

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

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

**Report of the Independent Observer**

**No. 085En**

*Central Control Unit – Independent Observer Joint Mission*

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<b>Title</b>	TRSA/ASEB No 1313
<b>Location</b>	Kéla, Ntui Sub-Division, Mbam and Kim Division, Central Province
<b>Mission date</b>	17 February 2004
<b>Company</b>	SEPROF

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

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## **1. EXECUTIVE SUMMARY**

In compliance with Service Memo No.0014 NS/MINEF/SG/UCC of 12 February 2004, a control mission was undertaken by the Central Control Unit (CCU), on February 17, 2004, accompanied by the Independent Observer (Global Witness). The mission visited a logging site where logs were marked Timber Recovery Special Authorisation (TRSA/ASEB) No.1313.

This TRSA is located at Kéla, not far from Ntui, in the Mbam and Kim Division. The visit took place in the presence of the Divisional Delegate of the Environment and Forestry (DDEF) for Mbam and Kim

In the field, the mission observed that under the guise of a TRSA, well organised logging was occurring, including tree felling and the opening of roads, access tracks and hauling tracks.

A TRSA does not grant authorisation to log as per the 20 January 1994 Law, and the 23 August 1995, which define the conditions under which forestry regulations are to be enforced.

It is, therefore, not relevant if the TRSA effectively exists or not, and if it was issued by the forestry administration or not. Logging under cover of a document that is not one of the instruments that grants authorisation to log, even if it has been issued by the forestry administration, is tantamount to illegal logging.

Consequently, **the Independent Observer recommends:**

- The cancellation of the TRSA and closure of the logging site, as well as seizure of illegally felled timber and the equipment used;
- The establishment of an official statement of offence against the company that carried out this illegal activity, for illegal logging in a state forest;
- The conducting of an investigation to verify the existence and origin of the document used by the operator of the logging site and the taking of actions as indicated by investigation results.

## **2. RESOURCES USED**

- 1 Toyota Hilux Pick up
- 1 Camera
- 2 GPS
- 1 Laptop computer

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

The mission comprised Messrs Jean Avit Kongape and Pierre Marcel Mamene of the CCU; Mr Romuald of the Central Forest Cartography Unit of the Forestry Department (UCECAF/DF), Mr Emmanuel Munakwa of the Community Forestry Unit (CF/DF); as well as Messrs Albert Barume and Serge C. Moukouri, members of the technical team of the Independent Observer. Mr Nonga, Divisional Delegate of the Environment and Forestry for Mbam and Kim joined the mission team.

## **4 CONSTRAINTS**

Documentation regarding this Timber Recovery Special Authorisation was not available in the field.

## **5. MISSION'S FINDINGS**

### **5.1 Observations of the Independent Observer**

On the ground, the Independent Observer noted that under guise of TRSA No. 1313, the operator of the logging site had opened roads and access tracks and developed a network of hauling tracks as well as log ponds where logs from freshly felled trees were found (see Photo 1 and Map below).

Verbal information given to the Independent Observer by the Head of the Mission seemed to indicate that the terms of the authorisation granted the holder the right to fell trees.

Also, stumps of felled trees bore no marks, and logs bore incomplete marks, in that they did not carry the name of the exploiter (see photos below).



**Photos 2, 3, 4:** Logs not bearing the logger's marks / unmarked tree stumps



## **5.2 Infringement of the law by granting of TRSA No.1313**

The Special Timber Removal Authorisation (TRSA) is not one of the legal instruments granting the right to execute logging activities. Only persons or companies in the possession of timber extraction titles, namely Forest Management Units (FMUs), Sales of Standing Volume (SSV), Logging Permits, Personal Felling Authorisations and Timber Recovery Permits (TSR/ARB) can undertake logging in Cameroon.

The TRSA in this case appears to be a document granting the right to transport timber that has been legally acquired. In principle, any holder of an authorisation to access timber is, at the start of the logging operations, provided by the forestry administration with documents authorising him/her to transport the timber. Some holders of timber access authorisation may require timber removal permits but only in exceptional cases. For example, in the case of force majeure, if a title's validity period expires and the holder is required to hand back to the competent administration all logging operation documents, including the bill of lading, before the felled and registered timber can be completely removed from the site, the title holder can request a document from the forestry administration authorising him/her to remove that timber. Such a document neither authorises tree felling nor the removal of timber that hitherto did not belong to the holder of the recovery permit.

In the case under discussion, the circumstances warranting the issuance of such an exceptional authorisation are not present. The logging site in question is located in a state forest and its operator never obtained an exploitation title.

## **6. CONCLUSIONS AND RECOMMENDATIONS**

Logging under cover of a document that is not one of the legal instruments granting right of access to timber resources regardless of the fact that it has been issued by the forestry administration, is tantamount to illegal logging.

Consequently, **the Independent Observer recommends:**

- The cancellation of the TRSA and closure of the logging site, as well as seizure of illegally felled timber and the equipment used;
- The establishment of an official statement of offence against the company that carried out this illegal activity, for illegal logging in a state forest;
- The conducting of an investigation to verify the existence and origin of the document used by the operator of the logging site and the taking of actions as indicated by investigation results.