

EU FLEGT VPA PROGRAMME

STRENGTHENING THE CONTRIBUTIONS OF CIVIL SOCIETY ORGANIZATIONS AND COMMUNITIES TO INDEPENDENT FOREST MONITORING IN LIBERIA



Review of Complaints Mechanism

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June 2026

Project coordinated by

Sustainable Development Institute
and Civil Society independent
Forest Monitors



Acronym

ADR	Alternative Dispute Resolution
CM	Complaints Mechanism
CS-IFM	Civil Society Independent Forest Monitoring
CSO	Civil Society Organization
CSOs	Civil Society Organizations
EU	European Union
FDA	Forestry Development Authority
FP	Forest Partnership
IFM	Independent Forest Monitoring
JIC	Joint Implementation Committee
LAS	Legality Assurance System
LVD	Legality Verification Department
NGO	Non-Governmental Organization
NGOs	Non-Governmental Organizations
SMS	Short Message Service
SOP	Standard Operating Procedure
SOPs	Standard Operating Procedures
VPA	Voluntary Partnership Agreement

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EXECUTIVE SUMMARY

The Voluntary Partnership Agreement (VPA) between Liberia and the European Union established a Legality Assurance System (LAS) intended to ensure that timber entering international markets is legally produced. An effective complaints mechanism (CM) is an essential component of such a system because it provides stakeholders with avenues to challenge legality determinations, report suspected violations, raise concerns about the functioning of the LAS and seek corrective action and redress.

This assessment finds that Liberia's VPA established a relatively comprehensive complaints architecture on paper, involving three principal institutional levels: the Legality Verification Department (LVD) of the Forestry Development Authority (FDA), the Independent Auditor, and the Joint Implementation Committee (JIC). However, the mechanism did not mature into a sufficiently visible, accessible, consistently documented and operational grievance-redress system. The central problem is therefore not simply the absence of a complaints mechanism, but the persistent gap between the institutional arrangements contemplated by the VPA and their practical implementation. The feedback assessment similarly concludes that the mechanism was comparatively strong in design but weak in operationalization.

The assessment identifies six principal weaknesses. First, the mechanism lacks a sufficiently clear distinction between different categories of complaints, including legality and verification complaints, forest-sector infractions, administrative grievances, systemic complaints and community/social grievances. Second, there is insufficient evidence of a complete and publicly understood pathway from complaint submission and acknowledgement through investigation, decision, remedy, appeal and closure. Third, the discontinuation of the Independent Auditor function weakened independent oversight of the LAS and the complaints system. Fourth, there is limited publicly available evidence of systematic JIC complaints review, corrective-action tracking and resolution. Fifth, transparency and case management remain weak, including the absence of a publicly functioning complaints register. Finally, the relationship between complaints, enforcement, remedies and appeals is insufficiently defined.

The assessment also finds that communities and civil society organizations have played an important role in raising forest governance concerns through direct engagement with the FDA, Independent Forest Monitoring (IFM), advocacy and other stakeholder platforms. However, these informal and civil society channels cannot substitute for the State's responsibility to provide an effective and accountable grievance-redress mechanism. The future system should instead formally recognize communities, CSOs, IFM organizations and community-level structures as accessible complaint reception and referral points while retaining legality determination and enforcement functions within the competent authorities. This is consistent with the feedback's recommendation that community and CSO channels should complement, rather than replace, formal State mechanisms.

The transition from the VPA toward Liberia's emerging Forest Partnership (FP) provides an important opportunity to address these weaknesses. The recommended approach is not simply to recreate the former VPA mechanism but to establish a nationally owned, accessible, transparent and enforceable forest-sector grievance-redress system that retains the accountability gains of the VPA while drawing on Liberia's broader administrative, judicial and alternative dispute-resolution systems.

The assessment recommends establishing a five-level architecture:

1. Community and local complaint reception points;
2. A dedicated Forest Complaints and Review Unit for case management and administrative review;
3. Competent enforcement and regulatory authorities for matters requiring statutory action;

4. an independent Forest Governance Reviewer to replace or evolve the former Independent Auditor function; and
5. a Forest Partnership Oversight Committee for systemic and unresolved complaints.

The future system should be supported by standard operating procedures, central complaints register, defined processing timelines, accessible submission channels, confidentiality and whistle-blower protections, clear remedies and appeal rights, corrective-action tracking, and regular public reporting.

The overarching recommendation is therefore to transform the complaints mechanism from an under-implemented component of the former VPA into a core accountability function of Liberia's Forest Partnership, capable of resolving individual grievances while also identifying systemic weaknesses and improving forest governance.

1. BACKGROUND AND PURPOSE

The Liberia–European Union VPA established a legality assurance framework intended to improve the legality, transparency and accountability of Liberia's forest sector. The complaints mechanism is an important part of this architecture because stakeholders must have credible means to challenge decisions, report violations and raise concerns about the functioning of the LAS.

The purpose of this assessment is to:

- examine the design and current status of Liberia's VPA complaints mechanism;
- identify key institutional, procedural and operational weaknesses;
- assess the extent to which stakeholders can access effective grievance redress;
- identify lessons from other VPA countries and Liberia's wider accountability systems; and
- propose an implementable complaints and grievance-redress framework for the emerging Forest Partnership.

The assessment builds on the existing CS-IFM analysis and incorporates feedback identifying the need to move beyond a primarily diagnostic assessment toward a practical and operational framework. In particular, the feedback calls for clearer treatment of complaint types, complaint pathways, procedures, institutional responsibilities, remedies, appeals, transparency, enforcement and future institutional arrangements.

2. EXECUTIVE FINDINGS

Finding 1: Liberia's VPA complaints architecture was strong in design but weak in implementation

The VPA created a multi-level institutional framework involving the LVD, Independent Auditor and JIC. This provided the basic architecture for operational complaints, independent review and systemic oversight.

However, the mechanism has not developed into a consistently functioning grievance-redress system with clearly documented procedures, accessible entry points, case tracking, defined timelines, reasoned decisions and public reporting.

Finding 2: Complaint categories and institutional mandates are insufficiently differentiated

The existing framework does not adequately distinguish between:

- objections to legality determinations;
- reports of forest-sector infractions;
- administrative complaints concerning institutional performance;
- systemic complaints concerning failures in the LAS; and
- community and social grievances.

This creates uncertainty about which institution should receive, investigate, decide and resolve particular complaints.

Finding 3: The complaint pathway is incomplete and insufficiently visible

A functional mechanism should allow a complainant to move through a predictable process:

Submission → Acknowledgement → Registration → Screening → Investigation → Decision → Remedy/Corrective Action → Appeal/Review → Implementation Verification → Closure → Reporting.

There is insufficient evidence that this complete pathway has been operationalized and made accessible to stakeholders.

Finding 4: Independent oversight has been weakened

The former Independent Auditor function provided an important layer of independent oversight. The cessation of Sofreco's active role and the lack of clear evidence that a successor arrangement fully operationalized an equivalent complaints and oversight function have weakened this part of the VPA architecture.

The feedback recommends replacing the former arrangement with a more sustainable Independent Forest Governance Reviewer under the emerging Forest Partnership or national forest governance framework.

Finding 5: JIC oversight has not translated into visible systemic grievance redress

The JIC was intended to address systemic failures in the LAS and matters relating to the Independent Auditor. However, there is limited publicly available evidence of complaints being submitted, reviewed, resolved or tracked through this level.

The JIC should not be treated as a conventional complaints office. Its future role should focus on systemic complaints, unresolved cases, corrective actions and institutional accountability.

Finding 6: Transparency and case management are major gaps

There is no sufficiently visible and functional public system through which stakeholders can track complaints, their status, outcomes and corrective actions.

The absence of a transparent complaints register limits institutional accountability and makes it difficult to determine whether complaints are being resolved or whether recurring complaints point to systemic governance problems.

Finding 7: Civil society and communities provide an important but informal safety net

CSOs, IFM organizations and communities have helped raise forest governance concerns through direct engagement with public institutions and advocacy platforms. However, these channels are not substitutes for formal State grievance redress.

The future system should formally recognize community and civil society structures as accessible complaint reception and referral points while retaining statutory decision-making and enforcement responsibilities with competent authorities.

Finding 8: Complaints are insufficiently connected to remedies and enforcement

An effective complaints mechanism must establish what happens after a complaint is substantiated.

A decision should identify the findings of fact, applicable law, remedy or corrective action, responsible institution, implementation deadline, appeal rights and means of verifying compliance. The feedback similarly identifies the weak relationship between complaints and enforcement as a major deficiency.

3. INSTITUTIONAL ASSESSMENT

Institutional Level	Intended Role	Current Assessment	Priority Improvement
LVD and FDA	Receive and address operational legality complaints and objections	Operational complaints function insufficiently visible and documented	Establish clear intake, investigation, decision, review and referral procedures
Independent Auditor	Independently assess LAS performance and complaints/systemic issues	Former arrangement discontinued; successor operationalization unclear	Establish independent Forest Governance Reviewer
JIC	Oversight of systemic LAS failures and Independent Auditor matters	Limited public evidence of complaints review and corrective-action tracking	Establish clear systemic complaints and escalation procedures
Communities, CSOs, IFM	Identify, document and raise forest governance concerns	Active in practice but largely informal	Formalize reception/referral role and integrate into central case management
Enforcement authorities	Investigate and sanction violations within their mandate	Weak linkage with complaints process	Establish mandatory referral and follow-up procedures
Courts, ADR mechanisms	Independent remedy and dispute resolution	Available within broader legal system but insufficiently integrated	Establish clear pathways to mediation, administrative review and judicial remedy

4. KEY FINDINGS IN DETAIL

4.1 Institutional and Procedural Fragmentation

The VPA's multi-level structure is conceptually appropriate but requires clear functional separation.

The LVD should manage operational legality complaints; an independent reviewer should assess systemic performance and the effectiveness of the complaints system; and the Forest Partnership oversight structure should address systemic and unresolved issues.

The future framework should therefore clearly separate:

intake → investigation → decision → oversight → enforcement → appeal.

This separation will help reduce conflicts of interest and improve confidence in the system.

4.2 Weak Case Management

A future system should maintain a central case-management system recording:

- complaint reference number;
- date received;
- complainant category;
- complaint type;
- responsible institution;
- actions undertaken;
- evidence considered;
- decision;
- remedy/corrective action;
- implementation status;
- appeal status; and
- date of closure.

This information should support both individual case management and identification of recurring systemic problems.

4.3 Accessibility Barriers

The future mechanism should recognize that formal availability does not automatically mean practical accessibility.

Potential barriers include:

- distance to government offices;
- transportation costs;
- limited internet access;
- literacy and language barriers;
- gender-related barriers;
- fear of retaliation;
- limited awareness of complaint procedures; and
- communication constraints.

Multiple channels should therefore be provided, including oral, written, online, telephone and SMS submissions.

4.4 Weak Remedy and Appeal Framework

The mechanism should define the remedies available to complainants according to the nature of the case.

Potential remedies include:

- correction of inaccurate information;
- reconsideration of legality determinations;
- field reinspection;
- suspension or review of verification;
- administrative corrective action;
- enforcement referral;
- mediation;
- compensation where legally available;
- disciplinary measures;
- civil proceedings; and
- criminal investigation or prosecution.

The mechanism should also provide appropriate administrative and judicial review rights.

4.5 Transparency

The future system should establish a public complaint register that provides anonymized information on:

- complaint reference number;
- date received;
- complaint category;
- responsible institution;
- current status;
- processing time;
- decision;
- corrective action;
- enforcement referral;
- appeal status; and
- closure.

Personal information, whistle-blower identities, confidential commercial information and information that could compromise ongoing investigations should be protected through appropriate redaction.

5. LESSONS FROM COMPARATIVE AND NATIONAL EXPERIENCE

The experiences of Ghana, Cameroon and the Democratic Republic of the Congo demonstrate that the existence of a formal framework does not automatically produce effective grievance redress.

Ghana demonstrates the value of clearer institutional roles, defined procedures and corrective-action processes, although procedural compliance alone may not necessarily deliver broader governance reform.

Cameroon demonstrates the contribution of independent forest monitoring to transparency while also illustrating that monitoring findings require government uptake and enforcement to achieve lasting impact.

Democratic Republic of the Congo demonstrates the risks associated with fragmented grievance processes that depend heavily on NGO and donor initiatives without a coherent national framework.

For Liberia, the key lesson is to combine the strengths of independent monitoring and civil society engagement with a formal State-led grievance-redress system.

Liberia can also draw on its own administrative and judicial institutions. The feedback specifically recommends adapting principles found within tax administration and judicial processes, including formal objections, separation of decision and review functions, opportunities to be heard, reasoned decisions, case management, administrative review, mediation and judicial remedies.

6. RECOMMENDATIONS

Priority 1: Establish A Forest Complaints and Review Unit

Create a dedicated unit with responsibility for:

- receiving and registering complaints;
- screening and categorizing cases;
- coordinating investigations;
- managing the central complaints database;
- ensuring complainant feedback;
- coordinating referrals;
- monitoring case timelines; and
- producing complaints statistics.

The unit should have sufficient functional independence from officers whose decisions are being challenged.

Priority 2: Develop a Forest Complaints Standard Operating Procedure

The SOP should define:

- who can complain;
- what can be complained about;
- where complaints can be submitted;
- how complaints are acknowledged;
- how cases are screened;
- investigation procedures;
- timelines;
- decision-making requirements;
- remedies;
- appeals;
- referral procedures;
- confidentiality;
- closure; and
- public reporting.

Priority 3: Establish A Central Complaints Register

A central electronic register should provide unique tracking numbers and enable both institutional monitoring and anonymized public reporting.

Priority 4: Establish Accessible Community-Level Entry Points

Recognize community forestry structures, trained community-based independent forest monitors, CSOs, IFM organizations, county FDA offices, women's and youth representatives and telephone/SMS services as complaint reception and referral channels.

Priority 5: Establish Independent Forest Governance Oversight

Replace the former Independent Auditor function with a Forest Governance Reviewer with:

- independent appointment;
- fixed tenure;
- secure funding;
- access to records;
- conflict-of-interest safeguards;
- authority to audit the complaints mechanism;
- authority to review systemic complaints;
- responsibility for monitoring corrective actions; and
- authority to publish independent reports.

This reflects the feedback's recommendation for a sustainable successor to the former Independent Auditor role.

Priority 6: Establish Systemic Complaints Oversight Under the Forest Partnership

The Forest Partnership should establish a high-level oversight structure responsible for:

- systemic failures;
- unresolved complaints;
- appeals involving systemic issues;
- corrective-action plans;
- institutional responses;
- stakeholder participation;
- outstanding actions; and
- referral of legal issues to appropriate authorities.

Priority 7: Strengthen Enforcement and Remedy Pathways

Every substantiated complaint should result in a documented corrective action, remedy or referral, including:

- responsible institution;
- legal basis;
- implementation deadline;
- appeal rights; and
- verification arrangements.

Priority 8: Establish Measurable Performance Standards

The Forest Partnership should monitor:

- number of complaints received;
- acknowledgement rates;
- processing time;
- resolution rates;
- number of corrective actions;
- percentage implemented;
- appeals;
- enforcement referrals;
- systemic issues identified;
- unresolved cases; and
- frequency of public reporting.

Priority 9: Protect Complainants and Whistle-blowers

The mechanism should include confidentiality and protection against retaliation, particularly for persons reporting illegal logging, corruption, fraud or other forest-sector violations.

7. PROPOSED IMPLEMENTATION ROADMAP

Phase	Priority actions	Indicative output
Phase 1: Assessment	Review existing FDA procedures, forms, registers, case files, JIC records and Independent Auditor reports	Baseline assessment and lessons-learned report
Phase 2: Design	Agree institutional mandates, complaint categories, pathways and appeal arrangements	Forest Partnership Complaints Framework
Phase 3: Operationalization	Develop SOPs, forms, register, referral protocols and staff capacity	Operational complaints system
Phase 4: Accessibility	Establish county/community entry points and phone/SMS channels; train CSOs and community structures	Accessible multi-channel mechanism
Phase 5: Independent oversight	Establish Forest Governance Reviewer and systemic oversight arrangements	Independent accountability function
Phase 6: Transparency	Launch public complaints register and periodic reporting	Quarterly/annual complaints reports
Phase 7: Review	Assess performance against agreed indicators and stakeholder feedback	Annual performance and improvement report

8. CONCLUSION

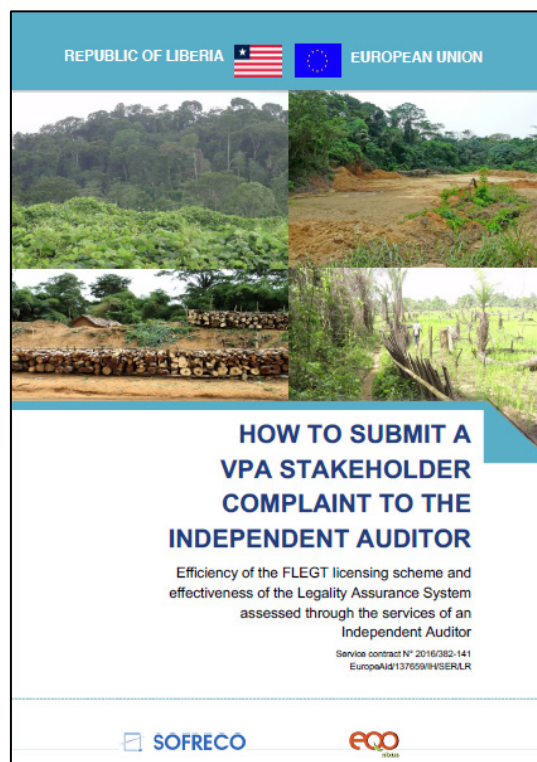
Liberia's VPA complaints mechanism represents a relatively strong institutional design that has not been matched by adequate implementation. The principal challenge is therefore to move from a framework that exists largely in normative and institutional terms to one that is accessible, operational, transparent, independently reviewed and capable of delivering enforceable remedies.

The future Forest Partnership provides an opportunity to preserve the accountability gains of the VPA while addressing its weaknesses. The new mechanism should clearly differentiate complaint types, establish a predictable complaint pathway, separate intake, investigation and decision-making functions, provide meaningful remedies and appeals, integrate enforcement and judicial pathways, and establish robust case management and public reporting.

Civil society, IFM organizations and communities should remain important participants in this system, particularly as complaint reception, evidence-generation, monitoring and accountability actors. However, the State must retain responsibility for establishing and operating the formal grievance-redress system.

The proposed Forest Complaints and Review Unit, Independent Forest Governance Reviewer and Forest Partnership Oversight Committee (JIC), supported by community-level entry points and competent enforcement authorities, would provide a more coherent institutional architecture. It would also enable the complaints mechanism to serve a broader purpose: not only resolving individual grievances, but identifying recurring governance failures and generating evidence for continuous improvement of Liberia's forest governance system.

The transition to the Forest Partnership should therefore be used as an opportunity to make grievance redress a core governance and accountability function, rather than simply an inherited component of the former VPA.



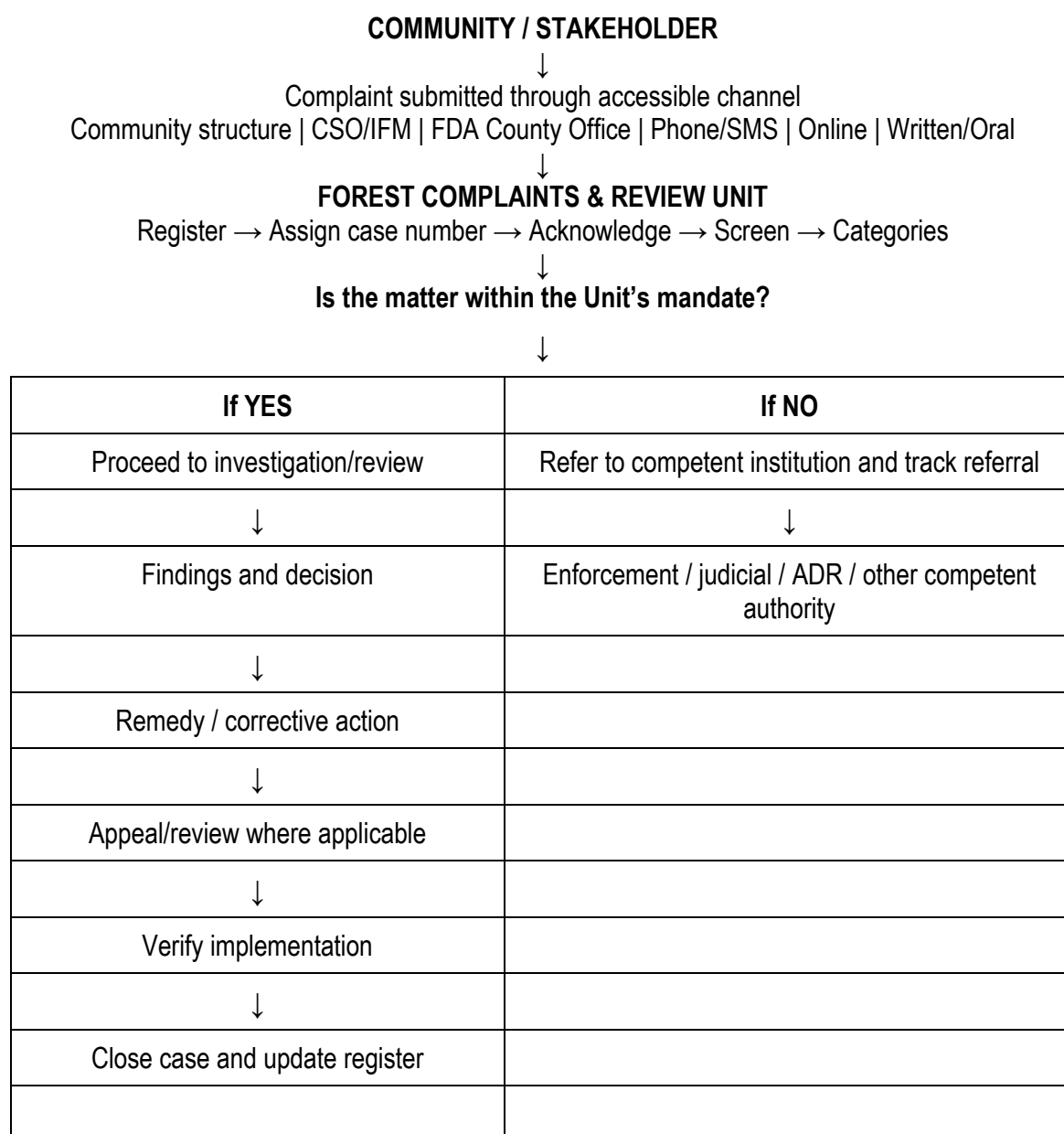
Sofreco's four page guide to submitting a complaint, from 2020

Annex

PROPOSED FOREST PARTNERSHIP COMPLAINTS MECHANISM

Proposed Grievance Redress Architecture and Flowchart

A. Institutional Flow



B. Escalation and Oversight

Operational complaint

- Forest Complaints & Review Unit / LVD
- Review / appeal
- Independent Forest Governance Reviewer, where applicable

Systemic complaint or unresolved institutional failure

- Independent Forest Governance Reviewer
- Forest Partnership Oversight Committee

Illegal activity / corruption / criminal conduct

- Competent enforcement authority
- Administrative / civil / criminal process as appropriate

Community or social dispute

- Appropriate community/customary/administrative/ADR mechanism
- Judicial remedy where necessary

C. Minimum Standards for Every Complaint

Stage	Minimum requirement
1. Submission	Multiple accessible channels
2. Acknowledgement	Unique reference number and acknowledgement within defined timeframe
3. Screening	Category, jurisdiction, urgency and confidentiality assessed
4. Investigation	Impartial investigation and opportunity to provide relevant information
5. Decision	Written, reasoned decision based on facts and applicable law
6. Remedy	Corrective action, enforcement referral or other appropriate remedy
7. Appeal	Clearly defined review and appeal rights
8. Implementation	Responsible institution and deadline identified
9. Verification	Compliance with remedy/corrective action verified
10. Closure	Formal closure after resolution or exhaustion of available remedies
11. Reporting	Anonymized information entered into public register

D. Core Principles

- Accessible
- Independent
- Transparent
- Timely
- Fair
- Confidential where necessary
- Rights-based
- Evidence-based
- Enforceable
- Participatory
- Accountable

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