?

The MSG stated they are generally fine with the proposed terminology. However, they suggested that the following terminologies be removed- **must; could; and recommended** because these terminologies have directive connotations and will have implications for validation. It is the view that the objective of the EITI is to encourage countries to enhance transparency and accountability in the sector and not to make legally binding provisions for implementing countries.

On the request that proposals to adjust, clarify or remove elements of the refinements; the MSG said the Standard is evolving at a faster pace than implementing countries can cope with, so at this stage there are no proposals.

8. Any Business

With a view of recent development among the MSG CSO constituency in the lead up to the nationwide dissemination of the 2022 Validation report, the Chair drew the attention of her colleagues to the modus operandi of International Board's best practices- citing her working relationship as alternate to her substantive colleague on the EITI Board. She said prior to Board meetings, they often liaise and talk to each other on issues and on who was to attend, speak, or otherwise. She said they always stood by their decisions whether a member was in attendance or not. The Chair used this example to address the spate of rumors, tensions, and bad mouthing within the NACE WhatsApp forum with regards to who was to receive paltry sum of money to organize a town hall meeting for the SLEITI MSG during the nationwide dissemination of the 2022 validation report. She said she was on an official assignment out of the jurisdiction of Sierra Leone when she was informed of the tensions. She said the group, including the entire MSG members should adopt the working ethics of the EITI International Board, adding that decisions taken either by the substantive or alternate is binding and obligatory to all. She then called on the CSOs to read and familiarized themselves with the CSO Protocols on the EITI Standard adding that every constituency is required to share information to its wider group after every MSG meeting. She said whatever might have happened in the NACE group, its members should find ways to fix it amicably citing that NACE was a founding member of the SLEITI process.

As part of the admonishment, the Chair said the issue painted a picture as if there were no coordination between substantive and alternate members, and among various constituency groups of CSOs. She said the work of the SLEITI Secretariat is to implement the decisions of the MSG and not to settle or fix disputes. The Chair emphatically warned members to respect the Secretariat Staff and to desist from any form of interference with their work or any attempt to give directives to them, and otherwise. Even though some members including the Secretariat staff had wanted to express their views about what transpired and how they were affected by the NACE issue, the MSG felt satisfied by the approach adopted by the Chair to address and resolved the matter. This showed that sometimes the MSG members could disagree on issues, yet, they often find ways to address such issue amicably.

By way of conclusion, the Chair said the group has worked so hard in recent years to sustain and maintain EITI implementation in Sierra Leone and the outcome of the 2022 Validation was a shining example of the concerted effort of the MSG and the Secretariat. With this, there were no further comments by members and a new working atmosphere was rejuvenated. This followed a submission from the Secretariat that the substantive MSG member of Society for Democratic Initiative (SDI) has failed to attend all MSG meetings and activities since SDI was accepted on the MSG in 2021. The Secretariat said the SLEITI MSG MoU is explicit on the steps to be taken when a member or group ceases from participating or attending MSG led activities. In view of this, the Chair said a letter should be addressed to the Institution concern to remind them of their non-attendance and the next steps.

9. Adjournment

There being no other business to discuss, the motion for adjournment of the meeting was moved by Cecilia Mattia, seconded by Ramatu Massaquoi.

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Signature of Chair

24/3/2023

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Signature of Secretary

24/3/2023

General Actions points and status update

No.	Action Point	Update
1	BO Technical working Group meeting be convened by March 2023 in order to reconstitute the group's membership	In Progress
2	Secretariat to follow up with NMA and BSL to ensure that progress is made in addressing the ASM sector data gap on production	In progress
3	Circulation and sector review of the Draft SLEITI Bill	Achieved. The Bill was circulated and some sectors have contacted the Secretariat with possible options for a holistic review of the Bill
4	One-day session on 2023 Work plan development	Achieved
5	Share approved work plan with donor partners	Achieved
6	Secretariat to write to SDI on the non-attendance of substantive member	In progress