

# Global Witness

**Independent Observer in support of the Application of the Law  
in the Cameroon Forestry Sector**

## **Report No. 012Fr**

*Joint UCC - GLOBAL WITNESS mission*

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Location: **SOUTH WEST Province**  
Date of mission : **24th to 27th April 2002**

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## 1- EXECUTIVE SUMMARY

The Independent Observer had requested and been granted by the Minister the dispatch of an inspection mission by the UCC in the South West province on 24th to 26th April 2002. The Mission's objective was to verify and possibly confirm allegations relating to the removal of wood which had been felled fraudulently along the Kumba – Manfé road, in the South West Province.

The mission first visited the wood park belonging to the Société de Transformation Industrielle de Kumba (STIK), a company in the Wijma Group (GWZ) involved in the allegations which led the Minister to authorise this inspection mission. The mission then inspected two yards with the status of *Autorisation Spéciale d'Enlèvement des Bois* (ASEB), namely yards belonging to CAFECO and Susan and Sammy Commercial and Timber Merchant (SSCTM) near Manyemen village (on the Kumba – Manfé road). As well as the STIK case, this report covers the SSCTM yard, in the heart of which the Mission uncovered proof of forestry infringements.

The main conclusions of the Independent Observer in connection with this joint mission with the UCC are as follows:

- The facts noted in the field at the level of the STIK wood park permitted no link whatsoever to be made between STIK and the allegations of infringements brought to the notice of the Independent Observer. However, the Independent Observer was suspicious of the origin of certain of the logs found in the STIK wood park.
- There was fraudulent exploitation of a forest belonging to a national forestry area by SSCTM under cover of an *Autorisation Spéciale d'Enlèvement de Bois* (ASEB).

The Independent Observer recommends

- The summons for charging of those responsible from SSCTM in the presence of the Independent Observer.
- The dispatch of an inspection mission in order to verify the origin of all wood stock in the various STIK wood parks.
- The dispatch of an inspection mission by the UCC in the northern part of this forest, at the heart of which illegal extraction activities seem to be going on.

## 2- OBSTACLES

The mission met with two major obstacles. On the one hand, the short timespan of three days did not allow the mission to verify the alleged facts in more distant spots. On the other hand, the UCC was faced with logistical problems which delayed the departure of the mission.

### **3. RESOURCES USES**

- 1 Toyota Hilux Pick Up belonging to Global Witness
- 1 Yamaha 100 motorbike belonging to Global Witness
- 2 Garmin GPSs
- 1 video camera
- 1 camera
- Maps at 1/200000°
- 1 Sony laptop

### **4- RESULTS FROM THE MISSION**

#### **4-1- THE CASE OF STIK**

##### **4-1-1- Summary of the charge :**

On 20th April 2002, the Independent Observer briefed the Minister for the Environment and Forests about the following allegations which had been brought to their notice by a third party.

“A company ... operating in Cameroon under the name of GWZ would be organising an extraction operation of more than 3,000 square metres of illegally felled wood in the Manyemen region, all along the road between Mamfe and Kumba, in the South East Province.”

##### **4-1-2-Evidence from the Independent Observer in connection with the charge:**

The inspection mission opted for a visit deep in the STIK site because this company was a part of the GWZ Group, indicted by the charge received by the Independent Observer.

The facts noted in the field at the level of the STIK wood park permitted no link whatsoever to be made between STIK and the allegations of infringements brought to the notice of the Independent Observer.

Nevertheless, in the course of its investigations the mission noted the presence in the STIK wood park of a stock of logs bearing the marks EFFA, ASEB No 1303, on some, and SEFIL, PVVGG No. 78, on others (see photo 1 below).

Furthermore, the Independent Observer established that certain logs found in the STIK wood park bore marks which were superimposed on one another, after the initial marks had been erased with the help of black paint.

Those responsible at STIK and present in the field could not provide an explanation for the origin of this wood, much less why certain logs bore various marks which led to confusion.

According to information received from the *Délégué Départemental de l'Environnement et des Forêts* (DDEF) from Mémé, some of these logs were the object of conservation seizure by the DDEF in order to verify their provenance, the legality of licences under which they were extracted, and how far their markings conformed to standards of use.

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**Photo 1:** Logs in the STIK wood park.

#### **4-1-3- Presumption of infringements**

The Independent Observer presumed no forestry infringement whatsoever in the case of STIK.

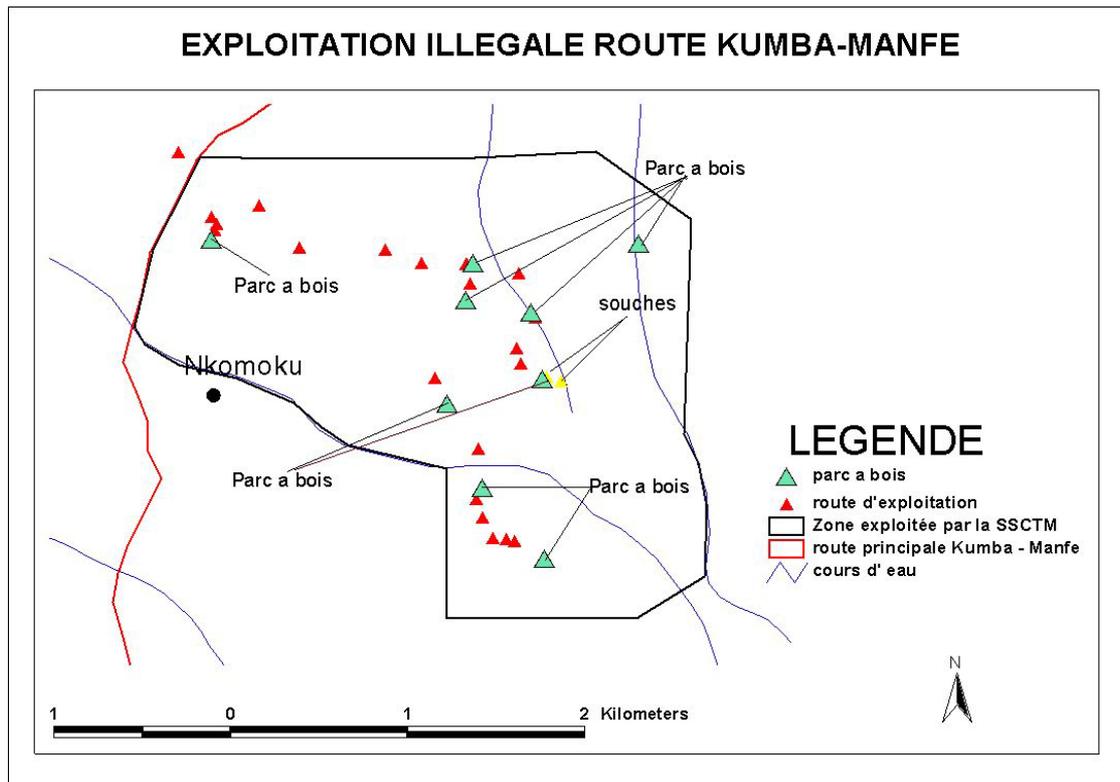
#### **4-2- THE CASE OF SSCTM**

##### **4-2-1. Evidence from the Independent Observer.**

SSCTM is the holder of *Autorisation Spéciale d'Enlèvement des Bois* (ASEB) No. 2940, obtained by the act of the Minister No. 2940/AEB/MINEF/CAB/UCC of 28th August 2001. This document shows that SSCTM is authorised to take felled and abandoned wood from the place known as EBANGA.

The survey of GPS points, as shown on the map below and by photos taken by the Independent Observer in the course of the mission, show clearly that SSCTM:

- Opened a road and three braces (*bretelles*) in the forest in question (see map below).
- Felled trees, as shown by the stumps scattered around the forest forêt (photo 2).
- Set up a dense network of unloading tracks and wood parks (photo 3).



Key : *Parc a bois* – wood parks  
*Souches* – tree stumps  
*Route d'exploitation*–extraction road  
*Zone exploitée* – zone exploited  
*Route principale* – main road  
*Cours d'eau* – water course

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**Photo 2:** Unmarked stump of a felled tree.

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**Photo 3:** Logs in one of the wood parks.

#### 4-2-2- Presumption of infringements by the Independent Observer.

The maps and photos above, as well as the GPS points taken by the Independent Observer, point to a strong presumption of fraudulent extraction of wood by SSCTM, in contravention of the terms of the *Autorisation Spéciale d'Enlèvement des Bois* which this company holds. These terms stipulate that: “any irregularity or new felling will entail the immediate annulment of the said authorisation without prejudice to damages and interest on fraudulently exploited wood” [« toute irrégularité ou nouvel abattage entraînera l'annulation immédiate de ladite autorisation sans préjudices des dommages et intérêts sur les bois frauduleusement exploités »].

Indeed, in the various SSCTM wood parks the Independent Observer and the UCC counted 317 logs which were for the most part newly felled.

Under the terms of Cameroon forestry regulation, an *Autorisation Spéciale d'Enlèvement des Bois* (ASEB) is not a *titre d'exploitation*. In other words **it cannot in any circumstances** be used for felling wood.

Taking account of the foregoing, the Independent Observer believes that SSCTM is guilty of unauthorised forestry exploitation in a national forest. As a result, SSCTM incurs criminal, civil and administrative penalties.

In criminal terms, SSCTM could incur penalties under article 156 of the law of 20th January 1994, which exacts a fine of 200,000 to 1,000,000 francs CFA and/or a prison term of between one and six months for any unauthorised forestry exploitation in a national forest.

In civil terms, SSCTM could fall under the remit of penalties stipulated by article 159 of the law of 20th January 1994, which demands damages and interest relating to wood that has been exploited fraudulently. These damages and interest must be calculated on the basis of the current market value for the species concerned.

On the administrative front, in addition to penalties stipulated by articles 130 to 133 of the order of 23rd August 1995, SSCTM incurs an “immediate annulment of the said authorisation without prejudice to damages and interest on the fraudulently exploited wood ” [« *annulation immédiate de ladite autorisation sans préjudices des dommages et intérêt sur les bois frauduleusement exploités* »], as specified under the terms of the *Autorisation Spéciale d'Enlèvement des Bois* which it holds from the Minister.

## 5. CONCLUSIONS AND RECOMMENDATIONS

Following this joint mission, the conclusion drawn by the Independent Observer is that the allegations brought to its notice are not proven in the case of STIK, a sawmill belonging to the GWZ Group. Nevertheless the Independent Observer has shown the need for legal confirmation of the licences covering logs found in the STIK wood park

Regarding SSCTM, the Independent Observer concludes that it has indulged in fraudulent extraction of wood.

As a result, the Independent Observer recommends to the Minister:

- The summons for charging of those responsible from SSCTM in the presence of the the Independent Observer.
- The dispatch of a mission to assess the value of wood which has been felled fraudulently by SSCTM.
- The immediate annulment of the *autorisation spéciale d'enlèvement des bois* granted to SSCTM.
- The dispatch of an inspection mission in order to verify the origin of all wood held in the various STIK wood parks.

- The dispatch of an inspection mission by the UCC to the northern part of this forest, where illegal extraction activity seems to be taking place.