



# VPA TRANSPARENCY GAP ASSESSMENT 2022

## INDICATORS BASED ON ANNEX IX OF THE EU-LIBERIA VPA

November 2022

### Key Messages

- Liberia's commitment to transparency is enshrined in a number of laws and regulations, reinforced by the Voluntary Partnership Agreement (VPA), which states that provision of information to stakeholders is central to the effective implementation of the agreement, and thus to ensuring legal compliance in the forestry sector. Unfortunately, only 12 of the 52 pieces of information stipulated in Annex IX of the agreement are currently available on any Government of Liberia websites.
- Since the ratification of the agreement in 2013, community forestry has become the predominant management regime in Liberia's forests, but Annex IX does not provide for access to information on community forests. This briefing proposes revisions to remedy this.
- The recent initiative to make a public portal into the LiberTrace system is welcome. This should allow accurate, official, and up-to-date information to be available to all. A web-based portal is ideal for access to 'live' information that changes day-by-day, such as production data and payments. Nonetheless, the more 'fixed' information, such as laws, regulations, and contracts, needs to be published on the pages of the Forest Development Authority's website designated for these documents.

### Introduction

The Voluntary Partnership Agreement (VPA) between the European Union (EU) and the Government of Liberia (GoL) commits the two parties to transparency and public access to information.<sup>1</sup> Pursuant to this, Annex IX of the VPA sets out the information that is to be made publicly available.

In 2012, the Sustainable Development Institute (SDI) conducted an assessment of compliance with the provisions in Annex IX.<sup>2</sup> This briefing repeats that assessment, ten years on, to find out the various categories of information that are currently available for the items listed in the VPA annex.

This briefing also proposes two improvements to Liberia's provision of forest sector information. First, at the time the VPA was agreed, community forests were not included, and yet the majority of timber Liberia produces now comes from these forests. Crucially, the VPA neglects to oblige regular publication of direct payments between companies and communities, or of contributions in kind made by companies, for example for community infrastructure, scholarships etc. The brief therefore identifies where the provisions of the VPA transparency annex need to be expanded to include this sub-sector.

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This assessment was conducted by two research consultants under the project "Strengthening the Capacity of Civil Society for the implementation of the VPA", coordinated by Fern and implemented by the Sustainable Development Institute (SDI), Foundation for Community Initiatives (FCI), Civil Society-Independent Forest Monitors (CS-IFM),

National Union of Community Forestry Development Committees (NUCFDC), National Union of Community Forest Management Bodies (NUCFMB), and Liberia Forest Media Watch (LFMW). It was conducted with the financial support of the European Union. The opinions expressed are the sole responsibility of the authors and cannot be taken to reflect the views of the European Union.



Second, as stated in the eighth and ninth meetings of the EU–Liberia Joint Implementation Committee (JIC) of the VPA, the establishment of a public portal to the wood tracking system LiberTrace has been agreed.<sup>3</sup> This brief outlines what sort of information should be provided through such a live portal, and what sort of information changes less often and is therefore better suited to being published on the Forest Development Authority (FDA) or other official Liberia websites.

## Legal basis

Section 18.15 of the 2006 National Forestry Reform Law (NFRL) lays out clear obligations for the FDA to provide information:<sup>4</sup>

*The Authority shall grant and facilitate free public access to read and to copy all documents and other information in its possession, including all audits, all Forest Resources License fee invoices and fee payment information, business and forest management plans, strategies, resolutions from the Board of Directors, public comments, reports, inventories, regulations, manuals, databases, contract maps, and contracts [with certain types of information redacted]. — Section 18.15(a)*

*As far as practicable, the Authority shall maintain the documents described in Subsection (a) of this Section on the Internet and freely accessible to the public. — Section 18.15(e)*

The NFRL pre-dates the 2009 Liberia Extractive Industry Transparency Initiative (LEITI) Act and the 2010 Freedom of Information Act (FOIA).<sup>5</sup> Both these laws strengthen obligations on GoL agencies to publish information, and an Independent Information Commission was established in 2012 to implement the FOIA.<sup>6</sup>

The 2012 VPA, built on Liberia’s own legal framework and the Annexes, detail how these commitments might be fulfilled:

*The following information described below will be made available to the public by regular publication, as described in Sections 2.5 and 2.6 of the Freedom of Information Act 2010. The information may be provided by various means depending on the nature of the information and the target audience, for example: (a) websites; (b) multi-stakeholder implementation platform; (c) public meetings; (d) press conferences; (e) national radio and newspapers; (f) brochures and newsletters. — Paragraph 1, VPA Annex IX.*

*(c) establishing an information exchange platform for consistent dissemination of information to domestic and international partners... (e) putting systems in place for the appropriate government authorities to publish information. — Paragraph 10 (2<sup>nd</sup> part), VPA Annex VIII.*

## Methodology

The VPA annex lists 52 pieces of information that the GoL has committed to placing in the public domain. The assessment uses a ‘traffic lights’ system showing whether each piece of information (a) exists (as far as the research was able to ascertain), and (b) is on the FDA or other official GoL websites. The assessment was carried out in September 2022 and involved online research only. Table 1 defines the traffic lights approach, while Table 2 shows the availability of the 52 pieces of information.

In addition to the traffic lights assessment, all information was divided into one of two categories:<sup>7</sup>

- **Static** – covering legislation, regulations, procedures, guidance, structures or other norms that typically need to be published only once; and contracts, agreements, reports and maps, which may expire or be revised, but which generally remain constant over a period of time. These might be referred to as ‘pdf information’, based on the format they are typically published in. All static information might reasonably be expected to be available on the FDA or other official Liberia websites, as this is the easiest way of showing that it has been published, and for it then to be accessed by members of the public. This would also enable organizations to download and print out the information, to pass on to those without internet access. Whilst hard copies may be in circulation, this does not necessarily satisfy the obligations in the VPA annex.

- **Live** – covering business registration, timber production, revenue flows, enforcement actions, social obligations and other information that may change daily.

The assessment led to the proposal to include a number of additional pieces of information, which are presented in Table 3, below the main assessment table.

In addition, a similar assessment has been conducted under the Multi-stakeholder Forest Governance and Accountability Project (MFGAP), also in September 2022. Rather than only considering online sources, this assessment included contacting the FDA and other relevant regulatory authorities in Liberia to assess the availability of information on request and/or through hard-copy distribution. The results of this MFGAP survey are integrated into Table 2 and Table 3 *as comments in italics*. It assessed the 39 items, including many of those in the VPA annex but also some additional ones relating to community forestry. The 39 items were identified as priorities for access through the proposed public portal in LiberTrace. Although the MFGAP assessment used a similar traffic lights system, this has not been incorporated into the tables.

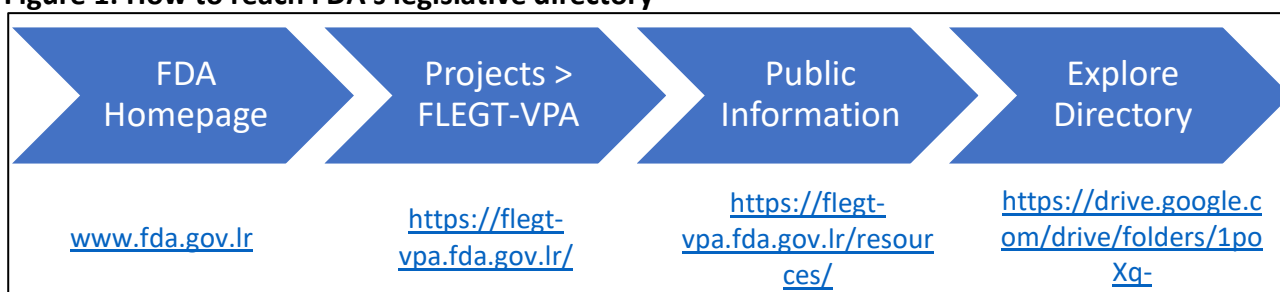
## Assessment

The assessment of availability of the 52 pieces of information identified in VPA Annex IX leads to the following observations.

The analysis has established that while the FDA website exists, major documents and data relevant to the sector that are required to be published in accordance with Annex IX are not found on it. The majority of the laws and regulations cited in the VPA are not available on the official FDA website. While they may be published on other websites, including those of inter-governmental organizations such as the EU and FAO, or of NGOs, these organizations do not have the same legal duty as the Liberian regulatory authorities, and their information could be removed at any time.

The FDA website itself is inconsistent. The web pages for ‘[Laws and Regulations](#)’ and ‘[SGS Liberia Reports](#)’ (for example) are intuitively the places one might look for the respective documents, but many of these documents are only to be found on other pages, such as ‘[Documents](#)’ or the [SGS’s own LiberTrace](#) website. Furthermore, one of the more comprehensive catalogues of laws and regulations is buried under three sub-links from the FDA’s homepage, and in such a way (using Google Drive) that search engines would not be able to find its contents (Figure 1).<sup>8</sup>

**Figure 1: How to reach FDA's legislative directory**



The assessment also found that major contracts such as FMCs, TSCs, CFMAs, Social Agreements and Commercial Use Contracts (CUCs) are not accessible on the official website of FDA. The LEITI also has a responsibility to publish forest sector contracts, and its website has eight (out of ten) TSCs, and five (out of seven) FMCs. It has no CFMAs or CUCs, even though its most recent report lists 21 companies as operating in CFMAs.<sup>9</sup> As a result, communities may not have sufficient knowledge of the terms and conditions of the signed contracts, including any revenue-sharing or other benefits that affected communities have a right to.

The assessment also highlighted the fact that where documents have been revised, there can be confusion as to which is the current version. For example, the Code of Forest Harvesting Practices is more up to date on the EU's FLEGT website than on the FDA’s, whereas for the Compliance and Enforcement Handbook the

opposite is the case. This demonstrates the importance of having a website, managed effectively by a relevant regulatory authority, that is easy to navigate, user-friendly and current.



There is even less information about the extent to which logging companies actually meet the obligations to communities contained in Social Agreements or CUCs. This makes it almost impossible for communities to know if the company is fully up to date with Land Rental Fee payments, what volume of timber has been harvested over a particular period, or if the associated Cubic Meter Fees have been paid. This type of ‘live’ information needs to be the main focus of the proposed public portal in LiberTrace. The absence of accurate, official, and up-to-date information also prevents other organizations – such as the National Unions of CFMBs and of CFDCs, and the Liberia Timber Association – from knowing the national picture regarding arrears. It also leads to much time being wasted trying to establish the accuracy of various different published datasets.

Where Social Agreements, CUCs and periodic reports from communities are not in the public domain, it is hard to know what has been promised with regard to community infrastructure, and how far such obligations are being met. As with the issue of payments of Land Rental and Cubic Meter Fees, access to such information is crucial to enable ordinary community members to hold their own representative committees – CFMBs and CFDCs – to account for supervising the implementation of any agreement with logging companies.

The assessment identified eight of the items as ‘live’, i.e. information that changes on an almost daily basis, and which should be made available through a public portal. It identified 42 of the items as ‘static’, i.e. information that changes less often, is typically published as a pdf file, and could easily be made available on the FDA or other official Liberia website. Of the 20 proposed additional items (Table 3), 12 are in the ‘static’ category, and eight are ‘live’ data.

Comparison with the assessment conducted in 2012 indicates that 13 types of information have fallen from a green ‘available’ ranking to a ‘partially available’ ranking. This is mainly due to a significant reduction in the documents published on the FDA website. A further four have fallen from ‘available’ to ‘not available’, and three from ‘partially available’ to ‘not available’. However, three items have shown greater availability: the General Business Law (1978), the Decent Work Act (2015), and maps of community forests and their areas.







**Table 1: Traffic lights assessment system**





Color	Does it exist?		Is it in on an official website?	
	Meaning	Details	Meaning	Details
	<b>Does exist</b>	Information is known to be collected by the FDA (or other relevant GoL agency).	<b>Public:</b> published on an official website	The FDA (or other relevant GoL agency) is proactively in compliance with Section 18.15 of the NRFL and the information is published on an official website.
	<b>Exists in part</b>	Information is collected by the FDA/GoL but appears out of date or incomplete.	<b>Partially</b> in the public domain	The information falls short of ‘fully’ in the public domain, for one or more of the following reasons: <ul style="list-style-type: none"> <li>• It is incomplete or out of date.</li> <li>• It is on a website but other than that of the FDA or another relevant GoL website (i.e. on an NGO or international organization’s website, which could be closed any time).</li> <li>• It requires a login to access (so the FDA/GOL can control access by denying user access).</li> </ul>

				<ul style="list-style-type: none"> <li>• It is on a website loosely affiliated to FDA but can't reasonably be described as 'main FDA website' and does not come up in Internet searches. This refers to a Google Drive list, which you can navigate to via <a href="#">FDA Projects</a>, and then <a href="#">FLEGT-VPA Public Information</a>, and then <a href="#">Explore Directory</a>.</li> <li>• It has only been made available hard copies or is only available on request.</li> </ul>
●	<b>No evidence</b> it exists	No evidence could be found that information is collected by FDA/GoL.	<b>Not</b> in the public domain	There is no evidence that the information has been published on any website.
●	Not applicable	e.g. related to FUP permits that are not currently in use.	Not applicable	Where information does not exist then the question 'is it available' is not applicable.









**Table 2: VPA Transparency Annex Gap Assessment**







Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?	
<b>1. Information relating specifically to the Voluntary Partnership Agreement</b>							
1	1.a	The VPA and all its Annexes	<p>Not published on the main FDA website, but on its FLEGT-VPA, Google Drive, and EU and ClientEarth websites.</p> <p><i>Currently hosted on the page of the FDA website intended to display information related to Annex IX of the Agreement.</i></p>	<p><a href="https://flegt-vpa.fda.gov.lr/wp-content/uploads/2021/10/VPA-Liberia_full-version_EU-1.pdf">https://flegt-vpa.fda.gov.lr/wp-content/uploads/2021/10/VPA-Liberia_full-version_EU-1.pdf</a></p> <p><a href="https://drive.google.com/file/d/1euQaAwJrY9bMQw1BWwJWZaDtUEglbiAt/view">https://drive.google.com/file/d/1euQaAwJrY9bMQw1BWwJWZaDtUEglbiAt/view</a></p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1504613455653&amp;uri=CELEX:22012A0719(01)">https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1504613455653&amp;uri=CELEX:22012A0719(01)</a></p> <p><a href="http://www.clientearth.org/latest/documents/voluntary-partnership-agreement-between-the-european-union-and-the-republic-of-liberia-on-forest-law-enforcement-governance-and-trade-in-timber-products-to-the-european-union/">www.clientearth.org/latest/documents/voluntary-partnership-agreement-between-the-european-union-and-the-republic-of-liberia-on-forest-law-enforcement-governance-and-trade-in-timber-products-to-the-european-union/</a></p>	●	●	S
2	1.b	Reports produced by the Joint Implementation Committee (JIC)	<p>Two annual reports have been produced to date, covering 2011–12 and 2014, the latter of which is published on the main FDA website. Both are on the EU-FLEGT website. No annual report appears to have been produced since 2014, and there is no evidence of other (ad hoc) JIC reports being published.</p>	<p><a href="http://www.fda.gov.lr/sites/default/files/documents/Liberia_and_the_EU_Joint_Annual_Report_2014_38.pdf">www.fda.gov.lr/sites/default/files/documents/Liberia_and_the_EU_Joint_Annual_Report_2014_38.pdf</a></p> <p><a href="https://flegtpafacility.org/wp-content/uploads/2022/05/Liberia-EU-Progress-report-2011-2012.pdf">https://flegtpafacility.org/wp-content/uploads/2022/05/Liberia-EU-Progress-report-2011-2012.pdf</a></p> <p><a href="https://flegtpafacility.org/wp-content/uploads/2022/05/Liberia-EU-Joint-Annual-Report-2014.pdf">https://flegtpafacility.org/wp-content/uploads/2022/05/Liberia-EU-Joint-Annual-Report-2014.pdf</a></p>	●	●	S
3	1.c	Reports produced by the independent auditor	<p>A VPA Independent Auditor (Sofreco) operated between 2017 and 2020 and produced at least three reports. These have not been found online but are in circulation amongst stakeholders. The Independent Auditor should be a continuous function.</p> <p><i>VPA Secretariat holds copies of the IA reports. FDA indicates willingness to upload to website but timeline uncertain.</i></p>	<p><a href="http://www.sofreco.com">www.sofreco.com</a></p>	●	●	S
4	1.d	Procedures guiding the functioning of the JIC	<p>Not published on the main FDA website. The March 2012 Aide-memoire indicated that</p>		●	●	S

Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?	
		<p>procedures to guide the JIC operations should be finalized by May 2012. They are reportedly drafted but have never been approved.</p> <p><i>Exist with the VPA Secretariat and the FLEGT Facilitation office.</i></p>					
5	1.e	<p>Aide-memoires and other reports by the JIC including monitoring and impact studies as indicated in Annex X</p>	<p>Of the nine JIC meetings held to date, none are published on the main FDA website. Two are on Liberia's FLEGT-VPA website and all are on the EU-FLEGT website.</p> <p><i>7th and 8th Aide-memoires are available on the website. No monitoring reports or studies publicly available.</i></p>	<p><a href="https://flegt-vpa.fda.gov.lr/wp-content/uploads/2021/10/7th_JIC-Signed-Aide-Memoire-and-Annexes.pdf">https://flegt-vpa.fda.gov.lr/wp-content/uploads/2021/10/7th_JIC-Signed-Aide-Memoire-and-Annexes.pdf</a></p> <p><a href="https://flegt-vpa.fda.gov.lr/wp-content/uploads/2022/03/Clear-scan-Signed-8th-JIC-Aide-Memoire.pdf">https://flegt-vpa.fda.gov.lr/wp-content/uploads/2022/03/Clear-scan-Signed-8th-JIC-Aide-Memoire.pdf</a></p> <p><a href="https://flegtvpafacility.org/countries/liberia/official-documents/">https://flegtvpafacility.org/countries/liberia/official-documents/</a></p>			S
6	1.f	<p>Procedures and terms of reference guiding the functioning of the national stakeholder committee for monitoring the VPA</p>	<p>Not published on the main FDA website. They were last reviewed and updated in 2021 and are available to regular participants in these meetings.</p> <p><i>VPA Secretariat holds copies of the ToRs for the NMSMC. No plans at the moment to have them uploaded on the FDA website.</i></p> <p><i>VPA Secretariat holds copies of minutes, reports, studies. FDA indicates willingness to upload to website but timeline uncertain</i></p>				S
7	1.g	<p>Guidelines for Legality Assurance System (LAS) compliance</p>	<p>Not fully available from the main FDA website. A set of 37 SOPs for LVD staff are described on the SGS-LVD website, following an update in 2019 of a previous 2016 set. They are not in the public domain, but "to obtain the SOPs, you must be a registered user" of LiberTrace. The main FDA website does have a 2021 Forest Compliance and Enforcement Handbook and a 2016 summary 'Verification of documentation before issuance of</p>	<p><a href="https://libertrace.sgs.com/">https://libertrace.sgs.com/</a> (scroll down and click on "SOPs for LVD updated")</p> <p><a href="http://www.timbertradeportal.com/en/liberia/138/legal-framework">www.timbertradeportal.com/en/liberia/138/legal-framework</a></p> <p><a href="http://www.fda.gov.lr/sites/default/files/documents/Forest%20Compliance%20and%20Enforcement%20Handbook%20Proposal_0.pdf">www.fda.gov.lr/sites/default/files/documents/Forest%20Compliance%20and%20Enforcement%20Handbook%20Proposal_0.pdf</a></p> <p><a href="https://flegtvpafacility.org/wp-content/uploads/2022/05/FDA-Compliance-Enforcement-Handbook-1st-Edition-31_August_2017.pdf">https://flegtvpafacility.org/wp-content/uploads/2022/05/FDA-Compliance-Enforcement-Handbook-1st-Edition-31_August_2017.pdf</a></p>			S









Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
		Export Permit'. The EU-FLEGT website has a previous, '2017 Forest Compliance and Enforcement Handbook'.  <i>Could not find information on this: only document on compliance with LAS exists with LVD. Not a public document. Sections shared with operators and contractors</i>	<a href="http://www.fda.gov.lr/sites/default/files/documents/Requirements_f_or_Export_Permit_under_current_Regime_79.pdf">www.fda.gov.lr/sites/default/files/documents/Requirements_f_or_Export_Permit_under_current_Regime_79.pdf</a>			
8	1.h Guidelines for social agreements	The current (2017) 'Social Agreement Negotiations Guide' is not published on the main FDA website, but on ClientEarth's. The FDA's Google Drive website only provides an obsolete, 2016 version. It is also in circulation amongst stakeholders.	<a href="http://www.clientearth.org/media/bwkhdnbc/social-agreement-negotiations-guide-liberia-coll-en.pdf">www.clientearth.org/media/bwkhdnbc/social-agreement-negotiations-guide-liberia-coll-en.pdf</a>  (Obsolete 2016 version: <a href="https://drive.google.com/open?id=1xQi8vLeeefhyVIB8DyN8YDQ4aXTo_VaB">https://drive.google.com/open?id=1xQi8vLeeefhyVIB8DyN8YDQ4aXTo_VaB</a> )			S
<b>2. Information on management of the forestry sector</b>						
	2.a	Information about and documents from government agencies that exercise oversight over the forestry sector				
9	2.a.i Enabling legislation of the government agency or authority	The legal framework includes the 1976 Act creating the FDA, and at least two amendments. Only the original law is published on the main FDA website, whilst the amendments are on its Google Drive, and the FAO and ClientEarth websites.  <i>The NFRL, CRL and the Ten Core Regulations spell out the roles and responsibilities of the FDA</i>	1976 Act: <a href="http://www.fda.gov.lr/sites/default/files/documents/act-1976-act-creating-the-forest-development-authority-liberia-ext-en.pdf">www.fda.gov.lr/sites/default/files/documents/act-1976-act-creating-the-forest-development-authority-liberia-ext-en.pdf</a> <a href="https://drive.google.com/open?id=1H6rQ1rqzF-pkJTOEVi1OlydFLRhSXLsr">https://drive.google.com/open?id=1H6rQ1rqzF-pkJTOEVi1OlydFLRhSXLsr</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC003219">www.fao.org/faolex/results/details/en/c/LEX-FAOC003219</a> <a href="http://www.clientearth.org/latest/documents/act-1976-act-creating-the-forest-development-authority-liberia/">www.clientearth.org/latest/documents/act-1976-act-creating-the-forest-development-authority-liberia/</a>  1988 Amendment: <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC017661">www.fao.org/faolex/results/details/en/c/LEX-FAOC017661</a>  Amendment (undated): <a href="https://drive.google.com/open?id=1nJkfpSsHJvKg0xWEExynRuK3rR1FhByQn">https://drive.google.com/open?id=1nJkfpSsHJvKg0xWEExynRuK3rR1FhByQn</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC143831">www.fao.org/faolex/results/details/en/c/LEX-FAOC143831</a>			S













Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?	
10	2.a.ii	Its existing policy, procedures and rules	<p>A 2006 'National Forest Policy' and 2007 'National Forest Policy and Implementation Strategy' exist but are not published on the main FDA website. They are on its Google Drive, and the FAO and ClientEarth websites.</p> <p><i>The national forestry policy and implementation strategy and the national forest management strategy contain this information.</i></p>	<p>Policy:</p> <p><a href="https://drive.google.com/open?id=1NF6MZPxCutVFbpi8rLsmGvyKrwSA6abZ">https://drive.google.com/open?id=1NF6MZPxCutVFbpi8rLsmGvyKrwSA6abZ</a></p> <p><a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC148345">www.fao.org/faolex/results/details/en/c/LEX-FAOC148345</a></p> <p><a href="http://www.clientearth.org/latest/documents/strategy-2006-forestry-development-authority-national-forestry-policy-and-implementation-strategy-liberia/">www.clientearth.org/latest/documents/strategy-2006-forestry-development-authority-national-forestry-policy-and-implementation-strategy-liberia/</a></p> <p>Strategy:</p> <p><a href="https://drive.google.com/open?id=10aqSQ-3Vy4AqsOi_39mgFAS6MCmOhQoX">https://drive.google.com/open?id=10aqSQ-3Vy4AqsOi_39mgFAS6MCmOhQoX</a></p> <p><a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC178980">www.fao.org/faolex/results/details/en/c/LEX-FAOC178980</a></p> <p><a href="http://www.clientearth.org/latest/documents/strategy-2007-forest-development-authority-national-forest-management-strategy-liberia/">www.clientearth.org/latest/documents/strategy-2007-forest-development-authority-national-forest-management-strategy-liberia/</a></p>			S
11	2.a.iii	Its budgets	<p>The FDA is included in the national budget. Although this is not published on the main FDA website it is on the Ministry of Finance and Development Planning website. There is no more detailed operational FDA budget (including grant income and expenditure from projects) in public the domain.</p> <p><i>FDA's budget is included as part of the national budget</i></p>	<a href="http://www.mfdp.gov.lr/index.php/docs/the-national-budget">www.mfdp.gov.lr/index.php/docs/the-national-budget</a>			S
12	2.a.iv	The financial accounts of the agency or authority	<p>Not published on the main FDA website, and no other evidence organizational accounts exist.</p> <p>The LFSP publishes audited financial statements for its own project.</p>	<a href="https://projects.worldbank.org/en/projects-operations/document-detail/P154114">https://projects.worldbank.org/en/projects-operations/document-detail/P154114</a>			S
13	2.a.v	Its organization chart, including lines of reporting	<p>Not published on the main FDA website, and no evidence this exists, but it is assumed the FDA has an organizational structure.</p>				S







Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?	
14	2.a.vi	Material contracts	Not published on the main FDA website, and no evidence this exists, but it is assumed the FDA has contracts for construction work, provision of services etc. Some tenders for such contracts are published on the FDA and/or Executive Mansion website or, for those related to the LFSP, on a World Bank website.	<a href="http://www.fda.gov.lr/index.php/general/publications">www.fda.gov.lr/index.php/general/publications</a> <a href="http://www.emansion.gov.lr/2content.php?sub=77&amp;related=7&amp;third=77&amp;pg=sp">www.emansion.gov.lr/2content.php?sub=77&amp;related=7&amp;third=77&amp;pg=sp</a> <a href="https://projects.worldbank.org/en/projects-operations/document-detail/P154114">https://projects.worldbank.org/en/projects-operations/document-detail/P154114</a>			S
15	2.a.vii	Procedure for appealing against decisions by the authority or its officers	Not published on the main FDA website. The SGS-LVD website provides a 2017 public form to direct complaints to the LVD about its work, but the accompanying Service Charter and Complaints Mechanisms documents are only available to registered users of LiberTrace. Another mechanism, developed by the Independent Auditor, for complaints to the JIC about the FLEGT licensing system is in circulation amongst stakeholders but not in the public domain. There is no evidence that it is functioning or has been used.  <i>While the NFRL and the Ten Core Regulations spell out rights of citizens to appeal decisions, we could not find procedures defined from those instruments.</i>	<a href="https://libertrace.sgs.com/">https://libertrace.sgs.com/</a> (scroll down and click on "Quality management - how to submit a request or complaint?")			S
16	2.a.viii	Resolutions of the board of directors	Not published on the main FDA website. Some resolutions are annexed to JIC Aide-memoires, and therefore are published on the EU-FLEGT website. An undated Terms of Reference for the FDA Board is available from its Google Drive and on the FAO website.  <i>There are no resolutions of the board available on the FDA website. Few resolutions attached to the Aide-memoires of the JIC</i>	<a href="https://flegtvpafacility.org/countries/liberia/official-documents/">https://flegtvpafacility.org/countries/liberia/official-documents/</a> <a href="https://drive.google.com/open?id=1ubAmSZWJxJRbwtfxkFqokivb8Z5nkUxb">https://drive.google.com/open?id=1ubAmSZWJxJRbwtfxkFqokivb8Z5nkUxb</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC061870">www.fao.org/faolex/results/details/en/c/LEX-FAOC061870</a>			S











Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?	
17	2.a.ix	Audit reports	<p>Not published on the main FDA website, and no evidence that organizational audits of the FDA exist. General Auditing Commission audit reports are publicly available and include a 2021 audit of the LFSP.</p> <p><i>No FDA audits on the website. GAC indicates that there is a backlog to be uploaded. No timeline provided.</i></p>	<p><a href="https://gac.gov.lr/">https://gac.gov.lr/</a></p> <p><a href="https://gac.gov.lr/wp-content/uploads/2022/06/Liberia-Forest-Sector-Project-LFSP-AGs-Report.pdf">https://gac.gov.lr/wp-content/uploads/2022/06/Liberia-Forest-Sector-Project-LFSP-AGs-Report.pdf</a></p> <p><a href="https://gac.gov.lr/wp-content/uploads/2022/06/Liberia-Forest-Sector-Project-LFSP-Management-Letter.pdf">https://gac.gov.lr/wp-content/uploads/2022/06/Liberia-Forest-Sector-Project-LFSP-Management-Letter.pdf</a></p>	●	●	S
18	2.a.x	Public comments, reports, strategies and manuals relating to the forest sector, pursuant to Section 18.15 of the NFRL	<p>It is not possible to fully assess this category. One key document, however, is the Guidelines for Forestry Management Planning, which is published on the main FDA website as well as that of ClientEarth. More specific details of what additional information needs to be in the public domain to enable efficient and accountable management of the sector by all stakeholders are provided elsewhere in this assessment.</p> <p><i>2009 guidelines have been updated. Awaiting FDA Board approval. Resolution from the Board and guidelines to be published when process completed (FDA)</i></p>	<p><a href="http://www.fda.gov.lr/sites/default/files/documents/Forest_Mgmt_Plan_Guidelines_2009_20.pdf">www.fda.gov.lr/sites/default/files/documents/Forest_Mgmt_Plan_Guidelines_2009_20.pdf</a></p> <p><a href="http://www.clientearth.org/latest/documents/guidelines-for-forest-management-planning-in-liberia/">www.clientearth.org/latest/documents/guidelines-for-forest-management-planning-in-liberia/</a></p>	●	●	S / L
	2.b	All legislation, regulations and operating procedures that have been enacted by the Government of Liberia. This includes all aspects of the regulatory framework that are referred to in the Liberian legality definition in Annex II to the VPA.					
19	2.b.i	Environmental Protection and Management Law (2002)	<p>Not published on the main FDA or EPA websites, but from the FDA's Google Drive, and the FAO and ClientEarth websites.</p>	<p><a href="https://drive.google.com/open?id=1gLNivkuUv7Jgujf1nTchOPI_Tfaq66wm9">https://drive.google.com/open?id=1gLNivkuUv7Jgujf1nTchOPI_Tfaq66wm9</a></p> <p><a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC053038">www.fao.org/faolex/results/details/en/c/LEX-FAOC053038</a></p> <p><a href="http://www.clientearth.org/latest/documents/act-2002-act-creating-the-environment-protection-and-management-law-of-the-republic-of-liberia/">www.clientearth.org/latest/documents/act-2002-act-creating-the-environment-protection-and-management-law-of-the-republic-of-liberia/</a></p>	●	●	S

Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
20	2.b.ii Environmental Protection Agency Act (2002)	Published on the main FDA website as well as others: the FDA's Google Drive, and the FAO and ClientEarth websites. Not published on the EPA website. <i>EPA act also available as part of the documents on the ClientEarth law library website.</i>	<a href="http://www.fda.gov.lr/sites/default/files/documents/act-2002-act-creating-the-environment-protection-agency-of-the-republic-of-liberia-abstract-ext-en.pdf">www.fda.gov.lr/sites/default/files/documents/act-2002-act-creating-the-environment-protection-agency-of-the-republic-of-liberia-abstract-ext-en.pdf</a> <a href="https://drive.google.com/open?id=1bzNucEyQg5E_bSsTSRp1Nq1rZy--s9CK">https://drive.google.com/open?id=1bzNucEyQg5E_bSsTSRp1Nq1rZy--s9CK</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC061872">www.fao.org/faolex/results/details/en/c/LEX-FAOC061872</a> <a href="http://www.clientearth.org/latest/documents/act-2002-act-creating-the-environment-protection-agency-of-the-republic-of-liberia/">www.clientearth.org/latest/documents/act-2002-act-creating-the-environment-protection-agency-of-the-republic-of-liberia/</a> <a href="http://www.epa.gov.lr/">www.epa.gov.lr/</a>			S
21	2.b.iii FDA Code of Forest Harvesting Practices (2007)	This has been superseded by a 2017 edition, which is not published on the main FDA website, but from the EU-FLEGT, FAO and ClientEarth websites. The obsolete 2007 edition is on the main FDA website and in its Google Drive. <i>Document not on FDA website: 2002 version is available as an archived FDA webpage.</i>	Current (2017) edition: <a href="https://flegtvpafacility.org/wp-content/uploads/2022/05/Revised-Liberia-Code-Forest-Harvesting-Practices_31-May-2017.pdf">https://flegtvpafacility.org/wp-content/uploads/2022/05/Revised-Liberia-Code-Forest-Harvesting-Practices_31-May-2017.pdf</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC178633">www.fao.org/faolex/results/details/en/c/LEX-FAOC178633</a> <a href="http://www.clientearth.org/latest/documents/code-2017-code-of-forest-harvesting-practices-liberia/">www.clientearth.org/latest/documents/code-2017-code-of-forest-harvesting-practices-liberia/</a> Obsolete (2007) edition: <a href="http://www.fda.gov.lr/sites/default/files/documents/CODE_OF_HARVESTING_PRACTICE_2007_19.pdf">www.fda.gov.lr/sites/default/files/documents/CODE_OF_HARVESTING_PRACTICE_2007_19.pdf</a> <a href="https://drive.google.com/open?id=1bxv7YBK30pqcJe_Xaele97CZjqnihfLg">https://drive.google.com/open?id=1bxv7YBK30pqcJe_Xaele97CZjqnihfLg</a>			S
22	2.b.iv FDA Regulation 111-10	This 2011 Regulation on Procedure to Access and Manage Funds on Behalf of Affected Communities is not published on the main FDA website, but from the FAO and ClientEarth websites. <i>Document not on FDA website.</i>	<a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC178626">www.fao.org/faolex/results/details/en/c/LEX-FAOC178626</a> <a href="http://www.clientearth.org/latest/documents/regulation-2011-forestry-development-authority-regulation-on-procedure-to-access-and-manage-funds-on-behalf-of-affected-communities-liberia/">www.clientearth.org/latest/documents/regulation-2011-forestry-development-authority-regulation-on-procedure-to-access-and-manage-funds-on-behalf-of-affected-communities-liberia/</a>			S
23	2.b.v FDA Ten Core Regulations (2007) (Regulations 101-07 to 110-07)	Not published on the main FDA website, but on its Google Drive, the FAO and ClientEarth websites. <i>Document not on FDA website.</i>	<a href="https://drive.google.com/open?id=1huSVcSakscnrzMjmPokz14l4SYvSfqg9">https://drive.google.com/open?id=1huSVcSakscnrzMjmPokz14l4SYvSfqg9</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC205209">www.fao.org/faolex/results/details/en/c/LEX-FAOC205209</a> <a href="http://www.clientearth.org/latest/documents/regulations-2007-forestry-development-authority-ten-core-regulations-liberia/">www.clientearth.org/latest/documents/regulations-2007-forestry-development-authority-ten-core-regulations-liberia/</a>			S

Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
24	2.b.vi Freedom of Information Act (2010)	Not published on the main FDA website, but on its Google Drive, and websites of ClientEarth and other organizations focused on access to information. The FDA website does have a procedures document and request form. The website of Liberia's Information Commission is not currently functioning.	<p>Freedom of Information Act:  <a href="https://drive.google.com/open?id=19QBTa0FnaFcpZ_PQfIOxw5qufnX-1_Tc">https://drive.google.com/open?id=19QBTa0FnaFcpZ_PQfIOxw5qufnX-1_Tc</a>  <a href="http://www.clientearth.org/latest/documents/act-2010-freedom-of-information-act-liberia/">www.clientearth.org/latest/documents/act-2010-freedom-of-information-act-liberia/</a></p> <p>Protocols and guidance:  <a href="http://www.fda.gov.lr/sites/default/files/documents/FOI_Protocols_or_FDA..._76.pdf">www.fda.gov.lr/sites/default/files/documents/FOI_Protocols_or_FDA..._76.pdf</a>  <a href="http://www.fda.gov.lr/sites/default/files/documents/FOI_Request_Form_77.pdf">www.fda.gov.lr/sites/default/files/documents/FOI_Request_Form_77.pdf</a></p> <p>Information Commission website:  <a href="http://www.iic.gov.lr/">www.iic.gov.lr/</a></p> <p>Request submission website:  <a href="https://infolib.org.lr">https://infolib.org.lr</a></p>			S
25	2.b.vii General Business Law	Not published on the main FDA website but is published on the website of the Ministry of Commerce and Industry, whose (undated) reformatted copy is from LiberLII, the Liberia Legal Information Institute (dated 1978). An original 1978 copy is available from the World Trade Organization website.  <i>Could not find this document on the internet. Hard copies exist at the Liberia Business Registry. Could not get information on if there are plans to make it available online.</i>	<p><a href="http://www.moci.gov.lr/doc/General%20Business%20Law.pdf">www.moci.gov.lr/doc/General%20Business%20Law.pdf</a>  <a href="http://www.liberlii.org/lr/legis/codes/gbliict14lcolr809/">www.liberlii.org/lr/legis/codes/gbliict14lcolr809/</a>  <a href="http://www.wto.org/english/thewto_e/acc_e/lbr_e/wtacclbr5_leg_13.pdf">www.wto.org/english/thewto_e/acc_e/lbr_e/wtacclbr5_leg_13.pdf</a></p>			S
26	2.b.viii LEITI Act (2009)	Not published on the main FDA website, but on its Google Drive and the websites of LEITI, FAO, ClientEarth and an international extractive industries NGO ('resourcedata').  <i>Document not on FDA website.</i>	<p><a href="http://www.leiti.org.lr/sites/default/files/documents/act.pdf">www.leiti.org.lr/sites/default/files/documents/act.pdf</a>  <a href="https://drive.google.com/open?id=1cR5lMn_SbkJzhD21fZVmitFukuUHdbf">https://drive.google.com/open?id=1cR5lMn_SbkJzhD21fZVmitFukuUHdbf</a>  <a href="http://www.resourcedata.org/dataset/rgi-an-act-establishing-the-liberia-extractive-industries-transparency-initiative-leiti-/resource/f5bb1af0-33ba-4307-be03-e14b09fb9415">www.resourcedata.org/dataset/rgi-an-act-establishing-the-liberia-extractive-industries-transparency-initiative-leiti-/resource/f5bb1af0-33ba-4307-be03-e14b09fb9415</a></p>			S











Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
			<a href="http://www.clientearth.org/latest/documents/act-2009-act-establishing-the-liberia-extractive-industries-and-transparency-initiative-leiti/">www.clientearth.org/latest/documents/act-2009-act-establishing-the-liberia-extractive-industries-and-transparency-initiative-leiti/</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC160037">www.fao.org/faolex/results/details/en/c/LEX-FAOC160037</a>			
27	2.b.ix Liberia Chain of Custody Standard Operating Procedures	Not fully available from the main FDA website. A set of 16 SOPs for logging companies are described on the SGS-LVD website, following an update in 2019 of a previous 2016 set. They are not in the public domain; however, "to obtain the SOPs, you must be a registered user" of LiberTrace. General guidance is on the ATIBT Timber Trade Portal, but there is no information on when this was last updated.	<a href="https://libertrace.sgs.com/">https://libertrace.sgs.com/</a> <a href="http://www.timbertradeportal.com/en/liberia/138/legal-framework">www.timbertradeportal.com/en/liberia/138/legal-framework</a>			S
28	2.b.x Decent Work Act of 2015	Not published on the main FDA website, but on the official LiberiaJobs website. Also available from the International Labor Organization website. <i>Not on the Ministry of Labor or FDA website.</i>	<a href="https://liberiahrjobs.com/wp-content/uploads/2021/02/DECENT-WORK-ACT-2015_MOL-1-1.pdf">https://liberiahrjobs.com/wp-content/uploads/2021/02/DECENT-WORK-ACT-2015_MOL-1-1.pdf</a> <a href="http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/100329/122123/F-1595099170/Decent%20Work%20Act.docx">www.ilo.org/dyn/natlex/docs/MONOGRAPH/100329/122123/F-1595099170/Decent%20Work%20Act.docx</a>			S
29	2.b.xi National Forestry Reform Law (2006)	Not published on the main FDA website, but on its Google Drive, and the FAO and ClientEarth websites. These three websites also have the previous 2000 New National Forestry Law. <i>Document not on FDA website.</i>	<a href="https://drive.google.com/open?id=1C9JPpWOSoZN3SAxhFAUGanOHo-tBuDk">https://drive.google.com/open?id=1C9JPpWOSoZN3SAxhFAUGanOHo-tBuDk</a> <a href="http://www.clientearth.org/latest/documents/act-2006-act-adopting-the-national-forestry-reform-law-liberia/">www.clientearth.org/latest/documents/act-2006-act-adopting-the-national-forestry-reform-law-liberia/</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC067626">www.fao.org/faolex/results/details/en/c/LEX-FAOC067626</a>			S
30	2.b.xii National Social Security Law	Not published on the main FDA website, but the 2017 law is on the websites of NASSCORP (the National Social Security & Welfare Corporation of Liberia) and the ILO. <i>Document not on FDA website.</i>	<a href="http://www.nasscorp.org.lr/library/">www.nasscorp.org.lr/library/</a> <a href="http://www.nasscorp.org.lr/wp-content/uploads/2020/07/nasscorp_new_act.pdf">www.nasscorp.org.lr/wp-content/uploads/2020/07/nasscorp_new_act.pdf</a> <a href="http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/108444/134044/F-776619763/LBR108443.pdf">www.ilo.org/dyn/natlex/docs/ELECTRONIC/108444/134044/F-776619763/LBR108443.pdf</a>			S
31	2.b.xiii Public Procurement and Concessions Commission	The 2010 Amended and restated Act is not published on the main FDA website, but is	2010 Restated version: <a href="https://ppcc.gov.lr/doc/PPCA,%202010.pdf">https://ppcc.gov.lr/doc/PPCA,%202010.pdf</a>			S







Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
	Act (2005 and Amendment 2010)	published on the websites of the PPCC, LEITI, and FAO. The original 2005 Act is available on the FDA's Google Drive and the Client Earth website. <i>Regulations also available on the PPCC website.</i>	<a href="http://www.leiti.org.lr/sites/default/files/documents/Public-Procurement-and-Concessions-Act-PPCA-Liberia.pdf">www.leiti.org.lr/sites/default/files/documents/Public-Procurement-and-Concessions-Act-PPCA-Liberia.pdf</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC180718">www.fao.org/faolex/results/details/en/c/LEX-FAOC180718</a> 2005 original version: <a href="https://drive.google.com/open?id=1VKU9LhUSSEmiHJdQBhtecpcW-eEHcZy">https://drive.google.com/open?id=1VKU9LhUSSEmiHJdQBhtecpcW-eEHcZy</a> - <a href="http://www.clientearth.org/latest/documents/act-2005-act-creating-the-public-procurement-and-concessions-commission-liberia/">www.clientearth.org/latest/documents/act-2005-act-creating-the-public-procurement-and-concessions-commission-liberia/</a>			
32	2.b.xiv Revenue Code of Liberia, as Amended (2009)	Not published on the main FDA website, but it is on that of the Liberia Revenue Authority. The newest revised code is for 2020. <i>Document not on FDA website.</i>	<a href="https://revenue.lra.gov.lr/wp-content/uploads/2021/08/REVENUE-CODE-LIBERIA-REVENUE-CODE-AMENDEMENT-2020-min.pdf">https://revenue.lra.gov.lr/wp-content/uploads/2021/08/REVENUE-CODE-LIBERIA-REVENUE-CODE-AMENDEMENT-2020-min.pdf</a>			S
<b>3. Information on forest resource allocation</b>						
33	3.a.i Forest licenses issued - timber sales contracts (TSC)	Not published on the main FDA website, despite there being a page to hold these documents. Although all ten TSC licenses have now expired it is important that the license documents remain in the public domain. Eight are available on the LEITI website and one more on the international database OpenLandContracts. <i>Documents not available on FDA website. LEITI listing is not comprehensive.</i>	<a href="http://www.leiti.org.lr/general/publications?keys=&amp;field_document_type_target_id%5B%5D=181">www.leiti.org.lr/general/publications?keys=&amp;field_document_type_target_id%5B%5D=181</a> <a href="http://www.fda.gov.lr/index.php/publications/document-type/forest-licenses-and-permits">www.fda.gov.lr/index.php/publications/document-type/forest-licenses-and-permits</a> <a href="http://www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document_type%5B%5D=Contract">www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document_type%5B%5D=Contract</a>			S
34	3.a.ii Forest management contracts (FMC)	Not published on the main FDA website, despite there being a page to hold these documents. Of the seven active FMC licenses, all are available on the international database OpenLandContracts but only five are published on the LEITI website. <i>Documents not available on FDA website. LEITI listing is not comprehensive.</i>	<a href="http://www.leiti.org.lr/general/publications?keys=&amp;field_document_type_target_id%5B%5D=181">www.leiti.org.lr/general/publications?keys=&amp;field_document_type_target_id%5B%5D=181</a> <a href="http://www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document_type%5B%5D=Contract">www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document_type%5B%5D=Contract</a> <a href="http://www.fda.gov.lr/index.php/publications/document-type/forest-licenses-and-permits">www.fda.gov.lr/index.php/publications/document-type/forest-licenses-and-permits</a>			S





Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
35	3.a.iii Forest use permits (FUP)	No evidence exists that any FUPS have been issued.				S
36	3.a.iv Private use permits (PUPs)	Not published on the main FDA or LEITI websites. Although all PUPs were cancelled in 2013, it is nonetheless important that the license documents remain in the public domain. The presidentially appointed Special Independent Investigating Body (SIIB) report in 2012 described all 63 PUPs, and three contracts are available on the international database OpenLandContracts, while five contracts have been uploaded by LEITI to the document library Scribd.com. <i>PUPs have been suspended.</i>	SIIB Report: <a href="https://loggingoff.info/wp-content/uploads/2015/09/517-1.pdf">https://loggingoff.info/wp-content/uploads/2015/09/517-1.pdf</a> <a href="http://www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document_type%5B%5D=Contract">www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document_type%5B%5D=Contract</a> <a href="http://www.scribd.com/search?query=liberia+%22use+permit%22&amp;content_type=documents&amp;page=1">www.scribd.com/search?query=liberia+%22use+permit%22&amp;content_type=documents&amp;page=1</a>			S
37	3.b Agricultural concession contract agreements pertaining to products listed in Annex I	Not published on the main FDA website. Two contracts are on the LEITI website, and ten on the international database OpenLandContracts.	<a href="http://www.leiti.org.lr/publications/document-type/agriculture">www.leiti.org.lr/publications/document-type/agriculture</a> <a href="http://www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Agroindustry&amp;resource%5B%5D=Oil+palms+oil+oil&amp;resource%5B%5D=Rubber&amp;document_type%5B%5D=Contract">www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Agroindustry&amp;resource%5B%5D=Oil+palms+oil+oil&amp;resource%5B%5D=Rubber&amp;document_type%5B%5D=Contract</a>			S
38	3.c Documents relating to competitive bidding: Pre-qualification evaluation panel report	None of the 2008 Prequalification Evaluation Panel reports, 2009 Bid Evaluation Panel report, and the 2009 Financial Due Diligence report are on the FDA website, and there is no evidence of their publication on other public websites. There have not been any license allocations since then, so no other documents are expected.				S
39	3.d Concession contracts awarded	Typically, ratification by the Liberian Legislature is published along with the concession contracts, but these are not published on the main FDA website, despite there being a page to host the contracts. All five FMC licenses published by LEITI (out of seven that are known to exist) include the ratification document.	<a href="http://www.leiti.org.lr/general/publications?keys=&amp;field_document_type_target_id%5B%5D=181">www.leiti.org.lr/general/publications?keys=&amp;field_document_type_target_id%5B%5D=181</a> <a href="http://www.fda.gov.lr/index.php/publications/document-type/forest-licenses-and-permits">www.fda.gov.lr/index.php/publications/document-type/forest-licenses-and-permits</a>			S



Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?	
40	3.e	Social agreements between forest communities and all contract or permit holders	<p>Not published on the main FDA website, despite there being a page to hold these documents. Approximately 40 Social Agreements should have been produced, of which 14 are published on the international database OpenLandContracts. <i>Copies of social agreements are available on request from the FDA. Wait times can be considerable, however.</i></p>	<p><a href="http://www.fda.gov.lr/publications/document-type/social-agreements">www.fda.gov.lr/publications/document-type/social-agreements</a>  <a href="http://www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document-type%5B%5D=Social+Agreement">www.openlandcontracts.org/search/group?q=&amp;country%5B%5D=LR&amp;resource%5B%5D=Timber+%28Wood%29&amp;document-type%5B%5D=Social+Agreement</a></p>			S
41	3.f	Maps of communal forests and their areas	<p>Communal forests have been superseded by community forests, of which nearly 50 have been approved by the FDA. The main FDA website for the map of permit areas requires a login to ArcGIS Online, but some other pages do not, and the downloadable data table contains maps of 60 community forests (including some that are still in the Nine Step process). The interactive map published by Global Forest Watch includes five community forests, and an ArcGIS version has 20. <i>Available on request from FDA. Long wait times.</i></p>	<p>Requires ArcGIS login: <a href="https://lbr.forest-atlas.org/map">https://lbr.forest-atlas.org/map</a>  No login required: <a href="https://lbr.forest-atlas.org/dashboard/communityforestsstatistics">https://lbr.forest-atlas.org/dashboard/communityforestsstatistics</a> (includes map and downloadable data table)  Other sources:  <a href="https://globalforestwatch.org/map/">https://globalforestwatch.org/map/</a>  <a href="http://www.arcgis.com/home/webmap/viewer.html?useExisting=1&amp;layers=28f8f523aa594da2914d1b3392843634">www.arcgis.com/home/webmap/viewer.html?useExisting=1&amp;layers=28f8f523aa594da2914d1b3392843634</a></p>			L
42	3.g.i	List and maps of all TSCs	<p>The main FDA website with the map of permit areas does not include TSCs, and there is no public ArcGIS website for TSCs. The interactive map published by Global Forest Watch includes four of the ten TSCs (although they are all mislabeled). While all ten TSC licenses have expired, it is important that the maps remain in the public domain to inform future land use decisions. <i>Some TSC contracts are available on the LEITI website. The maps are contained in the contracts.</i></p>	<p><a href="https://globalforestwatch.org/map/">https://globalforestwatch.org/map/</a>  <a href="https://lbr.forest-atlas.org/map">https://lbr.forest-atlas.org/map</a>  <a href="http://www.fda.gov.lr/general/about-liberia-forest-atlas">www.fda.gov.lr/general/about-liberia-forest-atlas</a></p>			S

Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
43	3.g.ii List and maps of all FMCs	The main FDA website with the map of permit areas requires a login to ArcGIS Online. Of the other pages that do not, 'Tree Cover Loss' is available, but a map and downloadable data table are not. The interactive map published by Global Forest Watch includes six of the seven FMCs. Their public ArcGIS version has 12, including a previous set of 'proposed FMCs'. <i>The FMC contracts are available on the LEITI website. The maps are contained in the contracts.</i>	<a href="https://globalforestwatch.org/map/">https://globalforestwatch.org/map/</a> <a href="http://www.arcgis.com/apps/mapviewer/index.html?layers=5611560f91274715859c4b05b58fbbbc">www.arcgis.com/apps/mapviewer/index.html?layers=5611560f91274715859c4b05b58fbbbc</a> <a href="https://lbr.forest-atlas.org/map">https://lbr.forest-atlas.org/map</a> <a href="http://www.fda.gov.lr/general/about-liberia-forest-atlas">www.fda.gov.lr/general/about-liberia-forest-atlas</a>			L
44	3.g.iii List and maps of all FUPs	There is no evidence that any FUPs have been issued.				S
45	3.g.iv List and maps of all PUPs	There is no evidence an interactive map of PUPs is in the public domain, and all PUPs were cancelled in 2013. A static map was published by Global Witness, SDI and Samfu in 2012. It is important that the maps remain in the public domain to inform future land use decisions.	<a href="https://loggingoff.info/library/abuse-of-liberias-private-use-permits/">https://loggingoff.info/library/abuse-of-liberias-private-use-permits/</a>			S
<b>4. Information on forest resource production</b>						
46	4.a.i Volumes and monetary values (as determined by approved FOB price lists) of harvested forest resources, processed forest products and exported forest products, reported as total annual production	Not published on the main FDA website, and no evidence that annual reports are compiled. The main FDA and the SGS-LVD websites publish occasional monthly reports. <i>Available as aggregation in the LEITI reports (on LEITI website). Available on request from LVD/FDA. Monthly production volumes also available on request. Uncertain wait times.</i>	<a href="http://www.fda.gov.lr/index.php/publications/document-type/sgs-liberia-reports">www.fda.gov.lr/index.php/publications/document-type/sgs-liberia-reports</a> <a href="http://www.fda.gov.lr/index.php/publications/document-type/documents">www.fda.gov.lr/index.php/publications/document-type/documents</a> <a href="https://libertrace.sgs.com/">https://libertrace.sgs.com/</a> (scroll down and click on "LVD monthly report")			L
47	4.a.ii Volumes and monetary values (as determined by approved FOB price	Not published on the main FDA website, and no evidence that annual reports are compiled. The	<a href="http://www.fda.gov.lr/index.php/publications/document-type/sgs-liberia-reports">www.fda.gov.lr/index.php/publications/document-type/sgs-liberia-reports</a>			L







Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain ( <i>comments from MFGAP in italics</i> )	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
	lists) of harvested forest resources, processed forest products and exported forest products, reported by species produced under each forest resources license	main FDA and the SGS-LVD websites publish occasional monthly reports. <i>Available as aggregation in the LEITI reports (on LEITI website). Available on request from LVD/FDA. Monthly production volumes also available on request. Uncertain wait times.</i>	<a href="http://www.fda.gov.lr/index.php/publications/document-type/documents">www.fda.gov.lr/index.php/publications/document-type/documents</a> <a href="https://libertrace.sgs.com/">https://libertrace.sgs.com/</a> (scroll down and click on "LVD monthly report")			
48	4.a.iii Annual volume of timber and derived products imported into Liberia or transited through Liberia	Not published on the main FDA website, and no evidence that annual reports are compiled. The main FDA and the SGS-LVD websites publish occasional monthly reports.	<a href="http://www.fda.gov.lr/index.php/publications/document-type/sgs-liberia-reports">www.fda.gov.lr/index.php/publications/document-type/sgs-liberia-reports</a> <a href="http://www.fda.gov.lr/index.php/publications/document-type/documents">www.fda.gov.lr/index.php/publications/document-type/documents</a> <a href="https://libertrace.sgs.com/">https://libertrace.sgs.com/</a> (scroll down and click on "LVD monthly report")			L
<b>5. Information on forest fees and revenues</b>						
49	5.a Schedule of all forestry-related fees and taxes	No consolidated schedule is published on the main FDA website, and there is no evidence it is published elsewhere, but the information must be embedded in the chain of custody and revenue systems. Most fees and taxes are established in the regulations, Social Agreements, and/or Commercial Use Contracts (see respective lines above). Stumpage rates, however, need to be adjusted annually in line with changes in Free on Board prices, but there is nothing in the public domain indicating the FDA is complying with this regulatory requirement. <i>Included in LVD monthly chain of custody updates. Document essentially available on request. Very uncertain wait time.</i>	Regulation 107-07, Regulation on certain forest fees: <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC160086">www.fao.org/faolex/results/details/en/c/LEX-FAOC160086</a>			S
50	5.b Free on Board (FOB) prices.	No consolidated schedule is published on the main FDA website, and there is no evidence that	<a href="http://www.itto.int/market_information_service/">www.itto.int/market_information_service/</a>			L









Indicator No. and cross-reference to Annex	Information Specified in Annex IX of the VPA	Notes on Information Available in the Public Domain <i>(comments from MFGAP in italics)</i>	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
		<p>this is ever compiled. Free on Board prices for West Africa are available from ITTO, but there is nothing in the public domain indicating how these indicative prices are applied to the three species classes defined in Regulation 107-07.</p> <p><i>Board resolution adopting price meant to be published quarterly. Process not being followed. Resolution and price list are not being made public.</i></p>				
<b>6. Information on law enforcement in concession areas</b>						
<b>51</b>	6.a	<p>Penalties imposed and the list of those who actually paid and those who did not pay or complied</p>	<p>There is no evidence that this information is systematically collated or published by the authorities.</p> <p><i>Should be included in annual compliance audit report compiled by Law Enforcement Division. This report has not been produced by FDA. No indication that work is being done to produce this report.</i></p>			L
<b>52</b>	6.b	<p>Annual volume of timber products sold at public auction and the monetary value of the sales</p>	<p>There is no evidence that this information is systematically collated or published by the authorities.</p>			L

## Proposed additional information to be made proactively available







The above assessment of compliance with VPA Annex IX led to the identification of 19 additional items that should be published and therefore included in any future revision of Annex IX (see Table 3). Most of these result from the inclusion of timber from community forests in the legality grid, which itself requires a revision to another VPA annex.

**Table 3: Proposed additional information to be made proactively available**



Proposed additional information	Notes on Information Available in the Public Domain	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
<b>Information on community forestry</b>					
Community Rights Law with respect to Forest Lands (CRL, 2009)	The CRL governs the community forestry sub-sector and therefore needs to be published. It is not published on the main FDA website but is available from its Google Drive, and FAO and ClientEarth websites. <i>Document not on FDA website.</i>	<a href="https://drive.google.com/open?id=1JsBj6GJrmfv41amF4wMwMKZ5EmXFhq2O">https://drive.google.com/open?id=1JsBj6GJrmfv41amF4wMwMKZ5EmXFhq2O</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC143892">www.fao.org/faolex/results/details/en/c/LEX-FAOC143892</a> <a href="http://www.clientearth.org/latest/documents/act-2009-act-to-establish-the-community-rights-law-of-2009-with-respect-to-forest-lands-liberia/">www.clientearth.org/latest/documents/act-2009-act-to-establish-the-community-rights-law-of-2009-with-respect-to-forest-lands-liberia/</a>			S
2011 Regulation to the Community Rights Law with respect to Forest Lands (CRL) 2009, as amended in 2017	The CRL regulation governs the community forestry sub-sector, and therefore needs to be published. It is not published on the main FDA website but the current, 2017 version is available from the FAO and ClientEarth websites. The obsolete 2011 version is available from the FDA's Google Drive and the FAO website.	2011 regulation (obsolete): <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC143893">www.fao.org/faolex/results/details/en/c/LEX-FAOC143893</a> <a href="https://drive.google.com/open?id=1QVCHq64cn9GmlRICg7XFGuA1rpBKNdrB">https://drive.google.com/open?id=1QVCHq64cn9GmlRICg7XFGuA1rpBKNdrB</a> 2017 amended regulation: <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC180010">www.fao.org/faolex/results/details/en/c/LEX-FAOC180010</a> <a href="http://www.clientearth.org/latest/documents/regulation-2017-forestry-development-authority-regulations-to-the-community-rights-law-with-respect-to-forest-lands-liberia/">www.clientearth.org/latest/documents/regulation-2017-forestry-development-authority-regulations-to-the-community-rights-law-with-respect-to-forest-lands-liberia/</a>			S
Nine Steps documents for Community Forestry Management Agreements	The FDA has committed to publish the documents associated with the Nine Step process to obtaining Approved Forest Community status and a Community Forestry Management Agreement, and five community forests agreements are on the main FDA website. There are, however, nearly 50 extant community forests agreements.	<a href="http://www.fda.gov.lr/general/community-forestry-management-agreement">www.fda.gov.lr/general/community-forestry-management-agreement</a>			S

Proposed additional information	Notes on Information Available in the Public Domain	Sources of Public Information	Exists? Public?	(S) Static or (L) Live?
Community Forestry Management Agreements	All Community Forestry Management Agreements, and associated certificates of Approved Forest Community status, need to be published in line with the obligation to publish FMC and TSC licenses.		 	S
Community Forest Management Plans	All Forest Management Plans pertaining to community forests, as these are a prerequisite to any sub-contracting by the community of logging or other services. None are published on the main FDA website and there is no evidence that any are in the public domain.		 	S
Commercial Use Contracts (or their precursor third party agreements) between all Authorized Forest Communities and logging contract or permit holders.	All Commercial Use Contracts (or their precursor third party agreements) for community forests need to be published, in line with the obligation to publish Social Agreements for concessions. None are published on the main FDA website and there is no evidence that any are in the public domain. <i>Not on the internet but available on request. Wait times can be lengthy.</i>		 	S
<b>All legislation and regulations enacted by the Government of Liberia</b>				
All other legislation applicable to the forest sector	All other legislation applicable to the forest sector should be published on the designated <a href="#">Laws and Regulations</a> page, notably the 2013 Act to abolish the payment of annual land rental bid premium and the 2017 Act to Govern Forestry Industrial Development and Employment (FIDERA) laws, as these have a direct bearing on legal compliance. Neither are published on the main FDA website, but the 2013 Act is available on FAO and ClientEarth websites. There is no evidence that the 2017 Act is in the public domain.	<a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC160032">www.fao.org/faolex/results/details/en/c/LEX-FAOC160032</a> <a href="http://www.clientearth.org/latest/documents/act-2013-act-to-abolish-the-payment-of-annual-land-rental-bid-premium-on-contract-area-and-merging-of-export-taxes-into-stumpage-liberia/">www.clientearth.org/latest/documents/act-2013-act-to-abolish-the-payment-of-annual-land-rental-bid-premium-on-contract-area-and-merging-of-export-taxes-into-stumpage-liberia/</a>	 	S







Proposed additional information	Notes on Information Available in the Public Domain	Sources of Public Information	Exists? Public?	(S) Static or (L) Live?
<p>All regulations pertaining to the forest sector</p>	<p>All regulations pertaining to the forest sector should be published on the designated <a href="#">Laws and Regulations</a> page, including the following:</p> <ul style="list-style-type: none"> <li>• Regulation 111-08 on Procedures to Access and Manage Funds on Behalf of Affected Communities. This is not published on the main FDA website but is available from the FAO and ClientEarth websites.</li> <li>• Regulation 119-17 on Wood-based Biomass Energy is not published on the main FDA website but is available from the EU-FLEGT website.</li> <li>• Regulation 116-17 on Abandoned Timber is not published on the main FDA website but is available from the EU-FLEGT website.</li> <li>• Regulation 117-17 on Third Party Access is not published on the main FDA website but is available from the EU-FLEGT website.</li> <li>• Regulation 118-17 on Confiscated Logs and Timber Products is not published on the main FDA website but is available from the EU-FLEGT website.</li> <li>• A regulation on Private Use Permits was approved by the FDA Board in March 2022 but only the draft ‘proposed’ text is published on the main FDA website (as a news item, not in the laws and regulations folder).</li> <li>• A regulation on Chainsaw Milling was approved by the FDA Board in March 2022 but only the draft ‘proposed’ text is published on the main FDA website (as a news item, not in the laws and regulations folder).</li> </ul>	<p><a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC178626">www.fao.org/faolex/results/details/en/c/LEX-FAOC178626</a></p> <p><a href="http://www.clientearth.org/latest/documents/regulation-2011-forestry-development-authority-regulation-on-procedure-to-access-and-manage-funds-on-behalf-of-affected-communities-liberia/">www.clientearth.org/latest/documents/regulation-2011-forestry-development-authority-regulation-on-procedure-to-access-and-manage-funds-on-behalf-of-affected-communities-liberia/</a></p> <p><a href="https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-119-17-Wood-based-Biomass-Energy.pdf">https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-119-17-Wood-based-Biomass-Energy.pdf</a></p> <p><a href="https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-116-17-Abandoned-Timber.pdf">https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-116-17-Abandoned-Timber.pdf</a></p> <p><a href="https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-117-17-Third-Party-Access.pdf">https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-117-17-Third-Party-Access.pdf</a></p> <p><a href="https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-118-17-Confiscated-Logs-Timber-Products.pdf">https://flegtvpafacility.org/wp-content/uploads/2022/05/Officially-Gazetted-Regulation-118-17-Confiscated-Logs-Timber-Products.pdf</a></p> <p><a href="http://www.fda.gov.lr/sites/default/files/documents/Private%20Use%20Prermit%20Regulation%20Proposal.pdf">www.fda.gov.lr/sites/default/files/documents/Private%20Use%20Prermit%20Regulation%20Proposal.pdf</a></p> <p><a href="http://www.fda.gov.lr/sites/default/files/documents/Chainsaw%20Milling%20Regulation%20%20Proposal.pdf">www.fda.gov.lr/sites/default/files/documents/Chainsaw%20Milling%20Regulation%20%20Proposal.pdf</a></p>	<p>● ●</p>	<p>S</p>

Proposed additional information	Notes on Information Available in the Public Domain	Sources of Public Information	Exists?	Public?	(S) Static or (L) Live?
Land Rights Policy (2013)	The Land Rights Policy has a direct bearing on all land, including forests. It is not published on the main FDA website but is available on its Google Drive and the websites of the Liberia Land Authority, FAO, and ClientEarth.	<a href="https://lla.gov.lr/index.php/publications/resource-center?download=6:land-rights-policy">https://lla.gov.lr/index.php/publications/resource-center?download=6:land-rights-policy</a> <a href="http://www.clientearth.org/latest/documents/policy-2013-land-rights-policy-liberia/">www.clientearth.org/latest/documents/policy-2013-land-rights-policy-liberia/</a> <a href="https://drive.google.com/file/d/1HbvKQxISiRjgIGbjjOXvAmb3exUCwljr/view">https://drive.google.com/file/d/1HbvKQxISiRjgIGbjjOXvAmb3exUCwljr/view</a>			S
Land Rights Act (2018)	The LRA has a direct bearing on all land, including forests. It is not published on the main FDA website but is available on its Google Drive and the websites of the Liberia Land Authority, FAO, and ClientEarth.	<a href="https://lla.gov.lr/index.php/publications/resource-center?download=8:land-rights-act">https://lla.gov.lr/index.php/publications/resource-center?download=8:land-rights-act</a> <a href="http://www.fao.org/faolex/results/details/en/c/LEX-FAOC182407">www.fao.org/faolex/results/details/en/c/LEX-FAOC182407</a> <a href="https://drive.google.com/open?id=1q-fEjpc2KZKkigZmAOUHZG0yY-j6zRW1">https://drive.google.com/open?id=1q-fEjpc2KZKkigZmAOUHZG0yY-j6zRW1</a>			S
LEITI annual reports	The main FDA website has provided a space to publish annual LEITI reports, and has so far published one such report, from 2016. These are useful documents, indicating how much money concession-holders have paid the Liberia State (reconciled with government reporting).	<a href="http://www.fda.gov.lr/index.php/publications/document-type/eiti-reports">www.fda.gov.lr/index.php/publications/document-type/eiti-reports</a> <a href="http://www.leiti.org.lr/index.php/publications/document-type/leiti-reports">www.leiti.org.lr/index.php/publications/document-type/leiti-reports</a>			S



### Information on forest resource allocation

Documents relating to company track record.	The VPA annex already requires publication of pre-qualification evaluation panel reports in the case of competitive bidding. There are an increasing number of contracts which, however, fall below the threshold for competitive bidding. Nonetheless, appraising the history of a potential contractor is important, especially if in the past it has failed to meet fees, tax, or social obligations, or if it changes its name for any reason. At present there is no evidence that this information is collected, and, as with the pre-qualification evaluation panel, none is published.				S
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Proposed additional information	Notes on Information Available in the Public Domain	Sources of Public Information	Exists? Public?	(S) Static or (L) Live?
Ultimate beneficial owners of all companies operating in the sector	LEITI is mandated to publish Beneficial Ownership reports and has produced one report, in 2015. This information is integral to the Liberia Business Registry and helps ensure politicians and others are not in breach of ownership laws and increases accountability for the actions of the companies. At present this information is not published, yet it may change in the course of a contract period.	Beneficial Ownership report, 2015: <a href="http://www.leiti.org.lr/sites/default/files/documents/leiti_beneficial_ownership_final_report_december_2015.pdf">www.leiti.org.lr/sites/default/files/documents/leiti_beneficial_ownership_final_report_december_2015.pdf</a> Review of Beneficial Ownership regulations and compliance mechanisms, 2022: <a href="https://openownershiporgprod-1b54.kxcdn.com/media/documents/liberia-scoping-report-may-2022.pdf">https://openownershiporgprod-1b54.kxcdn.com/media/documents/liberia-scoping-report-may-2022.pdf</a>	 	L
Subcontracts	Subcontracting and other changes in operator under a particular permit have become common, and information on who is then responsible for meeting legal, contractual, fees, tax, and social obligations must exist in the chain of custody and revenue systems but is not made available to the public. Making it available would increase accountability for the actions of the companies.		 	L
<b>Information on forest resource production</b>				
Volume of timber harvested and exported, for each permit type (FMC, CFMA etc.) and community (including subdivision by county where communities affected by an FMC are split this way).	The VPA annex already requires publication of this information, as total annual production, but this is not published on the main FDA website. Furthermore, aggregate annual data is insufficient to inform stakeholders on the individual situation, in particular in helping communities to calculate the cubic meter fees due.		 	L

Proposed additional information	Notes on Information Available in the Public Domain	Sources of Public Information	Exists? Public?	(S) Static or (L) Live?
<b>Information on forest fees and revenues</b>				
<p>For each permit type (FMC, CFMA etc.) and community (including subdivision by county where communities affected by an FMC are split this way), and disaggregated between land rental, cubic meter, and each other type of payment:</p>	<p>The VPA annex already requires publication of volumes and monetary values by species produced under each forest resources license, but this is not routinely made available by the FDA or other authorities. Furthermore, aggregate data is insufficient to inform stakeholders on the individual situation, in particular in helping all stakeholders to have accurate, official, and up-to-date information on the payment status or arrears of contract holders they need to interact with.</p>	<p>The main FDA and the SGS-LVD websites publish occasional monthly reports, or share reports to selected stakeholders, and some information is presented in JIC Aide-memoires, but this is often aggregated (for example the overall financial situation per company, irrespective of how many areas it is operating in). Information presented in JIC Aide-memoires or occasional reports shared with stakeholders is also often out of date and at times inaccurate.</p>	<hr/> <p>  L</p> <hr/> <p>  L</p> <hr/> <p>  L</p> <hr/> <p>  L</p>	<p>L</p> <p>L</p> <p>L</p> <p>L</p>
<ul style="list-style-type: none"> <li>Fees and taxes due and amounts paid by company to the state.</li> </ul>				
<ul style="list-style-type: none"> <li>Fees and payments due and amounts paid by company to each community.</li> </ul>				
<ul style="list-style-type: none"> <li>Contributions in kind made by companies, for example for community infrastructure, scholarships etc.</li> </ul>				
<ul style="list-style-type: none"> <li>Amounts received and disbursed by the state to each community and/or the National Benefit Sharing Trust.</li> </ul>				

Proposed additional information	Notes on Information Available in the Public Domain	Sources of Public Information	Exists? Public?	(S) Static or (L) Live?
<ul style="list-style-type: none"> <li>Amounts received and disbursed by the National Benefit Sharing Trust to each community.</li> </ul>			 	L

## Footnotes

- Article 21 of the VPA states that “provision of information to stakeholders shall be central for this Agreement” and “the Parties shall endeavour to provide stakeholders in the forest sector with reliable and up-to-date information”; [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22012A0719\(01\)&qid=1469775707338&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22012A0719(01)&qid=1469775707338&from=EN).
- SDI and Global Witness, 2012, Liberia VPA Transparency Gap Assessment 2012; <https://loggingoff.info/library/vpa-transparency-gap-analysis-liberia-2012/>. This briefing was published under the Making the Forest Sector Transparent project, see also [www.foresttransparency.info/liberia/2010/themes/1/](http://www.foresttransparency.info/liberia/2010/themes/1/) and [www.foresttransparency.info/liberia/2012/themes/17/108/](http://www.foresttransparency.info/liberia/2012/themes/17/108/).
- Paragraphs 63-64, Aide-mémoire, Session of the 8<sup>th</sup> JIC 24-26 November 2020; <https://flegtvpafacility.org/wp-content/uploads/2022/05/8-Liberia-JIC-aide-memoire-annexes.pdf>. Paragraphs 20-22, Aide-mémoire, Session of the 9<sup>th</sup> JIC 21-24 March 2022; <https://flegtvpafacility.org/wp-content/uploads/2022/05/9-Liberia-JIC-aide-memoire-annexes.pdf>.
- GoL (2006) National Forestry Reform Law; [www.fao.org/faolex/results/details/en/c/LEX-FAOC067626](http://www.fao.org/faolex/results/details/en/c/LEX-FAOC067626).
- GoL (2009) Liberia Extractive Industry Transparency Initiative (LEITI) Act; [www.leiti.org.lr/sites/default/files/documents/act.pdf](http://www.leiti.org.lr/sites/default/files/documents/act.pdf). GoL (2006) Freedom of Information Act; [www.clientearth.org/latest/documents/act-2010-freedom-of-information-act-liberia/](http://www.clientearth.org/latest/documents/act-2010-freedom-of-information-act-liberia/).
- Executive Mansion, 19 May 2012, Independent Information Commissioner among Four More Nominees to Positions in Liberian Government; [https://emansion.gov.lr/2press.php?news\\_id=2207&related=7&pg=sp](https://emansion.gov.lr/2press.php?news_id=2207&related=7&pg=sp). See also Front Page Africa, 28 January 2022, Independent Information Commission is on “Life Support”; <https://frontpageafricaonline.com/news/independent-information-commission-is-on-life-support-says-maureen-sieh-liberias-leading-media-development-expert/>. It’s website, [www.iic.gov.lr/](http://www.iic.gov.lr/) is currently (November 2022) unavailable.
- This division between ‘static’ and ‘live’ information is similar to the divisions used in the 2012 assessment, between ‘framework’ information and ‘data’. It has been modified in order to inform the development of a public portal in LiberTrace.
- The Google Drive index that this sequence leads to is owned by ‘[fda.flegt.vpa@gmail.com](mailto:fda.flegt.vpa@gmail.com)’ and is reportedly the personal catalogue of a staff member previously working at the VPA Support Unit. In addition to documents covering Liberia’s legal framework, it unexpectedly includes three briefing notes by ClientEarth and HPA.
- LEITI (2022) 13<sup>th</sup> Report, 2019–2020; p.100; [www.leiti.org.lr/sites/default/files/documents/LEITI%2013th%20Report%20final.pdf](http://www.leiti.org.lr/sites/default/files/documents/LEITI%2013th%20Report%20final.pdf).