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Logging company flouts Liberian President's timber export ban and drives breakdown in rule of law

21st December 2012

The logging company Atlantic Resources has shipped millions of dollars worth of illegal timber from Liberia in breach of President Ellen Johnson Sirleaf's August order to halt timber exports, Global Witness revealed today. These are the most significant illegal log exports since the timber-fuelled civil wars of the Charles Taylor era, and threaten to undermine the progress the President has made in bringing order to the forest sector.

Two ships have recently left Liberia with cargoes that include logs cut under secretive contracts called Private Use Permits, the use of which has exploded in recent years to cover a quarter of the country's total landmass. Recent investigations by Global Witness, Save My Future Foundation and Sustainable Development Institute have shown that many Private Use Permits are illegal and at least some appear to be based on forged documents. In August 2012 President Johnson Sirleaf ordered a halt to logging and exports under nearly all Private Use Permits pending an investigation. The Liberian Supreme Court initially stayed the President's order until it could review a complaint filed by the logging industry, but in October 2012 the Court upheld the ban on logging and exports.

However, Global Witness has found that over the past seven weeks, timber has left Liberia in violation of this order. The timber was cut by Atlantic Resources, a company that is linked to notorious Malaysian logging giant Samling and owes the Liberian government millions in unpaid taxes.

"In a country where only a few years ago timber exports helped finance a brutal war, these shipments of illegal logs from Liberia represent a deeply troubling breakdown in the rule of law," said Jonathan Gant of Global Witness. "Years of work by the Government and international donors to ensure the Liberian people get sustainable benefits from their forests is being undermined."

The Liberian government is also effectively ignoring the President's order. The Ministry of Justice has reportedly decided that companies can export Private Use Permits logs cut before the Supreme Court's October decision, even though the President's order bans these exports. The head of the government's Forestry Development Authority told Global Witness that he cannot prevent exports as a result of the Ministry of Justice's position.

Private Use Permits were designed to allow private landowners to cut trees on their property and do not contain the more stringent social and environmental protections required for certain other large logging permits in Liberia. As a result, they can be used to avoid requirements for sustainability and fair compensation to the government and local communities. The permits now cover 40 percent of Liberia's rainforests, and by far the largest holder of these permits is Atlantic Resources.

"Atlantic Resources appears to be deliberately ignoring the President's orders and exploiting weaknesses in the Liberian government," said Gant. "It stands to earn a fortune by selling Private Use Permit timber on the international market, but the Liberian people will see little benefit and the forests are likely to be wiped out. The President needs to reassert control immediately."

Atlantic Resources did not respond to Global Witness' request for comment.

The first ship carrying illicit timber arrived at Mundra in northwest India on 10 December. India has become a major destination for tropical timber from countries with track records of illegal logging such as

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Malaysia, Burma and Guyana, and is now second only to China in its imports of tropical logs.

Once they reach India, the illegal logs are likely to be processed and sold on the Indian market, but if processed products were re-exported restrictions in other countries may apply. The U.S., E.U. and Australia have passed laws forbidding the import of illegal timber or products made from illegal timber. The U.S. law, known as the Lacey Act, has been in place since 2008, while the EU's law will take effect in March of next year and Australia's in 2014.

"If laws in major consumer countries banning the import of illegal timber are worth their salt, they will prevent the entry of products made from illegal Private Use Permit timber from Liberia," said Gant. "No importer should accept illegal timber from Liberia. Doing so would encourage the breakdown of the rule of law in one of the world's poorest countries and facilitate the defrauding of Liberia's people and destruction of its forests."

/Ends

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Note to editors:

1. The first ship, the *Sezai Selah*, left Greenville, Liberia, on 3 November 2012 carrying 17,800m³ of timber, some of which was cut under a Private Use Permit held by Atlantic Resources. It arrived into Mundra in Gujarat, India, on 10 December. The *Shark Bay* left Greenville, Liberia on 21 or 22 November 2012 carrying timber, including timber cut under two Private Use Permits held by Atlantic Resources. Global Witness does not currently have information on the destination of this ship.
1. In September 2012, Global Witness, Save My Future Foundation and Sustainable Development produced the brief *Signing their Lives Away*, outlining in detail the findings of the three organizations' investigations. This brief may be found [here](#). In December 2012 the United Nations Panel of Experts on Liberia also produced a report documenting Private Use Permit fraud and mismanagement. This report may be found [here](#).



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