

Liberia – EU FLEGT Voluntary Partnership Agreement
AIDE MEMOIRE
FOURTH MEETING OF THE JOINT IMPLEMENTATION COMMITTEE
Monrovia September 21-23rd, 2016

Introduction

1. The Fourth Joint Implementation Committee (JIC) meeting to oversee the implementation of the FLEGT Voluntary Partnership Agreement (VPA) between Liberia and the EU, took place in Monrovia on September 21-23rd, 2016. The meeting was co-chaired by Sister Mary Laurene Browne, OSF, Chair of the Board of Directors of the Forestry Development Authority, Republic of Liberia and Ambassador Tiina Intelmann, Head of EU Delegation to Liberia.
2. The Liberian team included representation from the Forestry Development Authority (FDA), Ministry of Agriculture (MoA), Ministry of Justice (MoJ), Ministry of Finance and Development Planning (MFDP), Ministry of Commerce and Industry (MOCI), Liberia Revenue Authority (LRA), National Authorizing Officer of the European Development Funds, National Bureau of Concessions (NBOC), communities, civil society and the private sector. The EU team included representation from the EU Delegation, EC headquarters and the UK Department for International Development (DFID). Experts from the EU FLEGT Facility and the FLEGT Facilitation also participated in the meetings. A participants list is attached as Annex 1 to this aide memoire.

Overview of the VPA achievements in 2016 and status of the VPA implementation

3. The JIC took stock of VPA achievements in 2016. Key achievements for the different elements are highlighted in the sections below and Annex 2 provides an overview of progress against the priorities outlined in the previous JIC. The two parties recognized that some important progress has been made, but admitted that in some areas the work is not on track. All the necessary structures exist to move the VPA forward, but a more structured plan is needed to guide all the different actors involved in the process. A clear plan is also needed to allow for an effective tracking of progress. FDA's limited budgetary allocation has been a bottle neck for the VPA implementation while the VPA is helping to generate and secure revenue from the forestry sector. EU and FDA agreed on the need to make the Government of Liberia more broadly accountable for the implementation of the VPA and to channel some of the resources back to the FDA and the forestry sector.

VPA Key Priorities / Forward Planning

4. The VPA SU presented a forward planning tool built on the 11 principles of the legality definition. It outlines high level milestones towards fully functioning FLEGT licensing system, based on a more detailed planning at activity level. JIC recognized the value of such tool. It mandated the VPA SU to work with FDA, SGS/LVD and all relevant stakeholders to fill in the missing details by the end of November, so that key milestones until FLEGT licenses and more detailed short-term priorities can be identified. This will be the focus of the 5th JIC.

5. The JIC decided to reconvene in a more informal format to agree on an actionable plan and milestones by the end of November. The NMSMC and LIC can then follow progress against this plan in their regular meetings.

Moving forward from the FLEGT Action Plan evaluation

6. The European Commission presented key results from the EU FLEGT Action Plan Evaluation, which was published mid-2016. The evaluation overall, recognized many positive aspects of FLEGT globally, including stakeholder engagement, forest governance improvements, and reduction in the demand for illegal timber. Some shortcomings identified in the Evaluation include: coordination inefficiencies, insufficient engagement of the private sector, and weak planning and monitoring systems.
7. In the Evaluation, it was concluded that FLEGT should remain high on the international agenda and support should target coordination improvements between all actors. The Evaluation also highlighted that going forward, implementation should be adjusted to phase in flexible support based on specific partner country positioning and overall feasibility. The European Commission highlighted that next steps for FLEGT, include developing a work plan for 2016-2020, and implementing a monitoring system that generates comprehensive progress report every two years.

Legality Assurance System development: Legality Verification Department (LVD) and LiberTrace

8. SGS, and the FDA Legality Verification Department (LVD), reported on achievements and priorities since the last JIC. These included LAS information system (LiberTrace) tests, development of a plan for the handover of LVD functions to FDA, review of legality verification and system procedures, and several training of trainers sessions on LiberTrace. SGS also presented on key priorities for the coming months. These include completing the ongoing trainings on LiberTrace for private companies, completing data migration from the former information system to LiberTrace, and the renovation of field offices for the LVD.
9. SGS and the FDA LVD team provided a progress update on the LiberTrace software. Based on the final User Acceptance Test (UAT) in March 2016, the LiberTrace software was accepted, with recommendations to pilot the system with real data for a few months to examine its overall capacity to manage a large amount of data. A joint evaluation mission involving DFID, FDA and EFI EU FLEGT Facility shall be scheduled in late 2016 to revalidate the software's full capacity. Concerns were raised around delays on the migration of data to LiberTrace, which was meant to be completed in April 2016. As migration is on-going, the JIC agreed that it would be good to understand in more detail, the reasons behind this delay, so that key hurdles can be resolved.
10. Ownership of the Intellectual property rights of the tracking software supplied by SGS were clarified. Article 14 of the contract between DFID and SGS (Annex 3) is addressing this. While software licensing remains the sole property of SGS, DFID has been granted a world-wide, non-exclusive, irrevocable, royalty-free license to use all the software.
11. SGS provided an update on the staffing requirements to handover the LVD to FDA. 12 LVD staff have been recently transferred and are currently undergoing training. The total estimated staff requirement for the LVD is 70 by the end of the project. FDA assured the JIC that all the staffing

and budgetary arrangements will be taken care of for the LVD and invited SGS to highlight hurdles as the transfer process progresses.

12. SGS also provided an update on the drafting of Standard Operating Procedures. FDA clarified that all procedures would be made public considering transparency commitments under VPA implementation. As there was a lack of clarity around existing procedures and their intended purpose, the EU requested that SGS develop a concise document that captures how the procedures enable Liberia to systematically verify key indicators of the VPA Legality matrix.
13. SGS highlighted that the service agreement between SGS and the Government of Liberia for the operation of the Chain of Custody system and the revenue collection function was signed in August. This contract complements the contract between DFID and SGS for the implementation of the Legality Assurance System.
14. SGS will commence the Region-3 pilot in January and conduct a review in March of 2017, of potential pilots in Regions 1 and 2 as well as staffing. Handover of Regions 1 & 2 will be completed between April-July of 2017. Staffing of Region 4 will take place in May while handover will be completed between September-December of 2017.

Legality Assurance System development: Update on Region 3 Pilot

15. The VPA Support Unit (VPA SU) and SGS/LVD presented the status of the LAS piloting in Region 3, which has been delayed by about 6 months. The piloting aims at testing and refining a streamlined FDA regional management structure; building capacity of the stakeholders on legality verification requirements and processes; addressing weaknesses in sustainable forest management practices related to legality definition principles 4, 5 and 8; field testing the coordination of law enforcement and administration of justice; rolling out the LiberTrace software. Eventually, the LAS implementation functions from SGS-LVD to FDA-LVD will be fully transferred according to agreed handover plans. Lessons from the Region 3 pilot shall be documented to gain in efficiency for the implementation of the LAS in other regions.
16. A new FDA regional management structure has been agreed. VPA SU has established baselines for capacity building support in Region 3 comprising of status of commercial forest recourse areas and LAS implementation capacities of relevant stakeholders (FDA, other ministries and agencies, forest operators, communities and civil society organizations). Four capacity building strategies have been developed and their implementation will start in October 2016. LAS piloting and LVD capacity building by SGS is commencing. LVD pilot handover will commence in January 2017

Human resources for LAS and capacity building

17. The SGS/LVD outlined the current staffing situation and 2016 achievements in capacity building for the LVD. Head office in Monrovia staffed, staffing of Region 3 is almost completed and staffing of Regions 1 and 2 is partially done. Staffing of the remaining Region 4 will be started in 2017. Basic and on-the-job training of the existing staff is on-going. Generally high age of the personnel selected for lateral transfers to LV and level of initial training of staff pose some challenges.

18. LiberTrace training to forestry operators is to be completed by end of October 2016. A training plan for LRA and MFDP on monitoring of the payment of the forest-related taxes with the help of LiberTrace has been developed.
19. VPA Support Unit presented broader capacity building achievements in 2016, including up-date of the Code of Harvesting Practices, establishment of GIS capacity at FDA, establishment of the VPA Secretariat at FDA, completion of the NGO Coalition resource center renovation. Capacity building at Environmental Protection Agency and Ministry of Labour is still at the early stages.
20. In the context of the capacity building support to LRA, a need for an interface for information transfer between LRA's system (SIGTAS) and LiberTrace was discussed. The exact needs and responsibilities of the SGS/LVD and the VPA SU remain to be clarified. It may not be cost-effective to develop a full IT interphase considering the limited amount of data that needs to be transferred per week.

Legality Assurance System development: Licensing and Independent Audit

21. To move towards the establishment of the Liberia Licensing Department within FDA, which will be the FLEGT licensing authority, a draft procedure for issuing FLEGT licenses has been developed. An operation plan remains to be finalized. Based on the plan, FDA needs to make budgetary and other provisions for creating the LLD in the fiscal year 2017/2018.
22. The contracting of the Independent Auditor of the legality assurance system is on-going through an international tender by the Government of Liberia through the National Authorizing Officer of the European Development Funds. Tender documents have been sent to two short-listed companies and the deadline for submission is October 24, 2016. Contract signature is expected by January 2017 and start of the contract implementation by February 2017.

Law enforcement and improvement of regulatory framework

23. Ministry of Justice (MOJ) provided an up-date on the efforts made to improve the legal capacity and coordination of MOJ and FDA. A Memorandum of Understanding (MoU) was signed between the two institutions in June 2016 to provide a framework for improved coordination. The MoU foresees quarterly meetings of the senior leadership of MOJ and FDA. First meeting is scheduled for October 2016 to discuss current compliance and enforcement issues, including progress on the review of existing forest concessions.
24. Further achievements in 2016 include the 2nd Forest Governance Workshop for the FDA law enforcement officers, prosecutors, Liberia National Police and National Port Authority with the focus on investigations into non-compliances/violations of the forestry laws. Based on the workshop, an Enforcement and Compliance Procedure Handbook was developed and is being finalized. MOJ-FDA legal team has also drafted an Administrative Procedure Regulation for the FDA that will allow FDA to hold administrative hearings to resolve disputes.
25. FDA provided a comprehensive work plan/timeline for the development, review and adoption of regulations, manuals and codes (see Annex 4). In response to a question, the MOJ clarified that according to the executive law, after a signature of a new/revised regulation by the FDA Managing Director, the regulation shall be sent to the President's Office for publication in the official gazette of the Government of Liberia. A regulation only needs to be adhered to if

people have had a notice of it, that is to say, it has been formally published in the official gazette.

26. Regarding conversion timber, FDA stated that the Government of Liberia has no intention of allowing timber from agricultural or mining concessions into the chain of custody system and/or exports. Hence, no new regulation is planned at this stage. Quantity of timber from conversion should be limited given that palm oil concessions should not deforest due to their commitments to Roundtable for Sustainable Palm Oil (RSPO) and Tropical Timber Alliance 2020, and mining does not involve large areas anyway. FDA explained that any unavoidable timber from conversion can be used locally and guidelines are being developed for this. FDA also highlighted the need for a policy dialogue and coordination on this issue with other natural resource use institutions (Ministry of Lands, Mines & Energy, Ministry of Agriculture and Environmental Protection Agency).
27. EU and Liberia agreed on the need to disseminate new regulations to the Liberian public, including local populations as a basis for better law enforcement. All relevant stakeholders need to be aware of their roles and responsibilities in compliance with the rules. The National Union of Community Forestry Development Committees (NUCFDC) asked for a simplified and illustrated version to be developed for the regulation on third party access to concession areas to help communities to understand the new regulation.
28. EU and Liberia also discussed the need for a combination of adequate legal and technical capacities in drafting or revising regulations. There may be need for an additional short-term support/capacity building in six months when the on-going legal support finishes. FDA will work with the VPA SU to identify needs for technical or legal support related to the development of the regulations. FDA also highlighted the importance of building the capacities of FDA employees through formal studies. EU suggested to look into the funding mechanisms built into the EU-Liberia fisheries agreement, which should support training of Bureau of fisheries staff, and explore if similar arrangements could be developed for the VPA.

VPA Impact monitoring

29. The Impact Monitoring Working Group presented their first report to the JIC. Based on the working group's meeting and stakeholder consultations in 2016, seven key modules/ potential VPA impacts were decided (1) VPA Negotiation and Implementation History, (2) Process History around Stakeholder Engagement, (3) Capacity Building, (4) Livelihoods, (5) Forest Cover and Condition, (6) Forest Revenues, and (7) International Markets and Private Sector.
30. The JIC accepted key recommendations made by the Impact Monitoring Working Group including the addition of the National Union of CFDCs as members, shifting coordination of the working group to the VPA Secretariat and the acceptance of the outline of the Impact Monitoring Framework and draft Monitoring Questions. The working group advised that additional resources would be needed to fill gaps around the collection of data, and that they would work with EFI EU FLEGT Facility to map out potential sources of funding to help fill these gaps. The working group will provide clear processes and responsibilities around the implementation of the impact monitoring work by the next JIC.

Communication and transparency measures

31. The FDA Public Affairs Division (PAD) provided an update on VPA communication and transparency activities in 2016. To implement the Freedom of Information Act and related commitments in the VPA Annex XI, FDA has designated Public Information Officer, developed an information request form and a protocol for handling requests within FDA.
32. Priorities for the rest of 2016 and 2017 include improvement of the FDA website to make it easier to navigate and populating the website with additional information and documents; establishment of the FAO Document and Data Center; continuing awareness raising of the Ministries, Agencies and Commissions (MACs) about the VPA process; development of communication plans for private sector and civil society; further enhancing VPA awareness with FDA HQ and regional offices; and extending VPA awareness to communities through varied channels.
33. EU once again stressed the need to do more to communicate the VPA and its value to the public. A concrete work plan is needed for the period between 4th and 5th JIC identifying key communication milestones. To guide communication activities beyond the next JIC, EU proposed to use expertise from the EU FLEGT Facility to develop a common EU-Liberia VPA communication strategy, including joint messages, by the 5th JIC.
34. EU requested to crosscheck information already available on the FDA website against the list in the VPA Annex X. A comparison shall be presented at the 5th JIC. In the name of transparency, the JIC decided to make all the presentations made at the JIC meetings available on-line.
35. EU also reminded about the need to jointly advance on the 2015 joint annual report to publish it before the end of 2016. It mandated a drafting team consisting of the FDA Deputy Managing Director, Liberia VPA Secretariat, FLEGT Facilitation Office and EFI EU FLEGT Facility to take the work forward.

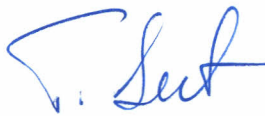
Follow-up of stakeholder concerns from the last JIC and new issues raised by stakeholders

36. FDA's Community Forestry Department provided an update on the status of Community Forestry Management Agreement (CFMA) applications. It was highlighted that 120 applications have been submitted to FDA to date. FDA clarified that the majority of CFMA applications were from communities that had interest in commercial forestry rather than conservation. FDA also highlighted that, of the CFMAs currently in the allocation process, nine communities have gone through steps one through six of the process. FDA detailed that its timeframes around the allocation of CFMAs depend highly on the availability of resources and logistics. Further details on the status of CFMA applications and progress on steps in the process can be found in Annex 5.
37. Liberia Timber Association stressed that during the CFMA application process, the government should defer to communities on what the community actually desires to do with their forest. FDA clarified that the government does not impose its will on the communities but rather, communities have the power to decide what they want to do with their forest in the CFMA application process. FDA stressed that in line with the laws of Liberia, CFMAs (regardless of whether they are for commercial or conservation purpose), should only be managed sustainably, and provide clear benefits to affected communities.

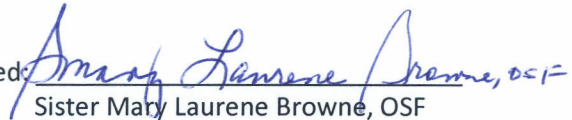
38. The Community Forestry Department at FDA and USAID/ PROSPER provided an update on the harmonization of the Community Rights Law (CRL) and its regulations. After a review period with key stakeholder and partners, the revised regulation, incorporating comments was posted on the FDA website mid-September. The regulation will be submitted for public review the week of September 26, 2016. The 60-day period of notice will be observed (ending Nov 18, 2016 and, although not a legal requirement, a national public meeting will be held. After the necessary period of review with MOJ, FMAC, and the FDA Board, the amended CRL will be submitted for approval in December 2016. As the Government of Liberia also just passed the Land Authority Act, FDA clarified that its responsibility and mandate still remains, to provide oversight of forest resources, and to regulate commercial forestry and conservation activities.
39. The Chair of the National Benefit Sharing Trust (NBST) Board provided an update on the transfer of funds from the government to NBST. Thus far, the Board has received sixteen project proposals from communities. The majority of proposals were targeted at infrastructural projects/ construction (schools, clinics, roads, etc). In total, the Board has disbursed \$114,000 to three communities who have met all of the Board's proposal, procurement and disbursement requirements. In providing an update on the government's disbursements to the Board, FDA highlighted that thus far, the Government of Liberia has disbursed 1.25 million to NBST. An outstanding balance remains to be paid. The EU commented that data on the disbursements made to the NBST should be made public and generally more accessible. FDA agreed that space could be allocated for this purpose on the FDA website.
40. The Liberia Timber Association used the occasion of the JIC to formally launch its website (www.libtimber.com) and the documentary 'Liberian Logging Industry – The Untold Story'. The documentary will be made available on the LTA website. Stakeholders were also informed of a new communication tool, FLEGT.org. EFI EU FLEGT Facility will send instructions to all JIC participants, on how to subscribe to FLEGT.org.
41. Several forest sector donor partners also presented updates to the JIC on their project progress. Highlights included the World Bank's presentation of their Forest Carbon Partnership Facility REDD+ grant deliverables and key components of the Liberia Forest Sector Project (LFSP). USAID provided an overview of PROSPER and FIFES , while GIZ shared details around the Tai-Sapo project.
42. Additional stakeholder concerns raised at the JIC included (1) support for the chainsaw and timber dealers' union (LICSATDUN), (2) comprehensive reporting of land rental fees collected by the government, (3) technical issues with the FDA website around the availability of information, and updated forms and templates, (4) concerns about enhancing FDA and communities' overall ability to monitor social agreements and (5) the potential impact that the allocation of a large number of CFMAs could have on forests.

Date of the next JIC meeting

43. The 5th meeting of the JIC is scheduled for the 2nd half of March 2017 in Monrovia. The EU will take the lead in organizing the next meeting.

Signed: 

Ambassador Tiina Intelmann
EU Delegation to Liberia

Signed: 

Sister Mary Laurene Browne, OSF
Chair of the FDA Board of Directors

Date: 23.09.2016

Date: September 23, 2016

4th JIC meeting
September 21-23, 2016
List of Stakeholders and Participants

Participating Stakeholder Groups:

Government of Liberia (GoL)

1. Forestry Development Authority (FDA)
2. Ministry of Agriculture (MoA)
3. Ministry of Finance & Development Planning (MFDP)
4. National Authorizing Office - MFDP
5. Environmental Protection Agency (EPA)
6. Ministry of Justice (MoJ)
7. Liberia Revenue Authority (LRA)
8. National Social Security & Welfare Corporation (NASSCORP)
9. National Bureau of Concessions (NBC)

Private Sector

1. Liberia Timber Association (LTA)
2. Liberia Chainsaw & Timber Dealers Union (LICSATDUN)

Civil Society Organizations

1. NGO Coalition of Liberia
2. National Union of Community Forest Development Committee (NUCFDC)

International Partners

1. European Union
2. Department For International Development (DFID)
3. DAI
4. European Forestry Institute (EFI)
5. The IDLgroup

Support Team

1. VPA Support Unit
2. VPA Secretariat/FDA
3. SGS
4. FLEGT Facilitation

List of Participants

European Delegation

- | | |
|-------------------------------|-----------------------------------|
| 1. Ambassador Tiina Intelmann | Head of Delegation |
| 2. Mr. Alberto Menghini | European Union (EU) |
| 3. Mr. Hubert Blom | European Union (EU) |
| 4. Madam Lorpu Faith Scott | European Union (EU) |
| 5. Mr. Christopher Price | European Commission (EC) |
| 6. Ms. Lea Turunen | European Forestry Institute (EFI) |
| 7. Mr. Thomas de Franqueville | European Forestry Institute (EFI) |
| 8. Ms. Sheelagh O'Reilly | IOD PARC |
| 9. Ms. Marieke Wit | DFID |

Liberian Delegation

- | | |
|----------------------------------|--|
| 1. Sr. Mary Laurene Browne, OSF | Forestry Development Authority (Board Chair) |
| 2. Hon. Harrison S. Karnwea, Sr. | Forestry Development Authority |
| 3. Hon. Kederick F. Johnson | Forestry Development Authority |
| 4. Mr. Edward S. Kamara | Forestry Development Authority |
| 5. Madam Victoria Y. Cole | Forestry Development Authority |
| 6. Mr. Myer Jargbah | Forestry Development Authority |
| 7. Mr. Aaron N. Kota, Sr. | Forestry Development Authority |
| 8. Mr. Anthony Varwen | Forestry Development Authority |
| 9. Mr. Musa O. Lymas | Forestry Development Authority |
| 10. Mr. Rex A. Henry | Forestry Development Authority |
| 11. Mr. Richie G. Grear | Forestry Development Authority |
| 12. Cllr. John Wonsehleay | Forestry Development Authority |
| 13. Cllr. Mousa A. Dassama, Sr. | Forestry Development Authority |
| 14. Madam Deroe A. Weeks | Ministry of Agriculture |
| 15. Mr. Ivan L. Hart | Ministry of Finance & Development Planning |
| 16. Madam Martus W. Bangalu | National Authorizing Officer |
| 17. Mrs. Jarsa V. Okai | Environmental Protection Agency |
| 18. Hon. Frederick Gbemie | Ministry of Justice |
| 19. Hon. Kou Dorliae | Ministry of Justice |
| 20. Cllr. James A.A. Pierre, II | Ministry of Justice |
| 21. Cllr. Viamo Blama | Ministry of Justice |
| 22. Mrs. Elfrieda S. Tamba | Liberia Revenue Authority |
| 23. Mrs. Deontee King-Sackie | Liberia Revenue Authority |
| 24. Mrs. Athelia Grasco Karvah | Liberia Revenue Authority |
| 25. Mr. Augustine A. S. Teekloh | Liberia Revenue Authority |
| 26. Mr. Simon R. Karbah | National Social Security & Welfare Corporation |

27. Mr. Robert Paywala	National Social Security & Welfare Corporation
28. Mr. Edwin Walker	National Bureau of Concession
29. Mr. Rudolph J. Merab, Sr.	Liberia Timber Association
30. Mr. Ekema A. Witherspoon	Liberia Timber Association
31. Mr. Arthur T. Karngbeae	Liberia Chainsaw & Timber Dealers Union
32. Mr. Matthias Yeanay	NGO Coalition
33. Mrs. Julie T.B. Weah	Foundation for Community Initiatives
34. Mr. Jonathan Yiah	Sustainable Development Institute
35. Mr. Lawrence Moore	Green Advocates
36. Mr. Martin Tumoe	ACORD
37. Mr. Augustus F. Kwalah	NUCFDC
38. St. Solomon Peters	NUCFDC
39. Mr. Edward Q. Teah	NUCFDC
40. Mr. Michael M. Robert	NUCFDC

International Observers

1. Mr. Kofi Ireland	UNMIL
2. Mr. Alexander Kingston	USAID
3. Mr. Peter Aldinger	PROSPER
4. Mr. James T. Kpardehyea	FIFES/FDA
5. Letla Mosenene	FIFES
6. Mr. Sekou Abou Kamara	World Bank
7. Peter Lowe	Ambero Consulting Gesellschaft mbH/GIZ

International Partners

1. Mr. Simon Balfé	DAI
2. Mr. Donald Lunan	DAI

Support Team

1. Mr. Abraham Guillen	VPASU
2. Mr. Wolfgang Thoma	VPASU
3. Mr. Ikem Eronini	VPASU
4. Mrs. Queta R. J-Hessou	VPASU
5. Mrs. Rose Kparkar	VPASU
6. Ms. Susan Sulloe	VPASU
7. Mr. Frederic Teppe	SGS
8. Mr. Shiv Panse	SGS
9. Mr. Simulu Kamara	LVD
10. Mrs. Oona Burke-Johnson	FLEGT Facilitation

11. Mrs. Rose T. J-Blidi
12. Mr. Charles K. Miller
13. Mr. Nick B. Goll
14. Mr. Daniel D. Wleh

FLEGT Facilitation
VPA Secretariat
VPA Secretariat/FDA
VPA Secretariat/FDA

Annex 2: Status of 2016 VPA implementation priorities defined at the 3rd JIC

KEY OUTPUTS	KEY PRIORITIES 2016	STATUS AT THE 4 th JIC
1. VPA Implementation Structures Established		
JIC established	Convene 3 rd and 4 th JIC	Completed
Annual Reports	Publish 2015 annual report	Pending (publication by end of 2016)
JIC procedures established	Approve JIC procedures	Pending
JIC Complaint mechanism developed	To be discussed at JIC	Not addressed
Cross department coordination	To be discussed at LIC. Is this agency redundant given the effectiveness of the NMSMC?	Completed. Decision made to maintain the IACC.
National stakeholder committee for monitoring VPA	Coordinate transition of Secretariat functions from VPA SU to Government	Completed
Liberia Licensing Department (LLD) fully operational	FDA/LRA to discuss and define when LLD is to become operational	Not addressed
2. Capacity Improved		
Public Administration: comprehensive training & investment plan	CBIP for FDA approved and implementation initiated	Plan approved.
	Capacity needs assessment for new LVD staff followed by updating of CBIP version 1	Ongoing (version 2 of the CBIP under preparation)
	FDA approval and implementation initiated for FDA Region 3 re-structuring plan covering FDA's Commercial, Community Forestry and other Departments	Partly completed (Structure approved. Plan exist, but implementation pending)
	Review of FLE Dept	Not addressed
	Develop and deliver training in reviewing forest management plans for FDA and private sector	Not addressed
	Review of harvesting code completed including field testing	Completed
	Training on basic species identification and timber grading (regional level)	Ongoing (1 training done; further training up-coming)
	Refresher training on reviewing forest management provided annually	Not addressed.

	<p>Discussion with GoL on issues arising from mock legality audits (audit report shared with GoL in final quarter of 2015)</p> <p>Forest maps for 7 FMCs and CFMA in FDA Region 3 developed by FDA; training in GIS to generate forest maps, basic satellite image interpretation, GPS applications</p>	<p>Ongoing (discussion has started, but needs to continue)</p> <p>Completed.</p>
Public Administration: Implementation of capacity-building plan	<p>Equipping of office in Buchanan for launch of LiberTrace pilot in mid-2016</p> <p>Install equipment in Zorzor office See above</p> <p>Implement the CBIP for EPA, LRA and MoL</p>	<p>Pending.</p> <p>Not addressed.</p> <p>Ongoing (most of the CBIP remains to be implemented)</p>
Training for commercial Private Sector	<p>Reviewing forest management planning harvesting code of practices and GIS remote sensing.</p> <p>Training and field testing of LiberTrace with LVD and private sector</p> <p>Assist NGO Coalition in reviewing social agreements with CFDCs.</p>	<p>Completed.</p> <p>Completed</p> <p>Ongoing</p>
Outreach to small scale chainsaw operators	<p>FAO report completed with support from VPA SU. Recommendations based on report.</p>	<p>Ongoing (studies on-going, but somewhat delayed)</p>
Outreach by Civil Society to build capacity of communities	<p>NGO Coalition resource center building finalized and equipped</p> <p>Continue supporting NGO Coalition Secretariat</p> <p>Assist NGO Coalition's independent forest monitoring program</p> <p>Assist NUCFDC Secretariat in coordination with NGO Coalition</p> <p>Support CFDCs in collaboration with the NGO Coalition in preparing project proposals to</p>	<p>Building completed, equipping on-going</p> <p>Ongoing</p> <p>Not addressed</p> <p>Ongoing</p> <p>Ongoing</p>

	NBSTB Support NGO Coalition on monitoring the NBST	Ongoing
3. Financial mechanisms established and resources secured for VPA effective implementation		
Long-term sustainable national financing secured for operation of the LAS	Financial proposal for the side agreement signed	Completed
4. LAS: Legality verification established		
Develop further the COC system to capture the full VPA scope	Mechanism established comprising of legal and technical experts to advise on LAS issues	Not addressed
	Expansion of scope of CoC is contingent on finalization of relevant regulations (eg imported timber, abandoned logs)	Pending adoption of regulations
	Revision of CoC Standard Operating Procedures to align with the new LiberTrace software	Completed
Legality verification procedures incorporating new regulatory requirements developed	Finalization of verification procedures by end of Q1 2016	Pending adoption of regulations
Data management systems developed to incorporate VPA requirements	Final User Acceptability Testing (UAT) for LiberTrace in March 2016	Completed
	Build on current helpdesk function to expand to a wider LAS complaints mechanism	Ongoing
	Migration from LiberTrack to LiberTrace to be completed by April 2016	Delayed to October 2016
	LiberTrace going live in May	Delayed
Detailed procedures and guidance developed for abandoned logs and confiscated timber	Completion of procedures and guidance (based on results of the stock take and passing of the regulations)	Pending adoption of the regulation
Detailed procedures and guidance for imported timber	- Completion of procedures and guidance (based on results of the stock take and passing of the regulations)	Pending adoption of the regulation
Domestic market and informal sector integrated into the LAS		Pending studies and review of the regulation

Agriculture-sourced products integrated into the LAS (rubber and other plantation wood)		Pending development of guidelines/regulations
Government body established to oversee service contract	Monthly meetings of the LVD Project Board	Completed
ESP building and operating the LVD (including working with FDA staff seconded to ESP)	Staffing needs for 2015-2016 are clear but pending	Completed partly
	Updated capacity building plan for LVD beyond 2015	Completed
ESP building capacity of different government agencies for legality verification as prescribed in detailed procedures	Training of MACs on procedures and LiberTrace	Not addressed
Transfer of verification functions to the LVD in the FDA	Transfer of functions to commence in the final quarter of 2016	Ongoing
5. LAS: Licensing established		
Licensing procedures developed by the LLD	First draft of licensing procedures and training manual developed in March/April 2016	Completed
6. LAS: Independent Audit established		
LAS Independent auditor contracted	Scope of work of IA to be agreed and tender process launched by March 2016. IA to be contracted by the end of 2016	Ongoing (contract to be completed by end of 2016)
7. FLEGT licenses accepted in the Union		
External evaluation of functioning of the LAS and Union procedures	--	--
8. Civil society monitoring established		
Capacity building for civil society to conduct monitoring	Increased capacity building of CS-IFM to enable national coverage (NGO Coalition)	Not addressed
	Support of capacity building in monitoring according to the NGO Coalition strategic plan	Not addressed
	Build the capacity of CFDCs to also conduct monitoring	Not addressed
9. Law enforcement and regulatory framework improved		
Regulation on abandoned logs in concession areas adopted	Adoption by the FDA Board Procedures and Guidelines drafted	Pending adoption by the Board
Detailed procedures and guidance for timber in transit	Procedures and guidance for timber in transit developed and	Pending review by FMAC, adoption by the FDA Board,

adopted	adopted after adoption of the regulation	signature by the FDA MD and publication.
Regulations on transit timber adopted	Adoption by the FDA Board and procedures developed	Pending review by FMAC, adoption by the FDA Board, signature by the FDA MD and publication.
Regulations on timber imports adopted	-Adoption of regulation by FDA board	Pending review by FMAC, adoption by the FDA Board, signature by the FDA MD and publication.
Regulations for confiscated timber adopted	Adoption of regulation by the FDA Board	Pending review by FMAC, adoption by the FDA Board, signature by the FDA MD and publication.
Refinement of procedures for social agreements and other social and environmental provisions in place	-Revise legality verification procedures to incorporate new social agreement template	Not addressed
Regulation on third party access to concession areas adopted	Adoption of regulation by FDA board and develop procedures	Pending review by FMAC, adoption by the FDA Board, signature by the FDA MD and publication.
Charcoal regulation (for Wood-based biomass)	Complete national validation	Validation completed. Regulation pending review by FMAC, adoption by the FDA Board, signature by the FDA MD and publication.
PUP regulation adopted	Regulation to be vetted and approved	Not yet (first draft elaborated)
Harmonization of the CRL and regulations	Approval of harmonized regulation	Pending adoption by the Board
Regulation on timber processing adopted	Review (and possible revision) of regulation to ensure applicability	Not yet (review has not started)
Regulation on Revised fiscal policy and Bid Premium Payments	Stakeholder consultations planned for 2016	Not yet (draft pending circulation for public comments)
Guidelines for Plantation Forests		Drafted and sent out for comments in August 2016
Guidelines for Timber from Agricultural and Mining Concessions	Guidelines for Timber from Agricultural and Mining Concessions developed and adopted	A manual drafted and awaiting stakeholder comments
Guideline for Complaints Mechanism Procedures	Start reflection on all VPA-related complaint mechanisms in general	Not addressed.
Resolve remittance of funds up to 2014 to county-level	To be resolved in 2016	Partly addressed (some of the funds remitted)
Establish a debarment list	Procedures for inclusion on debarment and suspension list clarified	Not addressed.

Guideline for improvement of EIA processes and environmental management within timber contract area	Develop guidelines/ checklist for EIA for forestry operations, training on application	Completed (checklist to be further adapted through Region 3 pilot)
Develop regulation for strengthening the safety and welfare of workers involved in the logging industry	Develop guideline/ checklist for worker safety for forestry operations, training in application	Completed (checklist to be further adapted through Region 3 pilot)
Law enforcement capacity strengthened	Provide assistance to carry out 4 legal workshops by FDA and MOJ. Provide assistance to FDA MOJ legal team in regulatory work, enforcement and administration of justice	Ongoing Ongoing
10. Regulation and monitoring of domestic market		
Procedures for legal verification for the domestic market established in the LAS (integration in the legality verification and in COCs)	--	--
Assessment of contribution by the informal sector to the national (local) economy	Institutional and sector study to be initiated by FAO in early 2016	Ongoing (study by Building Markets in collaboration with FAO being completed)
11. Monitoring the impact of the VPA		
Monitoring framework agreed by the JIC	To be agreed at the JIC	Partly completed (draft framework agreed as basis for further work)
12. Communication		
A costed communication plan for raising public awareness prepared	--	--
Communication plan for raising public awareness implemented	Assist the FDA REDD+ Project with uploading of relevant FLEGT/ VPA regulatory and relevant reports. Assist PAD in establishing a documentation center, develop communications materials (newsletter, radio messages, flyers) with emphasis to reach the FDA Region 3	Ongoing Ongoing
Public information sites established (see Annex IX)	Annex IX information available on FDA website Establish a documentation and database center at FDA HQ	Ongoing (part of the information available) Not addressed
Public information capacity established	--	FOI Act procedure and request form developed at FDA

Guidelines for developing social agreements (developed and) published	Distribution to stakeholders scheduled for Jan 2016	Completed
Targeted guidance for LAS compliance for different stakeholders	Develop LAS illustrated materials for outreach with communities and general public	Not addressed
VPA impact monitoring reports published	Work on development of VPA monitoring framework to be initiated	Completed (work initiated)
JIC reports published	2015 annual report published and JIC aide memoires published	Ongoing (2015 report remains to be published, aide-memoires published after each meeting)

Annex 3: Intellectual Property Rights provisions from the LVD contract

Extracts from the contract between DFID and SGS (“the Supplier”) for supplier services for “Establishing and Operating a Timber Legality Verification Department (LVD) within Liberia’s Forest Development Authority (FDA) and Building Capacity within FDA”:

- 14.1 All intellectual property rights in all material (including but not limited to reports, data, software licensing, designs whether or not electronically stored) produced by the Supplier’s Personnel pursuant to the performance of the Services (“the Material”) shall be the property of the Supplier.
- 14.2 The Supplier hereby grants to DFID a world-wide, non-exclusive, irrevocable, royalty-free licence to use all the Material, with the exception of software licensing which remains sole property of the supplier.
- 14.3 For the purpose of Clause 14.2, “use” shall mean without limitation, the reproduction, publication and sub-licence of all the Material and the intellectual property rights therein, including the reproduction and sale of the Material and products incorporating the same for use by any person or for sale or other dealing anywhere in the world.

Annex 4: Work plan/Time line for the Development, Reviews and adoption of Regulations, Manuals and Codes

Steps	Activity	Status	Next steps and Time frame	Pending Procedure (Reg. 101-07)
WAITING FMAC AND BOD APPROVAL	Six Regulations: 1. Abandoned timber 2. Confiscated timber 3. Third party access 4. Transit Timber 5. Imported timber 6. Biomass	Validation completed December 2015 and January 2016	Five regulations Completed by SU and submitted to FDA for approval on June 30, 2016	✓ Regulations to be numbered by FDA.; ✓ Forest Management Advisory Committee (FMAC) review and comments; ✓ FDA Board of Directors (BOD) review and comments; ✓ FDA incorporate comments FMAC & BOD; ✓ FDA signature by Managing Director; ✓ FDA provides paper copies of the approved and signed Regulation, to the Regional Offices for distribution to the parties involved in the regional vetting.
DRAFTED DOCUMENTS	Regulation on Revised Fiscal Policy and Bid Premium Payment	Draft completed Priority 2016/2017	<ul style="list-style-type: none"> • Circulation for Public comments (Reg. 101-07, Section 23, b (1)(A)) and • Regional vetting 	✓ Incorporation of public comments ✓ FMAC review and comments; ✓ FDA BOD review and comments; ✓ FDA incorporate comments from FMAC & BOD; ✓ FDA signature by Managing Director; ✓ Distribution of approved and signed regulation to the regional offices for participants during the vetting
	Private Use Permit (PUP) Regulation	First Draft elaborated Priority 2016/2017	✓ Circulation for Public comments (Reg. 101-07, Section 23, b (1)(A)) and <ul style="list-style-type: none"> • Regional vetting 	✓ Incorporation of comments ; ✓ FMAC review and comments; ✓ FDA BOD review and comments; ✓ FDA incorporate comments from

				<p>FMAC & BOD;</p> <ul style="list-style-type: none"> ✓ FDA signature by Managing Director; ✓ Distribution of approved and signed regulation to the regional offices for participants during the vetting.
	Harmonization for Community Rights Law and Regulation	Drafted Priority 2016-2017	<ul style="list-style-type: none"> • Being Circulated and waiting for public comments 	<ul style="list-style-type: none"> ✓ Incorporation of comments ; ✓ FMAC review and comments; ✓ FDA BOD review and comments; ✓ FDA incorporate comments from FMAC & BOD; ✓ FDA signature by Managing Director; ✓ Distribution of approved and signed regulation to the regional offices for participants during the vetting;.
	Manual for Timber from Agriculture and Mining Concession	Drafted	<ul style="list-style-type: none"> • Awaiting stakeholder comments from draft Guideline; • Policy coordination with Natural Resource use institution (Min. Lands, Mines & Energy, Min. Agriculture, EPA) for further discussions 	<ul style="list-style-type: none"> ✓ Analyze and incorporate comments in the review of the proposed Manual; ✓ Submit proposed Manual to the FDA Board of Directors for review and Approval. (follow Regulation 101-07, section 37).
	Manual for Plantation Forests	Drafted and sent out for comment in August 2016	<ul style="list-style-type: none"> • Comments analyses and incorporated ; • The revised draft to be sent to Board of Directors 	<ul style="list-style-type: none"> ✓ Analyze and incorporate comments in the review of the proposed Manual (follow Regulation 101-07, section 37); ✓ Submit the proposed Manual to the FDA Board of Directors for review and Approval (follow Regulation 101-07, section 37).

	Manual for Tree Felling Allowance for Forest Access Road	Drafted Priority 2016-2017	<ul style="list-style-type: none"> To be sent out for public comments 	<ul style="list-style-type: none"> ✓ Analyze and incorporate comments in the reviews of the proposed Manual (follow Regulation 101-07, section 37); ✓ Submit the proposed Manual to the FDA Board of Directors for review and Approval (follow Regulation 101-07, section 37);
	Administrative Enforcement Regulation	First Draft elaborated Priority 2016-2017	<ul style="list-style-type: none"> ✓ To be sent out for Public comments (Section 23, b (1)(A)) and • Regional vetting 	<ul style="list-style-type: none"> ✓ Incorporation of public comments; ✓ FMAC review and comments ; ✓ FDA BOD review and comments; ✓ FDA incorporate comments from FMAC & BOD; FDA signature by Managing Director; ✓ Distribution of approved and signed regulation to the regional offices for participants during the vetting.
	Enforcement Handbook	Drafted Priority 2016-2017	<ul style="list-style-type: none"> • To be reviewed by FDA 	<ul style="list-style-type: none"> ✓ Analyze the comments and employ them in the revision of the proposed Handbook; ✓ Submit the proposed handbook to the FDA Board for Approval
DUCUMENTS THAT ARE STILL BEING REVIEWED	EIA Regulation # 113-08	To be reviewed Priority 2016/2017	<ul style="list-style-type: none"> • Technical Working Group to complete review; • Circulate for Public comments (Reg. 101-07, Section 23, b (1)(A)) and • Regional vetting 	<ul style="list-style-type: none"> ✓ Incorporation of comments; ✓ FMAC review and comments; ✓ FDA BOD review and comments; ✓ FDA incorporate comments from FMAC & BOD; ✓ FDA signature by Managing Director;

				<ul style="list-style-type: none"> ✓ Distribution of approved and signed regulation to the regional offices for participants during the vetting;
Timber Processing Regulation # 112-08	To be reviewed Priority 2016/2017	<ul style="list-style-type: none"> • Technical Working Group to complete review; • Circulate for Public comments (Reg. 101-07, Section 23, b (1)(A); and <ul style="list-style-type: none"> • Regional vetting; 	<ul style="list-style-type: none"> ✓ Incorporation of public comments; ✓ FMAC review and comments ; ✓ FDA BOD review and comments; ✓ FDA incorporate comments from FMAC & BOD; ✓ FDA signature by Managing Director; ✓ Distribution of approved and signed regulation to the regional offices for participants during the vetting 	
Forest Management Guidelines	To be Reviewed Priority 2016-2017	<ul style="list-style-type: none"> • Technical Working Group to complete review; define if guideline to be approved as manual to be covered under regulation 101-07 section 37 • Circulate for Public comments (Section 23, b (1)(A) 	<ul style="list-style-type: none"> ✓ Analyze and incorporate comments in the review as manual or guideline (follow Regulation 101-07, section 37); ✓ Submit revised the proposed guidelines for FDA Board for Directors review and approval (follow Regulation 101-07, section 37) . 	
Regulation # 115-11 Chainsaw Milling	Market study in process by EU/FAO FLEGT Priority 2016/2017	<ul style="list-style-type: none"> • Establish a Technical Working Group to review; • Review of the regulation by the Working; • Circulation for Public comments (Reg. 101-07, Section 23, b (1)(A)) <ul style="list-style-type: none"> • Regional Vetting; 	<ul style="list-style-type: none"> ✓ Incorporation of public comments; ✓ FMAC review and comments; ✓ FDA BOD review and comments; ✓ FDA incorporate comments from FMAC & BOD; ✓ FDA signature by Managing Director; ✓ Distribution of approved and signed regulation to the regional 	

				offices for participants during the vetting.
DOCUMENT TO BE DRAFTED	Regulation on Work Safety and Welfare in timber industry	To be drafted Priority 2016 - 2017	<ul style="list-style-type: none"> • To be drafted by the In-house Lawyers 2016/2017 • Circulation for Public comments (Reg. 101-07, Section 23, b (1)(A)) and vetting 	<ul style="list-style-type: none"> ✓ Incorporation of public comments ✓ FMAC review and comments ✓ FDA BOD review and comments; ✓ FDA incorporate comments from FMAC & BOD; ✓ FDA signature by Managing Director; ✓ Distribution of approved and signed regulation to the regional offices for participants during the vetting

Annex 5 – Status of CFMA applications

CFMAs Update by Partners

No.	Category	Steps Completed	No. of communities Involved
1.	USAID/PROSPER Sponsored pilot communities	1– 6	8
2.	FDA sponsored Communities	1	13
3.	FDA sponsored Communities	1–2	74
4.	FDA sponsored Communities	1–4	24
5.	FDA sponsored Communities	1–6	1
Total			120

CFMAs Processes by Counties

No.	County	Step 1	Step 1–2	Step 1–4	Step 1–6	Total
1	Rivergee	–	7	2	–	9
2	Grand Kru	–	6	–	–	6
3	Grand Bassa	5	6	5	2	18
4	Sinoe	7	11	5	–	23
5	Gbarpolu	–	10	3	–	13
6	Cape Mount	–	8	2	–	10
7	Lofa	–	3	–	–	3
8	Bong	–	1	–	–	1
9	Margibi	–	–	–	1	1
10	Maryland	–	3	2	–	5
11	Nimba	–	3	–	6	9
12	Rivercess	1	4	3	–	8
13	G. Gedeh	–	12	2	–	14
Total						120