

LIBERIAN COURTS CRACK DOWN ON OFFICIALS TRYING TO STOP ILLEGAL TIMBER EXPORTS, AS IMPUNITY IN FOREST SECTOR GROWS

Statement from international non-government organisations with longstanding interest in Liberia

15 January 2023

It is with alarm that we - international NGOs with longstanding interests in Liberia - have learned of recent attempts by Liberia's Courts to arrest key staff in the country's Forestry Development Authority (FDA), who were carrying out their jobs verifying that timber exported from the country is legally sourced. This means it meets the requirements laid down in Liberia's legal framework, ensuring that revenues are paid, and benefits shared with local communities. At 9.00am on Monday, 16 January one FDA employee is due to appear in court.

Under Liberia's Voluntary Partnership Agreement (VPA) trade deal with the EU, Liberia is only allowed to export legally sourced timber. That is timber registered in and verified through Liberia's timber export scheme (LiberTrace).

Illegal logging is, however, rife.

One of the largest recent cases includes illegal logging of the valuable tree species Ekki in Grand Bassa County, six kilometres outside concession TSC-A2¹. In this case, at least 14,000 m³ of timber, worth an estimated US\$ 3.1 million² at the time, was illegally logged by Renaissance Group Incorporated (RGI) and Freedom Group Liberia (FGL). The Ministry of Justice has investigated the case. This case is summarized in this [NGO briefing](#).

9,000 m³ of timber had been exported already in 2019. RGI now wants to export the remaining logs and some new timber, cut from around that time or since³. Despite the clear illegality of these logs, somehow, RGI managed to get the Court to instruct the FDA to authorise exporting these logs, followed by an order of the Supreme Court.

After the FDA refused to allow these illegal logs to be exported, on Friday 12 January 2023 the Circuit Court in Grand Bassa County, enforcing a final judgment of the Supreme Court, ordered the arrests of the FDA Managing Director Mike Doryen, FDA Deputy Manager for Operations Joseph Tally, FDA Board Chair Harrison Karnwea, Technical Manager of FDA's Legality Verification Department Gertrude Korvayan Nyaley, Head of FDA's Deputy Managing Director for Administration and Finance Benjamin T. Plewon, and FDA lawyer Cllr. Yanquoi Dolo, for contempt of court. It appears the court seems intent on directing FDA staff to carry out illegal activities.

It should be noted that community members in the area, who signed agreements with the company, state that RGI has failed to honour the commitments they made in them. They would like RGI to meet its commitments in full before the pending shipment of the logs.

We are encouraged by the FDA taking action to stop illegally sourced timber being exported, and strongly support its staffs actions.

We are extremely disturbed that the Liberian courts, instigated by logging company Renaissance, seems intent to punish FDA staff for doing their duty.

We call upon the international community to demand that the President of Liberia shows the world that Liberia is serious in addressing illegal logging, protecting Liberia's forests, and ensuring communities benefit from legal logging.

¹ According to the International Tropical Timber Organisation ([ITTO](#)) Ekki is worth US\$ 298 /m³ (December 2022 prices). Only two other species of a list of 16 tropical timbers traded in West Africa, are priced higher.

² In 2019 the international value of Ekki was US\$ 219/m³, so 14,000 m³ was then worth US\$ 3,066,000. 14,000 m³ is today worth US\$ 4,172,000

³ There are two types of timber involved – 'abandoned' from some years ago, where traceability is not possible, and 'fresh', newly cut since RGI started operations in 2018-19. These need to be treated separately – there are regulations governing the confiscation and auction of abandoned logs, and the more recently cut timber needs to be tagged, back to the stump, and be shown to have come from inside a valid permit area.

We call upon the Government of Liberia to follow the law, publish the official investigation report by the Ministry of Justice into the Renaissance case, and use the evidence provided in this report, to guide their decisions.

We call on China, the US and EU Member States to check that all imports from Liberia are legally sourced, noting the high risk of illegal logging, and to ensure imports are compliant with the EU Timber Regulation (EUTR) and the US Lacey Act.

We call on the Government of Norway and other donors and private companies to not start any carbon financing programmes or projects until the Liberian Government can provide full transparency as required by law and can prove Liberia's forests are well governed and logging is taking place with full community consent.

The international community will judge the seriousness of Liberia's stated aim of maintaining forest cover, eliminating illegal timber, and making use of the LiberTrace traceability system on how this case develops.

Signed

Biofuelwatch UK/US – Almut Ernsting

Blue Dalian, China - Sun Li

Both Ends, the Netherlands – Paul Wolvekamp

Client Earth, UK – Caroline Haywood

Dogwood Alliance, US - Scot Quaranda

Earthsight, UK - Sam Lawson

Environmental Investigation Agency, UK – Faith Doherty

Environmental Investigation Agency, US – Susanne Breitung

Fern Brussel – Alexandra Benjamin

Friends of the Earth Finland – Noora Ojala

Friends of the Earth Netherlands – Danielle van Oijen

Leefmilieu, the Netherlands – Maarten Visschers

Scholar Tree Alliance, China - Zeng Shengwei

Snow Alliance, China - Mao Jing

Background notes

- During Liberia's civil war in the 1990s and early 2000s, timber revenues were misappropriated and used to sustain the conflict. As a result, in 2003, the UN Security Council imposed sanctions on timber exports from Liberia. The UN lifted sanctions in 2006. Forest governance remains a challenge as relevant capacities are not yet in place and corruption is increasing.
- The Liberia - EU Voluntary Partnership Agreement to control illegal logging and improve governance in the forestry sector entered into force on 1 December 2013 and Liberia is currently developing the systems needed to control, verify and license legal timber. This system will apply to all timber exported and to timber and timber products sold within Liberia.
- The RGI case was identified in 2019 and has been researched and documented extensively [by local NGOs](#) and has been investigated by the Ministry of Justice. It shows extensive logging outside the boundaries of an expired concession, and no full payment of required community benefits. Hence, there is clear evidence of illegal activities, including unlawful granting of logging rights, failure to monitor and enforce harvesting requirements, and deliberately bypassing LiberTrace, depriving the government of forest revenues. This evidence of grave transgressions would have required the confiscation of the illegal logs, banning the company from further operations as well as prosecution of

the offenders from both the companies and government. However, the company Renaissance took the government to court which ruled in its favour. The government attempted to appeal but the appeal was dismissed on administrative grounds, after which the company proceeded to demand export permits for these logs.

- LiberTrace is a web-based application to support Liberia's legality verification in compliance with the requirements of the VPA. It has been built by SGS with joint EU/UK support and has been in operation since April 2017. LiberTrace is used for the issuance of Export Permits as well as certificates of origin and will eventually have the capacity to issue FLEGT (VPA) Licences. Since the handover of LiberTrace from SGS to FDA in 2019, FDA's Legality Verification Department controls the access to LiberTrace.