

The judge and the forest in Central Africa: why does illegal logging persist and escalate in the Congo Basin countries?

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Introduction

Laws and their implementing legislations are mechanisms for regulating life in society. They are intended to guide the actions and responsibilities of individuals or legal entities, in a direction that ensures common welfare and social peace. It is the duty of the State to provide a country with laws (to which all are subject, including the various components of the State), and to prosecute, by the authority or by the court, any breaches of the regulations in force.

The law has an adjudicative function between different uses / users, whose rights and interests must also be preserved, despite the difference in means of action and powers between them. Within the forestry sector, in particular, the law also aims to guarantee respect for the balances provided for between commercial logging, conservation and community uses. This is to ensure

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sustainability in its economic, ecological and social pillars, in accordance with the objectives of national and sub-regional forest policies.

Despite the existence of many laws and regulations, illegal logging persists in all the countries of the Congo Basin. It is estimated that between 50% and 90% of timber produced in the Congo Basin countries could be illegally harvested⁵.

An analysis of the forest laws and penal code of four Central African countries (Cameroon, Gabon, Central African Republic and the Republic of Congo) was carried out within the framework of Citizen Voices for Change: Congo Basin forest monitoring project (CV4C) co-funded by the European Union and UKAID, and implemented by a consortium of NGOs led by CIDT, and also including: WRI and FLAG as regional partners; CED; FODER in Cameroon; Brainforest in Gabon; CAGDF in Republic of Congo; OGF in DRC; and CIEDD in CAR. This analysis is also part of the project "Strengthening Wildlife Law Enforcement in Central Africa (RALFF)", funded by the European Union and implemented by CIDT, Conservation Justice (CJ) in Gabon and the Aspinnall Foundation via partnership with PALF in Congo.

The objective of this study was to understand the reasons for the persistent impunity of forest law offenders in specific countries, due to the recurrence of illegal logging activities. The question was as follows: Is the impunity observed so far, the result of failures in law enforcement or a weakness in the law itself?

This policy brief summarises findings of the study and point out actions that can be taken to ameliorate the situation. It is intended for policy makers as well as those who cannot consult the full study due to time constraints.

1. Overview of revenues losses by the State

The aim of the table below is to provide a quantitative illustration of the direct economic impacts of the mechanism for prosecuting forest law infringements.

1.1 What are the State financial losses?

There is no systematic assessment of the State's financial losses due to illegal logging in the Congo Basin countries. Nevertheless, some statistics give an overview of the magnitude of the shortfall for the various countries.

1.1.1 What are the causes of the State financial losses in this sub-region?

Several scenarios can be considered:

- A company conducts illegal operations, which is well known to all, and are sometimes documented, without the forest administration carrying out the findings, seizures, and court actions prescribed in the existing regulations.
- Once the decision is made to proceed with the findings, sworn officers are not required to carry out a detailed analysis of the exploited area and the volumes of illegally harvested timber. It is therefore virtually impossible to put a precise figure on the State's financial losses.
- Sworn officials do not always follow the procedures provided by the current applicable local law, and this flaw can result in difficulty in ensuring effective prosecution of offenders. A few

5. See Benoit Blarel, The real cost of illegal logging, fishing and wildlife trade: \$1 trillion - \$2 trillion per year, October 2019. Available at : <https://blogs.worldbank.org/voices/real-costs-illegal-logging-fishing-and-wildlife-trade-1-trillion-2-trillion-year>

important cases, once brought before the judge, quickly got acquitted, owing to difficulties for the administration to present its case in court;

- Due to slowness and the peculiarities of the legal proceedings in forest related matters, the offender may disappear, even though he had been the subject to an identification by officials from the forest administration. Some of these offenders, however “wanted” by the legal services, change their business name and resume their activity sometimes with the same illegal practices.

In the Republic of Congo, a report by the Independent Monitor estimates that the loss of revenue resulting from reports that were neither transmitted to the court, nor transcribed into the register of transactions stands at 3,830,205,659 CFA francs for the period between 2011 and 2014⁶, or about 1 billion CFA francs per year. This is only for cases which reports are neither brought before the court, nor recorded in the register of transactions. The losses arising from undocumented illegal activities are even greater.

In 2005, Global Witness, the Independent Monitor of the effective enforcement of the law in Cameroon, indicated in its final mission report that the Ministry of Environment and Forests had published, during the duration of its mission in Cameroon, a series of official communiqu e detailing all infringements reported and penalties inflicted.

An analysis of the figures showed that until October 2004, the total amount of financial penalties imposed on offenders amounted to 4.15 billion CFA francs, and only 37% of this amount i.e., 1.55 billion francs had been paid according to the Ministry.

This trend did not improve thereafter. Resource Extraction Monitoring (REM), the second independent monitor of law enforcement in Cameroon, drew an even darker picture⁷.

Table 1: Progression of cost recovery linked to penalties in respect of forest offenses in Cameroon⁸

Year	Cases of open conflicts	Guarantees, damages and interests, amount of transactions	Amounts paid	Remaining balance	Recovery rate
		Euros	Euros	Euros	
2005	44	217,052	1251	216,564	1%
2006	49	1,496,027	51,091	1,444,936	3%
2007	54	347,655	50,727	297,385	15%

Source: Summary of infractions 2005-2009

A closer look reveals that the situation has worsened, falling from a recovery rate of 37% under Global Witness to an average recovery rate of 5% under REM⁹. There were no available Data to carry out a similar study in recent years.

1.1.2 The example of SFH in Cameroon

SFH has been known for its persistent illegal activities, identified and published for many years, as illustrated by these two statements:

6. See Analysis Note N  1/CAGDF, April 2015

7. Independent Forest Monitoring in Cameroon, Lessons Learned 2000-2005, Global Witness, 2005. Available at: <https://www.globalwitness.org/en/archive/lessons-learned-ifm-cameroon/>

8. See Resource Extraction Monitoring, Status report March 2005-December 2009, Yaounde 2010. Table produced on the basis of an analysis of the summary of offenses between 2005 and 2009. Available at:

https://www.rem.org.uk/documents/REM_IMFLEG_Cameroun_Rapport_finprojet.pdf

9. Idem

“Hazim appears to have put in place a vast network of corruption involving local elites, traditional rulers, notables and the administrations of the localities concerned.” *Le Messenger*, 6th June 2001.

“The company Hazim should have its operator license revoked.” Luc Durrieu de Madron, World Bank (WB) consultant, 2000.

This table published in a 2002 report¹⁰ indicates that the illegal logging in forest concessions No.10,030 and No.10,047 have been known since then. Why was an official statement of the offences detected not drawn up until 2002, even though the legislation specifies precisely how these documents are drafted? In this case, proceedings were poorly conducted resulting to the State’s revenue and penalties losses estimated at between 15.9 billion CFA francs¹¹ and 26 billion CFA francs¹².

Table 2 : Some of Hazim's recent illegal logging activities

UFA (Forest Management Area)	The crimes
08-003	<ul style="list-style-type: none">• March 2000: MINEF (Cameroon’s Environment and Forestry Ministry) fines SFH 10 million CFA (Central African Francs) (US\$13,000) for logging anarchically outside the licensed cutblocks.²⁰• June 2000: MINEF discovers SFH logging numerous unauthorized cutblocks and cutting undersized trees.²¹
10-029	<ul style="list-style-type: none">• March 2000: MINEF fines SFDB (SFH acting as subcontractor) 11 million CFA (US\$15,000) for numerous illegal practices, including cutting undersized trees and failing to demarcate concession boundaries.²²• June 2001: MINEF fines SFH 105 million CFA (US\$140,000) for operating outside legal limits.²³
10-030	<ul style="list-style-type: none">• June 2000: MINEF and Global Witness discover SFH operating illegally in this concession, which at that time was unallocated. In 2001 an independent study investigating the scale of the operation found that more than 20,000 ha had been logged illegally, the harvest including 8,000m³ of the CITES-listed species <i>afromosia (Pericopsis elata)</i>. The economic losses due to the Cameroonian government are estimated at well over US\$10 million.²⁴
10-047	<ul style="list-style-type: none">• June 2000: SFH (operating as Nadja-EGM) is found to be logging without authorization in this concession which borders the Dja Reserve, now a UNESCO World Heritage Site. The concession, belonging to a Mr Mponengang, had been classified as ‘inactive’ by MINEF in December 1999²⁵ – investigations revealed that 15,000ha had been logged illegally. The losses in taxes due to the Cameroonian government are estimated at around 500 million CFA (US\$672,000).²⁶
10-057	<ul style="list-style-type: none">• This UFA is controlled by the Cameroonian Gustave Mbeng – identified by the World Bank’s consultant Luc Durrieu de Madron as Hazim’s ‘informal’ partner.²⁷• December 1999: MINEF discovers this UFA is ‘completely exhausted of valuable timber’ and that none of the conditions of the concession contract had been fulfilled.
08-10-42 (<i>vente de coupe</i>)	<ul style="list-style-type: none">• January 2001: MINEF fines SFH 50 million CFA (US\$67,000) for logging outside the authorized area.²⁸

2. There is a wide variety of requirements whose non-compliance cannot be legally sanctioned as the law has not provided for such

The principle of legality of crimes and punishments prevents the judge from inflicting sanctions that are not provided for by the existing local law. Lawmakers must therefore be clear and precise in determining the facts or actions to be sentenced, as well as the legally stipulated penalties. This precautionary measure has a twofold objective: (1) to enable those who adopt illegal behaviour to assess beforehand the consequences of their actions; (2) limit the risks of arbitrariness by avoiding giving the judge too much discretion when enforcing the law

The law and its implementing legislations contain obligations that are binding on everyone. Anyone who does not respect these requirements is guilty of crimes, punishable by sentences,

10. Greenpeace, Forest Crime File : Logging Profile. Hazim : Plundering Cameroon’s Ancient Forests, Amsterdam, 2000.

11. Voir le communiqu e N  0024 /C/MINFOR/CAB/BNC/CCI/C8 du 13 mars 2018, consult e   l’adresse suivante :

http://www.minfor.cm/images/document-utile/Communique_minfor_0024_13mars2018.pdf

12. Auzel et al. Social and Environmental Costs of Illegal Logging in a Forest Management Unit in Eastern Cameroon, *Journal of Sustainable Forestry*, Vol.19, issue 1-3.

all provided for by these same laws. In the case of Cameroon and other countries of the Congo Basin, we notice that:

1. Not all obligations are legally binding;
2. Not all offences are subject to penalties.

Practically, there are provisions within the law where breaches do not constitute an offense, as well as violations for which there are no sanction. There are therefore more obligations than offenses, and even fewer penalties. This funnel structure is unusual, with the norm being a perfect match between legal obligations, offenses and penalties.

Areas in which existing provisions were violated and do not constitute a specific offense in the forest law and for which there are no sanctions have been cited below:

- Questions relating to the rights and interests of communities.
- Right to participate in forest management with the support of other actors.
- Rights to use forest lands and resources.
- Rights to economic benefits from logging.
- Compensation for all investments made in protected forests.
- Conservation of the forest environment.
- Conservation of the integrity of the forest cover and of its main functions;
- Reducing the impacts of forest activities or other operations in the forest area.
- Compliance with development plans.

What can be done?

Urgent forest law reforms are crucial to:

- Ensure there is a link between legal obligations, offenses and penalties.
- Ensure adequate consideration of new practices governing illegal logging in Central African countries through legislation.
- Publish implementing regulations specifying all provisions of forest law.
- Ensure there is a link between the penalties enshrined in the penal code and the forest law.



2.1 For similar or identical offenses, penalties enshrined in the law governing the forest sector are generally less severe than those in the penal code

The penal code and forest laws refer to identical or very similar offenses. The most frequent items that loggers use to conduct their illegal activities can be qualified either as false, or the use of false (for example, false bank guarantees, false certificates of technical and financial capacity, false partnership contracts, false sales reports, or false transport documents), or fraudulent use of the forest marking, in particular to certify that the wood comes from a valid title.



Three main offenses for which comparison was made relates to the fraudulent use of forest marking, forgery, and falsification of the State seal to cover the falsification of secured documents for transporting timber.

It is noticeable that there is not always a correlation between penalties in forest law and the penal code in the countries studied. **In Cameroon** for example, it is better to enforce the forest law than the penal code for identical or similar offenses: penalties are systematically less severe in the forest law.

In Gabon, for the same offenses, prison sentences are equivalent (for the use of forest marking) or less severe in forest law. Fines are systematically higher in the forest code than in the penal code. **In CAR**, for the lone offense found in both the penal code and forest law, prison sentences are identical, while fines provided for by the forest law are much higher than those contained in the penal code.

Overall, when the law is breached, it is better to use penalties from forest laws rather than those of the penal code.

2.2 The central role played by the State in forest-related litigation is detrimental to justice

In general, it is the fear of punishment that leads to compliance with the law. Litigation in forest related matters are largely controlled by forest administration, whose agents are active at all stages of the process, from search to seizure and notification of infringements. They decide whether or not to involve the other agencies, or justice. The traditional authorities for reporting offenses (i.e., police, gendarmerie) are excluded, or only play a marginal role. In terms of penalties, as there is a preference for financial settlement (as in the case of Cameroon) often initiated by the offender. Once an offence is found, the offender can be prosecuted.

2.3 Financial settlement initiated by the offender is the main mode of managing infringements

Financial settlement can be defined as "renunciation of referral to a court to assert its rights in the context of a lawsuit for proven allegations, in favour of a contractual arrangement with the other parties to a dispute, who agree around a binding compromise between themselves ". The peculiarity in transactions relating to the forest sector is that the interest of a violator and the agent representing the State are prioritised, hence the offender is protected at the detriment of the State.

In CAR it is the Minister in charge of forests who decides on the option for prosecution (either prosecution by the public prosecutor or recourse to the transaction). In Cameroon and the Republic of Congo on the other hand, it is the offender who decides and when he requests a financial settlement, there is no provision for the forest administration to oppose¹³.

Looking at the legislation, there are some few unanswered concerns:

- There is no mechanism to monitor compliance of a transaction with legislative requirements. The best we have is the publication of summaries of offenses, simply indicating the name of the offender, the nature of the offense, and the amount of transaction. The written proceedings containing methods of calculation should also be published to ensure forest and wildlife monitoring by the local administration;
- The methods for calculating damages and interests are indicated in some of the laws (for timber based on the FOB value of the species collected). The current methods to monitor illegal operations do not always provide a clear indication of the area exploited illegally, nor of the volumes. It therefore becomes difficult to determine with precision the damages owed by the offender;
- The state generally seems to care only about its compromised rights, not those of other actors. So far, there has been no transfer of a proportion of the amounts recovered to other victims of illegal activities from law breakers. Beneficiaries of user rights, for example, or decentralised local authorities, recipients of part of the forest tax, should also receive compensation. The secrecy of the transaction procedure does not allow these aggrieved third parties to draw the attention of the forest administration to consider their rights;
- The law identifies three types of sanctions: (1) administrative sanction (for example, suspension or withdrawal of licence); (2) financial penalties (for example fines and damages); and (3) custodial sentences. The majority of forest litigation pursued by forest administration results in the exclusion of prison sentences, although provided for by law, as the minister cannot impose them on an offender. This situation is one of the possible explanations for the development of impunity in the forest sector: the offender, who can choose the means of settlement if he is caught, knows that he risks at worst is a fine and administrative sanctions. These penalties are easily circumvented. Despite the significant financial losses by the State from illegal logging, very few illegal loggers have been sentenced to prison in Cameroon in particular, and the Congo Basin in general.

13. Thus, according to REM reports, the financial settlement was widely used in the Republic of Congo. Thus, between January and May 2010, the Departmental Directorate of Forest Economy of Pointe Noire drafted 30 reports, which resulted in 30 financial settlements with a total amount of 7,375,000 CFA francs (report No. 029 / OIFLEG / REM ; in 2007, the Departmental Directorate of Forest Economy of Bouenza drafted 10 reports, resulting in 9 financial settlements, for incriminations of unauthorised harvesting, fraudulent manoeuvres, false declarations, cuts in excess of the authorised quotas, sub-cuts diameter, unauthorised tree cutting, etc. Some of these offenses are severely punished by both the forest and the penal codes.

3. The marginal role of the judge

In forest related litigation, there is a limitation of the law enforcement action in two essential areas: (1) The conduct of the prosecution process, which takes place far from the courtrooms, under the responsibility of the administration; (2) the sanction mechanism, which also excludes the judge, both in determining the sanction and in its execution.

This particular regime makes the forest sector a separate entity within the legal system of the Congo Basin, in which disputes are settled between the offender and the administration, out of sight of all the usually competent national authorities, and of the general public.

Offenders are assured of maintaining control of the procedure, and of running no risk other than that of limited administrative and/or financial penalties. The administration cannot impose custodial sentences, which are provided for by law.

The generalised situation of impunity which results from this atypical system results to an aggravation of illegal logging, a degradation of the forest cover, and enormous financial losses for the State. Putting the judge back at the centre of the system for repressing forest law violations will undoubtedly have the effect of slowing down the current upward trend in illegal activities in this sector.

What can be done?

- a. Modify the management rules for forest related litigation, to formally submit sworn officers of forest administrations to the Public Prosecutor, and give the latter the power to initiate public action;
- b. Specify, in the forest law and the implementing legislation, the operating methods of the settlement, which must also cease to be the priority method of managing infringements of forest law (obligation to determine, after the report of infringement, the area and volume of illegally harvested timber, the value of the amounts lost by the State and other parties concerned, etc.).

3.1 Analysis of the effectiveness of sanctions and repressive measures in the forest sector

Are the sanctions effective? In other words, do they succeed in fulfilling their deterrent function and in guiding the behaviour of those involved in forest management? This question must be seen in a context marked by the atrophy of the role of the judge and must lead to questioning both the content of the sanction as well as the probability of its imposition on offenders.

3.1.1 Unlikelihood of having custodial sentences applied to the offender

The custodial sentences are part, along with monetary sanctions (fines and damages) and administrative sanctions, of the penalties provided for violations of the obligations contained in the forest laws of the countries of Central Africa. When it comes to wildlife, the judge must play his role to the fullest, and prison sentences are frequently imposed on offenders. With regard to forests, the situation is different, and the central role played by the administration in managing litigation prevents the imposition of custodial sentences, which can only be pronounced by the judge.

3.1.2 A low probability of being caught

The administrations in charge of forests do not always have all the human and logistical resources necessary to ensure systematic control of all the operations by all operators in this sector within the national territory. Large-scale logging operations are indeed taking place in some of the most isolated rural areas in the Congo Basin, and offenders have various means available to limit the interventions of the monitoring services. It is very difficult to make findings about offenders, because of the risk this poses for the safety of State agents (the presence of heavy machinery and chainsaws, which could be used as weapons¹⁴).

Four types of scenarios can be considered:

- A title holder company conducts illegal logging activities within its concession;
- Illegal activities are carried out within a titled area, without the knowing of the awarding company;
- Illegal activities are carried out in unassigned areas by offenders unidentified;
- Illegal activities are carried out in unassigned areas by unknown offenders.

In the first three cases, there is an offense and an identified offender (either because he committed the offense, or because his title gives him police responsibility over the conceded area). In the fourth case, there is an offense without the offender being known, and unless they are caught in the act, there is a chance that the culprit will not be identified in the field.

It has been noted that many logging permits go unchecked during the year, reducing the likelihood of identifying those responsible for illegal activities.

Sometimes, disclosures made by third parties are not followed up either, without knowing whether it is a deliberate desire to allow illegal operations to continue, or constraints linked to the scarcity of resources by the administration, which would experience difficulties in carrying out all the checks required by such disclosures. In its last independent forest monitoring report in Cameroon, the British NGO Global Witness noted in 2005: "It is however disappointing to see such slow progress made by the Cameroonian authorities in improving compliance with the law and punishing offenders"¹⁵.

It was therefore noted by the independent monitors that a small proportion of the offences detected gave rise to notices of violations, and to prosecutions by the ministry¹⁶.

3.1.3 A low probability of being prosecuted

The small proportion of offenders who get caught still have the opportunity to escape punishment, by requesting settlement with the administration. This is to keep the judge out of the case and to protect the offender from any custodial sentences, which may be imposed by the judge alone. In addition, frequent procedural errors also hamper the smooth conduct of litigation by the administration, including within the context of the transaction (for example: data related to areas and volumes harvested illegally are not always collected, making it difficult to calculate the damages).

14. An Independent Monitor of forest in Cameroon reported threats to the physical integrity of his staff during a control mission, which went unpunished... "Global Witness staff have received several threats in Cameroon in recent months. Individuals making these threats have ties to a number of logging companies carrying out illegal activities. The Project Director received threats by telephone, and in the field a videotape was confiscated from the Deputy Project Director under threat. The monitoring officers of the Ministry of Environment and Forests (MINEF) present on the ground showed no willingness to enforce the law and even supported the attitude of the representatives of the company. The director of the Central Control Unit (CCU) of MINEF and the mission asked the deputy director to delete video evidence as requested by company officials. MINEF agents on the ground accused the Independent Observer of violating the rights of the perpetrators of alleged illegal activities. Several months later, the videotape was returned to the Independent Monitor who noticed that some evidence had been erased." See Global Witness, Forest Law Enforcement in Cameroon; Second Summary Report of the Independent Monitor, December 2001-June 2003, p. 16. Available at: <https://cdn.globalwitness.org/archive/files/import/2ndsummaryreportfr.pdf>.

15. See Forest Law Enforcement in Cameroon: Third Summary Report of the Independent Monitor, July 2003- February 2005, online version available at: www.globalwitness.org

16. See for example this statement from a report by REM, independent monitor in Cameroon: "23% of cases resulted in official reports, despite infringements noted in more than 60% of concessions visited", see the project "Independent Monitor of forest law enforcement and governance" quarterly report N   6, p.13.

What should be included in damages and interests?

An Illegal logger commits an offence which has many repercussions. While their actions in some cases may be a mistake, most are done deliberately in order to earn money at the expense of the state and the forest. The calculation of monetary damages aims to ensure full compensation for the damage caused by the offender.

How to calculate damages and interests?

- You must first consider the value of the wood (including the log and other felled trees , which should be up to 3 times the volume of the log)
- Next, you must decide on how to calculate the value of the timber. The FoB value will be used for this instance.
- The value of forest destruction, linked to illegal logging operations, must also be considered
- User rights compromised due to forest degradation
- Decentralised tax revenues lost due to illegal logging
- Compromised public benefits (biodiversity, and greenhouse gas emissions)

At the moment, none of the countries conduct a systematic assessment of damages, and the amounts shown in the transactions do not reflect the value of the financial and environmental consequences of the offender's action.

3.1.4 Penalties representing less than the benefits accrued by the offender

One of the criteria for the dissuasive nature of penalties is that the expected benefits from breaking the law are less than the value of the planned penalties (and applied) if the offender is caught in the act. In the case of breaching the legislation on forest and wildlife, it can be concluded that the penalties are not sufficiently dissuasive.

In the wildlife sector, an offender often faces a prison sentence, in addition to fines and interests in damages (which are relatively low, with the exception of Gabon, where the new judicial system and the specialisation of the judge on environmental issues, has made charges due to damages to become higher and even close to the value of the benefits made).

With regards to forests, the methods for calculating the amount of fines and interest in damages and, above all, the methods for applying the rules to the specific case of the infringement detected, are not always clear. One has the impression that the amounts indicated in the penalties imposed on offenders are more arbitrary than specific to the offence. These calculations are always lower than the value of timber and other damages caused by illegal logging.

What can be done?

- a. Carry out an assessment of the penalties, and formulate, within the framework of the current reforms, more severe penalties than those currently existing in the forest legislation, in order to make them more dissuasive;
- b. Establish a method of calculating damages and interest in the current legislation, which should take into account all the actors, as well as all financial, ecological and moral damages suffered;
- c. Establish, through a reform of forest litigation, the requirement to submit all files to the Public Prosecutor, and enact within the law, the requirement to impose a prison sentence for certain categories of forest offenses (for example those causing a loss of income of more than 500,000 CFA francs to the State¹⁷, as well as those involving documentary fraud, logging without permit, etc.).

17. Au Cameroun par exemple, le code p enal pr evient une peine d'emprisonnement   perp etuit  pour les d tournements de fonds publics d'un montant sup rieur   500 000 francs CFA. Les dirigeants des compagnies se rendant coupables de pertes de milliards de francs CFA de revenus pour l'Etat ne risquent, quant   eux, aucune sanction.

4. Conclusion

The increase in logging activities seem to be explained by the peculiarities of the repressive system in the forest sector, which has ensured immunity of violators of the legislation: weakness of regulatory standards, which does not include all infringements or penalties to cover all the obligations imposed on loggers, in principle, as well as the marginalisation of the judge in managing litigations.

The solution involves an in-depth reform of the legislation, which will put the judge at the centre of the mechanism to enforce the law on offenses. The multifaceted importance of forest requires countries with forests to be responsible towards their peoples in particular, and humanity as a whole, and to preserve this unique heritage found within their territory. Responsible States must rise to this challenge through laws and its rigor should reflect the scale of the challenges linked to the sustainable management of forest and wildlife resources. This is of crucial importance for the rural populations as well as for governments of the sub-region and the international community. This is important for promoting socio-economic well-being and the protection of biodiversity, as well as being essential for fighting climate change. It also represents a significant source of revenue for the countries.

In the absence of forest law reforms on these issues, it will be difficult to foresee the expected effectiveness in the fight against illegal logging. It is crucial to:

- Define new obligations that corresponds to the legal and political commitments of the State, and to the vision it has for the forest (i.e., improving the role in the fight against climate change, protection of biodiversity, optimisation of job creation, etc.)
- Design more dissuasive penalties than those currently in force
- Match obligations, offenses and penalties
- Introduce the judge into the system, for certain categories of offenses, in order to strengthen the dissuasive nature of the penalties
- Impose custodial sentences for all repeat offenders, and for certain categories of offenses

List of abbreviations and acronyms

CAGDF	Sustainable Forest Management Support Circle
OGF	Observatoire de la Gouvernance Foresti�re
DRC	Democratic Republic of Congo
CED	Centre for Environment and Development
FODER	Forests and Rural Development
CFA	Franc of the Financial Community of Africa
NGO	Non-Governmental Organisation
CIDT	Centre for International Development and Training, University of Wolverhampton
CIEDD	Centre for Environmental and Sustainable Development Information
RALFF	Strengthening Law Enforcement on Fauna and Flora in Central Africa
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CJ	Conservation Justice
CV4C	Citizens Voices for Change project
FCDO	Foreign, Commonwealth and Development Office
FLAG	The Field Legality Advisory Group
MINEF	Ministry of Environment and Forests, Cameroon
USD	United States Dollars
PV	Record of Proceedings
CAR	Central African Republic
REM	Resource Extraction Monitoring
SFH	Soci�t� Foresti�re Hazim
CCU	Central Control Unit
EU	European Union
FMU	Forest Management Unit
UKAID	United Kingdom Aid
UNESCO	United Nations Educational, Scientific and Cultural Organisation
FoB	Free on Board
WB	World Bank
WRI	World Resources Institute
PALF	Wildlife Law Enforcement Support Project, Congo

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