



global witness

Cameroon

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

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

Report of the Independent Observer

No. 047En

Central Control Unit – Independent Observer Joint Mission

Title	SSV 10 02 104
Location	Lom and Djerem Division, East Province
Mission date	15 March 2003
Company	FIAM (Holder)

Independent Observer Team (Global Witness):

Dr. Albert K. Barume, Deputy Project Director

Mr Owada Jean Cyrille, Technical Assistant

Mr Tangyie Che Célestine, Driver

TABLE OF CONTENTS

1. EXECUTIVE SUMMARY	1
2. RESOURCES USED	2
3. COMPOSITION OF THE MISSION.....	2
4. CONSTRAINTS	2
5. MISSION FINDINGS	2
5.1 Case summary	2
5.2 Mission's observations.....	3
6. CONCLUSIONS AND RECOMMENDATIONS	5
APPENDICES	6
Appendix 1	7
Appendix 2.....	9

1. EXECUTIVE SUMMARY

The Central Control Unit (CCU) undertook a forest control mission in the Lom and Djerem Division of the East Province on 15 March 2003. Accompanied by the Independent Observer (Global Witness), the mission's purpose was to verify allegations made by the Provincial Chief of Control Brigade for the East, that the FIAM logging company was logging beyond the boundaries of Sale of Standing Volume (SSV) 10 02 104.

Before going to the field, members of the mission held a working session with the Provincial Delegate of the Environment and Forestry for the East. The discussions focused on the topic of timber extraction operations in the East Province.

The main conclusions of the Independent Observer in relation to the case under study are as follows:

- The company FIAM, holder of Sale of Standing Volume (SSV) 10 02 104, logged beyond the boundaries of its title;
- The company FIAM fraudulently used the SSV 10 02 104 mark to disguise timber illegally exploited;
- The Head of Local Forestry Post in charge of Marking Hammer No. 44 voluntarily or involuntarily marked timber exploited beyond the boundaries of the sales of standing volume.

In view of the above, **the Independent Observer recommends** the following:

- The holding of a hearing for the purpose of issuing the FIAM company with an official statement of offence for unauthorised logging in a state forest (Section 156) and fraudulent use of marks (Section 156);
- Fixing the amount of damages on the basis of the entire Free-on-Board (FOB) value of timber estimated to have been unduly exploited by the company FIAM;
- The holding of a hearing for the Head of Local Forestry Post, keeper of Marking Hammer No. 44, in connection with the marking of timber logged outside of the boundaries of SSV 10 02 104.

The **Reading Committee** has recommended that a mission be sent to SSV 10 02 104 for proper evaluation of the volume of timber illegally extracted by the FIAM company.

2. RESOURCES USED

- 1 Toyota Hilux Pick Up belonging to Global Witness
- 1 Yamaha 100 motorbike belonging to Global Witness
- 3 GPS (Garmin brand)
- 1 Video camera (Sony brand)
- 1 Digital camera
- 1 laptop computer (Sony brand)

3. COMPOSITION OF THE MISSION

The mission was made up of Mrs Essono Danielle and Mr Mamene Pierre Marcel, Controllers at the CCU; Mr Afene Obam James, Senior staff at the Department of Forests; the Head of the Provincial Control Brigade of the East, the Head of Local Forestry Post of Diang and two members of the technical team of the Independent Observer.

4. CONSTRAINTS

The notice to stop work issued by the Provincial Control Brigade of the East to the company FIAM made it impossible for the mission to meet with and interrogate officials of this logging company.

Furthermore, visual data collected during this mission are contained in the videotape seized by the Ingénierie Forestière logging company (see the Independent Observer Report No. 055En). This incident, whose negative impact on transparency and good governance within the forest sector is considerable, took place when the Independent Observer documented the large-scale illegal logging carried out by the Ingénierie Forestière logging company.

5. MISSION FINDINGS

5.1 Case summary

According to the Certificate of Sale of Standing Volume (SSV) 10 02 104 granted to the FIAM logging company, this title refers to 3 forest blocks separated from each other, as shown in the forest map attached to the application for sale of standing volume certificate (see Appendix 1). This certificate had been renewed for the current 2002-2003 fiscal year.

The Provincial Control Brigade for the East visited this SSV on 14 March 2003 during one of its routine missions. This mission obtained proof of inaccurate demarcation of SSV 10 02 104 and logging beyond the boundaries. The FIAM logging company also failed to provide field operation documents (DF10, maps, etc.) to the Head of the Provincial Control Brigade. As a conservatory measure, the latter closed the logging site of the Sale of Standing Volume situated at Dongo (see Appendix 2).

Photo 1: Logs in a log pond

(This photograph is contained in the Independent Observer's videotape seized by the Ingénierie Forestière logging company; see *Independent Observer Report No. 055En*)

5.2 Mission's observations

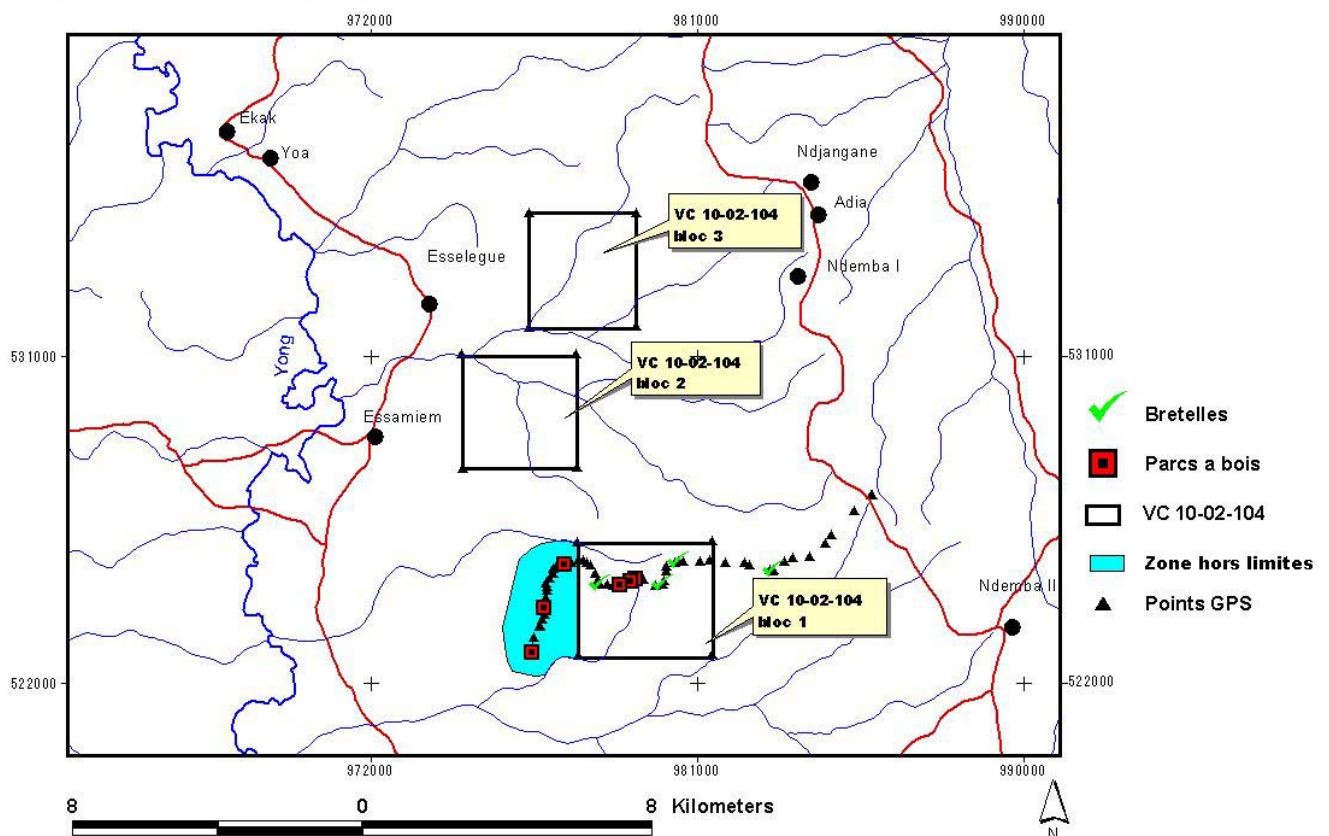
a. Logging beyond the boundaries of SSV 10 02 104 and fraudulent marking of timber

Readings of GPS (Global Positioning System) co-ordinates show irrefutable proof of a logging road network out of the boundaries of Sale of Standing Volume 10 02 104. Signs of intensive logging were observed along the entire road network, notably log ponds containing timber marked FIAM SSV 10 02 104 (see photo 2).

Photo 2: Logs in a log pond with timber marked FIAM SSV 10 02 104

(This photograph is contained in the Independent Observer's videotape seized by the Ingénierie Forestière logging company; see *Independent Observer Report No. 055En*)

Exploitation hors limites par FIAM



The above map shows the extent of logging operations out of boundaries of the SSV and marks out all the log ponds observed and geo-referenced by GPS points on a 1/200,000^e map. These acts contravene Section 156 of Cameroon Forestry Law that stipulates logging by sale of standing volume beyond the boundaries shall be liable to one or both of the following: the payment of a fine of 200,000 to 1,000,000 CFA Francs; imprisonment for one to six months.

At the administrative level, the logging company could face, in addition to sanctions provided for in Articles 130 to 133 of the Decree of 23 August 1995, “*immediate cancellation of the said exploitation without prejudice to damages on timber fraudulently exploited*”.

b. Involvement or non-involvement of a Chief of Post in illegal logging activities

In one of the log ponds situated out of the boundaries of the SSV in question, as specified by the GPS co-ordinates represented in the table below, the Independent Observer noted that contentious logs were carrying the mark of forest marking hammer No. 44 (see photo 3).

ID	DD_longitude (o)	DD_latitude (o)	Note
Log pond	13.2920200	4.7177800	Log carrying the mark of marking hammer No. 44

According to testimonies gathered at the site, the Head of Local Forestry Post of Diang, geographically nearer to this logging site, refused to mark this timber some months earlier when he suspected irregularities. The Independent Observer questions whether the keeper of Marking Hammer No. 44 knew the illegal source of the contentious timber when he marked it.

If it can be established that the keeper of Marking Hammer No. 44 deliberately marked this timber with full knowledge of its illegal source, this act would fall under Section 156 of the Forestry Law that penalises the fraudulent use of marking hammers. Moreover, as a sworn official, the keeper of Marking Hammer No. 44 would be subjected to a doubling of the penalty provided for by this law. Section 162 of the Forestry Law of 1994 stipulates: “*The penalties provided for in Sections 154 to 160 (...) shall be doubled (...) where the offence was committed by sworn officials of the competent services (...)*”.

Photo 3: Logs in a log pond carrying the mark of Marking Hammer No. 44.

(This photograph is contained in the Independent Observer’s videotape seized by the Ingénierie Forestière logging company; see *Independent Observer Report No. 055En*)

6. CONCLUSIONS AND RECOMMENDATIONS

The main conclusions of the Independent Observer in relation to the case under study are as follows:

- The company FIAM, holder of Sale of Standing Volume (SSV) 10 02 104, logged beyond the boundaries of its title;
- The company FIAM fraudulently used the SSV 10 02 104 mark to disguise timber illegally exploited;
- The Head of Local Forestry Post in charge of Marking Hammer No. 44 voluntarily or involuntarily marked timber exploited beyond the boundaries of the sales of standing volume.

In view of the above, **the Independent Observer recommends** the following:

- The holding of a hearing for the purpose of issuing the FIAM company with an official statement of offence for unauthorised logging in a state forest (Section 156) and fraudulent use of marks (Section 156);
- Fixing the amount of damages on the basis of the entire Free-on-Board (FOB) value of timber estimated to have been unduly exploited by the company FIAM;
- The holding of a hearing for the Head of Local Forestry Post, keeper of Marking Hammer No. 44, in connection with the marking of timber logged outside of the boundaries of SSV 10 02 104.

The **Reading Committee** has recommended that a mission be sent to SSV 10 02 104 for proper evaluation of the volume of timber illegally extracted by the FIAM company.

APPENDICES

Appendix 1

Ministère de l'Environnement et des Forêts - Direction des Forêts

0429

Certificat de vente de coupe Forêts du domaine national

Vente de coupe N°: 1002104 **Exercice:** 2002-2003

Fin de validité: 30 juin, 2003

Exploitant: 371 Société Forestière Industrielle et Agricole de Mbethem
B.P.: 155 Bertoua

Certificat émis le: Wednesday, August 1

Partie 1. Localisation des traitements sylvicoles:

N°	Commune		Traitements sylvicoles		Superficie
	Appellation	Zone	Cod	Appellation	
100401	Belabo	03	10	Coupe à diamètre limite	2,000
100404	Diang	03	10	Coupe à diamètre limite	500
Superficie totale:					2,500

* Les cartes forestières jointes à la demande montrent la localisation précise des limites de la vente de coupe

Partie 2. Essences à récolter:

Essence				Essence			
Code	Appellation	Nombre	Volume	Code	Appellation	Nombre	Volume
1103	Acajou de bassam	114	913	1105	Azobé	150	900
1106	Bété	53	213	1108	Boessé foncé	69	488
1111	Dibétou	119	836	1112	Doussié blanc	76	456
1113	Doussié rouge	90	633	1116	Iroko	447	4,919
1118	Kossipo	43	513	1119	Kotibé	48	291
1121	Moabi	97	1,455	1124	Okan / Adoum	53	530
1127	Padouk rouge	56	336	1129	Sapelli	88	877
1130	Sjpo	120	1,202	1131	Tali	56	280
1135	Tiama	44	355	1137	Agba / Tola	32	384
1201	Alélé / Abel	162	1,459	1211	Ayous/Obéché	290	2,907
1214	Dabéma	43	348	1215	Eblara Yaoundé /Abem	68	546
1217	Etimolé	39	312	1218	Eyong	170	1,019
1220	Fraké	695	4,172	1223	Koto	71	426
1228	Longhi / Abam	68	341	1229	Lotofa / Nkanang	125	625
1232	Movingui	200	1,200	1238	Niové	43	258
1310	Ako / Aloa	49	294	1318	Bilinga	115	923
1344	Fromager	71	923	1345	Iatandza / Evouvouss	49	348
1346	Ilomba	236	1,418	1348	Kapokier / Bombax	111	1,439
1365	Pao rosa	12	96	1489	Onzabiii /Angongui	181	1,270
Nombre total:		4,553	Volume total:	35,905			

* Les cartes d'inventaire d'exploitation jointes à la demande montrent la localisation des arbres à récolter

Prescription:

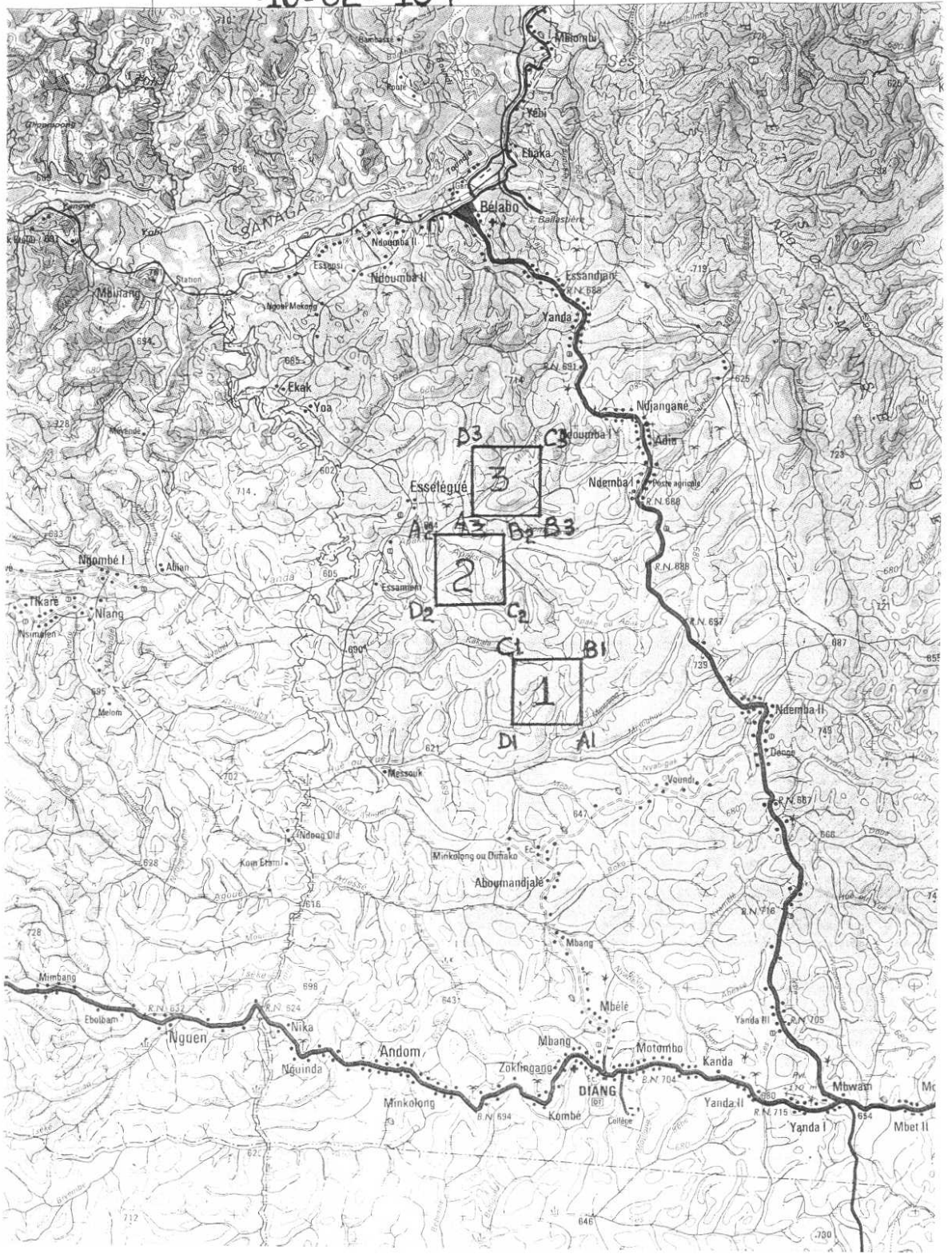
Le titulaire de ce certificat de vente de coupe doit respecter les normes d'intervention en milieu forestier ainsi que les clauses de son cahier des charges lors de la réalisation de ses activités

Date: 16 SEP. 2002

Le Ministre de l'Environnement et des Forêts



Sanji-Mbianyot C.O.



Appendix 2

MINISTÈRE DE L'ENVIRONNEMENT ET DES
FORÊTS

REPUBLIQUE DU CAMEROUN
PAIX - TRAVAIL - PATRIE

DELEGATION PROVINCIALE DE L'EST

BRIGADE PROVINCIALE DE CONTROLE

N° 001 /NAC/MINEF/DPEFE/BPC

NOTIFICATION D'ARRET DE CHANTIER

Le chef de la brigade provinciale de contrôle de l'Est
à Bertoua, en mission de contrôle dans la Province de l'Est
notifie à Mr le Directeur Général de la Société forestière
FIAM titulaire de la VE n° 1002/104

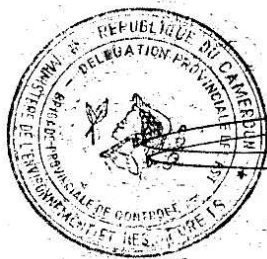
l'arrêt du chantier d'exploitation forestière situé au lieu dit DONGO,
Arrondissement de DIANG, département du LOM et DSEREM

~~action~~ pour motifs suivants :
Mauvaise
- délimitation de la Vente de Coupe 1002/104
- Exploitation hors limite de la Vente de Coupe suscitée
- Déficit de présentation (absence) des documents de chantier
(DF10, cartes).

Fait à Dongo, le 14-03-2003

LE CHEF DE MISSION

AMPLIATIONS
CP / BOUAM
YRF / Belabo
PSRF / NKOMETOU



ELUA MAGLOIRE