



**Sustainable and Thriving Environments for West African Regional Development  
(STEWARD)**

**Trans-Boundary Policy Harmonization Project  
For  
Management of Forests, Biodiversity, Flora and Fauna of the  
Mano River Union States**

**A Comparison and Analysis of Current Environmental Policies, Laws and Regulations  
of the Member Countries of the Mano River Union**



**Final Report  
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## List of Acronyms and Abbreviations

CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species
FFI	Flora and Fauna International
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MRU	Mano River Union
OKNP	Outamba-Kilimi National Park
NGO	Non-Government Organization
NR	Natural Resources
STEWARD	Sustainable and Thriving Environments for West African Regional Development
USAID	United States of America International Development
USFSIP	United States Forest Service International Programs
UNCCD	United Nations Convention to Combat Desertification
UNCCC	United Nations Convention on Climate Change

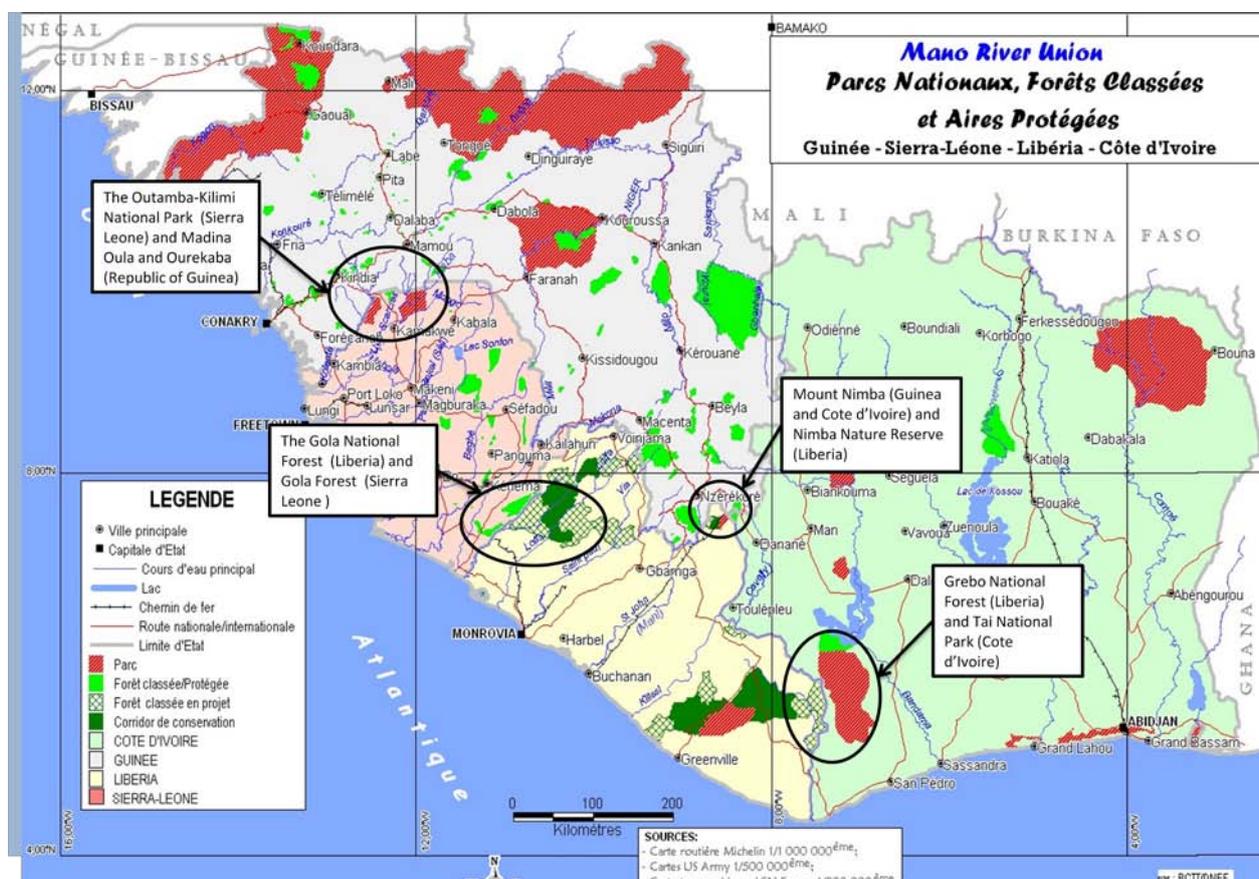
## I. BACKGROUND

USAID and the US Forest Service International Programs entered into an agreement in 2007 to develop the Sustainable and Thriving Environments for West African Regional Development (STEWARD) program. The impetus for the program came out of the realization that the Upper Guinean Forest Ecosystem, extending from southern Guinea into Sierra Leone, though Liberia and southern Cote d'Ivoire and into Ghana is a high global priority for biodiversity conservation. The three goals of the STEWARD program are to build capacity for increased regional collaboration, to foster regional policy innovation and harmonization, and to pilot trans-boundary conservation and natural resource management at selected sites.

In helping resolve trans-boundary issues in this region, the STEWARD program has worked in close coordination with the Mano River Union (MRU). The MRU was created by the Statement of October 3rd, 1973, and is a governmentally created organization comprising of members from Sierra Leone, Liberia, Guinea and Cote d'Ivoire. The MRU was formed to help facilitate resolution of problems of mutual concern to the member nations that cross boundaries.

The environment of the area is at risk from a variety of factors that have led to alteration of natural habitats. These factors include: population growth, civil conflict, large-scale increases in grazing, elimination of forests through expansion of agriculture, forest clearing for residential and urban development, and impacts of extractive industries such as timber and mining. By some estimates, this sub-region has lost no less than 3/4ths of its original forest cover. Today, dozens of species of flora and fauna within the area are endangered.

Individually, Cote d'Ivoire, Guinea, Liberia and Sierra Leone have, over time, developed policies, laws and regulations to address the management of the natural resources of their countries and to address many of the issues described above



## II. OBJECTIVES

This report is a tool designed to help foster knowledge of regional policy and to promote the innovation and harmonization component of the STEWARD program. The report reviews the current environmental policies, laws and regulations of the member countries of the Mano River Union (MRU). To that end, the report serves both as a reference, and as a stimulus for dialog to enhance policy harmonization in the region.

The report compares the existing laws etc. to reveal opportunities and issues for the member nations and partners to consider as they seek ways to work together more effectively. In that regard, the report is intended for distribution and review prior to a workshop with the MRU and partners in the fall of 2010. That workshop will focus on understanding of current policies, issues, and opportunities and will be designed to promote increased innovation, coordination and effectiveness relative to conservation activities within the MRU. In particular, it is hoped that the workshop, using this preliminary report will focus discussion on:

- The priority for legislative work to formally expand protected area status within individual countries utilizing existing authorities within each subject country for protected area establishment. Where such trans-boundary protected areas are desired, this discussion would also include the need for (and form of) agreements to allow harmonious management of such trans-boundary protected areas within agreed geographic areas.
- The need for any specific new legislation within individual countries to allow for harmonious management of trans-boundary areas, particularly as relates to wildlife management (hunting regulations), grazing management (with a focus on grazing practices which may cross boundaries), and the need for legislation, agreements, or treaties relative to the regulation of tree harvest and transport of timber within protected areas and across international boundaries in or near trans-boundary priority protected areas.
- Within individual countries, the need for legislative modification or the development of oversight processes to insure consistency of protected area management within a given country to insure that overlap of jurisdictions among agencies or ambiguities in law do not lead to permitting or development within protected areas that are inconsistent with the original management intent of such areas.

This project has a particular emphasis in looking the potential for more effective coordinated management of protected areas in the following priority areas:

- Mount Nimba (Guinea, Côte d'Ivoire, and Liberia);
- Sapo-Tai-Grebo (Côte d'Ivoire, Liberia);
- Madina Oula Reserve - Outamba Kilimi National Park (Guinea, Sierra Leone);
- Gola- Foya-Lofa Forest Areas (Sierra Leone, Liberia).

## III. METHODOLOGY

The Steward Program recruited two consultants to gather information. An English speaking consultant from the US Forest Service was responsible for gathering current laws, regulations and policies, in Sierra Leone and Liberia. A French speaking consultant familiar with the laws and issues gathered the comparable information for Guinea and Cote d'Ivoire. To focus the scope of the legal review, key areas of law regulation and policy were researched. The focus areas are:

- I. Treaties
  - A. Treaties Ratified by All
  - B. Treaties which Vary in their Ratification
- II. Constitutions
- III. Laws, Regulations and Policies
  - A. Specific Protected Area Legislation (related to Focus Areas discussed above)
  - B. General Protected Area Laws and Process to Create Reserves, Parks, Forests
  - C. Wildlife Laws and Regulations

- D. Forestry Laws and Regulations
- E. Mineral Laws and Regulations
- F. Agriculture and Grazing Laws and Regulations
- G. Community Rights in Reserve Management and Creation
- H. Environmental Analysis Requirements and Inter-Agency Coordination
- I. Specific Trans-boundary Coordination related to focus areas

The detail of the information above is contained in the report. A full text of the report and annexes has been translated into both French and English for use by all the countries that are the focus of this review. This report has been refined with more specific input from delegates to the workshop that was held in Sanniquellie, Liberia on October 4-8, 2010. The report has been expanded to include sections on pending law, regulation or policy that the authors were apprised of at the workshop. Since these legal documents are still in draft form and subject to change, they are not included in the annex except to reference (in Annex IV) that the documents are in development. Also added in the final report is Annex V which contains contact information for key agencies and ministries for the MRU countries. The contact information is that which was available as of October, 2010. Lastly, based on input at the workshop, some additional laws or regulations are referenced, where appropriate, in the comparisons table in Annex III.

#### **IV. ANALYSIS**

A review of the legal frameworks of all four countries reveals a favourable general context for environmental policy harmonization. The countries accommodate the potential for creation of treaties between governments, generally provide for the protection of special areas within the boundaries of the countries, and by policy, generally promote working cooperatively with neighbouring states on items of common interest. The four countries have all ratified the same 10 significant international treaties or protocols related to the environment. All four countries have laws and regulations which promote the preservation of the environment and have established legal means by which specific areas can be protected to one degree or another. In general, it would be appropriate to characterize that the laws of the Mano River Union countries present no significant intrinsic barriers for cooperation between the countries, and, for the most part, facilitate such cooperation.

As could be expected, there are differences in approach between the four countries in regard to natural resource management laws. Some of the countries have taken more pro-active steps to align laws and regulations with the treaty obligations they have undertaken. Guinea ratified the Convention on International Trade in Endangered Species (CITES) protocol before the date of current laws and regulations. To that extent, its laws may be more in alignment with stipulations under that treaty than the other nations whose ratification of CITES post date current regulations. Liberia has draft wildlife regulations that would help move the country into closer compliance with specific species protections agreed to in the CITES protocol. Within each country, alignment of legal frameworks may lag behind treaty obligations in some circumstances. In example, Cote d'Ivoire and Guinea agreed to manage the Mount Nimba protected area in those respective countries as a World Heritage site in 1981 and 1982 respectively. In 1992 World Heritage listed Mt. Nimba as endangered due to mining. The East Nimba Forest in Liberia, which adjoins the areas in Cote d'Ivoire and Guinea, was reclassified as a Nature Reserve within Liberia's Protected Areas system, but, within Liberia the area has not been submitted a "World Heritage Site". The countries vary in ratification of six conventions or agreements as described in Annex I of this document.

At the workshop, it was requested that the report expand somewhat on the other treaties of common interest to the nations in addition to CITES. The following section has been added to the report to honor that request.

The Ramsar Convention on Wetlands has been ratified by all the countries of the MRU. Under this treaty governments agree to maintain the ecological character of wetlands of international importance.

These areas do not necessarily coincide with the protected areas that are a focus of this report, but such areas have been identified in each country. (See Item 7 of Annex I, for a country break out and a web link to more specific information in each country).

The Abidjan Convention and Protocol for Protection of Coastal and Marine Environments is a treaty in a related area that has been ratified by all the countries of the MRU. This treaty more broadly covers protection and management of marine and coastal areas. Again, though this treaty is not specifically related to the protected areas that are a focus of this project, the treaty does have important bio-diversity obligations that, by ratification, the nations have undertaken. The Abidjan Treaty identified management issues for cooperative efforts between and among the nations of West and Central Africa.

A potential task for the governments to consider is to evaluate if wetland and coastal/marine environmental protection regulations exist in each country sufficient to meet the treaty obligations undertaken in regard to the Ramsar Convention and the Abidjan Convention. Such regulations are noted to be under development in Liberia (which ratified the Ramsar Convention in 2003). Current wetland and coastal and marine management regulations were not specifically reviewed except as described in the report as relates to protected area management. In general, water quality and habitat protection is referenced in the protected area management laws, but may or may not be specific enough to meet obligations established in the treaties mentioned above.

The UN Framework Convention on Climate Change (UNCCC) has been ratified by all the nations of the MRU. Under this convention the nations agree to gather and share information and agree to prepare for adaptation to the impacts of climate change. This topic was one of the focus areas of the workshop and several countries developed recommendations and/or have active programs that are in alignment with the spirit of the UNCCC.

Similarly the other conventions listed in Annex I could be expected to require laws or regulations to bring the nations into compliance with the treaties, however the specific laws, regulations, and policies which would support these treaties (which address such varied issues as protection of the ozone layer, transport or production of specific organic pollutants, reduction of greenhouse pollutants, handling and transport of genetically altered materials) were not specifically analyzed for this report.

Of the treaties which varied in their ratification by the MRU countries; the International Tropical Timber Agreement of 1994, potentially most directly relates to protected area management. The guidelines in this agreement cover harvest of tropical timber and can be viewed in detail at the web site referenced in Annex 1. Such guidelines may be useful to consider in development of regulations relating to timber harvest. Cote d'Ivoire and Liberia are parties to this agreement, and Sierra Leone and Guinea are not. A revision of this agreement was developed in 2006 but has not yet come into force, so the participating countries are still operating under the 1994 agreement.

Dramatic differences exist in the fines of the four countries relative to illegal taking of wildlife. Between Sierra Leone and Liberia, for example, fines for illegal take of wildlife (based on the most current regulations available to the researchers at the time of this report) varied from the equivalent in US dollars of \$10,000 in Liberia to about \$.03 in Sierra Leone. In Cote d'Ivoire fines for similar offenses range from 3000 to 300,000 CFA (about \$5.83 to \$5830.00 US) and imprisonment from two months to one year (with doubling of penalties if committed in a national park or reserve). In Guinea the fine for taking a fully protected animal is from 70,000 to 150,000 GNF (\$14.00 to \$30.00 US) and a mandatory prison sentence of six months to one year. Such differences need to be tempered with the knowledge that the cost of living varies in each country. Fines carrying a similar "penalty" would not need to be numerically the same in each country, but, ideally, the deterrent effect of a fine should be similar where the countries value the wildlife to be legally protected similarly.

Specific species protected under the regulations of each country vary and current regulations vary from the specific protections agreed to in the CITES protocol. Since all four countries are signatory to the CITES

protocol, there is opportunity for the countries to gain consistency among themselves and in compliance with CITES, in formulation of updated wildlife regulations. The existing inconsistencies could lead to very difficult to manage trans-boundary situations where the nations involved likely have similar management intent (based on their ratification of the same treaty), but differing implementing regulations.

Differences exist in other areas of law and regulation among the countries in such detailed areas as how permits for forest products are issued, the valuation of such permits, how mineral exploration and development is handled, and in the accommodation of local input in Protected Area declaration and management. The countries also vary in the process by which protected areas can be created and at what level of government has the authority to designate such areas. Not all, or even most, such differences are barriers to trans-boundary coordination and management. However, as the partners within the MRU seek opportunities to improve their natural resource management, they should be aware of some differences in law, regulation or policy that need to be taken into account as specific agreements among the countries are worked out. For example, the type of protected area management legislated in one country could allow for more or less active resource use (such as mining or timber harvest) as compared to a different type of protected area designation in another country. If common resource management objectives are known and desired prior to gazetting of new protected areas, then similar types of protected area management could be recommended for the areas within each country involved.

The legal frameworks of all the countries appear to have sufficient flexibility to accommodate declaration or modification of protected areas in ways to optimize consistency between collaborating countries while also utilizing the input of local communities. This type of coordination however, is extremely site-specific. It will require that the nations involved in establishment of any trans-boundary area have thorough knowledge of local uses on all sides of any boundary and coordinate to select, within each country, the type of protected area that best meets mutual natural resources objective. To accommodate local situations, the management plans or protected area specific regulations, and/or management of buffer or nearby areas will need to reasonably accommodate (or provide alternatives for) maintaining local livelihoods and traditional uses. Achieving this balance will vary by situation and is likely the most sensitive and difficult aspect of creation and management of any trans-boundary protected area.

It appears that all of the countries within the MRU have, to some degree or another, overlap of jurisdictions within the ministries of their governments which can lead to confusion and, at times, contradictory objectives on some public lands. For example, both the review of the laws and discussions with officials from the countries, indicates that there some degree of conflicting objectives built into the laws. To take the specific case of mineral exploration and development as an example; in most of the countries, one ministry recommends protected area declaration and boundaries, but a different ministry or agency often has the authority to grant mineral exploration or development licenses or permits. It is often unclear in the laws if the declaration of a protected area precludes the ability of the ministry governing minerals to grant a minerals permit within the same area. Some of the countries have developed environmental protection agencies or ministries, to coordinate such potential overlaps in jurisdiction.

Limited law or regulation relative to general grazing (in unclassified or private lands) appears to exist in all four countries. The protected area legislation and regulations for all of the countries do appear to provide a regulatory framework to address grazing in various types of protected area. All four countries also have some degree of policy, and often legislation, to work with local communities and individuals to find solutions to local issues as protected area legislation and management plans are produced.. Taken together this combination of policy, laws and regulation, does provide at least a starting point to work out grazing issues within the context of protected areas, but may provide little guidance in unclassified areas.

## **V. ISSUES**

In discussion of the Trans-boundary Harmonization Project with both governmental officials within the resource management agencies and with interested non-governmental partners, several consistent themes come out as issues to be addressed.

### **Capacity**

One issue, commonly brought up, is that regardless of how consistent the legal framework may be for the MRU countries, the capacity to implement law, regulation and policy is a limiting factor that will need to be addressed, even if trans-boundary policy is made to be highly consistent. The lack of people on the ground to implement laws protective of the environment, to work with local communities to develop alternative land management practices, the availability of trained personnel to manage specific resources, and the lack of budget to provide for adequate infrastructure, equipment, and salary are all limiting factors in actually seeing harmonized land management policies come to fruit on the land.

Even within the context of development of environmental law, regulation and policy; legislative capacity and will is seen by some as a limiting factor to the extent that poverty reduction, infrastructure development, good governance, and basic services often take a higher legislative priority in the countries of the MRU than do environmental and resource laws. Despite the many significant challenges facing the countries of the MRU however, this report finds considerable energy is being spent on updating environmental and resource legislation and regulation.

### **Community Involvement, Land Tenancy and Grazing**

Particularly as relates to gazettement and management of protected areas, an extremely important and difficult issue in trans-boundary management is the engagement of the people living on the land in the development of the laws, regulations, management plans and policies that guide the management of that land. Among the most significant issues to address in the management of the priority areas that are a focus of this project (Mt. Nimba; Sapo/Tai/Grebo; OKNP/Media Oula; Gola/Lofa-Foya) is the effect that such trans-boundary parks, forests, or reserves are having, or will have, on the local inhabitant of these areas.

The legal framework to address such issues has been the focus of relatively recent legislation in some of the countries of the MRU. For example Liberia passed the Forestry Reform Act of 2006 and the Community Rights Law of 2009 at least in part to address issues related to community involvement. Similarly, Sierra Leone passed the Local Governance Act in 2004 and the Chieftaincy Act of 2009 to address issues which include those of community and traditional use of lands. Cote d'Ivoire and Guinea have, imbedded within the legislation for creation of protected areas, provisions for working with the local communities in the protected area creation process. Never-the-less, community input in the gazettement of protected areas and in the ongoing management of such areas remains an important factor to weigh for the states within the MRU. The social and economic needs of residents in and near lands that are deemed nationally and internationally important for habitat and ecosystem preservation are critical issues to include in the balance to achieve long term success in management of these lands.

An important element within that balance is how issues of land tenancy are addressed as countries contemplate changes in their protected area systems. The legal frameworks of each country in the MRU vary somewhat in approach land tenancy. As countries consider additions, or expansions to protected areas, local resistance to changes in historic patterns of use have occurred. Such resistance is likely to persist unless local input can be factored into long term management plans for protected areas and/or the adjoining lands. As mentioned above, some recent legislative reform has occurred in some of the countries of the MRU that can help to address land tenancy issues. Hopefully, such legislation will provide legal flexibility to accommodate the balancing of issues that are both local and national or international in scope. However, it should also be noted that the input received in the development of this report indicates that communities and individuals sometimes have little faith that merely revising laws will give rise to balanced results.

Based on input from many of the people interviewed in preparing this report, grazing is a particularly difficult issue to reconcile in the creation or management of protected areas. Grazing has occurred for many generations in some areas of interest for protected area designation. Issues of accommodation, compensation or alternative grazing areas have been, at times, difficult to address and/or have lead to

significant conflict. The general legal framework to address grazing is somewhat vague across all four countries. Within protected areas, it does appear that some, if not all, of the countries have laws or regulations that establish the sideboards to allow, disallow, or regulate such uses. In general, it appears that all four countries have varying types of protected areas that potentially could accommodate grazing. Where the use cannot be accommodated while still meeting habitat objectives, use of alternative grazing areas, compensation, or other creative solutions will be needed.

## **Coordination**

### **Internal**

In gathering information for this report, one issue commonly discussed by agency officials and members of NGO's is the problems created by overlap of jurisdictions as discussed in the Analysis section above.

Related coordination issues apparently sometimes occur when permits for mining, infrastructure development, residential clearing etc. are authorized by one agency without knowledge that the area permitted is within a proclaimed protected area. Such instances are thought to occur when adequate mapping and posting are not available, and/or due to lack of knowledge of permitting officials of limitations on such permits within protected areas. There is also concern that such situations may consciously occur, at times, due to local pressures, undue influence, or lack of oversight.

Both types of internal coordination issues can lead to activities inconsistent with management of protected areas and lead to administrative creditability issues as well as difficult-to-resolve, site specific, resource management issues.

### **External**

Coordination of ecosystem priorities and natural resource management issues between nations continues to be a difficult task. The flexibility in the legal frameworks of the countries appears to be in place to allow such coordination to occur and significant successes have occurred in the past. The dilemma is that, with the scale of issues facing the countries internally, it is often difficult to find priority for the resources and energy necessary to successfully collaborate with neighbours. Successful efforts in external coordination within the MRU have occurred, often with the financial and technical assistance of NGO's and interested foreign governmental partners.

Trans-boundary management of the focus areas of this project requires significant external coordination between the relevant countries. The Mano River Union provides a forum designed to allow such coordination to take place, but, again, time and funding available have limited the amount of coordination work that occurs through this forum.

Some of those interviewed for this report feel that effectiveness of the coordination of the Mano River Union technical team could be increased by specific follow-up with the Ministries in each country after meetings. These observers feel that, at times, important changes or potential innovations in ecosystem preservation and/or resource management have been conceived in MRU workshops or meetings, but have not been carried forward due to lack of follow up between the MRU committees with their respective home-country Ministries.

## **Regulatory Consistency**

The review of regulations among the countries shows (based on regulations available to the authors at the time of this preliminary report) some significant differences in the legal approaches to matters of common interest. The disparity in fine schedules for similar offenses, as cited as an example in the "Analysis" section above, can create significant issues in law enforcement. Such issues are even more difficult to manage when the species to be protected (or the hunters to be regulated) can readily cross borders with such differing regulations on either side.

In a related consistency issue, discussed in the "Analysis" section, though all the nations of the Mano River union are signatory to the Convention on International Trade in Endangered Species (CITES), in general,

regulations have not kept pace to bring the regulations of the individuals nations into consistency with CITES treaty obligations. Some work in that regard is ongoing (for example with pending wildlife regulations being considered in Liberia). Guinea's current wildlife laws post date that country's ratification of Cites, as do the regulations which provide more detail. Follow up with Guinean wildlife management personnel would be needed to confirm if current regulations are thought to conform fully with CITES treaty stipulations. Most of the other countries' existing regulations pre-date the treaty and to that extent do not reflect the specific species protected by the treaty. The protected species laws of each country, however, appear to be broadly enough stated that they could be interpreted to apply to species agreed to be protected by treaty.

All the countries of the Mano River Union have established the legal authorities necessary to preserve and protect areas within their boundaries. The types of protected areas, the nomenclature used, the process used to gazette protected areas and types of management activities allowed, all vary from nation to nation and from one type of protected area to another. This detail can be seen in the comparison tables provided in the annex.

However, for the most part, sufficient flexibility appears to exist to, with coordination and prior knowledge of the laws of each country, allow for harmonized management and development of trans-boundary protected areas. Such protected areas, based on our review, could be administered within the laws of each country to achieve mutual ecosystem conservation and resource management goals, if sufficient prior coordination between countries is completed. A potential issue is that the laws of each country are complex. That complexity needs to be mutually understood by all parties in order to craft trans-boundary agreements that conform to the laws of each country while also meeting the collective management intent of the participating nations. Successful management of trans-boundary parks, forests or other protected areas, or the development of effective broad based agreements to benefit natural resource management, requires thorough mutual knowledge of the participating nations legal frameworks by those crafting protected area management plans (or other agreements) in order to make the efforts successful.

### **Education and Training**

The need for education and training links many of the issues discussed above. The legal knowledge of some of those charged with managing the public lands of the four nations may need to be enhanced with training on the treaties, laws, regulations, and policies of their own nations. This would help insure that the administration of public lands would occur more consistently within those laws, regulations and policies. The effectiveness of cooperative work in establishing trans-boundary agreements of various types (Treaties, Memorandums of Agreement, or Memorandum of Understanding for example) would be enhanced with increased knowledge of other countries' policies and laws.

Community acceptance of national law and policy is, in part, a two- way educational issue, which some of those interviewed for this project feel is lacking in some instances. Some of those interviewed believe that law and policy needs to be informed with knowledge of community uses, needs, and traditions. Conversely, communities need to be aware of the ecological role of local habitats and species to understand and accept changes in the management of the land and species they use on a day to day basis. The issue is that such two-way education does not always occur. This has, at times, led to laws, management plans, or regulations that are difficult to enforce in that they do not fit unique situations in specific areas. It can also lead to laws that might be sound, but which are not understood locally. Some people feel that such laws could gain more acceptance with more dialog and/or relatively minor alterations accommodating local input.

Lack of knowledge of existing treaty obligations and the status of treaty compliance within key agencies in each nation is a potential concern. To some extent, lack knowledge of the specific detail of treaties may be an issue contributing to less than full compliance with treaty obligations. Other issues such as capacity are likely also at play. This report did not examine such treaty by treaty compliance in detail, but data available relative to the Cites Convention and the World Heritage Convention, indicate that this may be an education, as well as a consistency, issue.

## VI. RECOMMENDATIONS

### Pre-workshop

#### Circulate and collect comment on the Preliminary Report

To utilize the knowledge of the regional partners, it is recommended that this preliminary report be circulated to interested parties for review and comment. The purpose of a review and comment period is two-fold. Comments will be used to improve and update the content, particularly of the legal comparisons in the document to insure that the best available information on current laws, regulations and policies has been used. The second purpose of the review and comment period is as pre-work for a workshop sponsored by STEWARD, FFI-Darwin with the Mano River Union and working partners (PCB-MN, CFZ, Programme MAB, Shoreline Communities, etc.).

#### Develop a workshop to be held in the fall of 2010

To move forward in promoting harmonization of policies within the region that advance ecosystem conservation and natural resource management, STEWARD should help arrange a workshop in the fall of 2010 in conjunction with the MRU. Using this document as a starting point, it is recommended that the workshop be structured to achieve the following objectives:

- Provide a forum for updates on the MRU work plan
- Adopt an action plan for the execution of the harmonized document
- Utilize participant input to correct and update this preliminary report as needed to improve its utility as a reference document
- Review and discuss specific issues contained in this report with the following suggested topic areas:
  - Trans-boundary protected area expansion: discuss progress, issues, and priorities within and among the countries. Establish action plans appropriate to each nation as relates to priority protected areas within their jurisdictions
  - Compliance with commonly agreed treaties: discuss current status of compliance, priorities for improvement, additional information needed, recommended actions
  - Regulatory consistency: review the report and consider input from those administering and enforcing laws and regulations in the field to determine where updates are needed or where other issues exist.
  - Regulatory coordination: review and discuss the issue of regulatory coordination and overlap or ambiguity of authority within administrative agencies of the countries and among the nations of the MRU. Develop action plans appropriate to the scale of the issues within each country
  - Education and Training: discuss and prioritize the need for various types of training related to such issues as community involvement, treaty content, protected area regulations, authorities for the development of trans-boundary agreements (MOU's, MOA's, treaties, etc.) and overall knowledge of laws, regulations, and policy
- Develop action plans to carry forward recommendations developed during the work shop. Include break-outs for individual countries to develop action plans relative to specific issues or opportunities best considered within a given country as well develop actions that need to be addressed by the group as a whole.

#### Refine this report with the results of the workshop and distribute in the fall of 2010.

In its final form, this report is hoped to be a useful tool to provide an overview of the most pertinent legal documents of each country. The document is also intended to be a means to compare the laws, regulations and policies of the MRU nations when considering development of trans-boundary agreements. With those goals in mind, this preliminary report will be refined with input received both in the review this summer and after the workshop in the fall. Copies of the revised report and notes of the workshop will distributed to the participants as a tool for moving forward with the action plans developed at the workshop.

## Post Workshop

The proceedings of the workshop will be contained in their entirety in a separate report. The workshop was held in Sanniquellie, Liberia from October 4 to October 8, 2010. Over 50 participating delegates were in attendance representing all four countries of the MRU. The delegates included representatives from government, the Mano River Union, and various non-government organizations. The workshop was jointly sponsored by USAID, STEWARD, Fauna and Flora International and the Mano River Union. The issues and findings of this report were validated at the workshop and additional issues and action items were identified during work sessions. The results of these work sessions are contained in the workshop proceedings report. Corrections, two new Annex (IV and V shown in Contents section), and additional discussion of treaties were added to the report at the request or input of delegates to the meeting.

It is recommended that this final report, with the inputs of delegates to the workshop be widely distributed to all participants and other potential users of the information. It is anticipated that this document will be a useful tool for the MRU nations and partners to use as they continue the important work of collaborative bio-diversity and natural resource management in the sub-region. The recommendations and action plans generated at the workshop will be highlighted and included in the proceedings report from the Sanniquellie workshop to be published separately. That report will also be widely distributed to participants and to government and NGO officials whose work is related to the topic areas.

## VII. CONCLUSIONS

Attached is an Annex which compares the most pertinent legal information available to the authors from the Mano River Union countries at this time. The content is in table form and summarizes legal texts judged to be most relevant to ecosystem conservation and natural resource management. The tables are formatted by topic area with corrections or additions to the preliminary report incorporated in this final report. Where possible, linkages to complete laws, treaties or regulations are shown so that a reader interested in more detail can find original texts.

Even as this final report is circulated, legislative activity in the countries of the MRU is ongoing. To that extent, new laws, regulations and policies may be enacted which will supersede portions of the information currently contained in the report. Examples of this include proposed wildlife and forestry policy changes actively being considered in Sierra Leone. These new policies may be adopted relatively soon and, in turn, could lead to the associated revision of forestry and wildlife laws and regulations. Similarly, Liberia is considering changes in many regulations, but such changes have not been enacted as of the completion of this preliminary report.

The legal framework of the nations of the MRU will continue to change over time and this document represents only a moment in time for that framework. The positive aspect of such change is that laws can and do evolve, and, for the most part, the changes seen in recent years tend to improve the legal situation for resource management in the MRU. The important point is that the flexibility to change laws, regulations and policies does exist and is being utilized. That fact lends optimism that actions conceived under this project can lead to progress in improving the legal framework for ecosystem conservation and natural resource management.

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## Annex I. Comparison of Status of Major Environmental Treaties/Conventions/Agreements

Cote d'Ivoire	Guinea	Liberia	Sierra Leone
<b>Conventions and Protocols Ratified in Common</b>			
<b>Signed Treaties, Conventions, International Agreements on Environment and Reserves</b>	<b>Signed Treaties, Conventions, International Agreements on Environment and Reserves</b>	<b>Signed Treaties, Conventions, International Agreements on Environment and Reserves</b>	<b>Signed Treaties, Conventions, International Agreements on Environment and Reserves</b>
1. Convention on Biological Diversity 1994 2. UN Convention to Combat Desertification 1997 3. UN Framework Convention on Climate 1996 4. Convention on International Trade in Endangered Species 1994 5. World Heritage Convention 1981 6. Kyoto Protocol 2002 7. Ramsar Convention on Wetlands 1996 8. Abidjan Convention and Protocol Protection of Coastal/Marine Environments 1982 9. Stockholm Convention ( On Persistent Organic Pollutants) 2004 10. Vienna Convention/Montreal Protocol (Ozone) 1993	1. Convention on Biological Diversity 1993 2. UN Convention to Combat Desertification 1997 3. UN Framework Convention on Climate 1993 4. Convention on International Trade in Endangered Species 1981 5. World Heritage Convention 1979 6. Kyoto Protocol 2000 7. Ramsar Convention on Wetlands 1993 8. Abidjan Convention and Protocol Protection of Coastal/Marine Environments 1982 9. Stockholm Convention ( On Persistent Organic Pollutants) 2007 10. Vienna Convention/Montreal Protocol (Ozone) 1993	1. Convention on Biological Diversity 2000 2. UN Convention to Combat Desertification 1998 3. UN Framework Convention on Climate 2002 4. Convention on International Trade in Endangered Species 1981 5. World Heritage Convention 2002 6. Kyoto Protocol 2002 7. Ramsar Convention on Wetlands 2003 8. Abidjan Convention and Protocol Protection of Coastal/Marine Environments 2005 9. Stockholm Convention ( On Persistent Organic Pollutants) 2002 10. Vienna Convention/Montreal Protocol (Ozone) 1996	1. Convention on Biological Diversity 1994 2. UN Convention to Combat Desertification 1997 3. UN Framework Convention on Climate 1995 4. Convention on International Trade in Endangered Species 1994 5. World Heritage Convention 2005 6. Kyoto Protocol 2006 7. Ramsar Convention on Wetlands 2000 8. Abidjan Convention and Protocol Protection of Coastal/Marine Environments 2005 9. Stockholm Convention ( On Persistent Organic Pollutants) 2003 10. Vienna Convention/Montreal Protocol (Ozone) 2001
<b>Conventions and Agreements which Vary in Their Ratification</b>			
11. Basel Convention, Control of Trans-Boundary Movement of Haz. Waste 1994 12. Bamako Convention (Haz. Waste Ban into Africa) 1994 13. International Tropical Timber Agg. 1994 14. Cartagena Protocol on Bio-safety Non-signer 15. African Convention on the Cons. of Nature and Natural Resources 1969 16. Revised African Conv. on Cons. Of Nature and Natural Resources Signed 04 NR	11. Basel Convention, Control of Trans-Boundary Movement of Haz. Waste 1995 12. Bamako Convention (Haz. Waste Ban into Africa) NR 13. International Tropical Timber Agg. Not Party 14. Cartagena Protocol on Bio-safety 2008 15. African Convention on the Cons. of Nature and Natural Resources Signed 68 NR 16. Revised African Conv. on Cons. Of Nature and Natural Resources Signed 04 NR	11. Basel Convention, Control of Trans-Boundary Movement of Haz. Waste 2004 12. Bamako Convention (Haz. Waste Ban into Africa) NR 13. International Tropical Timber Agg. 1994 14. Cartagena Protocol on Bio-safety 2003 15. Convention on the Conservation of Nature and Natural Resources 1978 16. Revised African Conv. on Cons. Of Nature and Natural Resources Signed 04 NR	11. Basel Convention, Control of Trans-Boundary Movement of Haz. Waste Non-signer 12. Bamako Convention (Haz. Waste Ban into Africa) NR 13. International Tropical Timber Agg. Not Party 14. Cartagena Protocol on Bio-safety Non-signer 15. Convention on the Conservation of Nature and Natural Resources Signed 68 NR 16. Revised African. Conv. on Cons. Of Nature and Natural Resources Signed 04 NR

Dates Shown are of ratification if available (NR means not ratified or acceded)

### Summary of Obligations under the Conventions/Protocols Listed Above

- Convention on Biological Diversity:** Conservation of biological diversity, sustainable use of the components of biodiversity, fair and equitable sharing of benefits from genetic resources ( [www.cbd.int/](http://www.cbd.int/) )
- UNCCD:** Participants agree to combat desertification through sharing of resources, and adopting of integrated approaches to combat the physical, biological, and socio-economic aspects of the processes of desertification and drought ( [www.unccd.int/](http://www.unccd.int/) )

3. **UNCCC:** Governments participating agree to gather and share information, launch national strategies to address greenhouse emissions including technical and financial support to developing countries, and agree to cooperate in preparing for adaptation to the impacts of climate change ( [www.unfccc.int/](http://www.unfccc.int/) )
4. **CITES:** Governments participating agree to limit trade in listed species of wild plants and animals so as to not threaten their survival ( [www.cites.org/](http://www.cites.org/) )
5. **World Heritage Convention:** Participating Governments agree to the common importance to all nations of “cultural heritage” sites and “natural heritage” site. Such sites are to be managed under the terms of the Convention where a nation so adopts. World Heritage Sites in MRU. ( <http://whc.unesco.org> )
  - a. Mt. Nimba, Cote d’Ivoire, became site in 1981. Listed as endangered by World Heritage in 1992, Mining
  - b. Mt. Nimba, Guinea, became site in 1982. Listed as endangered by World Heritage in 1992, Mining
  - c. Comoe National Park, Cote d’Ivoire, became site in 1983.
  - d. Tai National Park became a world heritage site in 1982.
6. **Kyoto:** Sets binding targets for 37 industrialized nations and EU for reducing greenhouse gases ( [http://unfccc.int/kyoto\\_protocol/items/2830.php](http://unfccc.int/kyoto_protocol/items/2830.php) )
7. **Ramsar Convention on Wetlands:** Participating Governments agree to maintain the ecologic character of their wetlands of international importance.
  - a. Cote d’Ivoire 6 sites of international importance
  - b. Guinea 16 sites of international importance
  - c. Liberia 5 sites of international importance
  - d. Sierra Leone 1 site of international importance

( List of sites and body of treaty is found at [www.ramsar.org](http://www.ramsar.org) )
8. **Abidjan Convention:** Participating Governments of West and Central Africa agree to this umbrella agreement for the protection and management of marine and coastal areas. Identifies management issues for cooperative efforts: coastal erosion, special protected areas, combating pollution in emergencies. Provisions for scientific and technological cooperation are established as are issues of liability and compensation. ( <http://www.unep.org/AbidjanConvention/index.asp> )
9. **Stockholm Convention:** A global treaty to protect human health and the environment from the effects of chemicals that remain intact for a long period of time (Persistent Organic Pollutants (Pops). The agreement contains a list of chemicals agreed upon and the treaty lists specific actions and protocols for the elimination/reduction of these chemicals ( <http://chm.pops.int/default.aspx> )
10. **Vienna Convention/Montreal Protocol:** The treaty is to protect human health and the environment from human activities which may adversely affect the ozone layer. The Montreal Protocol defines and places controls on productions of specific substances known to deplete the ozone layer.
 

( [http://www.unescap.org/drpad/vc/orientation/legal/3\\_vienna.htm](http://www.unescap.org/drpad/vc/orientation/legal/3_vienna.htm) )
11. **Basal Convention:** This agreement limited the trans-boundary transportation and importation of certain hazardous substances into and among the participating Nations in Africa. Three countries joined the Basal Convention. Sierra Leone has not. ( [www.basel.int](http://www.basel.int) )
12. **Bamako Convention:** This convention followed the Basal Convention and was a further agreement among the participating nations to limit import of hazardous materials.

Only Cote d'Ivoire has ratified this treaty. ([http://en.wikipedia.org/wiki/Bamako\\_Convention](http://en.wikipedia.org/wiki/Bamako_Convention) )

13. **International Tropical Timber Agreement 1994:** Participating countries belong to the International Tropical Timber Organization. The current agreement was adopted in 1994 and extended twice to 2006. The Int. Tropical Timber Agreement of 2006 has been negotiated and will replace the 1994 agreement when it enters into force. The 1994 Agreement remains in force until that time. The Agreement both promotes trade and established environmental protocols for harvest. Cote d'Ivoire and Liberia are party to the agreement. Sierra Leone and Guinea are not parties. <http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0&redirect=true&treatyId=562&back=5241> for a summary of treaty see also [http://www.itto.int/en/about\\_itto/](http://www.itto.int/en/about_itto/) )
14. **Cartagena Protocol:** The Governments participating agree to protocols relative to the transfer, handling and use of living modified organisms resulting from biotechnology that may have adverse affects on conservation, specifically focusing on trans-boundary movements. Liberia and Guinea are signers of the protocol: Cote d'Ivoire and Sierra Leone are not. ( [www.cbd.int/biosafety](http://www.cbd.int/biosafety) )
15. **African Convention on the Conservation of Nature and Natural Resources 1968:** Participating Governments agree to undertake to adopt the measures to ensure conservation, utilization and development of soil, water, flora and fauna resources in accordance with scientific principles and with due regard to the best interests of the people. ( <http://sedac.ciesin.org/entri/texts/african.conv.conserva.1969.html> ) see also ( <http://www.africa-union.org/root/au/Documents/Treaties/List/African%20Convention%20on%20nature%20and%20natural%20resources.pdf> ) for ratification status.
16. **Revised African Convention on the Conservation of Nature and Natural Resources 2003:** This revision of the treaty above has not yet been ratified by sufficient nations to be in force. No MRU country has ratified, though all have signed. ( <http://www.africa-union.org/root/au/Documents/Treaties/List/Revised%20Convention%20on%20Nature%20and%20Natural%20Resources.pdf> )

## Annex II. Comparison of Constitutions of MRU Countries (Regarding Management and Creation of Trans-boundary Reserves)

Constitution adopted: 2000	Constitution adopted : 2010	Constitution Adopted: 1986	Constitution Adopted: 1991
<p><u>Relevant Foreign Policy Provisions:</u> TITLE XIII, Articles 122 and 123 The Republic may conclude association agreements with other states. It agrees with these states to create intergovernmental organisations of joint management, coordination and cooperation. These organizations may have mainly as objectives, cooperation in terms of environmental protection and natural resources management.</p>	<p><u>Relevant Foreign Policy Provisions:</u> <u>From Preamble of the Constitution:</u> The people of Guinea reaffirm its willingness to establish relations of friendship and cooperation with all peoples of the world based on principles of equality, respect for national sovereignty, territory integrity and the reciprocal interest and its commitment to the cause of African Unity, the sub-regional integration of the continent.</p>	<p><u>Relevant Foreign Policy Provisions:</u> <i>Chapter II, Article 9</i> "The Republic shall encourage bi-lateral and regional cooperation between and among Liberia and other nations...."</p>	<p><u>Relevant Foreign Policy Provisions:</u> <i>Chapter II, Article 10 b.</i> "The Foreign Policy objectives of the State shall be:.... b. The promotion of regional, sub-regional and inter-African cooperation and Unity. ...."</p>
<p><u>Treaty Provisions:</u> The president of the republic is the guarantor of compliance with international in collaboration with commitments (Article 34) He has the initiative of laws, in conjunction with members of the National Assembly (Article 42) and may submit to referendum any text or any matter that seems likely to him to require direct consultation of the people (Article 43). When the implementation of international commitments is at risk in a serious and immediate way, he can also take exceptional measures demanded by these circumstances (Article 48). TITLE III .</p> <p>The President of the Republic negotiates and ratifies treaties and international agreements (Article 84). The peace treaties, treaties or agreements relating to international organizations, treaties that amend domestic laws of the State may be ratified only after a law (Article 85). These treaties or agreements duly ratified have, upon publication, an authority higher than that of laws, subject to each treaty or agreement, of its implementation by the other party (Article 87). TITLE VI The Parliament consists of a unique chamber called National Assembly (Article 58). That Assembly has legislative power and votes alone the law establishing rules regarding protection of the environment (Article 71). TITLE V</p>	<p><u>Treaty Provisions:</u> The president of the republic ensures observance of international commitments (Article 45); He may contribute to other public functions under conditions defined by law (Article 47) and submit to referendum any bill which tends to authorize the ratification of a treaty (Article 51). <u>TITLE III, Subtitle I</u></p> <p>The National Assembly votes alone the law and controls government's action. The law determines the fundamental principles of cultural development and heritage and the protection of the environment. <u>TITLE V, Article 72</u></p>	<p><u>Treaty Provisions:</u> "The Legislature shall have the power to: f) ... approve treaties".... <i>Chapter V, Article 34</i></p> <p>The President has the power to conclude treaties, conventions... with the concurrence of each House of the Legislature. <i>Chapter VI, Article 57</i></p>	<p><u>Treaty Provisions:</u> President shall be responsible for execution of treaties, agreements or conventions. If such treaties, etc. relates to any matter within the legislative competence of Parliament, or alters the law of Sierra Leone, such instrument would require ratification by Parliament.</p> <p><i>Chapter V, Article 40 (4)</i></p>

## Cote d'Ivoire

## Guinea

## Liberia

## Sierra Leone

<u>Creation of Protected Areas:</u>	<u>Creation of Protected Areas:</u>	<u>Creation of Protected Areas:</u>	<u>Creation of Protected Areas:</u>
<p>The legislative power passed Act N° 2002 of 11 February 2002 concerning the creation, the management and the funding of national parks and natural reserves. According to Article 5 of the act, to preserve natural areas and promote the development of the fauna and flora, it can create national parks, integral nature reserves, partial nature reserves, voluntary nature reserves and peripheral areas. The National Assembly votes laws.</p> <p><u>TITRE IV, Article 61</u></p>	<p>The National Assembly passed the Law L/99/013/AN of June 22, 1999, adopting and promulgating the law on forestry code. This law established in the creation and the grading procedure, Reserves, Parks and Forest in the Guinean territory. It promotes the establishment of a commission of classification of forest in each prefecture in charge of studying classification project of forest lands in the State's forest domain or in that of local governments, districts and villages, and calls for revision of classification and declassification of classified forests. However, the classification of forest land in the state forest is done by Decree of the President of the Republic while the forest land in forest areas of decentralized communities, districts and villages is done by order of the minister in charge of forests. L National Assembly votes alone the law and controls the government action.</p> <p><u>TITRE V, Article 72</u></p>	<p>Legislative power rests in the Legislature which consists of two separate Houses, both of which must pass on all legislation</p> <p><i>Chapter V, Article 29</i></p> <p>The Legislature shall have the power to create new counties and other political sub-divisions</p> <p><i>Chapter V, Article 34</i></p>	<p>Parliament shall be the supreme legislative authority for Sierra Leone</p> <p><i>Chapter VI, Article 105</i></p> <p>Laws must be published in the Gazette</p> <p><i>Chapter VI, Article 106</i></p> <p>A Minister may introduce a bill to Parliament</p> <p><i>Chapter VI, Article 107</i></p>
<p><u>Property Provisions:</u></p> <p>Property right is guaranteed to all. No one shall be deprived of his property except for public purposes and under the condition of a just and prior allowance. <u>TITRE 1, Chapter 1, Article 15</u></p>	<p><u>Property Provisions:</u></p> <p>The right of property is guaranteed. No one may be expropriated except in the interest of legally recognized interest and subject to fair and prior allowance. <u>TITRE 1 Article 13</u></p>	<p><u>Property Provisions:</u></p> <p>Citizens have a right to own property alone or in association. Private property rights do not extend to mineral rights.</p> <p><i>Chapter III, Article 22</i></p> <p>Expropriation may be authorized under specific provisions of the Constitution.</p> <p><i>Chapter III, Article 24</i></p>	<p><u>Property Provisions:</u></p> <p>Taking of property must be necessary to promote the public benefit and in accord with specific provisions of the Constitution.</p> <p><i>Chapter II, Article 21</i></p>
<p><u>Administrative Delegation Provisions:</u></p> <p>The President of the Republic is the Head of Administration (Article 46). In this capacity, he ensures the implementation of laws and makes rules applicable to the whole territory (Article 44). He may delegate some of his powers to members of the Government or the Prime Minister or another member of the Government. In all cases, this delegation will always be limited in time and will be focused on specific subject or object (Article 53) <u>TITRE III</u></p>	<p><u>Administrative Delegation Provisions:</u></p> <p>The President of the Republic shall ensure compliance with international commitments, laws and court decisions. He ensures the regular functioning of the public powers and the continuity of the state. He determines and controls the conduct of national policy (Article 45). He has the regulatory power that he exercises by decree and may delegate some of his powers to the Prime Minister (Article 46) who is responsible for directing, controlling, coordinating and stimulating government action (Article 52). To this end he has the administration, regulatory authorities and he is responsible for promoting social dialogue and implementation of agreements with social partners (Article 58). <u>PART III</u></p>	<p><u>Administrative Delegation Provisions:</u></p> <p>No specific provision for delegation</p>	<p><u>Administrative Delegation Provisions:</u></p> <p>The executive powers may be exercised directly by the President or through the Cabinet, Ministers, Deputy Ministers or public officers subordinate to him.</p> <p><i>Chapter V, Article 53</i></p>

Cote d'Ivoire

Guinea

Liberia

Sierra Leone

<u>Status or Recognition of traditional offices:</u>	<u>Status or Recognition of traditional offices:</u>	<u>Status or Recognition of traditional offices:</u>	<u>Status or Recognition of traditional offices:</u>
<p><u>Preamble of the constitutional text:</u></p> <p>The people of Cote d'Ivoire express their commitment to democratic values and undertake to promote regional and sub regional integration for the formation of African Unity. On the Ivorian territory, the rights of the human being are inviolable and the authorities have the obligation to ensure its respect, protection and promotion.</p> <p>Slavery, forced labour, inhuman and cruel treatment, degrading and humiliating, the physical or mental torture, physical abuse, mutilation and all forms of degradation of human beings are prohibited and punished by the law (Article 2).</p> <p><u>TITLE 1</u></p>	<p><u>Preamble of the constitutional text :</u></p> <p>The people of Guinea proclaim their commitment to the ideals and principles, right and duties established in the Charter of the United Nations, the Universal Declaration of Human Rights, the conventions and the International Covenants on Human Rights, the Constitution of the African Union, the African Charter on Human and Peoples Rights and its Additional Protocols on the Rights of Women and the Revised Treaty of the ECOWAS and its protocols on democracy and good governance and its commitment to the cause of African Unity, sub regional integration of the continent.</p> <p>The Republic of Guinea guarantees equality before the law for all citizens without distinction of origin, race, ethnicity, sex, religion, opinion and respects all believes. <u>TITRE 1, Article 1</u></p>	<p>Strengthen national integration and unity, take steps by appropriate legislation and executive orders to eliminate sectionalism, tribalism</p> <p><i>Chapter II, Article 5</i></p> <p><i>There shall be elections of Paramount, Clan and Town Chiefs by the registered voters in their localities. The legislature shall enact laws to provide for their qualifications.</i></p> <p>Chapter VI, Article 56</p>	<p>The institution of Chieftaincy as established by customary law and usage and its non-abolition by legislation is guaranteed and preserved. Parliament shall makes laws for the qualifications, elections, powers, functions, removal and other matters connected with the Chieftaincy.</p> <p><i>Chapter V, Article 72</i></p>

## Annex III. Comparison of Laws by Topic Area

<b>Specific Protected Area Legislation, Conventions, and Management Plans</b> (Related to Mt. Nimba; Outamba/Kilimi; Gola/Lofa/Foya; Sapo/Tai/Grebo Tran-boundary Emphasis Areas)			
<p>1. Mt. Nimba Strict Nature Reserve (World Heritage Site 1981)(Declared Site Endangered in 1992)</p> <p>1a. World Heritage Convention (1972) Applies to Mt. Nimba</p> <p>Classified as an integrated natural reserve by decree on July 5, 1944, and placed under the authority of the Museum of Natural History represented in French West African by IFAN (Institut Français d'Afrique Noire).</p> <p>The management of this forest was assured at the time by OIPR (Office Ivoirien des Parcs et Réserves). The Reserve is situated in the Danané prefecture and occupies today a total of 5,200 hectares.</p> <p>2. <u>Tiapleu Forest</u></p> <p>Classified on October 19, 1962 by ordinance n° 2617 SF with a area of 28,000 hectares, Tiapleu Forest is a permanent state forest domain is entrusted to SODEFOR (Society for the Development of Forests). In its policy of decentralization, SODEFOR put into operation, Management Centers throughout the national territory. The Tiapleu forest is administered by the Man Management Center, more precisely by the Tiapleu sector, based in Danané. The Tiapleu Forest extends into Guinea as the Déré Forest, one of the central areas of the Mount Nimba Biosphere in Guinea.</p> <p>3. <u>Tai National Park</u></p> <p>The Tai Forest represents one of the last vestiges of the original dense forest blocks in West Africa. With an area of 550,000 hectares, it is situated in the west of the country on the border with Liberia. It was recognized as a national Park in 1972, as a Biosphere Reserve in 1978, and a World Heritage site in 1982. The N'Zo Forest, situated in the north, bordering with the Tai National Park, was classified as a Wildlife Reserve in 1972. It is integrally protected and is in the process of being recognized as a National Park. The Cavally, Goin-Debe, Haute Dodo classified forests are also in the Tai area and are part of the trans-boundary area important to consider for protected area management.</p> <p>The management of Tai National Park and the N'Zo</p>	<p>1. <u>Mt Nimba Strict Nature Reserve</u> (World Heritage Site 1981)(Declared Site Endangered in 1992)</p> <p>1a. World Heritage Convention (1972) Applies to Mt. Nimba</p> <p>Classified as a full natural reserve by decree on July 5, 1944, and placed under the authority of the Museum of Natural History represented in French West African by IFAN (Institut Français d'Afrique Noire). On November 20, 1980, Nimba Reserve was recognized as part of the international network of Biosphere Reserves by the International Coordinating Council of the MAB (Man and Biosphere), which earned it a certificate of Biosphere Reserve, issued in Paris by UNESCO February 10, 1981. The World Heritage Committee at its fifth session in Sydney October 26, 1981 approved the inclusion of the Guinean side of the Nimba Mountain range as a World Heritage Site.</p> <p>The Biosphere Reserve of Mount Nimba has a total area of 145,200 hectares consisting of the World Heritage Site (12,540 hectares), the Chimpanzees of Bossou Forested Hills (320 hectares), and 8,920 hectares of the Dere forest (which is an extension of Tiapleu Forest); a buffer zone of 35,140 hectares and a transition area of 88,280 hectares .</p> <p>2. <u>Madina Oula, Oure Kaba, and Soya and Pinselly</u></p> <p>Unclassified areas adjoining OKNP. No specific Legal frame work currently exists for these areas within Guinea at this time.</p> <p>These forest areas containing a varied biodiversity.</p> <ul style="list-style-type: none"> <li>- The Woodlands of Madina Oula are formed by the community forests of: Sekou Soria (117 hectares), Kanséma (327 hectares), Badé Kanty (685 hectares), and Kolba (24 hectares).</li> <li>- The Woodlands of Oure Kaba include the Pinselly forest of 13,000 hectares and Sebe Kötó Community Forest of 24 hectares.</li> <li>- The classified forest of Soya has a total area of 8300 hectares.</li> </ul>	<p>1. <u>Nimba Nature Reserve Act of 2003</u> Re-classified the East Nimba Forest as a Nature Reserve under the Protected Areas System. The act cites the UNESCO Heritage Designation of Mt. Nimba in Cote d'Ivoire, describes legal boundaries, and authorizes the Forest Development Authority to establish regulations consistent its status within the Protected Areas System. In Liberia, the East Nimba Nature Reserve is not a World Heritage Site</p> <p>2. <u>Sapo Park Extension Act of 2003</u></p> <p>The Act Expands Sapo National Park and defines boundary for it.</p> <p>3. <u>Grebo National Forest</u> This National Forest on the eastern boarder of Liberia is close to Tai National Park in Cote d'Ivoire. An initiative between Liberia and Cote d'Ivoire has begun with NGO participation to consider linkage of these areas through conservation corridors.</p> <p>See additional information for the Sapo, Tai, Grebo complex in the Cote d'Ivoire portion of this section .</p>	<p><u>Gola Forest Management Plan 2007</u> Management Plan approved by the Director of the Forestry Division for the Management of the Gola National Forest. Establishes desire to have the Forest proclaimed a National Park. Discusses the ongoing Desire to establish an International Peace Park In conjunction with Lofa-Foya National Forest Reserves n Liberia (Legislation to establish Park status not in place as of this date)</p> <p><u>Outamaba–Kilimi National Park</u> (OKNP) Reserves Gazetted in 1974. Proclaimed a Park in 1995.</p>

## Cote d'Ivoire

## Guinea

## Liberia

## Sierra Leone

Wildlife Reserve are by OIPR (Office Ivoirien des Parcs et Réserves), created in 2002. The Park is located in the Soubré prefecture.			
<p><b>Trans-Boundary Reserves Under Consideration</b></p> <p><b>1. Mount Nimba Massif (Côte d'Ivoire, Guinée, Libéria)</b> A vast vegetated area, 40 kilometers by 12 kilometers that covers three countries of the MRU (CDI, Guinea, and Liberia). It is characterized by high humid tropical forests, prairie, a mix of grassy and wooded savannah, and diverse wildlife.</p> <p><b>2. Tiapleu Forest (Côte d'Ivoire) Déré Forest (Guinée)</b> In the Nimba region, the Tiapleu Forest in CDI and the Déré Forest (one of the central areas of the Mt Nimba Biosphere) in Guinea, form a trans-boundary forest block rich in biodiversity despite numerous human pressures.</p> <p><b>3. Tai, Sapo, Grebo Complex includes Tai National Park and N'Zo Forest (Côte d'Ivoire) and Grebo and Sapo National Forests (Libéria)</b> These forests, along with the Grebo National Forest and Sapo National Park in Liberia, comprise a trans-boundary area rich in floral and faunal. The Cavally, Goin-Debe, Haute Dodo classified forests are also in the Tai area and are part of the trans-boundary area important to consider for protected area management. The total area of the complex (both countries) is about 1,350,000 hectares.</p>	<p><b>Trans-Boundary Reserves Under Consideration</b></p> <p><b>1. Mount Nimba Massif (Côte d'Ivoire, Guinée, Libéria)</b> A vast vegetated area, 40 kilometers by 12 kilometers that covers three countries of the MRU (CDI, Guinea, and Liberia). It is characterized by high humid tropical forests, prairie, a mix of grassy and wooded savannah, and diverse wildlife.</p> <p><b>2. Déré Forest (Guinée)</b> In the Nimba region, the Tiapleu Forest in CDI and the Déré Forest (one of the central areas of the Mt Nimba Biosphere) in Guinea, form a trans-boundary forest block rich in biodiversity despite numerous human pressures.</p> <p><b>3. Madina Oula, Ouré Kaba et Soya Forests (Guinée) and Outamba Kilimi National Park (Sierra Leone)</b> The Madina Oula, Oure Kaba and Soya Forest reserves, consist of both community forests and State forest reserves, form, with the National Park Outamba Kilimi, a trans-boundary forest band between Guinea and Sierra Leone. Programs for biodiversity conservation have been made and others are currently under way, to maintain the ecological balance of the region.</p>	<p><b>Trans-Boundary Reserves Under Consideration</b></p> <p><b>1. Lofa and Foya forest</b> which adjoin the Gola Forest Reserve in Sierra Leone are being consider for inclusion in Liberia's Protected Areas Forest Network to expand the area protected.. More information on this project can be found at <a href="http://www.fda.gov.lr/content.php?sub=Conservation%20Forestry&amp;related=Conservation%20Forestry">http://www.fda.gov.lr/content.php?sub=Conservation%20Forestry&amp;related=Conservation%20Forestry</a></p> <p><b>2. Liberia's Grebo National Forest and Sapo National Park</b> are being considered for linkage to one another and to Cote d'Ivoire's Tai National Park. Discussion between the nations has occurred about possible collaboration on conservation for a corridor linking the areas together. See additional discussion in the Cote d'Ivoire portion of this section (3. Tai, Sapo, Grebo, Complex)</p>	<p><b>Trans-Boundary Reserves Under Consideration</b></p> <p><b>1. The Gola Forest</b> in Sierra Leone is an existing protected area. Sierra Leone, Liberia, the Conservation Society of Sierra Leone, Conservation International, and the Royal Society for the Protection of Birds have been working on an agreement in Liberia to include the Lofa and Foya forest areas which would adjoin Gola</p> <p><b>2.</b> Sierra Leone has been working with neighboring Guinea to consider the establishment of protected areas (Media and Oula) adjoining Sierra Leone's Outamba Kilimi National Park. The Guinean government has been considering gazetting the Media and Oula areas and is working with locals</p> <p><b>3.</b> The National Commission for Environment and Forestry published the "Protected Area Management Project Environmental and Social Impact Assessment" in July 2007. It provides a strategy for protected areas, but does not carry the force of law. (full text document can be found at (<a href="http://www-wds.worldbank.org/external/default/main?pagePK=64193027&amp;piPK=64187937&amp;theSitePK=523679&amp;menuPK=64187510&amp;searchMenuPK=64886411&amp;theSitePK=6313037&amp;entityID=000011823_20070713172543&amp;searchMenuPK=64886411&amp;theSitePK=6313037">http://www-wds.worldbank.org/external/default/main?pagePK=64193027&amp;piPK=64187937&amp;theSitePK=523679&amp;menuPK=64187510&amp;searchMenuPK=64886411&amp;theSitePK=6313037&amp;entityID=000011823_20070713172543&amp;searchMenuPK=64886411&amp;theSitePK=6313037</a>))</p>
<b>General Protected Area Laws and Definitions</b>			
<p><b>Decree n° 66-433 of 15 September 1966 (Regarding the recognition and procedures for the classification of integrated or partial natural reserves and national parks)</b> -Article 5 of the decree describes the necessary pre-classification work to be completed and submitted before all other procedure undertaken by governors, deputy governors, mayors, or technical services in charge of forests All classification proposals must specify the reasons for classification, the species that are protected, the limits of the protected area, the different usage rights established inside the protected limits, list other rights other than usage rights that are relevant to the land to be reserved, the conditions in which they will be applied within the limits, the</p>	<p><b>Ordonnance n°045/PRG/87 of 28 May 1987 (Regarding the protection and development of the environment)</b> Per Article 53 of Chapter 2, the decision to classify a national park or nature reserve is made by decree, as well as the means of protecting and managing these areas. The classification decision is preceded by a public inquiry conducted by the Environmental Service, in collaboration with concerned departments, local authorities, and, where appropriate in border areas, with foreign authorities. Paragraph 2 of Article 56 stipulates that when the maintenance of ecological balance requires, any portions of wood or forests, whoever their owners, can be classified as protected forests, thereby</p>	<p><b>Protected Forest Area Network Law 2003, (Sec. 9.10)</b> Specifies that Acts establishing National Parks, Nature Reserves, or Strict Nature Reserves shall state acts specifically to be prohibited by regulations. Sections 9.10 a-f, provides general limitations within each Protected Area type. This act establishes Protected Forests Areas network and Amends the National Forestry Law with definitions, and regulations relative to Protected Forest Areas.</p>	<p><b>The Forestry Act of 1988 (Part I, 2).</b> Specifies types of classified forests in Sierra Leone. Part III and Part IV of the act set type of management within classified forests. <b>The Wildlife Conservation Act of 1972, (Part II)</b> provides for Strict Natural Reserves and Parks, <b>Draft Forestry Policy 2010 and Draft Conservation and Wildlife Policy 2010:</b> Sierra Leone is in the process of revising forestry. Conservation and wildlife policies. It is anticipated that new policy may be ratified by Parliament during the summer of 2010 with revision of Law to follow..</p>

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<p>installation of new villages or the granting of all concessions or other rights of occupation including the access conditions and parking.          - The classification proposal is submitted to the minister in charge of forests who, after approval, disseminates it to the public through all means of publicity for one month, to the prefecture governors and sub-prefectures concerned.          -Recourse is possible for protests that will be regulated through friendly means or judicial intervention.  <u>Law n° 2002-102 of 11 February 2002 (Regarding the creation, management, and financing of national parks and natural reserves)</u>          Article 5, in order to preserve natural areas and promote the valuation of wildlife and plant life, it can create national parks, integrated natural reserves , partial natural reserves, voluntary natural reserves, and buffer zones.</p>	<p>prohibiting any land use changes likely to compromise the quality of the forest, and establish the conditions for use of said forest. A decree of application of this Code, relating forestry code, determines the regime of exploitation and protection of the Guinea forest.  <u>Law L/99/013/AN of 22 June 1999,(Adopting and promulgating the law on forestry code)</u>          - This law establishes in its Section 2 , Articles 23-30, the procedure for creating and grading Reserves, Parks and Forests in Guinean territory.          Those provisions include the establishment of a commission classification of forests in each prefecture to study the draft classification of forest land in State forests or in decentralized communities, districts and villages as well as requests for revision of classification or declassification of classified forests.          - The classification of forest land in State forest is made by decree of President of the Republic, while the forest lands in forested areas of local governments, districts and villages is done by order of the Minister for Forests.          The decree and the designation order under sections 26 and 27 determine the amount of land classified and its limits by reference to specific and stable benchmarks, the primary or exclusive forested land of the classified terrain, and the portion of land classified subject to special protection.          - The classification procedure of the state forests is determined by implementing legislation for the Forestry Code.</p>		
<p><b><u>Protected Area Terms and Definitions</u></b>   <u>Law n°65/425 of 20 December 1965 – Forest Code</u>          This code defines in sections 1-3, what is considered forests: plant formations that give as exclusive or primary benefit, wood for furniture, industry and service, firewood and charcoal, which could also produce materials including bamboo, bark, latex, resins, gums, seeds, and fruits. To these plant formations it should add mountain slopes protected from erosion by vegetation cover, land which could produce mudslides and landslides, watersheds, land planted by man that do not produce agricultural products, as well as natural forests artificially enriched with timber for silviculture or plantations. These vegetation types constitute the forest</p>	<p><b><u>Protected Area Terms and Definitions</u></b>   <u>Law L/99/013/AN du 22 June 1999, adopting and promulgating the law on forestry code</u>          By definition, the code provides in Article 1 that the Guinean Forests are general public interest. Their protection and development must be ensured through rational and balanced management, which can meet the needs of current and future populations, and contribute to environmental preservation.          Article 17 of the Forestry Law stipulates that the forest sector in Guinea consists of State forest area, forest area of local government, districts, villages, private forests and unclassified forests.  <b><u>State Forests</u></b></p>	<p><b><u>Protected Area Terms and Definitions</u></b>   <u>From Protected Forest Areas Network Act ,2003 Section 1.3, Definitions</u>  <b><u>Buffer Zone</u></b> Means transitional zone(such as Communal Forest, Game Reserve, Multiple Sustainable Use Reserve) surrounding a more strictly protected zone  <b><u>Communal Forest</u></b> An area set aside legally, or temporarily by regulation, for the sustainable use of non-timber forest products by local communities on a non-commercial basis  <b><u>Cultural Site</u></b> An area set aside by regulation for features of local or national cultural significance.  <b><u>Conservation Corridor</u></b> Use of any protected area category to ensure large blocks of the Protected</p>	<p><b><u>Protected Area Terms and Definitions</u></b>   <u>1. Forestry Act of 1988 (Part I, 2.)</u> establishes the following definitions  <b><u>Classified Forest:</u></b> Means a national production forest, national protection forest, or community forest.  <b><u>Community Forest:</u></b> Means an area of land constituted as a community forest under section 18 of the Act.  <b><u>National Forest:</u></b> Means an area of land constituted as a national forest under section 10 of the Act.  <b><u>National production forest:</u></b> means a national forest with the primary objective of production of forest produce.  <b><u>National protection forest;</u></b> means a national forest</p>

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<p>domain that includes :</p> <ul style="list-style-type: none"> <li>- State forests</li> <li>- Private and communal forests</li> </ul> <p>State forests include :</p> <ul style="list-style-type: none"> <li>- Classified forests</li> <li>- Protected forests</li> <li>- Buffer zones</li> <li>- Reforested areas</li> </ul> <p><u>Decree n° 66-433 of 15 September 1966 regarding the status and regulation of the classifying procedure of full or partial natural reserves and national parks</u></p> <p>Classified Forests are comprised for the most part of the following areas : ]</p> <p><b>Integrated natural reserves :</b></p> <p>Except in case of special authorization, these reserves are cleared of all usage rights, including agro-forestry, excavations, prospecting, surveys, construction work to modify the appearance of the ground or vegetation , and any act likely to harm or disturb wildlife and plant life.</p> <p><b>Partial Natural Reserves</b></p> <p>These zones have restricted hunting, animal and plant exploitation, and construction of buildings. These reserves include scientific and botanical reserves, zoological or paleontological, tourist or climate reserves, and natural sources of hydroelectric energy.</p> <p><b>National Parks</b></p> <p>These are dedicated to the propagation, protection of animal life and wild vegetation, conservation of objects of aesthetic, geological, historical or scientific benefit of the public for its education and its recreation. They are also free from any usage rights including hunting, fishing, catching animals, collecting plant species or any object, operation or mineral exploration.</p> <p><b>Wildlife reserves</b></p> <p>These are reserves in which all hunting is prohibited except in self-defense or protection of persons and property. However in these types of reserves, it is allowed the free exercise of fishing rights, grazing, transit, harvesting honey, beeswax and wild fruits for beneficiaries.</p> <p>Note that all hunting in Cote d'Ivoire has been prohibited by decree since 1974 and the decree applies to all areas described above.</p>	<p>Consists of forest land belonging to the State and for its benefit.</p> <p><b>Local Government Forest Areas</b></p> <p>Consists of forest land belonging to communities and for their benefit. Such communities may be urban, rural community development (CRD), village, or a forest group recognized by the state.</p> <p><b>Private Forests</b></p> <p>Consists of forest land belonging to individuals or private organizations (associations, companies, etc..) Classified and recognized as such by the legislation in force.</p> <p><b>Unclassified Forests</b></p> <p>Consists of forest land that has not yet been the subject of a decree or classification.</p> <p><u>Law L/97/038/AN du 9 December 1997, (Adopting and promulgating the code of protection of wildlife and hunting regulations)</u></p> <p>Article 10 of this law provides that the conservation and management of wildlife, national parks, nature reserves, nature reserves managed, special reserves or wildlife sanctuaries, and hunting zones can be created in Guinea's territory,.</p> <p><b>National Parks</b></p> <p>These are areas preserved for the protection, conservation, natural history of wildlife, for the protection of sites, landscapes or geological formations of particular scientific or aesthetic value in the public interest and also for its education and recreation where this does not detract from the achievement of previous targets.</p> <p><b>Full Nature Reserves</b></p> <p>These are the areas preserved to allow free play of natural factors without any external intervention, with the exception of measures necessary to safeguard the very existence of the reserve.</p> <p><b>Managed Nature Reserves</b></p> <p>These are areas where conservation and management of wildlife is prioritized and human activities controlled.</p> <p><b>Special reserves or wildlife sanctuaries</b></p> <p>These are areas preserved for the protection characteristics of communities of fauna or flora or protection of animal or plant species particularly at risk as well as the habitats essential to their survival.</p> <p><b>Classified Hunting Zones</b></p> <p>These types of zones are formed by parts of the territory where game and hunting have an</p>	<p>Forest Area Network remain contiguous.</p> <p><b>Game Reserve</b> An area set aside by regulation for a fixed period to immediately protect an important feature or allow recovery of natural species.</p> <p><b>National Forest</b> Legally set aside area for sustainable regulated commercial forest product extraction, hunting and the preservation of essential environmental functions.</p> <p><b>National Park</b> Legally set aside area, of sufficient size to form a complete ecological unit, for the preservation and enjoyment of features that have outstanding beauty, cultural or biological significance which may require some management intervention.</p> <p><b>Nature Reserve</b> Legally set aside area, not a ecological unit, otherwise the same as a park.</p> <p><b>Multiple Sustainable Use Reserve</b> An area set aside by regulation for a fixed period, to allow sustainable use of forest products, including subsistence, and potentially allowing, licensed and community forestry schemes.</p> <p><b>Strict Nature Reserve</b> An area legally set aside primarily for research/monitoring requiring strict protection and minimum intervention</p>	<p>where the primary objective is preservation of the forest environment and protection of soil, water, flora and fauna.</p> <p><u>Protected Area</u>: means any land declared a protected area under section 21 of the Act.</p> <p><u>2.Wildlife Conservation Act of 1972</u>, Provides guidance for the following protected areas defined in section I as follows:</p> <p><b>Game Reserve</b>: An area of land constituted under section 10 of the Act</p> <p><b>Game Sanctuary</b>: An area of land declared under section 21 of the Act</p> <p><b>National Park</b>: Means an area constituted under section 5, with consent of House of Representatives.</p> <p><b>Non-hunting forest Reserve</b>: Means a forest reserve declared as such.</p> <p><b>Strict Natural Reserve</b>: Means an area as constituted under section 4 of the Act.</p> <p><u>Section 6</u>: Defines intent of National Parks.</p> <p><u>Section 7</u> lists prohibitions in <u>National Parks, Strict Natural Reserves, or game reserves</u>, unless otherwise authorized under the act or in specific regulations made under the act. Generally prohibits hunting, removal of forest products, burning, mining excavation or grazing.</p>
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	<p>economic interest or major scientific and where wildlife may be brought and maintained to a level as high as possible for its scientific study or its rational exploitation for tourism and recreation.</p> <p><b>Unclassified Hunting Zones</b></p> <p>Unclassified hunting zones cover the entirety of the unclassified territory and public domain in national parks, full and managed nature reserves, classified hunting zones, wildlife reserves, to the exception of roads, railways, waterways and construction zones where hunting is not compatible with public security.</p> <p><b>The classification of different areas mentioned above is fixed by decree, through proposal of ministerial authority in charge of hunting, after review by other departmental authorities concerned.</b></p>		
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### Process to Create Reserves, Parks, Forests

<u>Protected Area Creation Process, outline</u>	<u>Protected Area Creation Process, outline</u>	<u>Protected Area Creation Process, outline</u>	<u>Protected Area Creation Process, outline</u>
<p><u>Law n° 2002-102 of 11 February 2002 (Relative to the creation, management, and financing of national parks and natural reserves (Title 1<sup>er</sup>, Articles 2 à 4)</u></p> <p>The parks and reserves are created and managed to conserve natural environments, wildlife and aquatic and terrestrial flora, maintain biodiversity and ecological processes against all causes of degradation that threaten them.</p> <p>To achieve these objectives, the state will, whenever necessary, take all appropriate measures to promote and strengthen collaboration and cooperation, regional and international, in accordance with international conventions to which it is party.</p> <p><u>Classification Procedure of integrated and partial natural reserves and national parks defined by degree n° 66-433 du 15 September 1966 regarding the status and procedural regulation of these types of protected areas</u></p> <p>The classification procedure is as follows :</p> <ul style="list-style-type: none"> <li>- The classification drafts coming from either the governors or sub governors, or the mayors, or the forest technical services must be transmitted before any other ministry proceedings.</li> <li>- Each project must provide details about the purpose, duration, species that are protected and</li> </ul>	<p>Annex of Law L/99/013/AN du 22 June 1999, adopting and promulgating the forestry code law</p> <p><b>1. Recognition</b></p> <p>This text specifies the procedure for classifying state forests which begins with the general recognition of the classification area and the identification of usage rights or other rights acting on the forest. The recognition committee is composed of the Prefectural director Forestry and water (Eaux et Forets), sub-prefects, district presidents and local councils of wise men from surrounding communities.</p> <p><b>2. Document preparation for classification</b></p> <p>The recognition meeting minutes with the signatures of all members of the recognition committee and a description of the forest, location, composition, terrain, headwaters, major animal species, current human activities ; map or sketch showing the natural and artificial forest boundaries.</p> <p><b>3. Draft classification</b></p> <p>It is prepared by the prefectural Director of Water and forest (Eaux et Forets) who submits it to Prefectural Committee for approval. After review and approval, it is submitted to the prefect, who shall inform all interested parties by means of dissemination in accordance with laws and regulations. This draft is then forwarded to the</p>	<p><u>Protected Forest Areas Network Act ,2003(sec. 2),</u> Amends the New National Forestry Act, Chapter 9, to authorize a Protected Forest Areas Network along with conservation corridors (incorporating existing National Forests), to cover at least 30% of the existing forest area of Liberia.</p> <p><b><u>Process: to Create National Parks, Forests, Nature Reserves and Strict Nature Reserves (Sections 9.2 to 9.7 of Protected Forest Area Network Act)</u></b></p> <ol style="list-style-type: none"> <li>1. Forest Development Authority (FDA) proposes appropriate Protected Forest Area type.</li> <li>2. After research and surveys, the FDA submits proposal to establish Nature Reserves, Strict Nature Reserves, National Forests, or National Parks, to the President of Liberia</li> <li>3. If the President approves of the proposal, they deliver the proposal to the legislature.</li> <li>4. The Legislature may enact legislation to establish.</li> <li>5. Reserves can be modified or abolished through submission through the Authority who may propose appropriate legislation for Legislative enactment.</li> </ol> <p><b><u>Process for Game Reserves, Controlled Hunting Areas, Buffer Zones, Conservation Corridors and other Protected Forest Areas ( Section 9.9)</u></b></p> <p>The Authority may establish these type areas through the regulation process</p>	<p><u>Forestry Act of 1988, Part IV section 10. (1) ( c)</u> The main objective for a given forest is to be described in the recommendation for legislation prepared by the “Chief Conservator” who is subject to the direction of the Minister of Agriculture, Natural Resources and Forestry. To this extent the use of a National Forest is specified by the implementing language of the legislation creating it.</p> <p><b><u>Wildlife Conservation Act of 1972 Section 3.</u></b></p> <p>Subject to provision 11, the Minister by order published in the Gazette, may constitute any area of land to strict: National Reserve except that where such land is situated anywhere in the Provinces, he shall only exercise this power after consultation with the Chiefdom Council concerned.</p> <p><b><u>Section 5.</u></b> Parks are by Proclamation with consent of the House of Representatives.</p> <p><b><u>Section 10.</u></b> Subject to section 11, the Minister may by Order published in the Gazette constitute any area of land a <u>game reserve</u> in respect of animals of any species as he may specify.</p> <p><b><u>Section 11 ( 1)</u></b> “Before any land is constituted a <u>Strict Natural Reserve, or National Park, or a Game Reserve</u> the minister shall publish notice in the Gazette. Articles (a) (d) further specify procedures including appointment of a settlement officer and</p>

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<p>its delimitation, the inventory of usage rights within the limits protected area, the inventory of rights other than usage rights which could be within the protected area, the conditions under which they could be carried out within the limits, the installation of new villages or the granting of any concessions or other rights of occupation and the traffic conditions and parking.</p> <p>- The proposed classification is then submitted to the Minister of Forests, which, after approval, shall inform the public through all means of advertising for a month, in the towns of prefectures and sub-prefectures concerned</p> <p>- Actions before the competent courts are available for any disputes which may also be settled amicably. In case of dispute, a committee chaired by the prefect and comprising two members from the constituency and the representative of the Minister of Forests will be set up to consider under what conditions usage rights may be revoked, limited, confined or bought. The commission must necessarily hear all the village chiefs and local governments and will be held in the area concerned for this purpose. It will establish a record of its proceedings which shall be attached to the draft submitted by the Council of Ministers. People who have rights to assert, other than usage rights, may file an opposition during the time of publicity of the project and during the thirty days following the arrival of the Official Gazette containing the classification decree to the towns in the prefectures concerned. Objections will be noted to take place in the prefectures.</p>	<p>Director General of Forests and Water (Eaux et Forets) for the care of the préfet who gives his/her opinion on the principle and the expected impacts of the proposed classification.</p> <p><b>4. Classification Proposal</b> The Director General, after modifying the draft classification, transforms it in to a classification proposal that he/she transmits to the prefect and the minister in charge of forests. Upon receipt of the proposed classification, the prefect fixes a poster with information on the forest classification to the door of his office for thirty days. During the same period, the Minister of Forests, designs by order, a classification commission chaired by the prefect. The commission will meet in the village closest to the forest to be classified within one month from the date of expiry of the display. Said commission shall consider the merits of claims that have been made by local populations, review the boundaries of the forest to classify, and note the absence or existence of usage rights. In the latter case, the commission examines the possibility of full exercise of those rights outside of the forest to be classified otherwise; it sets the upper limits on which they are concentrated by means of a proper regulation established by the forest service. The closing of the meeting of the General Committee shall be announced within three months from the date of expiry of the display.</p> <p><b>5. Classification Decision</b> The minutes are transmitted to the Minister for Forests for submission of the classification decree to the President of the Republic for decision and signature. The classification decree is published in the Official Gazette of the Republic and is disseminated by the préfet to inform all interested persons and villages.</p>		<p>establishment of a hearing place for claims.</p>
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### Wildlife Laws and Regulations

<p><b>Protected Species Under CITES</b> <u>Signer of CITES.</u> Under this treaty many indigenous species are protected in Cote d'Ivoire: A full list of CITES listed plants and animals for Cote d' Ivoire may be reviewed on-line at: <a href="http://www.cites.org/eng/resources/species.html">www.cites.org/eng/resources/species.html</a></p> <p>Cote d'Ivoire ratified CITES in 1993. The wildlife and plant protection laws for Cote d'Ivoire which follow</p>	<p><b>Protected Species Under CITES</b> <u>Signer of CITES.</u> Under this treaty many indigenous species are protected in Guinea;. A full list of CITES listed plants and animals for Guinea may be reviewed on-line at: <a href="http://www.cites.org/eng/resources/species.html">www.cites.org/eng/resources/species.html</a></p> <p>Guinea ratified CITES in 1981 and to the extent that the laws and regulations for protection of wildlife</p>	<p><b>Protected Species Under CITES</b> <u>Signer of CITES.</u> Under this treaty many indigenous species are protected in Liberia. A full list of CITES listed plants and animals for Liberia may be reviewed on-line at: <a href="http://www.cites.org/eng/resources/species.html">www.cites.org/eng/resources/species.html</a></p> <p>At this time, the <u>National Forestry Reform Law of 2006 (Section 9.12 a. (ii) )</u> makes provision to</p>	<p><b>Protected Species Under CITES</b> <u>Signer of CITES.</u> Under this treaty a variety indigenous species are protected in Sierra Leone. A full list of CITES listed plants and animals for Sierra Leone may be reviewed on-line at: <a href="http://www.cites.org/eng/resources/species.html">www.cites.org/eng/resources/species.html</a></p> <p>At this time the only list of protected animals in Sierra Leone is contained in the Wildlife Act of</p>
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were made prior to that date	and flora species were made after that date, it is presumed they were made in coordination with treaty obligations previously undertaken	maintain a list of protected species and establishes penalties for violations in that regard. Liberia ratified CITES in 1981 and to that extent the NFRL of 2006 is presumed to have been made in coordination with treaty obligations previously undertaken. Regulations relative to wildlife (in contrast to the law) have not been updated since before ratification of CITES	1972. Sierra Leone ratified CITES in 1994. With information available as of the date of this report, current regulations do not directly correspond to species protected by the treaty, nor have the regulations been updated since ratification.
<p><b><u>Protected Species Under Cote d'Ivoire Wildlife Regulations:</u></b></p> <p>Regulations relating to wildlife (as opposed to updates of the law) are updated vis a vis the provisions of CITES whenever necessary. However, hunting has been prohibited throughout the territory of the Republic of Côte d'Ivoire since the publication of the decree on the closure of hunting Feb. 20, 1974.</p> <p><b>Law No. 65-255 of the 4<sup>th</sup> August 1965 on wildlife and the practice of hunting as amended by Act No. 94-442 of the 16<sup>th</sup> August 1994 concerning its amendment</b></p> <p>Under Article 1 of the Act, wildlife consists of all wild animals living in their natural environment, ranked among mammals (except bats, rats and mice), and among birds, crocodiles, monitor lizards and pythons.</p> <p>The animals that make up wildlife are as follows:</p> <ul style="list-style-type: none"> <li>- The so-called protected species, rare or endangered or highly localized or of scientific interest, whose disappearance would be an irretrievable loss, or having a particular utility for human and his activities including the interest of sport hunting and the value of trophies.</li> <li>- The so-called spectacular species, in particular birds which, by their shape, their habitat, their lifestyle, are the adornment of nature and thus are important for their scenic and tourist values in areas where they live.</li> </ul> <p>The so-called predatory species are involved in the biological balance in the areas affected to wildlife.</p> <ul style="list-style-type: none"> <li>- The so-called small game species are those who are neither protected nor mentioned in the previous categories, and are prized for traditional hunting as small game. They traditionally are important as local food sources.</li> <li>- The so-called nuisance species constitute a permanent danger or cause damage in residential</li> </ul>	<p><b><u>Protected Species Under Guinea Wildlife Regulations</u></b></p> <p><u>Ordinance n° 045/PRG/87 of 28 May 1987 (For the code on the protection and development of the environment)</u></p> <p>Article 50 of the text puts forth the principles below:</p> <ul style="list-style-type: none"> <li>- The list of plant and animal species receiving special protection;</li> <li>- Permanent or temporary bans enacted to enable the preservation of threatened species, rare or endangered and their environment;</li> <li>- conditions of operation, marketing, use, transport and export of species listed in the preceding paragraph;</li> <li>- Conditions of introduction, regardless of its origin, of any species which may affect protected species or their particular environments;</li> <li>- Conditions for granting permission to capture protected animals or plants for scientific purposes, and the conditions for their eventual export.</li> </ul> <p>Law L/97/038/AN adopting and promulgating the code of protection of wildlife and hunting regulations of December 9, 1997</p> <p>Article 42 of the Wildlife Code says that all animal species should be protected. Except those whose population conditions permit it to be exploited by hunting as management rules permit ensuring the maintenance or development of its numbers.</p> <p>Article 45 provides because of the necessity to protect and manage wildlife and its habitats, the departmental authority responsible for hunting can make by decree, the provisions to regulate the hunting of certain species or to ensure the protection of all or part of an animal species in a given area or across the country for renewable periods not exceeding five years</p> <p><b>- Chapter 7 (Title Three) of the Law L/97/038/AN adopting and promulgating the code of protection of wildlife and hunting regulations of December 9,</b></p>	<p><b><u>Protected Species Under Liberia Wildlife Regulations</u></b></p> <p>Two laws and one set of regulations establish the legal framework for wildlife in Liberia. These will be discussed below in more detail. The National Forestry Reform Law of 2006 is the most recent legislation which relates, in part, to wildlife. This law supplements the Wildlife and Parks Act of 1988 which had regulations developed in FDA Regulation 25 ( promulgated in 2000) which appear to supplement some of the regulatory text in the Act of 1988. Discussions at the workshop held in Sanniquellie in October 2010 indicate that new wildlife law and regulation are being considered to clarify and update wildlife law and regulation in Liberia .</p> <p><b><u>Wildlife/Plant Provisions of National Forestry Reform Law of 2006:</u></b></p> <p><u>Section 9.12 a.</u> (ii) Establish and maintain a list of animals and plants threatened/in danger of extinction</p> <p><u>Section 9.12(b)</u>, (d)(l), (f)(i),(g)(i) and (i)(l) regarding Wildlife. (These regulations prohibit hunting, capturing, or trade of any protected species)</p> <p><u>Section 13.1 International Trade</u></p> <p>b. (i) No trade any protected animal in Liberia, or fauna or flora as listed in Appendix I or II of CITES, except for research purposes. (ii) Defines standards to issue an export permit</p> <p><u>Section 20-1 b. Specific Offenses</u></p> <p>Sections 20.1 b. (viii) regarding Wildlife Hunting and protections and Section 20-1b (xii) Regarding export and import of wildlife</p> <p><u>Wildlife and National Parks Act, 1988</u></p> <p>This law sets standards for wildlife management including the establishment of a list of protected animals of Liberia (Schedule I of the Act). The FDA regulations below appear to supply most of the</p>	<p><b><u>Protected Species Under Sierra Leone Wildlife Regulations</u></b></p> <p><u>Wildlife Conservation Act of 1972.</u> Though policy for wildlife is currently under revision in Sierra Leone, this act remains the existing direction at this time. A link to the complete text of the law follows. <a href="http://faolex.fao.org/docs/pdf/sie41659.pdf">http://faolex.fao.org/docs/pdf/sie41659.pdf</a></p> <p><u>Section 7 of the Act:</u> Unless otherwise authorized by Act or Regulations made under it, hunting or take possession of any wild animal within any National Park, Strict Natural Reserves or Game Reserve is not allowed, nor is it legal to fish or attempt to kill fish.</p> <p><u>Section 24:</u> No person shall hunt or capture any animal in a non-hunting forest Reserve except under and in accordance with the terms and conditions of a permits issued by the Chief Conservator of Forest.</p> <p><u>First Schedule of Act of 1972</u> Lists non-hunting reserves: Loma Mtns., Tingi hills, Western Area, and Kangari Hills Forest Reserves</p> <p><u>Second Schedule of Act of 1972 Prohibited Animals</u> Lists Prohibited Animals (see link above for list)</p> <p><u>Schedule Protected Animals</u></p> <p>Lists genera of which young are protected</p>

<p>areas or agricultural or pastoral areas. They are designated by the administrative authority.</p> <p><u>Annexes I, II, III, IV and V of Law n° 65-255 of 4 August 1965 relative to fauna and hunting</u> These annexes provide the species protected and regulated by CITES.</p> <p><b>ANNEXE I : Protected Species</b> <b>CLASS A</b> : Fully protected wild animals whose capture, including young or their eggs, are prohibited except to holders of scientific permits, in the limits and with the resources listed in the permit. This list includes mammals and birds. <b>CLASSE B</b> : Partially protected wild animals whose hunting and capture, including their young or eggs, are reserved to holders of capture permits, within the limits listed in the permit and special big game and tourist hunting permit holders but only as a unit or for trophy room collection. This list includes mammals and birds. <b>CLASSE C</b> : This list covers only mammals that are partially protected and hunted whose hunting of adult individuals is permitted only to holders of special permits for recreational hunting within the table set for each level, the capture including their youth is allowed to holders of permits to capture within the limits specified in permits.</p> <p><b>ANNEXE II : SPECTACULAR BIRDS</b> This is the list of spectacular birds whose hunting is prohibited to traditional hunters and whose slaughter by licensed national small hunting and sporting special permits are allowed only within narrow limits as trophies.</p> <p><b>ANNEXE III : Predatory Species</b> They include carnivores, primates and reptiles whose slaughter is normally permitted in residential areas and farming, poultry or pastoral, in the set conditions for traditional hunting and for permit hunting, of all types and for the protection of crops or domestic livestock, but the hunting will be regulated in the affected areas for wildlife and game management.</p> <p><b>ANNEXE IV : Small Game</b> This list consists of mammals (antelopes, swine, hyrax, insectivores), birds and reptiles whose game hunting is allowed for traditional users, small game permits, and sport permits within the general hunting latitudes permitted by law. Article 1 of Decree No. 003/SEPN/CAB of the 20th</p>	<p><b>1997 dedicated to fully protected species.</b> Article 47 provides for all animal species which are particularly rare or endangered, whose list is fixed by decree of the code, are fully protected throughout the country. The hunting and capture of animals fully protected species, including the young and the collection of eggs, are strictly prohibited. However, a waiver may be granted to holders of scientific permits to hunt and capture</p> <p><b>- Chapter 8 of the same code relates to partially protected species</b>, whose list is determined by a decree, shall be subject to approval before any hunting. The possession, importation, exportation of partially protected animals is subject to regulation.</p> <p><b>- Chapter 9 is devoted to all other species.</b> Includes animal species that are neither fully nor partially protected, as well as those who have no special status. These species can be hunted, under conditions and limits compatible with the survival of these species.</p>	<p>implementation standards for the Act of 1988. New wildlife regulations are currently being formulated which will hopefully bring wildlife regulations and laws into greater clarity. The complete text of the Wildlife and National Parks Act of 1988 can be found at <a href="http://www.fao.org/forestry/lfi/31586/en/">http://www.fao.org/forestry/lfi/31586/en/</a> by clicking the appropriate link to the 1988 Act</p> <p><u>FDA Regulation No. 25 Revised Administrative Fees on Wildlife Conservation (June 9, 2000)</u></p> <p><u>Section I Definitions:</u> h. Protected Animals- means animals listed under Section 60 of the Wildlife and National Parks Act of 1988 and include: Liberian Fully Protected Animal and Local Names 1. Chimpanzee 2. Red Monkey 3. Elephant 4. Bongo Antelope 5. West African Forest buffalo 6. Leopard 7. Golden Cat 8. Pygmy hippopotamus 9. Jentick's duiker 10. Giant Pangolin 11. Rock python 12. Manatee 13. Royal antelope 14. Crocodile 15. Sea turtle 16. And all other animals, which the experts deem Necessary from time to time</p> <p>(note, the authors presume the more extensive list in Appendix I of the Wildlife and Parks Act of 1988 is the current complete list of protected animals)</p> <p>i. <u>Protected Area</u> – means all areas selected within the Republic of Liberia and declared National Parks, nature reserves, game reserves, National Forests;</p> <p><u>Section III: Areas exempted from Hunting</u> Hunting shall not be allowed in the following areas: National Parks, Nature Reserves, National Forests, Environmentally threatened areas, and other areas so designated.</p> <p><u>Section V. Wildlife Management</u> List of Liberian Endangered Animal Species 1. Chimpanzee 2. Elephant 3. Leopard 4. Jentin's duiker 5. Manatee 6. Crocodile 7. Pigmy hippopotamus</p> <p><u>Section VII: Hunting Period</u> The official hunting period starts..November 1 of each year to April 30 of the following year.</p>	
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## Cote d'Ivoire

## Guinea

## Liberia

## Sierra Leone

<p>February 1974 on closing of the hunting season provides as follows: "Hunting is closed on the full extent of the Republic of Côte d'Ivoire from January 1st 1974" Until 2010 this provision is still in force because according to Article 2 of this regulation, no order has yet been taken to declare open season.</p> <p><b><u>Article 87 of Law n° 96-766 of 3 October 1996 regarding the environmental code</u></b> Prohibits the killing, injuring, capture, or transport of animals belonging to protected species</p>			
<p><b><u>Wildlife fines and Fee Schedule Under Regulations</u></b></p> <p><b><u>Wildlife fines under regulations</u></b> <u>Law n° 65-255 du 4 August 1965 relative to the protection of fauna and hunting</u> This law sets fines on violations of wildlife statutes. It states in Article 17 that the keeping of wild animals in captivity by people other than licensed scientists, who pay of annual fees. Article 18 provides for fines for any violation of the content of this law. This is a fine of 3000 (\$5.83 US) to 300,000 CFA francs (\$5830 US) and imprisonment for two months to one year, or one of these two penalties with the seizure of animals injured or captured or the remains of animals killed, or an order to pay a sum equal to their value if they cannot be conveniently seized. These fines or imprisonment shall be doubled if the offense is committed in a national park or reserve, or committed at night with lighting gear, or when the offense is repeated. The penalties are tripled when two of the three circumstances listed above are satisfied at the time of the offense.</p> <p><b><u>Article 89 of Law n° 96-766 of 3 October 1996 (Regarding the Environment Code)</u></b> States that whoever slaughters trees or animals in the classified forests, the protected areas, and national parks, is punished with 2 months to 2 years and fines of up to 5,000,000 CFA. (\$9715 US)</p> <p><b><u>Law n° 2002-102 of 11 February 2002 (Regarding the creation, management, and financing of national parks and nature preserves)</u></b> Allows for imprisonment of 8 days to 5 years (?) for those who: - destroy by fire, any part of a park or natural reserve; - whoever, directly or indirectly, dumps, discharges,</p>	<p><b><u>Wildlife fines and Fee Schedule Under Regulations</u></b></p> <p><b><u>Wildlife fines under regulations</u></b> <u>Ordinance 045/ PRG/87 du 28 May 1987 on the Environmental code</u> Stipulates in Article 107 that a fine of 15,000 (\$3.00 US) to 150,000 GNF (\$30.00 US) (and imprisonment of three months to one year, or one of these two penalties, to any person adversely affecting animal and plant species or their natural habitats. <b>Penalties are provided for violations of provisions of the code protection of wildlife and regulation of hunting of December 9, 1997.</b> These penalties include: - Imprisonment of 3 months to a year and a fine of 40,000 to 75,000 GNF ( \$8.00 to \$15.00 US) for hunting without a license or in the closed season, and the non-compliance of regulation on illegal movement and stays in parks and reserves. - A prison term of 6 months to a year and a fine of 50,000 to 100,000 GNF (\$10.00 to \$20.00 US) for anyone who has hunted, prosecuted or shot game by car, motorboat or aircraft; anyone who hunted and shot game with the aid of illuminating devices or vehicle headlights; anyone who has hunted without a professional license. - Whoever kills or captures unprotected animals in excess of slaughter limits or permitted captures shall be punished by imprisonment of six months to a year and a fine of 30,000 to 70,000 GNF (\$6.00 to \$14.00 US), or one of both. - Whoever killed or captured partially protected animals in excess of slaughter limits or capture permits shall be punished by imprisonment of six months to a year and a fine of 40,000 to 80,000 GNF (\$8.00 to \$16.00 US), or the one of these two penalties. - Whoever kills or captures fully protected animals</p>	<p><b><u>Wildlife fines and Fee Schedule Under Regulations</u></b></p> <p><u>Based on content of the 2006 Forestry Reform Law Section 20.7:</u> a. Fine up to \$10,000 (US) or twice the economic benefit obtained through the violation whichever is greater b. Knowing violations resulting from gross negligence a fine of up to \$25,000 or 3 times the economic benefit whichever is greater and/or imprisonment for up to 12 months c. For violations resulting in damage to Forest Resources or the Environment an additional fine of twice the reduction in market value of the damaged property, twice the cost of restoring the Forest Resources, or twice the cost of Environmental Restoration, whichever is greatest.</p> <p><u>FDA Regulation No. 25 (June 9, 2000) modify and are more current than fines schedules shown in the Wildlife and National Parks Act , 1988. The fine schedule listed in Regulation 25 is shown below.</u></p> <p><b><u>Section IV: Administrative Fees</u></b> a. A qualified hunter shall..pay... L\$2,500.00 ...per year....for a permit...renewable annually b. Any qualified bush meat trader shall...pay... L\$4,500 per year.... Permit renewable annually c. Any qualified trophy/sport hunter shall pay... US\$500.00 for each mammal or reptile, provided such...does not fall within section 60 of the Wildlife and Parks Act ...</p> <p><b><u>Section VI: Offenses and Penalties</u></b></p> <p><b><u>Hunting in National Park or Nature Reserves:</u></b> _US\$500 – 1,000 or 6 months imprisonment</p>	<p><b><u>Wildlife fines and Fee Schedule Under Regulations</u></b></p> <p><u>Wildlife Conservation Act 1972 Section 75</u> "No penalty shall exceed a fine of 100 Leones (\$.03) or imprisonment for a period of 6 months or both."</p>

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<p>or stores any substance that injures the integrity of the national park or nature reserve or ecotourism - whoever damages or disturbs the wildlife or plant life or illegally enters a national park or nature reserve ;</p> <p>- whoever, in a national park or natural reserve, without authorization from the director of the park or reserve, kills, injures, fishes or captures the animals.</p> <p>These punishments can be doubled if involving a voluntary act with toxic substances, or in the case of repeat offences.</p> <p>Two application texts are related to the animal protection and hunting law. They are <u>-Ordinance n° 68 of 23 January 1967 fixes the fines and taxes levels regarding hunting and capture of wild animals.</u></p> <p>The charges collected in application of the hunting regulations in connection with the issuance of permits and taxes for the slaughter and additional rights concerning capture and permitted hunting, slaughter tax, capture permits, holding tax of live animals in captivity, the slaughter tax of trapped and skinned panthers, is commercialized.</p> <p><u>Ordinance n° 15 SEPN/SEB of 26 December 1972 modifying ordinance n° 68 du 23 January 1967 fixing tax and fine levels regarding hunting and capture of wild animals.</u></p> <p>These taxes and fees are levied under the hunting regulations in connection with the issuance of permits and slaughter taxes.</p> <p><u>Decree n° 66-423 du 15 September 1966 defining rules on hunting licenses and the terms of their functions.</u></p> <p>This states that only persons aged at least 21 years are entitled to <b>small game hunting licenses</b> which shall include (a) the local permit to the sub-prefecture level for the exclusive benefit of farmers and herders, but does not giving right to hunt the animals listed in Annexes III and IV (b) the national permit valid for unprotected animals and giving the right to hunt with a sophisticated weapon on animals in the Annexes II, III and IV. Persons are entitled to <b>special sport hunting permits</b> authorizing the killing of a specified number of partially protected animals when carrying: (a) the medium hunting license, (b) the short term tourist hunting license tourist, (c) and large hunting permit. They are also entitled to special commercial capture</p>	<p>without scientific permit or in excess slaughter limits or without capture or scientific permits is punishable by imprisonment of six months to a year and a fine from 70,000 to 150,000 GNF (\$14.00 to \$30.00 US). The sentence of imprisonment is mandatory.</p> <p>- Anyone who hunts with prohibited weapons, devices or products, or any person who has hunted with a licensed firearm, or a person who slaughtered using fire, shall be punished by imprisonment of 3 months to a year and a fine of 50,000 GNF (\$10.00 US), or one of these two penalties.</p> <p>- Whoever illegally hunts in a national park, full nature reserve or managed nature reserve, wildlife sanctuary, or hunting zone, shall be punished with imprisonment for 3 months to one year and fined 70,000 GNF to 150,000 GNF, (\$14.00 to 30.00 US) or one of these two penalties. The sentence of imprisonment is mandatory when the act of hunting takes place in a national park or full nature reserve.</p> <p>- Anyone who holds wildlife without permission, who distributes the spoils and trophies of wild animals without a certificate of origin, who markets and /or exports of meat of Guinean origin without authorization, shall be punished with imprisonment from 3 to 6 months and fined 40,000 GNF to 90,000 GNF, (\$8.00 to \$18.00 US) or one of these two penalties.</p> <p>- Any person who obtains a hunting license by deceiving the administrative authority is liable to a fine of 15,000 to 40,000 GNF (\$3.00 to \$8.00 US) with confiscation of the new license without prejudice to the provisions in the Penal Code relating to forgery. If he/she hunted under the guise of this permit, it shall be punished with imprisonment from 3 to 6 months and a fine of 20,000 to 60,000 GNF (\$4.00 to \$12.00 US), or one of these two penalties.</p> <p>- Whoever, without obtaining a license as a guide, made even once act of hunting guide is liable to a penalty of imprisonment of 3 to 8 months and a fine of 30,000 to 60,000 GNF (\$6.00 to \$12.00 US), or the one of these two penalties.</p> <p>- Whoever willfully obstructs the duties of a forest service or hunting officer shall be punished with imprisonment from 3 to 6 months and a fine of 20,000 to 40,000 GNF (\$4.00 to \$8.00 US), or one of these these penalties, without prejudice to cases</p>	<p><u>a. If Leopard, Elephant, or Pygmy Hippo</u> US\$5000 to 10,000 or 2-4 years imprisonment</p> <p><u>b. If animal not in (a) above</u> 250-500 or 4-6 months imprisonment</p> <p><u>c. In case of a &amp; b</u> Confiscate animals (a) deposit revenue into Gov't of Liberia and (b) confiscate weapon, etc. used in offense</p> <p><u>Hunting in game reserves:</u> US\$250-500 or 4-6 Months imprisonment</p> <p><u>Fishing in National Park and Nature Reserve without permission:</u> US\$100 -150 or 60-100 days imprisonment</p> <p><u>Hunting of protected animal:</u></p> <p><u>a. Leopard, Elephant, or Pygmy Hippo</u> US\$5000 – 10,000 or 4 years imprisonment</p> <p><u>b. Any other animal</u> US\$250 – 500 or 4-5 months imprisonment</p> <p><u>Possession of live animals without Permission: US\$100,-150 or there months imprisonment: confiscate animal</u></p> <p><u>No hunting permit/license:</u> US\$25 – 500 or 30 days – 1 year imprisonment</p>	
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<p>permits authorizing the catching, holding, transfer, export of live wild animals, except for fully protected species. Persons are entitled to <b>scientific hunting or capture permits</b> granted exclusively to representatives of official scientific organizations for the killing or capture of fully protected species for scientific purposes. These hunting permits give the holder, the right to shoot within the whole territory: the animals listed in Annexes II, III, IV, within the limits laid down in these annexes without slaughter tax; or partially protected animals (Annex I class C) within the indicated limits and payment of slaughtering a fee, whose amount is fixed per animal slaughtered by order of the competent authority; or partially protected animals (Annex I, Class B), in units and without slaughter tax except for colobus magistrate, the yellow-backed duiker and giant forest hog. The capture permits do not give rights equivalent to a hunting license and do not allow the use of firearms. In addition regarding commercial licenses and permit commercial capture permits, the beneficiary of capture permits will be required to pay duties and taxes fixed annually.</p>	<p>constituting the rebellion.  All the penalties mentioned above shall be doubled for repeat offenders.  <b>Fee Schedule under regulations</b> Chapter 10 of Title Four of the wildlife and hunting code recognizes the right to hunt for all citizens. This law also applies to foreigners living in Guinea, tourists aged 21 years or over, and holders of legally acquired weapons and institutions officially recognized by the government. However, any right to hunt is subject to obtaining a permit or a hunting license issued by the competent authority that determines the type of hunting allowed. The holder of a permit or a hunting license can freely dispose of the bush meat from animals slaughtered by him/her regularly within the limits of personal consumption and that, possibly of accompanying staff. The surplus is left freely available to users of the territory where the slaughter took place.</p>		
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**Forestry Laws and Regulations**

<b>Timber Harvesting Permit Types, Issuing Authority</b>	<b>Timber Harvesting Permit Types, Issuing Authority</b>	<b>Timber Harvesting Permit Types, Issuing Authority</b>	<b>Timber Harvesting Permit Types, Issuing Authority</b>
<p><b>Timber Harvesting Permit Types</b> <u>Law n° 65/425 of 20 December 1965 regarding the Forestry Code</u> - Chapter III of Title I relates to the exploitation of state forests. It says that such operations can be performed: by public supervision; or by cutting sales, or by temporary operating permits, or by cutting permits, limited to a number of trees, pieces, cubic meters.. These rights can be exercised by individuals and community forest owners with property titles registered in their name. <b>Issuing Authority</b> The forest administrative authority is the sole authority that can set and regulate: - the annual volume of cut wood as a function stand production ;</p>	<p><b>Timber Harvesting Permit Types</b> <u>Law L/99/013/AN (Adopting and promulgating the law on the forestry code)</u> Section 1 of Chapter IV focuses on the exploitation of the forest as follows: - State Forests can be operated either directly by the forestry administration or under a forest management contract. - The forests of local governments, districts and villages can be operated either directly or through local governments, districts and villages, or under a forest management contract or by the forestry administration. - Private Forests are operated in accordance with the implementing legislation of the Forestry Code. - Unclassified forest can be exploited either directly by the forestry administration, or under timber license, or under contract for forest management.</p>	<p><b>Brief History</b> The <u>National Forestry Reform Law of 2006</u> amends sections 16 through 23 of the 1976 Act Creating the Forest Development Authority and establishes most of the current guidance related to timber harvest permits and other topics in this section. The Act Creating the Forest Development Authority in 1976 was amended in 1988 to include changes to section 16 and added sections 17 to 23. Those portions of the Act (as amended in 1988) were further amended in the National Forestry Reform Act of 2006. The Act of 1976 as amended is still the basis for the FDA and its authorities. The Forestry Reform Law of 2006 provides most of the current legal framework to carry out those authorities. Additionally the Forestry Reform Law of 2006 also amends portions of the National Forestry Law (April 6, 2000). The National Forestry Law of</p>	<p><b>Issuing Authority</b> The Forestry Act, 1988 Part II 3. (g)(h) Subject to the direction of the Minister, the Chief Conservator is responsible for conducting sales and issuing <u>licenses</u> for the disposition of forest produce or, under subsection (h), may negotiate <u>concession agreements</u> for the plantation and utilization of production forests.. The Minister is defined in the Act as the Minister being charged with matters relating to Agriculture, Natural Resources and Forestry.  <b>Timber Harvesting Permit Types</b> <b>1. License (Under Part IV 11. (1) to (4))</b> A license, subject to any applicable forest management plan and existing priori rights, may be valid for up to one year except that a license to clear land and plant trees and crops may be valid</p>

## Cote d'Ivoire

- quotas for the production of logs for domestic needs, and its processing industry and export;  
 - the conservation of classified sites ;  
 - wood processing into semi-finished or finished products;  
 - the transportation, marketing, packaging of wood and wood products.

Law n° 2002-102 du 11 February 2002 regarding the creation, the management and financing of National Parks, and nature Reserves  
Section 3 on the delegation of operating concessions  
 Provides that all or part of the tasks of exploitation in a park or reserve, may be granted by the institution to a corporation under private law in the context of an exploitation concession agreement. This exploitation agreement entered into between the institution and the grantee is approved, before entry into force, by the governing body of parks and reserves and all other authorities involved in the activities granted.

Section 4 on land management contracts  
 These types of contracts between the authority of a protected area and representatives of surrounding communities are, first before entry into force, approved by the competent authority of the park or reserve. These contracts may include measures of natural resource management.

## Guinea

**Common rules of exploitation**

- Apart from the trees in a fenced field adjacent to a house or an industrial, commercial or administrative building, any tree cutting is subject to the issuance of cutting permits.

- When the trees destined to be cut are covered by a forest management plan, the cutting permit can be issued only if the cut is consistent with indications of the development plan.

- The issuance of a cutting permit is subject to the advance payment of an allotment fee, rates and payment terms are set by the Finance law. But cutting permits necessary for the forestry administration in the units that it manages are not subject to payment of fees. At the prefectural level, the timber permits and transport permit are issued respectively by the chef de section des Eaux et Forêts and the chef d'antenne de l'OGUIB (Office of the Guinean Forest). The management contract, management permits, and land clearing permits are granted by the Minister in charge of the environment.

- The cutting of trees is prohibited from sunset to sunrise, unless special permission is given by the authority who issued the permit.

- Anyone who transports timber and its derivatives must be equipped with a *transportation permit* whose issuance is subject to the advance payment of a base fee, rates and payment terms are set by the Finance law, under penalty of seizure.

- Any person physically or morally engaged in the commerce of timber and its derivatives must, under their own responsibility, justify the origin of its holdings by filing a deposit slip.

- To promote the quality of national forest products, there shall be a timber quality certificate.

- For the sake of protection and statistics, a certificate of origin for timber and other forest products for export will be established. The issuance of this Certificate is subject to the advance payment of a fee, whose rates and conditions are set by the Finance law.

**Issuing Authority**  
 The authorities in charge of forests, standardization and finance are charged to ensure the strict application of the provisions on the protection and management of forests. The Act L/99/013/AN adopting and promulgating the Law on Forest Code

## Liberia

2000 constituted Part II of Title 23 of the Liberian Code of Laws. The Forestry Reform law of 2006 amended Part II of Title 23 in its entirety and is the basis for current law established in this title and is cited for the detail provided below..

**Issuing Authority**  
 The Forestry Development Authority is given authority to regulate timber harvest.

**Harvesting Permit Types**  
 The National Forestry Reform Law of 2006 establishes the following types of legal instruments to allow tree harvest:

**A. Forest Management Contracts**

1. FDA may award, but contact not valid until signed by the President (Section 5.3 (f) (i) and ratified by Legislature (Section 5.3(f) (ii))

**Timber Harvesting Permit Types. Issuing Authority**

2. Contracts covering a land area between 50,000 and 99,999 hectares only from qualified bidders showing 51% ownership by Liberian citizens (Section 5.3 (g) )
3. Contacts covering 100,000 to 400,000 hectares open to both Liberian and international investors. (Section 5.3 (h)).
4. Area involved must be identified as a potential concession in the National Forestry Management Strategy in effect at time of concession (Section 5.3 (b) (i). and not involve private land (ii)
5. The contract term must approximate the length of a forest rotation on a sustainable yield, though contracts may be terminated sooner for cause.

**B. Timber Sale Contracts (Section 5.4 (i) to (vi))**

1. FDA may award
2. Contracts cover no more than 5000 hectares
3. Area involved must be consistent with National Forestry Management Strategy in place at time of award. (The current forest management strategy for Liberia is titled " National Forestry Policy and implementation strategy", 2006)
4. Basic contract term not to exceed three years

**C. Forest Use Permits (Section 5.5)**

1. FDA may issue for small amounts of timber for production of charcoal ( c (i)) or local use within the County or community ( c (v))

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longer. Under the Act, a license may authorize the holder  
 "to fell, take and extract timber, fuel wood and other forest produce, clear land, plant trees and crops, and graze animals."

**2. Contract or Agreement ( Under Part IV 12)**  
 Under this section, subject to any applicable forest management plan and prior rights, the Chief conservator may sell produce of the national forest by auction or private agreement, subject to fees no less than that sold by license. Sales of felled timber, if not by auction, will be no less than prevailing prices. If standing timber is sold, the contract shall provide for time, methods of felling and extraction, end use of timber, and a reforestation plan.

**3. Concession (Under Part IV 12 to 17)**  
 The Minister may enter into an agreement with any person for a concession to utilize any area of national forest classified for production forestry. The sections referenced provide details including the life of the concession not exceeding ten years with provision for extending to 20 years

The Rural Area Act, 1990.  
 This Act replaced schedules which set fees for a variety of licenses for various forest products and established various regulations to detail the provisions of the Forestry Act of 1988. Part II of the Act details Forest Administration and management including management plan requirements before any unclassified forest under private ownership is harvested Part III of the act establishes fees for various types of licenses. Part IV of the act describes general licensing procedures. Part V of the act describes Timber licenses with areas so permitted not to exceed 640 acres and that the applicant is an inhabitant of the chiefdom where the area is located or that the applicant is a member of the Chiefdom Council of the area in which the timber is located and that the timber is required for public purposes and that such license would be consistent with any current management plan for the area. Part VI of the act describes specific licenses needed for falling protected trees, clearing land. This part of the act also provides for a grazing license to graze animals in a national forest

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	<p>provides for penalties in Section 2 of Chapter V dedicated to forest police, the assets of anyone who has practiced the cutting of a tree or woody plants, an encroachment, a falsification of cutting permits, transport of forest products without a bill or using a forged bill, or the violation of a prescribed right of use, the removal or destruction of markers used to define a forest area, sets fire to the forest, etc.</p>	<p>2. Award of permit will be through a concession process if value of permit exceeds \$10,000 (US) during the term of the permit.</p> <p>3. Permit types include: (Section 5.5 (i) and (ii))</p> <ol style="list-style-type: none"> <li>Single permits limited in duration to no more than 2 years.</li> <li>General permits which the FDA issues with rules establish by regulations</li> </ol> <p>4. Forest use permits are restricted to specified classes of people such as subsistence farmers, forest dependent communities, residents of a particular county or district, researchers, artisans, and persons undertaking tourism, eco-tourism and similar Conservation based activities. (5.5 f.)</p> <p>5. If permits allow exclusive use of a forest resource in a particular area, area must be less than 1000 hectares and in a "validated" (Section 4.5) area.</p> <p><b><u>D. Private Use Permits on Private Land Timber Harvesting Permit Types, Issuing Authority</u></b></p> <ol style="list-style-type: none"> <li>Such a permit is required. The state owns the trees even on private land (some exceptions)</li> <li>Must be, or have permission of, landowner to have this type permit issued by FDA..</li> </ol>	<p>Part VII of the act provides for wood fuel transport permits.</p> <p>Part VIII of the act provides for sale of forest products by auction or private agreement with limitation on sales of standing timber under this instrument to areas up to 6400 acres</p> <p>Part IX of the act details concession permits</p> <p>Part X of the act details utilization standards</p> <p>Part XI of the act describes riparian buffers, and other general protections</p> <p>Part XII of the act describes community forest and how they shall be managed with interaction between the Chief Conservator and Village Forest Associations.</p> <p>Part XIII of the act establishes the Reforestation Fund</p> <p>Part XIV of the act defines offenses and penalties</p> <p>For violations of the Act with fines varying from 2000 Leones to 25,000 Leones (\$.60 to \$7.50 US) (depending on the offense and/or with associated imprisonment for periods varying from three months to three years depending on the offense.</p>
<p><b><u>Types of Reserves where harvesting allowed</u></b></p> <p><u>Reserves authorized for harvest per Law n° 65/425 du 20 December 1965 regarding the Forestry.</u> This authorization is linked to usage rights regarding fruits and natural forest products.</p> <ol style="list-style-type: none"> <li><b>Protected Areas</b> : usage rights on the fruits and natural forest products can be freely practiced in the protected area. The commercial exploitation for users of products from palm, shea, kola, kapok, rattan and other naturally grown plants can be done freely in protected forests, provided that the collectors do not destroy the producing plants.</li> <li><b>Unclassified Forests</b>: Usage rights for fruits and forest product are reserved for local populations and limited to the collection of dead wood, gathering of fruit and medicinal and edible plants, timber for the construction of traditional houses and for the shaping of canoes, and the keeping of some animals. In the forest reserves, commercial use is subject to the issuance of an operating license indicating the places and manner of collection.</li> <li><b>Wildlife Reserves</b> : Decree No. 66-433 of 15 September 1966 on the statute and rules of</li> </ol>	<p><b><u>Types of Reserves where harvesting allowed</u></b></p> <p><u>Reserves authorized for harvesting by Law L/99/013/AN adopting and promulgating the forestry code.</u></p> <ol style="list-style-type: none"> <li><b>Buffer and Periphery Zones</b>: in these areas, human activities compatible with protection goals, including the exercise of customary use rights and local development actions can be organized and conducted under the supervision of the responsible authorities of the park or reserve. The buffer zone is the subject to increased surveillance for the sound management of natural resources. This is an experimental area for the development of culture methods, learning animal husbandry, planting and management of timber, using fire for land clearing, and controlled hunting and fishing.</li> <li><b>Transition Areas</b> : the areas of development support of pilot activities initiated in the buffer zone in the areas of agriculture, fish farming, animal husbandry and reforestation.</li> <li><b>Unclassified Forests</b> : is an area that is neither classified nor assigned to an individual by the state. In all cases, its operation is done under the</li> </ol>	<p><b><u>Types of Reserves where harvesting allowed</u></b> (These are described in the Forestry Reform Act of 2006, Definitions)</p> <ol style="list-style-type: none"> <li><b>Buffer Zones</b> (such as communal Forest, Game reserve, or Multiple Sustainable Use Reserve</li> <li><b>Communal Forest</b> (where harvest is for sustainable use of Forest Products, by local communities or tribes on a non-commercial basis).</li> <li><b>Multiple Sustainable Use Reserve</b></li> <li><b>National Forest.</b></li> </ol>	<p><b><u>Types of Reserves where harvesting allowed</u></b></p> <ol style="list-style-type: none"> <li>Protected Areas authorized under the <u>Forestry Act of 1988</u> generally allow for some form of forest products use, as may be detailed and/or limited by specific forest management plans. Exceptions are provided in the Act for National Protection Forests and Special Protection Areas.</li> <li>Protected areas authorized under the Wildlife Conservation Act of 1972, generally do not allow for forest product extraction (National Parks, Strict Nature Reserve or Game Reserve)</li> </ol>

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<p>procedure for the classification of protected areas in paragraph 2 provides that in the game reserves, free exercise of fishing rights, grazing, traversing, harvesting honey, beeswax and wild fruits is permitted.</p> <p><b>4. Private and Collective Forests</b> Individuals and community forest owners, registered in their name, will exercise the rights resulting from their ownership by virtue of an administrative authorization.</p> <p><b>Decree No. 66-112 of March 31<sup>st</sup> 1966 determining the so-called protected tree species.</b> Under Article 1 of this text, mahogany, aboudikro, Avdira, makore, sipo, Bete, bossé, dibetou, framiré, tiama, assamela, iroko, Kossipo, kotibé, lingué, movingui the niangon, ako, fraké the oualélé, samba, azobé and badi are forest species which exploitation is prohibited throughout the national territory.</p>	<p>technical supervision of the forestry administration.</p> <p><u>Reserves authorized for harvesting by the Law L/97/038/AN of December 9, 1997 ( On the Code of wildlife protection and hunting regulations).</u></p> <p><b>Unclassified Hunting Zones:</b> They cover the whole territory and public domain not classified as national parks, nature reserves or managed wildlife sanctuaries, classified hunting zones, with the exception of roads, railways, waterways, and construction areas where the exercise of hunting is not compatible with public safety. In these areas, other human activities are carried out normally.</p>		
<p><b>Timber Regulations/Fines/Fees</b></p> <p>Since 1992, the management of forests in Côte d'Ivoire is entrusted exclusively to SODEFOR (Société de Développement des Forêts). In its policy of decentralization, SODEFOR has established five centers of management (management units) that are distributed throughout the national territory. SODEFOR is a national public institution, endowed with legal and financial autonomy, whose principles of organization and function are defined by <u>Law No. 2002-102 of 11 February 2002 concerning the creation, management and funding of national parks and reserves.</u></p> <p><b>Fines</b> The resources of SODEFOR are comprised of: - State Subsidies ; - incidental fees; - Transfers from Foundations; - Subsidies of public bodies other than the State or private enterprises, national or international; - Revenue from the exploitation of fauna or flora; - products of service benefits; - Fees from granted activities; - Income from fines and forfeitures allocated by the State; - Donations and legacies.</p> <p><b>Fees</b> All or part of the tasks of operating a park or reserve, depending on the nature of the park or</p>	<p><b>Timber Regulations/Fines/Fees</b></p> <p><u>Joint Order A/2010/1922/MEEDD/SGG May 13 2010 fixing the rates of forest charges and the sale price of timber from state forest plantations.</u></p> <p><b>Royalty Rates</b> Royalty rates are set on products from the direct exploitation of the forest estate. These charges are: 1. cut fees on wood for energy, timber, lumber following categories and species (lumber according to species and categories), and secondary forest products ; 2. clearing fees which 25% is paid to the forestry administration; 3. exploitation fees ; 4. wood transportation permit fees.</p> <p><b>Fees</b> Stamp duties on certificate of origin The rate of stamp duties on certificates of origin on forest products for export are set on: 1. industrial products of primary processing; 2. pieces of wood for specific markets; 3. wood furniture ; 4. Handcrafted products of primary processing and collection (picking) products.</p> <p><b>Receipts</b> Income received from logging are distributed as a fixed percentage between collection services, informing and enforcing agents, the budgets of CRDs (Communautés Rurales de Développement),</p>	<p><b>Timber Regulations/Fines/Fees</b></p> <p>The <u>Forestry Reform Act of 2006</u> establishes stumpage fees under Section 14.2 (b) (i).and Forest Products fees under Section 14.2 (b) (iii). Fee requirements are generally addressed in Sections 5 to-7 of this Act.</p> <p><u>Fee Distribution</u> Section 14.2 e of the Act details distribution of fees In subparts (i),(ii), and (iii) as follows i. 10% of stumpage fees to Protected Forest Area Network for operational costs. ii. 30% of land rental fees to communities entitled to benefit sharing , 30% to Counties, 40% to general revenue funds. iii. 20% of Forest Product fees to Protected Forest Area Network for operational costs</p> <p><u>Fee Rates (Section 14.2 b)</u> The FDA may establish fees by regulation for the following types of fees i. Stumpage associated with harvest of Forest Resources, including fees based on the kind and amount of Forest Resources harvested. ii. Land rental fees, associated with the use of Forest Land. iii. Forest Product fees, association with production, registration, transport, transfer of ownership, or export of Forest Products Fees are established in <u>FDA Regulation 107-07</u></p>	<p><b>Timber Regulations/Fines/Fees</b></p> <p><u>The Rural Area Act, 1990</u> establishes <u>Fees</u> <u>Forestry Act of 1988 (Section 17)</u> (1)All concessionaires, purchaser, and license holder shall pay a reforestation fee on the basis of the quantity of timber felled and at such rate as the Minister may prescribe. Fees are paid to the Chief Conservator who shall pay all amounts so collected to the Reforestation fund established under this Act. (2) The Minister may prescribe fees in addition to those above and fees may be fixed at different rates for different classes of concessions, licenses and other authorities.</p> <p><u>Offenses (Part VIII, 28)</u> Among the offenses are, without lawful authority, in a National Forest or community forest, cutting, burning, uprooting, damaging or destroying any trees, removing timber or other forest produce, clearing land, building roads or structures, taking cork, clay sand gravel ors stone, cultivating crops, grazing, or conducting any forest operation.</p> <p><u>Penalties (Part VIII (1))</u> Violations above in a National Forest or community forest: A fine not exceeding \$10,000 Leones (\$3.00 US) and/or imprisonment not to exceed 12 months (2) Violations above in any other protected area: A</p>

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<p>reserve, may be granted by the State to a corporation under private law in the context of operating concession agreement The land management contracts are awarded for the mutual benefit of a park or reserve and its surrounding communities. These contracts have to define the terms and conditions of the association of these populations to the conservation of the park or reserve and thus promote economic benefits for these populations. These land management contracts may relate to the management of natural resources, educational activities, entertainment, guide training, hotel and landscaping.</p>	<p>and Urban Communes, the prefectural budget, national budget, and the National Forest Fund.</p>	<p><u>Offenses</u>                  These are defined in Chapter 20 of the <u>Forestry Reform Act</u>. Section 20.7 specifies the fines and penalties. Section 20.1 defines the offenses. Under Section 20.1 the following offenses, among others, are listed:                  i. Commercial use of forest products without permission                  v. Violations of Section 8.1(c) (d) regarding environmental requirements                  vii. Violations of 9.10 (b) regarding activities in protected areas                  xviii. Violations regarding protection of the forest resource base.</p> <p><u>Penalties</u>                  a. Fine up to \$10,000 (US) or twice the economic benefit obtained through the violation whichever is greater                  b. Knowing violations resulting from gross negligence a fine of up to \$25,000 or 3 times the economic benefit whichever is greater and/or imprisonment for up to 12 months                  c. For violations resulting in damage to Forest Resources or the Environment an additional fine of twice the reduction in market value of the damaged property, twice the cost of restoring the Forest Resources or twice the cost of Environmental Restoration, whichever is greatest.</p>	<p>fine not exceeding 5000 Leones (\$1.50 US) and/or no more than 6 months imprisonment,                  (3) Destroying any protect tree: A fine not exceeding 1000 Leones (\$.30 US) and/or no more than 3 months imprisonment.                  (4) Destroying or removing boundaries placed under the Act: A fine not exceeding 5000 Leones (\$1.50 US) and/or no more than 6 months imprisonment.                  (5) Knowingly and falsely representing any wood has been graded or meets any standard according to any grading rules: A fine not less than 25,000 Leones (\$7.50 US) and/ or no more than 12 months imprisonment.                  (6) Counterfeiting or unlawfully affixing to any forest produce a mark uses by forest officers to indicate that the produce is property of the government or that it has been lawfully felled or taken: A fine not less than 50,000 Leones (\$15 US) and/or no more than 2 years imprisonment.                  (7) Unlawful possession or use of a brand, stamp or mark which resembles or purports to be a brand, stamp or mark used by forest officers: A fine of not less that 25,000 Leones, (\$7.50 US) and/or imprisonment not exceeding 12 months.                  (8)(9) False statements/Hindering 5000 L (\$1.50 US) and/or not less than 3 months</p>
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**Mineral Laws and Regulations**

<p><b>Mineral Permit Types, Issuing Authority</b></p> <p><u>Law No. 95-553 of 17 July 1995 (Regarding the Mining Code</u>                  _Establishes the different types of mining claims. In Title II, prospecting and exploitation authorizations. In Title III, rights and obligations for the performance of mining or quarrying operations and issues of environmental protection.  <b>Mining Claims</b>                  - <u>Exploration license</u> is a personal right, indivisible, not be leased or pledged or mortgaged. It gives its holder the exclusive rights to search for minerals, to obtain the operating permit in case of discovery of one or several fields within the perimeter of the</p>	<p><b>Mineral Permit Types, Issuing Authority</b></p> <p><u>Law L/95/036/CTRN of 30 June 1995, regarding the Mining Code</u>  <b>Mining Titles</b>  <u>Reconnaissance Authorization</u>                  The reconnaissance license entitles its holder a right of preemption on the perimeter and requested within limits and period of the authorization. It has no exclusivity and no customs and taxation advantage.  <u>Artisanal Exploitation Authorization</u>                  The artisanal mining license gives the holder the divisible and leasable right. This right may be pledged to secure borrowings of funds for the</p>	<p><b>Mineral Law, Permit Types, Issuing Authority</b></p> <p><u>Ownership of mineral rights</u>                  In Liberia, all mineral rights are owned by the state, including those on private lands (Constitution, , <u>Mineral and Mining Law, Section 2-1</u>)</p> <p><u>Authority to issue authorizations</u>                  The power to issue all types of mineral exploration and development licenses are vested with the Minister of Lands, Mines and Energy, ( Minerals and Mining Law Sections 5.1, 5.2, 5.3, 6.3, 6.4, and 6.5) Under section 3.3 of the Minerals and Mining Law (2000), the Minister may delegate any power excluding the power to make regulations.</p>	<p><b>Mineral Permit Types, Issuing Authority</b></p> <p><u>Ownership of mineral rights</u>                  In Sierra Leone all mineral rights are initially owned by the state.  <u>Mining and Minerals Act 2009 Part II (1) Ownership of minerals</u> "All rights of ownership in and control of minerals in, under or upon any land in Sierra Leone and its continental shelf are vested in the Republic not withstanding any right of ownership or otherwise that any person may possess in and to the soil on, in or under which minerals are found.  <u>Authority to issue authorizations Part III</u>                  3.The Minister responsible for mineral resources</p>
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<p>exploration license and the free disposal of the products extracted during research and testing.  <u>Exploitation permit.</u> Is granted to the holder of a exploration license, with provided evidence of the existence of a deposit within his/her exploration area. This permit is granted after investigation commodo and incommodo</p> <p><b>Prospecting License</b>  They give the holder the right to non-exclusive prospecting for valuable minerals over the whole of one or several administrative departments not classified as a prohibited zone or not the subject of a mining title or artisanal or semi-industrial operating permit or quarry. These licenses are personal and are neither transferable, nor transmissible or leaseable.</p> <p><b>Recognition authorizations</b>  Give the holder a non-exclusive recognition valid for all minerals. They are also not transferable, nor be leased and include:  - <u>Artisanal and Semi-industrial Operating permits</u>  They give the holder the exclusive right of artisanal and industrial exploitation for minerals for which they are issued. They are a personal right, not be leased or may pledge or mortgage  - <u>Quarry Authorizations</u>  These permits are of two types: (i) the authorization for permanent quarries, ie permit to exploit quarry substances and (ii) the authorization for temporary quarries, ie permit to extract quarry minerals. They give the recipient within the limits defined therein, the exclusive right to exploit quarry substances that are found there and to establish packaging and primary processing facilities.  - <u>Dump authorizations</u>  The operation of masses formed by piles and mine dumps and waste from quarrying is subject to authorization.  - The implementing legislation for the mining code designates minerals falling within the category of substances whose possession, processing, transport, trade and processing and all related transactions are subject, according to their importance to national interest, under the authority of the mining administration.</p>	<p>operation.  <u>Research Permit</u>  Research permits for groundwater or geothermal deposits can either set the perimeter in which drilling can be carried out, or specify the location of the drilling to be undertaken.  <u>Exploitation Permits</u>  The operating license for geothermal deposits defines, by a perimeter and two depths, the volume that can be exploited. It may also limit the heat output will be withdrawn.  <u>Mining Exploitation Permits</u>  The mining concession entitles its holder the exclusive right to conduct in its perimeter, unlimited depth research work of all deposits and exploitation of deposits of mineral substances for which the license is issued.  A concession can only be granted in case of discovery of one or more deposits whose evidence is substantiated by a feasibility study which involves the exploitation of works (construction) and investments of special importance. The concession establishes the funds destined for the operation.</p> <p><b>Quarry Titles</b>  <u>Quarry Research Authorization</u>  Permission for quarry research gives its owner the right to seek all quarry substances in the area for which it is issued. It is not transferable.  <u>Authorization to Open a Quarry</u>  Permission to exploit a quarry gives its holder the exclusive right to perform any research work or exploitation of substances within its area and referred to therein.</p> <p><b>Special Authorizations</b>  The holder of a mining title may, within the scope of its title, undertake the work and activities, establish the facility and construct the necessary buildings or annexes for the implementation of the exploration and exploitation for which he holds this title.  However, the following activities are, by exception, contingent upon obtaining a special authorization by order of the Minister of Mines to be specifically authorized by the mining title.  - Ground clearance of all trees, shrubs and other obstacles, and wood cutting for the activities of the owner of land, outside of the perimeter of the title;  - Exploitation of unused or reserved waterfalls and</p>	<p><u>Policy</u>  Minerals policy has been defined in the recent Liberian Minerals Policy (2010).The policy states that it is consistent with the existing Minerals and Mining Law. The stated policy seeks to optimize orderly minerals development for the improvement of the economy and society, while being protective of the environment  <u>License Types:</u> (Mining Law Sections 5 &amp;6)  There are three types of exploration licenses defined In the Mineral and Mining law and three types of mining license and one quarry license as follows:</p> <p><b>Exploration (Section 5)</b>  1. Reconnaissance License  Area not to exceed 2000 square kilometers, no drilling or sinking of pits. Term is six months renewable once.  2. Prospecting License (Section 5.2)  Area not to exceed 100 acres, may sell extracted minerals collected, may apply for a Class B or Class C Mining License for any part of granted area. Term is six month, renewable once.  3. Exploration License (Section 5.3)  May be granted upon application from a person who is an eligible applicant for a Cass A Mineral License. Term is three years, renewable once for two years</p> <p><b>Mining (Section 6)</b>  1. <u>Class C Mining license</u> (Section 6.3)  Permit area is no more than 25 acres. Term is one year, renewable. One person may hold up to 4 Class C mining licenses at one time. Operation must be engaged in "Small-Scale Operation".  2. <u>Class B Mining License</u> (Section 6.4)  Same terms as class C except, initial term shall be 5 years, renewable in increments of 5 years. Holder shall submit a production plan prior to commencing and each calendar year thereafter, which Minister may require holder to amend. Up to 15 holders of Class B licenses on notice to Minister may form a cooperative.  3. <u>Class A License</u> (Section 6.5)  Terms require a "Mineral Development Agreement. Holder must have completed exploration and submitted a detailed map and description of</p>	<p>has the responsibility for the general administration of the Mining and Minerals Act.  4. The Director of Mines is responsible for the implementation of the Act</p> <p><u>Policy</u>  <u>Mines and Minerals Act, 2009</u>  An Act... to promote local and foreign investment in the mining sector...for the benefit of the people of Sierra Leone; to ensure that management of the minerals section is transparent and accountable... to promote improved employment practices... to improve the welfare of communities adversely affected... to introduce measures to reduce the harmful effects of mining activities on the environment..</p> <p><u>License Types (Act of 2009,Part IV, 22)</u>  (a) Reconnaissance License (Granted by the Minister under section 58). Area not to exceed 10,000 square kilometers, term: 1 year renewable  (b) Exploration License (Granted by the Minister under Section 71) Area not to exceed 250 square kilometers, initial term not exceeding 4 years,  (c) Artisanal Mining License(The Director may grant under Section 86) Size not to exceed ½ hectare, term is one year renewable 3 times for 1 year.  (d) Small-scale mining license (Granted by the Minister under Part XI) Size: not less than 1 hectare and not more than 100 hectares. Term: not exceeding 3 years , renewable periods not exceeding three years at a time.  (e) Large-scale mining license (Granted by the Minister under Part XII) Size: not specified. Term: Not to exceed 25 years or the life of the ore body proposed to be mined, whichever is shorter, renewable.</p> <p>Additionally prospecting licenses may be honored by the Minister under section 39 of the Mines and Minerals Act 1994 which shall continue in force under section 178(3) until expiration by the passage of time.</p>
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<p><u>. Rights and obligations in the exercise of mining and quarrying operations</u> No mining activity can be undertaken on the surface within an area of exploration without the consent of the owner or against respect of villages, wells, buildings, burial grounds or places considered sacred without the consent of affected communities, or of the artificial public domain except in conditions established by the mining regulations.</p>	<p>development of these falls to the needs of these activities; - Establishment of electrical centers and posts ; - Installation of preparation, refinement, or chemical or metallurgical treatment facilities,; - Establishment or improvement of roads, canals, pipelines, pipes, conveyors or other surface structure for the transport of products outside titled area; - Creation or development of rail, river and sea ports or airports.</p> <p><b>Closed areas, protected, or not for recognition, research and mining</b> <b>Closed Zones</b> For reasons of public order, the Minister of Mines can by decree, for a limited period, classify certain areas as closed zones and suspend the award of reconnaissance or exploitation permits and concessions for any or all mining or quarrying substances .</p> <p><b>Protected or forbidden Zones</b> Perimeters of any dimension, within which the recognition, exploration and mining of mineral substances or quarries may be subject to certain conditions or prohibited without the owner claiming any compensation, may be established for the protection of buildings and cities, cultural or burial sites, water points, lines of communication, bridges and public works, and all points where it is deemed in the public interest.</p>	<p>surveys setting boundaries of production area and boundaries of deposit area. Operation must have completed a feasibility report meeting approval of Minister. Initial term is 25 years and may be extended for additional terms not to exceed 25 years each. Terms of a <u>Mineral Development Agreement</u> are detailed in Section 6.6 of the Act. <b>4. Quarry License</b> (Section 7.3) Subject to the same terms as a Class B mining license except area is not to exceed 50 acres, but permit gives no right except to building and industrial minerals within the site.</p>	
<p><b><u>Coordination Required for Mining in Reserves</u></b>  <u>Law n° 95-553 of 17 July 1995(Regarding the Mining Code addresses environmental protection in regards to mining exploitation).</u> Every holder of a mining or quarry permit, before undertaking work, either on the ground in the title or authorization, must prepare and submit for approval to the Administrations of Mining and Environment and all other services stated by the mining regulations, a comprehensive environmental impact study, and an environmental management plan including site rehabilitation plans and cost forecasts. Thus, <u>Law No. 96-766 of 3 October 1996 promulgating the Environmental Code</u> states that the Environmental Impact Study include at least: - a description of the proposed activity, a</p>	<p><b><u>Coordination Required for Mining in Reserves</u></b>  <u>Chapter VI of the Law of June 30, 1995 L/95/036/CTRN on the mining code regarding the obligations of mining and quarry operations</u> Focuses on protecting the environment. Mining or quarry operations must be conducted to ensure the protection of the environment according to the Environmental Code. Companies must take steps to prevent pollution of the environment, treatment of waste, emissions and effluents, and protect forest and water resources. The Environmental Code says, in Title 5, Chapter I, Article 82, that when facilities, structures or installations are likely, because of their size, or by nature of activities undertaken in them, or by their location in the natural environment, to damage the environment, the petitioner or the operational</p>	<p><b><u>Coordination Required for Mining in Reserves</u></b>  <b>1. The Minerals and Mining Act (2000) Chapter 10</b> defines protected zones. <u>Section 10.1, Lands not Subject to Mineral Rights</u> states “Mineral Rights shall not be granted with respect to any lands located within the boundaries of any cities, commonwealth districts, municipal districts, cemeteries, transportation, or communication facilities, aqueducts, military base, port, Poro or Sande grounds, and (emphasis added) <u>any other grounds reserved for public purposes, except with the consent of the officials authorized to administer or control the affairs of such entities</u>, and subject to the special terms and reasonable conditions as may be prescribed for the protection of surface users.”  <b>2. The Forestry Reform Act Section 9.10(i)-(iv)</b></p>	<p><b><u>Coordination Required for Mining in Reserves</u></b>  <b>1. The Mining and Minerals Act 2009, Part IV 31</b> states that, “Where the doing of any act is regulated or prohibited by any statute other than this Act nothing in this Act shall be construed as authorizing the holder of a mineral right to do the act , otherwise than in accordance with that statute.  <b>2. The Wildlife Conservation Act 1972 Part II, 7.</b> States; “No person shall in any National Park, Strict Natural Reserve or Game Reserve unless authorized to do so under this Act or by Regulations made hereunder: ..(F) do any act connected with forestry, agriculture or mining.”  <b>3. The Mining and Minerals Act 2009 Part V 32 (1)</b> The holder of a mineral right shall not exercise any</p>

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<p>description of the environment likely to be affected, including specific information necessary to identify or assess the impact of the proposed activity on the environment;</p> <ul style="list-style-type: none"> <li>- a list of products used where appropriate;</li> <li>- a description of alternatives, if appropriate;</li> <li>- an assessment of the likely or potential environmental effects of the proposed activity and alternatives, including direct, indirect, cumulative short, medium and long terms;</li> <li>- identification and description of envisioned measures and other possible solutions to mitigate the environmental effects of the proposed activity; and an evaluation of these measures;</li> <li>- an indication of gaps in knowledge and uncertainties encountered in the development of the necessary information;</li> <li>- an indication of the risks to the environment of a neighboring state due to the proposed activity or alternatives;</li> <li>- a brief summary of the information provided under the above headings;</li> <li>- the establishment of procedures for control and monitoring of environmental indicators scheduled before (baseline), during construction, during operation of structure or development and, where applicable, after the end of the operation ( rehabilitation or redevelopment of premises);</li> <li>- estimated cost of the measures recommended to prevent, reduce or offset the negative environmental effects of the project and monitoring measures and regular monitoring_of relevant environmental indicators.</li> </ul>	<p>manager will prepare and submit to the Ministry responsible for the Environment, an impact study to assess the direct and indirect impact of the project on: the Guinean ecological balance, the environment, the quality of life of the population, and environmental protection in general. The following Chapter 83 further states that on the basis of the report of the National Council of the Environment:</p> <ul style="list-style-type: none"> <li>- a decree of this code lists the different categories of operations for which ministerial authority for the Environment will have the option to require the preparation of an impact study prior to any action.</li> <li>- an order made by the ministerial authority for the Environment will be able to regulate the content, methodology and procedure for impact assessment. The document submitted to the administration will necessarily include the following: (i) analysis of the initial state of the site and its environment, (ii) evaluation of the foreseeable consequences of the implementation of the project on the site and its natural and human environment, (iii) the statement of measures envisaged by the petitioner to remove, reduce and where possible offset, any adverse effects of the project on the environment and estimate the costs thereof; (iv) presentation of alternatives and reasons why, from the standpoint of protecting the environment, the project presented was accepted.</li> </ul>	<p>Prohibits Mining in "Strict Nature Reserves, National Parks, Nature Reserves, Game Reserves, Communal Forests, , Cultural Sites. <u>Section 9b (v)</u> States no person shall prospect for minerals in a National Forest or undertake Class B or C Mining.</p> <p><u>2. Minerals and Mining Law, Chapter 8</u> details environmental requirements including:, restoration, operational environmental standards, Environmental Impact Assessment Study for Class A and B licenses, and the conduct of Periodic Environmental Assessments of ongoing Operations jointly conducted by Minister and Operator as defined in Regulations.</p> <p><u>3 Environmental Protection Agency Act (2002)</u> established the EPA. Section 5 of the Act defines the powers of the Agency as follows: "The Agency is the principal authority in Liberia for management of the environment and shall co-ordinate, monitor, supervise and consult with relevant stakeholders on all activities in the protection of the environment and sustainable use of natural resources."</p> <p>Section 23 2) a) of the EPA Act, establishes a technical committee on Lands and Mines, to be appointed by the Board of Directors of the Agency (see Sections 12 and 13 for composition and duties of the Board).</p> <p>More detail is in the Environmental Analysis Requirements and Inter Agency Coordination section of this table.</p>	<p>of his rights under the mineral right (a) in respect of any land dedicated or set apart for any public purpose other than mining.... except with the written consent of the responsible Minister or other authority having control over such land</p> <p><u>4. The Mining and Mineral Act 2009 Part XV,133</u> (1) In addition to any requirements set out in the EPA Act, 2008 an environmental impact assessment prepared by a small-scale or large-scale mining license applicant shall be based on environmental baseline assessment work and shall contain.. information and analysis reflecting international mining best practice. (subsections (a) and (b) provide more detail) (3)" ...any environmental impact assessment and environmental management program submitted by a mining license applicant or holder shall be considered non-confidential and made available to the public..."</p> <p><u>5.The Environmental Protection Agency Act , 2008 Section 24, First Schedule.</u> This schedule lists projects which require environmental impact assessment licenses. Under article (f) "mining, quarrying, extraction of sand, gravel, salt, peat, oil and gas." are activities requiring such licenses. Accordingly other provisions of the Act apply.</p>
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**Agriculture and Grazing Laws and Regulations**

<p><b><u>Grazing and Agriculture Permit Types, Issuing Authority</u></b></p> <p><u>Law n° 98-750 of 23 December 1998 ( Regarding the rural land code)</u> Covers the general aspects of agricultural law in the country. Grazing is an important use in rural lands in Cote d' Ivoire.</p> <p>Specific regulations for the management of protected areas (see laws and regulations cited</p>	<p><b><u>Grazing and Agriculture Permit Types, Issuing Authority</u></b></p> <p><u>Law L/95/51/CTRN of August 29, 1995,(Regarding the Pastoral Code)</u> The objective of this Code is to define general rules governing the practice of traditional livestock raising in the Republic of Guinea. In particular it raises the legal principles governing the organization of the exploitation of natural resources for livestock raising, to guarantee the rights of</p>	<p><b><u>Grazing and Agriculture Permit Types, Issuing Authority</u></b></p> <p><u>Forestry Reform Act 2006 Section 5.1</u> To the extent that grazing of livestock is or could be considered a commercial use, part a. of the section states; "a. No Person shall undertake Commercial Use of Forest Resources without permission from the Authority granted under this Chapter." "d. The Authority may by regulation require</p>	<p><b><u>Grazing and Agriculture Permit Types, Issuing Authority</u></b></p> <p><u>Wildlife Conservation Act 1972 Part II 7</u> "No person shall in any National Park, Strict Natural Reserve or Game Reserve, unless otherwise authorized to do so under this Act or by regulations made hereunder-...(e) permit any domestic animal to enter or trespass,"(f) do any act connected with...agriculture..."</p>
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<p>above) is interpreted by the authors to apply to grazing within such areas. The issue of grazing has been a significant issue on rural lands in the past and has led, at times, to serious conflicts. Though some degree of legal framework (particularly as relates to protected areas, exists in the country, the managers and/or partners in each country interviewed during this project indicate that actual management of such uses is extremely difficult.</p>	<p>pastoral use, settlement of disputes between herders and farmers. It aims to give traditional Guinea livestock raising an appropriate legal framework, such as to provide greater security in their lives, and foster its development through improved management of rangelands and improved integration with agriculture .</p> <p>Specific regulations for the management of protected areas (see laws and regulations cited above) are interpreted by the authors to apply to grazing within such areas. The issue of grazing has been a significant issue on rural lands in the past and has led, at times, to serious conflicts. Though some degree of legal framework (particularly as relates to protected areas), exists in the country, the managers and/or partners in each country interviewed during this project indicate that actual management of such uses is extremely difficult</p>	<p>permission for non-commercial forest uses and may by Regulation control any activity involving Forest Land, Forest, Resources, or Forest Products <u>Forestry Reform Act Part II</u>          "Commercial Use: Any use of Forest Products or Forest Land, other than direct use for personal purposes or infrastructure development. Commercial Use includes uses involving Trade or any other disposition of Forest Products or Forest Land for direct or indirect financial benefits"  <u>Forestry Reform Act Section 9.10 Regulations and Prohibitions:</u>          Prohibits farming in all classes of protected areas          Article (i) limits activities in Strict Nature Reserves to conservation management and research.          Article (ii) limits activities in a National Park, Nature Reserve, or Game Reserve to actions for management or non-consumptive uses, such as tourism, recreation and research.</p> <p><u>FDA Regulation No. 25</u>  <u>Section VI: Offenses and Penalties:</u>  <u>Farming, etc.</u> US\$50 -500 or 3 months-1 year imprisonment          (The above section of the regulation is interpreted to apply to all protected areas)</p> <p>Specific regulations for the management of protected areas (see laws and regulations cited above) are interpreted by the authors to apply to grazing within such areas. The issue of grazing has been a significant issue on rural lands in the past and has led, at times, to serious conflicts. Though some degree of legal framework (particularly as relates to protected areas), exists in the country, the managers and/or partners in each country interviewed during this project indicate that actual management of such uses is extremely difficult.</p>	<p><u>Forestry Act 1988, Part III 9.</u>          "No person in a national or community forest shall...cultivate any crop, graze any animal...except pursuant to a concession agreement, contract of sale, license, confirmed usage right or other authority under this Act."</p> <p><u>11.</u> Subject to any applicable forest management plan and to the prior right of other persons, a forestry officer designated by the Chief Conservator may issue a license authorizing the holder thereof to...plant trees and crops, and graze animals</p> <p>Specific regulations for the management of protected areas (see laws and regulations cited above) is interpreted by the authors to apply to grazing within such areas. The issue of grazing has been a significant issue on rural lands in the past and has led, at times, to serious conflicts. Though some degree of legal framework (particularly as relates to protected areas), exists in the country, the managers and/or partners in each country interviewed during this project indicate that actual management of such uses is extremely difficult</p>
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**Community Rights in Reserve Management and Creation**

<p><u>Decree No. 66-433 of 15 September 1966 on the status and rules of procedure for the classification of natural reserves, full or partial and national parks.</u></p> <p>Each proposal must provide the following details on reservations and planned involving communities:  a/ the limits of the reserve;</p>	<p><u>The annex of Law L/99/O13/AN (Adopting and promulgating the law regarding the forestry code on the forest classification procedure)</u></p> <p>Specifies the rights of communities over the creation and management of community rights in the creation of reserves.  a/ Riparian communities (villages or districts) are to</p>	<p><u>Forestry Reform Act 2006</u></p> <p><u>Section 5.1 f.</u>  "The Authority shall, by Regulations or otherwise, undertake measures to institutionalize the participation of communities in forest management.". Some suggested means for doing so follow in parts (i) to (v) Part (iii) states:</p>	<p><u>Chieftaincy Act 2009</u></p> <p>An Act to provide for the qualification, election, powers, functions and removal of a person as a Paramount Chief or chief and for other matters connected with chieftaincy.  <u>Part VIII 29(1)</u> The most relevant parts of this act related to trans-boundary management of reserves</p>
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<p>b/ inventory of user rights that others use rights which could be encumbered on the land to be reserved. These usage rights involve the use rights on the forest soil, use rights on the fruits and natural forest products and commercial use rights;</p> <p>c/ conditions under which the installation of new villages or the granting of any concessions or other rights of occupation can be done;</p> <p>d/ traffic conditions and parking;</p> <p>e/ dissemination of project proposal to interested communities;</p> <p>f/ the right to challenge the proposed classification</p>	<p>be associated with general reconnaissance of the forest zone to classify and census of the user rights or other rights relevant to the forest. The district presidents and/or the presidents of councils of village elders are members of the recognition Committee for the reserve.</p> <p>b/ Riparian communities (villages or districts) are informed of the contents of the draft classification and classification proposal by all legal means of dissemination.</p> <p>c/ Riparian communities (villages or districts) are also represented in the commission classification of forest reserves by the chairmen of district councils in order to examine the validity of claims that have been made by people, the limits of forest classification and note the absence or existence of user charges being imposed on the forest.</p> <p><u>Article 41 - B of the Law L/99/O13/AN on Forestry Code</u></p> <p>Specifies that forest areas of decentralized districts and villages can be operated either directly by the communities themselves, under a contract of forest management, or by the forestry administration.</p>	<p>“(iii)) Requirement to complete a social agreement between holders and communities that defines the parties respective rights, roles, obligations and benefits with respect to one another.”</p> <p><u>Chapter 10. Community Rights and Forest Management Section 10.1 b</u></p> <p>Specify that regulations promulgated under this Chapter must at a minimum</p> <p>(i) Specify rights and responsibilities of communities</p> <p>(ii) Establish mechanisms to promote informed community participation</p> <p>(iii) Create a framework that allows communities fair access to Forest Resources</p> <p>(iv) Establish social, economic and technical procedures for capacity building</p> <p>c. Within one year ..., present to the Legislature..., a comprehensive law governing community rights with respect to Forest Lands</p> <p><u>Community Rights Law of 2009</u></p> <p><u>Section 1.3 Definitions</u></p> <p>“Community: A self-identified and publicly or widely recognized coherent social group or groups, who share common customs and traditions, irrespective of administrative and social subdivisions, residing in a particular, are of land over which members exercise jurisdiction, communally by agreement, custom or law. A community may thus be a single village or town or a group of villages or towns or chiefdom.”</p> <p><u>Section 2.1 Objectives</u> “The intent of this Act is to empower communities to fully engage in the sustainable management of the forest of Liberia, by creating a legal framework that defines and supports community rights in the management and use of forest resources.”</p> <p><u>Section 2.3 Community Forest Land Classification</u></p> <p>Forest lands ranging from 5001 hectares to 49,999 hectares may be designated as Community Forest Land</p> <p><u>Section 3.1 Community Rights</u></p> <p>( a). Communities have the right to control the use, protection , management of community forest resources under regulations developed by the Authority in consultations with the connected</p>	<p>are located in: the following articles which describe the functions of a Paramount Chief to include:</p> <p>(1)( c) preserve or promote, as appropriate, and serve as the guardian of the customs and traditions of his chiefdom</p> <p>(d)....serve as an agent of development in his chiefdom</p> <p>(2) ...use his best ability to secure the making of appropriate bye-laws by the Chiefdom Council under section 16 of the Chiefdom Councils Act.</p> <p><u>Local Governance Act 2004 Section 20</u></p> <p>This section describes functions of local councils and councilors . Under article (k) of the section the a schedule of functions specifically devolved to local councils includes Forestry related functions as follows: <u>(Third Schedule, Functions Devolved to Local Councils)</u>:</p> <p>. Sensitization campaigns on forest conservation</p> <p>Fire prevention and control</p> <p>Village forest nurseries</p> <p>Community forest woodlots</p> <p>National production forests</p> <p>National production forests catchments</p> <p>Central nurseries</p> <p><u>Local Governance Act Part XII Bye-Laws – Section 90</u></p> <p>(1) A local council may make bye-laws not inconsistent with the Constitution or this Act or any other enactment for the purpose of any function conferred on it by or under this Act or any other enactment</p> <p><u>Section 92 (Validity of bye-laws)</u></p> <p>(2) Bye-laws before being signed by the Chairperson shall be forwarded to the Minister who shall request the Attorney General to advise him whether the bye-law is inconsistent with the Constitution, this Act or (emphasis added) any other enactment</p> <p>(3) Where the Minister, on the advice of the Attorney General, is of the opinion that the bye-law is</p> <p>(i) inconsistent... he shall... return it to the local council for modification or</p> <p>(ii) not inconsistent... he shall certify accordingly and return.. to the local council to be signed by the Chairperson.</p> <p><u>Wildlife Conservation Act of 1972, Sections 3, and</u></p>
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		<p>Community Assembly. (b, c) Communities have the right to enter into, special contract with concessionaires licensed by the Authority and to enter into Small-Scale Commercial contracts relative to timber and non-timber forest products on community forest lands (d) Communities have the rights to 55% of all revenues from large scale commercial contracts between communities, the Authority and 3<sup>rd</sup> parties for harvesting of timber on community forest lands.</p> <p><b><u>Community Rights in Reserve Management and Creation</u></b></p> <p><u>Chapter 5: Duties and Powers of the Forestry Development Authority</u> Extensive list of varied duties</p> <p><u>Chapter 6: Commercial Activities on Community Forest lands</u> 6.1 Community can unilaterally enter in small scale commercial use contract. Such use shall not be allocated on competitive basis. 6.2 Community can enter into Medium Scale Commercial use contracts on forest lands form 5001 to 49,999.99 hectares Section 6.3 The community forest management body may, in collaboration with FDA, enter in large scale commercial use contracts.</p>	<p><b>11 to 20.</b> These sections discuss rights of groups and individuals including compensation and adjudication of claims due to declaration of reserves <b>Section 21:</b> Authorizes Chiefdom Councils, with approval of Minister to declare any area to be a game sanctuary or declare any game sanctuary to cease.</p>
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### Environmental Analysis Requirements and Inter-Agency Coordination

<p><u>Ministry of Environment Water and Forests Law n° 96-766 du 3 October 1996 regarding the Environnemental Code, article 56</u> Stipulates that the State determines the national environmental policy and ensures its implementation. The State shall, through adequate measures, ensure environmental protection, conservation, and management. It prohibits and regulates the exercise of activities likely to be, one way or another, a threat to the environment and the integrity and functioning of ecosystems. To ensure its mission the department is composed of a number of technical services: <b>At a Central level</b> The Directorate General for Environment, management of nature protection, management of wildlife and hunting resources.</p>	<p><u>- Ministry of Environment, water and forests and sustainable development Article 9 of Ordinance n° 045/PRG/87 of 28 May 1987</u> States that the implementation of the national policy of protection and enhancement of the environment is ensured by the departmental authority responsible for the environment. The environmental management structures include the central structures, decentralized structures and public institutions, and funds and partners. <b>Central Structures</b> The National Directorate of Protected Areas and Biological Diversity, the National Directorate of Waters and Forests, Centre for the Promotion of Private and Community Forests. (La direction nationale des aires protégées et de la diversité biologique, la direction nationale des Eaux et Forêts, le Centre de Promotion des</p>	<p><b><u>Act Creating the Environmental Protection Agency 2002</u></b> "An Act to establish a monitoring, coordinating and supervisory authority for sustainable management of the environment in partnership with Regulations Ministries and organizations." <u>Section 6, 1)</u> defines functions of the agency, which include, among many things, building capacity of line Ministries, establish environmental criteria, guidelines, specification and standards for production processes and the sustainable use of natural resources. <u>Section 6, 2)</u> Allows EPA to delegate its function to a Ministry, Agency, organization, Technical Committee or any public officer</p>	<p><b><u>Environmental Protection Agency Act 2008</u></b> "Being an Act to establish the Sierra Leone Environment Protection Agency, to provide for the effective protection of the environment and for other related matters." <u>Part I License</u> In this act license means an environmental impact assessment license issued under section 29 <u>Part III-Functions and Management of Agency</u> (b) co-ordinate the activities of bodies concerned with the technical or practical aspects of the environment and serves as a technical channel of communication between such bodies and the Minister (f) issue environmental permits and pollution abatement notices for controlling... sources of pollutants...</p>
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<p><b>At a Decentralized level</b> The Forest Canton. <b>Public Establishments</b> The Ivoirien Office of Parks et Réserves (OIPR), Scientific Council, Société de Développement des Forêts (SODEFOR). <b>The foundation of the parks and reserves of Côte d'Ivoire</b> The Foundation is a valuable financial tool in the service of OIPR. It acts as a donor and promoter of biodiversity conservation within parks and reserves and their surrounding areas. The fundamental objective of the Foundation is to facilitate long-term financing of conservation parks and reserves. It is also responsible for seeking the necessary resources in public funding to complement revenue generated by the parks and reserves. It also has the task of creating a trust fund whose capital, in perpetuity will ensure a permanent source of stable income from the proceeds of such investments. With initial capital allocated by the GEF and other partners (bilateral, multilateral, private, government), the Foundation will give priority to sustainable financing of some recurrent costs of parks and reserves and certain investments provided by the income from investments.</p>	<p>Forêts Communautaires et Privées.) <b>Decentralized Structures</b> General Inspectorate of the Environment, Prefectural Directorate of Rural Development and Environment. (Inspection Générale de l'Environnement, Direction Préfectorale du Développement Rural et de l'Environnement.) <b>Public Institutions</b> The Centre for Environmental Management of Nimba Simandou; The Guinea Office of Wood. (Le Centre de Gestion de l'Environnement du Nimba Simandou, l'Office Guinéen du Bois.) - <b>Trust fund fed by the Finance law</b> It is used to fund all activities relating to the protection, expansion and sustainable exploitation of forest resources. An implementation decree establishes its organization, functioning and intervention methods. - <b>Fund for Saving the Environment</b> It is responsible for collecting and managing, in addition to allocations of special trust account for the Treasury, all funds to promote programs and projects of rehabilitation of land cover; sanitation receiving environments, as well as conservation of the environment in general..</p>	<p><u>Section 24 County Environment Committees</u> Policy Council to provide guidelines to the agency for establish of a committee on the environment in every County (County Environment Committee. Such committees shall further provide (under Section 26 for District Environment Committees.  <u>Section 28 Role of line Ministries and Establishment of Environmental Units</u> Describes role of line ministries relative to the Act including (c) Liaise with the Agency on matters involving environmental management and all matters with respect to which co-operation or shared responsibility is desirable or required under the Act. <u>Section 29</u> Requires each line ministry to amend laws , rules or regulations existing before the act to come into compliance with the Act.</p>	<p>(i) ensure compliance with any ...environmental impact assessment procedures in the planning and execution of development projects, including compliance in respect of existing projects (j) act in liaison and co-operation with government agencies, local councils and other bodies... to control pollution and generally protect the environment. (r) coordinate with Government Ministries, local councils and other agencies on matters relating to environmental protection and management <u>Part IV-Environmental Impact Assessments Section 23.</u> (1) Except as otherwise provided in this Act and notwithstanding the provisions of any enactment, no person shall undertake...any of the projects set out in the First Schedule unless he holds a valid license in respect of such project <u>Section 24 (First Schedule)</u> "A license is required for the projects whose activities involve or include the following- (a). substantial changes in renewable resource use (e.g. conversion of land to agricultural production, forestry or to pasture land, rural development, timber production (b) substantial changes to farming or fisheries practices... (c) exploitation of hydraulic resources (d)infrastructure (e.g. roads bridges, airports, harbors, transmission lines...) (e) industrial activities... (f)extractive industries (e.g. mining, quarrying, extraction of sand, gravel, salt, peat, oi and gas (h) housing construction... (i) establishment of placed of entertainment, motor repair garages and welding shops (j) importation of second hand vehicles <u>Section 25 (Agency to Decide Need for Environmental Impact Assessments)</u> The Agency shall ...decide whether an environmental impact assessment is required of the project using factors set out in the Second Schedule of the Act (factors include, location, scale, etc)</p>
<p><b>Specific Trans-boundary Protected Area Coordination</b> (Related to Mt. Nimba, Gola, Sapo/Tai/Grebo, Outamba/Kilimi)</p>			
<p><u>Existing or Developing MOU's or MOA's</u>  Mt. Nimba A trans-border collaboration agreement</p>	<p><u>Existing or Developing MOU's or MOA's</u>  There is a tradition of cross-border cooperation</p>	<p><u>Existing or Developing MOU's or MOA's</u>  1. An agreement for a potential trans-boundary</p>	<p><u>Existing or Developing MOU's or MOA's</u>  1. The Gola Forest and neighboring Foya and Lofa</p>

## Cote d'Ivoire

## Guinea

## Liberia

## Sierra Leone

<p>was concluded between Guinea, Côte d'Ivoire and Liberia in 2001 for the biodiversity conservation of the Nimba Reserve. To achieve this objective, technical support and financing from all development partners including NGOs has been sought.</p> <p>Regarding the trans-boundary areas related to the focus of this report, there is interest in further cooperation related to the following areas:</p> <p>-1. <u>Mount Nimba Chain</u> This mountainous region that spans three countries: Côte d'Ivoire, Guinea and Liberia has an altitude of up to 1752 meters. The globally important Mount Nimba is well known for its diverse flora and fauna, including several endemic species, such as the viviparous toad. With Massif du Ziama Guinea, Mount Nimba is the only mountain range declared a Biosphere Reserve in the region. The enlarged area of Mount Nimba, which extends into Côte d'Ivoire has also been classified a World Heritage Site by the IUCN in 1994. Mount Nimba is considered an important area of Upper Guinea forest for its biodiversity and has become an important focus of future conservation efforts in the region. More than 500 new species have been discovered in the Nimba Reserve. The part of Mount Nimba on the Ivorian territory enjoys the status of Nature Reserve and the status of World Heritage Site.</p> <p>-2. <u>Tai National Park in Côte d'Ivoire, and Sapo National Park, Krahn--Bassa National Forest and Grebo National Forest in Liberia</u> Tai National Park is the largest existing protected area housing lowland rainforest in West Africa. Pressures related to the expansion of industrial plantations of cocoa threaten the park's biodiversity. Across the region, hunting causes the decline of wildlife populations, especially in the Reserve N'Zo adjacent to the park in the north. The Tai National Park forms, with the Sapo National Park in Liberia, Krahn-Bassa National Forest, and Grebo National Forest, a large forest block.</p>	<p>agreement between Guinea, Cote d'Ivoire and Liberia. A first meeting took place in this context from 12 to 14 September 2001 in Man, Ivory Coast; and the second was held from February 12 to 15, 2002 at N'Zérékoré, Guinea. The aim was to adopt common measures for the conservation of biodiversity in the Reserve Mount Nimba.</p> <p>Regarding the trans-boundary areas related to the focus of this report, there is interest in further cooperation related to the following areas.</p> <p>1. <u>Mount Nimba Chain</u> This mountainous region spans three countries: Guinea, Côte d'Ivoire and in Liberia and rises to 1752 meters. Mount Nimba is of global importance and well known for its diverse flora and fauna, including several endemic species such as the viviparous toad. With the Ziama massive in Guinea, Mount Nimba is the only mountain range declared Biosphere Reserve in the region. The enlarged area of Mount Nimba, which extends to Côte d'Ivoire has also been classified a World Heritage Site by the IUCN in 1994. Mount Nimba is considered the most important area of Upper Guinea forest for its biodiversity and became an important focal point for future conservation efforts in the region. More than 500 new species have been discovered in the Nimba Reserve. The part of Mount Nimba in Guinean territory enjoys the status of Nature Reserve and the status of World Heritage Site.</p> <p>2. <u>Madina Oula, Ouré Kaba and Soya Forests</u> These forest areas containing a varied biodiversity.</p> <ul style="list-style-type: none"> <li>- The Woodlands of Madina Oula are formed by the community forests of: Sekou Soria (117 hectares), Kanséma (327 hectares), Badé Kanty (685 hectares), and Kolba (24 hectares).</li> <li>- The Woodlands of Oure Kaba include the Pinselly forest of 13,000 hectares and Sebe Kötó Community Forest of 24 hectares.</li> <li>- The classified forest of Soya has a total area of 8300 hectares.</li> </ul>	<p>park between Liberia and Sierra Leone adjacent to the Gola Forest in Sierra Leone is actively being worked on with NGO support and assistance. The areas being considered in Liberia are known as the Lofa and Mano forests. The agreement is known as the "Across the River Agreement" and is in draft form. It has not been finalized or ratified at this time. The Lofa and Foya forests adjoin the Gola Forest. Though discussed and proposed as potential components of a Trans-boundary Peace Park with Sierra Leone, no specific legal framework appears to exist for these areas within Liberia at this time</p> <p>2. An initiative between Liberia and Cote d'Ivoire has begun with NGO participation to consider linkage of Sapo National Park, Grebo National Forest (in Liberia) with Tai National Park in Cote d'Ivoire through conservation corridors. NGO assistance has been an important component of this ongoing initiative.</p> <p>3. Discussions between Liberia, Cote d'Ivoire and Guinea, continue relative to the management and potential expansion of Mt. Nimba complex in the three countries. NGO assistance and support of these activities is ongoing. The Act of 2003 creating the East Nimba Nature Reserve explicitly acknowledges the desire to work with neighboring countries in the management of the Mt. Nimba area. <a href="http://www.fda.gov.lr/content.php?sub=Conservation%20on%20">http://www.fda.gov.lr/content.php?sub=Conservation on%</a> (click on Conservation Forestry)</p>	<p>forest areas are actively being discussed as potential areas for Trans-boundary protected areas with the government of Sierra Leone and Liberia and with actively engaged NGOs. See discussion in the section entitled "Trans-boundary Reserves under consideration for more detail and a link to even more detailed information.</p>
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## Annex IV. Draft Laws, Regulations, and Policies Actively Being Developed

Cote d'Ivoire	Guinea	Liberia	Sierra Leone
<p><u>In Cote d'Ivoire, all the legal instruments to assure the sound management of natural resources exist. However, these legal instruments need to be reviewed and updated.</u></p>	<ol style="list-style-type: none"> <li>1. <u>Revision of the Environmental Code</u></li> <li>2. <u>Revision of the Forestry Code</u></li> <li>3. <u>Revision of the Land Code</u></li> </ol>	<ol style="list-style-type: none"> <li>1. <u>Regulation on noise pollution (EPA)</u></li> <li>2. <u>Regulation on waste (EPA)</u></li> <li>3. <u>Regulation on Forestry (EPA)</u></li> <li>4. <u>Regulation on Water Resource Management (EPA)</u></li> <li>5. <u>Regulation on Wetland Management (EPA)</u></li> <li>6. <u>Regulation on Air Pollution and Management (EPA)</u></li> <li>7. <u>Regulation on Wildlife (EPA/FDA)</u></li> <li>8.</li> <li>9. <u>Guidelines on Preparation of Environmental Impact Assessments (EPA)</u></li> </ol>	<ol style="list-style-type: none"> <li>1. <u>Revised Forestry Policy</u></li> <li>2. <u>Revised Wildlife Policy</u></li> </ol>

## Annex V. Current Ministry/Agency Contact Information (as available Oct. 2010)

Cote d'Ivoire			
<u>No current information</u>			
Guinea			
<u>No updated information</u>			
Liberia			
Ministry or Agency	Name	e-mail	Duties related to this report/other information
Minister of Agriculture,	Florence Chenoweth	<a href="mailto:florecetonia@yahoo.com">florecetonia@yahoo.com</a>	Farming, grazing
Minister of Internal Affairs,	Harrison Karnweah,	077-513-358 (phone)	Disbursement of funds
Minister of Lands, Mines, and Energy	Dr. Eugene Shannon	<a href="mailto:eugene2006_shannon@yahoo.com">eugene2006_shannon@yahoo.com</a>	Mining, infrastructure, power corridors, tenancy
Head of Mines Agency	Kpendel Favia, Deputy minister	06-517-039 (phone)	Mining, mineral permits, exploration
Head of Lands Agency	E.C.B. Jones, Deputy Minister	<a href="mailto:ecbjonesjr@yahoo.com">ecbjonesjr@yahoo.com</a>	Tenancy
Forest Development Authority	Moses Wogbeh, Managing Director	<a href="mailto:moseswogbeh@yahoo.com">moseswogbeh@yahoo.com</a>	Timber harvesting permits, wildlife and forestry regulations, PAs
Environmental Protection Agency	Anyaa Vohiri, Executive Director	<a href="mailto:vohiri@yahoo.com">vohiri@yahoo.com</a>	Regulations, Environmental compliance
Sierra Leone			
Ministry or Agency	Name	e-mail	Duties related to this report/other information
Minister of Agriculture, & Food Security:	Dr. Joseph Sam Sesay	<a href="mailto:samsesay2@yahoo.com">samsesay2@yahoo.com</a>	Farming, grazing

Deputy Minister of Ag. & Food Security:	Ali Mansaray	<a href="mailto:ali_mans@yahoo.com">ali_mans@yahoo.com</a>	Farming, grazing
Ministry of Lands, Country Planning, Forestry & Env.	Mr. Dennis Sandy	+232 22 24 2014 (phone)	Various, protected areas, wildlife, forestry.
Head of Division of Forestry	Sheku Mansaray, Director	<a href="mailto:sheikhman_1@yahoo.com">sheikhman_1@yahoo.com</a>	Timber harvesting permits, wildlife and forestry regulations, PAs
Director-Surveys and Lands	Dr. William Framer	wrfarmer007@yahoo.com	Tenancy, boundary posting (phone +232/78 409 910)
Director –Environment	Stephen Cyril James Jusu	jususyiril@yahoo.com	Planning, environmental Coordination (+23276 764 176)
Minister of Mines and Mineral Resources	Alhaji Alpha Kanu	minister@slmineralresources.org	Mineral development permits (phone +232 22 235234)
Director-Division of Mines	Jonathan Sharkah	dirmines@slmineralresources.org	Mineral permit process (phone 232 (0) 77 538888)
Office of Permanent Secretary	Umaru Bundu Wurie	ps@slmineralresources.org	Overall contact for existing projects etc. (+232 22 230427)
Executive Director SL Env. Protection Agency	Dr. Kolleh Bangura	<a href="mailto:kabangura@aol.com">kabangura@aol.com</a>	Compliance and development of environmental regulations
Minister of Int. Affairs, Local Gov. and Rural Dev.	Dauda Sulaiman Kamara	+232 22 223979 (phone)	Community, tribal relations, tenancy, rural projects
Minister of Fisheries and Marine Resources	Joseph Koroma	+232 22 24 2117 (phone)	Fish, wetland regulations
Minister of Energy	Ogunlade Davidson	+232 22 22 6566 (phone)	Developmental projects, energy permits process