

Project of Independent Observer in Support of
Forest Law Enforcement in Cameroon

**Approved by the Ministry of
Environment and Forests**

Report of the Independent Observer

No. 086En

Joint Mission CCU – Independent Observer

Title	UFA 08 009
Localisation	Ngouétou, Yoko district, Mbam and Kim division, Centre province
Date of the mission	February 18th, 2004
Companies	INC (Holder) SIM/TIB (Partner)

Independent Observer Team (Global Witness):

*Dr Albert K Barume, Deputy Project Director
Mr. Serge C. Moukouri, Technical Assistant
Mr. Albert Mballa Mbarga, Driver*

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1. EXECUTIVE SUMMARY

The Independent Observer (Global Witness) carried out a joined control mission with the Central Control Unit (CCU) of the Ministry of Environment and Forests to inspect the activities of the Forest Management Unit (FMU) 08 009.

One of the objectives of the mission was to check the conclusions of the report of the Independent Observer No. 042Fr. The Independent Observer reported that about 15 pieces of timber of various types and three stumps without any visible stamp were seen within the Annual Standing Volumes (ASV) No.03 of this FMU. The other objective of the mission was to control the timber extraction in the other Standing Volumes being exploited.

The Forest Management Unit 08 009, which is located in Ngouétou, Yoko district, Mbam & Kim division in the Centre province, was allocated to International Négoce Cameroun Sarl (INC) in July 2000. As a sub-contractor, the Société Industrielle de Mbang / Transformation Intégrée du Bois (SIM/TIB) extracts timber for this FMU.

During the visits in both Standing Volumes the following observations could be made:

- o The conclusions the Independent Observer made in his report No. 042Fr were confirmed. Stumps without any stamp could actually be found within the Standing Volumes No.03. All the timber mentioned in the report of the Independent Observer had been removed by the company – only two of them were still on the yard;
- o Through its sub-contractor SIM/TIB, International Négoce Cameroun was found guilty of timber extraction out of the limits of the Standing Volumes No.04, of failure in marking the stumps and trees, and of abandoning the timber produced.

Because of these infractions, **the Independent Observer recommends:**

- o That the INC company be convoked and fined;
- o That the CCU takes the entire FOB value of the timber illegally extracted into account while assessing the amount of the compensation to be paid by this company.

2. MATERIAL USED

- 1 Toyota Hilux Pick Up belonging to Global Witness
- 2 Garmin GPS
- 1 digital camera
- 1 Sony laptop

3. COMPOSITION OF THE MISSION

Mr. Serge Moukouri and Mr. Albert Barume of the technical team of the Independent Observer, Mr. Kongapé and Mr. Maméné of the Central Control Unit, Mr. Bikié of the Central Cartography Unit of the Forestry Unit and Mr. Emmanuel Munakwa of the Community Forests Cell participated in this mission.

4. OBSTACLES

No obstacle hindered this joined control mission.

5. RESULTS OF THE MISSION

5.1 Summary of the Case

International Négoce Cameroun Sarl (INC) is the holder of the FMU 08 009, which is the matter of the temporary convention signed in July 2000. This company sub-contracts the timber extraction of this FMU to the Société Industrielle de Mbang / Transformation Intégrée du Bois (SIM/TIB). The mission inspected the Annual Standing Volumes (ASV) No.03 and No. 04 whose validity expired respectively on June 2003 and December 2003.

In March 2003, the Independent Observer wrote in the conclusion of one of his reports about a joint mission on the Standing Volumes (SV) No.03, which was then valid during the 2002-2003 exercise, that about 15 pieces of timber were laying on two of the log ponds of this Standing Volume. Consequently, the Independent Observer recommended to write an official report of offence of these infractions by INC Sarl and its sub-contractor SIM/TIB because they didn't mark the timber produced (see the Report of the Independent Observer No. 042Fr). The certified agents of the CCU who participated in this control mission had not made any official report because they didn't make any further investigation on the field.

5.2. Infractions Observed by the Mission

a) In the Standing Volume No. 03

The mission could observe that the company had removed the pieces of timber that the Independent Observer had seen without any stamp; only two of them were still on the park. The mission could also see the stumps without any stamp (see photo below).

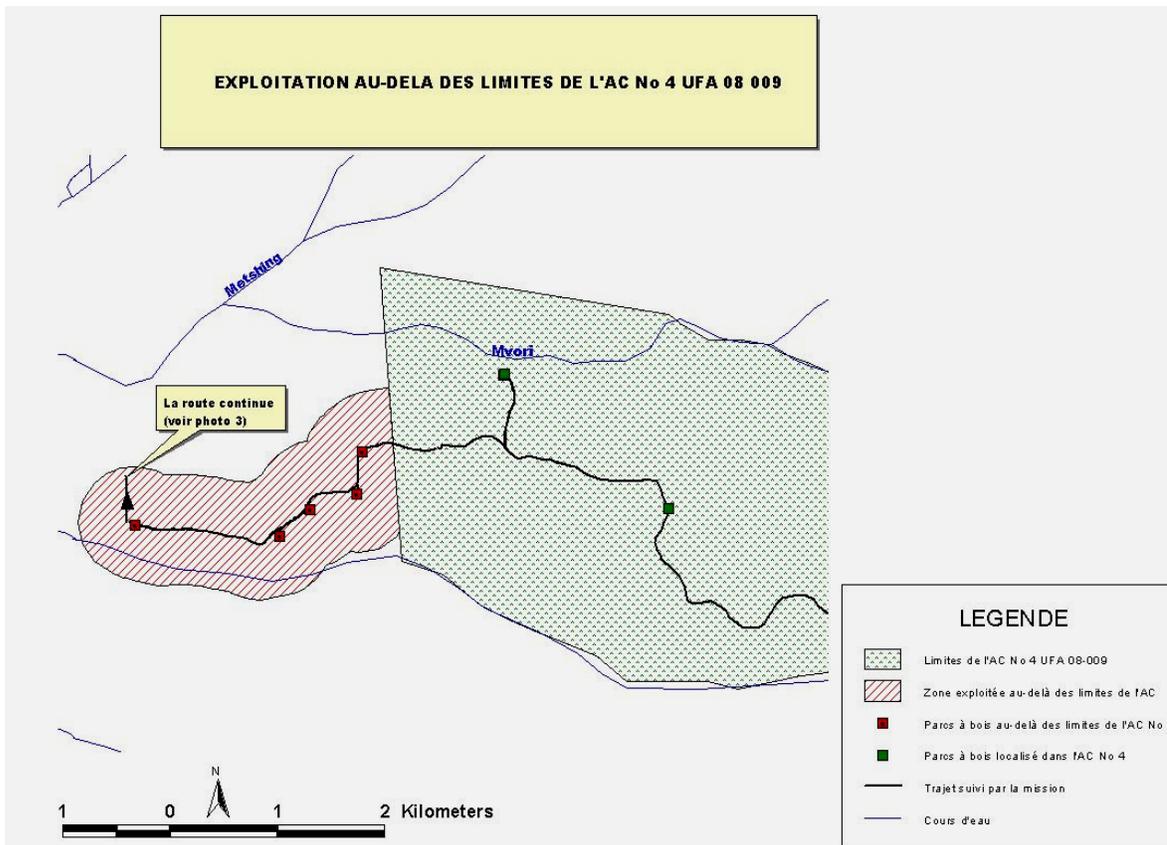
Photos 1, 2: Tali and Pachyloba stumps without any stamp



b) In the Standing Volume No. 04

As he was reporting the GPS (Global Positioning System) points from the exploited area and the limits of the AC No. 04 on a map at a 1/200,000 scale (these limits are described on the attestation of surface measure as shown in Appendix 1), the Independent Observer could find evidence of an exploitation out of this standing volume (see map below). International Negoce Cameroun laid out seven passages (the job was carried out by the sub-contractor SIM/TIB) and **it intentionally obstructed one of them** (see picture 2). The company has also created timber parks out of the limits of this standing volume. There are pieces of timber with stamps of the Standing Volume No. 04 on these parks.

Map: Extraction area beyond the limits of the Standing Volume



The mission also observed that there were pieces of timber abandoned on the yards; there were also pieces of timber and stumps without any stamp (see picture 3), and *Iroko* abutments with a diameter that was less than the minimum authorized for exploitation.

Photos 3, 4: Passage voluntarily obstructed and pieces of timber without any stamp



5.3. Legal Prescriptions

The facts observed on the exploitation fields of the Standing Volume No. 04 represent many infractions repressed by the 1994 forest law and its enactment decree:

a. Unauthorized Timber Exploitation in a Public Forest

The Article 158 of the forest law issued January 29th, 1994 describes as an infraction any unauthorized exploitation of a public forest; the Forest Management Units are to be placed in this category. The article 159 of the same law declares that compensations are to be paid by anyone guilty of infractions similar to those committed by INC.

b. Fraudulent Use of Forest Stamps

Pieces of timber were found with stamps of the standing volume No. 04 (see picture 4) although there were extracted out of this standing volume. A piece of timber can only carry the stamp of the Standing Volume it was legally extracted in. Thus, the INC company has been found guilty of a fraudulent use of the marking prescribed by the forestry administration, as written in article 156 of the 1994 forest law.

c. Exploitation of Timber Under the Authorized Diameter

The mission also found many *Iroko* abutments that did not have the minimum diameter required for exploitation. This infraction is generally assimilated to an unauthorized timber exploitation, which is punished according to the prescriptions of article 155 of the 1994 forest law. These infractions also represent a violation of the forestry law on bookkeeping on timber yards.

Photo 5: Piece of timber found out of the limits of the Standing Volume No.04



d. Abandonment of timber

Flawless pieces of timber (many of them carrying stamps) were found on various parks. According to the law, holders of forest exploitation titles have to collect all the timber they fall, except those that are found unusable by the forestry administration; any reason for abandoning a piece of timber has to be reported in the books of the timber yard. Abandonment of timber is an infraction that has to be repressed according to the prescriptions of the article 56 of the 1994 forest law.

6. CONCLUSIONS ET RECOMMENDATIONS

The facts observed on the field and presented in this report represent an evidence that:

- o The conclusions that the Independent Observer wrote in his report No. 042Fr were confirmed. Stumps without any stamp were actually found on the Standing Volume No. 03. All the pieces of timber the Independent Observer found abandoned were removed by the company – only two of them were still on the yard;
- o Through its sub-contractor SIM/TIB, International Négoce Cameroun was found guilty of timber extraction out of the limits of the Standing Volumes No.04, of failure in marking the stumps and trees, and of abandoning the timber produced.

Because of these infractions, **the Independent Observer recommends:**

- o That the INC company be convoked and fined;
- o That the CCU takes the entire FOB value of the timber illegally extracted into account while assessing the amount of the compensation to be paid by this company.

APPENDICES

Appendix 1

INSTITUT NATIONAL DE CARTOGRAPHIE
B.P. 157 Tél : 22 29 21 Yaoundé

DEPARTEMENT DE LA GEODESIE ET DE LA
PHOTO-TOPOGRAPHIE

SERVICE DE LA PHOTOGRAMMETRIE

N° 0020 /AMS/MINRES/DINC/DGPI/SP

UFA 08009

AC n° 004

Yaoundé, le

Cons. 1032

ATTESTATION DE MESURE DE SUPERFICIE

Superficie mesurée :	2.500 hectares
Demandeur :	I. N. C.
Mappe de référence :	Yako à 1/200.000
Situation Administrative :	Département(s) du Mbomou-et-Kem Arrondissement(s) de Yako
Planimètre utilisé :	Coradi 36 891

DESCRIPTION DE LA ZONE FORESTIERE

Le point de base A de l'Assiette de Coupe N° 4 de l'UEFA 08 009 est situé au confluent des rivières Mvori et Mboungou.

Cette zone forestière est délimitée :

Au Nord Par la rivière Mvori en amont sur 1 km puis suivre la droite BC = 2,5 km de gisement 282 degrés d'où le point C.

A l'Ouest Par la droite CD = 2,7 km de gisement 180 degrés d'où le point D.

Au Sud Par un cours d'eau non dénommé en amont sur 4,6 km puis suivre les droites EF = 1,5 km et FG = 4,9 km de gisement 149 et 133 degrés d'où le point G.

A l'Est Par les droites GH = 2,5 km ; HI = 2,6 km de gisement 40 et 270 degrés puis suivre en aval un affluent de Dajou sur 1,7 km d'où le point J.
Du point J, suivre la droite JK = 1,1 km de gisement 353 degrés puis suivre en aval la rivière Mvori jusqu'au point A.

La zone ainsi circonscrite couvre une superficie de : **Deux Mille Cinq Cents hectares**

La présente Attestation lui est délivrée pour servir et valoir ce que de droit.

Le Chef de Service
de la Photogrammétrie

Hélène Monseigneur Louis
Quatre