

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

**Validated by the Reading  
Committee**

**Report of the Independent Observer**

**No. 102En**

*Central Control Unit – Independent Observer Joint Mission*

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**Title** Timber Recovery Authorisation  
**Location** Minlaba, Mengueme District, Nyong  
and So'o Division, Central Province  
**Mission date** 22 June 2004  
**Company** SAF-Bois

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

*Mr Serge C. Moukouri, Technical Assistant  
Mr Jean Cyrille Owada, Technical Assistant  
Mr Célestine Tangyie Ché, Driver*

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## 1. EXECUTIVE SUMMARY

On 22 June 2004, the Central Control Unit (CCU), accompanied by the Independent Observer (Global Witness), carried out an investigation and control mission of forestry activities in the Nyong and So'o Division. The mission centred on the illegal activities that it was believed were being carried out under cover of Timber Recovery Authorisation (TRA) No. 1082/MINEF/SG/SDAFF/SAG dated 25 June 2003.

This authorisation, granted to the SAF-Bois company, relates to the removal of a volume of 132,207m<sup>3</sup> of timber from log ponds in the Minlaba area.

Informed of the use of Timber Recovery Authorisation No. 1082 and of their company's marking by unknown individuals, the new management team of SAF-Bois complained to MINEF in October 2003 about the fraudulent use of their agreement and the unlawful removal of timber for which authorisation had been given.

Information gathered during this mission indicates that the terms of the TRA granted to SAF-Bois were not respected. This authorisation had been used to fell trees instead of removing already cut timber as stipulated.

The CCU established an Official Statement of Offence (OSO) against SAF-Bois for unauthorised logging of 258,391m<sup>3</sup> of timber in a state forest.

**The Independent Observer recommends** that the legal proceedings established against the SAF-Bois company be pursued.

### **The Reading Committee recommends:**

- The pursuance of legal proceedings and the reformulation of the Official Statement of Offence established by the CCU against SAF-Bois to include fraudulent use of the TRA and unauthorised logging in a state forest of 258,391m<sup>3</sup> of wood;
- Asking the Divisional Delegate of the Environment and Forestry for Nyong and So'o to investigate the origin of the timber stock that formed the object of the TRA;
- The verification, by the Forest Department, of the existence of the original document that enabled the granting of the TRA and the proposal for administrative sanctions in case of irregularities;
- The deployment of a mission to Minlaba to verify the existence and possible final use of the 132,270m<sup>3</sup> of wood established in the TRA.

## **2. RESOURCES USED**

- 1 Toyota Hilux Pick-up
- 2 Garmin GPS
- 1 Digital Camera
- 1 Laptop

## **3. COMPOSITION OF THE MISSION**

The mission comprised Ms. Danièle Essono of the CCU, Mr. James Afene of the Permanent Secretariat for the Environment; Mr. Bruno Mfou'ou, Divisional Delegate for the Environment and Forests (DDEF) in Nyong and So'o Division, along with Messrs Jean Cyrille Owada and Serge Christian Moukouri of the Independent Observer's technical team.

## **4. CONSTRAINTS**

No obstacles were encountered in undertaking this mission.

## **5 MISSION'S FINDINGS**

### **5.1 Summary**

Approved for forest exploitation by decree no. 128 of 16 November 1998, the SAF-Bois company had, since its founding in 2002, been managed by Messrs ENGOULOU EBALE and AMOUGOU ABOUTI. They had given Mr. MBALLA SEH a mandate to represent their company in dealings with the authorities and other company partners.

In February 2002, a new management team took over SAF-Bois, following a transfer of shares and a change in the company's address and head office. Without their knowledge, and presenting himself as a representative of SAF-Bois, Mr. MBALLA SEH undertook negotiations that culminated in the allocation of Timber Recovery Authorisation (TRA) No. 1082/MINEF/SG/SDAFF/ SAG dated 25 June 2003 to this company.

This authorisation envisaged the removal of 132,207m<sup>3</sup> of cut timber stocked in a log pond in Minlaba, Mengueme District, Nyong and So'o Division of the Central Province. Informed of the allocation of the TRA to MBALLA SEH, as well as the forestry activities he was carrying out by means of this authorisation and the SAF-Bois markings, the new SAF-Bois managers informed MINEF, in October 2003, of their objection to all fraudulent use of their accreditation and the unlawful removal of timber for which the authorisation was issued. Following this complaint, Mr. MBALLA SEH approached the company and reached an agreement, on 17 December 2003, that authorised him to remove 132,207m<sup>3</sup> of timber in accordance with TRA 1082 from the Minlaba log pond on his own account (see Appendix).

Mr. MBALLA SEH thus continued his activities using TRA 1082, not removing timber from the Minlaba log pond but felling new trees, particularly in different locations.

In January 2004, the Head of the Local Forestry Post of Ekombitié established an Official Statement of Offence regarding the use of TRA 1082 over and above the authorised quota.

In June 2004, MINEF sent this present mission to the field with the principal objective of verifying activities carried out under cover of “Timber Recovery Authorisation No. 1082/MINEF/SG/SDAFF/SAG awarded by MINEF on 25 June 2002 in the Minlaba area”.

On its arrival in Mbalmayo, the mission held talks with the DDEF before proceeding to the field. A few days later, it also interviewed Mr. MBALLA SEH.

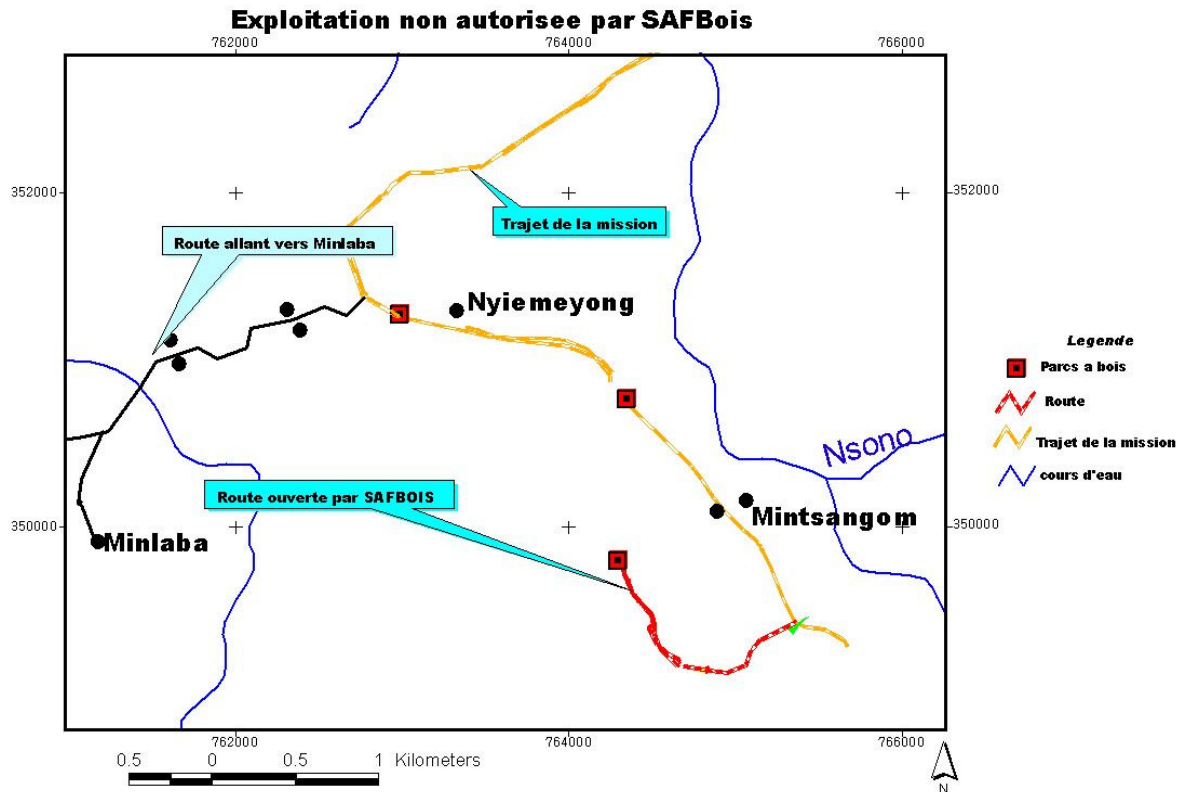
## 5.2 Observations of the Independent Observer

The observations on the ground demonstrated that SAF-Bois had felled standing timber instead of removing already cut timber, as stipulated in the authorisation issued. This activity took place in the area of Mintsangom and Nyemeyong, as shown on the map below. SAF-Bois has built a road and cut timber around the said road as well as creating four log ponds. The GPS points and the photographs taken in the field back up this assertion. Some of the logs found in the log ponds bore the SAF-Bois marking and **dates of August 2003**.



By using TRA 1082 to fell new timber, SAF-Bois has committed the infraction of unauthorised timber felling in a state forest, as defined and prohibited by Article 156 of the law of 20 January 1994.

**Map:** SAF-Bois' Logging Area



## 6. CONCLUSIONS AND RECOMMENDATIONS

The CCU was right to establish an Official Statement of Offence against SAF-Bois for unauthorised felling of timber in a state forest.

**The Independent Observer consequently recommends** that the proceedings initiated against SAF-Bois be pursued.

**The Reading Committee recommends:**

- The pursuance of legal proceedings and the reformulation of the Official Statement of Offence established by the CCU against SAF-Bois to include the fraudulent use of the TRA and the unauthorised logging in a state forest of 258,391m<sup>3</sup> of wood;
- Asking the Divisional Delegate of the Environment and Forestry of Nyong and So'o to investigate the origin of the timber stock that formed the object of the TRA;
- The verification, by the Department of Forestry, of the existence of the original document that enabled the granting of the TRA and the proposal of administrative sanctions in case of irregularities;
- The deployment of a mission to Minlaba to verify the existence and possible final use of the 132,270m<sup>3</sup> of wood established in the TRA.

## **ANNEXES**

## Protocole D'accord

Entre les soussignés

La Société d'Abattage et de Fourniture de Bois (SAF BOIS ) Sarl BP 695 Yaoundé, représenté par son gérant M SOH NZONANG David,

D'une part

Et

M,MBALLA SEH Georges W. ,homme d'affaire , demeurant à Yaoundé BP

D'autre part

Il est préalablement exposé ce qui suit :

En date du 1<sup>er</sup> Février 2002 est intervenu entre les associés de la SAF-BOIS Sarl BP 98 ENDOM une cession de parts sociales et un changement d'adresse et du siège social. Messieurs ENGOULOU EBALE Paul et AMOUGOU ABOUI précédemment Directeur Général et associé de la SAF-BOIS Sarl, cédaient toutes leurs parts sociales à M SOH NZONANG David ,Mme MBOULA Héléne Désirée et M TALLA Victor qui devenaient de ce fait les seuls associés de la SAF-BOIS dont le siège sera fixé à Yaoundé, BP 695 ;

Or, il s'est avéré courant 2003 que bien avant la cession de leurs parts représentatives, Sieurs ENGOULOU EBALE Paul et AMOUGOU ABOUI avaient donné MANDAT depuis le 08 septembre 2000 à M. MBALLA SEH Georges W. « leur financier » pour représenter la SAF-BOIS au niveau de l'administration forestière et des différents partenaires de son choix.

M. MBALLA SEH G.W. ,fort de ce mandat avait entre temps obtenu une autorisation d'enlèvement des bois sur parc n°1082/MINEF/SG/DF/SDAFF/SAG du 25 juin 2003 signé du Ministre de l'Environnement et des Forêts financée à hauteur de 2.230.000FCFA (voir fiche de versement N°1165/FV/DPEFC/SPF/BEIF/00 du 26 juillet 2000) la vente gré à gré de bois à Minlaba pour le compte de la SAF-BOIS Sarl .

La nouvelle Direction de la SAF-BOIS informée qu'une autorisation d'enlèvement de bois sur parc N°1082/MINEF/SG/DF/SDAFF/SAG du 25 juin 2003 avait été délivrée à des individus inconnus d'elle fera opposition tout auprès du MINEF , du Délégué Provincial de l'environnement et des Forêts du Centre et du Délégué Départemental du Nyong et So'o contre tout usage frauduleux de son agrément et contre l'enlèvement irrégulier du bois pour lequel l'autorisation avait été délivrée.

Approchée par M MBALLA SEH G.W.et après une tentative de conciliation sur convocation du Délégué Provincial de l'Environnement et des Forêts du Centre au bureau du Chef Service provincial des forêts et après audition de M. ENGOULOU EBALE Paul et de toutes parties par devant le procureur de la République auprès des Tribunaux de Mbalmayo ,la Société SAF-BOIS Sarl BP 695 Yaoundé a décidé vu la bonne foi de M MBALLA SEH G. W. et les dépenses par lui effectuées à l'intention de ENGOULOU EBALE Paul et AMOUGOU ABOUI :



**Article 1<sup>er</sup>** : La SAF-BOIS BP 695 Yaoundé autorise par les présentes M MBALLA SEH G. W. , à enlever pour son compte propre du parc de Minlaba , 132,207 m3 de bois conformément aux dispositions de l'autorisation du Ministre de l'Environnement et des Forêts du 25 juin 2003.

**Article 2** : M MBALLA SEH G. W. s'engage à respecter scrupuleusement les termes de l'autorisation du MINEF qui limite l'enlèvement du bois sur parc à 132,207 m3

**Article 3** : La SAF- BOIS Sarl BP 695 Yaoundé dégage toute sa responsabilité pour toute violation par M MBALLA SEH G. W. des termes de l'autorisation accordée par le MINEF.

**Article 4** : M MBALLA SEH Georges W. engage sa responsabilité pour toute infraction à la réglementation et législation forestière constatée par l'administration forestière au cours dudit enlèvement qu'il supportera au nom de SAF-BOIS.

**Article 5** : M MBALLA SEH G. W. devra avant l'enlèvement dudit bois restituer à la Direction de SAF-BOIS tous les documents en sa possession notamment l'original du certificat d'enregistrement en qualité d'exportateur de bois transformés du 19 octobre 2001 ,les lettres de voiture délivrées à la SAF-BOIS Sarl pour l'exercice 2003 .



17 DEC. 2003

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MBALLA SEH Georges William

Me MANDENG A. Parfait