



CHIEF JUSTICE  
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH  
TEMPLE OF JUSTICE  
MONROVIA, LIBERIA

BEFORE THE HONORABLE SUPREME COURT OF REPUBLIC OF LIBERIA  
SITTING IN ITS MARCH TERM, A.D. 2020

BEFORE HIS HONOR: FRANCIS S. KORKPOR, SR.....CHIEF JUSTICE  
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE  
BEFORE HER HONOR: SIE-A-NYENE G. YUOH .....ASSOCIATE JUSTICE  
BEFORE HIS HONOR: JOSEPH N. NAGBE.....ASSOCIATE JUSTICE  
BEFORE HIS HONOR: YUSSIF D. KABA.....ASSOCIATE JUSTICE

The Government of the Republic of Liberia by and )  
through The Ministry of Justice, Monrovia, Liberia )  
..... Movant )  
 ) MOTION TO DISMISS  
Versus )  
 )  
Atlantic Resource Ltd, Address Unknown )  
..... Respondent)

JUDGMENT

When this case was called for hearing, Counsellors Jerry D. K. Garlawulo, Ministry of Justice, G. Moses Paegar and Golda A. Bonah-Elliot of the Sherman & Sherman Inc. appeared for the movant. Counselor Peter W. Howard appeared for the respondent.

Having carefully reviewed the records, heard the arguments and contentions advanced by the counsels representing the parties and considered the laws cited and relied upon, it is hereby

ADJUDGED:

That there is no evidence that Atlantic Resources filed a complaint with the Complaint and Review Panel (CARP) of the Public Procurement and Concession Commission (PPCC) and that CARP made a ruling in its favor that any concession agreement for "Area F" forest area should be entered into with Atlantic Resources;

That assuming there was no compliance with any of the requirements for the validation process required by the National Forest Reform Law, and a decision was indeed made in

favor of Atlantic Resources, the remedy available to Atlantic Resources was through a petition for a judicial enforcement of an administrative decision;

That the process of ratification of the forest management contract of "Area F" by the Legislature in favor of Euro Liberia Logging Company did not and does not violate any provision of the Constitution of Liberia (1986); Atlantic Resources has not challenged the constitutionality of any Act of the Legislature;

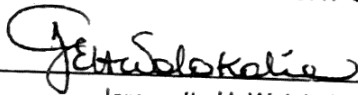
That the issue of Article 25 of the Constitution of Liberia arises only where a validly binding and enforceable contract exists, and the Liberian Government has impaired or seeks to impair the obligation thereunder. As no validly binding and enforceable forest management contract exists between the Government of Liberia and Atlantic Resources for "Area F", the ratification by the Legislature of the forest management contract between the Government of Liberia and Euro Liberia Logging Company raises no constitutional issue.

WHEREFORE AND IN VIEW OF THE FOREGOING, the motion filed by the Government of Liberia to dismiss the petition to determine the constitutionality of the forest management contract for "Area F" ratified by the National Legislature in favor of Euro Liberia Logging Company is hereby granted. The Clerk of this Court is ordered to inform the parties of this decision. Costs are ruled against Atlantic Resources. AND IT IS SO ORDERED.

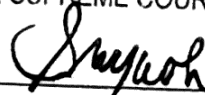
GIVEN UNDER OUR HANDS AND THE SEAL OF THE SUPREME COURT OF LIBERIA THIS 3<sup>rd</sup> DAY OF SEPTEMBER, A.D. 2020



Francis S. Korkpor, Sr.  
CHIEF JUSTICE, SUPREME COURT OF LIBERIA



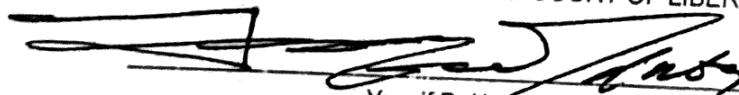
Jamesetta H. Wolokolie  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Sie-A-Nyene G. Yuoh  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Joseph N. Nagbe  
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Yussif D. Kaba  
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