



**Opening
Extractives**

Unlocking the benefits
of ownership data

Terms of Reference for consultant supporting the implementation of the Opening Extractives programme in Liberia

Introduction

Opening Extractives (OE) - a programme launched by the Extractives Industry Transparency Initiative (EITI) and Open Ownership to enhance beneficial ownership transparency - is seeking an individual consultant, based in Monrovia, to support the OE team in implementing beneficial ownership transparency commitments under the OE Programme in Liberia. This will entail supporting the OE team and the Steering Committee in Liberia¹ with the implementation of the OE programme. The objective is to improve government and company disclosures, move towards systematic disclosure of data on beneficial ownership, first in the extractives sector and then in other sectors, and build capacity among key stakeholders in collecting, disclosing, and analysing BO information.

Objectives of the assignment

Opening Extractives is seeking a consultant to support their work with LEITI, the Liberia Business Registry (LBR) and stakeholders on the implementation of Beneficial Ownership Transparency by developing a Beneficial Ownership Registry for the Mining, Forestry, Agriculture, and Oil & Gas sectors in line with EITI Requirement 2.5. The consultant should be based in Liberia for this assignment.

Background

Requirement 2.5 of the 2019 EITI Standard² requires that implementing countries maintain a publicly available registry of the beneficial owners of corporate entities that apply for or hold a participating interest in an exploration or production oil, gas or mining license or contract, including the identity(es) of their beneficial owner(s), the level of ownership and details about how ownership

¹ The Steering Committee is made up of the Liberia Business Registry, Liberia Revenue Authority and the LEITI.

² <https://eiti.org/document/eiti-standard-2019>

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or control is exerted. Also, as of January 1, 2020, all implementing countries are required to develop and publish a comprehensive BO Registry.

As part of its efforts to actualise its commitment to improve beneficial ownership transparency, the Liberian government confirmed its willingness to participate in the Opening Extractives programme on 28 July 2021 and the National Launch of the OE programme held about two months after the commitment. At the launch, the Government gave its complete support for the programme and urged LEITI, LBR and the LRA to work collaboratively towards a swift implementation of the programme.

Liberia's primary objective in the first phase of the programme is to establish a beneficial ownership (BO) register for the Mining, Forestry, Agriculture, and Oil & Gas sectors to be hosted by the Liberian Business Registry (LBR). Liberia's priority areas under this programme include but are not limited to the following: (i) development of a new Beneficial Ownership data collection form and guidance notes in keeping with the EITI, Financial Action Task Force (FATF), and Open Ownership (OO) requirements, (ii) development of internal procedures for the collection of data, storing and releasing of BO information to the public, (iii) development of a detailed training manual for BO, (iv) capacity building for all relevant stakeholders, (v) public sensitisation on BO, and (vi) development of BO regulations.

The OE team has prepared a Phase One work-plan that contains the activities to be executed in the coming months and the consultancy will focus on executing these activities. Below details the scope of works for the Consultant:

Scope of work

The consultant will be expected to undertake the following tasks:

A. Coordinate workshops and consultations sessions required for the process of developing and designing BO declaration forms

- 1) Support with organising and planning the user consultation sessions on BO declaration form
 - a) Support the OE team and work closely with the technical consultant hired by Open Ownership in organising and coordinating key user group consultation sessions on the draft BO declaration form. This will entail organising consultation sessions based on OOs briefing on [user consultation process](#) with two groups of users:
 - i) system users such as registered agents, companies, and LBR internal staff who will use the system to submit BO data; and
 - ii) data users such as key government agencies, civil society organisations,

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media, and other private stakeholders that will use the data for investigations, due diligence, advocacy, and other related activities;

- iii) Support/encourage the groups in (i) and (ii) above to set up/create networks/platforms (as outcomes from the engagements) for their continuing engagements on BOT activities/monitoring (including those planned under the OE programme support).
 - b) To complete the task in (i) above, the consultant will need to identify specific local registered agents, companies within the extractive sector and LBR internal staff who will form the focus group for the system users' session, disseminate key information on the sessions to them and secure their attendance.
 - c) To complete the task in (ii) above, the consultant will be required to identify relevant government agencies, CSOs, media actors, and other private sector stakeholders who will form the focus group for the data users' session, disseminate key information on the sessions to them and secure their attendance.
 - d) Support the OE team to handle the logistics (venue, printing of any comms materials needed for the sessions, and local travels if required) of organising the above consultation sessions.
- 2) Support with Inter-agency coordination, data collection and sharing
- a) Support the OE team and work closely with the technical consultant hired by Open Ownership by convening and coordinating government and non-government actors involved in collection, verification, disclosure and use of BO data to provide input on the BO declaration forms. The consultant will:
 - i) with the support of the OE team and Steering Committee, identify the key government agencies involved in BO data collection and monitoring and organise consultation sessions with them
 - ii) organise consultation sessions with organisations providing support on BOT in Liberia and align current and future plans for support (i.e. AfDB, US Embassy, UNODC, EU, GIZ, etc.)
 - iii) disseminate any key information on these sessions to all attendees and confirm their attendance
 - iv) handle all logistics related issues that are inherent in organising these consultation sessions.

B. Public awareness and sensitisation

- 1) Support LEITI/OE Steering Committee in raising awareness on Beneficial Ownership in-country

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- a) We have identified 6 key counties for public sensitisation – Monsorato, Maryland, Monrovia, Bassa, Nimba, Bong, Capemount. The consultant will lead the planning and organising of the BO tour to sensitise the public on BO reforms
- b) The consultant will be required to draw up a plan on how to execute the BO tour and will be expected to:
 - i) create a draft message or a tagline for the tour
 - ii) organise the printing of banners, fliers and any comms material
 - iii) post and share these banners and information sheets in strategic parts of these counties and to strategic stakeholders
 - iv) engage with local media houses and media departments of CSOs to set up interviews, talk shows and on-air sessions on BOT reforms
- c) The consultant will also be expected to handle the logistics of organising BO sensitization workshops for local companies, CSOs, and the media. This also includes ensuring that there is media coverage for events and progress of Opening Extractives in Liberia.

C. Monitoring, Evaluation and Learning Activities and development of public work plan

1. Support with MEL workshops with the Steering Committee

- a. We will be taking a workshop-based approach to monitoring, evaluating and learning from Liberia's progress and the consultant will be required to support the OE team with organising and facilitating MEL workshops with the Steering Committee. The specific steps that the consultant will be supporting with are:
 - i. Guide the Steering Committee with identifying 3-5 primary national priorities related to BOT
 - ii. Guide the Steering Committee with articulating these national priorities as problem questions (ie: why is there not yet a centralized registry of BO information?)
 - iii. Guide the Steering Committee to map the challenges to OE implementation and address national priorities, by identifying "3 causes" for each priority question, and brainstorm several reasons for each of those causes. These can then be mapped using 'Ishikawa' diagrams
 - iv. Guide the Steering Committee to brainstorm activities and solutions and document these
 - v. Fill the MEL Framework template with all relevant information obtained from the workshop and develop a roadmap or work plan that can be published in line with these priorities, activities, timelines and responsible entities
 - vi. Organise **monthly check-ins with Steering Committee** for monitoring and

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learning. This will involve reviewing and iterating results chains based on implementation so far.

D. Support the EITI in ad hoc coordination of the OE programme in Liberia with regards to the activity areas below, beyond the aforementioned requirements:

1. Political commitment and stakeholder engagement
2. Capacity building workshops and awareness raising
3. Liberia's involvement in regional workshops and peer exchange
4. Monitoring, Evaluation and Learning

Qualification requirements

The Consultant should be credible, trustworthy and technically competent. Short-listed persons will be assessed based on the following criteria/requirements:

- Understanding of the governance and transparency space in Liberia, data transparency, and resource governance issues, preferably with knowledge of extractive industries.
- Experience and knowledge of beneficial ownership transparency tools, use-cases and approaches would be advantageous.
- Experience in engaging and coordinating with multi-stakeholders in Liberia, and in facilitating high level technical engagements and capacity strengthening.
- Skills and experience in coordination, project management, and technical writing.
- Experience of similar jobs in the past.

To ensure quality and independence in the undertaking, the consultant must, in their technical and financial proposals, disclose any potential or actual conflicts of interest, together with a comment about how they may be avoided.

Deliverables and duration of consultancy

The assignment is expected to commence in February 2022 and last for the rest of 2022, for a maximum of 75 days. Within four (4) weeks of the commencement date, the Consultant shall submit a draft programme for the delivery of all the activities outlines in this ToR, including a draft plan for the BO Tour to the OE team for review before same is forwarded to the Liberia Steering Committee for review and approval.

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The Consultant is expected provide periodic reports of progress against tasks to the Opening Extractives team, including achievements, challenges, recommendations and action points. The Consultant will report to EITI's Country Manager for Liberia, and indirectly to the OE Programme Manager. The Consultant is expected to work hand in hand with the technical consultant to be hired by Open Ownership under the Opening Extractives programme.

Timetable

The proposed schedule is set out below, and should be agreed in consultation with the Liberia Steering Committee:

Task	Timeline
Signing of contract	February/March 2022
Initial Meeting with Steering Committee and the OE team	February/March 2022
A) Support with organising and planning the user consultation sessions on BO declaration form	February/March – April 2022
B) a. Public awareness and sensitisation: Development and submission of a draft tour plan	February/March 2022
B) b. Implementation of BO Tour Plan	April – June 2022
C) MEL Activities	March – April 2022
D) Support in ad hoc coordination of OE programme in Liberia – activities TBC depending on outcomes of activities A-C	July – December 2022

Procurement process

A consultant will be selected following a quality and cost-based selection procedure. Consultants should submit:

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- A **Technical Proposal**, outlining: (a) the experience of the consultant/s, (b) the proposed methodology and work plan in response to the Terms of Reference (TORs) and (c) the key experts' qualifications and competence. The Technical Proposal should not include any financial information. Technical proposals containing material financial information shall be declared non-responsive.
- A **Financial Proposal**, clearly indicating a lump sum financial proposal of all costs associated, with applicable taxes. The daily rate for the consultant fees should be clearly indicated. The Financial Proposal should be sent as a password protected PDF file. The passwords should not be sent. The passwords will be requested following the assessment of the technical proposals.

Proposals must be delivered by email to skasimova@eiti.org by 7 February 2022.

The criteria for assessing the technical proposals will be based on the following:

- Experience of the Consultant relevant to the Assignment
- Adequacy and quality of the proposed methodology, and work plan in responding to the Terms of Reference (TORs)
- Key Experts' qualifications and competence based on the Qualification requirements (see section on qualification requirements above)

The weights given to the Technical (T) and Financial (P) Proposals are:

T = 70%

P = 30%

Proposals will be ranked according to their combined technical (St) and financial (Sf) scores using the weights (T = the weight given to the Technical Proposal; P = the weight given to the Financial Proposal; T + P = 1) as following: $S = St \times T\% + Sf \times P\%$.

Contract negotiations will be held with the highest ranked consultant. If contract negotiations are unsuccessful, negotiations will be held with the next highest ranked consultant.

Reference materials:

- The EITI Standard, <http://eiti.org/document/standard>
- The online Guide to implementing the EITI Standard, <https://eiti.org/guide>
- EITI implementation guidance notes issued by the International Secretariat, <https://eiti.org/guidance-notes-standard-terms-of-reference>

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