Liberia – EU FLEGT Voluntary Partnership Agreement

AIDE MEMOIRE

THIRD MEETING OF THE JOINT IMPLEMENTATION COMMITTEE

Monrovia January 20-22nd, 2016

Introduction

1. The third Joint Implementation Committee (JIC) to oversee the implementation of the FLEGT Voluntary Partnership Agreement (VPA) between Liberia and the EU, took place in Monrovia on January 20-22nd, 2016. The meeting was co-chaired by Ambassador Tiina Intelmann, Head of European Union Delegation to Liberia and Sister Mary Laurene Browne OSF, Chair of the Board of Directors of the Forest Development Authority, Republic of Liberia.
2. The Liberian team included representation from the Ministry of Agriculture (MoA), Forestry Development Authority (FDA), Ministry of Justice (MoJ), Ministry of Finance and Development Planning (MFDP), Liberia Revenue Authority (LRA), 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 Office also participated in the meetings. A participants list is attached as Annex 1 to this aide memoire.

Overview of the VPA achievements in 2015 and status of the VPA implementation

3. The JIC took stock of VPA achievements in 2015. Key achievements for the different elements are highlighted in the sections below and further detail is provided in Annex 2. The two parties were encouraged by the progress made in the implementation of this agreement since the last JIC meeting in early June 2015. VPA implementation is making up for the time lost during the Ebola crisis with the support and commitment from the Government of Liberia, forest-sector stakeholders, the EU and the implementation partners.

VPA oversight and management structures

4. At the occasion of the JIC, the first joint annual report of the VPA covering the period up until the end of 2014 was published. Printed copies of the report were shared with participants of the meeting. The report is also available on the FDA website (www.fda.gov.lr) and other websites.
5. On behalf of Liberia, the MoJ summarized the comments on the draft rules of procedure for the functioning of the JIC and the arbitration procedures for the VPA which were sent to the EU in September 2015. It was agreed that MoJ would resubmit their comments to the EU for formal consideration. It is expected that the rules of procedure and the arbitration procedures will be formally adopted in the 4th meeting of the JIC.

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

6. SGS, contracted to build, operate and transfer the Legality Assurance System (LAS) in support of the Legality Verification Department (LVD), reported on the achievements of 2015 priorities

since the last JIC. These include initial user acceptance test of the software (LiberTrace) in June2015, establishment of the LiberTrace Helpdesk and LAS auditor training of trainers in October as well as completion of field testing of LiberTrace in December. SGS also provided a demonstration of the LiberTrace software.

7. SGS presented the draft plan to hand over the LVD functions to the FDA by the end of their contract in October 2018. It includes criteria for assessing FDA readiness to assume responsibility for LVD functions. The key milestone for 2016 is the completion of the pilot handover of LiberTrace in FDA Region 3 in October. Interim milestones for this year are detailed in Annex 2, Section 4. Key milestones proposed beyond 2016 include scaling up the handover to other Regions completed by February 2017 and completion of the handover of the LVD headquarter functions to FDA by Nov 2017.

8. During 2016, together with the LiberTrace, the full legality verification system will be rolled out. A plan on rolling out the full legality verification system and law enforcement will be presented in the fourth meeting of the JIC.

9. Participants raised questions about the rights of the LiberTrace software. FDA clarified that these details are being negotiated as part of a side agreement between the Government of Liberia and SGS.

10. In response to a comment by a community representative, SGS clarified that at this stage a direct access to the LiberTrace software by communities was not foreseen. Other mechanisms exist to make information available, notably the FDA website, LVD monthly reports and Liberia Extractive Industries Transparency Initiative (LEITI). Communities can also request information under the Freedom of Information Act.

11. FDA outlined steps taken to address the recommendations from the Chain of Custody system stocktake carried out in April-May 2015. Remaining actions include up-dating of the Chain of Custody standard operating procedures in order to improve information management, enforcement of the Code of Foresting Harvesting Practices and application of the non-compliance management rules, once finalized, in collaboration with the SGS/LVD.

Legality Assurance System development: Licensing and Independent Audit

12. In order to move towards the establishment of the Liberia Licensing Department (the FLEGT licensing authority) within FDA, a first draft of the FLEGT licensing procedures will be developed by SGS in March 2016. FDA will make budgetary and other provisions for creating the LLD in the fiscal year 2016/2017.

13. The contracting of the Independent Auditor of the Legality Assurance System will take place in 2016. The Auditor will be financed by the 10th European Development Fund (EDF) and contracted through an international tender by the Government of Liberia through the National Authorizing Officer of the EDF within MFDP. The objective is to have the Auditor contracted from around October 2016 to the end of 2019. The Independent Audit will start before the LAS system is fully completed, but it is understood that the Auditor's recommendations would be useful to improve the system while it is being developed.

Human resources for LAS and capacity building

14. Following the strategic review/capacity gap analysis, the FDA has in principle, endorsed the VPA Support Unit's (VPA SU) capacity building plan. Implementation of the plan will begin with a

pilot in Region 3 in early 2016. The capacity building plan provides an opportunity for the five FDA technical departments to work collaboratively.

15. Although the challenges remain significant regarding staffing of the LVD, significant progress has been made in 2016. 19 staff were laterally transferred to LVD. FDA was also successful in sourcing additional budget allocation for the remaining 15 staff targeted for the LVD for 2014/2015, and has recruited these individuals. However, the lateral transfers have created gaps in the Commercial Department, where functions remain unassigned. Furthermore, due to the general economic downturn there is currently no budget at FDA for the targeted round of staff to be recruited for the LVD in 2015/2016 (24 staff). The FDA management assured that it remains committed to establishing an efficient and functional LVD that can take over the SGS functions. It will take every possible action to provide the manpower to be recruited, trained and deployed.

16. FDA raised the concern that the implementation of the capacity building implementation plan depends heavily on FDA's financial ability to retire pensioners honorably and recruit younger trainable staff. FDA noted that this would require additional budget, and intervention from external donors.

17. The EU highlighted that under the implementation of the VPA, the Liberian government is generating revenue, so it is envisioned that government's functions under VPA and the staff who perform them, should eventually be self-sustaining. Although uncertain about what additional support could be provided, the EU is willing to discuss how to support the staff capacity. DFID added that if FDA is unable to position staff to perform functions, thought should also be given to alternative strategies for delivering on those services.

18. SGS provided further detail on LVD capacity building achievements and priorities. These capacity building achievements and priorities can be found in further detail in Annex 2.

19. The VPA SU provided an update on achievements and 2016 priorities for capacity building initiatives beyond the LVD. Highlights included completion of the renovation of the FDA HQ building, finalization of development plans for EPA, LRA and Ministry of Labor, finalisation and equipment of the NGO Coalition Resource Center, as well as completion of strategic planning exercises for Community Forest Development Committees, and the Liberia Timber Association. The capacity building achievements and priorities can be found in detail in Annex 2.

Law enforcement and improvement of regulatory framework

20. A new support package by DFID and EU to build the legal capacity of the FDA and MoJ has provided four legal experts, two for each of the institutions. With this support and an appointment of a legal counsellor at FDA, the legal section of the FDA is now functional. The support is improving the coordination between FDA and MoJ. Initial capacity building training was held in November 2015 regarding the legal framework in Liberia and compliance and enforcement principles and approaches.

21. Six regulations (on abandoned timber, confiscated timber, timber in transit, imported timber, third party access in concession areas and charcoal/biomass) were vetted and validated at the national level in December 2015. Final comments submitted from the validation remain to be inserted and submitted to the FDA Board for approval. Some stakeholders were concerned that the latest drafts circulated after the validation workshop still did not address all the comments

provided. FDA and MoJ ensured that comments would be integrated and the amended copy would be shared with stakeholders before the approval by the FDA Board.

22. As agreed in the previous JIC meeting, the EU had provided written comments to the draft regulations on timber in transit and imported timber in July 2015. The EU requested to receive a written response to its comments. It also recommended FDA and MoJ to follow a systematic approach to compile and record actions taken upon comments from all stakeholders.

23. The harmonization of the Community Rights Law and its regulation was overseen by a committee headed by the NGO coalition and supported by a consultant financed by the USAID-funded community forestry support project, PROSPER. The National Multi-Stakeholder Monitoring Committee (NMSMC) received and reviewed the report of the committee and forwarded this to the Liberia Implementation Committee (LIC) where it received approval. It has been agreed at a meeting of the NMSMC in January 2016 that given the significance of this regulation, it would be subjected to regional and national vetting. On conclusion of that process, it will be shared with the Forest Management Advisory Committee for their review and onward transmission to the FDA Board for approval.

24. In the domain of law enforcement and regulatory framework, FDA outlined the following priorities for 2016, including:

- Drafting and giving legal effect to regulation on Revised Fiscal Policy and Bid Premium
- Revision of Timber Processing Regulation #112-08
- Development of guidelines for plantation forests
- Drafting and giving legal effect to regulation on Timber from Agriculture and Mining Concessions
- Concluding an MOU between MoJ and FDA for coordination in forestry law enforcement requiring monthly coordination meetings between FDA Managing Director and the MoJ
- Development of guidelines for compliance/enforcement to be utilized by the FDA Commercial Department and for improved coordination between the Commercial Department and the LVD
- Training session planned for March 2016 for MoJ Prosecutors and FDA Lawyers and a 2nd capacity building training planned for the 3rd quarter 2016
- Addressing the legal issues of debarment.

25. SGS raised a question about the process to integrate new requirements in the VPA legality matrix upon completion of new laws/regulations. JIC participants referred back to the process of developing the legality matrix in the first place during the VPA negotiations: It is important to assure that the amendments to the legality matrix (or other VPA annexes) are developed through a proper process involving the existing multi-stakeholder structures. Once the Liberian stakeholders have elaborated a consensual draft amendment to the matrix, formal procedures exist for agreeing on the amendment between Liberia and the EU. MoJ reminded that once a regulation is effective, everybody is responsible for complying with it, even if it is not yet included in the legality matrix.

VPA impact monitoring

26. The experts of the EU FLEGT Facility and IOD PARC presented a possible approach to the development of the VPA impact monitoring in line with the VPA article 17 and Annex X. The JIC

decided to establish a joint working group to lead the work in this domain consisting of representatives of the FDA Strategic Planning Unit, EU Delegation, Liberia Timber Association, NGO Coalition, Ministry of Justice, VPA Support Unit and SGS/LVD. EU FLEGT Facility and IOD PARC will provide expertise and support to the working group. The JIC tasked the working group to start and advance the development of an impact monitoring framework before the next JIC meeting, so that decision can then be taken by the JIC to steer the process.

27. EU highlighted the importance to link the findings of the impact monitoring to the VPA communication efforts. Stakeholders also encouraged the EU and the rest of the JIC to organize field trips to observe impacts on communities first hand.

Communication and transparency measures

28. The JIC recognized the positive developments in forest sector transparency. The FDA Public Affairs Division (PAD) presented key communication achievements to date, including publishing of the first volume of the FDA newsletter "Forest Echo", VPA process awareness raising within FDA headquarters and in Region 3 and two radio talk shows on local radio stations in Monrovia and Nimba county. The EU stressed the importance of informing the public about the efforts made in the context of the VPA using simple, easily digestible messages.

29. PAD also walked the JIC through the new FDA website (www.fda.gov.lr), demonstrating the information already made available under 'Publications' and 'Lib.FLEGT/VPA' tabs in accordance with Annex IX of the VPA (see Annex 3 for a list of information currently available). The FDA website is a work in progress and FDA invited stakeholders to recommend additional documents that they deem necessary to be placed on the website. It was agreed that the PAD would get access to the shared file system where LVD monthly reports are deposited, so that they can be uploaded on the website.

30. PAD informed that a request format is being developed for accessing information under the Freedom of Information Act.

VPA key priorities for 2016

31. Key priorities for 2016 have been outlined in the sections above. They are summarized in the Annex 2 to this aide memoire for details.

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

32. FDA senior management advised that the pilot testing of the process to award Community Forestry Management Agreements (CFMAs) with nine communities had now reached step five out of nine steps of the CFMA approval process. These pilot communities included one with interests in commercial forestry, led by the FDA, and eight with an interest in conservation, led by FDA , with support from the USAID-funded PROSPER project.

33. Further to these, the application process for CFMAs has now begun in a number of other communities for which applications had been received and subjected to vetting by the Community Forestry Working Group (CFWG). These applications are now at step two out of nine of the process, which involves the posting of notices in the respective communities. FDA senior management advised that with the exception of one community where an objection was lodged, no other concerns had been raised. For those areas passing step two of the process, it

has been agreed that key individuals engaged in that process will be requested to sign affidavits to attest that due process has been followed.

34. FDA senior management commented that ensuring that all the necessary procedures and processes are followed and documented at each step is costly and time consuming and that given their budgetary constraints, the time taken to complete this processes is further extended. They also emphasized that despite pressure to accelerate the process, they were under no obligation to do so and that ensuring full legal compliance would remain a priority.

35. The Government of Liberia won its case against employees dismissed for their role in the issuance of Private Use Permits (PUPs). The case is not yet final however, as those who received a custodial sentence, have filed an appeal to the Supreme Court. A PUP remains a valid license that can be issued by the FDA once the PUP regulation has been promulgated. The next steps are to subject the draft regulation to the required vetting and make it operational. GoL made a decision to sell some of the timber that had come from PUPs and to put 50% of the proceeds of this sale into an escrow account. There is currently a little over US$500,000 in this account. A decision on what to do with these funds is pending the outcome of administrative processes and any final appeals taken to the Supreme Court.

36. The transfer of US$1m of funds owed to communities from their 30% share of the land rental fee, was deposited in the account of the National Benefit Sharing Trust (NBST) in August 2015. In October, a strategic retreat was held for the Trust Board and key sector stakeholders, during which a resolution and workplan for the Board was adopted. The Board will recruit finance and administration staff in February 2016. Once these are in place, they will be able to disburse the 10% compensation payment owed to Community Forestry Development Committees (CFDCs). They have also adopted a proposal template and checklist to assist communities with their applications to the Trust to secure funding for community development projects. To manage expectations, a calculation has been made and communicated to each community as to the quantum of funds that will be made available to them. The JIC was informed that the Government of Liberia has budgeted to make a further payment to the NBST this year. The Liberia Anti-Corruption Commission has offered to work with the Trust to help them to put in place systems to guard against corruption.

37. Further to the 2nd JIC, an approach has been made to the FAO FLEGT Program regarding support to the study on the domestic market. Although the scope of the study has yet to be confirmed, it is expected to include: assessment of chainsaw logging and timber consumption on the domestic market, updating current volumes and prices; a legal assessment of how the Chainsaw Milling Regulation aligns with other regulations such as the amended Community Rights Regulation; and a review of practical options for the inclusion of chainsaw timber in the chain of custody and broader LAS.

38. The conversion of forested land to agriculture, particularly within large scale agricultural concessions, is an issue of growing concern internationally. In Liberia the FDA have had to deal with requests coming from one such concession holder seeking approval for communities to clear a forested part of their concession area for conversion to palm oil. Companies producing palm oil in Liberia have made commitments to work in accordance with the protocols set out by the Roundtable on Sustainable Palm Oil (RSPO), which prevents them from planting palm oil on such land. Furthermore, Liberia does not yet have a regulation covering the extraction of

timber from areas allocated for mining or agricultural concessions. FDA senior management emphasized the importance of ensuring that the sector not be brought into disrepute by allowing such timber onto the market, as this would undermine the gains made in the VPA process to date. Civil society acknowledged that the FDA had acted swiftly in dealing with this issue and commended them for keeping stakeholders informed of developments on the matter.

39. In October 2015, a report was published by the European Court of Auditors on support to the FLEGT Action Plan. Although Liberia had not been one of the countries visited by the Audit team, the report questioned the investment being made by the EU in Liberia, when the current volume of trade in timber products to the EU was negligible. The publication of this report had raised concerns among Liberian stakeholders that the commitment of European stakeholders to the implementation of the agreement might have waned since its ratification. The Liberian stakeholders stressed that the level of support to Liberia reflected that the Liberian forestry sector was still in a post-conflict reform phase, which is not the case for most of the other VPA countries. The JIC invited Saskia Ozinga of FERN and David Young of Global Witness, as representatives of European NGOs that have supported Liberian NGOs throughout the VPA process in Liberia, to share their perspectives on the value of the process.

40. Ms Ozinga stated that having followed the process since 2006, it was impressive to see the progress that had been made in the sector over that time, which included the action taken by the Government to address the abuse of Private Use Permits and the transfer of funds to the National Benefit Sharing Trust. She placed particular emphasis on the fact that by allowing communities to be directly represented in the national multi-stakeholder monitoring committee (NMSMC), Liberia was unique among VPA partner countries and was setting an example that others should follow. She commented that while it was important for the Court of Auditors to monitor spend of the European Commission, the comments related to whether that money should have been spent in Liberia were misguided. She emphasized the need for stakeholders to work to better communicate achievements and offered assurances of FERN's continued support to the process in Liberia, at country level and within the EU. These comments were supported by David Young.

41. The EU acknowledged the value of support from both international and national NGOs in support of VPA implementation and announced the launch of a call for proposals by the European Commission for organizations working to support FLEGT and/or REDD+ processes. The total value of this call is €25m, with €3m of this available for projects covering Liberia, Côte d'Ivoire and Ghana. Details of this call can be found on the website of the European Commission.

Date of the next JIC

42. The 4th meeting of the JIC is scheduled for the 2nd half of September 2016 in Monrovia. Liberia will take the lead in organizing the next meeting.

43. A joint field visit will be organized as part of the VPA impact monitoring work in the dry season (late 2016 or early 2017).

Signed: _____

Ambassador Tiina Intelmann
EU Delegation to Liberia

Date: 22.01.2016

Signed: _____

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

Date: January 22, 2016

Annex 1: List of participants

3rd VPA Joint Implementation Committee Meeting, 20th -22nd January, 2016
(including technical sessions and stakeholder meeting)

Liberia Team

1.	Sr. Mary Laurene Browne, OSF	-	FDA Board Chair
2.	Hon. Harrison S. Karnwea, Sr.	-	Managing Director, FDA
3.	Hon. Darlington Tuagben	-	FDA
4.	Mr. Simulu Kamara	-	FDA/LVD
5.	Mr. Musa O. Lymas	-	FDA
6.	Madam Victoria Cole	-	FDA
7.	Mr. Edward S. Kamara	-	FDA
8.	Mr. Philip K. Joekolo	-	FDA
9.	Mr,. Joseph J. Tally	-	FDA
10.	Cllr. John K. Wonsehleay	-	FDA
11.	Cllr. Mousa A. Dassama, Sr.	-	FDA
12.	Mr. Anthony Vahnwan	-	FDA/PAD
13.	Rex A. Henry	-	FDA/PAD
14.	Hon. Charles McClain	-	MOA
15.	Cllr. Benedict F. Sannoh	-	MOJ
16.	Hon. Kou Dorliae	-	MOJ
17.	Hon. James A. A. Pierre	-	MOJ
18.	Cllr. Viama Blama	-	MOJ
19.	Hon. Decontee King-Sackie	-	LRA
20.	Hon. Stanley Barh	-	MFDP
21.	Mr. Ivan Hart	-	MFDP
22.	Alex S. Wuo	-	MOCI
23.	Hon. Edwin Walker	-	NBOC
24.	Mr. Mullar Pantoe	-	NBOC
25.	Mrs. Jarsa V. Okai	-	EPA
26.	Mr. Robert Paywala	-	NASSCORP
27.	Hon. Rudolph J. Merab, Sr.	-	Private Sector
28.	Mr. Ekema Witherspoon	-	Private Sector
29.	Hon. Matthias Yeanay	-	CSO
30.	Ms. Venessa Togba	-	CSO
31.	Mr. Jonathan Yiah	-	CSO
32.	Mr. J. Augustus Kwalah	-	NUCFDC
33.	Mr. Edward Q. Teah	-	Community
34.	Mr. Michael Robert	-	Community
35.	Mr. Solomon Peters	-	Community
36.	Mr. Arthur Karngbae	-	LICSATDUN

European Union Team

1.	Amb. Tiina Intelmann	-	Head of EU Delegation
2.	Mr. Alberto Meghini	-	EU Delegation
3.	Mr. Hubert Blom	-	EU Delegation
4.	Mr. Christopher Price	-	European Commission
5.	Madam Julia Falconer	-	DFID
6.	Madam Marieke Wit	-	DFID (PMST)

International Partners

1.	Madam Ruth Malleson	-	ROM Monitor
2.	Mr. David Young	-	Global Witness
3.	Saskia Ozinga	-	FERN
4.	Mr. Eugene Cole	-	PROSPER
5.	Mr. Kofi Ireland	-	UNMIL

VPA Implementation Support

1.	Madam Clare Brogan	-	FLEGT Facilitation Office
2.	Mrs. Oona Burke-Johnson	-	FLEGT Facilitation Office
3.	Mrs. Rose T. Blidi	-	FLEGT Facilitation Office
4.	Ms. Deona S. Yerkerwolo	-	FLEGT Facilitation Office
5.	Mr. Thomas de Francqueville	-	EFI
6.	Ms. Lea Turunen	-	EFI
7.	Madam Sheelagh O'Reilly	-	IOD PARC
8.	Mr. Abraham Guillen	-	VPA SU
9.	Mr. Wolfgan Thoma	-	VPA SU
10.	Mr. Charles Miller	-	VPA SU
11.	Mr. Dixon P. Gblah	-	VPA SU
12.	Mrs. Queta J-Hessou	-	VPA SU
13.	Ms. Susan Sulloe	-	VPA SU
14.	Mr. Simon Balfe	-	DAI
15.	Mr. Donald Lunan	-	DAI
16.	Mr. Francis K. Odoom	-	SGS
17.	Mr. Clinton Bambridge	-	SGS
18.	Dr. Shiv S. Pause	-	SGS

Annex 2: VPA Key Achievements for 2015 and Key Priorities for 2016

KEY OUTPUTS	KEY PRIORITIES 2015	KEY ACHIEVEMENTS 2015	KEY PRIORITIES 2016
1. **VPA Implementation Structures Established**			
JIC established	3rd meeting of JIC held	--	Convene 3rd and 4th JIC
Annual Reports	Publish 2013-2014 annual report	2013-2014 report published	Publish 2015 annual report
JIC procedures established	LIC/MoJ Comments on the drafts Formal approval in the 3rd JIC	Liberia provided comments to EU and are awaiting response	Approve JIC procedures
JIC Complaint mechanism developed	-		To be discussed at JIC
Cross department coordination	Monthly meetings of the Inter Agency Coordination Committee	Two unsuccessful attempts to hold IACC meetings since last JIC	To be discussed at LIC. Is this agency redundant given the effectiveness of the NMSMC
National stakeholder committee for monitoring VPA	Monthly meetings of the NMSMC	Monthly meetings of NMSMC in 2015	Coordinate transition of Secretariat functions from VPA SU to Government
Liberia Licensing Department (LLD) fully operational	FDA/LRA to discuss and define when LLD is to become operational	No discussion to date regarding timing of establishment of LLD	FDA/LRA to discuss and define when LLD is to become operational
2. **Capacity Improved**			
Public Administration: comprehensive training & investment plan	- Complete capacity gap analysis for FDA and all relevant MACs - Complete plan for staffing and training in LVD and other departments - Development plans approved and implementation initiated for FDA's Commercial and Community Forestry Departments - Functions of Forestry Law Enforcement Department. and Planning Unit reviewed	- Capacity gap analysis completed for EPA, LRA and MoL and capacity plan developed and endorsed by each - Capacity gap analysis of FDA completed and approved by FDA -12 new LVD staff (9 of which laterally transferred) started work in December - FDA Region 3 Re-structuring plan completed pending FDA approval	-CBIP for FDA approved and implementation initiated - Capacity needs assessment for new LVD staff followed by updating of CBIP version 1 - FDA approval and implementation initiated for FDA Region 3 re-structuring plan covering FDA's Commercial, Community Forestry and other Departments

	- Review of sustainable forest management plans completed for CFMA and FMC	-Review of SFM plans for CFMA and FMC completed	-Review of FLE Dept -Develop and deliver training in reviewing forest management plans for FDA and private sector
	- Review of harvesting code completed	-Preliminary review of harvesting code by VPA SU resulting in developing ToR for deep review of HCP including field testing	- Review of harvesting code completed including field testing
	- Build capacity in timber grading/ scaling	SGS completed training in grading/scaling for LVD staff and some private sector	- Training on basic species identification and timber grading (regional level)
	- Template for compliance reporting established (legality checklist)	-Legality checklist developed by consultant expert and validated with FDA and other stakeholders and tested through mock audits	-Refresher training on reviewing forest management provided annually -Discussion with GoL on issues arising from audit (audit report shared with GoL in final quarter of 2015)
	- Application manual drafted and endorsed by FDA for community forestry (9 steps for authorized community)		-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
	- FDA GIS Unit Development plan designed, approved and implementation initiated; equipment and software supplied; staff trained	- GIS unit development plan approved. GIS lab established with equipment supplied and staff trained	
Public Administration: Implementation of capacity-building plan	- Completion of FDA HQ building	Building completed and equipped with air-conditioning, furniture and equipment. Inauguration scheduled for Jan 2016	
	- Zorzor and Buchanan offices equipped and fully functional	SGS made some investment in offices at Buchanan but more work needed on these offices in 2016	Equipping of office in Buchanan for launch of LiberTrace pilot in mid-2016
		VPA SU has procured equipment for Zorzor office	Install equipment in Zorzor office

	- Filing system established across FDA - Develop plans and initiate implementation of priorities for all MACs	No work on this in 2015 See above	See above -Implement the CBIP for EPA, LRA and MoL
Training for commercial Private Sector	- Functional Secretariat established - Training in COC system & legality matrix - At least one PS Stakeholder has developed a community engagement plan - Sustainable forest management plans reviewed (FMC, CFMA)	LTA board competitively recruited a secretariat who subsequently developed LTA workplan for 2016 Training in COC system for new LVD staff. Training in Legality matrix for LVD, other relevant Government departments, private sector and civil society No work on this in 2015 Reported on above	 Reviewing forest management planning harvesting code of practices and GIS remote sensing. Training and field testing of LiberTrace with LVD and private sector Assist NGO Coalition in reviewing social agreements with CFDCs.
Outreach to small scale chainsaw operators	-	FAO-funded study to review chainsaw market and institutional assessment of chainsaw union was approved	FAO report completed with support from VPA SU. Recommendations based on report.
Outreach by Civil Society to build capacity of communities	- NGO Coalition resource center building finalized and equipped - NUCFDC Strategic plans finalized and implementation initiated - Revive Board of the NBST Support the process for disbursement of funds from the GoL to NBST and then to CFDC	Resource center site assessment completed and tender launched for completion of necessary works NUCFDC strategic plan finalized. Annual workplan for 2016 has been developed. -First meeting of the board in Q3 of 2015. Strategic retreat of board members in early Q4 -Initial disbursement of $1m secured in August 2015.	- NGO Coalition resource center building finalized and equipped - Continue supporting NGO Coalition Secretariat - Assist NGO Coalition's independent forest monitoring program Assist NUCFDC Secretariat in coordination with NGO Coalition Support CFDCs in collaboration with the NGO Coalition in preparing project proposals to NBSTB - Support NGO Coalition on monitoring the NBST

3. Financial mechanisms established and resources secured for VPA effective implementation			
Long-term sustainable national financing secured for operation of the LAS	-	Technical proposal for the side agreement negotiated and signed	Financial proposal for the side agreement signed
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 Expansion of scope of CoC is contingent on finalization of relevant regulations (eg imported timber, abandoned logs) Revision of CoC Standard Operating Procedures to align with the new LiberTrace software
Legality verification procedures incorporating new regulatory requirements developed	Legality verification procedures tested and finalized for existing regulatory requirements (New regulatory requirements remain to be addressed)	Verification procedures have been drafted and shared with stakeholders through the Technical Advisory Committee.	Finalization of verification procedures by end of Q1 2016
Data management systems developed to incorporate VPA requirements	- New system (LiberTrace) tested for existing VPA requirements - LiberTrace for existing VPA requirements validated - Incorporate Complaint mechanism in LiberTrace - Incorporate joint planning for transitioning from old LiberTrack to new system LiberTrace	- Field testing of LiberTrace completed in December 2015 -Developed helpdesk function for dealing with application of LiberTrace software in October 2015 -Migration of data and systems and operations from old to new system is ongoing	Final User Acceptability Testing (UAT) for LiberTrace in March 2016 -Build on current helpdesk function to expand to a wider LAS complaints mechanism -Migration from LiberTrack to LiberTrace to be completed by April 2016 -LiberTrace going live in May
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)	-Development of procedures is awaiting finalization of relevant regulations	- Completion of procedures and guidance (based on results of the stock take and passing of the regulations)

Detailed procedures and guidance for imported timber	-	-Development of procedures is awaiting finalization of relevant regulations	- Completion of procedures and guidance (based on results of the stock take and passing of the regulations)
Domestic market and informal sector integrated into the LAS	-	-Development of procedures is awaiting finalization of relevant regulations	
Agriculture-sourced products integrated into the LAS (rubber and other plantation wood)	-	-Development of procedures is awaiting finalization of relevant regulations	
Government body established to oversee service contract	- GoL - SGS contract monitoring structure defined and established	LVD Project Board met once a month in 2015.	Monthly meetings of the LVD Project Board
ESP building and operating the LVD (including working with FDA staff seconded to ESP)	- Staffing of FDA LVD (2015 needs) - Updated capacity building plan for LVD beyond 2015	-Staffing of LVD for 2014-2015 was completed in December 2015 -Capacity building plan beyond 2015 is outstanding due to late recruitment of 2015 staff	-Staffing needs for 2015-2016 are clear but pending -Updated capacity building plan for LVD beyond 2015
ESP building capacity of different government agencies for legality verification as prescribed in detailed procedures	- Participation of MACs in field testing of procedures and LiberTrace - Training of MACs on procedures and LiberTrace	-Ministry of Finance and Development Planning, LRA and MoJ invited to participate in field testing -Training not carried out on this in 2015	-Training of MACs on procedures and LiberTrace
Transfer of verification functions to the LVD in the FDA	-		Transfer of functions to commence in the final quarter of 2016
5. LAS: Licensing established			
Licensing procedures developed by the LLD	-		First draft of licensing procedures and training manual developed in March/April 2016
6. LAS: Independent Audit established			
LAS Independent auditor contracted	TOR developed		Scope of work of IA to be agreed and tender process launched by March 2016. IA to be contracted by the 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 - Support of capacity building in monitoring according to the NGO Coalition strategic plan	-Forest Monitoring was incorporated as a separate program area with deliverables under the updated NGO Coalition Strategic Plan	- Increased capacity building of CS-IFM to enable national coverage (NGO Coalition) - Support of capacity building in monitoring according to the NGO Coalition strategic plan -Build the capacity of CFDCs to also conduct monitoring
9. Law enforcement and regulatory framework improved			
Regulation on abandoned logs in concession areas adopted	- National validation - Adoption by the FDA Board - Procedures and Guidelines drafted	-National Validation completed	- Adoption by the FDA Board - Procedures and Guidelines drafted
Detailed procedures and guidance for timber in transit adopted	Procedures and guidance for timber in transit developed and adopted after adoption of the regulation	No work on procedures as awaiting the approval of the regulation	Procedures and guidance for timber in transit developed and adopted after adoption of the regulation
Regulations on transit timber adopted	- Review and comments by EU incorporated - National validation - Adoption by the FDA Board	EU comments incorporated and national validation completed	Adoption by the FDA Board and procedures developed
Regulations on timber imports adopted	- Review and comments by EU incorporated - National validation - Adoption by the FDA Board	EU comments incorporated and national validation completed at end of December 2015	-Adoption of regulation by FDA board
Regulations for confiscated timber adopted	- National validation - Adoption by the FDA Board	National validation is completed	Adoption of regulation by the FDA Board
Refinement of procedures for social agreements and other social and environmental provisions in place	- Complete the social agreement guidelines and template (currently one document) applicable to FMCs and TSCs	-Social agreement guidelines and template has been completed	-Revise legality verification procedures to incorporate new social agreement template

Regulation on third party access to concession areas adopted	- National validation - Adoption by the FDA Board	National validation has been completed	Adoption of regulation by FDA board and develop procedures
Charcoal regulation (for Wood-based biomass)	- National validation - Adoption by the FDA Board	National validation scheduled for January 2016	Complete national validation
PUP regulation adopted	-	Not a priority for 2015	Regulation to be vetted and approved
Harmonization of the CRL and regulations	- Complete harmonization of CRL and CRL Regulation for proposed amendment to Regulation - Adoption by FDA Board	Harmonized draft has been developed with support from a PROSPER-funded consultant and has been reviewed by the NMSMC. National vetting is planned for 2016	Approval of harmonized regulation
Regulation on timber processing adopted		Was not a priority for 2015 as there are currently no timber processing facilities	Review (and possible revision) of regulation to ensure applicability
Regulation on Revised fiscal policy and Bid Premium Payments	-	Not a priority for 2015	Stakeholder consultations planned for 2016
Guidelines for Plantation Forests	-		
Guidelines for Timber from Agricultural and Mining Concessions	Guidelines for Timber from Agricultural and Mining Concessions developed and adopted		Guidelines for Timber from Agricultural and Mining Concessions developed and adopted
Guideline for Complaints Mechanism Procedures	-		Start reflection on all VPA-related complaint mechanisms in general
Resolve remittance of funds up to 2014 to county-level	To be resolved 2015	Unresolved	To be resolved in 2016
Establish a debarment list	Define GoL position regarding the debarment list	FDA and MoJ legal support team have been requested to clarify procedures for companies and individuals to be included in a debarment and suspension list	Procedures for inclusion on debarment and suspension list clarified
Guideline for improvement of EIA processes and environmental management within timber contract area	-		Develop guidelines/ checklist for EIA for forestry operations, training on application
Develop regulation for strengthening the safety and welfare of	-Regulation drafted by FDA -National vetting	Need to confirm whether harvesting code of practice is adequate and whether	Develop guideline/ checklist for worker safety for forestry operations,

workers involved in the logging industry	-Adoption by FDA board of director by the next JIC	regulation is needed. FDA's view is that regulation is unnecessary	training in application
Law enforcement capacity strengthened	- Legal capacity expertise built in the FDA & MoJ as specified in ELI FLED/MoJ subcontracted delivered according to ToRs; - FDA Legal Section re-established and fully supported as specified in ELI FLED/MoJ subcontract delivered; - FDA/LVD staffed and trained to implement new LiberTrace system to ensure compliance with VPA process	-Legal support team hired for both FDA and MoJ and mobilized in October 2015 -Training for FDA and MoJ staff in legal compliance and enforcement -Legal advisor assigned by FDA from within existing staff and working with support of FDA legal support team Information on this can be found above	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
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	LICSATDUN institutional study and Chainsaw sector study (FAO financing)	- LICSATDUN institutional study and Chainsaw sector study approved	-Institutional and sector study to be initiated by FAO in early 2016
11. Monitoring the impact of the VPA			
Monitoring framework agreed by the JIC	--	--	To be agreed at the JIC
12. Communication			
A costed communication plan for raising public awareness prepared	- Presentation of and discussion on FDA PAD communications plan in the 2nd JIC meeting	--	--
Communication plan for raising public awareness implemented	- PAD fully established and functioning in FDA HQ and four regional offices;	-PAD functioning in FDA HQ but has no representation in the regions although it does provide remote support	-Assist the FDA REDD+ Project with uploading of relevant FLEGT/ VPA regulatory and relevant reports.

	- FDA Public Affairs Division capacity built and equipped to manage VPA strategic communication processes in accordance with VPA Annex IX; - Train MACs in VPA process; - Communications plans developed by the private sector and civil society	-Training provided and PAD equipped with cameras, scanners, computers and audio and video recorders -No work done on this in 2015	-Assist PAD in establishing a documentation center, develop communications materials (newsletter, radio messages, flyers) with emphasis to reach the FDA Region 3
Public information sites established (see Annex IX)	- FDA website operational and Annex IX information available; - Annex IX Information available in FDA Documentation and Database Center at the HQ	-FDA website upgraded in Q4 of 2015 but does not yet contain all information from Annex IX -No documentation and database center yet at FDA	-Annex IX information available on FDA website -Establish a documentation and database center at FDA HQ
Public information capacity established	- Develop FDA's documentation and data-base center; - MIS development plan drafted in coordination with LVD/SGS	-No documentation and database center yet at FDA -No work on this in 2015	-Establish a documentation and database center at FDA HQ
Guidelines for developing social agreements (developed and) published	- Guidelines and template published and disseminated to stakeholders	Social agreement template revised.	Distribution to stakeholders scheduled for Jan 2016
Targeted guidance for LAS compliance for different stakeholders			Develop LAS illustrated materials for outreach with communities and general public
VPA impact monitoring reports published	-		Work on development of VPA monitoring framework to be initiated
JIC reports published	- JIC aide memoires and 2014 annual report published	Aide memoires published and 2013-2014 annual report published	2015 annual report published and JIC aide memoires published

Annex 3: Documents currently available on the FDA website

Laws and Regulations

National Forestry Reform Law 2006
Chain Saw Milling Regulation 115-11
Code of Forest Practices – 2007
Community Rights Law of 2009 with Respect to Forest Lands
Community Rights Law Regulations_Printed Version
Creating the E Nimba Nature Reserve – 2003
Creating the EPA – 2002
Creating the PA Network – 2003
Creating the PPCC – 2005
EIA Regulation _-113-08
Environmental Protection & Mgmt Law – 2002
Extension of Sapo – 2003
FDA Reg's 1-10 – 2007
FDA TEN CORE REGULATIONS
Forest Mgmt Plan Guidelines – 2009
Freedom of Information Act
Liberia Environmental Management Act
Liberia Extractive Industries Transparency Initiative (1)
Liberia_Revenue_Authority_Act
Making Democracy Work Constitution – 2000#FBDA
MOU between FDA and the EPA
NTFP Regulation _111-08
PPCA _Sept 13 2010 _FINAL
Timber Processing Regulation _-112–08
EIA Procedural Guideline 2006
2013, Act Amending FDA Act of 1976 – Reconstitution of Board
2013, An Act to Abolish the Payment of Land Rental Bid Premium – Final Draft
1953, Forests Act
1953, Supplement
1976, Act to create the FDA
1977, Chapter 20 of Revenue and Financial Law
1978-2001, Forestry Regulations 1-27
1987, Amendment to Chapter 20 of Revenue and Financial Law
1988, Amendment to Act to create the FDA
1988, Wildlife and national parks act
1999, Timber Concession Agreement
2000, Forest Management Plan
2002, Environment protection and management law
2002, EPA Act
An act adopting the national forestry reform law of 2006
2003, East Nimba Nature Reserve Act

2003, Executive Order NTGL-002
2003, Protected Forest Areas Act
2003, Sapo National Park extension Act
2006-02, GOL, Executive Order

VPA and its Annexes

- VPA TEXT
- List of participants-1st JIC 2014
- Senate Ratified Pages

Aide Memoires

PRE-JIC

- Aide Memoire - 2nd PRE-JIC Dec. 6-7, 2012
- Aid Memoire & Annexes - 1st PRE-JIC (30th March 2012)
- Updated list of participants
- Aide Memoire - 3rd PRE-JIC Nov. 12-14, 2013

JIC

- Aide Memoire 2nd JIC June10-12 2015_signed_with annexes
- 2nd JIC-June 2015 Aide Memoire
- Aide Memoire - 1st JIC meeting(27th -29th May 2014)

NEGOTIATIONS

- Aide Memoire - 4th Round of Negotiation
- Aide Memoire-1st Round of Negotiation(March 2009)
- Aide Memoire of GoL-VPA Governance Structure
- Aide Memoire-2nd Round of Negotiation
- Aide Memoire-3rd Round of Negotiation

VPA SU

- About VPASU-Liberia -1
- Press release on LAS training workshop August 17-21, 2015
- Report on NBST Board's Retreat at Estella Hotel Gbarnga 11-13 August 2011

SGS

- LR_D15_ATIBT Scaling and Grading Training Report Manual_2014_06
- SGS Communications Implementation of VPA via LAS
- SGS communications Legailty Verification Auditing
- LR_D08_Communication Strategy_2014_03
- SGS communications VPA Implementation Institutional Arrangements
- SGS communications Roles & Functions of the LVD
- SGS communications The FLEGT Export Licensing Scheme
- SGS communications Traceability of Logs and Timber Products

Social Agreements

- Social Agreement of Tarpeh Timber Corporation
- Social Agreement for Euro Liberia Logging Company
- Social Agreement for Euro Liberia Logging Company(2)
- Social Agreement for Euro Liberia Logging Company(1)
- Social Agreement for ARL and DUGBEH DISTRICT
- Social Agreement for ARL and JLOH DISTRICT
- Social Agreement for ARL Bolloh District
- Social Agreement for ARL Tartweh Dropoh
- Social Agreement for ARL
- Social Agreement for B & V Area A-10
- Social Agreement for B & V Timber company area A-6
- Social Agreement for Bargor & Bargor Inc
- Social Agreement for BLTC
- Social Agreement for EJ & J and LEEGBAH Clan
- Social Agreement for EJ & J JO RIVER
- Social Agreement for Euro Liberia Logging Company
- Social Agreement for ICC
- Social Agreement for LTTC Inc
- Social Agreement for Quantum Resources
- Social Agreement for Sun Yeun Corporation Area 16
- Social Agreement for Sun Yeun Corporation
- Social Agreement of Tarpeh Timber Corporation