

Project of Independent Observation in Support of  
the Control and Monitoring of Forestry Offences in  
Cameroon

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

**Report N° 13 FR**

*Central Control Unit – Independent Observer Joint Mission*

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**Title:** UFAs<sup>1</sup> 10 026 and 10 052

**Location:** Yokadouma, Eastern Province

**Date of mission:** 28 to 31 May 2002

**Company:** ALPICAM and SOTREF

**Independent Observer Team (Global Witness):**

Mr. Owada Jean Cyrille, Technical Assistant

Mr. Tangyie Ché Célestine, Driver

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<sup>1</sup> UFA – Unité Forestière d'Aménagement - Forest management unit, subdivision of a logging contract, established by the 1995 Forestry policy reform – trans. note.

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## 1- SUMMARY

The Minister for the Environment and Forests authorised the Central Control Unit (CCU) and the Independent Observer team to undertake a mission to control logging activities within UFA Nos. 10 052 and 10 026, located in the Eastern Province, from 28 to 31 May 2002. This mission was organised to enable a team of TV5 journalists to accompany a CCU control mission. Despite the absence of the journalists, the mission visited logging sites within the above mentioned UFAs.

The mission first visited the forest park of the ALPICAM company. It then checked logging sites in UFAs 10-026 and 10-052.

The principle conclusions of the Independent Observer with regard to its joint mission with the CCU are the following:

- Due to a bad positioning of *assiette de coupe*<sup>2</sup> N° 02 of UFA 10-026, the ALPICAM company has been logging beyond the southern boundary of the AC. A violation of law report (*procès-verbal*) has been issued by a sworn-in agent of MINEF<sup>3</sup> to this effect.
- SOTREF is logging within AC No. 1 of UFA 10-052. However, this *assiette de coupe*'s boundaries are formed by roads. This constitutes a violation of the current laws and regulations on logging activity.

The Independent Observer team recommends:

- The follow-up and conclusion of the case against ALPICAM;
- The opening of a case against SOTREF, the company's managers to be summoned and the CCU to draw up a violation of law report.

## 2- CONSTRAINTS

The mission was hampered by two major constraints. Firstly, its short duration (3 days) prevented the mission from undertaking more in-depth monitoring of the UFAs. Secondly, the mission's action was restricted by the long distances it had to travel to reach the logging sites.

## 3. RESOURCES USED

- 1 Toyota Hilux pick-up
- 2 Garmin GPS
- 1 video camera
- 1 camera
- Maps to 1/200,000
- 1 laptop computer

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<sup>2</sup> 'assiette de coupe' – subdivision of a logging concession indicating the surface area to be cut in a particular year – trans. note.

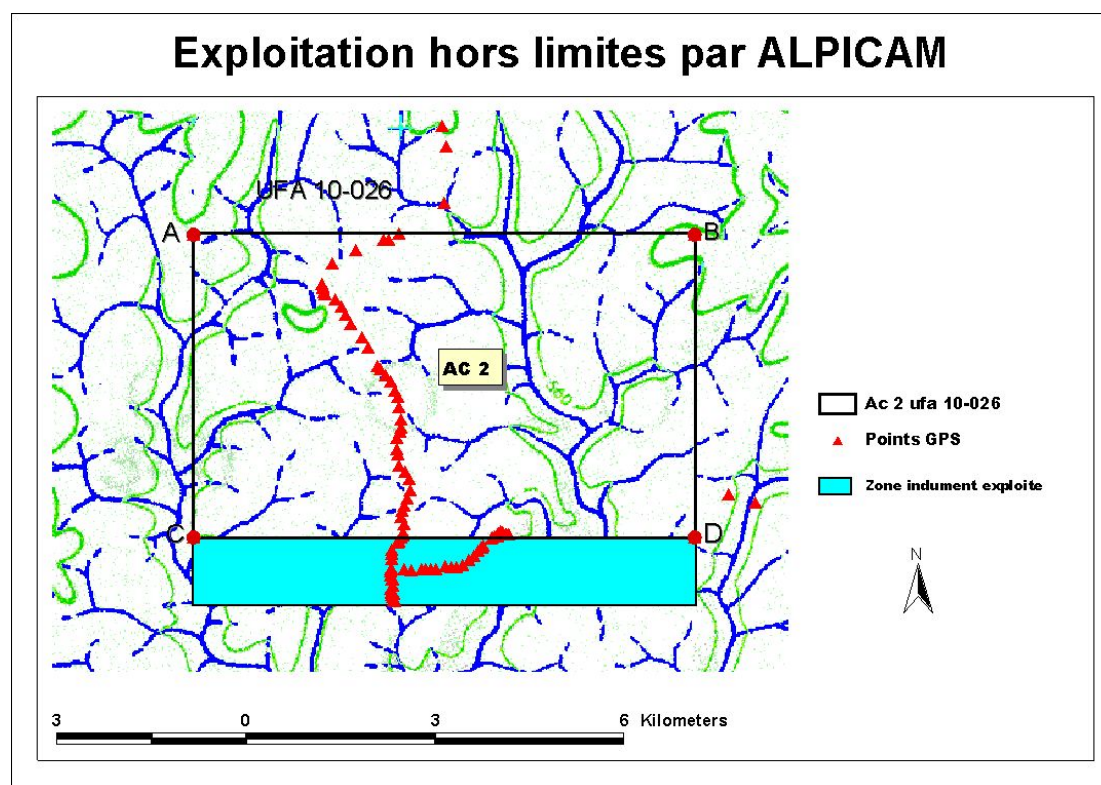
<sup>3</sup> MINEF – Ministry of the Environment and Forests – trans. note.

## 4- RESULTS OF THE MISSION

### 4-1- ALPICAM company

#### 4-1-1- Observations of the Independent Observer Team

- By transferring the AC boundaries allocated by MINEF onto a 1/200000 map, along with the GPS points of the area being logged, an extension beyond the southern boundary of this *assiette de coupe* can be noted (see map).



In fact, the official map boundaries are located at the following GPS coordinates:

A:	393500 N	B:	398300 N
	454650 E		454650 E
C:	398300 N	D:	393500 N
	446700 E		446700 E

By transferring the GPS readings for roads forming part of the logged area onto the map, we can see that the area extends by around 1.05 km and that the area logged outside the boundaries is approximately 800 ha (see map).

#### 4-1-2-Presumption of offence

An analysis of all the maps, of the GPS readings for the area being logged and of the data collected strongly indicates that the *assiette de coupe* has been badly positioned, leading to logging outside the official boundaries.

Given the above, the Independent Observer team is of the opinion that the ALPICAM company is guilty of logging outside the boundaries. Consequently, the ALPICAM company will incur criminal, civil and administrative penalties.

From a criminal point of view, ALPICAM will incur the penalties provided by article 156 of the law of 20 January 1994. This provides for a fine of between 200,000 and 1,000,000 francs CFA. The law also provides for a one to six month prison sentence. The two sentences may be imposed concurrently.

From a civil point of view, ALPICAM is liable to the penalties provided by article 159 of law N° 94/01 of 20 January 1994, which provides for damages and interest to be awarded to the victim of the offence, in this case the Cameroon state, calculated on the basis of the entire current market value of the tree species logged outside the boundaries.

From an administrative point of view, ALPICAM will incur, in addition to the penalties provided by articles 130 to 133 of the decree of 23 August 1995, an "immediate cancellation of the said logging, without prejudice to damages and interest, in relation to the wood fraudulently logged".

## ***4-2- SOTREF company***

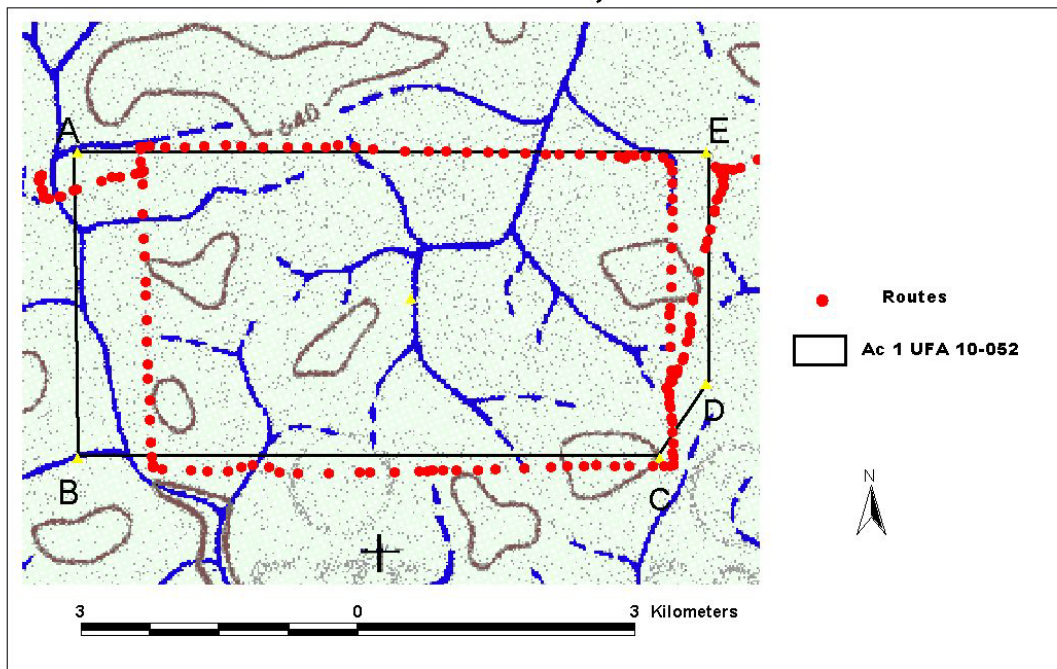
### **4-2-1. Observations of the Independent Observer team**

According to MINEF's official map, the boundaries of *assiette de coupe* N° 01 of UFA 10-052 are located at the following GPS coordinates:

A:	456700E 434300N	B:	456700E 431000N
C:	463000E 431000N	D:	463500E 431800N
E:	463500E 434300N		

From these coordinates, it can be concluded that logging is being undertaken within *assiette de coupe* N° 01 (see map).

## Delimitation de l'Ac 1, SOTREF



Nonetheless, it must be noted that the boundaries of this *assiette de coupe* are formed by roads, and this constitutes a violation of the current laws and regulations on logging activity.

### 4-2-2- Presumption of offence

**Article 4 para. 3 of Order N° 0222/A/MINEF of 25 May 2001** establishes the procedures for formulating, approving, monitoring and checking implementation of management plans for productive forest in permanent forest estates, and stipulates that:

*Within permanent forest estates, the boundaries between UFAs and the series and boundaries between the annual assiettes de coupe must be formed by a track marked in paint two metres wide in which all herbaceous plants, shrubs or creepers have been cut to ground level and all unprotected trees of less than fifteen (15) cms in diameter have been felled. The boundaries of the annual assiettes de coupe must be marked out prior to all logging activity.*

The Independent Observer team is consequently of the opinion that SOTREF is guilty of the opening and clearing of roads on the boundaries of *assiette de coupe* N° 1 of UFA 10-052. In so doing, it will incur the penalties provided by articles 159 and 156 of law 94/01 of 20 January 1994.

## **5. CONCLUSIONS AND RECOMMENDATIONS**

The general conclusion of the Independent Observer team is that the companies monitored during this mission have not observed the current laws and regulations regarding logging activity in Cameroon.

In light of the above, and given the absence of a violation of law report in SOTREF's case, the Independent Observer team recommends:

- that a team be sent to the field, the aim of which will be to assess the exact volumes of wood illegally removed due to the encroachment of the road by SOTREF. This evaluation should take place without delay, and should be followed up by the initiation of various procedures ending in the application of the penalties provided by law against SOTREF;
- the summoning of SOTREF for ticketing in relation to the events noted by the mission as being its responsibility;
- following-up the case against ALPICAM by calculating damages and interest based on the area illegally logged and in application of the penalties provided by law.