

EUTR “enforcement” in relation to Cameroon wood imports

Prague, 07 April 2016

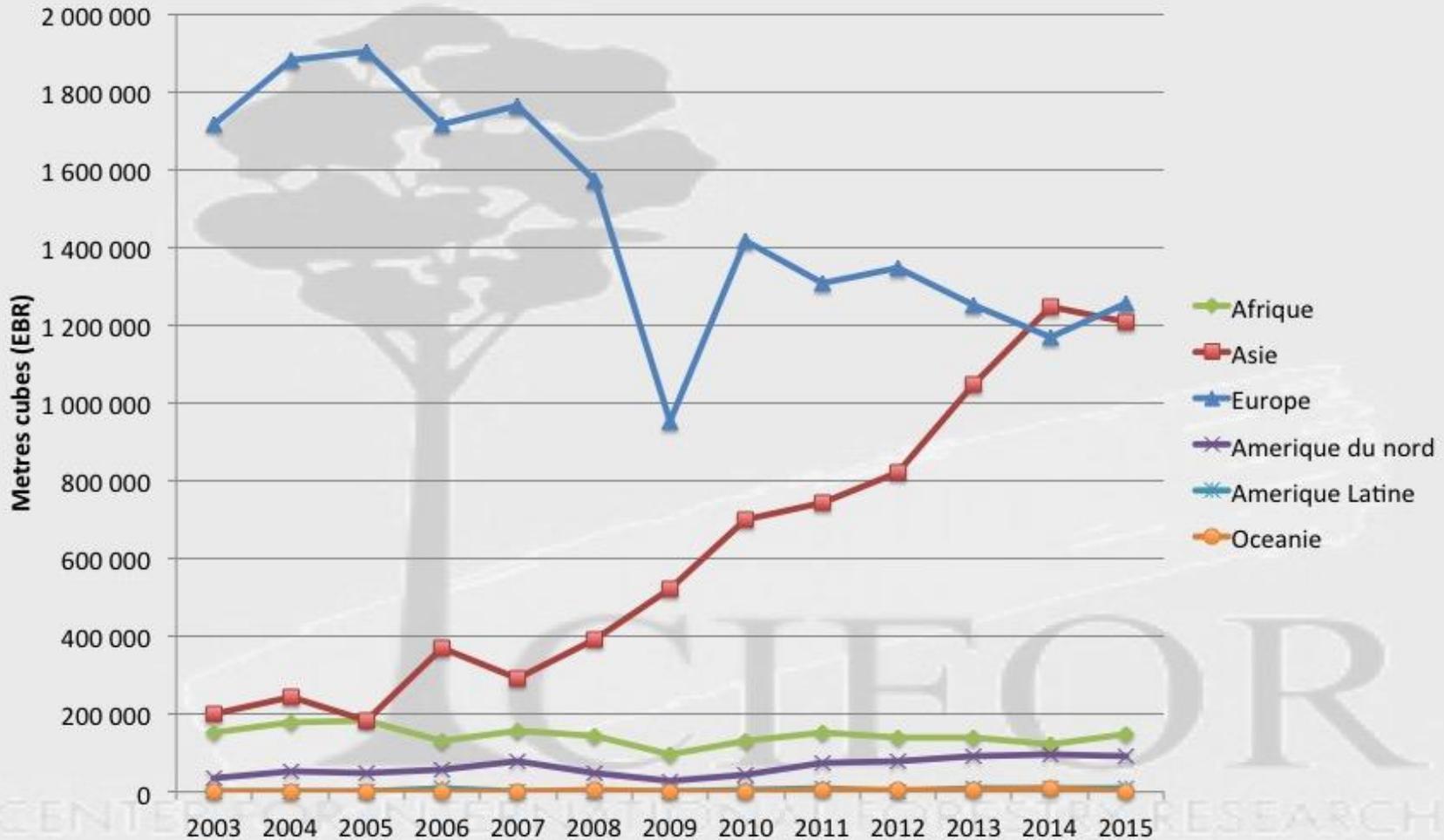


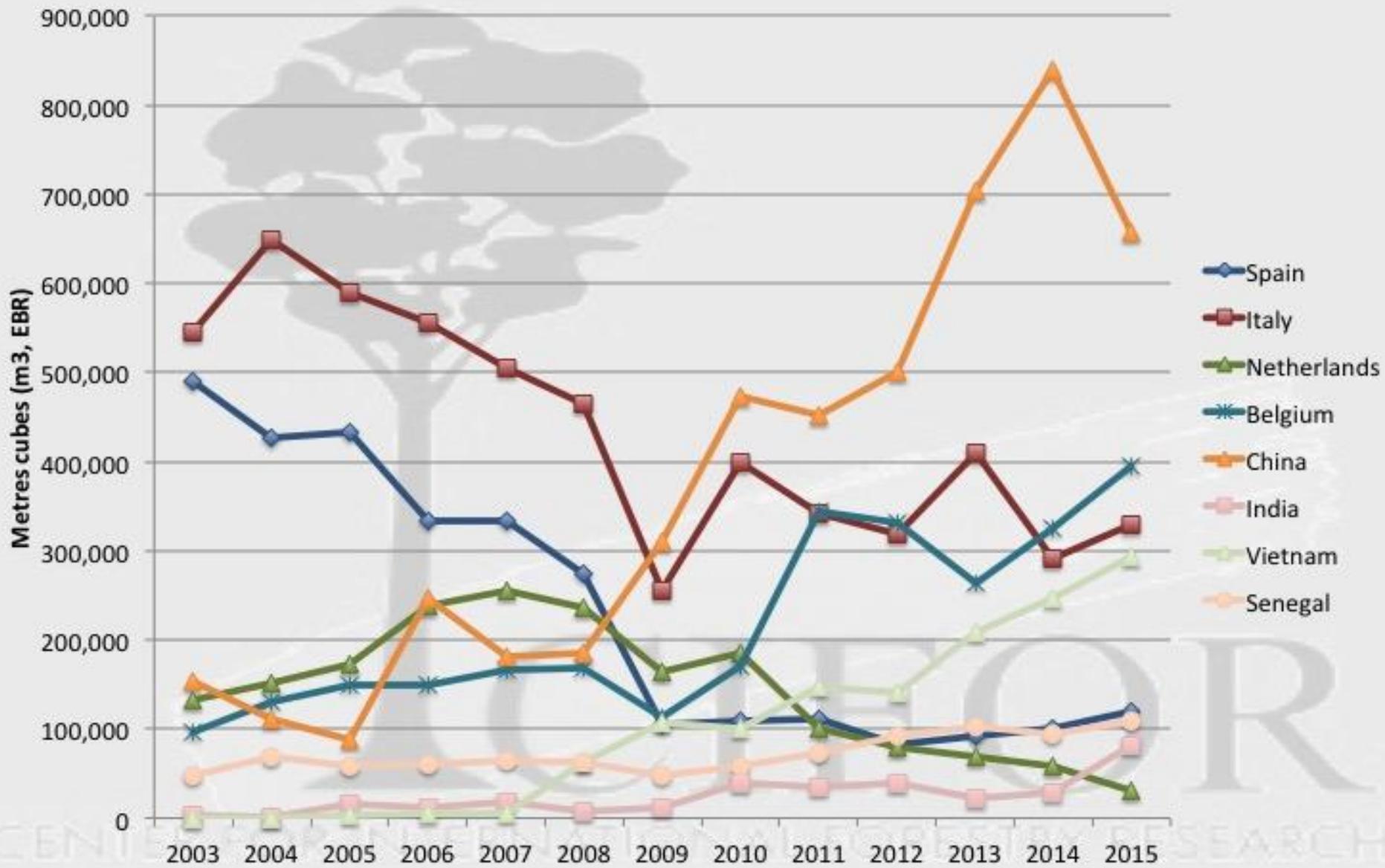
Philippe Verbelen
Forest Campaigner
Greenpeace International

Greenpeace work on Cameroon's timber sector

- Field investigations (since 1997)
- Contacts with traders, govt. officials, donor agencies, researchers, NGOs, local communities, ...
- Regular field investigations & remote sensing
- Monitoring of timber flows (stats, ports, ships)
- Analyse reports of Independent Observers
- internal “due diligence” prior to publications

Cameroon wood exports





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COOPERATION CAMEROUN – UNION
EUROPEENNE



AUDIT INDEPENDANT DU SYSTEME FLEGT
AU CAMEROUN

**Evaluation de la conformité des documents associés au
processus d'attribution de chaque titre forestier en vigueur au
Cameroun**

Restitution finale

Caroline DUHESME / Nicolas PERTHUISOT

29 septembre 2014

Consortium :



© Egis BDPA - Oréade Brèche - Restitution Eval titres / Bois saisis – Sept. 2014 - page 1

“If the law would be strictly applied, none of the concession and vente de coupe permits were allocated in compliance with the law”.

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Illegal Logging and Related Trade The Response in Cameroon

A Chatham House Assessment

*“Illegality remains widespread throughout the forest sector...
also in supply chains for export”.*

*The principle of transparency has yet to be broadly accepted within
the government. Enforcement is weak and information management
systems are deemed inadequate;*

**Most important: “corruption remains widespread and the political
will needed to drive change is felt to be lacking.”**

Recent Greenpeace observations:

- Illegal activities common in supply chain for export (in the UFAs, in the VCs, community forests, ..)
- VPA implementation: not without EUTR enforcement
- Growing, additional threat of logging for forest conversion & related illegalities on the rise.

Relative importance of wood from SFM declining?

- Fraud & corruption in logging permit allocation procedures
- **No Independent Monitoring anymore**
- **[Are European Competent Authorities taking such such reports into account anyway ?] cf DRC, RC**

CHAPITRE I LES FORETS ET LA FAUNE

I. LES ENQUETES SUR LES VENTES DE COUPE DE BOIS AU MINISTÈRE DES FORETS ET DE LA FAUNE (MINFOF)

Le principal constat relevé par la mission de la CONAC est que cette commission interministérielle a été entachée de nombreuses et graves irrégularités dans toutes ses phases, du début jusqu'à la fin, au point d'être qualifiée d'organisation artisanale et criminelle savamment orchestrée.

TRANSLATION: The CONAC mission's principal observation is that the work of this interministerial commission was marred by numerous and serious irregularities in all its phases -from beginning to end- such that it can be described as a carefully-orchestrated informal criminal undertaking.

Recent EU worries over Cameroon VPA implementation



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - Global & Regional Challenges, LIFE
ENV.E.2 - Global Sustainability, Trade & Multilateral Agreements

SUMMARY RECORD OF THE EUTR/FLEGT EXPERT GROUP MEETING 11 FEBRUARY 2016

“**Cameroon**: There was a JIC meeting at the end of 2015 where the EC questioned the interest of Cameroon in a VPA. Challenge of transferring TLAS to the government. There are major issues regarding legal compliance”.

An aerial photograph of a large tree trunk with a thick, textured bark. The bark is marked with several blue, irregular shapes, possibly for identification or tracking. The tree is situated in a dry, sandy environment. The text is overlaid on a green rectangular background.

CCT'S TIMBER TRADE FROM CAMEROON TO EUROPE

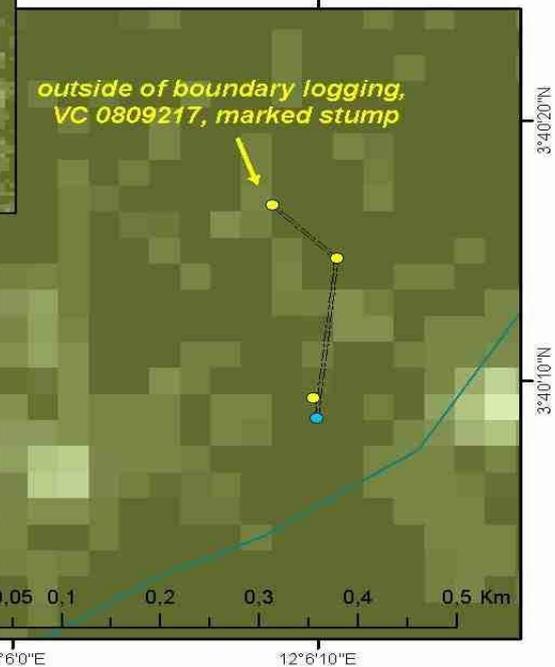
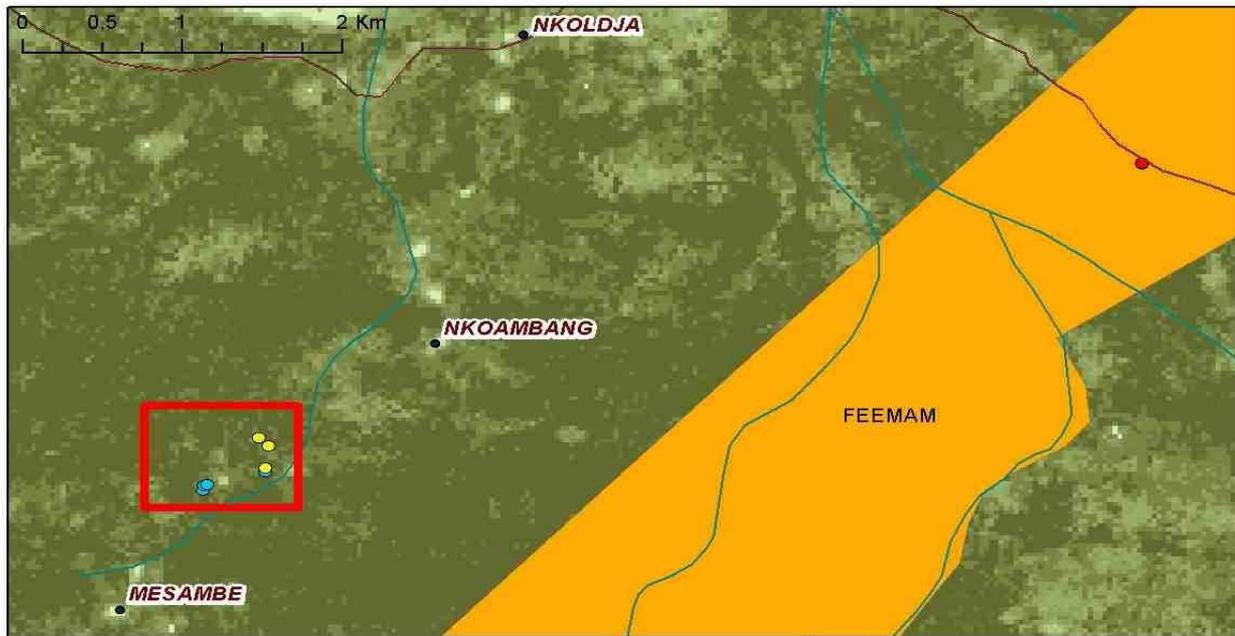
A TEST CASE FOR EUTR'S DUE
DILIGENCE REQUIREMENT

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www.greenpeace.org

EUTR test-case: trade in CCT wood

- CCT is not a logging cie but a trader
- Historical ties to Hazim (illegal logging champion); same adress, ...
- Operates a sawmill in Douala
- Sources its wood from a large number of small logging titles; trading forest destruction
- Important log exporter to China
- Sawn wood exports to the EU (Spain, Holland, Belgium, ...)



Field points

Type

- outside of boundary logging, VC 0809217, log yards
- within VC 0809217, unmarked
- outside of boundary logging, VC 0809217, skiddy tracks
- Settlements

==== Track

— Infrastructure

— Rivers

■ Sale of standing volume

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How can you (really) know this wood is not illegal ?!



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Point of Order

The Ministry of Forestry and Wildlife Rebukes the GreenPeace Report

GreenPeace, an international NGO has just published a voluminous report focused on the exportation of Cameroon's timber to Europe by a firm known as - Compagnie de Commerce et de Transport (CCT). In the write-up, the organization denounces connections between this firm and ten other logging companies that are purportedly operating without the ambit of the law and the absence of political will to handle issues of illegality. The NGO notes that this situation defeats the principle of 'reasoned diligence' of the logging rules of the European Union, a transitory disposition before the issuance of the first FLEGT authorizations, which obliges all timber exporters to demonstrate by all means, the legal origins of their consignments.

These allegations, which are simply derived from stereotypes with the intention to breed trouble, are unfounded and have nothing in common with the true picture of the current forestry sector in Cameroon. It is thus important to point out the following:

Fight against Illegal Timber Exploitation and Promotion of Transparency

Significant efforts have been made in the past years to improve sector governance. Within that framework:

In the Attribution of Concessions

Notable strides have been made since the 1990. The mutual agreement system has been replaced by a call for competition. The most recent attributions of forest concessions and sales of standing volumes were a clear illustration of equity. No petitions have been recorded to date. The following remarkable facts illustrate without ambiguity an evolution towards a more transparent system;

- The institution of independent observatory in the attribution of concessions in the permanent as well as temporal domains
- Suspension or withdrawal of litigious concessions- non respect of fiscal engagements and provisions in the development plan-
- Cancellation of 20 ARB- Authorization of recuperation of wood/ AEB- Authorization for removal of wood via a Decision of the 17th of April, 2012
- Introduction of transparent procedures for the recuperation of timber from project sites- dams, agro industrial projects- This operation is provided for by law. Thus, Article 73- A1 (1) of law N0. 94/01 of 20th January, 1994 stipulates that:
"In the case of the execution of a development project likely to partially destroy a communal forest, or in the event of a natural disaster with similar consequences, the administration shall carry out salvage logging either through forestry services or through the sale of standing volume of the wood concerned under conditions laid down by decree".

It is on the basis of this provision of the law that the government authorized salvage

On Enterprises Indicted for Illegal Forest Exploitation

The ten enterprises (Kieffer et cie. Ets la Socamba, Oye Campagne, FECCAM, SOFOCAM, SIBOIS, TTC, AMADOU ADAMA (VC 08 09 221 et VC 10 04 131), LFIS, Forêt Commune Messamena/Mindourou) indicted by GreenPeace are actually operating in the forestry sector in Cameroon and are carrying out their activities in conformity with the laws in force. From the call to tender N0. 009/AAO/MINFOR/DF/SDAFF/SAG/TED of the 6th of September, 2010 to the radio, newspaper announcement N0. 0358/CRP/MINFOR/SG/DF of the 21st of April, 2011 bearing on the designation of beneficiaries of sale of standing volume through the minutes of the inter-ministerial commission of February, March and April 2011, the procedure leading to the attribution of exploitation licenses to the said enterprises was strictly respected. The administration is taking all control measures to ensure that they respect their terms of reference.

The case of HAZIM Enterprise is known to all due to litigation between her and the State of Cameroon for over ten years today. This situation excludes her from all forestry exploitation activities as long as the litigation is not laid to rest. The « Compagnie de Commerce et de Transport (CCT) is known as for transformation and exportation of timber. The statutes of this company in our keeping do not indicate any link with the company- Hazim (It has co-owners Messrs El Chayeb Antoine Ghassan, Sassine Massad, Ghassan Foulman Jabbour). The laws in force oblige her to show proof that the timber she gets to process is from legal sources and equally oblige her to be in order with the tax administration. The role of the Ministry of Forestry and Wildlife is not to conduct genealogical research or filial research on promoters of forestry enterprises.

On the Subject of the Audit Attribution Procedures of the Licenses Mentioned:

In an attempt to convince, GreenPeace evoked an audit conducted on the procedures of attribution of the licenses. It is noteworthy that this audit is a joint initiative of the Cameroon Ministry of Forestry and Wildlife and the Delegation of the European Union in Yaounde. The results of the audit are being examined. The use of the results of the said audit for purposes of propaganda is being done by actors who have refused to join the context of its enunciation and some errors of appreciation born from disagreements between the actors of the sector and the auditor.

The work group put in place to analyze the report in detail was made up of representatives of all the actors, including the European Union Delegation in Cameroon. The group went to work, on the bases of the independent recommendations of the auditor, largely docu-

Cameroon EUTR cases in Belgium

- We informed government and traders about the risky nature of trading Cameroon wood – circulate reports
- Direct exchanges with traders as well authorities
- Freedom for Information Requests – re controls

Results:

- * Cameroon govt: immediate denial of our findings
- * EU traders: denial that there were problems
- * Some inspections took place but no problems detected ?

Conclusion: “no problem!”



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regels illegaal hout](#)

Hout importeren

NVWA treedt op tegen houtimporteur wegens overtreden regels illegaal hout

Nieuwsbericht Nederlandse Voedsel- en Warenautoriteit | 08 maart 2016

De Nederlandse Voedsel- en Warenautoriteit (NVWA) heeft proces-verbaal opgemaakt tegen een houtimporteur die de regels van de Europese Houtverordening heeft overtreden. De Houtverordening verbiedt het op de markt brengen van illegaal gekapt hout. Daarnaast heeft de NVWA het bedrijf een dwangsom opgelegd. Deze dwangsom moet het bedrijf betalen als het op deze manier doorgaat met het op de markt brengen van dit hout.

Het hout van de importeur is onder meer afkomstig uit Kameroen. Vanwege de politieke situatie in het Congobekken mag hout uit Kameroen alleen op de markt worden gebracht als de importeur voldoende maatregelen neemt om te garanderen dat het hout niet illegaal is gekapt. De NVWA heeft deze

BOIS ILLÉGAL

Le gouvernement et Greenpeace à couteaux tirés sur le cas CCT

Alors que le ministère en charge des Forêts soutient que la Compagnie européenne de commerce et de transport (CCT) n'est pas en relation avec des sociétés qui font de l'exportation illicite de bois l'ONG internationale soutient le contraire.

C'est à fleuret moucheté que se battent le ministère camerounais en charge des forêts et l'ONG internationale Greenpeace, spécialisée dans la protection de l'environnement. Le nœud gordien a pour nom : la Compagnie de commerce et de transport. Le contentieux vieux de plus six mois qui opposait les deux parties parce Greenpeace avait cité la CCT dans le trafic illégal de bois au Cameroun a curieusement été relancé ce début du mois de mars 2016 avec un droit de réponse publié en septembre 2015 dans divers journaux. Le Minfof, sans en expliquer l'opportunité, a republié une note selon laquelle les allégations de l'ONG alléguent

« un assemblage de stéréotypes émis au seul dessein de nuire, sont en porte à faux avec la photographie réelle actuelle du secteur forestier au Cameroun ».

Le Minfof reconnaît que les dix entreprises (Kieffer et cie, Ets la Socamba, Oye Campagnie, Fee-cam, Sofocam, Sibois, TTC, Amadou Adama (VC 08 09 221 et VC 10 04 131), LFIS, Forêt Communale Messamena/Mindourou) épinglées par Greenpeace opèrent bel et bien dans le secteur forestier au Cameroun. Mais il martèle que l'administration veille régulièrement au respect, par elles, du cahier de charges. Sur le cas de de la société Hazim, le Minfof écrit : « les statuts de cette société en notre posses-

sion n'indiquent aucun lien avec la société Hazim ». Mais de son côté, Greenpeace maintient ses accusations. « Il semble être de notoriété publique que la CCT est liée à Hazim. Ce lien est important, car le groupe Hazim traîne une réputation d'exploitant illégal des forêts au Cameroun », relève l'ONG. Qui ajoute que, « il est assez singulier de constater que près de quatre ans après la ratification par le Cameroun d'un accord de partenariat volontaire, conçu pour mettre fin à l'exploitation forestière illégale, le plus gros exportateur de grumes du pays semble être lié à la société d'exploitation forestière illégale la plus connue du pays ».

Dans un échange hier à Yaoundé avec la presse, Eric Ini, responsable des campagnes relatives à la

Ngole Philip Ngwese, Minfof

préservation des forêts au sein de Greenpeace Africa, a expliqué qu'il ne comprenait pas l'attitude du Minfof qui selon lui n'a pas eu le temps de mener une enquête approfondie avant de fendre dans un droit de réponse réchauffé. « Comment un rapport peut être publié en septembre 2015 et le lendemain, le ministère des forêts a déjà bouclé sa contre-enquête ? », s'est-il interrogé. Pour lui, le gouvernement camerounais devrait mener des investigations sérieuses sur la CCT comme cela a été fait dans certains pays européens.

Sylvain Andzongo



Exportation de bois : une sanction néerlandaise qui ne passe pas à Yaoundé

25 mars 2016 à 18h06 — Mis à jour le 25 mars 2016 à 18h44

Par Omer Mbadi - à Yaoundé



Les Pays-Bas viennent d'infliger une pénalité à l'entreprise Fibois, accusée de n'avoir pas exercé une « diligence raisonnable » sur la légalité du bois d'origine camerounaise acquis auprès de la Compagnie de commerce et de transport (CCT). Laquelle se trouve dans le viseur de Greenpeace. Les autorités camerounaises s'insurgent.

« Le ministre se trompe de cible »

« Le ministre s'est trompé de cible. Il panique comme si c'était l'État camerounais qui était sanctionné, au lieu de se désolidariser d'une entreprise peu vertueuse comme CCT. Laquelle ne fait du reste pas partie du Groupement de la filière bois dont les membres sont exempts de tout reproche », réagit un observateur du secteur forestier camerounais.

Will the Dutch law enforcement become a trigger for change ?

- CA authorities apparently accept all legality claims provided by Cameroon authorities
- timber traders seem to accept the legality claims by the companies
- CCT wood keeps coming in ...

- !! Trade in CCT wood is just one case-study on lack of law enforcement in Cameroon and lack of EUTR enforcement in Europe...

La Socamba / CCT logs in China

Doesn't this processed (illegal) wood come to Europe afterwards ? How do we keep it out of EU's supply chain ?





Opportunity Knocks

How and why Chinese importers need to help
fight illegal logging in the Congo Basin.

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What should proper due diligence entail?

- Cameroon origin, to be considered “high risk”
- Approved management plan ? FSC certified ? (not enough!)
- Available concession and VC maps ? Annual cutblocks ?
- Data on sawmill input ?
- How to deal with complaints from communities ?
- How to deal with Corruption allegations ?
- Compliance with tax requirement ?
- Legal obligations for social investments by logging companies
- Is their tracability of the specific cargo of sawn timber ?
- **If you can't minimise the risk: don't buy !**

EUTR competent authorities: time to act !

- Phase-in period for EUTR is over ..
- VPA implementation depends on EUTR enforcement
- Control of the due diligence obligation is a serious matter, presence of official documents is not enough in high risk countries.
- Urgent need to clarify mechanisms how to verify and use information from NGOs and local communities
- Need for a strong Independent Observer (I.O.) & competent authorities have to consider this info.

Thank you for your attention

For comments or questions,
please contact:

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