



Joint Implementation Committee of the Liberia-EU FLEGT Voluntary Partnership Agreement

Aide Memoire

**Session of the 9th Joint Implementation Committee, March 21-24, 2022,
Monrovia**

Introduction

1. The Ninth Joint Implementation Committee Meeting (JIC) to oversee the implementation of the FLEGT Voluntary Partnership Agreement (VPA) between Liberia and the European Union (EU) was held in Monrovia from March 21-24, 2022. The meeting was chaired by Hon. Harrison Karnwea, Chair of the Board of the Forestry Development Authority (FDA), Republic of Liberia, and co-chaired by Ambassador Laurent Delahousse, Head of the EU Delegation to Liberia. The technical discussions were co-chaired by Hon. C Mike Doryen, Managing Director of the FDA, and co-chaired by Stefania Marrone and Stephan Cocco of the EU Delegation. A full list of participants is also attached as Annex 1 to this Aide-Memoire.
2. In his welcome remarks, the Hon. C Mike Doryen, noted that the Parties were assembling at a time when the FDA had embarked upon "a series of comprehensive reform measures that were gaining momentum and beginning to have impact in the sector". In this regard, he extended his appreciation to the FDA Board Chair, distinguished members of Cabinet, and Heads of Agencies, and Development Partners for their support thus far.
3. In his opening remarks, Ambassador Laurent Delahousse, reflected that the EU and Liberia had now been working together for over a decade to build legal and sustainable governance of Liberia's forest sector, and that as one of the few remaining intact forests on planet, this work was "critical in our collective efforts to combat climate change". The Ambassador also noted that the gap between meetings of the JIC was regrettable, as it meant that the Parties were falling short of their commitment in the VPA to hold at least two meetings each year, and emphasised that the "The proof of Liberia's and the EU's commitment doesn't lie on the paper signed a decade ago." He concluded that Liberia was the custodian of a treasure that belonged to the children of Liberia and to the world, and that the proceedings of the JIC would contribute to "our collective effort to ensure sustainability of the forest for future generations".
4. In his opening remarks, the Honourable Harrison Karnwea noted that in recent months the President of Liberia had "declared his Government's commitment to the sustainable management of our forests for the benefit of this and future generations and to mitigate climate change, global warming and their adverse effects on the planet". He extended his appreciation to international partners like the EU, USAID and the UK, for their continued commitment to supporting the sector despite the global economic difficulties growing out of the pandemic, and reflected that while the whole world was "happy in extending their hands to collaborate with us", Liberia must ensure that nothing is done to undermine this support, as current and future generations of Liberians would gain more from sustainably managed forests.

Perspectives on Timber Sales Contract Area 2 (TSCA2): Findings, recommendations and actions taken

5. In 2019, the Independent Auditor of Liberia's Timber Legality Assurance System (TLAS) reported the apparent felling of logs by Renaissance Group, outside of the area allocated to them under TSCA2.¹ Arising from this report, the Board of the Forestry Development Authority (FDA), requested that the Ministry of Justice (MoJ) carry out an independent investigation into the alleged illegalities. A summary of the report recommendations and subsequent actions taken by the Government of Liberia (GoL), was presented to the JIC by the FDA. That summary, along with relevant comments and further clarifications made on the presentation, is included as Annex 2 of this Aide Memoire.
6. In October 2021, representatives of Liberian civil society published a briefing on a field investigation carried out in July 2020 by civil society-led independent forest monitoring (CS-IFM) into this same case of alleged illegal activity related to TSCA2. Following a CS-IFM presentation of this briefing note, which they described as "an example of trade without law enforcement and governance", the FDA confirmed that to a large extent, the findings of the CS-IFM investigation were consistent with those that were identified through their own investigation.

Progress Updates on GoL roadmap to achieving compliance

7. The aide memoire of the 8th JIC (paragraph 21), committed the MoJ and FDA to work together to develop a roadmap to set out a series of actions and related timelines for addressing non-compliances more broadly. In a presentation by the MoJ on the progress made with the development of this roadmap, it was clarified that, among others, the identification of actions was informed by reports of the Independent Auditor and the Legality Verification Department's (LVD) non-compliance registry.
8. The nature of non-compliances to be addressed in this roadmap may include: the enforcement of payments to communities, the submission and approval of the required management plans/annual harvesting plans, and the need for greater clarity on the roles of the various regulatory, enforcement, and monitoring bodies such as the FDA, MoJ, and SGS². As the draft roadmap is still undergoing internal review and final consultations, MoJ committed to sharing a first draft of the document with the EU by April 15th, 2022.
9. Recent progress in the finalisation of tools for strengthening compliance, included:
 - Approval by the FDA Board of Directors of the Private Use Permit Regulation and the Chainsaw Milling Regulation. Both regulations will become effective once they have been approved by the President and printed in the Official Gazette.
 - Approval of the Compliance and Enforcement Handbook by the FDA Board of Directors, which becomes effective on FDA Board approval. Annex 3 includes the relevant Board Resolutions relating to these approvals.
 - The signature at Ministerial level in December 2021, of a Memorandum of Understanding (MoU) between six implementing Ministries and Agencies, committing them to meet regularly to share and make public, relevant sector information that is not of a

¹ Information on Renaissance was later altered in LiberTrace and replaced with 'Freedom Group, Liberia'.

² Société Générale de Surveillance act as Third Party Monitors for Legality Assurance System.

commercially sensitive nature. This MoU is included as attached as Annex 4 to this Aide Memoire.

10. Particular importance was placed on the value of the Compliance and Enforcement Handbook as a key tool for clarifying administrative procedures and potential prosecutorial actions for the respective stakeholders. MoJ emphasised the need for sustained momentum towards full implementation of the handbook and proposed that the next step would be a technical working session to familiarise those responsible for enforcement with the contents of the handbook. It was also clarified that work would be needed by MoJ and the FDA to develop templates and procedures to clarify roles and responsibilities for various actors, and that this should be a priority area of support for the relevant sector support projects in the months ahead. In that regard, MoJ expressed concern that the VPA Support Unit (VPA SU2) was drawing to a close and the impact that this would have on capacity building support to FDA for strengthened compliance.
11. The forest sector concession review³ that was conducted under the Liberia Forest Sector Project (LFSP), with funding from Norway, envisaged action by MoJ to clarify the status of these concessions. MoJ clarified that a legal opinion on the long-standing issue with these concessions had yet to be issued. The FDA also confirmed that this report had been shared with the National Multi-Stakeholder Monitoring Committee (NMSMC) who had provided initial feedback, but that the FDA were seeking to contract an independent facilitator to lead a wider stakeholder consultation process to inform next steps.

Institutional progress and departmental challenges in managing the chain of custody system

12. The FDA emphasised that without the necessary human and financial resources throughout the entire chain of custody, addressing non-compliances in the sector would remain a challenge. It is for this reason that the funds made available to the FDA through the transitory account were also to support resourcing of the commercial department, forest law enforcement department, and others beyond the legality verification department (LVD).
13. They also clarified the challenge of resourcing these departments when the FDA is unable to use the funds it generates, as this goes directly to the Government of Liberia account. To fund its operations, the FDA is entirely dependent on Government disbursements. The impact of the budgetary restrictions on the relevant chain of custody departments includes staff not being replaced/recruited and existing staff not being able to undertake field monitoring visits, or travel to concession areas to gather data, thus compromising the FDA's ability to effectively regulate the sector.
14. As an illustration of the challenges that this presents, the FDA informed the JIC that in the last fiscal year, they received approximately USD 6,000 of the USD 12,000 that had been approved from GoL core budget to support goods and services. While the total quantum of funds from the transitory account is adequate, it is the cumbersome procedures for accessing these funds that impacts on chain of custody operations.
15. In this context, the FDA clarified the processes and procedures that need to be followed for each of the departments to be able to access funds for their operations. They highlighted that a key challenge is the capacity of staff to prepare costed workplans so that it is easier to

³ World Bank, 2019, Liberia Forest Sector Project Legality – Review of forest concessions in Liberia

monitor and report on funds used, and requested that further capacity building support be provided for this purpose.

16. In response the UK expressed concern about the operational constraints described as a result of the budgetary restrictions, particularly given the quantum of support that had been provided to the sector by both the EU and the UK over the years to build the capacity of the LVD, and to transfer the responsibility for its management from SGS to the FDA.
17. Following the presentation, the EU committed to writing to the Minister of Finance and Development Planning to seek further clarification on the challenges that had been shared during the session.

Transparency requirements of the VPA and tools to implement requirements

18. The FDA presented the reporting obligations of the LVD in accordance with the standard operating procedures that relate to the work of the department. LVD also operates with a service charter compliant with ISO 9001 standards. They also shared that the department was experiencing serious constraints in being able to fulfil its mandate due to logistical constraints such as not having enough vehicles available for staff, battling with poor internet connectivity in the interior, and not having adequate staff trained to the appropriate level. These challenges constrain the quality and timeliness of public reporting.
19. In November 2021, the FDA website was rebranded and linked to various other websites. However, coordination with relevant Ministries, Departments and Agencies presents a challenge to ensuring that the information on the website is consistently updated. The FDA have been exploring whether the 'national single window', that is being developed by GoL with support from USAID for the purposes of facilitating information exchange, might also help to facilitate public access to forest sector information.
20. On the question of creating a public portal in LiberTrace, the FDA confirmed their interest in exploring the best approach to establishing such a platform to support them in meeting their transparency commitments under the VPA. They expressed interest in learning more about the experience of Ghana in creating a similar portal in their electronic wood tracking system, but also highlighted that they would need to be clear on the costs of that approach and where a budget for that could be secured from.
21. Civil society indicated their interest in having access to information such as some of the forest sector laws and related documents, FDA manuals, minutes of the NMSMC meetings, information on permits and other information. FDA welcomed civil society's suggestion for a group of interested stakeholders to convene to agree what information it would be useful to put in the public domain. They also made reference to the MoU that had been signed to facilitate information sharing (paragraph 9 above) which would further facilitate FDA's ability to access information.
22. The EU welcomed GoL's commitment to transparency as signified by their interest in the public portal. However, considering the time it would take to establish a portal and the various requests for documents raised during the JIC, the FDA agreed to continue to use their rebranded website for this purpose.
23. With support from the VPA SU2, there is also now a sub-page on FDA's website where all VPA-related documentation as required by Annex IX of the VPA can be uploaded.

Commercial Use Community Forestry and Commercial Use Contract (CUC) Progress and Challenges

24. On the status of Community Forestry Management Agreements (CFMAs), the FDA provided the following update:
- 128 applications for CFMAs have been received in total, with the following sponsorship:
 - 70 supported by the Liberia Forest Sector Project
 - 2 supported by the Society for the Conservation of Nature for Liberia
 - 56 supported by the Government of Liberia
25. Of these 128 applications, 49 have been awarded CFMAs (an area totalling 1,075,508ha). The remaining 79 applications are still being processed. Out of these 49 that have been awarded, 40 have signed Third Party Agreements (Commercial Use Contracts), with only 1 of these agreements being with a conservation objective, and the remainder being for commercial logging. Out of this number however, only 12 of these are currently harvesting from their CFMAs (see details provided in annex 5).
26. FDA currently has a moratorium on the receipt of any new applications for CFMAs. This decision was informed by three factors: the first being the large number of applications favouring commercial logging vs conservation, which would undermine GoL's conservation objectives; the second being the FDA's capacity to manage the sheer number of applications being received; and finally, the consideration of the total land area that might end up under timber operations.
27. In response to the EU's concern about the reasons for communities choosing commercial logging over conservation, FDA reflected that it is difficult for communities to choose conservation as a management objective, when the tangible benefits (e.g. road construction, and revenue direct to communities) is not forthcoming and that this challenge is something that development partners and the international community more broadly need to address urgently.
28. The FDA confirmed to the JIC that the CUC templates approved by the FDA Board, were in use by the FDA prior to their approval, and that it was clear that the involvement of communities in the development of these templates, ensured that they provided better protection to communities in the event of non-performance of third-party operators. The FDA also acknowledged the value of the support being provided by ClientEarth and Heritage Partners & Associates to build the capacity of communities in the use of these templates, and that continued efforts in this regard needed to be prioritised.
29. To address some of the challenges being faced in the implementation and enforcement of CUCs, the FDA highlighted the need for capacity building support to strengthen the review, monitoring and implementation of management plans, and also reiterated the logistical constraints being faced by all departments of the FDA as presented earlier. It was also clarified that progress on capacity building of all key stakeholder groups on the implementation for the Compliance and Enforcement Handbook would also benefit the users of CUCs, as a measure for strengthening compliance and accountability of all actors.
30. EU expressed concerns about the landuse conflicts due to mining permits being issued in logging concessions and protected areas, and would like to understand what the formal processes are for landuse planning to avoid these conflicting land claims. GoL indicated that coordination between the relevant government agencies needed to be improved, and that an MoU was being put in place for that purpose.

31. In response to a question seeking an update on the progress made by FDA and LRA on the status of land rental fee and tax arrears the FDA agreed to provide a tax update for the sector, with the caveat that this information must be reconciled with the information held by the LRA and the Ministry of Finance and Development Planning for it to be considered official information (Annex 6).
32. Finally, it was agreed that a copy of the FDA Board Resolution to approve the use of the CUC template would be included as an Annex to this aide memoire, and that a copy of the CUC template would be uploaded onto the FDA website (Annex 3).

Integration of Commercial Use Community Forest Management Agreements into the VPA Legality Matrix

33. The seven-member committee, established to support the process of integration of commercial use CFMAs into the legality matrix, presented an update on the work of the committee to the JIC and confirmed that a revised version of the matrix (version 3.2) had been developed to incorporate initial inputs from key national and international stakeholders.
34. The committee were thanked for their work on this revised legality matrix and the Parties agreed that as the most important work of their mandate had been completed, the committee could now be honourably retired.
35. It was agreed that prior to accepting this revised version of the matrix, the following steps would need to be taken, to ensure that a similar process for the amendment of Annex II is followed as implemented during the initial negotiations:
 - The committee will submit the revised draft to the Parties through the VPA secretariat by March 25th, 2022.
 - Both Parties will complete a technical review and provide comment on the version submitted by the end of June, 2022.
 - When an agreed list of verifiers has been established, an assessment will be made by the Parties as to which of these verifiers would benefit from field-testing
 - Any field-testing of verifiers should be carried out at the earliest opportunity to ensure that those being proposed for inclusion are implementable in the field
 - In the event that field-testing is deemed necessary, there will be a need for a clear workplan and budget for this field-testing so that funding can be identified to support this exercise
36. In a wider discussion about the number of verifiers currently active, it was confirmed that of a total of 132 verifiers, there are 42 that are currently in use and an additional 31 that have been recommended for activation in LiberTrace (Annex 7).

Community Forestry and Sustainability – Report Outcomes and Recommendations

37. The VPA SU2 presented the findings of the report on the Assessment of Long-term Sustainability of Commercial Timber Harvesting. The study analysed the tree cover changes during the past 20 years and noted a concerning increase in forest loss from 2013. If this trend continues, there will be a substantial loss of forest in the future. It then presented the

expected density and volume after a 25-years rotation, and the impact of adjusting the cutting cycle on the regeneration rate of the forest. Recommendations for managing the sector more sustainably, were shared for FDA (capacity building, consistency between harvesting and management regulation in planning licence and forest allocation), for forest operators (Management plan, Compliance, reduced impact logging and selective logging), and for the international community (consultation with stakeholders, explore sustainable management options).

38. The JIC-requested Review of 15 versus 25 year Harvesting Cycles was presented by Heritage Partners and Associates. This review was based on a legal review of the NFRL, CRL, regulations for CRL, code of forest harvesting practices (CFHP), and the guidelines for forest management planning (GFMP). In the law, the 25 years rotation is clear for FMC and large CFMAs. The 25 years cutting cycle was adopted by FDA in their guidelines (CFHP, and GFMP) which is applicable to FMC and to CFMAs in general. For FMCs, the tenure of the contract should tie with the harvesting rotation cycle, but no timeline is stipulated. However, there are no legal references in the CRL in reference to SFM for the small and medium scale CUC. A potential liability from FDA has been raised if there is an adjustment of the rotation cycle. A technical assessment needs to be conducted to evaluate the scientific basis to apply the 25 years rotation on harvesting practice and the economic impact of such a decision. This will lay the ground to amend the legal framework for the clarification of the rotation for each permit.
39. FDA commented that both reports provided clarity. The sustainability management intent of the law is clear, and the CRL and the NFRL provide a clear indication for the FMC and large-scale CUC. The management beyond the CFMAs' 15 years tenure cannot be regulated, as they are not state-owned. Building upon these studies, the FDA proposes to establish a consultation process, to scientifically define the sustainability objectives, looking at socio-economic and environmental issues of the forest sector.
40. Civil society expressed concerns about the trends presented in the report. Harvesting on a 25-years rotation is already not sustainable. All recommendations must be assessed through the consultation process. The private sector also highlighted the economic needs of the communities, and the necessity to carry out an impact assessment with all stakeholders.
41. The EU emphasised the need to protect the forests for future generations, as mentioned in the forest code. Current practices are not only undermining the world's heritage, but are also putting the sustainability of the forest sector itself at risk. The current practices, as described in the study, risk the next rotation being an empty one. The social, economic, and environmental issues must be taken into account, from a broader multisectoral perspective and not just with a narrow focus on the forestry sector. The EU underlined the importance of identifying an opportunity to open a broader discussion on how such challenges might be addressed.
42. In response, GoL acknowledged the sustainability concerns expressed by the EU, and both emphasised that if we are to insist that communities living in poverty, who have lived and have preserved their forest thus far, are to continue to act in this custodial role, then we must also consider how these communities can be fairly compensated. GoL welcomed the opportunity for a broader discussion with the EU and other development partners on this issue.
43. The FDA proposed that a suitable forum (e.g. a national forest conference) be identified to develop a clear pathway towards a more integrated approach to the management of the forest sector that took these issues into consideration.

44. The FDA also cautioned against equating cutting cycle harmonisation with sustainable forest management and that current reforms already underway at the FDA are intended to support sustainable forest management objectives.

NMSMC open Stakeholders Session

45. The NUCFMB reported a concern relating to the Tonglay community forest and the Gola National Park, where Sierra Leoneans had been found to be encroaching in a community forest and on conservation land, to carry out hunting and pitsawing. The FDA shared that they were proposing to undertake a joint field mission to verify the allegations that had been made, and, if necessary, planned to elevate this issue at a Government to Government level. If necessary, the FDA was prepared, through the FDA Board, to request the engagement of the Ministry of Foreign Affairs on the matter.
46. The Liberian Timber Association (LibTA) expressed concern that the Chainsaw regulation foresees the possibility of chainsaw lumber being exported within two years of the passage of the regulation. They sought clarity and assurance as to the criteria that would be applied to assess the readiness of a chainsaw operator to be permitted to export. FDA offered assurances that the same standards would be applied to all exporters.
47. LibTA raised a concern that issues raised and reflected in paragraphs 14 and 42 of the Aide-Memoire of the 8th JIC, had not made sufficient progress. They advised the JIC that the specific nature of these concerns would be formally communicated to the Liberian Implementation Committee (LIC) for further discussion and action.
48. The National Union of Community Forestry Development Committees (NUCFDCs) requested clarity on the FDA's plan for dealing with dormant Forest Management Contracts. They also sought an update as to how the arrears would be recovered from the TSC holders whose contracts have expired. The FDA clarified that they had compiled a list of dormant FMCs and submitted it to central Government. This information was also shared with the leadership of the House of Representatives. On the issue of the TSC-related arrears, the FDA committed to working with the NUCFDC to address this issue.
49. The National Union of Community Forestry Development Committees sought clarification as to progress made by the joint LRA-FDA-MFDP committee on land rental payments. The FDA promised to push for the resumption of the work of the committee to ensure clarity on the exact amount owed, and the mechanism for payment of the outstanding arrears. In the meantime, the Government has released a partial payment of USD 200,000 of the amount owed to communities. In addition, GoL have allocated USD 2.7m in its 2022 budget for payment of land rental fees.

50. The EU and Liberia agreed to hold the next JIC in the week of October 10th 2022, which will be convened by the Government of Liberia.

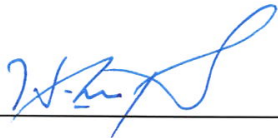


Date: 24/3/2022

Signed: Head of Delegation of the European Union in Liberia

Ambassador Laurent Delahousse

and



Date: 24/3/2022

Signed: Chair of the Board of the Forestry Development Authority

Hon. Harrison S. Karnwea Sr.



ANNEX 1

9th sitting of the JIC March 21-24, 2022

List of Stakeholders and Participants

Participating Stakeholder Groups:

The Government of Liberia (GoL)

1. Forestry Development Authority (FDA)
2. Ministry of Agriculture (MoA)
3. Ministry of Finance & Development Planning (MFDP)
4. National Authorizing Office (NAO/MFDP)
5. Ministry of Labour (MoL)
6. Ministry of Justice (MoJ)
7. National Bureau of Concessions (NBC)
8. National Investment Concessions (NIC)
9. Liberia Revenue Authority (LRA)

European Union (EU)

1. EU Delegation
2. European Commission/Department for International Partnerships

Private Sector

1. Liberia Timber Association (LibTA)
2. Heritage Partners & Associates (HPA) Inc.

Civil Society Organizations

1. NGO Coalition of Liberia
2. National Union of Community Forest Development Committees (NUCFDC)
3. National Union of Community Forest Management Bodies (NUCFMB)
4. Independent Forest Monitors (CS IFM)
5. Sustainable Development Institute (SDI)
6. Foundation for Community Initiatives (FCI)

International Partners

1. UK Foreign Commonwealth Development Office (FCDO)
2. Swedish Embassy
3. USAID
4. Food and Agriculture Organizations (FAO)
5. UNDP
6. Norwegian Ministry of Climate and Environment

Support Team

1. VPA Secretariat/FDA
2. MFGAP
3. FLEGT Facilitation
4. VPA-SU2
5. European Forestry Institute (EFI)
6. SGS

Participants List:

European Union Delegation

- | | |
|----------------------------------|--------------------|
| 1. Ambassador Laurent Delahousse | Head of Delegation |
| 2. Mr. Stephan Cocco | EU Delegation |
| 3. Ms. Stefania Marrone | EU Delegation |
| 4. Ms. Elizabeth Guttenstein | INTPA |
| 5. Mr. David Palacios (Virtual) | EU |

Liberian Delegation

- | | |
|---------------------------------------|------------------------------------|
| 1. Hon. Harrison S. Karnwea, Sr. | Chairperson/FDA Board |
| 2. Hon. C. Mike Doryen | Managing Director/FDA |
| 3. Hon. Joseph J. Tally | DMDO/FDA |
| 4. Hon. Kou Dorliae | Deputy Minister/ MoJ |
| 5. Hon. Cllr. Frank Musah Dean, Jr. | Minister of Justice |
| 6. Hon. Jeanine M. Cooper | Minister of Agriculture /MoA |
| 7. Hon. Diana K.C. Harris | NBC |
| 8. Hon. Charles H. Gibson | Minister of Labor |
| 9. Mr. E. Ekema Witherspoon, Sr. | Liberia Timber Association (LibTA) |
| 10. Atty. Martus Bangalu | Deputy- NAO/MFDP |
| 11. Mr. Dominic Johns | NGO_ Coalition |
| 12. Cllr. Yanquoi Dolo | Legal Counsel/FDA |
| 13. Cllr. Joel E. Theoway | Legal Counsel MoJ/MFGAP |
| 14. Mr. Serkeh W. Togba | NBC |
| 15. Mr. Pewee S. Reed | Economist & Policy Advisor /NIC |
| 16. Atty. Gertrude Nyaley | TM-LVD/FDA |
| 17. Cllr. Lucia Gbala | HPA |
| 18. Mr. Isaac Kipi | Comptroller/FDA |
| 19. Mr. Joseph G. Duolupeh (Virtual) | FDA |
| 20. Mr. Edward S. Kamara (Virtual) | FDA |
| 21. Mr. William Pewu | TM- Commercial /FDA |
| 22. Mr. Febian Kieh (Virtual) | FDA |
| 23. Madam Weedor H. Gray | TM- Community Depts./FDA |
| 24. Mr. Brooks Dougba | NUCFDC |
| 25. Madam Julie T. B. Weah (Virtual) | FCI |
| 26. Mr. Jonathan W. Yiah (Virtual) | SDI |
| 27. Mr. Willian V. Page | NUCFDC |
| 28. Mr. John S. Mckay, Jr. (Virtual) | FDA/LLD |

29. Mrs. Athelia Grasco (Virtual)	LRA
30. Mr. Andrew Y.Y. Zelemen (Virtual)	NUCFDC
31. Mr. Isaac K. Kipi	FDA
32. Mr. Saye Thompson	President, NUCFMB
33. Mr. Isaac Saylay	NUCFMB
34. Madam Krubo M. Zaza	LVD/FDA
35. Mr. Bonathan Walaka (Virtual)	NUCFMB
36. Mr. Roland Harris (Virtual)	CS, IFM
37. Mr. Abraham Billy	CSO
38. Mr. Herald Jassen (Virtual)	LibTA
39. Mr. T. Ojuku Nyenpan (Virtual)	MFDp
40. Mr. James B. Davies	FDA/LVD
41. Mr. Blama S. Goll	TM-R&D/FDA
42. Mr. Paul F. Duo	FDA
43. Mr. Jonathan David	MoL
44. Mr. Thomas Gbokie Jr.	MoA
45. Mr. Ruben D. Gould Jr. (Virtual)	GoL

INTERNATIONAL PARTNERS

1. Ms. Christiana Orlandi (Virtual)	FAO
2. Mr. Jenkins S. Flahwer (Virtual)	Swedish Embassy
3. Mr. John Pasch (Virtual)	USAID
4. Mr. Jim Wright	USAID
5. Mr. Abraham Tumbey	UNDP
6. Mr. Moses Jaygbah Jr.	USAID
7. Esther Roberts (Virtual)	UK
8. Ms. Marieke Wit	FGMC, UK
9. Mr. Arran Dunn	FGMC, UK
10. Mr. Arild Skedsmo (Virtual)	Norway, NICFI
11. Ms. Kate Thomson	UK
12. Mr. Julien Philippart	EU Project

SUPPORT PROJECTS

1. Mr. Theodore Nna	SGS
2. Mrs. Oona Burke-Johnson(Virtual)	Facilitator/FLEGT Facilitation
3. Mrs. Rose Blidi	Account Manager /MFGAP
4. Madam Letla Mosenene	Team Leader/MFGAP
5. Dr. Michael Fischer	Team Leader/VPASU-2
6. Mrs. Harnon W-Garbo(Virtual)	Coordinator-VPA Sec. /FDA
7. Madam Inez Hayes	Administrator-VPA Sec. /FDA
8. Mrs. Auntie W. Harmon-Davies	Forward Planner VPA-Sec./FDA
9. Mr. Ikem Eronini	M&E Manager/MFGAP
10. Ms. Clare Brogan	FLEGT Facilitation
11. Mrs. Cleopatra Watkins-Johnson	FLEGT Facilitation

12. Mr. Anthony Vanwen	MFGAP
13. Mr. Nyuma Bondi	MFGAP
14. Mr. James Tellewonyan	MFGAP
15. Ms. Elodie Alberny	EFI
16. Mrs. Queta Hessou	VPA-SU2
17. Mr. Shiv S. Panse (Virtual)	VPA-SU2
18. Ms Decontee Dossen	VPA-SU2

ANNEX 2

- A Summary of the TSCA-2 Report's Recommendations and subsequent Actions taken by the Government of Liberia.
- The FDA Board Resolution Approving the Cancellation of TSCs

Summary of Recommendations, Actions and further clarifications provided by the FDA on the Independent Investigation Report			
	TSCA2 Independent Investigation Report¹ Recommendations	FDA Actions Reported at the 9th JIC	Comments/Clarifications from FDA at the 9th JIC
I.	MoJ should communicate this report's findings to the Office of the President of Liberia and recommend that the FDA Senior Management and the FDA Board be ordered to explain their decisions and actions related to TSC A2 before a Special Presidential Committee; and MoJ should further advise that Committee what corrective actions should be taken in respect of any actions that were not in compliance with NFRL and its regulations.	The Investigation Report was requested by the FDA through its Board of Directors and the MoJ subsequently reported its findings to the Board. The FDA Board of Directors have communicated the Report's findings to the Office of the President.	FDA cannot provide a timeline on behalf of the President's Office for a response. However, FDA's institutional reforms have included suspension and change of personnel, in order to increase FDA's efficiency and enhance compliance.
II.	FDA should deem illegal and seize all remaining logs from trees listed in Special Felling Form # 2018/000009, and any other logs found in the TSC A2 Resource Area and its surrounding area, and a decision on their disposal, including confiscation, should be placed under the jurisdiction of the Court.	The matter is before the Court ² and any action by the FDA is subject to and must be in conformity with the Court's determination. Therefore, the FDA cannot interfere and make a determination in a matter that is sub judice.	The MoJ and FDA are providing adequate representation in the matter. The FDA has supported the processes financially and key members of its staff have testified.
III.	The Court should also assess the adequacy of the penalty imposed by FDA on Renaissance Group Inc. based	The adequacy of the fine levied and the legality of the logs shall be	The court case was heard in Second Judicial Circuit Court on the issue of declaration of rights and

¹ Report of the Independent Panel's

forensic Investigation into Irregularities in Operations of Timber Sales Contract A2, Grand Bassa County Liberia, Final Report: 27 November 2020

² March 8, 2021 Seven Counts Petition for Declaratory Judgement - Renaissance Inc. (Petitioner) versus Forestry Development Authority (Respondent), and the Board of Directors of the Forestry Development Authority (Respondent), and the Ministry of Justice (Respondent) – Second Judicial Circuit Court, Grand Bassa County, Republic of Liberia.

	on the provisions of the 2006 National Forest Reform Law, Sections 5.1 a), 20.1 and 20.7 and, if appropriate, revise that penalty.	determined by the Court.	on the issue of confiscation. There have been hearings, and a retrial. The case is now in a state of appeal before the Supreme Court.
IV.	Further cases into actions by Freedom Group Liberia, Inc. for unauthorised alteration of data and log markings should be investigated, and the need for prosecution under the NFRL or other Liberian laws should be determined.	Freedom Group Liberia is currently deactivated in Liber Trace. This is established and SGS has acknowledged that pitfalls in their system allowed their former staff to facilitate the unauthorized alteration.	The FDA shall recommend Legal or administrative action against the company or individual(s) responsible for the alterations.
V.	FDA should cancel TSC A2 forthwith and a decision should be made in accordance with the National Forest Reform Law and its regulations regarding future options for the TSC A2 3 Resource Area and surrounding areas, including re-evaluating the Resource Area's suitability for a TSC or other uses, and allocating rights to those areas in accordance with legal provisions and the national interest.	The FDA through its Board of Directors recalled its Resolution #12 of May 31st 2017, which authorized the Management Team to extend TSC tenure. This means as of the date of the Resolution (March 24th 2021), FDA Management can no longer extend TSC tenure. As a result of the recall, no company has tenure claim(s) to any TSC based on "extensions."	FDA reported sharing the Board Resolution with the National Multi-Stakeholder Monitoring Committee and internal stakeholders. FDA highlighted the need to publish the Resolution on the FDA website. It was agreed that this resolution would also be annexed to the aide memoire of the 9 th JIC.
VI.	FDA and MoJ should consider the legal status of all other TSCs whose terms have been extended beyond their three-year limits and decide appropriate actions, including suspension of activities within their resource areas, until their status has been decided.	As a result of the recalled [above], no company has tenure claim(s) to any TSC based on the "extensions."	

VII.	Stakeholders should debate the suitability of TSCs in general as a forest utilization mechanism and make appropriate recommendations for other existing TSCs and areas which could be considered for future TSCs.	As part of the Forest Sector Governance Indicators [see point XII below] developed by the FDA and MoJ, stakeholders' debate on the suitability of TSCs as a forest utilization mechanism will be completed by December 31, 2022.	The FDA will solicit funding and initiate the debate in July of 2022.
VIII.	The rights of Doe Clan to the adjacent forest area should be deliberated within formal structures in accordance with the National Forest Reform Law and the Community Rights Law and provisions made for legal assignment of those rights.	FDA Management placed a moratorium on new applications (processing) for commercial use community forests in 2018 and the moratorium remains in force. However, this decision will be reconsidered after consultations with all stakeholders.	FDA will give priority consideration to the Doe Clan when the moratorium is lifted.
IX.	Further investigation should be carried out as to what funds were paid by RGI for the benefit of Doe Clan community sections in exchange for allowing logging in their area, to whom they were paid and how much was actually received in amounts and in kind by each community section.	The FDA will use the recently developed Forest Sector Governance indicators to make a decision. The indicators are expected to be completed by April 30, 2022.	
X.	Liberian stakeholders should be given the opportunity to consider whether changes to the National Forest Reform Law to allow extensions to the term of TSCs should be made and recommended amendments, if any, should	FDA summarized Actions outlined for Recommendation VII above.	

	be drafted for consideration by the Legislature.		
XI.	The FDA's Compliance and Enforcement Handbook should be approved promptly by the FDA Board of Directors and its procedures should be made binding on all FDA staff. FDA staff should receive training in those procedures and formally acknowledge that intentional failure to comply with them would be a dismissible offense.	The FDA Board of Directors have approved the Forest Compliance and Enforcement Handbook (FDA Manual 101-2022), and training is scheduled to commence July 2022.	
XII.	The FDA Board, FDA and MoJ should set out clear procedures for documenting communications between them.	The Government of Liberia acknowledges compliance challenges at the FDA and that decision making across the Government needs to be transparent. The current management team at the FDA, the FDA Board, and MoJ have decided that we need to rethink how to proceed. We have identified several Forest Governance Indicators, with timelines attached. This working tool is a government forward planner for compliance issues, but does not replicate other instruments.	There are issues around improving visibility on achieved action points. We intend to provide more visibility, when progress is made.
XIII.	SGS should engage an independent IT expert to conduct a check on potential vulnerabilities in Liber trace and report its findings and any		

	corrective actions to FDA and MoJ.		
XIV.	Wider stakeholder access to the Liber trace database should be allowed so that interested parties are able to monitor timber transactions on a continuous basis.	The FDA is working on the formalities especially in light of the confidentiality issues associated with business information.	



Office of the Board Chairperson

REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY (FDA)

Whehin Town, Mt. Barclay
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REPUBLIC OF LIBERIA)
MONTSERRADO COUNTY)

BOARD RESOLUTION # 14-2021
RECALLING FDA BOARD RESOLUTION # 12 OF MAY 31ST 2017

WHEREAS, the National Forestry Reform Law of 2006, Section 5.4(b), limits the basic term for Timber Sale Contract from exceeding three years;

WHEREAS, Resolution #12 of the month of May 2017 was an administrative action of the Forestry Development Authority(FDA) Board of Directors based on a request from the FDA Management to extend the harvesting of merchantable species from Timber Sales Contracts beyond the three-year basic term; and

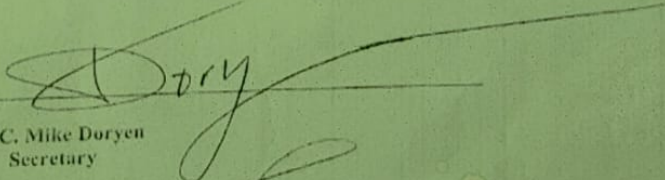
WHEREAS, after a review of the legal framework governing forestry and deliberations, the Board of Directors has concluded that the FDA Management request of May 2017 is inconsistent with the laws governing forest management.

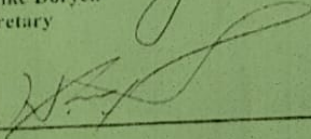
NOW, THEREFORE, for the foregoing reasons above stated, it is hereby resolved by the Board of Directors:

1. That the **FDA Board Resolution # 12 of May 31st 2017** passing on the "Administrative Actions to Extend the Harvesting of Merchantable Timber Species from the Timber Sales Contracts Areas" is hereby recalled.

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed the Forestry Development Authority's seal on this 24th day of March AD.2021 in the City of Monrovia, Montserrado County, Republic of Liberia.

SEAL


C. Mike Doryen
Secretary

Approved: 

Harrison S. Karnwea Sr.
Chairman

ANNEX 3

FDA Board Resolution on the following regulations:

- The Medium Scale Commercial Use Contract (CUC) Template for Community Forest Management Bodies (CFMBs)
- The Chainsaw Milling Regulations, Private Use Permit Regulations and the Forest Compliance and Enforcement Handbook.



Office of the Board Chairperson

REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY (FDA)

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Montserrado County
Monrovia, Liberia
West Africa

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hkarnwea@yahoo.com

BOARD RESOLUTION # 10 /2020
APPROVING THE MEDIUM SCALE COMMERCIAL USE CONTRACT
TEMPLATE FOR COMMUNITY FOREST MANAGEMENT BODIES

WHEREAS, Chapter 5 of the Community Rights Law with Respect to Forest Lands (CRL) authorizes the Forestry Development Authority to provide minimum standards for drafting forest management plans, forest rules, forest agreements, and other technical documents for use by Community Forest Management Bodies;

WHEREAS, Chapter 19 the National Forestry Reform Law of Liberia authorizes the Forestry Development Authority (FDA) to issue regulations, manual and codes for the efficient management of Liberia forest resources;

WHEREAS, the FDA management has developed consistent with Chapter 5 of the CRL and Chapter 19 of the NFRL a revised Commercial Use Contract Template to guide Community Forest Management Bodies during their negotiation of Third-Party Medium Scale Commercial Use Contract;


WHEREAS, the FDA Board of Directors reviewed and deliberated the Commercial Use Contract Template on October 21, 2020.

NOW, THEREFORE, for the foregoing reasons above stated, it is hereby resolved by the Board of Directors:

1. That the Proposed Commercial Use Contract Template (FDA Template 101-20) attached as Annex 1 to this board resolution is hereby approved, and the Management of the Forestry Development Authority is hereby authorized to take all actions to ensure its effectiveness and operability.

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed the Forestry Development Authority's seal on this 21st day October AD.2020 in the City of Paynesville, Montserrado County, Republic of Liberia. 7

SEAL



C. Mike Doryen
Secretary

Approved:



Harrison S. Karnwea Sr.
Chairman



Office of the Board Chairperson

**REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY (FDA)**

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**BOARD RESOLUTION # 01/2022
APPROVING THE CHAINSAW MILLING REGULATIONS, PRIVATE
USE PERMIT REGULATIONS AND THE FOREST COMPLIANCE AND
ENFORCEMENT HANDBOOK**

WHEREAS, Chapter 19 on the National Forestry Reform Law of Liberia authorizes the Forestry Development Authority (FDA) to issue regulations, manual and codes for the efficient management of Liberia forest resources;

WHEREAS, the FDA management has developed consistent with FDA Regulation 101-07, two (2) regulatory proposals addressing Chainsaw Milling and the management of forest resources on private land and one guidance manual on forest compliance and enforcement for approval by the Board of Directors of the Forestry Development Authority; and


WHEREAS, the FDA Board of Directors reviewed and deliberated on the Chainsaw Milling Regulations, the Private Use Permit Regulation, and the Forest Compliance and Enforcement Handbook on March 16, 2022.

NOW, THEREFORE, for the foregoing reasons above stated, it is hereby resolved by the Board of Directors:


1. That the Proposed Chainsaw Milling Regulations (Regulation 102-22) attached as Annex 1 to this board resolution is hereby approved, and the Management of the Forestry Development Authority is hereby authorized to take all actions to ensure its effectiveness and operability;
2. That the Proposed Private Use Permit Regulations (Regulations 101-22) attached as Annex 2 to this board resolution is hereby approved, and the Management of the Forestry Development Authority is hereby authorized to take all actions to ensure its effectiveness and operability; and
3. That the Forest Compliance and Enforcement Handbook (Manual 101-22) attached as Annex 3 to this board resolution is hereby approved.

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed the Forestry Development Authority's seal on this 16th day March AD.2022 in the City of Monrovia, Montserrado County, Republic of Liberia.

SEAL


C. Mike Doryen
Secretary

Approved:


Harrison S. Karnwea Sr.
Chairman

ANNEX 4

MoU between Six Implementing Ministries and Agencies on Information Sharing.

REPUBLIC OF LIBERIA)
MONTSERRADO COUNTY)

MEMORANDUM OF UNDERSTANDING (MOU)

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into this 9th day of December 2021 by and amongst:

1. The Ministry of Justice of the Republic of Liberia, with office on 15th Street, Sinkor, Monrovia, Liberia, (hereinafter known and referred to as "MoJ"), represented by its Minister, Cllr. F. Musah Dean, Jr.;
2. The Forestry Development Authority with office in Wein Town, Paynesville, Liberia (hereinafter known and referred to as "FDA"), represented by its Board Chairman, Hon. Harrison S. Karnwea, Sr.;
3. The Liberia Revenue Authority with office at ELWA Junction, Paynesville, Liberia (hereinafter known and referred to as "LRA"), represented by its Commissioner General, Hon. Thomas Doe Nah;
4. The Ministry of Finance and Development Planning, with office on Broad Street, Monrovia, Liberia (hereinafter known and referred to as "MFDP"), represented by its Minister, Hon. Samuel D. Tweah, Jr.;
5. The Ministry of Internal Affairs with offices on Capitol Hill, Monrovia, Liberia, (hereinafter known and referred to as "MIA"), represented by its Minister, Hon. Varney A. Sirleaf; and
6. Liberia Extractive Industries Transparency Initiative with offices at former budget bureau building, PHP Community, Monrovia, Liberia (hereinafter known and referred to as "LEITI"), represented by its Head of Secretariat, Mr. Jeffrey N. Yates.

The above-named agencies and ministries shall hereinafter be referred to collectively as the "Parties" and individually by their respective names or as a "Party".

WITNESSETH

WHEREAS:

1. In furtherance of their individual and shared responsibilities for sustainable forestry and strengthened forest governance, the Parties have discussed both the need and the benefits of enhanced coordination and information sharing about forestry-related matters, especially the disclosure of forest contracts, fees and associated developments and matters in the forestry sector without prejudice to the limited confidentiality obligation imposed on the LRA by the Tax Code relative to disclosure of details of tax payments;
2. The Parties have determined that promoting more disclosure and transparency is an explicit requirement of Liberian forestry laws and one that is indispensable to the integrity and expressed objective of Liberian forest legal framework; and
3. The Parties have discussed and agreed on the terms and conditions under which they would collaborate, coordinate and share information in order to improve accountability, transparency and fair sharing of benefits and revenues from the Liberian forest sector.


 1

NOW THEREFORE, The Parties hereto agree as follows:

1.0 Purpose; Term and Related Matters

1. **Purpose:** The purpose of this MOU is to document key understandings and undertakings of the Parties relative to:
 - i. enhancing transparency over matters of forest governance including forest revenues and the sharing of such forest fees and revenues between the Government, subnational bodies and forest communities; and
 - ii. establishing and maintaining a framework for collaboration and engagement among the Parties whereby they can support one another and also share information towards achieving greater accountability and transparency in the forest sector.
2. **Term:** This MOU shall come into effect upon the date of its signing by all the Parties hereto, and shall be valid for a period of one (1) year. It shall be automatically renewed for a successive period of one (1) year under the same terms and conditions unless terminated by mutual agreement of the Parties. The withdrawal of a Party shall not terminate this MOU.
3. **General Participation:** The Parties agree that the enhancement of coordination and engagement amongst the ministries and agencies working in the forest sector shall be fostered and sustained through periodic inter-agency coordination meetings to be held regularly as part of or within the framework of the Liberian Implementation Committee (LIC).
4. **Seniority of Representation:** The Parties agree that achieving the objectives of this MOU will require that each agency's representation in the inter-agency coordination meetings and other engagements shall be at a high leadership level. Accordingly, the Parties agree that their representations in the inter-agency meetings and related engagements shall be no lower than the level of the office or position indicated hereinbelow:

Agency/Ministry

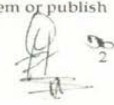
Minimum Position

1. MFDP
2. MoJ
3. MIA
4. LRA
5. FDA
6. LEITI

Assistant Minister
Assistant Minister
Assistant Minister
Commissioner
Line Manager
Deputy Head of
Secretariat

2.0 Shared Obligations of the Parties

1. The Parties shall work together to support the FDA in establishing and/or maintaining an effective and functional website on which it shall publish (i) all information required to be disclosed under the National Forest Reform Laws and the VPA; and (ii) relevant information about the forest sector.
2. The Parties shall also contribute to and participate, to the extent permissible under their respective enabling legislations and budgets, in the dissemination of forest governance issues including, in particular, forest resource licenses, fees and tax payments, and such other information as the FDA may share with them or publish on its website.



3. In order to create more sources of information relating to forest-related matters, the Parties shall work toward instituting a mechanism by which the public shall have access to essential information about forest-related fees and tax payments as well as other information published on the website of LiberTrace.
4. The Parties shall also work together to discuss alternative ways of receiving, allocating, disbursing, and accounting for land rental fees and other payments to subnational bodies.

3.0 Respective Obligations of the Parties

1. **Individual Responsibilities:** The Parties mutually agree that each Party to this MOU shall, in addition to contributing to achieving the share responsibilities indicated in Section 2.0 above, be responsible for the specific responsibilities stipulated under this Section 3.0.
2. **Responsibilities of MoJ:** The MoJ shall be responsible to:
 - i. disclose on its website and through other widely accessible platforms, information about forest crimes and civil liabilities handled by MoJ, including reasonable details of the companies found to have been in violation of forestry law(s);
 - ii. help to develop procedures for debarment of companies which are found to be non-compliant with forestry laws; and
 - iii. provide legal advice and/or opinion to the LRA and FDA on the interpretation of the confidentiality and disclosure legal regime governing the extractive industries, especially the forest sector.
3. **Responsibilities of LRA:** The LRA shall be responsible to:
 - i. institute a joint reconciliation of assessments and payments of forest-related fees with FDA on a monthly basis by using a mutually agreed template which shall be signed by the two entities;
 - ii. respond periodically to LEITI's request for forest-related taxes and fees; and
 - iii. support the FDA to provide relevant information on payment of forest-related fees by timber concessionaires and other holders of forest resource licenses.
4. **Responsibilities of MIA:** The MIA shall be responsible to:
 - i. help FDA with effective community engagement;
 - ii. ensure that FDA's role in the forestry sector is known, recognized and respected at the local government level, especially by superintendents, commissioners and chiefs;
 - iii. appoint a designated focal person on forest governance whose responsibilities shall include supporting the Minister of Internal Affairs to be engaged with the other Parties relative to pursuing the objectives of this MOU, attending meetings of the Liberia Implementation Committee ("LIC") and responding to communications regarding forest governance and forest sector activities;



Handwritten signatures and initials, including a circular stamp with the number 3.

- iv. Attend signing ceremonies of commercial use contracts, social agreements and any other contract between communities and third parties;
 - v. in collaboration with MFDP, the National Benefit Sharing Trust Board (NBSTB), and affected communities, foster and sustain discussions about payment of the 30% county land rental fees and 30% community land rental fees enshrined in national forestry laws;
 - vi. coordinate with MFDP during annual budgetary appropriation for inclusion of payment of the 30% county land rental fees and 30% community land rental fees;
 - vii. support the FDA to provide relevant information to all stakeholders on the computation, collection and disbursement of the 30% community land rental fees and 30% county land rental fees and any other community benefits; and
 - viii. Disseminate information on benefits from the forestry sectors to local communities.
5. **Responsibility of LEITI:** The LEITI shall be responsible to:
- i. make periodic requests to LRA for information on forest-related fees;
 - ii. disclose on its website and through other widely accessible platforms, information on payments and other forest revenue reports; and
 - iii. Disseminate information on its website and through other widely accessible platforms, on payments made by companies to government and various communities.
6. **Responsibilities of FDA:** The FDA shall be responsible to:
- i. provide relevant information on forest-related fees to all stakeholders about the matter and with the frequency specified by law;
 - ii. publish reports of activities in the forest sector, monthly, quarterly, and annually or at such shorter frequency provided by law, on its website and through other widely accessible platforms;
 - iii. share with stakeholders including the Parties hereto copies of information disclosed and/or published on its website;
 - iv. ensure that the monthly reports of the Legality Verification Department (LVD) are published on its website and through other widely accessible platforms within one (1) week of their completion and approval;
 - v. Publish monthly, quarterly, and annually or at such shorter frequency provided by law, information relating to forest fees and payments to the MIA which is to assist in the dissemination of the information to affected communities;
 - vi. require logging companies and other holders of forest resource licenses to publish information of their payments of forest fees and such other matters the law requires them to publish; and


 4

- vii. disclose on its website and through other widely accessible platforms, information about forest law violations and administrative sanctions handled by the FDA, including reasonable details of the companies found to have been in violation of forestry law(s).

7. **Responsibilities of MFDP:** The MFDP shall be responsible to:

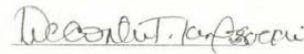
- i. make annual appropriation of the 30% county land rental fees and 30% community land rental fees in the national budget;
- ii. disclose on its website and through other widely accessible platforms, disbursements of the 30% county land rental fees and 30% community land rental fees made to communities and county stakeholders; and
- iii. lead discussions on alternative payment mechanisms for the 30% county land rental fees and 30% community land rental fees.

4.0 **General Provisions**

1. **Termination:** This MOU may be terminated by mutual consent of the Parties. A withdrawal of one or more Parties shall not be a basis for terminating this MOU, but the remaining parties shall make such amendments as necessary to carry on the purpose and activities of this MOU.
2. **Amendments:** Any one of the Parties may request an amendment to this MOU. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon by and among the Parties shall be incorporated by written instrument and shall be effective when executed and signed by all Parties to this MOU.
3. **Applicable Law:** This MOU shall be governed by the laws of the Republic of Liberia.
4. **Entirety of Agreement:** The Parties agree and stipulate that this MOU constitutes the entirety of the agreements among the Parties and there is no other discussion, negotiation, whether oral or written, which has not been incorporated herein.

IN WITNESS WHEREOF, the Parties hereto have executed this memorandum of understanding in the city of Monrovia, Montserrado County, Republic of Liberia, and have affixed their signatures on the date, month and year first mentioned above.

IN THE PRESENCE OF:



FOR: Liberia Revenue Authority


Name : Hon. Thomas Doe Nah
Title : Commissioner General




FOR: Ministry of Internal Affairs


Name : Hon. Varney A. Sirleaf
Title : Minister



 07/12/21

FOR: Liberia Extractive Industries
Transparency Initiative


Name : Mr. Jeffrey N. Yates
Title : Head of Secretariat

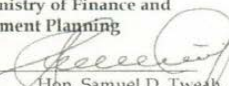


FOR: Forestry Development Authority


Name : Hon. Harrison S. Karnwea, Sr.
Title : Board Chairman

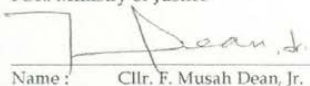


FOR: Ministry of Finance and
Development Planning


Name : Hon. Samuel D. Tweah, Jr.
Title : Minister



FOR: Ministry of Justice


Name : Cllr. F. Musah Dean, Jr.
Title : Minister

ANNEX 5

Community Forestry Numerical Data

**STATUS UPDATE OF THE 20 CFMA's CURRENT ACTIVE OUT OF
THE 39 COMMERCIAL 3rd PARTY AGREEMENTS**

	CFMA	Size (ha)	County
1	Bluecamah - SING AFRICA PLANTATIONS LIBERIA INC, MONROVIA (Liberia)	49,444	Lofa
2	Beyan-poye - Akewa Groups of Companies, Paynesville (Liberia)	33,338	Margibi
3	Gbi Chiefdom (CFMA4) - L/TTC Inc., Paynesville City (Liberia)	31,155	Nimba
4	Doru - L/TTC Inc., Paynesville City (Liberia)	36,192	Nimba
5	Garwin - Tetra Enterprise Inc., Monrovia (Liberia)	36,633	River Cess
6	Sawacajua - Mandra Forestry Liberia Ltd, Monrovia (Liberia)	31,936	Sinoe
7	Marblee and Karblee - AFRICAN WOOD & LUMBER CO, MONROVIA (Liberia)	24,355	Grand Bassa
8	Neezonie - Eunice Emmanuel Enterprise Incorporated, Buchanan (Liberia)	42,429	Sinoe
9	Bloquiah Clan (CFMA2) - Liberia Hardwood Corporation, Monrovia, Liberia	43,794	Grand Gedeh
10	KorningaA - COVEIYALAH INVESTMENT ENTERPRISES INC., Monrovia (Liberia)	48,296	Gbarpolu
11	Gola Konneh - Akewa Groups of Companies, Paynesville (Liberia)	49,179	Grand Cape Mount
12	Bondi Mandingo - INDO AFRICAN PLANTATIONS LIBERIA INC, PAYNESVILLE (Liberia)	37,222	Gbarpolu
13	Worr - MAGNA LOGGING CORPORATION, INC, CONGO TOWN (Liberia)	35,337	Grand Bassa
14	Konabo - Horizon Logging Limited, Monrovia (Liberia)	49,625	Grand Gedeh
15	Central Morweh - KISVAN TIMBER CORPORATION, MONROVIA (Liberia)	19,091	River Cess
16	Gheegbarn1 - WEST AFRICAN FORESTRY DEVELOPMENT INC, MONROVIA (Liberia)	12,576	Grand Bassa
17	Gheegbarn2 (Whogbarn) - L&S RESOURCES INC, Monrovia (Liberia)	26,363	Grand Bassa
18	Martro Kertro -	8,833	Grand Bassa
19	Tartweh Drapoh - Sino Forest International Corporation Liberia Inc., Monrovia (Liberia)	10,369	Sinoe
20	Kpablee - Kparblee Timber Corporation, Paynesville (Liberia)	8,354	Nimba
		634,521	

BENEFIT SHARING – CASE STUDY OF KORNINGA –A FROM 2019-2022

Name of Community Forest	Location	Annual Area Fee (USD)	Number of Years	Total amount (USD)
Korninga – A	Gbarpolu County	57,870.00	3	173,610.00
GOVERNMENT SHARE (45%) Forestry Transitory				
Korninga -A	Gbarpolu County	26,041.50	3	78,124.50
COMMUNITY SHARE (55%)				
Korninga A	Gbarpolu County	31,828.50	3	95,485.50

ANNEX 6

Companies' tax and tax arrears

Current financial status per company FMC, TSCs, CFMAs, Plantation and other

Companies arrears from 2009-2021 area fee balances and 2020-2022 fees payment.

Arrears update on Land Rental and Land Rental Bid fees for FMC
January 1, 2009 to December 31, 2021

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
Alpha Logging and Wood Processing Inc.,	7,483,386.00	5,457,037.73	2,026,348.27
Atlantic Resources Limited, Paynesville (Liberia)	7,078,164.80	5,225,580.79	1,852,584.01
EJ & J Investment Corporation / Mandra Forestry	2,743,252.16	1,933,109.21	810,142.95
Geblo Logging Inc, Monrovia (Liberia)	8,526,423.50	3,163,308.44	5,363,115.06
International Consultant Capital (ICC)	17,134,551.50	9,501,939.46	7,632,612.04
LTTC, Inc/Mandra, Paynesville (Liberia)	3,652,626.20	2,284,102.26	1,368,523.94
Grand Total	46,618,404.16	27,565,077.89	19,053,326.27

**Arrears update on Land Rental and Land Rental Bid fees for FMC
Companies**

January 1, 2009 to December 31, 2021

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
Alpha Logging and Wood Processing Inc.	7,483,386.00	5,457,037.73	2,026,348.27
Annual Contract Administration Fee	13,000.00	12,000.00	1,000.00
Area Fee	3,875,300.00	2,868,808.58	1,006,491.42
Land Rental Bid Fee	3,595,086.00	2,576,229.15	1,018,856.85
Atlantic Resources Limited, Paynesville (Liberia)	7,078,164.80	5,225,580.79	1,852,584.01
Annual Contract Administration Fee	13,000.00	13,000.00	-
Area Fee	3,878,680.00	2,636,880.00	1,241,800.00
Land Rental Bid Fee	3,186,484.80	2,575,700.79	610,784.01
EJ & J Investment Corporation / Mandra Forestry	2,743,252.16	1,933,109.21	810,142.95
Annual Contract Administration Fee	13,000.00	6,000.00	7,000.00
Area Fee	1,861,015.00	1,057,872.05	803,142.95
Land Rental Bid Fee	869,237.16	869,237.16	-
Geblo Logging Inc. Monrovia (Liberia)	8,526,423.50	3,163,308.44	5,363,115.06
Annual Contract Administration Fee	13,000.00	13,000.00	-
Area Fee	4,273,645.00	1,314,827.50	2,958,817.50
Land Rental Bid Fee	4,239,778.50	1,835,480.94	2,404,297.56
International Consultant Capital (ICC),	17,134,551.50	9,501,939.46	7,632,612.04
Annual Contract Administration Fee	13,000.00	5,000.00	8,000.00
Area Fee	8,674,575.00	3,624,112.81	5,050,462.19
Land Rental Bid Fee	8,446,976.50	5,872,826.65	2,574,149.85
LTTC, Inc/Mandra, Paynesville (Liberia)	3,652,626.20	2,284,102.26	1,368,523.94
Annual Contract Administration Fee	13,000.00	6,000.00	7,000.00
Area Fee	1,929,655.00	778,947.98	1,150,707.02
Land Rental Bid Fee	1,709,971.20	1,499,154.28	210,816.92
Grand Total	46,618,404.16	27,565,077.89	19,053,326.27

Arrears update on Land Rental and Land Rental Bid fees for TSC
January 1, 2009 to December 31, 2021

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
Akewa Groups of Companies, Paynesville (Liberia)	103,750.00	92,125.50	11,624.50
Annual Contract Administration Fee	8,000.00	7,000.00	1,000.00
Area Fee	43,750.00	33,125.00	10,625.00
Land Rental Bid Fee	52,000.00	52,000.50	(0.50)
B&V Timber, Brewerville (Liberia)	924,850.00	207,492.09	717,357.91
Annual Contract Administration Fee	21,000.00	9,000.00	12,000.00
Area Fee	143,750.00	63,442.09	80,307.91
Land Rental Bid Fee	760,100.00	135,050.00	625,050.00
Bargor & Bargor Enterprises Inc, Paynesville City (Liberia)	102,150.00	62,050.00	40,100.00
Annual Contract Administration Fee	11,000.00	5,000.00	6,000.00
Area Fee	62,500.00	33,000.00	29,500.00
Land Rental Bid Fee	28,650.00	24,050.00	4,600.00
Bassa Logging, Monrovia (Liberia)	166,750.00	110,200.00	56,550.00
Annual Contract Administration Fee	7,000.00	4,000.00	3,000.00
Area Fee	57,250.00	32,050.00	25,200.00
Land Rental Bid Fee	102,500.00	74,150.00	28,350.00
Sun Yeun Corporation Limited, Monrovia, (Liberia)	441,000.00	250,125.50	190,874.50
Annual Contract Administration Fee	16,000.00	6,000.00	10,000.00
Area Fee	100,000.00	49,100.00	50,900.00
Land Rental Bid Fee	325,000.00	195,025.50	129,974.50
Tarpeh Timber Corporation, Monrovia (Liberia)	154,750.00	104,000.00	50,750.00
Annual Contract Administration Fee	11,000.00	7,000.00	4,000.00
Area Fee	68,750.00	47,000.00	21,750.00
Land Rental Bid Fee	75,000.00	50,000.00	25,000.00
Thunder Bird International Liberia	59,000.00	17,250.00	41,750.00
Annual Contract Administration Fee	4,000.00	1,000.00	3,000.00
Area Fee	25,000.00	6,250.00	18,750.00
Land Rental Bid Fee	30,000.00	10,000.00	20,000.00
Grand Total	1,952,250.00	843,243.09	1,109,006.91

Financial update on Plantations
January 1, 2013 to March 31, 2022

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
Arrow Alliance Group Corporation, Monrovia (Liberia)	29,782.66	28,381.89	1,400.77
Build Liberia Inc., Monrovia (Liberia)	33,540.35	33,540.35	
Renals Internationals Inc. Monrovia (Liberia)	34,227.38	30,331.33	3,896.05
SHANGYOU WOOD INDUSTRIES DEVELOPMENT (LIBERIA), Monrovia (Liberia)	19,870.32	19,870.32	
WESTNAF LIMITED, Monrovia (Liberia)	450,756.57	450,756.57	
Grand Total	568,177.28	562,880.46	5,296.82

Financial update on Plantations
January 1, 2013 to March 31, 2022

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
Arrow Alliance Group Corporation, Monrovia (Liberia)	29,782.66	28,381.89	1,400.77
Export fee	21,117.35	20,108.64	1,008.71
Stumpage Fee (Grouping)	8,665.31	8,273.25	392.06
Build Liberia Inc., Monrovia (Liberia)	33,540.35	33,540.35	-
Annual Contract Administration Fee	3,000.00	3,000.00	-
Annual Coupe Inspection Fee	900.00	900.00	-
Area Fee	800.00	800.00	-
Barcode Tag Fee	3,350.00	3,350.00	-
Export fee	14,250.52	14,250.52	-
Stumpage Fee (Grouping)	10,339.83	10,339.83	-
Waybill fee	900.00	900.00	-
Regnals Internationals Inc. Monrovia (Liberia)	34,227.38	30,331.33	3,896.05
Annual Contract Administration Fee	2,000.00	1,000.00	1,000.00
Area Fee	18,121.25	16,985.00	1,136.25
Barcode Tag Fee	8,150.00	7,950.00	200.00
Export fee	1,000.22	1,000.22	-
Stumpage Fee (Grouping)	3,905.91	3,246.11	659.80
Waybill Sticker Fee	1,050.00	150.00	900.00
SHANGYOU WOOD INDUSTRIES DEVELOPMENT (LIBERIA), Monrovia (Liberia)	19,870.32	19,870.32	-
Barcode Tag Fee	5.00	5.00	-
Export fee	14,490.87	14,490.87	-
Stumpage Fee (Grouping)	5,374.45	5,374.45	-
WESTNAF LIMITED, Monrovia (Liberia)	450,756.57	450,756.57	-
Annual Contract Administration Fee	6,000.00	6,000.00	-
Annual Coupe Inspection Fee	1,500.00	1,500.00	-
Area Fee	5,176.00	5,176.00	-
Barcode Tag Fee	36,300.00	36,300.00	-
Chain of Custody Registration Fee	1,000.00	1,000.00	-
Export fee	201,188.38	201,188.38	-
Stumpage Fee (Grouping)	167,192.19	167,192.19	-
Waybill fee	150.00	150.00	-
Waybill Sticker Fee	32,250.00	32,250.00	-
Grand Total	5,68,177.28	5,62,880.46	5,296.82

Financial update on other companies
January 1, 2016 to March 31, 2022

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
East Atlantic Ridge Ltd., Monrovia (Liberia)	3,075.25	2,208.97	866.28
LINK LIBERIA, INC, MONROVIA (Liberia)	158.51	158.51	-
RB LOGGING INC, Monrovia (Liberia)	55,881.44	55,881.44	-
RDC, Monrovia (Liberia)	600.00	300.00	300.00
STADIUM INC., Buchanan (Liberia)	475,725.70	475,725.70	-
Grand Total	535,440.90	534,274.62	1,166.28

Financial update on other companies
January 1, 2016 to March 31, 2022

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
East Atlantic Ridge Ltd., Monrovia (Liberia)	3,075.25	2,208.97	866.28
Export fee	3,075.25	2,208.97	866.28
LINK LIBERIA, INC, MONROVIA (Liberia)	158.51	158.51	-
Barcode Tag Fee	50.00	50.00	-
Export fee	108.51	108.51	-
RB LOGGING INC, Monrovia (Liberia)	55,881.44	55,881.44	-
Barcode Tag Fee	120.00	120.00	-
Export fee	55,761.44	55,761.44	-
RDC, Monrovia (Liberia)	600.00	300.00	300.00
Barcode Tag Fee	600.00	300.00	300.00
STADIUM INC., Buchanan (Liberia)	475,725.70	475,725.70	-
Export fee	475,625.70	475,625.70	-
Export License Fee	100.00	100.00	-
Grand Total	535,440.90	534,274.62	1,166.28

Financial update on Forest fees for CFMAs
January 1, 2016 to March 31, 2022

Company	Invoice Amount (USD)	Amount Paid (USD)	Balance Due (USD)
AFRICAN WOOD & LUMBER CO, MONROVIA (Liberia)	810,311.68	780,670.13	29,641.55
Akewa Groups of Companies, Paynesville (Liberia)	603,927.43	477,840.90	126,086.53
BOOMING GREEN, MONROVIA (Liberia)	1,038,659.31	946,108.49	92,550.82
Brilliant Maju Inc., Monrovia (Liberia)	553,955.39	539,090.33	14,865.06
COVEIYALAH INVESTMENT ENTERPRISES INC., Monrovia (Liberia)	416,265.73	415,765.73	500.00
Delta Timber Corporation, Monrovia (Liberia)	89,794.89	46,472.83	43,322.06
L&S RESOURCES INC, Monrovia (Liberia)	600,287.46	541,934.19	58,353.27
LTTC Inc., Paynesville City (Liberia)	885,986.72	616,978.75	269,007.97
LTTC THANRY, MONROVIA (Liberia)	14,720.42	14,720.42	-
MAGNA LOGGING CORPORATION, INC, CONGO TOWN (Liberia)	295,229.11	270,470.84	24,758.27
Mandra Forestry Liberia Ltd, Monrovia (Liberia)	4,871,410.44	4,871,411.44	(1.00)
Masayaha Logging, Monrovia (Liberia)	403,110.17	350,023.94	53,086.23
SANABEL Investment Company, Monrovia (Liberia)	76,294.93	3,750.00	72,544.93
SING AFRICA PLANTATIONS LIBERIA INC, MONROVIA (Liberia)	1,694,948.08	1,573,676.67	1,21,271.41
Sino Forest International Corporation Liberia Inc., Monrovia (Liberia)	26,442.56	2,000.00	24,442.56
SIX S (6S) INTERNATIONAL TRADING LIMITED, MONROVIA (Liberia)	2,000.00	500.00	1,500.00
STARWOOD INC., PAYNESVILLE (Liberia)	143,806.05	131,268.89	12,537.16
Tetra Enterprise Inc., Monrovia (Liberia)	893,408.15	822,833.22	70,574.93
Universal Forestry Corporation, Monrovia (Liberia)	156,950.00	1,950.00	155,000.00
WEST AFRICAN FORESTRY DEVELOPMENT INC, MONROVIA (Liberia)	1,362,985.90	1,340,837.71	22,148.19
West Water Group (Liberia), Inc., Monrovia (Liberia)	46,335.12		46,335.12
Grand Total	14,986,829.54	13,748,304.48	1,238,525.06

ANNEX 7

List of additional Verifiers Recommended for Activation January 2022.

#	Referenced Principle	Verifier #	Verifier Particulars
1	Principle 01: Legal existence/recognition and eligibility to operate in forestry sector (The forest contract or permit holder is a legally recognized business, community or an individual eligible to operate in the forestry sector)	1.2.1	For a contract holder that is a registered business, a notarized affidavit executed by its CEO declaring that its owners do not include prohibited persons
2		1.2.2	Current FDA-prepared list of current senior Government officials prohibited from holding forest license pursuant to Section 5.2(b) of NFRL
3	Principle 02: Forest allocation (The Forest Use Rights covered by the contract was awarded pursuant to the National Forestry Reform Law and the Community Rights Law)	2.1.2	Written notices of the consultation meeting(s) (Radio or Newspaper announcements)
4		2.2.1	Concession plan submitted by FDA to the Ministry of Planning & Economic Affairs (MPEA) in respect of the contract holder's concession
5		2.2.2	Concession certificate (or a written approval) issued by the MPEA to FDA, authorizing FDA to commence concession/ contract allocation activity for the specified forest area
6		2.3.3	Tax clearance showing no tax arrears at date of submission
7		2.4.3	Due diligence report by FDA
8		2.6.2	FDA enforcement report (FDA compliance Audit Report)
9		2.7.1	Bidder's bond receipt issued to the contract holder by FDA
10	Principle 03: Social Obligations and Benefit Sharing (Contract holder is in compliance with the social obligations and benefit sharing requirements)	3.1.1	Meeting minutes reflecting actual discussions and agreements reached by contract holder and authorized representatives of affected communities earlier identified by the FDA during its socio-economic survey
11		3.2.2	Social Agreement that predates Annual Harvesting Certificate of contract holder
12		3.2.3	List of CFDC identified by or registered with FDA
13		3.3.1	Code of conduct that governs the rights and responsibilities of affected communities and contract/ permit holder
14		3.3.3	Bank book or other records of the required interest-bearing escrow account opened by the contract/ permit holder in trust for the affected communities
15		3.3.4	Dispute resolution mechanism established
16		3.5.1	Authenticated quarterly bank statements of escrow account
17		3.5.2	FDA Compliance Audits
18	Principle 05: Environmental Obligations (Contract Holder and Timber Processor have met all environmental obligations required by law)	5.1.2	Environmental Impact License issued by EPA to contract holder or timber processor prior to commencement of harvesting operations
19		5.2.1	EPA environmental monitoring reports
20		5.3.1	EPA inspection report
21	Principle 06: Timber Transportation and Traceability (The	6.3.2	Standard form 14 (verification of cross cutting, dressing, and invoicing for Stumpage)

#	Referenced Principle	Verifier #	Verifier Particulars
	Contract or permit holder or timber processor meets all of its obligations required by law for the transportation and traceability of timber and/or timber products)		
22	Principle 08: Workers Rights, Health Safety and Welfare (The contract/ permit holder or timber processor meets its obligation under the Labour Law and any collective bargaining agreements of the timber industry)	8.1.1	Employment records or quarterly reports submitted evidencing local employment and preference to Liberian workers
23		8.1.2	Quarterly report submitted by contract holder or timber processor to the Ministry of Labour
24		8.1.3	Employment records, including register or employees along with their nationalities
25		8.1.4	Attestation of compliance issued by the Ministry of Labour in favour of contract holder or timber processor
26		8.2.1	Published minimum wage
27		8.2.2	Payroll
28		8.2.3	Annual inspection reports and/or letter of compliance
29		8.2.4	Worker's payslips
30		8.3.1	Working hour schedule
31		8.3.2	Leave records
32		8.3.3	Payment of overtime
33		8.4.1	Quarterly reports submitted to Ministry of Labour
34		8.4.2	Ministry of Labour inspection report
35		8.5.1	Quarterly report submitted to Ministry of Labour
36		8.5.2	Ministry of Labour inspection reports
37		8.5.3	Attestation from National Social Security & Welfare Corporation (NSSWC)
38		8.6.1 8.6.1	FDA Compliance Audit Report
39	Principle 09: Taxes, Fees and Other Payments (The contract holder or timber processor is current in its compliance with all fiscal obligations including payment of taxes and fees)	9.2.2	Receipt of bid premium payment

At present there are 46 verifiers activated in Libertrace as per Current Export Permit Regime (Nov 2016). Based on the mock inspections by VPA-SU1 and field audits by Legality Verification Unit (LVU) of Legality Verification department (LVD) additional 39 verifiers have been recommended to be activated in Libertrace.