

Failed by Logging Companies, Communities Turn to Forest Ownership



By Super User

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Gbarpolu County – It is close to midday in Zubah Town, Gbarngay Clan in the Bokomu District of Gbarpolu County.

Report by James Harding Giahyue

Watta Nagbe sits under a thatched hut cooking cassava leaf. A bamboo drier hangs from the hut's blackened attic her kitchen on top of a hearth.

She stirs and stirs again, and at the same time gives instructions to a few men building a hut nearby. The men pay keen attention to her.

Nagbe is well-known here. Zubah Town is right on a major route connecting neighboring towns and villages.

Her father founded the village many years ago. But she is better known for her resistance to a logging company when it operated here a few years back.

In 2009 B&V Timber Company signed a five-year timber sale contract (TSC-A6) with the Forestry Development Authority (FDA) to log 5,000 hectares of land in Gbarpolu and Bong Counties.

Headquartered in Brewerville outside Monrovia and owned by a Liberian, Emmanuel Vincent, the company signed a social agreement with affected communities—including Zubah Town.

A community leader, Moses Yah, signed on behalf of the communities, while the FDA witnessed the agreement.

The agreement mandated B&V to pay the affected communities a fee of US\$1 per every cubic meter of log it cut and US\$1.25 for surface rental per hectare.

The contract also mandated the company assist the communities in providing schools, clinics and undertaking road projects.

In fact, the FDA had recognized the need for to those basic social services in a justification document for the contract with B&V.

But none of these things materialized within five years of the company's operations. People still drink from creeks.

There are no schools, no nearby clinics and the roads remain the way they were before B&V came.

“They rooted out all of the banana trees and palm trees and other crops I had here,” Nagbe says, pointing to a route paved by the company close to her house now covered by grass.

“They asked me to lodge in my house so that they could complete their headquarters,” she adds, “but did nothing.”

“Those people are criminals,” cries out her bedridden husband, Mr. Nagbe from within their unfinished house. Behind their house still lies an old vehicle used by the company and a broken-down timber jack.

“This is the well they left here,” she points to a well, covered by planks beside a wooden cabin used as headquarters by the company.

“These are the things that they left for us.”

The anger of the Nagbes is generally shared throughout the entire Gbarngay Clan.

Apart from the unfulfilled promises, the companies left behind many logs in the forest to rot.

A team of New Narratives reporters saw logs piled up in dozens, scattered in the forest among tall grasses.

“Right now we are frustrated,” says Yah, who lives in neighboring Weamah Town.

“Our logs have spoiled. When people heard that the company was coming they were happy. Now nothing is doing, no employment in the community.”

“Right now we don’t have a school here,” Yah laments.

Zubah Town and Weamah, and their neighbors see a way out of what they describe as a nightmare: Community Rights Law.

Liberia has one of the biggest and most important remaining rainforests in Africa.

Its forest is one of 34 international biodiversity hotspots, home to several endangered species, including the Pygmy hippopotamus and the West African chimpanzee.

Plundering of Liberia’s forest was a major source of funding for warring factions in Liberia’s 14-year civil war.

The 2009 Community Rights Law makes it possible for communities to have full ownership of forestlands around them.

The law is part of efforts to reform Liberia's abused forestry sector, which began with a new forestry law in 2006 and a forestry code in 2007.

Progress with these reforms has been slow.

In 2013 a \$6 million scandal involving illegal issuances of Private Use Permits (PUPs) ended with the sacking and subsequent prosecution of the Managing Director of the FDA Moses Wogbeh, and other officials.

Rights groups such as Global Witness say Liberia has done little or nothing to use its natural resources to take its people from poverty.

Under the Community Rights Law, communities must complete a rigorous nine-step process to acquire the right to their forest.

They must first pay a \$250 non-refundable fee to the FDA, find out what they have in their forest and then have their forest demarcated and mapped for boundaries settlement.

The process ends with the community and the FDA signing a community forest management agreement, where the communities say whether they want to conserve their forests or log in them.

According to the FDA, 128 communities across 13 of Liberia's 15 counties have applied for community forest status, among them 15 from Gbarpolu County, including Gbarngay Clan.

Just 10 communities have completed the process and signed forest management agreements that are currently running.

All of the rest are stuck somewhere in the middle. In fact, Gbarngay Clan has just started the process.

There is a lot of impatience in communities.

“We have reached up to step five but the people [have not come back],” laments Paramount Chief William Mawolo of Bondi-Mandingo Chiefdom in Bopolu District just next to Gbarngay Clan.

He says in January this year officials of the FDA came to his hometown of Sarppimah, cut boundaries and mapped areas.

Unlike its neighbors – Gbarngay, haunted by the ghost of the B&V Timber Company, and Korninga Chiefdom which was an epicenter of the PUP scandal – Bondi-Mandingo Chiefdom has not had a logging concession since the breakout of the civil war in 1990.

Paramount Chief Mawolo does not have a fond memory of the companies that operated there.

“They would just come and say, ‘We have 50,000 hectares of land’ and we could do nothing,” he recalls.

“They built log bridges and put dirt on top of it. When they went for vacation and came back after the rainy season, the rain would have washed away the bridge.”

There have been conflicts in some communities over logging.

In 2010 a row broke out in River Cess County, where traditional leaders were said to have ordered elephants from the bush to stop a company from operating in their forest.



Paramount Chief William K. Mawolo proudly holds up a placard

The FDA blames a lack of funding for the slow pace of the community forest application process.

The World Bank is providing \$37.5 million to the FDA's Liberia Forest Sector Project (LFSP).

The project is part of a \$150 million deal the Liberian government signed with Norway in 2015 to tackle climate change and protect the rights of locals to forestlands.

But the project targets only 70 communities across the country, with just 40 of them through the entire nine-step process.

“We have not been receiving the kind of money that is required to implement these community forestry activities,” says Gertrude Nyaley, Technical Manager for Community Forest Department.”

“That’s the reason why you see some of the communities are stuck to some steps and it is being difficult to proceed.”

The community Forestry Department projects that it might cost the FDA an average US\$4,500 to complete one community’s application.

Demarcation and mapping, the fifth step of the process, where most communities have reached, is the most expensive part.

Making a trip to places like Bondi-Mandingo Chiefdom takes around \$2,000 for transportation in addition to logistics, manpower and allowances.

The Norway grant is not only meant for the Community Forestry Department of the FDA.

It is also meant to support other forest-related agencies of the Liberian government as well as universities, civil society organizations and even local farmers.

Nyaley says her department has received just over \$10 million from the grant, and that is insufficient to complete all the applications from across the country.

“Communities that will not be covered [by the Norway grant] obviously will need government funding, and the government has budgetary constraints and has not given us any budgetary allotment for community forestry,” she says.

People, Rules and Organizations Supporting the Protection of Ecosystem Resources (PROSPER), an NGO funded by USAID, sponsored eight of the 10 communities that have completed the application process. Others have expressed their willingness to help but have made nothing official, Nyaley says.

“If you have signed into law—and we need to implement the set law—there is no way you cannot give us money.”

“In the midst of the constraints that the government has, this is a means of raising money for government.”

She says the community forestry department was allotted US\$2,000 in the last budget, “enough to conduct a social and community reconnaissance survey for one community.

She said the department needs \$500,000 every budget year.

With the exception of funding, the FDA says it has no doubt that the Community Rights Law will succeed with the much needed reform of the forestry sector but rights groups say money is not the main issue.

The lack of capacity at the community level and among civil society groupings are among the biggest challenges.

The law gives civil society a huge role to play—from raising awareness among communities to building the capacity of those to represent these communities during the negotiations of agreements.

The law mandates the creation of an executive committee and the formation of a community forest management body (CFMB) that crafts a management plan from which any agreement could be reached.

“I think one of the things the FDA needs to do—not just look at funding coming—is to be practical with this thing,” says James Otto of the Sustainable Development Institute.

“You cannot handle all these CFMAs. We did PUPs and we saw how messy they were, simply because of the capacity.

The manpower and technical resources were not in to manage them.”

Otto says the FDA has to think of its own capacity to handle all of the communities that have applied.

Nyaley agrees that the Community Forestry Department was understaffed.

“I really have serious challenges in terms of manpower,” she admits.

“When community forestry was designed in 2006—when the National Forestry Reform Law was enacted—they envisaged community forest as this very small and narrow component that would not need a lot of [people].”

She has about 27 staff, just seven of whom are in the field, she says.

Otto sees the law as ineffective if the FDA does not engage communities on their rights under the law and accuses the FDA of stifling civil society assistance in that role.

“The FDA at one point sees us as a partner and another point as people who are knocking at their door too much,” Otto says.

“When we question them about not doing what they are supposed to do, then they feel that we are causing a lot of noise.

Saah David, the National Coordinator of LFSP disagrees, saying that the FDA under the project will build the capacity of communities on every aspect of forestry.

The LFSP has been launched regionally across the country.

The recent launch took place in Monrovia, where locals such as Paramount Chief Mawolo participated.

Saah says before the project ends in 2020, locals would have an adequate knowledge of things like climate change, reforestation, crop rotation and the value of their forest.

“They do not know the issue of carbon. They do not even know the marketable species in their forests,” Saah says.

“Those are the things that we will be telling them.

Once communities understand the value of their forests, they can now sit down at the other end of the table and bargain...from a point of strength.”

Loopholes

The CRL automatically places members of the Liberian parliament, representing districts with forestlands on those communities executive committees.

And Otto sees this as a loophole that can render the law ineffective.

“It makes that gathering much more driven by parliamentarians, not by the communities,” Otto argues.

“The CRL mandates an executive committee to be established on which lawmakers of the district with the community forest is a part.”

“Except the communities are strong, that could be a loophole that people could use to manipulate the system.”

Global Witness in a recent report, “Holding the Line”, revealed that public officials illegally own logging companies in Liberia.

The international campaign group has flagged several loopholes in the CRL, one being how communities could be exploited by logging companies that help them complete the application process.

“We have heard that logging companies are offering ‘financial support agreements’ to community leaders,” says David Young, Global Witness International Forests Advisor, who heads its Liberian team.”

“We have concerns about the legality of these agreements as they may undermine the democratic basis of community forestry.

“They also create an obvious risk that logging companies will exploit communities by offering to pay for the boundary demarcation in exchange for rights to log the forest once the CFMA has been approved.”

“And worst of all, this is not at all transparent, a company could pretend that they spent \$1 million on the CFMA process and so can’t pay the community any money for a long time.”

Nyaley dismisses those claims.

“At no point in time companies are allowed to interact with these people,” she says, adding that completion of all nine steps was not the end of the application.

“They must provide a community forest management plan that will give the FDA an opportunity to vet logging companies they want to enter an agreement with.”

David agrees with Nyaley and senses a level of hypocrisy on the part of civil society.

“It is interesting now that our brothers from civil society are crying wolf when they helped to craft those laws. In every law you make, there will be some loopholes.

He said as part of the project, the FDA was looking at ways and means through which “loosened screws can be tightened”.

Climate Change

Otto is even skeptical about whether the Norway grant will achieve a broader objective of aiding Liberia reduce its carbon footprints and deliver on its commitment to the Paris climate talks of reducing carbon emission by up to 15 percent by 2030.

He sees that community forestry agreements will lead to more aggressive logging.

He thinks that the FDA is more focused on revenue generated from the forest than conserving it or using its resources to benefit locals.

“How can it be possible that we are taking money from the Norwegian government to fight climate change and at the same time be approving more than 125 concessions?”

Otto asks rhetorically – We’ve got US\$150 million from the Norwegian government to support the forest against climate change and at the same time you are giving forest concession out?

The forest that should be holding and fighting climate change are the ones that you are giving out.”

So, I think there is a big need for us to think what role that we really want to play,” he adds.

“If you had 128 community forests doing commercial, do you know how many logs are going to leave this country on a daily basis?”

David vehemently refutes Otto’s assertion. He says commercial logging is also a part of the Norway grant.

“What we will be doing is to help communities sustainably manage their forest resources,” David explains.

“If communities decide to do conservation, we will support their conservation activities.”

“If communities decide to do commercial logging, we will help them do commercial logging but to reduce the footprint of carbon.

“We as a government cannot coerce communities to do conservation when communities do not choose to do conservation.

Our general goal is not to achieve 30 percent (1.5 million hectares) conserved forest. Our general goal is to sustainably manage the Liberian forest.

Meanwhile, locals remain optimistic about their ownership of the forestlands they inherited from their forefathers. Leaning against wall of his house made of mud, Emmanuel Gbessay of Totokole in Bondi-Mandingo Chiefdom can only dream of a brighter future.

“We want our benefits. We want roads, we want hospitals and we want schools. Only an elementary school in the community and the road is not paved.”

“We are thinking about the future of our children. We are not educated, we want for our children to be educated.”

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