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PEOPLE, RULES, AND ORGANIZATIONS SUPPORTING THE PROTECTION OF ECOSYSTEM RESOURCES (PROSPER)

Support to Management Plan and Rules Template Development for Authorized Forest Communities and Next Steps to Promote Permitting Systems

JANUARY 2016

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1.0 INTRODUCTION

The Consultant's Scope of Work is found in Appendix A. The key deliverables for this assignment included:

- Template for Community Forest Management Plan (CFMP) including a guide for populating specific sections
- Template and protocol for approval of community forest rules
- Workshop notes on process to strengthen permitting system

A series of workshops were held in Saniquellie from December 1-5, 2015 in order to assess the level of implementation of the CFMP, community forest rules, and adoption of the permit system. Outputs from these workshops informed the development of the CFMP and Rules templates which are found in Appendices B and C respectively. A brief summary of the major findings from this activity is summarized below. This is followed by a description of the proposed protocol for approval of community forest rules. The last section presents notes for the PROSPER implementation team on next steps to strengthen the permitting system.

2.0 ACTIVITIES CONDUCTED

2.1 REVIEW AND FINALIZATION OF THE ZOR COMMUNITY FOREST MANAGEMENT PLAN WITH THE ZOR COMMUNITY FOREST MANAGEMENT BODYAND EXECUTIVE COMMITTEE

In order to review and finalize a template for the Community Forest Management Plan the consultant held a workshop with the Zor Community Forest Management Body (CFMB) and its Executive Committee in Nimba County on December 1-2, 2015. The Zor CFMB has had a CF Management Agreement (CFMA) in place with the FDA since October 2011 and signed a 15 year CF Management Plan (CFMP) in December of the same year. The workshop provided a forum for the Consultant, CFMB and PROSPER staff to review the management plan to determine what progress had been made, what obstacles there were to its implementation, and to review and plan for future actions. The following observations during the workshop were most relevant to the development of the CFMP template.

1. Of the four original members of the Zor CFMB, only one member, the Chairman, had been a member of the CFMB that had written and approved the management plan with the assistance of USAID's Land Rights and Community Forest Program. None of the members of the Executive Committee present at the meeting had been involved in the original CFMP development. Because the election cycle dictated by the CRL regulation, it is likely that other CFMB and Executive Committees will experience similar turnover.

2. The literacy levels of CFMB members varied greatly despite the Community Assembly's requirement that these positions be filled with literate people. Based on observation and interactions over a five-day period, it is estimated that most members were functioning at a very basic literacy level, while three were "high" functioning at a US Grade 4 equivalent. The Consultant has worked extensively in Liberia and believes that similar levels of literacy will be found in most community leaders in Liberia.

3. The Zor CFMP is 23 pages long with appendices making it over 60 pages. However, the management activities described in the CFMP that provide guidance to the CFMB for day-to-day management are limited to six pages.

4. Only two of the four members of the CFMB had read the CFMP, and while the Executive Committee members are responsible for supervising the management activities of the CFMB, none of the members had read the CFMP.

5. The stringent requirements for written documents found in the CRL regulation will continue to limit the swift development and uptake of community forestry in Liberia, unless CFMA, CFMP and rules are drafted by non-community members. This underscores the need to develop **simple** templates that can easily be **understood** and **used** by CFMB.

A proposed template for the management plan that focuses on management activities is presented in **Appendix B**. This template emphasizes management activities and attempts to minimize "legalese" by referencing legal provisions, rather than including direct quotations in the text. This should result in both a shorter document, and one that will be more readable and accessible

to the CFMB and FDA staff. Embedded in the template are guide questions and references that should assist the CFMB and FDA (or other organization providing technical assistance) to develop a legally compliant, implementable management plan that does not involve medium- or large-scale timber operations[1].

2.2   REVIEW AND FINALIZATION OF THE ZOR COMMUNITY FOREST RULES WITH THE ZOR COMMUNITY FOREST MANAGEMENT BODYAND EXECUTIVE COMMITTEE

The Zor CFMB developed rules regarding forest use and management in 2012 with the assistance of PROSPER program staff. The Zor Theatre Group was used during 2013 to promote awareness of the rules during the early 2013, and an action plan was put in place to continue the promotion of the rules. Since that time, the PROSPER program has supported some town meetings to promote the dissemination of information about the rules, but there has been very little attempt by the CFMB to promote awareness or compliance with the rules. In addition, the PROSPER program had developed a rules template for submission to the FDA.

To review and finalize the rules, the Consultant reviewed draft rules with the CFMB and EC in workshop sessions during December 2-3, 2015. Community Assembly members were also engaged on December 4-5, 2015 to gain consensus on the rules and to develop a strategy for outreach and awareness. A number of observations were made during the workshop that inform the development of the rules template and follow-up actions.

1. The Zor CFMB members, including those that were recently elected, were familiar with the draft rules.
2. There was some confusion about the difference between laws and rules. Rules are made by the community for their forests, and while some may be backed up by legislation, most will have to be enforced by the community.
3. The Zor CFMB and EC members acknowledged that it was the responsibility of the CFMB to promote the rules but demonstrated very little initiative as to how to accomplish outreach and awareness about the rules (citing logistical constraints such as the single CFMB motorcycle).
4. The theatre group had not been used to promote awareness since 2013 with the support of PROSPER.
5. The chiefs in villages are the ultimate authority and if they disagree with the rules, they will not promoted them.
6. The CFMB and EC did not identify a role for the community assembly members or chiefs located in every town or village despite their potential to provide low cost information dissemination services.
7. The permit system could be used to both promote the rules, and enforce them. However, the permit system is not in place despite some initial efforts that were support by the PROSPER program including the printing of permits.
8. The draft rules were over 13 pages long, quoted directly from the law, and were overly complicated.

Rules should be developed to support the implementation of the CFMP and a good CFMP will identify what management activities will be bolstered by rules development. The rules should not only state what is and what is not allowed, but should identify the mechanism by which they will be monitored and enforced. Most importantly, the rules must be implementable. Rules that are not recognized, followed, or enforced will undermine the authority of the CFMB, as well as the rule of law generally.

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[1] The National Forestry Reform Law of 2006 (NFRL) and the FDA's core regulations along with the Guideline for Forest Management Planning (produced in 2009 with support from USAID) provide excellent guidance for management planning for medium- and large-scale commercial forest management planning. Accordingly, it is strongly recommended that communities with these objectives work closely with FDA to develop forest management plans that comply with those guidelines.

The template in **Appendix C** provides both guidelines and draft language that can be used by CFMB and FDA (or other organizations providing technical assistance) to develop their rules. The final rules should be simple, easy to understand, and avoid "legalese".

Next steps in rules development for the Zor CFMB
The Zor CFMB has finalized their rules after consultation with the Community Assembly and approval by the EC. These rules have been submitted to the FDA for approval. In addition, the CA has agreed to support the CFMB to create awareness about the rules and to promote them through the permit system (see discussion on the permit system implementation below). In the short-term the following steps are envisioned to support and promote the implementation of the rules in Zor community. A similar approach is recommended in the Gba community.
1. Following the workshop, all of the Community Assembly members will report back to their chiefs and hold a town meeting to share the draft rules with the community
2. The Community Assembly members will actively support the CFMB to register forest users through a permitting system.
3. The permit user registration process will be used to promote awareness about the CF rules
4. Community Assembly members will record forest use by their village members and will report to the CFMB on a monthly basis.
5. Forest Guards will be encouraged to promote rules awareness when they are not on patrol.

Approval protocol
1. The CFMB reviews the CFMP to identify any explicit or implicit call for rules to be developed for specific management activities.
2. Using the draft template and guidelines, the CFMB drafts rules (CRL Regulation, Ch4 §7) consistent with their management plan.
3. The CFMB presents the draft rules to the Community Assembly at the semi-annual meeting of the CA for feedback and approval.
4. The CFMB revises the rules based on CA feedback
5. The CFMB submits the draft rules to the Executive Committee for approval (CRL Regulation, Ch4 §12) at the 1/4ly meeting of the Executive Committee.
6. Once approved by the Executive Committee, the CFMB submits a signed copy of the rules to the FDA for approval (CRL Regulation, Ch4 §12).
7. The FDA Technical Manager for Community Forestry reviews and approves, and submits to the Managing Director (MD) for final approval.

It should be noted that approval by the FDA does not guarantee that rules will be followed or enforced. CFMB in many communities will need to recognize that moving from a state where community forests are largely unmanaged, and access is open to all to one in which rules are put in place and enforced, will require leadership not just from the CFMB, but from the CA and town chiefs as well. While the law only requires the rules to be approved by the Executive Committee and FDA (see CRL Regulation, Ch4 §7), it is strongly recommended that the rules are vetted by the CA and Town Chiefs before they are sent to the FDA for approval and that the CA and Chiefs are engaged in their promotion and enforcement. Failure to do so may result in the inability of the CFMB to enforce their own rules.

2.3   PROCESS TO STRENGTHEN PERMITTING SYSTEM

The Permitting system was introduced in the Zor community primarily as a means to control use and access by non-community members that were using the community forest. However, after review of the management plan and draft rules, it was determined that a permit system could be used as a way to register users, collect information and promote community forest rules. The following steps are envisioned to support and strengthen the permitting system.

1. Community Assembly members will describe the permit system to the Town Chief, Elders and other decision makers within the community to ensure that there is buy-in at the community level for the permit system.

2. In communities where the Chief, Elders or other decision-makers do not support the permit system, the Community Assembly member will ask the CFMB for support in describing the advantages to having such a system in place.
3. Each village will organize a permit registration date that will be promoted by town criers.
4. The Zor Theatre Group will perform at each registration venue to promote awareness about the rules and the permit registration process.
5. Permits will be issued initially for a three month period. The Community Forest Rules will be printed on the back of the permits so that forest users are aware of the rules
6. Permit holders will report to the Community Assembly member in their community regarding their use and extraction of resources from the community forest. This will be done whenever they use the forest.
7. The Community Assembly members will report to the CFMB on a monthly basis regarding their village's use of the community forest.
8. After three months, PROSPER will assist the CFMB to review the permitting system to assess its efficacy. Changes and modification will be made as necessary.

In all of the proposed steps, PROSPER staff may play a supporting role, but the lead must come from the CFMB and CA.

APPENDIX A – SCOPE OF WORK

Statement of Work – Community Forest Management Specialist

The Community Forestry Management Specialist and Tetra Tech's Project Manager for PROSPER (hereinafter "Consultant") will undertake work in Liberia for Tetra Tech ARD in support of the People, Rules and Organizations Supporting the Protection of Ecosystem Resources (PROSPER) Program.

Background
The goal of the PROSPER program is to operationalize and refine appropriate models for community management of forest resources for local self-governance and enterprise development in targeted communities while developing the institutional capacity to support community forestry as a viable forest management option.

PROSPER is structured around three (3) principal objectives:

1) Expanded Educational and Institutional Capacity to Improve Environmental Awareness, Natural Resource Management, Biodiversity Conservation and Environmental Compliance;
2) Improved Community-Based Forest Management Leading to More Sustainable Practices and Reduced Threats to Biodiversity in Target Areas; and
3) Improved community-based livelihoods derived from sustainable forest and agricultural-based enterprises in targeted areas.

Objectives of the Assignment:
Tetra Tech recently submitted for approval an Annual Work Plan (AWP) for Fiscal Year 2016 (FY16). USAID has reviewed the FY16 AWP and it is anticipated that it will be approved in the coming weeks. Several tasks have been identified in the FY16 AWP that will require short-term technical assistance to complete. The overall objective of this assignment is to provide technical input, oversight and guidance to the following activities in the AWP in the northern Nimba community forest sites:
- Develop realistic implementable rules that are consistent with legislation and regulation;
- Develop community Forest management plan template for use in PROSPER sites and for FDA approval;
- Review permit system, and strengthen related systems

Consultant Tasks
The Consultant will complete the following tasks related to *rules making*:
- Review relevant legislation to ensure community forest rules are compliant with relevant legislation and regulation
- In conjunction with the FDA and VPA Support Unit staff, draft a template for community forest rules and propose approval protocol with the FDA
- Organize and facilitate a workshop for one of the northern Nimba authorized community forest communities to develop realistic rules consistent with the template
- Develop recommendations for final template and protocols for FDA consideration and approval based on workshop experiences and output.

The Consultant will complete the following tasks related to *forest management planning*:

- Review templates for commercial forest management plans
- Review existing forest management plans for the Gba, Zor and Blei Community Forests
- Draft a template for community forest management plan for review with the FDA
- Organize and lead a workshop with the CFMB of the Gba, Zor and Blei communities to revise the CF Management Plans for FDA approval
- Finalise template based on workshop

The Consultant will complete the following tasks related to the *permitting system*:
- Review enforcement of permit system
- Organize and facilitate a workshop for at least one Community Assembly on permitting systems and establish an action plan for increasing the use of the permit system and related data collection.

If time permits:
- Present a lecture at FTI

Deliverables
- Template for Community Forest Management Plan including a guide for populating specific sections
- Template and protocol for approval of community forest rules
- Workshop notes on process to strengthen permitting system

Level of Effort
A maximum of 24 working days beginning on or about November 11, 2015, allocated as follows:
- Prior to trip, 3 working days for preparation, document review, Skype calls and emails for pre-trip preparation.
- 3 days for international travel
- 17 working days in-country
- 1 day for follow-up as requested by the CoP or USAID COR

One additional day may be used for any follow-up work/technical assistance needed to wrap up deliverables, if authorized by Tetra Tech and USAID.

Reporting
The Consultant will consult with the PROSPER DCOP throughout the assignment and will collaborate with project implementing partners and community representatives as needed.

APPENDIX B – COMMUNITY FOREST MANAGEMENT PLAN TEMPLATE

Guidelines and Template for Community Forest Management Plan

The following presents a proposed template and content for a Community Forest Management Plan for communities that are contemplating small-scale commercial activities[2]. This template is based on the experiences of the USAID's Land Rights and Community Forestry Management Program (LRCFP), the Liberia Forestry Support Program (LFSP), and the People, Rules and Organizations Supporting the Protection of Ecosystem Resources (PROSPER).

The proposed template attempts to strike a balance between best practices, and what is technically feasible in the Liberian context. The Forest Development Authority (FDA) and civil society organizations have limited capacity to support communities to develop management plans, and even fewer resources to implement the plans. Accordingly, the plans that are developed must be implementable by the communities with the limited guidance and support that can be provided from FDA and civil society organizations.

Similarly, attempts have been made to develop the management plan template below in such a way that all of the information required is derived from maps available from FDA, the CFMA development process (e.g. boundary demarcation, socio-economic resource survey, and application letter) and a simple resource inventory. This will allow the FDA and communities to develop management plans without outside technical guidance provided that the 9-step process has been followed. Proposed language is provided in shaded text in some sections and sub-sections.

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[2] For communities that are contemplating medium- or large-scale commercial operations, it is recommended that the current FDA-approved guidelines for management plan preparation for concession management be used to develop management plans for approval by FDA. This will ensure that the Community Forest Management Plans are compliant with the National Forestry Reform Law and the FDA's regulatory framework for commercial management.

APPENDIX C – TEMPLATE AND GUIDELINES FOR A COMMUNITY FOREST MANAGEMENT PLAN

TEMPLATE and GUIDELINES for a Community Forest Management Plan

1. INTRODUCTION

1.1. Management information

This section should include the following information:

- Mission statement of the Authorized Forest Community management organization
- Effective date of the Community Forest Management Agreement (CFMA) between the Authorized Forest Community and Forestry Development Authority (FDA)
- Name and contact address of Community Forestry Management Body (CFMB)
- Partners involved in the Community Forest Management Plan (CFMP) preparation and implementation

1.2. Objectives and Duration of the Plan

This section should include the following subsections:

1.2.1. Stated objectives of the CFMP

This subsection should describe the objectives of the CFMP. This should be unique for every community and may include multiple objectives but should be consistent with the rest of the management plan. The management objectives may cover multiple resources, and multiple uses. Having gone through the 9-step process, the communities should have organized a CF organization with goals and objectives the development of this section. Examples of the types of management objectives may include: conservation of biodiversity; sustainable timber management for small scale enterprises within the community; commercial timber management for domestic markets; management of NTFP for subsistence uses; management of water resources for watershed protection; etc…

1.2.2. Effective date of the CFMP and duration of the plan

According to the CRL Regulation, the CFMP may be approved for up to 15 years with a review after 5 years. This subsection should specify the effective date of the CFMA which is also for 15 years, and the duration of the management plan. The FDA may decline to approve the CFMP if the duration is longer than the CFMA period.

Sources of information: Community Forestry Management Agreement; Application letter to the FDA for the CFMA

2. LEGAL FRAMEWORK

This section should identify the primary pieces of legislation that govern the implementation of the plan. Specific provisions do not need to be cited.

> **SUGGESTED LANGUAGE:** Implementation of this management plan is governed by the Community Rights Law of 2009 (CRL) the Community Rights Law Regulation of 2011, the Regulation on the Commercial and Sustainable Extraction of Non-Timber Forest Products, and the Wildlife and National Parks Act of 1987. Other relevant provisions may apply from the National Forestry Reform Law of 2006 (NFRL) and the Environmental Protection and Management Act of 2002 (EPMA).

3.   INSTITUTIONAL FRAMEWORK

This section should describe the roles and responsibilities of the parties to the management plan.

3.1. Forestry Development Authority

Sources of information: CRL Chapter 5.

> **SUGGESTED LANGUAGE:** Consistent with Chapter 5 of the CRL, the FDA has jurisdiction over community forest management is the only entity that may approve a management plan. The FDA's responsibilities include the provision of technical support and capacity building to the community to implement their management plan. The FDA also monitors the implementation of the management plan and has the authority to terminate the CFMA in the event that the CFMB is not managing the community forest in compliance with the CRL, its regulation or the Management Plan.

3.2. Community Forest Management Body

Sources of information: CRL Chapter 4

> **SUGGESTED LANGUAGE:** The CFMB represents the community in all matters and negotiations related to the Community Forest. Consistent with Chapter 4 of the CRL, is responsible for the implementation of the management plan with technical assistance from the FDA [and INSERT NAMES OF ANY OTHER PARTIES].

3.3. Other

This section is optional but may include District Authorities, County Authorities, Private Companies, Civil Society Organizations or other entities that have roles or responsibilities for implementing the management plan. The responsibility of each entity should be described in this section.

4.   THE AUTHORIZED FOREST COMMUNITY

4.1. Demographic description

This should include the names of the District(s) where the Authorized Forest Community (AFC) is located, all of the villages, towns, and/hamlets that are part of the AFC; the number of people in the AFC (broken down by gender, if possible); their primary livelihoods; and any other information that the CFMB and FDA deem relevant.

Sources of information: Socio-economic Reconnaissance (SER) Survey

4.2. Description of surrounding landscape and its management

This should include a description of the larger landscape and how it is managed. Any concessions (agriculture, forest, mining, etc.) should be mentioned in this section along with local land uses.

Sources of information: SER Survey and Resource Inventory; FDA geospatial records

5.   GENERAL DESCRIPTION OF THE COMMUNITY FOREST

5.1. Area and Location

This section should include the number of hectares of the community forest and include a map of its location along with a reference to the geographic coordinates. A metes and bounds description is with the FDA and this can be referenced or included in this subsection.

5.2. History of past and current management

This section should describe how the land has been managed in the past by both the AFC, as well as any other users that have affected the landscape. This may include concessionaires, large land owners, etc…

5.3. Vegetation types

This section should describe the forest types found in the forest. This may include a simple classification such as primary forest, secondary forest, swamp and barren land; or may be more detailed (e.g. 5 year fallow farmland; 5-15 year old fallow farmland; 15+ year farmland; dry upland forest; etc.) This information should come from primarily from the Resource Inventory where a determination of forest types will be made prior to conducting the inventory by the FDA and the CFMB.

5.4. Wildlife

This section should describe the wildlife found in the forest area, particularly any protected species. This information should have been collected in the SER Survey or the Resource Inventory. If information is not available, the management plan can include future information collection activities which will feed into future management plans and actions.

5.5. Water resources

This section should describe any major lakes, rivers or streams that are located in and around the Community Forest. This section can also make mention of the aquatic resources (fish, turtles, etc….) that are dependent on these resources.

5.6. Threats to the Community Forest

To manage resources sustainably, threats to forest resources should be identified and appropriate management actions taken. Threats to the forest may include clearing land for concessions in nearby areas (which may lead to additional pressure on the forest resources in the community forest); over-hunting; in-migration and related clearing of forests for agriculture; fire (e.g. for clearing land or hunting).

6.   SOCIAL MANAGEMENT

6.1. Consultation process between the CFMB and FDA

The CRL Regulation requires the CFMB to report quarterly to the FDA on financial matters. This does not need to be done in person, but can be sent or given to the FDA in a report. However, the CFMB and FDA may decide to meet on a regular basis to discuss and exchange information on other aspects of the management plan. In making the determination of how frequently the FDA and CFMB will meet, issues such as the cost of meeting and which organization will bear the cost should be considered in order to propose realistic intervals for meetings. It may be decided that regular meetings is not feasible, particularly where the community is remotely located. In all cases however, a process for consultation should be described so that both parties are in agreement as to how to request a meeting. The CFMB should discuss these matters and propose a process for FDA approval in this CFMP.

6.2. Benefit Sharing

The CRL Regulation requires community forest funds to be managed by the CFMB and supervised by the Executive Committee. However, if the CFMB would like to create a committee or other entity to manage forest funds or to make plans related to their use, this should be described in this section. Otherwise reference to Chapter 10 of the CRL Regulation should be referenced in this section.

SUGGESTED LANGUAGE: Consistent with Chapter 10 of the CRL Regulation, funds derived from community forest management must be managed by the CFMB under the supervision of the Community Assembly. [OPTIONAL: Benefit Sharing Plans will be developed by [INSERT NAME OF ENTITY]]

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7. FOREST ZONING AND RESOURCES [OPTIONAL]

7.1. Zoning

Some community forests may be very small, may comprise the same forest type, and may be used similarly throughout the forest. In these cases zoning may not be necessary. However, most community forests will comprise different forests types which are used quite differently, while others may consist of the same forest type but may be managed differently throughout the forest depending on their proximity to villages, Protected Areas, sacred forests, etc.

Where forest types and resources are different and used differently, zoning can assist communities to manage their forests by making clear rules and developing activities for specific zones in the forest. The CFMB and FDA should work together to identify different zones by forest zone or use and describe this in each section. Satellite maps can assist the CFMB and FDA to identify different forest types, while the SER Survey and Resource Inventory can also provide valuable information about the forest resources and their use by the community.

Subsections under this section should include a map of the forest with the zones clearly demarcated, a description of the forest type, resources and the management objective for each area.

Sources of information: Maps from the FDA; SER Survey, Resource Inventory

8. MANAGEMENT OF THE FOREST

The subsections below should both describe the current status of forest resources, and actions that will be taken during the management plan period. Depending on the amount of information available and the current management situation, actions may be very specific, or may provide general guidance for future management activities. For all of the management action sections below it is critical that the management activities described are achievable and not overly ambitious. Accordingly, for each of the proposed activities, the CFMB must carefully consider how feasible the actions are, the budget required, and the current willingness of the community to undertake the activities. This is critical because failure to implement the management plan could result in FDA revoking the Community Forestry Management Agreement.

8.1. Demarcation and Boundary Maintenance

8.1.1. Current Situation

This subsection should describe the current state of the boundary and how it is managed. Are there signs? Are lines cleared? Are people in the community and adjacent communities aware of the boundaries?

8.1.2. Management Activities

This subsection should describe how the boundary will be demarcated or maintained. When developing this, the CFMB should consider the amount of time that will be needed for any given approach, the cost of the activity, and how effective the activity will be in maintaining the boundary. In some communities, maintaining a boundary might not be economically feasible, or only some places might need to be marked to prevent unauthorized entry.

8.2. Inventory of resources

8.2.1. Current Situation

This subsection should summarize the main findings from any resource inventory that was conducted. This might be summarized in a table form with volume estimates per hectare, or may just be a simple description of the forest type and dominant species.

8.2.2. Management Activities

This subsection should describe any inventory activities that are envisioned for the period.

The types of management activities will determine if an inventory is needed at all. It is possible that some communities will not need to undertake additional inventories if the forest is being used for subsistence purposes only. If commercial activities are envisioned, an inventory that allows communities to determine a sustainable annual allowable cut should be undertaken. It is advised that the FDA be involved in any inventory activity and that FDA involvement is documented in the Management Plan.

8.3. Fire management

8.3.1. Current Situation

This subsection should describe how fire is used in the community forest and the particular fire practices that are a threat to the forest. If there are any current attempts to manage fire (e.g. restrictions on the use of fire at certain times of the year) these should also be described in this section.

8.3.2. Management Activities

If the current use of fire presents a threat to the community forest, actions to manage its use in and around the community forest should be described in this section. This might include the development and enforcement of rules limiting fire within the community forest. If fire is not a threat or is already managed well within the community forest, a description of the on-going activities should be described in this section.

8.4. Water and Fish management

8.4.1. Current Situation

This subsection should describe the main bodies of water in the community forest and its resources, and how they are managed. The following guide questions may assist the community to develop this section:

What aquatic animals are used by the community? For example, fish, crabs, frogs, etc… How are they harvested/caught (e.g. hooks, country nets, mosquito nets, traps, etc.)? Are there any rules about the use of streams and other waterbodies in the community forest? If yes, are they respected and how are they enforced?

8.4.2. Management Activities

This subsection should describe any modifications to the current management activities described in the subsection above. Guide questions that may assist the CFMB to develop this section include the following: What activities are not sustainable? Is there a need for rules? How will the rules be communicated to the community? How will they be enforced?

8.5. Wildlife management

8.5.1. Current Situation

This subsection should describe the wildlife in the community forest and should identify any protected species that may be in the community forest. Some of this information should be

available through the SER survey which has communities identify protected species. Any rules or taboos that are in force regarding wildlife should be documented in this subsection.

8.5.2. Management Activities

This subsection should describe any wildlife management activities (both protected and non-protected species) that are envisioned for the period. This may include the development of rules, in which case, outreach and awareness activities and enforcement should also be described. Permits may also be envisioned to control hunting. Posting of signs is another activity that may be included as a management action.

Monitoring protected species may also be undertaken as a management activity and should be briefly described. It is advised that such monitoring activities are designed in cooperation with the FDA or other agency or organization.

Finally, it is not advisable to forbid hunting in the community forest if hunting is the primary protein source for the community and the community forest provides that wildlife. Such a restriction will not be enforceable and will undermine the authority of the FDA and the CFMB. In those cases, it is advisable to limit unsustainable hunting through rules that limit the species that may be hunted, the times that they may be hunted, and the number of hunters. However, note that these rules should not be articulated in the management plan. A reference to their development should be sufficient.

8.6. Non-Timber Forest Products management

8.6.1. Current Situation

This subsection should describe the major NTFP that are used by the community or others. This information should be available from the SER and resource inventory. Any practices that are used to for NTFP extraction that are unsustainable should be identified here as well.

8.6.2. Management Activities

This subsection should describe any NTFP management actions that are envisioned for the management plan period. If there is not much information available about the NTFP in the forest, or its use, the management plan activities may focus on developing this information for future management actions. This may take the form of establishing a permit or tracking system whereby NTFP users must report on their use of NTFP. Rules may also need to be developed to ensure that practices are sustainable along with a description of how the rules will be communicated and enforced.

8.7. Mineral extraction

8.7.1. Current Situation

This subsection should describe any mining activities that are taking place in the community forest.

8.7.2. Management Activities

Mineral resources in Liberia are owned by the State and any extraction should be regulated by the government through permits or licenses. Where illegal mining is taking place, the management plan should describe what actions will be taken to limit that activity. If mining is anticipated in the community forest, reference to compliance with the applicable laws should be described.

9. ENFORCEMENT OF RULES, MONITORING AND REPORTING

9.1. Enforcement and Monitoring

9.1.1. Current Situation

This subsection should describe what enforcement mechanisms are in place and how they are implemented. For example, the FDA is responsible for enforcing forestry related legislation and regulation and may work closely with the community to monitor illegal activity. However, if the

FDA has not been involved in enforcement because of lack of resources, or because of the remote location of the community, this should also be noted. The community may have their own enforcement mechanisms in place such as an Elders Group that makes and enforces decisions about land use or forest guards.

9.1.2.   Current Situation

In this subsection, the CFMB should consider how rules that may be developed will be enforced. This may be through outreach and awareness, through self-reporting, through forest guards, or through arrangements with the FDA. As with management actions, it is important that the CFMB propose enforcement mechanisms that can be put in place during the management plan period.

9.2. Reporting

In this section, the CFMB needs to consider what will be reported and to whom. This should include illegal activities, and reporting to the community.

> **SUGGESTED LANGUAGE:** Any illegal activities that occur within the community forest will be reported to the Forestry Development Authority. For violations of law or regulations outside of the authority of the FDA, the FDA will assist the community to identify the appropriate authority to alert.
>
> Consistent with the CRL Regulation, the CFMB will report to the Executive Committee on community forestry-related activity on a quarterly basis, and to the Community Assembly on a semi-annual basis.

APPENDIX C – FOREST MANAGEMENT RULES TEMPLATE

TEMPLATE for Community Rules and Guidelines for Community Forest Management

The CRL requires communities to develop rules to guide and direct community members' activities concerning forest resource on the land (CRL Reg. Chapter 4, §§7, 12). The development of the rules should be driven by the approved Community Forest Management Plan that should identify management activities. Rules should emanate from these activities.

Each of the subsections below presents guidelines (in shaded text) and proposed language for the development of community forestry rules. However, it is important to note that every Community Forest Management Body will need to develop rules that are appropriate for their own community and consistent with their own management plan. The final rules for each Authorized Forest Community may have a similar format, but should reflect the unique circumstances and management objectives of the community.

COMMUNITY FOREST MANAGEMENT PLAN

Purpose

This section presents the purpose of the rules, and identifies the authority from which the CFMB have derived the right to create rules (the CRL, its regulation, and the FDA-approved Community Forest Management Plan.

PROPOSED LANGUAGE for PURPOSE

The CRL Regulation requires communities to develop rules to guide and direct community members' activities concerning forest resources on the land (CRL Reg. Ch4, §§7,12). Community Forest Management Rules are specific rules and guidelines issued by the Community Forest Management Body concerning the sustainable use of community forest resources (CRL Reg. Ch1 §2).

The FDA-approved **[INSERT NAME OF AUTHORIZED FOREST COMMUNITY]** Community Forest Management Plan of **[INSERT YEAR]** specifically directs the **[INSERT NAME OF AUTHORIZED FOREST COMMUNITY]** CFMB to develop rules regarding the use **[INSERT SPECIFIC ACTIVITIES THAT HAVE BEEN IDENTIFIED; THIS MAY INCLUDE BUT IS NOT LIMITED TO: FIRE, WATER RESOURCES FISH, WILDLIFE, TIMBER, NTFP]**.

SECTION 1: MANAGEMENT MECHANISMS

The management of the community forest must include tools to monitor compliance with their own rules, and the laws and regulations that monitor Liberia's forests. This section should identify the mechanisms that the community will use. This may include the following:

- Forest Guards
- Permit Systems
- Self-reporting

Self-Reporting may be appropriate where management activities are limited to subsistence-level extraction of forest resources. In these cases, communities should describe in this section how forest users will report their activities in the forest and to whom.

Permits should be considered for more intensive extractive activities (small scale commercial activities), or where CFMB wish to better understand the use of community resources. A single permit may be issued, or multiple permits issued for different types of uses or classes of users (e.g. community members, non-community members). Descriptions of several types of permits are provided below for communities to discuss, select, or modify for their particular situation.

In addition, there could be any number of different classes of permits based on either resources, or the type of user. For example, there could be a specific hunting permit, NTFP permit, fishing permit, or one permit could cover all or some of these activities. Alternatively, permits could be issued to primary users, or secondary users. It is strongly recommended that the number of different permits be limited initially until communities are familiar with using and monitoring permits and permit users.

Finally, it should be noted that some communities may choose to use a combination of tools (self-reporting and permits). Other mechanisms are also acceptable and may be described in this section.

PROPOSED LANGUAGE for SELF-REPORTING.

The CFMB manages access and use of the forest through a self-reporting system. Anyone using the forest for NTFP, fuelwood, hunting or fishing purposes, reports on their activities and amount of NTFP, fuelwood, animals, fish taken from the forest to the **[INSERT AUTHORITY, E.G. CFMB, MEMBER OF THE CA, FOREST GUARD, TOWN CHIEF, ETC.]**

PROPOSED LANGUAGE for PERMIT SYSTEM.

The CFMB manages access and use of the forest through a permit system. Several classes of permits are issued as described below:

Primary User Permit

These permits are issued to members of the authorized community forest for **[INSERT ACTIVITIES THAT ARE PERMITTED UNDER THIS PERMIT, E.G. FISHING, HUNTING NTFP COLLECTION, ETC]**. There are [INSERT NUMBER OF DIFFERENT CLASSES OF PERMITS] classes of these permits:

- *Class A* for [INSERT PURPOSE, E.G. SUBSISTENCE AND HOUSEHOLD USE]; and
- *Class B* for [INSERT PURPOSE, E.G. SMALL-SCALE COMMERCIAL]; and
- *Class C [INSERT DESCRIPTION AS NECESSARY]*
- *Class D [INSERT DESCRIPTION AS NECESSARY]*.

Secondary User Permits

These permits are issued to individuals or organizations that are not members of the **[INSERT NAME OF THE AUTHORIZED FOREST COMMUNITY]** Community. They may be issued for **[INSERT ACTIVITIES THAT ARE PERMITTED UNDER THIS PERMIT, E.G.**

FISHING, HUNTING NTFP COLLECTION, ETC] in the **[INSERT NAME OF AUTHORIZED FOREST COMMUNITY]** Forest.

Chain Saw Permit

The draft chain saw regulation of the FDA (Reg 115-11) requires all chain sawyers to obtain a permit from FDA. In order to ensure that the chain sawyers operating in Community Forests are compliant with FDA regulations, it is strongly recommended that communities require all chain sawyers, at a minimum, to have a valid FDA-issued chain saw permit.

While a chain saw permit is a requirement of Liberian law, a community chain saw permit is not. However, if communities decide to require chain sawyers to obtain an additional community-granted chain saw permit, this may provide an additional level of community control. The community should discuss this and decide whether this additional check is required for chain sawyers operating in their community forest.

PROPOSED LANGUAGE

A chain saw permit may be issued to individuals or organizations but only if the following conditions have been met:

- A valid chain saw permit has been issued by FDA consistent with the requirements of the FDA Regulation on Chain Sawing (*Reg 115-11*); and
- An operations plan has been reviewed and approved by FDA and the CFMB; and
- Operations are overseen by the FDA and the CFMB.

Timber Extraction Permit

If communities decide to partner with a timber company, they must ensure that the logging company is complying with laws and regulations related to the law so that they are not held liable for any unauthorized logging in the community forest. To ensure that is the case, it is strongly recommended that communities seek guidance from the FDA, and that any agreements, plans and permits related to the operation are also co-signed by the FDA. The community should discuss these issues and decide what requirements must be met before a timber extraction permit is required. The potential language below provides some guidance for these discussions.

PROPOSED LANGUAGE

Timber extraction permits may also be issued to logging companies following:

- Approval by FDA and the Executive Committee of the Community Assembly of a management plan that covers the proposed activity; and
- Completion of an inventory and calculation of an Annual Allowable Cut so as to determine sustainable harvesting levels.
- FDA- and CFMB-approved proposal for timber extraction activities
- FDA- and CFMB-approved annual operation plans that cover the duration of the proposed logging activity.

SECTION 2: SPECIFIC USE RULES

The management plan should identify where rules are needed for the management of specific resources. This may include rules related to wildlife, NTFP, water fish, fire, etc... The Community Forest Management Body should review the management plan and develop rules related to resource management. All of the rules presented below may not be required by a management plan, and there may be other subjects covered in the management plan that are not discussed below. Regardless, all rules should be simple and enforceable. Rules that cannot be enforced undermine the rule of law, and the authority of the CFMB. Rules should also be stated as simply as possible so that community members can understand them, and explain them to one another.

Farming

In some forests, farming may already be taking place. In these cases, the CFMB and FDA need to consider whether it is realistic to expect these farmers to abandon their farms. If yes, an outright ban on farming is possible in the forest. However, in most cases, banning farming may lead to conflict. The CFMB must consider and weigh options in these situation. They may decide to allow existing farmers to remain in the forest, but require them to plant tree crops or abandon the land altogether after they have farmed the area for a certain period of time. Alternatively, they may allow the farmers to remain in the forest, but limit other activities of these individuals. Examples of rules are provided below for CFMB discussion.

EXAMPLES OF FARMING RULES FOR DISCUSSION

Farming is not allowed in the Community Forest

No new farms in the Community Forest but existing farms may stay for up to 10 years.

No new farms in the Community Forest but existing farms must either leave the forest within 10 years, or plant tree crops in the forest.

Fishing

In some community forests, there may be no fishing, or the fishing that is being done may be done in a way that is not destructive to the water resources and fish. Again, the CFMB should look to the management plan to see if rules are required by the management plan. Some communities may not need to have rules related to fishing. Other communities may need to develop rules where harmful practices are regularly practiced or on the increase. In developing rules, the CFMB should consider what the current practices are in the community forest and what practices are destructive. They may also want to consider if fishing should be limited to certain individuals or groups. Examples of rules are provided below for CFMB discussion.

EXAMPLES OF FISHING RULES FOR DISCUSSION

Fishing is permitted in the community forest using fish hooks, country nets or line fences.

The use of pumps, chemicals, round fences or mosquito nets is strictly prohibited.

Only community members may fish in the Community Forest.

Water management

Community forest water resources provide water to plants, animals and humans. Some management plans may have the protection of water resources as a major objective. In these cases, very specific rules may need to be developed regarding activities around waterways. Again, the CFMB should look to the management plan to see if rules are required by the management plan. Some communities may not need to have rules related to water, while others water resources may require stricter monitoring through the development of rules. Questions that the CFMB may need to ask are "what are the threats to our water"? How can we control that threat? Examples of rules are provided below for CFMB discussion.

EXAMPLES OF WATER MANAGEMENT RULES FOR DISCUSSION

Forest users must not dump waste or chemicals in the waterways

Trees should not be cut within 30 meters of a waterways (NOTE: the law already does not allow harvesting trees within 20 meters of a waterway)

Fire

Depending on the forest location and forest type, fire, particularly man-made can be very destructive. Examples of rules to help control fire are outlined below for discussion purposes. In developing the rules on fire, CFMB members should consider if fire is actually a threat to the forest, and what uses of fire are particularly destructive and require regulation.

Fire must be used for cooking only and must be put out completely using water and ensure that they are completely out before leaving the area.

Farmers burning farmland within 500 meters of the community forest must inform neighbors and CFMB in order to protect from wildfire

Wildlife

Liberians are dependent on bushmeat for protein so a complete ban on hunting is unrealistic and unenforceable. That said, rules about when to hunt and what to hunt should be developed. The CFMB needs to consider the needs of their community, as well as the wildlife in the forest when making their rules. Questions that the CFMB may want to consider is whether wildlife in their forests should be for commercial sale outside of the community, or should remain within the community. What species must be protected or certain times of year when hunting (or certain hunting practices should not be permitted. The rules provided below may provide talking points for the CFMB to develop rules that are appropriate for their own situation.

Animals hunted in the community forest are only for community consumption.

Hunting of Protected Species is strictly prohibited

No hunting pregnant or baby animals

Secondary user permits are not permitted for hunting.

NTFP

NTFP provide fuelwood, medicine and food to rural (and urban) Liberians. In making rules about NTFP, the CFMB should consider destructive forest practices that are associated with NTFP harvesting and develop rules accordingly. They may also want to consider limiting access to these resources through the rules. The rules provided below may provide talking points for the CFMB to develop rules that are appropriate for their own situation.

No cutting of trees to access NTFP

NTFP collection may only be done by community members

Timber Extraction

If timber extraction is included in the management plan, the CFMB will need to consider rules that are related to this activity. Because timber extraction is a highly regulated activity and is subject not only to the Community Rights Law, but also EPA regulations, the National Forestry Reform Law, and other FDA regulations. Proposed rules are presented for CFMB to consider and discuss in their own rules development.

All timber extraction must be overseen and authorized by the FDA and CFMB consistent with requirements of the National Forestry Reform Law, the Community Rights Law, and any applicable FDA or EPA regulations.

Timber extraction can only be undertaken by holders of FDA and CFMB chainsaw permits.

SECTION 3: REPORTING AND ENFORCEMENT

Reporting Guidelines

Monitoring mechanisms from Section 1, and specific rules from Section 2, may generate information that can be used for forest management purposes. If permits or self-reporting are

used for monitoring the use of the community forest, reports must be generated for the CFMB. Similarly, violations of the rules must also be reported. The CFMB should discuss how information will be reported. This will differ from community to community depending on their circumstance so flexibility in this is critical. Examples of reporting guidelines are provided for discussion purposes below.

EXAMPLES OF REPORTING GUIDELINES FOR DISCUSSION

All Primary Permit holders are required to report monthly to the CA member in their community regarding their use and consumption of forest resources.

All Class B Primary user permit holders, secondary user permit holders, Chain Saw Permit and Timber Extraction Permit are responsible for payment of any taxes associated with their NTFP and timber extraction.

Report any Protected Species caught in a trap to FDA.

Forest users should report to the CFMB annually on their use of the forest.

ENFORCEMENT

The CRL regulation requires the CFMB to report any violations of Liberian law or regulation to the appropriate government authority (CRL Regulation Chapter 1, §8). However, the rules developed by the community (that are not Liberian law or regulation) must be enforced by the community. The CFMB will need to determine how they will enforce the rule, keeping in mind that it may take some time for the communities to accept and start following the rules. Enforcement may be quite specific for specific activities, or they may be quite general. The CFMB will need to determine what enforcement practices will work best in their community. Examples of enforcement guidelines are provided for discussion purposes below.

EXAMPLES OF ENFORCEMENT GUIDELINES FOR DISCUSSION

The CFMB will report any violations of Liberia law or regulation to the appropriate authority such as the Environmental Protection Agency, or the FDA.

For violations of CFMB-specific rules, a preliminary warning will be issued. After a second infraction, the CFMB will revoke the permit and associated user rights. Re-issue of the permit and associated use is by decision of the Community Assembly after the aggrieved requests a hearing to the CA.

For violations of CFMB-specific rules, a preliminary warning will be issued. After a three violations, the person will not be allowed to use the community forest for one year.

For violating the farming ban in the community forest, a fine of LD will be charged to the family.

APPROVAL

The CRL regulation requires that the rules be approved by both the Executive Committee of the Community Assembly and the FDA. Accordingly, these rules should be signed by the Executive Committee members of the Community Assembly, and submitted to FDA for their approval. A proposed format is presented below.

PROPOSED LANGUAGE

As required by the CRL regulation Chapter 4, §12, the CF Rules have been approved by the Executive Committee of the Community Assembly and by the Forestry Development Authority.

_____   _____
Executive Committee Chair   Date

_____
Executive Committee Vice-Chair   Date

_____
Executive Committee Secretary   Date

_____
Executive Committee, Treasurer   Date

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