



Press Release

27 March 2008 – Immediate release

Rush to log Liberia's forests will jeopardise the reform process

Under intense pressure from the timber industry[1] – including many familiar faces from the past – the Forest Development Authority (FDA) of Liberia has started to issue timber contracts[2]. Yet key legislation on community rights – to ensure an equitable balance between community, conservation and commercial forestry[3] – is still in draft[4]. The rush to allow a timber trade with a poor track record of corruption and trampling on community rights raises the spectre of Liberia's forests once again undermining stability in this fragile country.

In the past Liberia's timber industry has fuelled conflict, widespread human rights abuses and destabilisation in West Africa. It is critical that those linked to the conflict are not able to operate in the forestry sector again. International NGOs have commended the Liberian government and the FDA for their efforts to bring good governance and transparency to the forest sector, but now it is time to take stock, learn from the mistakes and treat these as a proving ground to demonstrate Liberia can make a clean break with the past. It is imperative the rule of law is followed, and seen to be followed.

However, the process to date has had its difficulties. Significant weaknesses have been documented in the prequalification for those wishing to obtain logging permits[5], to which the Government of Liberia did not respond. And evidence suggests the system for debarring "those who have aided and abetted civil disturbances"[6] is failing[7].

Above all, a proper implementation of the Community Rights Law is critically important. It is too early to allocate either concessions or conservation areas before having clarified and codified who owns the forest. The resumption of large-scale logging before this law is implemented will undermine the efforts of rural communities to develop and prosper, as they once again become dependent on the whim, and unequal negotiating power, of the timber industry. Liberia is well placed to learn from the experience of other countries in the region: in Ghana and Cameroon, for example, the longstanding failure to develop and implement an effective community role in the management of forest resources has exacerbated rural poverty, and at times led to conflict.

The Government of Liberia and the FDA have repeatedly stressed their "absolute commitment not to return to the old way of doing business"[8]. We therefore call on the FDA to remain committed to treating the six initial contracts currently being awarded as a pilot, and withhold any further steps to allocate concessions until the Community Rights Law is properly implemented and issues raised by Liberian civil society in the prequalification process are fully addressed.

International organisations

Global Witness

FERN

Rainforest Action Network

Greenpeace International

Environmental Investigation Agency

Forests Monitor

Ghana Forest Forums

President of the Ghana National Forest Forum
Upper East Regional Forest Forum
Sunyani Forest Forum
Brong Ahafo Regional Forest Forum

Other Ghanaian organisations

Forest Watch Ghana
Representatives of Traditional Rulers
General Agricultural Workers Union of Ghana Trades Union
Adwenaase Community Forest Project
Oncho-free Development Agency

For media enquiries contact:

Global Witness[10] – Natalie Ashworth email nashworth@globalwitness.org phone +44 20 7561 6369
FERN[11] – Saskia Ozinga email saskia@fern.org phone +44 7810 447401
Rainforest Action Network – Brant Olson email bolson@ran.org
Greenpeace International – Michelle Medeiros email michelle.medeiros@greenpeace.org
Forests Monitor – Stuart Wilson email swilson@forestsmonitor.org
EIA – Sascha von Bismarck email saschavonbismarck@eia-international.org

Notes to editors:

1. The Analyst (Monrovia), 8 February 2008 “FDA stalling logging operations”; The Analyst (Monrovia), 25 February 2008 “FDA boss faces another hearing over delayed community forest law”; The Inquirer (Monrovia), 3 March 2008 “FDA to submit draft law in one month”. <http://allafrica.com/>
2. FDA, 5 March 2008 “Bids officially opened for six timber sale contracts”. www.fda.gov.lr/press.php?news_id=123. Bids for six small contracts have been evaluated and negotiations are due to start soon. Bids for an additional three larger and long-term concessions have also been announced.
3. The National Forestry Reform Law of 2006 states in the preamble “*we want our forests to provide our People with sustaining and sustainable benefits, based on the integration of community, conservation, and commercial forest management*” www.fda.gov.lr/content.php?sub=FDA%20Act&related=About%20FDA
4. The Community Rights Law is currently being drafted under the direction of a multi-stakeholder committee established for the purpose.
5. A member of the Prequalification Evaluation Panel, Sustainable Development Institute (SDI) have in their critique alleged the following about the process: the Government of Liberia has yet to formally act to debar companies as recommended by the Forestry Concession Review Committee; no companies which previously operated in Liberia have met the conditions relating to the payment of tax arrears; the Truth and Reconciliation Commission (TRC) has provided clearances to some companies prior to hearing the corresponding cases; the lack of a consistent format for various clearances provided by government agencies raises the potential for abuse; and one case of outright lying about the existence of previous operations on an application form. SDI's Civil Society Critique Of the Pre-qualification Process is available at www.loggingoff.info/media/articles/article_603.pdf
6. FDA Forest Regulation (2007) No. 103-07 “Prequalification”. www.fda.gov.lr/doc/FDATENCOREREGULATIONS.pdf
7. The Report of the Pre-qualification Evaluation Panel Established by the Forestry Development Authority of 4 January 2008 states “Two companies [...] were also not pre-qualified by the panel; even though they acquired sufficient points to pre-qualify [because] the two companies were recommended for debarment by the Forestry Concession Review Committee. ... [Resolution of this issue] should also clearly address the fate of all companies and individuals recommended for debarment; irrespective of whether or not they acquire a TRC clearance in the future.” Thus the FDA itself recognises that the role of the TRC and the debarment process is not yet functioning as intended. www.fda.gov.lr/doc/FinalReportofPrequalificationEvaluationPanelJanuary72008.pdf
8. Most recently in a letter from the Managing Director of the FDA to Global Witness, 4 March 2008.
9. Global Witness is an investigative non-governmental organisation that focuses on the links between natural resource exploitation and conflict and was co-nominated for the 2003 Nobel Peace Prize. For more information on Liberia, see Global Witness reports and briefing documents, available at www.globalwitness.org/pages/en/liberia.html
10. FERN aims to achieve environmental and social justice, focusing on forests and forest peoples’ rights in the policies and practices of the European Union. Please see FERN reports on Liberia at www.fern.org