

REPORT OF THE DIALOGUE WITH MEMBERS OF PARLIAMENT ON THE OGP

DATE: 15 June 2016

VENUE: Parliament

TIME: 1100 hours

CHAIRING: Abu Bakarr Kamara, Budget Advocacy Network

Present

The meeting was attended by Members of Parliament, OGP Secretariat, Civil Society Representatives and Media organisations.

1. Opening Prayer

The meeting commenced with individual silent prayers.

2. Purpose of Meeting: Marcela Samba Sesay, CGG

Marcela Samba Sesay informed participants that the meeting was organized by OGP in partnership with BAN. She explained that the OGP was launched in 2011 through the initiative of 8 countries to provide an international platform for domestic reformers committed to making their governments more open, accountable and responsive to citizens. So far 69 countries have qualified for membership, and in all these countries government and civil society are working together to develop and implement ambitious open government reforms.

In addition, Marcela Samba Sesay also updated participants on the progress with regards to the implementation of the Sierra Leone's OGP NAP 1, highlighting that most of the milestones have been achieved.

The BAN Coordinator, Mr Abu Bakarr Kamara reported that BAN received funding from OSIWA for two major purposes;

- doing a detailed report on transfer pricing to see how much the country is losing and provide recommendations that can inform policy making and
- pushing for the passing of the Revenue Management Bill. However, on this note he highlighted that, having realized that Government had determined that the Revenue

Management Bill was no longer appropriate as a stand alone legislation, an alternative way for pushing for commitments under the Bill was to incorporated into the OGP NAP.

Thus MPs were called upon to critically assess the proposed commitments and milestones for their input and suggestions.

3. Remarks by the OGP Secretariat by Ms. Hannah Karim

Ms Hanna Karim informed the meeting that the Government of Sierra Leone established the OGI and subsequently signed onto the OGP as an explicit demonstration of His Excellency the President's commitment to establishing peace, political tolerance, accountability in resource management and socio-economic development in Sierra Leone.

She also highlighted that Sierra Leone was one of the 69 countries that have signed up the OGP, which was established in 2011 as a platform for reformers around the world for promoting accountability, transparency, civic participation and use of innovation and technology in service delivery. Sierra Leone's first OGP National Action Plan (2014-2016) was developed and rolled out during the difficult fight to combat the Ebola Virus Disease and is a testimony to government's commitment to addressing the grand challenges of the OGP. The first NAP had 11 commitments that were agreed upon by the government and CSOs. Ms Hanna Karim emphasized that the commitments and the process itself were guided by the national development objectives as stated in the Agenda for Change (PRSP 1) and the Agenda for Prosperity (PRSP II).

Ms Hanna Karim encouraged the participation of Parliamentarians in the process of discussing progress made under NAP 1 and proposed commitments for NAP 2. She reiterated the fact that nationwide consultations were being undertaken with line ministries, CSOs, various institutions and sectors as well as the general public. She noted that the NAP commitments will be drawn from the submissions of the people of Sierra Leone. Parliament was being consulted as the law making agency and influential stakeholder in the OGP process in championing the change; that Parliament can provide invaluable guidance and strategic leadership on achieving the commitments for efficient and effective public sector management and service delivery. Having said that, Ms Hanna Karim requested the Parliamentarians to submit their views as the development of the NAP 2 was underway.

4. Remarks by the Country Director for OSIWA, Mr. Joseph Pemagbi

The OSIWA Director, Mr. Joseph Pemagbi indicated that the promotion of collaboration between government, CSOs and Parliament is at the center of the work of OSIWA. He expressed his gratitude for being invited to the event. He reminded the meeting that, a couple of years ago, the Tambo Mbeki Report was produced highlighting illicit financial flows and their effects on

African countries. He noted that in Sierra Leone very little or no data exists on transfer pricing particularly and illicit financial flows generally. Past research has indicated that huge resources are lost by African countries, Sierra Leone included, on transfer pricing and tax incentives exacerbated by insufficiencies in government spending to the Social Sector. Members were also reminded of the BAN report, *Losing Out*, which was produced in 2014 and was the first attempt to explore Sierra Leone's massive revenue losses from tax incentives.

The Director stated that OSIWA supports the involvement of parliamentarians in dialogues and partnerships promoting accountability and transparency in Sierra Leone. He also noted that OSIWA was supporting BAN in carrying out research to thoroughly investigate the amount of revenue lost as a result of transfer pricing allegedly committed by the Multinational entities operating in Sierra Leone. The report is expected to highlight the disparity between what is published and what actually obtains during the transactions of the companies.

Participants were informed that OSIWA is a grant making and advocacy foundation that is part of the Global Open Society Foundations Network. OSIWA's work is premised around supporting the creation of open societies in West Africa marked by functioning democracy, good governance, the rule of law, basic freedoms and widespread civic participation. Its headquarters are in Dakar and it has offices in Abuja, Monrovia, Freetown and Conakry.

Having said that, he thanked the Parliamentarians and wished the participants successful deliberations.

5. Presentation on the OGP By Marcela Sesay, CGG

Marcela Sesay, the Head of Programmes for Campaign for Good Governance provided the principles of OGP as;

- Transparency
- Accountability
- Civic Engagement
- Innovation/ Technology

She noted that OGP seeks to address the following grand challenges

- Improving public services
- Increasing public integrity
- More effective management of public resources
- Creating safer communities
- Improving corporate accountability

She briefly explained each of the grand challenges highlighting the need to have commitments in the NAP that speak to the grand challenges.

6. Presentation on NAP 2 Commitments By Abu Bakarr Kamara, Budget Advocacy Network

Abu Bakarr Kamara presented the proposed NAP 2 commitments to MPs appealing for their input, support and contributions.

OGP Proposed Commitments for NAP 2

The OGP proposed commitment under the second NAP were presented as follows

Commitment	Milestones	New/Ongoing
<p>Fiscal Transparency and Open Budget</p> <p>Commitment: To make budget data (Pre budget statement and Midyear report), parliament audit committee reports and tax exemptions publicly available and increase citizen participation in the budget process.</p>	<p>In line with internationally accepted good practices for open budgets, this includes:</p> <ol style="list-style-type: none"> 1. Publish, in a timely manner, the budget reports each budget year: a pre-budget statement and a mid-year review as these two reports are still not yet been published by the government of Sierra Leone. 2. Publish all tax exemptions, on a half yearly basis starting 2016. <i>This should include an estimate of the total amount of revenue losses attributable to all tax expenditures, the amount of revenue losses attributable to tax expenditures divided by the various revenue streams, the amount of revenue losses attributable to tax expenditures from various sectors, both public and private, the amount of revenue losses attributable to the tax expenditures from 20 of the largest investors, divided by company</i> 	<p>New</p>

<p>Fiscal Transparency and Open Budget (This will increase Sierra Leone score in the Open Budget Survey. In 2012 Sierra Leone score 39 and in 2015 we score 59 out of 100%.)</p> <p>Commitment: To make budget data (Pre budget statement and Midyear report), parliament audit committee reports and tax exemptions publicly available and increase citizen participation in the budget process.</p>	<p>3. Publish Budget data (a pre-budget statement; the executive’s budget proposal; the enacted budget; a citizen’s budget; in-year reports on revenues collected, expenditures made and debt incurred; a mid-year review; year-end report; and audit reports) online, in machine-readable formats.</p> <p>4. Provide and publish the detailed feedback on how public perceptives have been captured and taken into account on the budget discussion process during the formation stage</p>	<p>New</p>
<p>Record Management</p>	<ul style="list-style-type: none"> ❖ Drafting of the Record Management Act ❖ Publishing of the Bill online in government website ❖ Hold public consultation on the bill ❖ Tabling of the Record Management Act in Parliament ❖ Parliament debate and pass the Record Management bill into law 	<p>Ongoing</p>
<p>Aid Transparency</p>	<ul style="list-style-type: none"> ❖ Donors, INGOs and NGOs publish details fund meant for the post Ebola recovery online and the on the open data portal including activity level budget (need to agree on the donors, INGOs and NGO) ❖ Donor, INGOs and NGOs hold annual district public meetings to disclose fund meant that particular district and for what purpose and detail activity-level budget shared. (need to agree on the donors, INGOs and NGO) 	<p>NEW</p>

Extractive Industry Transparency Initiative	<ol style="list-style-type: none"> 1. Development of the EITI policy 2. Public discussions on the EITI policy 3. Cabinet approve the EITI Policy 4. Cabinet approve the EITI bill 5. Tabling of the EITI bill in Parliament 6. Parliament debate and pass the EITI bill 	Ongoing
Implementing the recommendation of the Auditor General reports for the 2014 and 2015 audit report	<ol style="list-style-type: none"> 1. Attorney-General's Department to initiate action to prosecute officials indicted in the PAC's report for the 2014 and 2015 Auditor General report 2. 10 MDAs implement procurement related recommendation of the Auditor General report 3. The Publish the reports of the Parliamentary Audit Committees online 	Ongoing
Open Contracting	<ol style="list-style-type: none"> 1. The Public Procurement Authority will publish quarterly all contracts entered into by Government from July, 2016 to June, 2018. This information should have the following: <ul style="list-style-type: none"> Name of the contractor Location of the contract Start and end date of the contract Value of the contract Detail description of the contract 2. Public Procurement Authority will initiate action to quarterly monitor contract executions together with CSOs and the Media to ensure effective 	New

	<p>service delivery from July 2016 to June 2018</p> <p>3.Publish the report of the monitoring online</p>	
<p>Climate Change</p> <p>More transparent and participatory development of climate polices at the local, national and international level (using proxies measures on both mitigation and action)</p>	<p>i. Creating timely, robust and transparent public participation processes for the design of local and national climate strategies and plans, including nationally determined contributions; long-term, midcentury low emissions strategies; and other national submissions (including National Communications, Biannual Reports and Biannual Update Reports, National Adaptation Plans, etc.).</p> <p>ii. Ensuring a breadth of consultation with relevant ministries, including civil society, scientists, trade unions, marginalized groups, local authorities and the private sector, to seek a diverse range of views and inputs. Also providing adequate notice to ensure accessibility and opportunity to engage in the preparation and submissions of national and local climate submissions to international bodies (National Communications, Biannual Reports and Biannual Update Reports, National Adaptation Plans, etc.)</p> <p>iii. Documenting the outcome of public consultation and government responses and all individual written comment submissions that were made available (e.g. online, through dashboards).</p>	New
<p>Climate Change</p> <p>Providing user friendly data and information regarding climate related</p>	<p>i. Creating a user friendly public tool to track policy implementation with critical milestones in specific sectors. Countries and subnational actors could commit to track policies though a central database that showcases progress on commitments, including toward specific greenhouse gas targets,</p>	New

<p>action</p>	<p>renewable energy, forest restoration, clean mobility, green buildings, and other policy goals and targets.</p> <p>ii. Providing adequate and relevant climate information to the public at the policy and project level (reactively and proactively) with a focus on usability, accessibility and publicity.</p> <p>iii. Releasing information or datasets in open data formats to meet the requirements of the Doha Plan of Action that would help educate, empower and engage all stakeholders.</p>	
<p>Climate Change</p> <p>Measures to ensure the creation of accountable and inclusive institutions for national climate action .</p>	<p>i. Establish national legislative frameworks for open and inclusive climate change institutions, policy making and reporting processes;</p> <p>ii. Build the awareness and understanding of diverse country level stakeholders concerning national commitments and needs for climate change policies through multiple communication channels, including for ministries (e.g., environment, energy, planning, finance, agriculture), local authorities, civil society, private sector, parliamentarians, and academia; and</p> <p>iii. Establish an appropriate legal and regulatory framework for the collection and supply of climate change relevant data, including from the private sector, and build partnerships with national statistics bodies, climate research institutions, and regional centers of excellence to enhance understanding of climate change impacts.</p>	<p>New</p>
<p>Gender (Sexual Violence)</p>	<p>❖ Publish data on gender violence issue on a quarterly bases</p>	

	<ul style="list-style-type: none"> ❖ Set up a forensic lab to fast track sexual violence case ❖ Free access to health services for sexual violence cases 	
Elections Promote transparency and accountability in the management of elections	Promote transparency and accountability in the management of election by making available <ul style="list-style-type: none"> (i) voter register, constituency and boundary information in electronic format online, (ii) improving the transmission of election results through technology and making them available online in open data format. 	
Local Council (Waste management)		
Access to justice		

7. Discussion

7.1. Records Management

Civil Society representatives appealed to the MPs to support NAP Commitments that require the passing of legislation. In particular, members deliberated on the Records Management Law noting that the existing laws were old and outdated having been passed in 1965. In this regard, it was noted that the draft Records Management Bill 2016 has been aligned to the Access to Information Act and promotes records keeping by public officials in a manner that promotes accountability and transparency.

The MPs guaranteed their support towards the passage of the Records Management Bill. However, some MPs were concerned that records keeping might require financial resources and capacity building and thus called upon the donor community and civil society to ensure that resources are availed to the public sector, especially Parliament. In that regard, the OSIWA Director underscored that OSIWA has established a working relationship with the Civil Service Training Institute to include Archives and Records Management in their training programmes. In addition, OSIWA was also working with the Access to Information Commission to increase their capacity.

7.2. The Extractive Industry Transparency Initiatives Law

An appeal was also made to Parliament to support the passage of the EITI Law, in consideration of its potential impact in bringing transparency and accountability in the extractive sector. Parliamentarians indicated their commitment towards supporting the passage of the Bill into law. However, they insisted that CSOs should lobby Ministry of Mines and Mineral Resources to bring the Bill to Parliament to ensure that it was debated.

7.3. Climate Change

Parliamentarians also pledged to support the commitment for Climate Change indicating that there were various international commitments that Sierra Leone has signed up to that mandate it to initiate various activities under climate change. In particular, aligning national laws to the international commitments was cited as one of the key steps that Parliament will ensure. In terms of the water shortages in Freetown, the meeting was informed that Parliament has produced a report with recommendations for various implementing agencies.

7.4. Fiscal Transparency

MPs also vowed to continue supporting OGP commitments that are geared towards promoting fiscal transparency and accountability. Participants discussed the Public Financial Management Act, highlighting its merits in promoting transparency in fiscal management. In that regard, MPs noted that Parliament, as the custodian of the people of Sierra Leone, has an oversight role on public finances and this should be strengthened and never overlooked.

MPs proposed a milestone that looks at funds received by CSOs especially from international organizations. They stressed that they were aware of various activities done by CSOs in their constituencies that were funded by local and international donors. The MPs noted that CSOs along with monitoring Parliamentarians and government institutions, should also monitor themselves, NGOs and their partners. Most MPs hailed the inclusion of a milestone looking at Ebola funding into the OGP commitments noting that this will go a long way in promoting transparency. They recommended a milestone requiring INGOs and Civil Society to publish information on money received from donors for public consumption.

7.5. Relationship Between CSOs and Parliament

MPs stressed the need for CSOs to work in partnership with Parliament. Concern was raised over the activities of some CSOs, in particular, mention was made of reckless statements denouncing MPs that have been made by some CSOs through the media. In that regard, MPs emphasized that CSOs should work with MPs especially when they were undertaking activities in their constituencies. They highlighted that when CSOs consult only a few people, the expected impact of their activities would not reach to the whole constituency. MPs were particularly concerned

about the exclusion of Parliament in the activities of CSOs operating in their constituencies. All the MPs concurred that all the OGP commitments were relevant to Parliament and they were ready to support their implementation.

7.6. Elections

MPs also endorsed the commitment on elections and the milestones set under it. They concurred that the promotion of accountability and transparency in the electoral system was a major step towards advancing the tenets of democracy. In particular, they hailed the inclusion of the milestone looking at the availability of information online.

The meeting ended at 1345 hours.

NO	NAME	INSTITUTION
1.	ABU BAKARR KAMARA	BAN
2.	HANNA KANU	OGI/OGP
3.	RAMATU FULLAH	OGI/OGP
4.	ISSA MANSARAY	CITIZEN MEDIA
5.	MARCELLA SAMBA SESAY	CGG
6.	EDWARD B KOROMA	PARLIAMENT
7.	FODA D.M. SESAY	DADA-SL
8.	HON MABINTY BANGURA	PARLIAMENT
9.	HON ALUSINE MARAH	PARLIAMENT
10.	HON FODAY .R.YOKIE	PARLIAMENT
11.	OSMAN KOKOFELE	PARLIAMENT
12.	HON JUSATU B. MASARAY	PARLIAMENT
13.	BABAH KANU	INFORMANT SUCCESS/PAPER
14.	HON IBRAHIM KAMARA	PARLIAMENT
15.	HON AARON .A.KOROMA	PARLIAMENT
16.	HON KANDEH KAMARA	PARLIAMENT
17.	HON HENNEH RADDER	PARLIAMENT

18.	HON SIDIE .M. TUUIS	PARLIAMENT
19.	HON SHEHUBA AMANI SANNOH	PARLIAMENT
20.	AUGUSTINE SESAY	PARLIAMENT
21.	HON ALHASSAN KAMARA	PARLIAMENT
22.	HON VERONICA .K.SESAY	PARLIAMENT
23.	HON SALLIEU .O.SESAY	PARLIAMENT
24.	HON ALHASSAN .J.KAMARA	PARLIAMENT
25.	HON MAIWAI MOMDI	PARLIAMENT
26.	HON AMADU FOFANAH	PARLIAMENT
27.	HON ALOIE KALOKO	PARLIAMENT
28.	SULAIMAN BAH	PARLIAMENT
29.	HON NICOLAS KAMARA	PARLIAMENT
30.	HON HASAN S. SESAY	PARLIAMENT
31.	HON SAIDU BABA KAMARA	PARLIAMENT
32.	HON LALAI MOMOH	PARLIAMENT
33.	ABDULAI JALOH	PARLIAMENT
34.	KEMMOH MARRAH	PARLIAMENT
35.	MOHAMED BARRIE	PARLAMENT
36.	MOHAMED Y TURAY	EXPRESS MEDIA
37.	TSITSI MUVUNZI	BAN
38.	MABINTY FOFANAH	BAN
39.	SARIAN GRIFFIN	BAN