

AN ACT
FOR THE ESTABLISHMENT OF A PROTECTED FOREST
AREAS NETWORK AND AMENDING CHAPTERS 1 AND 9 OF
THE NEW NATIONAL FORESTRY LAW, PART II, TITLE 23 OF
THE LIBERIAN CODE OF LAW REVISED AND THERETO
ADDING NINE NEW SECTIONS

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**AN ACT FOR THE ESTABLISHMENT OF A PROTECTED
FOREST AREAS NETWORK AND AMENDING CHAPTERS 1
AND 9 OF THE NEW NATIONAL FORESTRY LAW, PART II,
TITLE 23 OF THE LIBERIAN CODE OF LAW REVISED AND
THERE TO ADDING NINE NEW SECTIONS**

WHEREAS Liberia is recognized for its importance as containing the last two of the last remaining blocks of the Upper Guinea Forest of West Africa and exceptionally high priority area for conserving biodiversity;

AND WHEREAS the National Environmental Policy of Liberia recommends a protected forest areas system as a means of sustaining the productivity of the natural forest, protecting wildlife, maintaining genetic diversity and avoiding forest and soil destruction;

AND WHEREAS the enacted Environment Protection and Management Law of Liberia mandates the sustainable use, protection and management of the forests of Liberia;

AND WHEREAS the Division of National Parks and Wildlife of the Forest Development Authority was established to protect prime catchment and watershed lands, and to preserve the diverse biotic communities of tropical lowland rainforest, which are threatened by shifting agriculture, unsustainable logging, and charcoal production;

AND WHEREAS the government of Liberia has committed to establishing a biologically representative network of protected areas covering at least 30% of the existing forest area, representing about 1.5 hectares (or 3.7 million acres).

AND WHEREAS the Government has identified 11 areas of existing National Forests as candidates for Protected Forest Area classification;

NOW THEREFORE it is enacted by the Senate and the House of Representatives of the Republic of Liberia, in Legislative Assembled:

Section 1.1 Title: An Act for The Establishment of A Protected Forest Area Network and Amending Chapters 1 and 9 of The New National Forestry Law, Part II, Title 23 of the Liberian Code Of Law Revised.

Protected Forest Area Network Law.

Section 1.3 Definitions: That from and immediately after the passage of this Act, section 1.3 of Chapter 1 of the New National Forestry Law, Part II Title 23 of the Liberian Code Of Law Revised, is amended to revise and/or include the following definitions:

“Buffer Zone” in the context of Protected Forest Area, means a transitional zone (such as Communal Forest, Game Reserve, Multiple Sustainable Use Reserve) surrounding a more strictly protected zone, intended for low-impact sustained human use to reduce the impact of outside human disturbance, to protect the boundaries from encroachment, and to preserve the natural state of the more strictly protected zone it surrounds.

“Communal Forest” means 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.

“Cultural Site” means an area set-aside by regulation for the preservation and enjoyment of features with a local or national cultural significance.

“Conservation Corridor” means the use of a Game Reserve, Multiple Sustainable Use Reserve or any other protected area category to ensure large blocks of the Protected Forest Area Network remain contiguous for the purpose of maximum genetic exchange between blocks.

“Game Reserve” means an area set aside by regulation for a fixed period, to immediately protect an important feature or to allow the recovery or growth of natural species.

“National Forest” means an area legally set aside for sustainable regulated commercial forest product extraction, hunting and the preservation of essential environmental functions performed by the forest.

“National Park” means an area of sufficient size to form a complete ecological unit, legally set-aside for the preservation and enjoyment of features that have outstanding natural beauty, cultural or biological significance.

“Nature Reserve” means an area that does not represent a complete ecological unit, legally set-aside for the preservation and enjoyment of features that have outstanding natural beauty, cultural or biological significance, which may require some management intervention.

“Multiple Sustainable Use Reserve” means an area set aside by regulation for a fixed period, to allow sustainable use of forest products including subsistence, and potentially, licensed and community forestry schemes.

“Strict Nature Reserve” means an area possessing outstanding or representative features. Ecosystems and/or species, legally set aside primarily for scientific research and/or environmental monitoring, requiring strict protection and minimum intervention.

Section 2: That from and immediately after the passage of this Act, section 9.1 of Chapter 9 of the New National Forestry Law, Part II Title 23 of the Liberian Code of Law Revised, is amended to read as follows:

Chapter 9: Protected Forest Area Network

Section 9.1 Protected Forest Areas Network and Conservation Corridors: Establishment of Protected Forest Areas Network and Conservation Corridors: A Protected Forest Areas Network along with Conservation Corridors shall be established, incorporating

existing National Forests, to cover at least 30% of the existing forest area of Liberia, representing about 1.5 million hectares (or 3.7 million acres).

- a. **Survey Research and Regulations:** The Authority shall promote and undertake research on the socio-economic condition, and distribution, habitat and population of wildlife and flora species in the Protected Areas Network with the objective of achieving sustainable protected forest management.
- b. **Advisory Committee:** The Authority shall appoint an advisory committee of an appropriate number consisting of scientists, other professionals, including representatives of non-governmental environment organizations, to assist in undertaking survey and scientific research for the promulgation of appropriate Regulations.

Section 9.2 Authority to Propose the Appropriate Protected Forest Area Category. The Authority shall propose the appropriate Protected Forest Area type and category to be established based on Appendix I (list of categories) and Appendix II (selection criteria) of this Act.

Section 9.3 Authority to Transmit Proposal to the President. Based on the result of surveys and scientific research, the Authority shall submit a proposal to establish National forests, National Parks, Natures Reserves or Strict Nature Reserves to the President of the Republic of Liberia stating:

- a. A description of the proposed boundaries;
- b. An assessment of the wildlife, natural, cultural and other resources;
- c. An assessment of the existing state of human disturbances and resource utilization in the area;
- d. A summary of any consultation held with relevant government agencies and the summary of the comments of persons affected

- by the proposed establishment and particularly the views of the local community; and
- e. Any other data and information gathered as a result of the Environment Impact Assessment process.

Section 9.4. The President to Transmit Proposal to Legislature:

The President shall, where he approves of the proposal, deliver the proposal for establishing of a National Forest, National Park, Nature Reserve or Strict Nature Reserve to the Legislature.

Section 9.5. Legislature to Enact Legislations Establishing National Forests, National Parks and Nature Reserves.

The Legislature may, upon consideration of the proposal for the establishment of a National Forest, National Park, Nature Reserve, or Strict Nature Reserve enact legislation establishing the National Forest, National Park, Nature Reserve or Strict Nature Reserve.

9.6. Demarcation of Boundaries: Within one year of the establishment of a National Forest, National Park, Nature Reserve, or Strict Nature Reserve the Authority shall clearly mark the boundary between the established protected area and the surrounding lands.

Section 9.7. Modification of Boundaries or Abolishment. No National Park, Nature Reserve, or Strict Nature Reserve shall be abolished or alienated nor shall its boundaries be modified without first consulting the Authority who shall propose the abolition, alienation or modification of boundaries for Legislative enactment.

Section 9.8. Management Plans. The Authority shall, as soon as practicable after the establishment of a National Park, Nature Reserve or Strict Nature Reserve, prepare and publish and thereafter review and republish every ten years a comprehensive management plan in accordance with internationally accepted standards.

Section 9.9. Game Reserves, Controlled Hunting Areas, Buffer Zones, Conservation Corridors and Other Protected Forest Area

Categories. The Authority shall by regulation identify and establish within the Protected Forest Area Network, protected forest area categories, other than National Forests, National Parks, Nature Reserves and Strict Nature Reserve, including, but not limited to, Game Reserves, Controlled Hunting Areas, Communal Forests and other Buffer Zones, as Conservation Corridors to facilitate sustainable protected forest management and biodiversity protection.

Section 3. That from and immediately after the passage of this Act, section 9.2 of Chapter 9 of the New National Forestry Law, Part II Title 23 of the Liberian Code of Law Revised, is amended to read as follows:

Section 9.10. Protected Areas Regulations and Prohibitions. The Authority shall by regulations declare the acts that are prohibited in each protected forest type and category established in the Protected Forest Areas Network except that there shall be included in any legislation establishing a National Park, Nature Reserve or Strict Nature Reserve provision(s) stating the acts specifically to be prohibited; and

- a) Acts permitted in a Strict Nature Reserve shall be limited to management and research purposes only.
- b) Acts prohibited in a **National Park, Nature Reserve and Game Reserve** shall include: no prospecting, mining, farming, hunting, fishing, timber or non-timber forest product extraction; Acts permitted shall be limited to access for management, non-consumptive use, including tourism, recreation and research;
- c) Acts prohibited in **Communal Forests** shall include: No prospecting, mining, farming or commercial timber extraction. Other uses are to be regulated by the designated local community with assistance from local authorities and declared by Regulations of the Authority;
- d) Acts prohibited at **Cultural Sites** shall include: No prospecting

or mining, farming, hunting, and timber or non-timber forest product extraction. Access to these sites shall be controlled by designated community leaders or local authorities as prescribed by regulation.

- e) Acts prohibited in a **National Forest** shall include: No prospecting, class B or C mining or farming. Permitted acts include: Class A mineral rights in accordance with Section 8.2(c) of the New National Forestry Law; and access for licensed and managed commercial forest product extraction, unless local restrictions imposed by the Authority for sustainable management purposes;
- f) Acts prohibited in Multiple **Sustainable Use Reserves** include: No farming or commercial timber extraction. Other uses are to be regulated by FDA in co-operation with local authorities.

Section 4. That from and immediately after the passage of this Act, section 9.2 of Chapter 9 of the New National Forestry Law, Part II Title 23 of the Liberian Code of Law Revised, shall be re-numbered as follows:

“Section 9.10 Protected Animals:”

Section 5. This Act shall take effect immediately upon publication.

Any Law To The Contrary Notwithstanding.