

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

**Validated by the Reading
Committee**

Report of the Independent Observer

No. 104En

Central Control Unit – Independent Observer Joint Mission

Title	None
Localisation	Tanga, Mekak; Nanga-Eboko Sub-Division, Upper Sanaga Division, Central Province
Mission date	16 July 2004
Company	None

Independent Observer Team (Global Witness):

Mr Reiner Tegtmeyer, Project Director

Mr Célestine Tangyie Ché, Driver

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1. EXECUTIVE SUMMARY

On 16 July 2004, the Central Control Unit (CCU) and the Independent Observer (Global Witness) jointly visited Nanga-Eboko Sub-Division, Upper Sanaga Division, in the Central Province. The aim of this visit was to verify allegations of fraudulent logging activities in state forests in the Sub-Division. The complaint highlighted particularly the village of Tanga where a Timber Recovery Authorisation (TRA) was allegedly being used fraudulently, and the village of Mekak where unauthorised operations were allegedly being conducted.

Prior to the field visit, the members of the mission held a work session with the Divisional Delegate of the Environment and Forest Department of Upper Sanaga (DDEF-HS) and the Head of the Forest Section, who joined the mission.

Following a dispute between the plaintiff, who also acted as field guide, and the Head of Mission, the mission to verify allegations of illegal activities in Tanga was abandoned.

At Mekak, observations in the field confirmed the allegations that the mission was charged with verifying. The mission discovered a felled *iroko* and a Lucas Mill[®]. The CCU confiscated the wood and the saw, which it left in the safekeeping of the DDEF-HS.

Unable to ascertain those responsible for these illegal activities on the ground, the CCU established an Official Statement of Offence (OSO) against an unknown offender.

On the basis of the above, **the Independent Observer recommends:**

- The scheduling of a new mission to monitor the activities denounced in Tanga village;
- The conducting of investigations to identify the authors of the illegal activities at Mekak, and the finalisation of the OSO established for unauthorised operations in a state forest.

The Reading Committee recommends:

- The auctioning of the confiscated wood;
- The return of the Lucas Mill once the case has been settled, should it be the first time it was used in committing an offence or should the offender be a first-time offender.

2. RESOURCES USED

- 1 Toyota Hilux
- 1 Garmin GPS
- 1 digital camera
- 1 Sony lap top
- 1:200,000 map of the Nanga-Eboko region

3. COMPOSITION OF THE MISSION

The mission comprised Ms Daniëlle Essono and Mr Marcel Mamene of the CCU, Mr Reiner Tegtmeier of the Independent Observer team, Mr Maria Philippe, Head of the Forest Section of the Divisional Delegation of the Environment and Forests for Upper Sanaga (DDEF-HS) and the plaintiff.

4. CONSTRAINTS

Collaboration difficulties were observed between the plaintiff and the Head of Mission, which jeopardised the mission's effectiveness. Consequently, the time spent at Mekak did not enable the mission to assess the extent of the illegal activities undertaken.

5. RESULTS OF THE MISSION

5.1 Case summary

Following a letter denouncing illegal forestry activities taking place in the forests of the Upper Sanaga Division (see Appendix), the Minister of the Environment and Forests ordered this mission.

After a work session at the Divisional Delegation of the Environment and Forests of the Upper Sanaga, the mission visited the sites where illegal activities were reportedly taking place.

The mission was unable to visit Tanga because of misunderstandings between the plaintiff, also serving as field guide, and the Head of Mission. The mission nevertheless continued on to Mekak.

5.2 Observations of the Independent Observer

At Mekak, the mission discovered two log ponds containing sawn timber (see photos below).

At a third site, a Lucas Mill[®] was found alongside a felled tree that was already partly sawn up (see photo below). However, because of the short time spent at Mekak, the mission could not assess the full extent of illegal activities carried out there.

Photos: Log ponds with sawn timber in MEKAK village



Photo: Felling and sawing site of an *iroko*



6. CONCLUSIONS AND RECOMMENDATIONS

Verification of allegations of illegal forestry operations in Tanga is still outstanding. With regard to the investigations at Mekak, the actions observed constitute an offence of unauthorised timber extraction in a state forest, described and sanctioned by article 156 of the Forestry Law of 20 January 1994. This infraction is liable to a fine of between CFA 200,000 and 1,000,000 and/or imprisonment of between one and six months. These criminal sanctions do not exclude requiring the offender to pay compensation for damages and interest to the state.

On the basis of the above, **the Independent Observer recommends:**

- The scheduling of a new mission to monitor the activities denounced in Tanga village;
- The conducting of investigations to identify the authors of the illegal activities at Mekak, and the finalisation of the OSO established for unauthorised operations in a state forest.

The Reading Committee recommends:

- The auctioning of the confiscated wood;
- The return of the Lucas Mill once the case has been settled, should it be the first time it was used in committing an offence or should the offender be a first-time offender.

APPENDICES

**ASSOCIATION POUR LA PROTECTION DE L'ENVIRONNEMENT
& DES DROITS DE L'HOMME
B.P 44 NANGA-EBOKO TL 733 --02-33**

Yaound, le 18 septembre 2003

**EXCELLENCE MONSIEUR
LE PREMIER MINISTRE**

Objet : Exploitations Forestires Frauduleuses.

Excellence Monsieur le Premier Ministre,

Nous venons auprs de votre haute personnalit attirer votre Attention et celle de votre Gouvernement une seconde fois sur les exploitations illgales de bois par des personnes physiques et morales dans les Arrondissements de *Minta, Nanga-Eboko et Nkoteng* depuis l'an 2000  nos jours. Nous nous rservons de donner les identifications de ces dernires afin qu'ils ne disparaissent et ne dissimulent les preuves que nous allons dmontrer sur le terrain au cour des enqutes. D'autres persistent malgr le passage des multiples contrles forestiers.

De tout ce qui prcde, et sauf meilleur avis de votre part, nous avons l'honneur de proposer ce qui suit :

- 1) Nous nous portons garant de faciliter la diligence des investigations sur le terrain avec les ventuels enquteurs.
- 2) Qu'il soit interrog les chefs et les populations de chaque localit exploite que nous citerons pour s'assurer de la vracit des faits.
- 3) Qu'une prompte mission d'inventaire des bois coups et abandonns en fort, soit mise sur pieds pour essayer de sauver ce patrimoine en pril. Tout en esprant une prompte intervention de la part de votre autorit, nous vous prions d'accepter, l'expression de notre trs haute et parfaite considration./-

Ampliations

- *Premier Ministre*
- *Ministre de l'Environnement et des Forts*
- *Secrtaire Gnral au MINEF*
- *Ministre de la Justice*
- *Global Witness*
- *Conseillier Technique Coopration Franaise*
- *Conseillier Technique N I*
- *Directeur des Forts*
- *Union Europenne (CEF)*
- *GTZ*
- *Banque Mondiale*
- *DFID*
- *ACDI-CIDA*
- *Prfet de la Haute-Sanaga*
- *Sous-Prfet de Nanga-Eboko*
- *Procureur de la Rpublique de Nanga-Eboko*
- *Commandant de la Compagnie de Nanga-Eboko*
- *Commissaire Spcial de Nanga-Eboko*

POUR L'ASSOCIATION



MONSIEUR JOSEPH FA'X EMBOLO