REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY (FDA)

Office of the Board Chairman

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January 31, 2022

H. E. George Manneh Weah
PRESIDENT
Executive Mansion
Capitol Hill, Monrovia
Liberia

Dear Mr. President:

I have the honor most respectfully to present compliments on behalf of the Board of Directors of the Forestry Development Authority (FDA) and to submit the attached Board Resolution from our last Board meeting regarding illegal operations of some companies with the acquiescence of management staff.

Sir, we request that you approve the actions recommended against those who aided the companies referenced and instruct the Ministry of Justice to look into possible legal actions to be taken against the culprit/s. This will send a strong message to would be violators.

Your Excellency, you have indicated unequivocally in your speeches delivered at the United Nations General Assembly and at the United Nations Climate Conference in Glasgow, United Kingdom, that your government is championing the fight against Climate Change and Global warming by sustainably managing our remaining forest which constitutes over 50% of the Upper Guinea Ecosystem. You further indicated in Glasgow your government's preparedness to host a regional carbon trading outfit in Liberia to benefit our country and other Tropical Countries.

The advent of illegality in the Forestry Sector has eroded the credibility of the management team, thereby affecting donors' behaviors. We have started to see the negative impact on their support to our National Budget. Taking the actions, we are recommending would assure our development partners that you meant every word in your speeches; that no one will be allowed to recklessly cause deforestation without severe consequences.

Thanks, Mr. President for your confidence in us. Be assured Your Excellency, that we will leave no stone unturned in uprooting anything that affects sustainable management of our forest for the benefit of this and future generations.

Kindest regards.

Respectfully yours,

Harrison S. Karnwea, Sr.
CHAIRMAN – FDA BOARD OF DIRECTORS

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MONTSERRADO COUNTY)

BOARD RESOLUTION # 19
RECOMMENDED DISCIPLINARY ACTIONS TO BE TAKEN AGAINST FDA STAFFS SAID TO BE CONNECTED WITH ILLEGALITY DISCOVERED BY INVESTIGATION CONDUCTED BY THE MINISTRY OF JUSTICE

WHEREAS, the Managing Director, Honorable C. Mike Doryen wrote the Minister of Justice, Hon Frank Musa Dean on September 2, 2021 requesting an investigation into the operations of WAFDI, a third-party company operating Gheegbarn 1 Community Forest in Grand Bassa County, Republic of Liberia;

WHEREAS, the Ministry of Justice conducted investigation and found illegality in several aspects of the operations in the CFMA by both the operator and the management of the Forestry Development Authority – please find the attached report and covering letter dated December 2, 2021 – and directed the management and the Board of Directors to institute appropriate actions to restore sanctity in the Forest governance at the FDA;

WHEREAS, the Board of Directors of the FDA met severally with the Management of FDA on 22 December 2021, January 14, 19 and 26, 2022, respectively to probe into the facts and circumstances surrounding the situation;

WHEREAS, the Board of Directors of the FDA discovered that the Technical Team at FDA under the supervision of the DMDO has approved management plans submitted by WAFDI which did not conform to the National Forestry Reform Law of 2006, Community Right Law of 2009, their attendant Regulations, the Code of Harvesting Practices and the Guidelines for Forest Management Planning;
NOW, THEREFORE, it is hereby resolved by the Board of Directors:

1. That the Deputy Managing Director, Mr. Joseph J. Tally be released of his position by the President for his failure to properly advise and guide the Managing Director in his capacity as the Chief Technician with over 30 years' experience. That he should also be allowed to be retired since he had reached that retirement prior to his appointment. That his replacement be vetted to ensure that he/she is qualified and competent to technically support the MD;
2. That the Technical Managers of Commercial Forest and Legality Verification Department, (LVD) Jerry Yonmah and Simulu Kamara respectively be dismissed for the commission and omission in this process Their actions or inaction amount to negligence and dereliction of duties which warrant summary dismissal.
3. That the LVD Operations Manager, Mr. Abraham Sheriff be dismissed for his commission and omission in the operations of the LVD systems;
4. That the Data Information Manager, Jessie Vannie, be dismissed for his commission and omission in the data management of the subject CFMA
5. The following recommendations advanced by the MD be approved and the recommended assignments take effect immediately:

a. Mr. William Pewu to assume the position of Technical Manager for Commercial Forestry
b. That Blama Goll be transferred from Conservation to Research and Development as its new Technical Manager
c. That Attorney Gertrude Nyaley formerly TM of Community Forest now becomes the Technical Manager of Legality Verification Department (LVD)
d. That Weedor Gray assumes the position of Technical Manager for Community Forest
e. That Evangeline Swope Nyanti assumes the position of TM for Conservation.

6. The Board of Directors directed the MD and team to rectify the Forest Management plans and related issues and ensure that WAFDI be made to pay any additional taxes that will be assessed on the CFMA and be allowed to ship their timbers. Adjust the plans in conformity with the 15 years life span of Authorized Community Forest Management agreement
7. That the MD be required to sign futures contracts and various documents that have legal implications ONLY AFTER the REVIEW and ADVICE by the Legal team.
8. That the Board of Directors will request the VPASU2, MFGAP, The EU and other partners to provide support for the recruitment and training of a new corps of LVD staff including the new TM.
9. That going forward, the MD, along with his Co-Chair, attends National Multi-stakeholders Monitoring Committee meeting as he is the Chair, as he is the representative of the Private Sector. These meetings discuss very important governance issues in the sector.
10. That the MD attends the Project Board meetings to acquaint himself with operational matters arising from field inspections by third party verifier and register compliance issues.

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed the Forestry Development Authority's seal on this 26th day of January AD.2022 in the City of Monrovia, Montserrado County, Republic of Liberia.

SEAL

C. Mike Doryen
MANAGING DIRECTOR AND SECRETARY

Approved: _____
Harrison S. Karnwea Sr.
CHAIRMAN

1. Jeanine M. Cooper
2. Martha F. Weed
3. Joyce As. Mensah
4. Hannah M. Kanto
5. John B. S. Davies
6. Atty. J. Adams Manobah, Sr. 1/26/22
7.

REPUBLIC OF LIBERIA
MINISTRY OF JUSTICE
14th Street, Payne Ave., Sinkor
P.O. Box 9015
1000 Monrovia, Liberia

Office of The Minister /
Attorney General

Hon. Harrison Karnwea, Sr.
Chairman
Forestry Development Authority
Board of Directors
Whein Town, Paynesville City

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OFFICE OF THE MINISTER / ATTORNEY GENERAL

FMD/M-AG/MOJ/338/2021/RL

December 2, 2021

Hon. C. Mike Doyen
Managing Director
Forestry Development Authority
Whein Town
Paynesville, Liberia

Dear Hon. Doyen:

We present our compliments and write regarding your letter dated September 2, 2021, Ref: MD/123/2021/-1, in which you informed the Ministry of Justice of "gross violations of our forestry laws and procedures" by West Africa Forest Development Inc. (WAFDI). The Ministry of Justice initially responded on September 15, 2021, informing you that the Ministry had constituted a team to investigate the transaction, including the internal processes leading to the alleged violations. The Ministry of Justice has completed its investigation and hereto attached, is a copy of the Investigation Report for your review and action. The investigation of the Ministry of Justice has concluded as follows:

1. WAFDI was issued an Annual Harvesting Certificate on December 1, 2020 by FDA, qualifying them to commence logging in Gheegban#1 Community Forest. Two Annual Coup Inspection Fee invoices were issued to WAFDI, with the latest issued on January 7, 2021 (reference #2021/003375) and paid by WAFDI on February 6, 2021.

2. The Committee did not find any legal requirement for inventory verification in the forestry legal framework, including the Standard Operating Procedures (SOPs) and the Code of Harvesting Practices. However, the Ministry acknowledges that this requirement has been part of FDA procedure, which WAFDI did previously comply with, including requesting such validation for the subject 601 cubic meters of logs.

3. SGS informed the committee that except for payment of some fees, which was later complied with, WAFDI met requirements for legality of the logs. SGS did not address why they believe this to be the case when it was SGS that first

confirmed the violation of the legal framework in FDA's approval of an illegal five (5) year management plan and the subsequent approval of the an annual harvesting certificate based on an illegal 5 year management plan.

4. While FDA has raised issue with 601.801 cubic meters of logs from 12 unapproved blocks, the investigation found that other logs from the purported unapproved blocks were previously approved and export permits were signed by the FDA MDA and SGS. Having previously approved export permits from the purported unapproved blocks, it is difficult for the Ministry of Justice to understand FDA's complaint.

5. There was a violation of the forestry legal framework in the approval of the WAFDI's commercial use agreement for less than 15 years and approval of the 5 year management plan for the harvest of the entire 26,000 hectares within five (5) years, which is a gross violation of the Forestry Law and the Code of Harvesting Practices and no action was taken by FDA until September 2, 2021. WAFDI took advantage of this and requested to commence operations and same was granted by FDA beginning in 2019.

In further reviewing the documentation presented and statements made by FDA staff and others, the Ministry of Justice has determined as follows:

1. There has been a pattern and practice of violations of the forestry laws, regulations, and Code of Harvesting Practices by FDA:

   a. The June 3, 2019 Management Plan of WAFDI for Gheegban #1 Community 2 Forest to harvest all 26,363 hectares within 5 years was approved by the MD although such management plan violated Section 8.2(a) of the National Forestry Reform Law and Section 6.2(a) of the Code of Harvesting Practices, as well as the current 15 year harvesting cycle established by FDA for community forestry.

   b. WAFDI was allowed by both FDA and SGS previously to harvest and export logs under this illegal management plan until September 2, 2021 when FDA wrote to WAFDI revoking its earlier approval of the management plan.

   c. Even if, as stated by FDA during the investigation, the community "elected" for a seven (7) year agreement with the Company, FDA has the legal authority and responsibility to ensure that the contract and the approved management plans comply with the forestry laws However having executed the commercial use contract for 7 years contrary to established procedures, FDA was in gross violation of the law in failing to ensure that the approved management plan reflected the portion of the forest area that could be harvested within 7 years consistent with the

approved harvesting cycle and not to allow blanket harvesting of the entire area within 5 years.

2. As WAFDI is an operator in the forestry sector, they are also obligated to know and comply with all forestry laws and procedures, including submission of management plans that are consistent with the legal requirements governing such plans.

The Ministry of Justice concludes that the findings principally require administrative actions against those found culpable. The FDA and the FDA Board of Directors must, therefore, institute the required administrative measures to restore the sanctity of the FDA. Additionally, the WAFDI 5 year management plan and annual harvesting certificate should be immediately rectified, including the re-mapping of blocks consistent with law and the Code of Harvesting Practice, prior to any further shipment from the area by WAFDI.

Sincerely,

Cllr. Frank Musah Dean, Jr.
MINISTER

cc: Hon. Harrison Karnwea, Sr.
Chairman, FDA Board of Directors