

Project Independent Observation in support of
Forest Control and Monitoring of Infractions in
Cameroon

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

Report of the Independent Observer

No. 098En

Central Control Unit – Independent Observer Joint Mission

Transformation Units	CIFM, PALLISCO, J.Prenant
Localisations	Mindourou, Eboumetoum, Kagnol ; Upper Nyong and Lom & Djerem Divisions, East Province
Mission dates	7th, 13th, 15th May 2004
Companies	CIFM, PALLISCO, J.Prenant

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1. EXECUTIVE SUMMARY

Within the implementation framework addressing a programme of inspection missions jointly drawn up with MINEF, the Independent Observer (Global Witness) accompanied a team of the Central Control Unit (CCU) to the field from 6 – 22 May 2004. This report deals exclusively with timber processing units. One aspect of the mandate of the mission was to control the processing factories located in Upper Nyong, and Lom and Djerem Divisions, all in the East Province. The team visited, respectively, on the 7th, 13th, and 15th May 2004 the following factories:

- The Mindourou Industrial and Forestry Centre (CIFM)
- The R Pallisco Sawmill at Eboumetoum
- The J. Prenant Sawmill at Kagnol

These sawmills had been set up to process wood from the following approved logging companies:

- R Pallisco and partners Ets Assene Nkou, SODETRAN
- J. Prenant and partners KIEFFER, SEBC.

The various visits to the lumber yards of these units, as well as the review of documents undertaken, produced no evidence of irregularity with respect to the origin of timber.

However, there was a problem in terms of how Art. 115(3) of the law governing forestry activities was being applied. This article requires that all owners of primary wood processing plants keep records of timber entering the processing unit. In the three factories visited, the recording of logs in the “Factory Entry” register occurs at the point of loading onto the conveyance chain.

In the explanatory note on the reverse of the cover page of the “Factory Entry”, the Forestry Revenue Enhancement Programme (FREP) requires that all logs being readied for processing should automatically be recorded in the said register.

Given that this note is not a regulatory instrument, there is room to question its enforceability.

That is why the Independent Observer recommends that MINEF should define through a regulatory instrument the concept of “Factory Entry”, and more specifically, the moment at which the logs must be recorded in the “Factory Entry”.

The **Reading Committee recommends** a study prior to defining the content of the regulatory instrument specifying the concept of “Factory Entry”.

2. RESOURCES USED

- 1 TOYOTA Land Cruiser
- 2 GPS
- 1 Laptop computer

3. COMPOSITION OF THE MISSION

Members of this mission included, besides Messrs Moukouri and Djeukam of the Independent Observer team, Messrs Neckmen and Bikie as well as Mmes Essono and Djana of the Central Services of MINEF, and the representative of the Upper Nyong Divisional Delegation of the Environment and Forestry (DDEF).

4. CONSTRAINTS

The mission encountered no constraints in the field.

5. MISSION'S FINDINGS

All investigations carried out in the wood processing units did not reveal any irregularity with regard to the origin of timber.

However, this was not the case with the bookkeeping procedures observed. The recording of timber in the "Factory Entry" register does not adhere to instructions in the explanatory notes on the reverse of the register's cover page.

This note requires that all logs readied for processing should be entered in the register of the plant. But in the transformation units targeted by this report, recording of timber was only undertaken when the prepared timber was loaded onto the saw mills' conveyance chain.

Since this explanatory note is not a regulatory instrument, the persons in charge of the sawmills do not feel obligated to comply with the stated demands. As a result, the persons responsible apply their own interpretations to the Decree of the Application of Forest Management (Art. 115 (3) which requires that owners of primary processing plants of forest products keep records of entry of such products.

Entry into the factory is thus interpreted not as entry into the preparation yard but as entry into the particular space where processing machines are set up. This interpretation complicates the control of the payment of "factory entry tax". This is because the "factory leaving" registers, even though provided for by the regulations in force (Art. 29 of the Decree of the Application of Forest Management), are not yet available.

6. CONCLUSION AND RECOMMENDATIONS

The Independent Observer is of the opinion that the juridical gap, created through the absence of regulatory interpretation of the "Factory Entry" concept, should urgently be addressed, and consequently **recommends** MINEF define by regulatory act the "Factory Entry" concept and precisely the moment at which timber must be recorded in the "Factory Entry" register.

The **Reading Committee recommends** a study prior to defining the content of the regulatory instrument specifying the concept of "Factory Entry".