

Minutes of the 10th Regular Meeting of the VPA Steering Committee
Tuesday, August 31, 2010
St. Theresa Convent Conference Hall
Randall Street, Monrovia

The meeting was called to order by the Hon. Chairman, Moses D. Wogbeh. The Chairman began the meeting with a prayer which was offered by a volunteer. He then read out the agenda and requested a motion for amendment. There was no amendment made. A motion was obtained and seconded that the agenda be adopted for the meeting. It was then adopted for discussion.

Minutes of the 9th SC meeting:

The minutes of the 9th SC meeting were then reviewed by the body with few corrections made. Thereafter, a motion was made and seconded to adopt the minutes. The minutes were then subsequently adopted. .

Matters arising from the minutes:

The issue of the legal status of the VPA process was raised. In response, the Chairman informed the body that a Proclamation has being signed by President Ellen Johnson-Sirleaf. He said the issuance of the proclamation is a clear manifestation that the SC now has a legal status.

Another issue of concern was that harmonized version of the VPA Terms of Reference. The Committee was interested in knowing the outcome of the harmonized version of the TOR. The Chairperson of the ToR committee, Madam Victoria Cole explained that the document could not be submitted because some members of the committee had not signed the document. This was followed by a rebuttal from Kofi Ireland as saying that at the last SC meeting, the TOR committee reported that it was only Julie Weah who had not signed the report and how then can the committee say that some members had not yet signed. The Technical Secretariat however informed the meeting that the first report prepared and signed by almost all of the Committee' members were misplaced by the Committee's chair, which led to the printing of new copy.

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Investigating Committee:

The committee constituted by the SC during the 9th regular meeting of the Steering Committee to investigate allegation brought against Mr. Michael M. Roberts of

Platform Two(2), Grand Cape Mount County by the Sustainable Development Institute (SDI) that Michael does not live in the community he represents was asked to present its report.

Mr. Kula Jackson who spoke on behalf of the committee presented a comprehensive report on the outcome of his team's visit to Grand Cape Mount County. A copy of which was placed in each SC member's folder. Mr. Jackson in summary reported in that the team used its own method to conduct the investigation. He highlighted that the team met with community leaders, CFDC members, and youth's groups whom they assumed were the right people who would have answers to their questions regarding the allegation brought against Mr. Roberts. Mr. Jackson explained that the team visited specific towns and villages during its investigation. According to him, those towns and villages visited included Butter Hill, the town that Michael represents, Benduma and Porkpa Districts.

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Mr. Jackson's investigating committee reported the following findings:

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- That Michael is not a permanent resident of the community he represents;
- That Michael has not been seen in the community for the last two months;
- That Michael has not been attending community meetings regularly. The committee most recent meeting was held July 2010; and
- That Michael does not report to the community on issues discussed at the VPA Steering Committee meetings.

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Based on these findings, the investigating committee was convinced and concluded that the complaint brought against Mr. Roberts was legitimate and that further actions needed to be taken.

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After the committee's report, some members of the SC made few comments expressing their dissatisfaction about the form and manner in which the investigation was conducted:

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- That the accused (Mr. Michael M. Roberts) was not informed about the team visit to his community;
- That the right people were not talked to; and
- That the committee's report was based on assumption and not facts

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Also the following recommendations were suggested:

- That Michael's sanction remains until further investigation; and
- That Michael be asked out of the meeting since he was not invited by the Technical Secretariat officially

Briefing from the 3rd Round of Negotiation:

The Coordinator of the TS gave a summary report on the outcome of the 3rd round of negotiations which was held in Liberia from July 12 – 14, 2010.

He indicated that the negotiations were successful and congratulated all stakeholders involved with the process.

He highlighted some major points that were discussed at the negotiation talks. Mr. Kofa explained about the Legality Definition (LD) that the EU delegation appreciated the level of work so far but however made few comments that needed to be handled soon. He revealed plans that the TS was preparing to host a two-day multi-stakeholder consultative workshop which was to provide opportunity for the LD to be discussed.

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The TS Coordinator also talked about the Legality Assurance System (LAS). He clarified that the EU was interested in the Chain of Custody System (CoC) but was quick to mention that the CoC is being worked on by the SGS. He also informed the SC that an Aide Memoire was signed and the road map updated. Mr. Kofa informed the body about the field trip which made a significant impact during the negotiations. He then announced August 31, 2010 as the date set for a technical video conference in preparation for the next negotiations.

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The TS Coordinator used the opportunity to appeal to members of the SC to kindly acknowledge emails and make feedback comments when documents are sent to them.

Anna Halton, IDLgroup MOU Presentation:

The IDL representative who was on a working visit in Liberia used the opportunity at the Steering Committee meeting to enlighten the SC about the role of the IDLgroup in the VPA Process. She provided the body with an organizational chart that explains the role of each party involved with the VPA. Anna explained that the IDLgroup is a Contractor to DFID. She said DFID is providing funding for the VPA process and now that the proclamation has been issued by the President of Liberia it is important that the role of each party be cleared. She then presented a Memorandum of Understanding (MOU) to the SC for its comments and consideration. Anna however congratulated the TS for the supportive job done so far. As Anna concluded her presentation, Mrs. Julie Weah of the Civil Society Organization (CSO) encouraged her colleagues to take advantage of their status and outsource funds for the operation of the VPA without IDL or DFID intervention.

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The Proclamation:

A Legal consultant to the VPA Process Cllr. Negballee Warner explained to the SC that the proclamation issued by the Office of the President of Liberia has the same legal status as the Executive Order. The Consultant clarification was in response to doubts about the legal status of the SC considering the fact that the proclamation was not clear about the VPA SC legal status. Cllr. Warner said like the Liberia Extractive Industries Transparency Initiative (LEITI), the VPA now has the right to manage its own bank account and outsource funds if it wishes.

In relation to the Memorandum of Understanding (MOU), the Chairman of the SC requested Cllr. Warner's expertise in the preparation of the MOU. It was noted that the MOU was drafted two months ago by the IDLgroup and sent to the Chairman of the SC to review.

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Public Information & Transparency Measures:

The TS informed the SC that two consultants had been hired to draft the Public Information & Transparency Measures Annex for the VPA Process. He named Martin F. Kerkula (Journalist) and Edwin K. Martin (Lawyer) as those who were hired as a team to undertake the task.

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Briefing from Ghana:

As was placed in the folders of each SC members, the TS summarized its report from the trip they made to Ghana. Mr. Charles K. Miller, Deputy Coordinator of the TS said the trip was comprised of representatives from the Civil Society Organization (CSO/SDI), Government of Liberia (GoL/FDA) and the Industry (LTA). Mr. Miller said the visit exposed the Team to some significant issues that need to be practiced in Liberia. He stressed the need for a team of lawyers to be hired and retained for the process. Mr. Miller concluded by noting the usefulness of the trip and the inherent benefits accrued by the team.

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Mr. Kula Jackson suggested that a program be organized to highlight the importance of the VPA proclamation. He noted that this will recognize the efforts of the SC and further encourage the group to work harder. He also used the forum to inform the SC that he has been nominated by the CSO to represent the organization at the VPA Negotiations.

An observer from the United Nations Mission in Liberia (UNMIL) cautioned the SC to take on the responsibility to discuss with CSOs that are outsourcing funds from other donors in the name of the VPA. Mr. Ireland noted that if funds are being received from other donors by various organizations in the name of VPA, it was then expedient for proper accountability and full disclosures by all recipients of such funding in order to avoid duplication of activities.

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A budget from the Law Enforcement Division of the FDA was presented to the TS for implementation as part of its tasks for capacity building.

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Mr. Isaac Mannah of the Industry was appointed by the Chairman of the SC to work along with the TS so as to ensure that the VPA forms part of the current National budget that is being prepared.

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The meeting was then adjourned at 5:15 pm.

The attendance of the meeting included:

1. Hon. Moses D. Wogbeh, Sr. FDA SC Chairman
2. Madam Victoria Cole FDA
3. Mr. Joseph F. Mulbah NIC
4. Mr. Kofi A. Ireland UNMIL
5. Mr. Paolo Nastasi UNMIL
6. Mr. Sollie K. George COM. REP.
7. Mr. George F. Kpawulu COM. REP.
8. Mr. S. Maxsion Tarr COM. REP.
9. Mr. Michael Sayee COM. REP.
10. Mr. Michael M. Roberts COM. REP.
11. Mr. William V. Page COM. REP.
12. Mr. Boima M. Quaye CFDC
13. Mr. Charles F. Johnson CFDC
14. Mr. Sanecee Borbor Elder, Grand Cape Mount County
15. Mr. Solomon S. Peter COM. R. Cess County
16. Ms. Mai E. Saryeh LDI/CSO
17. Ms. Nora Bowier SDI/CSO
18. Mrs. Julie T.B. Weah FCI/CSO
19. Mr. Kula L. Jackson NGO Coalition/CSO
20. Mr. Mulbah B. Sumo, Sr. MPEA
21. Mr. Isaac F. Mannah LTA
22. Mr. Jimmie F. Jimmy MOL
23. Cllr. Sylvester Gbeintor MOJ
24. Cllr. Negballee Warner Consultant
25. Amos T. Kofa VPA
26. Charles K. Miller VPA
27. F. Dadeh Harper VPA
28. Queta R.J-Hessou VPA
29. Stephanie Altman VPA
30. Anna Halton IDL