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*For a Green Congo Basin*



## **Camouflaged destruction: Plundering of Campo Forests under the pretext of a so-called “Development” Project**

Legal Analysis of Orders N0. 0011, 0012, 0013, 0014, 0015 Granting Timber  
Sales as Part of the Implementation of a Development Project  
in the National Domain in Campo



**ANALYSIS NOTE**

October 2022

## Introduction

On 16 February 2022, the Minister of Forestry and Wildlife signed a series of orders granting localized timber sales in the Campo Subdivision, Ocean Division, South Region. Six sales of timber orders would have been allocated, but we have been able to obtain only five of them:

- **NO. 0011/A/MINFOF/SETAT/SG/DF/SDAFF/SC/SAG** allocating the sale of standing volume NO. 09 03 516 to the SANI et Fils logging company;
- **NO. 0012/A/MINFOF/SETAT/SG/DF/SDAFF/SC/SAG** allocating the sale of standing volume NO. 09 03 517 to the Société Forestière et des Services du Cameroun SA;
- **NO. 0013/A/MINFOF/SETAT/SG/DF/SDAFF/SC/SAG** allocating the sale of standing volume NO. 09 03 518 to the Société Forestière et des Services du Cameroun SA;
- **NO. 0014/A/MINFOF/SETAT/SG/DF/SDAFF/SC/SAG** allocating the sale of standing volume NO. 09 03 519 to the Société Forestière des Frères du Cameroun SARL;
- **NO. 0015/A/MINFOF/SETAT/SG/DF/SDAFF/SC/SAG** allocating the sale of standing volume NO. 09 03 520 to the Société Forestière des Frères du Cameroun SARL.

All these sales of standing volume are granted as part of the implementation of a development project in the national domain, notably the project for the establishment of an agro-industrial complex of the Société Cameroun Vert SA (Camvert), for the cultivation of palm oil.

It should be recalled that on 11 November 2019, Prime Minister Joseph Dion Ngute, by Decree NO. 2019/4562, declassified a 60,000 hectare forest area under the private domain of the State for agricultural production, located in the South Region, Ocean Division, Campo and Niète subdivisions. Subsequently, the Ministry of Forestry and Wildlife issued a call for tender on 2 May 2020 for the sale by public auction of a standing volume constituting 2,500 hectares of the declassified part of FMU 09025 for the benefit of the Camvert project [1]. A letter from the Minister of State Property, Surveys and Land Tenure subsequently gave his *'agreement to the exploitation of the 2,500 hectares requested, subject to a commitment to demarcate the 60,000 hectares'* granted by the State.

All this is in violation of the relevant provisions.[2] Nevertheless, on 7 March 2022, the President of the Republic signed decree NO. 2022/112 granting a provisional concession to the Camvert Company of a national domain, located at the place known as «*Malaba-Akak-Lobé Village*» in Campo subdivision, Ocean Division, South Region.

The legality of the various sales of standing volumes allocated in the Campo area is therefore called into question. In fact, as we demonstrate in our analysis, they are totally illegal.

## 1- The Anteriority of the Signing of the Standing Volume Sales Orders in Relation to the Provisional Concession Decree

**A**ccording to Article 73 of Law N0. 94/01 of 20 January 1994 on the forestry, wildlife and fisheries regime, supplemented by Articles 110 and 111 of Decree N0. 95/531 of 23 August 1995, in the event of the implementation of a development project likely to cause the destruction of part of the national forest estate, or in the event of a natural disaster with similar consequences, the administration in charge of forestry shall carry out a salvage logging operation, either by management or by the sale of the timber concerned.

This salvage logging must comply with a certain number of procedures contained in Articles 81 et seq. of the above-mentioned decree. Thus, the orders signed by the Minister of Forestry on 16 February 2022 fall into the category of salvage logging sales. They are attributed **"as part of the implementation of a development project in the national domain"** resulting from **"the implementation of the CAMVERT SA palm grove extension project"**. [3] The reasons for the attribution of these decrees are clearly linked to the project of setting up an agro-industrial complex by Camvert company.

Furthermore, on 7 March 2022, the President of the Republic signed a provisional concession decree for Camvert company over an area of 39,923 hectares, [4] thus giving the company the right or authorisation to set up operations in the field. However, the orders for the sale of timber for the **"extension of CAMVERT SA palm groves"** were signed by the Minister of Forestry and Wildlife on 16 February 2022, well before the provisional concession decree signed by the President of the Republic on 7 March 2022.

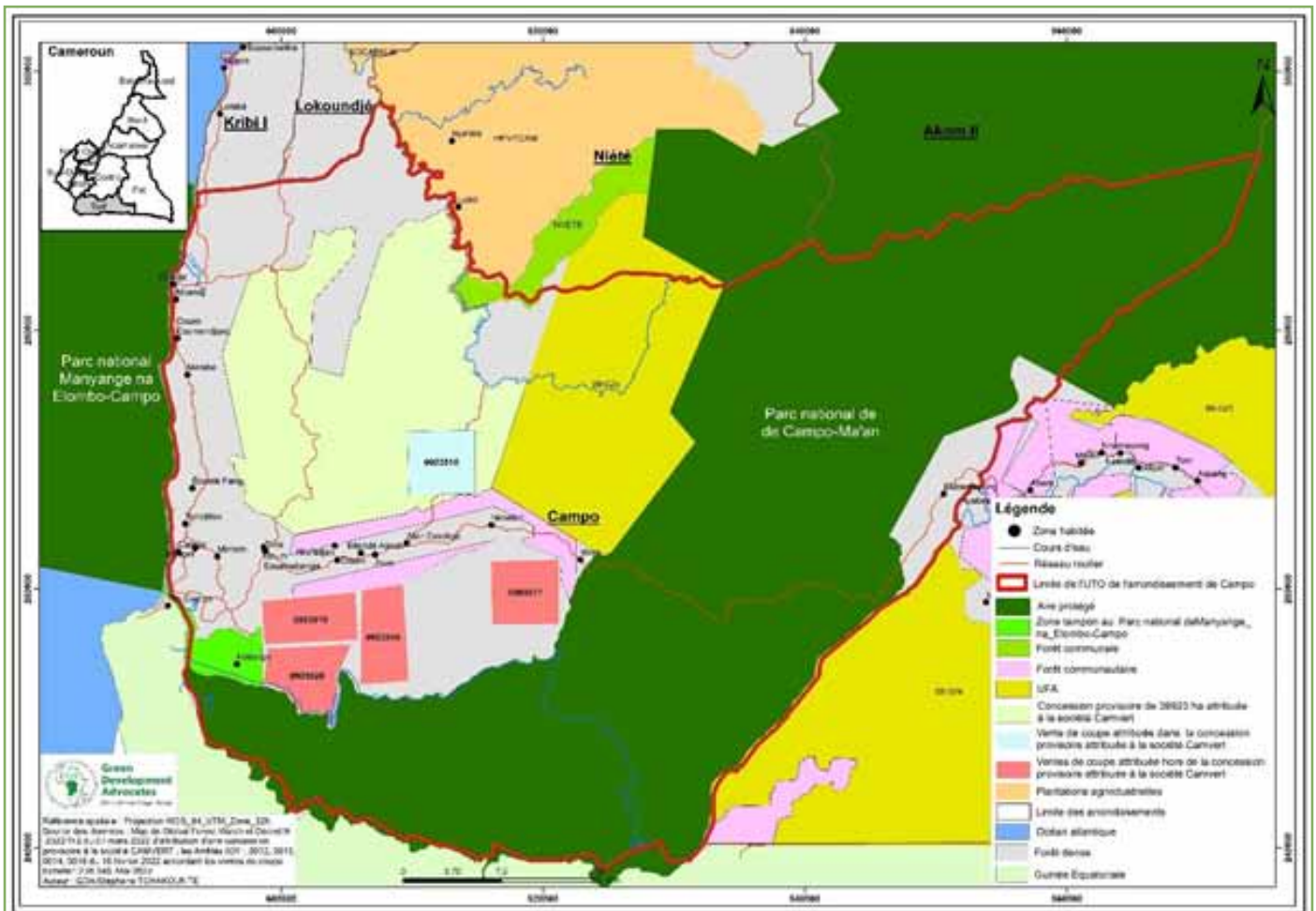
Clearly, the Minister of Forestry violated the law by signing the orders for the allocation of timber sales. At the time of signing, there was no legally recognised development project in the area. And the illegality of the operation by Camvert on the field was highlighted several times by NGOs. [5] In other words, the legal basis for the timber sales did not yet exist. The Minister simply put the cart before the horse, unable to know at that time whether the President of the Republic would grant this space to Camvert or even what area should be allocated to this company.

## 2. Sales of Timber Outside the Area Allocated as a Provisional Concession to Camvert

Another difficulty in these decrees lies in the location of the timber sales. Of the five orders in our possession, only one order for the sale of timber is located on the 39,923 hectares of the provisional concession. The other four are outside the boundaries of this area as shown on the map below. This is irrational since Article 2 of the various orders states that the sales of timber are a result of «*the implementation of CAMVERT SA palm grove extension project.*» This presumes that the company should operate within the limits of the provisional concession granted to Camvert, and thus, render illegal all activities outside that area. And it is not the uncertainty, created by the decree granting the provisional concession, over the remaining 60,000 declassified hectares that would make these off-limits sales of timber legal.

Consequently, since the reason for allocating at least the four sales of timber outside the limits of the provisional agreement violates the decree allocating the provisional concession, the Minister of Forestry and Wildlife should, by parallelism of forms, simply cancel these Sales of Timber Orders.

Map: Identification of timber Sales in the Campo National Domain



### 3. Illegality of the Orders Allocating Sales of Timber in Relation to the Legal Framework Governing the Forestry Sector

**L**aw N0. 94/01 of 20 January 1994 on the forestry, wildlife and fisheries regime states in Article 55 (1): «A sale of timber in a forest of the national domain is in the sense of this law, an authorisation to exploit an area that cannot exceed two thousand five hundred (2,500) hectares, a specific volume of timber sold as standing volume. (2) In forests of the national domain, sales of timber are attributed after the opinion of a competent commission for a period of three (3) years non-renewable». Article 81 of Decree N0. 95/531 of 23 August 1995 establishing the modalities of application of the forest regime adds that in the national domain, sales of timber shall be allocated for a period not exceeding three years and not renewable.

The reading of articles 13 on the duration and 14 on the request for renewal of the five orders for the allocation of timber sales mentioned above thus appear to be curiosities from a legal point of view. The regime for renewing timber sales is not provided for anywhere in the law or in Decree N0. 95/531. Better still, the provisions on the subject are very clear and relate to non-renewal. The duration of validity even for one year<sup>[6]</sup>, therefore less than the duration contained in the law and the decree, and even the renewal which cannot exceed three years as mentioned in article 13 of the orders for the attribution of the said timber sales, cannot justify such a case of clear violation of the law. The very fact of allocating a timber sale for a period of one year goes against this law and its implementation decree. This opens up the possibility of manipulation of both the volumes and the areas allocated.



## Conclusion and recommendations

**T**he Timber Sales allocated by the Minister of Forestry and Wildlife on 16 February 2022 are questionable in more ways than one and demonstrate a clear desire to use the Camvert project to illegally exploit the forest in Campo. Meanwhile, we know that these Sales of Timber Orders include the clearing of the forest, this then raises the question of the allocation of forest permits and, more generally, of forest management in Cameroon.

At the end of this analysis of the attribution decrees and in view of all the irregularities noted, our recommendation is the complete cancellation by the Minister of Forests of the attribution decrees for the Timber sales listed above.



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[1] Letter of the Minister of Domains and land Tenure allocating 2,500 hectares to the benefit of Camvert signed in May 2020

[2] See the Analysis Note titled The Minor Illegalities of the Decommissioning and Concession Process of the 60,000 ha of Forest to an Agribusiness in Campo and Niete <http://gdacameroon.org/download/320/>

[3] See article 02 of the orders

[4] According to article 07 of decree N0. 76 166 of 27 April 1976 setting the management terms of the national domain, concessions of less than 50 ha are granted by an order of the Minister in charge of State Property and those of over 50 ha by presidential decree

[5] See the various publications of Greenpeace Africa and Green Development Advocates

[6] According to article 45 of the 1994 law on the forestry, wildlife and fisheries regime, only timber sales granted on state forests have a maximum duration of one year.