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Development

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CAMEROON FOREST SECTOR

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INDEPENDENT OBSERVER

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**GLOBAL WITNESS END OF CONTRACT
PROJECT REVIEW**

April 2005

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List of Abbreviations

CCU: Central Control Unit

CF: Community Forests

FMU: Forest Management Units

GW: Global Witness

IFA: Illegal Forest Activities

IO: Independent Observer

NPFD: Non Permanent Forest Domain

PCB: Provincial Control Brigades

PFD: Permanent Forest Domain

PSRF: Programme de Sécurisation des Recettes Forestières

PV: Procès Verbal

RC: Reading Committee

SSV: Sales of Standing Volume

ToR: Terms of Reference

1.Executive summary

It is DFID partnership practice that, at the end of support to a project, a review is undertaken to assess results, to discuss and share lessons learnt and to ensure institutional memory of processes, practice, networks and institutions which have helped contribute to the functioning of the Independent Observer.

Members of the government, the donor community, the private sector, and NGOs as well as representatives of the local population have been interviewed throughout the country, collecting their opinions about the Independent Observer's impacts, achievements, and shortcomings.

All stakeholders agree that the general scope of illegal forest activities in forest management units is decreased, and that vast and openly perpetrated illegal activities as done in the past cannot any more be carried out. Figures show that not only the scope, but also the percentage of discovered illegalities progressively decreased: from June 2001 to December 2003, 114 missions were carried out and infractions were detected in 86 cases, while at the end of the project, in March 2005, completed missions were 171 and infractions were detected in 97 of them. However, all interviewed stakeholders agree that there has been a tendency for illegal activities to be shifting "from the ground to the papers" and from the Permanent to the Non-Permanent Forest Domain, especially in Community Forests. Some stakeholders noted that the Independent Observer hasn't been able to adapt to that shift, but this opinion must be read in the light of the Independent Observer's strategic change took in 2003 to concentrate on the effectiveness of the CCU (with joint missions) rather than on identifying individual illegal loggers (with more independent missions) to guarantee an equitable coverage of all titles in all provinces (Global Witness, 2005a).

Transparency has improved in some activities of the control procedure, like the CCU reporting activities, title information, publication of litigation cases, but the latter does not yet permit clear analysis to be made and does not provide comprehensive information about the follow up on litigation cases. The government and the donors agree that there exists now a constructive and transparent debate inside the Reading Committee which involves them, MINEF, and the Independent Observer. However, the Independent Observer remarks a progressively decreased donors' interest in the meetings.

Collaboration among different Ministries involved in the control process is still almost non-existent, so that information can not be cross-checked for accuracy.

MINEF officials agree that the introduction of the Independent Observer led to a decreased level of corruption in control activities, but interviewed NGOs and the private sector's representatives didn't fully agree with the government. They noted how the corruption level during joint Independent Observer-CCU control missions has effectively decreased and quality improved, but they stress as well the fact that the rest of control activities, i.e. carried out without the Independent Observer, didn't show any change in the level of corruption practices.

MINEF external services rose complaints about the Independent Observer and CCU's lack of collaboration with them. This made them experience a sense of frustration, which led, in the worst cases, to either no or incomplete information being given to the Independent Observer. On the contrary, according to interviewed NGOs, they have been able to establish good contacts with the Independent Observer. This has been a great achievement for the Cameroonian civil society which is usually described as still too young and weak, even if steps still need to be made to fully valorise its contribution to the fight against illegal forest activities.

1. Résumé exécutif

C'est la pratique du DFID, au terme de ses projets de partenariat, d'entreprendre une révision pour évaluer les résultats, discuter et partager les leçons apprises, et assurer une mémoire institutionnelle des processus, pratiques, réseaux et institutions qui ont contribué au fonctionnement de l'Observateur Indépendant.

Des interviews ont été menés sur l'ensemble du territoire national avec les membres du gouvernement, la communauté des bailleurs de fonds, le secteur privé, les ONG's et certains représentants de la population locale. Ces interviews ont requis leur avis à propos des impacts et des résultats obtenus par l'Observateur Indépendant pour tirer des leçons du projet et faire des recommandations pour le futur de l'observation indépendante au Cameroun.

L'opinion des acteurs interrogés est unanime quant à la diminution de l'échelle des activités forestières illégales dans les unités forestières d'aménagement : les vastes activités illégales perpétrées ouvertement dans le passé ne peuvent plus être poursuivies. Les chiffres démontrent que non seulement l'échelle mais également le pourcentage des activités illégales découvertes a diminué progressivement : de juin 2001 à décembre 2003, 114 missions ont été faites dont 86 enregistrent des cas d'infraction alors qu'à la fin du projet en mars 2005, 171 missions ont été accomplies et 97 d'entre elles enregistrent des cas d'infraction. Cependant, les acteurs interrogés ont mis en exergue une tendance des activités illégales à changer « du terrain aux papiers » et du Domaine Forestier Permanent à celui Non Permanent. Quelques acteurs ont remarqué que l'Observateur Indépendant n'était pas capable de s'adapter à ces changements. Cette opinion doit être considérée dans le contexte d'une stratégie modifiée en 2003 de l'Observateur Indépendant qui était de concentrer ses efforts sur le CCU (avec des missions associées) plutôt que d'identifier les exploitants illégaux individuels (avec des missions indépendantes) afin de garantir une couverture équitable de tous les titres dans toutes les provinces (Global Witness, 2005a).

La transparence s'est améliorée dans certaines activités de la procédure de contrôle comme celle du compte rendu par l'UCC, des informations sur les titres d'exploitation, des publications des cas de litige, mais ces derniers ne permettent pas encore de faire une analyse claire et un suivi approfondi de la situation des cas litigieuse. Le gouvernement et les bailleurs de fonds déclarent qu'il existe un débat constructif et transparent entre eux, le MINEF et l'Observateur Indépendant à l'intérieur du comité de lecture. Cependant, l'Observateur Indépendant note que l'intérêt du bailleur de fonds pour le comité de lecture a progressivement diminué.

La collaboration entre les différents ministères impliqués dans le processus de contrôle est pratiquement inexistante de sorte que les informations ne peuvent être ni croisées ni contrôlées.

Les représentants du MINEF ont noté que l'introduction de l'Observateur Indépendant dans les activités de contrôle a diminué le niveau de corruption mais les ONG's et les représentants du secteur privé interrogés ne sont pas entièrement d'accord avec cette opinion. Ils notent que la corruption a diminué et la qualité s'est améliorée pendant les missions de contrôle conjointes de l'Observateur Indépendant avec l'UCC, mais ils remarquent que dans le reste des activités de contrôle faites sans l'Observateur Indépendant, aucun changement n'a eu lieu dans le niveau de corruption.

Les services extérieurs du MINEF se sont plaints du fait que ni l'Observateur Indépendant, ni l'UCC n'ont montré une volonté de collaboration avec eux. Cela leur donna un sentiment de frustration qui mena, dans les pires cas, à une rétention (parfois totale) de l'information donnée à l'Observateur Indépendant. Au contraire, les ONG's interviewées disent avoir établi de bons contacts avec l'Observateur Indépendant. Cela a été une grande réussite pour la société civile camerounaise qui est habituellement décrite comme trop jeune et faible, malgré que des démarches pour valoriser pleinement sa contribution à la lutte contre les activités forestières illégales sont encore nécessaires.

2.Introduction

2.1.Background

In 1998, judged to be one of the world's most corrupt state (Transparency International, 1999), Cameroon decided to use the forest sector to send a strong political sign of the government's determination to break from the past and improve its international image.

Led by a team of reformers and supported by the international community, reform efforts in the forest sector became an important issue for the government in line with the World Bank's PRSP and HIPC related programmes.

One of the most visible innovations was the introduction of Independent Observers to monitor both resource allocation and application of the forest law and its regulations in forestry operations. This was a bold and risky move designed to expose the timber industry and government services to international scrutiny and, through this, gain greater credibility and support for reforms underway.

In June and October 2000, the government of Cameroon invited the international NGO Global Witness to act as Independent Observer with the task of conducting two scoping missions. A transition phase was then implemented from April to November 2001. During this phase, MINEF's¹ Central Control Unit (CCU) carried out field monitoring missions in the presence of Global Witness.

This first period has, on various terms, been financed by DFID, the World Bank and the EU. After that, the government stated its will to see a continuation of the transition phase, until such time as an Independent Observer, recruited via an international call for bids, would have taken office.

¹ The Ministry of the Environment and Forests (MINEF) is now split into the Ministry of Forests and Fauna (MINFOF) and Ministry of Environment and Nature's Protection (MINEP).

DFID support in covering the project's running costs started in June 2002. The interim arrangement has thus lasted around three years and a half, and it is coming to an end as this review is being written, at the end of March 2005.

2.2. Control activities in the Cameroonian forestry sector

2.2.1. Central Control Unit and Provincial Control Brigades

Before 2000, the Ministry of Forests didn't have any central structure to plan and carry out forestry control missions. According to interviewed officials, controls were carried out by Provincial services and reports were sent at MINEF central level, but neither there existed a planning activity on missions nor were those reports made public, as well as issued fines and amounts paid.

In 2000, following article 124 of the 1995 Forestry Decree², two control units were created to monitor forest activities, directly reporting to the Minister of Forests:

- a) External services: PCB (Provincial Control Brigades);
- b) Central service: CCU (Central Control Unit).

Control missions should have targeted on-going forest activities carried out by private companies, individuals, or villages, and missions could have been solicited by anybody, including the civil society and NGOs. According to the law, an annual audit of the controls' effectiveness should have been carried out by the MINEF's General Inspector.

When illegalities were detected, the Unit should have:

- a) written a report with the list of infractions;
- b) prepared a legal document (Procès Verbal, PV) attesting discovered infractions. According to the Cameroonian law, only if a PV is compiled following legal actions can be taken;
- c) seized logs, wood, or any other products or piece of equipment to be used as evidence.

2.2.2. The Reading Committee

When the Independent Observer was introduced in Cameroon, reports prepared by the CCU were not public, and according to one interviewed donor representative, "they could not be used to issue sanctions because their quality was very poor and infractions were not effectively listed". Moreover, PVs were not always prepared so that no legal action could even be started.

That is why a Reading Committee was put in place with the arrival of the Independent Observer, with the purpose of validating its mission reports. MINEF's General Inspector is the president of the RC, with other MINEF representatives (minimum 11), donors (DFID, WB, EU, and CIDA), and the Independent Observer constituting the rest of the members.

² Decree 95/531/PM.

The role of the RC is to ascertain that the Independent Observer's reports present the facts observed during mission in an objective way (Global Witness, 2005a). Moreover, MINEF can provide additional information prior to the report's validation, which are included in the final version.

As highlighted in this report, the quality of the RC's quarterly meetings, according both to donors interviewed and the Independent Observer, progressively improved in professionalism and in focus (Global Witness, 2005a). However, interviewed members of the Independent Observer's team said that donors' interest in the RC has progressively decreased, this constituting a limiting factor for transparency and objectivity of the meetings, since their intervention is essential when disagreements arise between the Independent Observer and MINEF staff.

Interviewed donors did not mention their decreased interest in the RC. They stressed its importance and recommended the EU to take responsibility for the coordination of meetings to be held in the future.

2.2.3. Forestry Revenue Enhanced Program (PSRF)

Another point worth noting here to better understand the analysis made below, is that Decree 08/009/PM of 23rd January 1998 transferred to the Ministry of Finance all the fiscal competences previously own by the Ministry of Forests.

Moreover, in March 1999³, the Forestry Revenue Enhanced Program (PSRF) was created within MINEFI in order to ensure a rigorous monitoring of fiscal revenues in the wood sector and to increase its contributions to the state budget. The program was restructured in 2001⁴ to streamline and centralise the payments of all forest related taxes due by forest companies.

Since the PSRF was born as a collaboration framework between MINEFI and MINEF, many links were supposed to be created between the infractions' detection phase carried out by the Ministry of Forests, and the CCU in particular, and the PSRF personnel. Unfortunately, interviewed official both at MINEF and MINEFI said this is not yet the case, and Global Witness confirmed this opinion, saying that they observed a sporadic and weak collaboration with the PSRF.

2.3. Terms of Reference and objectives of the IO

Global Witness signed a contract with the Government of Cameroon to act as Independent Observer in May 2002. It was regarded as a transitional phase with the intention of moving to a longer term project of support in the forestry sector.

The previous period from April to November 2001 was covered by what will be called here the 2001 Terms of Reference (ToR). Since May 2002, the project has been operated under the 2002 ToR (Global Witness, 2002). The objectives listed in the two ToRs are similar, but the Independent Observer's activities are generally better detailed in the 2002 ToR, as one would expect after an initial testing phase had been carried out in 2001. The bulk of the text is taken up by the mandate of the Independent Observer and its rights to participate in activities and receive information.

³ Decree 99/370/PM.

⁴ Decree 2001/033/PM.

As stated in the 2002 ToR, the overall objective of the forestry control project in the long term is to provide support to the establishment of the principle of good governance in the forestry sector, in order to improve this sector's contribution to poverty alleviation through a sustainable management of forest resources.

The specific objectives of the Independent Observer are:

- To ensure the objectivity and transparency of monitoring operations undertaken by MINEF through the participation of an independent observer with international credibility, the reports and recommendations of which will be made public;
- To strengthen the operational capacity of MINEF law enforcement services and, particularly, the [Central Control Unit] CCU, through the application and improvement of procedures;
- To analyse clarifications in control methods through the role of the different players in forest monitoring and the follow up for a precise reference list of offences and sanctions, based on the legal and regulatory framework in force;
- To help monitor implementation of recommendations and decisions from the CCU's control missions undertaken with the assistance of the independent observer.

According to the criticisms expressed by most interviewed stakeholders, there seem to have been an important misunderstanding in the way different people interpreted the objective about the strengthening of operational capacity. Before proceeding to a detailed analysis of achievements and shortcomings, the following paragraph tries to explain why this could have occurred.

2.3.1. Strengthening of the operational capacity

The 2001 ToR included a large number of tasks that dealt with setting up infrastructure and training government staff, such as providing logistic and computer support for MINEF's forest law enforcement department, training MINEF enforcement agents and helping to facilitate the training of local NGOs (Global Witness, 2005b).

In the 2002 ToR, those tasks were neither part of the Independent Observer's mandate nor one of its expected results, therefore, raised complaints could not be listed as a shortcoming in this review: building the capacities of government officials involved in forest control activities was one of the key tasks included in the Sectoral Programme on Forest and the Environment (SPFE), which was supposed to run in parallel with the Independent Observer mission but failed to start at the same time. Unfortunately, as highlighted later, only few interviewed people declared to have read the Independent Observer's ToR, and this is probably the reason why complaints from stakeholders have been raised about a (supposed) capacity building activity to be carried out by Global Witness.

The 2002 objective of "strengthening the operational capacity of MINEF law enforcement services" has been carried out through the daily "application and improvement of procedures" between Global Witness and the CCU, even if ad hoc capacity building courses, workshops, training, etc., as wished by most interviewed people, has not been officially carried out by GW.

2.3.2. Implementation of the Independent Observer mission and reporting

As said, the bulk of the 2002 ToR is constituted by the mandate and activities' detailed description. Among the others, rules are established to define how control missions must be managed, planned, requested, and carried out by the CCU under the observation of the Independent Observer; the right for the Independent Observer to undertake independent investigations is extended to include verification trips to areas where the enforcement agency had previously performed a mission without the presence of the Independent Observer; MINEF is charged with the duty to provide Global Witness with details about legal cases involving infringements; reports are established for every mission undertaken, and quarterly summary reports are due to be submitted to MINEF; rules for reports' publication are set.

Once the mission was completed, reports were produced to be examined and for validation by the Reading Committee (RC) held in Yaounde, prior to publication.

GW data show that 171 inspections have been carried out to date, and 95 cases of infringement have been detected.

Notwithstanding the large number of inspections, the implementation of the mandate has not always been as easy as results may suggest. In fact, many problems emerged: some have been resolved and constitute today the best achievements of the IO, but some others will be part of the GW's legacy to the new IO, and they will be listed in detail in the shortcomings below.

3. Objectives of the review

It is DFID partnership practice that, at the end of support to a project, a review is undertaken to assess results, to discuss and share lessons learnt and to ensure institutional memory of processes, practice, networks and institutions which have helped contribute to the functioning of the Independent Observer. Retaining this memory will be particularly important for the new Independent Observer, for any government official new to this area of work and for representatives of the donor community supporting it in the future.

Consequently, this report reviews the work of the Independent Observer from three aspects: the impact of its activities, key lessons that can be drawn from the experience, and recommendations.

4. Review's methodology

A detailed analysis of the literature produced and data published on Global Witness' experience as Independent Observer in Cameroon, both issued by Global Witness and by other authors, has covered the first phase of the review. Secondly, interviews have been held with Global Witness' project officials and all major stakeholders involved, such as government officials, the private sector, the donor community, and Yaounde- as well as rural-based NGOs. Given the limited time span for carrying out the review, one to one interviews were used in the majority of cases. Nonetheless, also two round-table discussions could be held.

Field work started in Yaounde where meetings with government officials and international donors were held, and then interviews and round-table discussions were conducted in the East Province, precisely in Bertoua, Kagnol, Abong-Mbang, Mindourou and Lomié, with all classes of stakeholders. The Littoral and the South-West Provinces have been the last to be visited, to hold discussions with local MINEF representatives, some private companies and other institutions somehow involved in the control process, like SGS and SEPBC, certifying the timber exports, and managing the Port of Douala, respectively (see ANNEX 1).

5. Stakeholders' perceptions of the Independent Observer

MINEF officials at central level show to have a good knowledge of the Independent Observer mission, but very few among MINEF external services declare to have read the Independent Observer's ToR, a fact which could also be registered among private companies, NGOs, and local communities.

For different reasons, all stakeholders agree on the fact that initial relations with the Independent Observer were not easy. At MINEF central level, at least initially, the main perception about independent observation was that of an attempt to curb national sovereignty by powerful international donors wanting to have Cameroonian internal affairs directly under their control. This perception shaped relations between the Independent Observer and governmental representatives, and in some cases is still present today. MINEF external services saw the Independent Observer as "someone who was coming to change the rules of the game" of forests control, as one official put it, and they mostly associated its presence with a feeling of fear. According to MINEF officials and to interviewed donors and NGOs, since the game of forest control was mainly played by controllers and loggers, the same fear about being forced to change the rules was also shared by private companies, which had many interests at stake in the sector. However, none of the interviewed companies referred to it.

Relations between the Independent Observer and private companies can be grouped into two main categories. Some of the companies agree on the fact that, initially, their contacts with the Independent Observer were rigid. The main reason given for this attitude was the focus Global Witness assigned to "repression" instead of "education", as they put it, saying they were not ready for that new kind of control (see Shortcomings). Other companies, while agreeing on the general idea of independent observation, declared that the arrival of Global Witness didn't change much in the way their activities were managed. The complete set of interviews also includes one company in Douala which declared to have never heard either about the Independent Observer or Global Witness, probably due to the fact that the company doesn't manage any FMU and deals mainly with Community Forests.

All NGOs declared to welcome the establishment of an Independent Observer, even if those among them which are directly involved in Community Forestry say the majority of communities does not know about either its presence or its mission: interviews conducted with representatives of two active Community Forests (CF) that were not among the 10 visited by Global Witness (2004a) confirmed that opinion.

The following two paragraphs deal with the Independent Observer’s achievements and shortcomings as they were perceived and described by different stakeholder groups. A third paragraph will then try to make an analysis of the Independent Observer’s impacts against its purpose, outputs, and objectives.

6.Achievements

6.1.Overview (Table 1)

A summary table is presented here highlighting the main achievements described below.

Table 1: Main achievements

| Stakeholder reporting | Achievements | | | | |
|----------------------------------|--|--|--|--|--|
| The government | Promoted transparency, decreased IFAs, shortcomings of the 1994 law detected | CCU learnt to work effectively | Perceived decreased level of corruption | Influenced the way private companies collaborate with the government | |
| Donors | Increased discussion level inside the RC and CCU reporting techniques | Increased transparency in the claims made by the CCU | Better missions planning and reporting capacities by MINEF | Local population to believe in a decreased level of impunity | “Good companies” happy to be controlled according to the law |
| Private sector | Also thanks to the IO, past vast and openly perpetrated IFAs not any more possible | | GW presence perceived as an added value for their exported products | | |
| NGOs and local population | GW able to establish a good network of contacts | | Diminished level of corruption between officials and private companies during joint missions | | |

6.2.The government

According to MINEF officials based in Yaounde, independent observation of forestry activities has been very useful in promoting transparency in logging operations and limiting IFAs. During its assignment, the Independent Observer and its members have also been very useful to detect some shortcomings of the Forestry Law of 1994: apparently, steps will soon be taken to address and correct them.

Government officials which have been in contact with the Independent Observer under scrutiny, Global Witness, mainly members of the CCU, learnt how to work effectively inside what they refer to as “classic titles”, i.e. Concessions and Sales of Standing Volume (SSV), with better IFAs’ detecting and reporting techniques. The most evident result, according to the majority of the interviewed officials, is a decreased level of illegalities inside those titles. However, the assessment made by MINEF officials changes from interviews held at central level to those conducted among external services. At central level, improvements concern both “classic titles”, while for external services they concern only concessions or the respect of assigned concessions’ limits and improved administrative capabilities.

The Independent Observer is described by the majority of MINEF personnel as the “eye of the international community”. This is felt as an achievement and it’s used to justify the expressed opinion about an apparently decreased level of corruption among controllers. This is because, as one of them said, “Cameroonians are not scared by the law”, but an Independent Observer guarantees international control and brings about the idea that sanctions will surely be applied preventing corruption practices to take place: as another official put it, “when the Independent Observer arrives with a mission there are things that cannot any more be done”. This point has been raised both by

central level authorities, including the CCU, and by external services, even if connections between the majority of the latter and Global Witness have been very sporadic.

Officials often talk about “changes in the way of understanding controls”, referring both to MINEF and to private companies, thus giving the Independent Observer also credits to have influenced the way private companies work and collaborate with the government during control missions.

6.3.The donors

According to interviewed donors’ representatives, the acceptance of an Independent Observer by the Cameroonian government was an initial important achievement, meaning its acknowledgement that Cameroonian IFAs were an international issue and showing at the same time its will to curb them.

Donors also give emphasis to the role that both the Independent Observer and they had on the Reading Committee’s improved level of discussions and reporting techniques in different phases of the project, and they recommend the next Independent Observer’s donor, the EU, to make a lot of efforts for maintaining their interests in the Reading Committee’s activities throughout the whole project’s duration.

A shared opinion among donors is that transparency has been improved especially regarding the CCU reporting activity, which was not public and discussed inside the Reading Committee before the arrival of the Independent Observer. There exists now a constructive debate which involves MINEF, the Independent Observer, and the donors.

Another common point made by donors is that, thanks to the presence and collaboration between the Independent Observer and MINEF officials, the latter acquired better missions planning and reporting capacities.

One representative said that MINEF external services and the local population believe that the Independent Observer can guarantee the application of the law at central level. This, especially in rural areas, according to his point of view, is a very important achievement, directly influencing the way local population feel about the Independent Observer: he says they now know that there is someone, called Global Witness, which can follow up their claims and decrease impunity. In the words of another representative, “it’s important for local population to believe that there’s someone listening to them, even if data still show that in the end justice is not always made”, referring to the fact that all but two cases of reported infractions never reached the courts and the sanctioning process is not yet fully transparent. Nonetheless, he said, “it’s a promising start”. It’s worth noting here that, according to our interviews, the terms “local population” used in the above statements should be reduced to “some local NGOs” which had some contacts with the Independent Observer (see below).

Talking about logging companies’ feelings about the Independent Observer, one representative said that (what he defined) “good companies” (i.e. operating according to the law) welcome its arrival because controls can finally take place according to the rules established by the law. As explained below, this point of view is only shared by some companies regarding joint missions.

6.4. The private sector

A common point made in private companies' interviews is that the general level of IFAs in concessions is decreased, and that vast and openly perpetrated illegal activities as done in the past cannot any more be carried out. The representative of one sanctioned company actually said it now "behaves better".

However, none of them could state if this achievement is solely due to the presence of the Independent Observer, referring more often to a series of causes. Among others, MINEF's enforcement of the 1994 law's provisions, the international pressure on issues such as illegal logging and certification, and the latest trends in international wood markets, with wood coming from non audibly legal or illegal sources becoming less and less easy to trade.

According to one representative, thanks to the "rigid application of the law", the presence of the Independent Observer as executed by Global Witness is perceived as an "added value" for the company's exported wood, an opinion that the same representative said should be extended to all companies which are on the road to some form of certification.

Most companies agree that the way the Independent Observer and the CCU verify compliance with the law during joint missions should be learnt and applied by all MINEF officials, but they all also agree that this is not yet the case.

6.5. Non-Governmental Organisations (NGO) and local population

Interviewed NGOs could clearly be divided into two groups. On the one hand, NGOs based in Yaounde, and operating as well in rural areas, have a good knowledge of the IO's objectives and working methodologies. On the other hand, NGOs based in rural areas, which have usually good contacts with and are informed by the former group, and whose expectations from the Independent Observer mission are generally far off its ToR. Together with MINEF officials, this is the group issuing complaints about the "capacity building" issue discussed above.

One common opinion among interviewed NGOs is that, initially, the Independent Observer didn't have many contacts with them and the rural population they represent, mainly because the scope of IFAs was so macroscopic inside classic titles that there existed no need to overcharge Global Witness with more information coming from other logging titles.

Lately, however, according to interviewed NGOs, the Independent Observer developed a network of contacts with local NGOs which has been a great achievement for the civil society which is usually described as still too young and weak (Nguiffo, 2003), even if steps still need to be made to fully valorise its contribution to the fight against IFAs.

As noted also by other stakeholders, NGOs agree that the presence of the Independent Observer contributed to a diminished level of corruption between MINEF officials and logging companies during joint control missions, as well as to a reduction of IFAs' scope.

7.Shortcomings

7.1.Overview (Table 2)

A summary table is presented here highlighting the main shortcomings described below.

Table 2: Main shortcomings

| Stakeholder reporting | Achievements | | | | | | |
|----------------------------------|--|---|--|---|--|--|---|
| The government | Weak appropriation of new technologies by CCU personnel | Very weak collaboration between CCU and PSRF | Initial awareness campaign not very effective on the ground | IO too much focused on FMUs | Lack of collaboration with external services | GW acting as a controller and not as an observer | Missions not provided as continuously as they should |
| Donors | Some published reports would have needed more discussions with the government | | | IO not enough to fight corruption if used alone | | | |
| Private sector | GW and the CCU acting as two different entities | | Not enough education and training on the ground before starting the "repression" phase | | Very limited presence on the ground, sometimes limited to none or 1 visit in 3 years | | |
| NGOs and local population | Absence of feedback, in the form of reports or information, after a mission was accomplished | Long procedure from information gathering to the publication of the reports | Unsure whether reporting capacities of CCU did increase | | IO, and CCU, failed to adapt to different forms of illegalities | | No introductory meeting made at the beginning of the mandate to the civil society |

7.2.The government

When asked about the shortcomings of the Independent Observer project, MINEF officials at central level highlight the fact that there has been a very weak appropriation process in the use of new technologies by the CCU personnel, adding this was probably due to the very frequent turnover of the CCU team decided by MINEF itself. In the last three years, the team has been partially changed 3 times, with a complete change in December 2002.

Officials in Yaounde also state that they cannot establish any correlation between the presence of the Independent Observer and an increase in revenue collection, listing this among the shortcomings even if it was not one of the Independent Observer's objectives. Indeed, the presence of the Independent Observer with MINEF officials on the ground might have been helpful in increasing the amount of collected revenues by the Ministry of Finance (MINEFI), but both MINEF and MINEFI regret that a very weak cooperation, if any at all, did exist between Global Witness and the PSRF.

Both at central level and in the provincial offices, complaints have also been made about the introductory meeting that Global Witness conducted at the beginning of the project. Apparently, interviewed MINEF officials would have liked a much more extensive awareness campaign to be conducted by the Independent Observer, effective in explaining the IO's ToR and targets to MINEF external services and to private companies working on the ground.

All interviewed officials based in rural areas, with increasing emphasis from the East to the Littoral and South-West provinces, said that too much focus has been paid by the Independent Observer to concessions, while IFAs were spreading inside smaller permits, Community Forests (CF) and the Non Permanent Forest Domain (NPF) in general. In the South-West Province, officials describe the situation outside concessions as "catastrophic". These remarks, however, should be considered in the

light of the move made in 2003 by the Independent Observer to adopt a closer working relationship with the CCU, responsible for planning control missions and heavily influencing the Independent Observer with its choices of locations to control.

Considering that concern, all MINEF personnel complain about the Independent Observer and CCU's lack of collaboration with the external services. This makes them experience a sense of frustration, feeling ignored on their own ground, increased by the fact that whenever a mission was carried out in their jurisdiction, they never received neither a summary report nor the final published report. In the worst cases, this could even led to either no or incomplete information being given to Global Witness.

According to MINEFI officials, a similar attitude was also developed inside the PSRF, when they felt like the (few) data they were exchanging with Global Witness were "improperly used", as one interviewed person put it. However, all this is about the initial phase of the project, when at least some contacts did exist between the Independent Observer's team and the PSRF. All feelings disappeared when relations between the two actors ceased, even if memories are still present among PSRF officials, who declare to be very sceptical about future collaborations, even if MINEFI signed the contract with the new Independent Observer.

MINEF officials, instead, often talk about problems between the Independent Observer on one side and the CCU and private companies operating in their province on the other. They are seen as a consequence of the Independent Observer's behaviour: "[Global Witness] acts as a controller and not like an observer, taking too many initiatives instead of simply judging the CCU and reporting about it", has been the most common remark. This issue probably derives from the different interpretations given to the ToR when they talk about "support" to be given to the CCU's field missions, without being more explicit on the subject.

One last raised shortcoming is about missions' scheduling. Officials, especially from external services, say missions have not been provided as continuously as they should, and this had a strong impact on their effectiveness. As said, external services raised many complaints about them not being involved in control missions. This last shortcoming is built on those complaints, blaming the CCU and the Independent Observer for not being able to carry out many more missions on a regular basis in the same title, which would have been much more effective in their opinion, and meaning at the same time that their involvement would have provided that continuity. Unfortunately, in the light of the resources allocated to external services by MINEF, this claim can at present only be seen as wishful thinking.

7.3.The donors

One critic has been raised by one representative about the Independent Observer's modus operandi on the issue of publishing reports, especially regarding the first period of the project. The opinion collected about publications, both on paper and on the Internet, has been that "DFID and Global Witness looked too much for the sensational", even if the ToR and the contract were respected, "by publishing reports and data which would have needed further discussions and explanations with the Government of Cameroon".

For some, this attitude improved after some initial misunderstandings, while for some others it didn't change until the end: the 2004 publication of the report about the forestry information system (SIGIF) and the government's reaction (see Section) has been pointed out as the evidence that problems did still exist in the relationship between the Independent Observer and the MINEF regarding publications.

Asked about the strategy of involving an Independent Observer to combat corruption, some donors' representatives confirm that it may work during Independent Observer-CCU joint missions, but they highlight a shortcoming when that strategy, as in the case of Cameroon, doesn't come along with other simultaneous ways of fighting corruption: higher salaries and better tools to be used by controllers are just two suggested examples of a better way to accomplish the task.

The risk with the present situation is that corruption decreases during joint missions only because the Independent Observer is perceived as an international policeman, but no seeds are planted for the vast majority of future control missions, carried out by the CCU alone or by the Control Brigades.

7.4.The private sector

Logging companies highlighted the fact that Global Witness and MINEF officials, when working on the ground, looked like they were acting in isolation, giving the impression that the company was being checked by two different entities. They say Global Witness was initially only focused on repression and that discussions were not possible. "GW wasn't willing to open a discussion on the possible causes of the infractions they were detecting", as one representative said, and "moreover, we never received a copy of the missions' final report, so that there was little room for improvements". Companies say there hasn't been enough information and education of the stakeholders on the ground before the repression phase started.

They also regret, as already mentioned by MINEF external services and some donor's representatives, that the fight against corruption cannot be conducted only with the introduction of an Independent Observer: in their case, they say that clear distinct roles cannot yet be maintained between controllers and controlled, referring to the practice of paying for MINEF officials when they visit the company for a control mission.

Many companies stressed the fact that neither their way of managing forest activities has changed since the arrival of the Independent Observer, meaning they were already doing their best to comply with the law, nor the attitude of MINEF officials underwent any change in the last three years, particularly referring to an unchanged level of corruption. Main cause for the latter, as some of them

put it, is that the presence of the Independent Observer on the ground has been very limited, sometimes reduced to none or one visit in three years.

7.5.NGOs and local communities

The distribution of information and reports by the Independent Observer has been the most recurrent complain made by NGOs and the rural communities they represent. The absence of feedback, both at the end of any particular mission and even after the report was published, causes some groups to feel part of a system where they only have to provide information without having any opportunity to know if the mission went well, if a sanction was issued, if the report was accepted. The common complain has been: “the sole Internet is no good for Cameroon”, even if some NGOs recognise that Global Witness team was too small to accomplish the task of providing different forms of feedback.

Complains have also been raised about the lengthy procedure starting from the moment when NGOs provide information about an alleged infraction and ending up with the publication of the reports. According to some NGOs, the Independent Observer should have put more pressure on MINEF officials to speed the process up.

When asked about the CCU’s improved capacities, NGOs reply that they are not sure whether the presence of the Independent Observer increased the reporting capacities of CCU members, since their reports are not made public. Some NGOs express the same doubt about the CCU capacities on the ground, saying that they didn’t improved much. As said, this can be linked to the frequent turnover of the CCU team.

As noted in the achievements, NGOs agree that the general scope of IFAs has been reduced thanks to the presence of Global Witness, but they reproach to the Independent Observer to have failed, at some point in time, to adapt or to improve its working methods towards different types of illegalities, mainly referring to Community Forests and to administrative illegalities.

NGOs also say that the Independent Observer, at the beginning of its mandate, failed to have an official presentation with the civil society.

8.Analysis

8.1.Changes in transparency in forest sector operations and law enforcements

According to the 2002 ToR, one of the Independent Observer’s objectives was to “ensure the objectivity and transparency of monitoring operations undertaken by MINEF”.

MINEF officials based in Yaounde agree that Global Witness has been very useful in promoting transparency in forestry operations and limiting IFAs. Overall, private companies and NGOs agree as well that joint field missions, carried out by Global Witness and the UCC, increasingly reached a higher degree of objectivity in the application of the law.

As said, “when the Independent Observer arrives with a mission there are things that cannot any more be done”. But what happens when the CCU and the Independent Observer are not there?

Collaboration with the external services has been very sporadic, and this approach probably derived from the importance given to the CCU both in the 2001 and 2002 ToR, which respectively listed as objectives of the project: “to strengthen the operational capacity of MINEF’s control departments, and particularly the CCU”, and “to strengthen the operational capacity of MINEF law enforcement services and, particularly, the CCU, through the application and improvement of procedures”.

The Independent Observer interpretation has led to an effective increasing of transparency and objectivity at MINEF central level and within the CCU team, recognised by all stakeholders interviewed. The focus on the CCU, however, together with the government’s weak political will to decentralise control powers, has caused the external services to keep on carrying out their control activities without improvements being made, thus neither increasing transparency nor objectivity.

In the view of the smaller budget that will be used to run the next Independent Observer’s project, the strengthening of external services’ capacities should become a priority for MINFOF, followed by many permissions granted to the Independent Observer to carry out independent missions observing if improvements are being made, and reporting to MINFOF itself.

8.2.Changes in forest management practice

The 1994 Forestry Law brought about many important changes for the management of Cameroonian forests. Among others, old titles named licences were systematically phased out, and new titles named Forest Management Units (FMU) were created and mapped inside the PFD. An auction system was also developed for private companies to gain access to the resource.

Concessions must not exceed 200,000 ha and are granted for 15 years, renewable for a second period of 15 years. Companies sign a three years temporary convention with the Minister of Forests. During those three years, companies must carry out a management inventory and prepare a management plan, which is supposed to lead to a sustainable use of the forest. After the management plan’s approval, a definitive convention will regulate extraction activities for a period of 30 years.

When the Independent Observer started its mission, huge illegalities were reported to take place both inside concessions and SSV.

During the period covered by Global Witness as independent observer, 7 more concessions were granted in 2002 increasing the total number to 64, and the law provisions about management plan started to be applied, with 7 management plans approved in 2003 and 11 in 2004 (MINEF, 2004).

The Independent Observer, thus, has surely covered an important role in the changes happened in forestry management practices. Out-of-boundaries exploitation and other evident types of IFAs, once carried out with the certainty of impunity, have very much reduced their scope: all interviewed stakeholders agree on that and data published by MINEF confirm it. The MINEF press release dated 12 August 2003 (Global Witness, 2003), listing all cases of detected infractions from 2001, reported 10 cases of out-of-boundary exploitation all taking place in UFAs or VCs, while the last MINFOF publication, dated 31 March 2005, reported only 4 new cases of the same infraction in the past two years, one of them taking place in a Community Forest.

Moreover, the effective presence of the Independent Observer and the UCC on large titles contributed to a change in IFAs' typology. On the one hand, illegalities shifted away "from the field to the papers", as one NGO's representative said, and on the other hand IFAs moved away from the PFD and increased a lot in the NPF. D.

In the first case, since there was no collaboration between MINEF and MINEFI, especially after the latter received the power to collect forestry taxes⁵ and thus manage the "papers", the Independent Observer couldn't take any further step in the analysis of those illegalities.

In the second case, the NPF. D. would have been a very different operating environment for the IO: above all, small scale loggers and the local population were (and still are) all logging illegally, because a 1999 Ministerial Decision suspended all small permits⁶ without any alternative being provided in the last 6 years. In this case, getting involved in control operation would have been an overwhelming task both for the Ministry and for the Independent Observer. Besides, as shown by published documents (Cuny et al., 2004) and confirmed by many collected interviews, many technical, logistic, and legal problems were (and are) still unresolved on the Community Forests issue, making control operations very difficult to be planned and carried out.

GW realised that those changes were taking place (Global Witness, 2004a), but the workload of the small team inside classic titles and the long time needed to change missions already scheduled by the government, left the Independent Observer almost powerless to adapt to this increased type of illegalities.

Global Witness's reports (2004a, Undated 1, and Undated 2) show that the number of detected infractions inside concessions decreased from 69% to 49% from December 2003 to March 2005: 22 more missions were carried out in 2004 and no more infractions were detected (Table 3). The same applies for missions targeting sawmills, which exponentially increased without any new infraction been detected. On the contrary, detected infractions inside visited CFs were almost constant at 71% and 70% during the same period, but only 3 more missions targeted them. The same can be said about the other titles where high percentages of infractions were detected, reaching 100% in some cases, which corresponded to a very limited increase in the number of missions.

Table 3: Inspected titles vs Inspected titles with illegalities

| | FMU | SSV | TRSA-P | CF | NA | WT | Sm |
|---|-----|-----|--------|----|----|----|----|
| Inspected Jun01-Dec03 | 52 | 21 | 15 | 7 | 10 | 2 | 7 |
| With Infractions | 36 | 17 | 14 | 5 | 10 | 2 | 2 |
| Inspected Jun01-Mar05 | 74 | 28 | 18 | 10 | 11 | 4 | 26 |
| With Infractions | 36 | 20 | 16 | 7 | 11 | 4 | 3 |
| FMU: Forest Management Units / SSV: Sales of Standing Volume / TRSA-P: Timber Recovery Special Authorisations and Permits / CF: Community Forests / NA: Not allocated titles / WT: Wood transport / Sm: Sawmills. | | | | | | | |

⁵ Decree 08/009/PM of 23rd January 1998.

⁶ Decision No. 0944/D/MINEF/DF of 30th July 1999.

One recommendation specifically targets this issue, because even if joint missions or future CCU missions are planned well in advance, this should not constitute a limiting factor for the final target of control activities, i.e. fighting illegalities. A schedule should not be a trap for control activities.

8.3.Changes in enforcement practices

Before Global Witness started its project, nobody knew either if companies were sanctioned or if damages and interests were included in the issued sanctions. According to the majority of interviewed people, damages and interests were never applied to discovered illegalities by the government.

At present, MINEF issues a periodical publication with the list of all sanctioned companies, the cause of the sanction, (almost all) the legal notifications, the amount to be paid, and a column for notes and comments. The last of these publications dates 31st March 2005. One of the objectives listed in the 2002 ToR was to “analyse clarifications in control methods through the role of the different players in forest monitoring and the follow up for a precise reference list of offences and sanctions, based on the legal and regulatory framework in force”. This is an important step ahead and an accomplished task by the Independent Observer.

Moreover, Global Witness has lately officially developed, in collaboration with the CCU and all relevant departments of the MINEF and the Minister of Justice, a Case Tracking System (CTS) and handed it over for facilitating effective and transparent monitoring of control information gathered and legal actions taken, thus accomplishing another result expected from its mandate. The CTS should allow registered operators to manage and follow forest infractions from the moment of their discovery on the ground to the final stage of payment, through a step by step procedure which should guarantee transparency and a methodical application of the law. However, the CTS has been introduced in the last month of Global Witness mission and it's not yet operational: it will be up to the government to follow up on this subject, with the close observation of the new Independent Observer, or the CTS risks to remain a useless good software.

However, the new Independent Observer will still face many challenges on this issue, the essential ones being the following. Global Witness constantly reported about the lengthy delays in the notification of fines, providing companies with enough time to become insolvent, and the CTS will still need a strong political will for sanctions to be applied and money collected.

It is a Cameroonian common practice that detected illegalities in the forestry sector often end up with an economic transaction between the company and MINEF: the latter issues an amount to be paid for the discovered illegality, rarely broken down into fine, damages, and interests as said by the law, and the former negotiate that amount. This procedure usually results in huge reductions of the amount of the initially requested payment of fines, damages, and interests. In the worst cases, this practice result in a clear profitability of illegalities, and illegally operating companies and individuals are “encouraged to continue their activities”, as Global Witness put it (Global Witness, 2004a). Sometimes, fines and damages proposed by the CCU have been deliberately concealed from the Independent Observer. In this case, the amounts due to the Cameroonian treasury have been often underestimated, and Global Witness could not provide either the CCU or the Ministry with its expertise. Moreover, according to the law, paid administrative sanctions should not impede the company/individuals to be brought to court, when needed, but data show that this procedure is rarely followed, and only two cases reached the court since an Independent Observer is operating in Cameroon.

Lastly, Global Witness faced many problems in accessing copies of fines’ notification, or any other payment related document. For this reason, the Independent Observer could not verify information presented in the list published by the Ministry.

8.4.Increased revenue capture

As noted above, forestry taxes are collected by the Ministry of Finance. The role of Global Witness was not to have an impact on the contribution of general taxes to the State’s budget, but to increase transparency in the collection process starting at MINEF. This should have indirectly caused MINEFI’s collected amounts, at least for fines, damages, and interests to increase.

Unfortunately, since there’s no collaboration between them, none of the two involved Ministries could quantify the role of the CCU-Independent Observer discovered illegalities on collected amounts: according to interviewed MINEFI officials, the Independent Observer didn’t have any direct effect on the collection of forestry taxes.

That could be true in a system where the two Ministries conduct their respective operations in isolation, and where there’s a persistent lack of transparency in the litigation process and indulgence of MINEF and the PSRF to effectively pursue litigations (Global Witness, 2004a).

The 2004 SIGIF report published by Global Witness (Global Witness, 2004b) is quite symptomatic both of the relations between MINEF and MINEFI and of the influence that the Independent Observer could have had on revenue capture.

The report made an analysis of 58 companies and 76 exploitation titles, applying a routine procedure that could be daily applied by MINEF itself since the database is up and running: using the SIGIF, Global Witness made a comparison between the allowed and the declared number of trees and volume produced by the timber companies, discovering that around 73,000 cubic meters had been overexploited.

According to Global Witness (Global Witness, 2005a), the report was first presented to the Reading Committee in March 2004, and validated in July 2004, as also indicated by the report's presentation on MINEF website, thus giving MINEF 4 months prior to publication to check the accuracy of the data: no errors were reported to the Independent Observer.

However, many criticisms followed the publication of the report: the Minister of Forests appeared on national television (1st September 2004) saying that Global Witness had published an unauthorised document, and the Interafrican Forest Industries Association (IFIA) issued an official statement on its website (8th September 2004) titled: "[T]he NGO Global Witness is wrong on the Cameroonian forestry production figures – Manipulation of figures and names of the accused companies".

Being this a review of the IO's project, let's only consider the facts in the light of the revenue capture. Interviewed officials at MINEFI declared to have never received a copy of the report by MINEF. Thus, instead of issuing sanctions for the faults discovered and then having companies explaining why their declarations appeared to be wrong, eventually understanding where the problem could have been, MINEF preferred to just declare, wrongly, that the report was not authorised: no action has been taken to date to collect those money.

8.5.Impacts for CF

Table 3 shows that no conclusions can be drawn on the Independent Observation's impacts on Community Forests, since only 10 missions targeted them: at present, 80 CFs have approved Simple Management Plans (Megevand, pers. comm.) out of the around 300 which filed a request to the MINEF.

8.6.Increased information on forest operations in the country and on enforcement activities

Every validated mission report can be downloaded from Global Witness' website. Governmental institutions, NGOs, and any other interested individual have access to the updated list of them. For the Cameroonian forestry sector and for the international community, this achievement is very important on the way to increasing transparency.

Moreover, periodical reports have been distributed to interested organisations, and Global Witness also organised one meeting to inform stakeholders about the situation of forest operations in Cameroon.

However, as highlighted in the list of shortcomings, the reduced or non existent Internet connectivity inside the majority of the Cameroonian territory has reduced the impact that Global Witness could have had on the rural population, on MINEF external services, and on NGOs not based in the main cities of Douala and Yaounde.

It would be important for the new Independent Observer to reach rural areas with printed copies of any published document, and a specific recommendation has been made on this point.

9. Lessons learnt

9.1. The government

In the first phase of the project, relations between the Independent Observer and government officials were troubled. Global Witness was solely seen as “another externally imposed measure” by powerful international donors, as one official put it, and the real objectives of the project were not even considered because national sovereignty was at stake. On its side, according to interviewed stakeholders, Global Witness started its missions as a solo performer, detached both from the visited companies, as it must be the case, and from MINEF, not considering what officials called “the human relations side of the control mission”. This attitude caused Cameroonian controllers to be very reluctant to collaborate when joint missions were organised.

According to MINEF officials, things started to get better when GW’s attitude changed towards a more collaborative and open way of cooperation with the CCU, which left more time for discussions about the different actor’s opinions.

It can be also said that, once the government accepted that the Independent Observer had come to stay and that every effort trying to reject it was useless, mainly due to the pressure that donors were applying, MINEF officials started to see the advantages of having the Independent Observer working with them, observing and commenting their control missions with the introduction of new approaches and modern technologies that they would have been able to learn and use.

From that moment on, the CCU and the Independent Observer, according to both sides, have improved their communications and the way they work together. According to MINEF interviewed officials, the most recent CCU’s reports are very similar to those compiled by the Independent Observer, even if this statement could not be checked as they are not yet made public (Global Witness, 2005a).

9.2. The private sector

Some companies share the same point of view of MINEF officials: when the CCU and the Independent Observer started to collaborate more, meaning that the company understood/felt that it was not being controlled both by MINEF and an international controller, but by MINEF and an international observer, companies started to be less reluctant to receive joint control missions because the law was applied and corruption practices disappeared.

The majority of those companies also expresses very positive comments on the work carried out by the Independent Observer in joint missions in the last three years and welcomes its presence as a guarantee for an effective control to take place.

However, some other companies and the Groupement de la Filière Bois du Cameroun (GFBC), representing the majority of large (European) companies operating in Cameroon, while expressing positive comments on the concept of independent observation, give voice to the sector’s many preoccupations, mainly focused on the publication of the 2004 SIGIF report. Companies remark to the

Independent Observer to have gone back to old attitudes, when it was more interested in publishing sensational news than helping the government of Cameroon to solve the problems relating to illegalities affecting the forestry sector. That publication might have affected the opinions expressed for this review: one company clearly stated that if the review would have been written last year, before the publication of the SIGIF report, many more companies would have positively judged Global Witness.

According to the private sector, even if MINEF didn't find any mistakes in the 4 months they had prior to the report's validation, mistakes did exist in the SIGIF, and they were largely due to MINEF's faults. According to GFBC, many of the facts discovered and reported by the Independent Observer concerning excess production of timber by a number of companies, for fiscal year 2002/2003, where due to the confusion caused by the shift taking place from a fiscal year lasting from July to June, to a fiscal year lasting from January to December, starting January 2004. GFBC remarks that the period from July to December 2003 remained "out" of any official fiscal year, and data declared by companies over an 18 months period (July 2002 – December 2003) could have been registered by MINEF over a period of 12 months (fiscal year 2002/2003).

However, thanks also to the work carried out by the Independent Observer, some companies are now much more open to collaboration to show that their forestry operations are sustainable. Since many evidences do exist about the weaknesses of the official data collection sources, the best example being that two out of three SIGIF stations could not be checked in the SIGIF report because they were not working, a shared opinion among interviewed companies is that the new Independent Observer should always cross-check collected data with them, so to have data sources both improved and transparent, which remains one of the Independent Observer's most important targets.

9.3.NGOs and local communities

Initially, according to interviewed NGOs representatives, NGOs and local communities were not considered in the process of independent observation: illegalities were so macroscopic that donors thought it was a matter to be solved between the government of Cameroon and the private sector. The same representatives said that when Global Witness started its project as Independent Observer, introductory meetings were made to those two main actors, but not to the civil society.

However, increasingly the Independent Observer, through its activities in the field, was contacted by NGOs and individuals in order to check on, and report illegal activities. Those contacts are one of the most valuable legacies that Global Witness is leaving to the new Independent Observer, and it should be one of its priorities to be soon introduced to NGOs both in Yaounde and in external Provinces.

All people interviewed agree that the presence of the Independent Observer made them conscious that something effective could be done about illegalities, and they wish that the new Independent Observer will extend and deepen the capacities that Global Witness left in their hands. In particular, they are waiting to be integrated as part of a bidirectional relation, since, as already said, they would like to see reported illegalities published in validated mission reports and redistributed on the ground.

10. Conclusions

Many different, and contrasting, opinions have been collected among stakeholders about the results attained by the Independent Observer's project.

There is a general agreement about the reduced scope of illegal forest activities found in the Cameroonian forestry sector since the Independent Observer arrived, but an agreement is not reached among different stakeholders on the reasons why that reduction took place: importance given to the presence of the Independent Observer diminish from donors, to the Government, to NGOs, to the private sector.

Corruption is another issue covered by all stakeholders with different, and somewhat contrasting, opinions. Government officials are sure about a general decrease in the corruption level during control activities, while NGOs reduce that impact to only joint control missions and some donors highlight the fact that independent observation should not be used alone in combating corruption, but needs to be used together with other initiatives, such as better salaries and tools at disposition of controllers. The private sector regrets that corruption hasn't decreased with the introduction of the Independent Observer.

Transparency of some activities related to the forestry sector increased. However, it should be said that Global Witness took the first steps on a very long road which should lead to a complete transparent forest management. Many problems still exist in the litigation process and the payment of fines, as well as in the way data are collected and recorded.

The discussion level of the Reading Committee seems to have become more professional and targeted with time (Global Witness, 2005a). However, while the Independent Observer notes a decreased interest by donors in the Reading Committee, interviewed donors stressed the importance of well coordinating it, and suggested this to be a recommendation for the new Independent Observer's donor, the EU.

11. Recommendations

11.1. Involve MINEF external services

External services need to be extensively involved both in the phase of missions' preparation and on the ground.

Two main reasons suggest making such a recommendation. Primarily, they know their Province, i.e. the terrain, the socio-economic framework, the local actors, much better than any centrally based team of controllers and observers, and their knowledge, even it is not always present in the form of recorded data, is often readily available, more detailed and updated than data provided by the central services. Secondly, they will learn how to apply new control techniques and they will more likely use them during the control missions they carry out without the IO, guaranteeing a constant presence on the ground impossible to reach by the IO, due to temporal and economic constraints.

Moreover, following private companies and NGOs' remarks about the unchanged level of corruption among external services, making them feel part of a project in which they play a major role could also help on this issue, if other improvements of their working conditions, especially economic ones, will follow.

- **Action:** MINEF central office and the Independent Observer to plan missions with the participation (data gathering, field mission, feedback) of external services.

11.2.Sharing of information

An intensive awareness campaign should be promoted by the new Independent Observer at the beginning of its operations. Even if the Independent Observer is already a reality in Cameroon, collected interviews show that there's no common understanding of what its presence means. Every stakeholder should be presented with the Independent Observer mission and working methodologies: the government (central and external services), private companies (headquarters and field stations), and the civil society (Yaounde based NGOs as well as field based ones, particularly those involved in Community Forestry).

Moreover, validated reports should not only be published on the Independent Observer's website, as it was common practice with GW, but also printed and distributed to all interested stakeholders: MINEF Provincial offices where the mission took place, companies visited, and relevant NGOs operating in the area. This will greatly enhance both the visibility of the Independent Observer and the will of collaboration among stakeholders.

The same should happen with reports prepared and submitted to the Reading Committee by the CCU, which should be discussed inside the Reading Committee, made public and published.

Approved reports should be made available also on MINEF website. Different donors and different NGOs can participate in independent observation projects, but MINEF can act as a bridge connecting all of them. Thus, publishing all the past and future reports on its website can help showing an increased responsibility towards the Cameroonian people.

If the new Independent Observer's approach will be to collaborate with local NGOs, as Global Witness did, one further recommendation should be to extend the collaboration not only to the gathering of information but also to the distribution of them. Among the others, during its missions, the Independent Observer should communicate amounts of Annual Area Taxes (RFA) that should legally be paid, distribute approved reports and updated FOB values of tree species if working with Community Forests.

Finally, the civil society will welcome periodical governmental press releases or radio diffusions to announce progress made and result obtained by the CCU/Independent Observer.

- **Action:** new Independent Observer to promote an intensive awareness campaign at central level and on the ground;

- **Action:** new Independent Observer (or CCU) to publish and distribute reports where missions have taken place;
- **Action:** MINEF to load all past and future validated reports on its website
- **Action:** new Independent Observer (or CCU) to communicate amounts of RFA that visited companies on the area should legally pay, and updated FOB values of tree species if working within CF;
- **Action:** MINEF to make periodical radio diffusions to announce progress made and result obtained.

11.3. New Independent Observer to enlarge focus on IFAs

Attention needs to be paid by the new Independent Observer to the changes and trends in IFAs, making observations to the CCU about them and using independent missions if the CCU is slow to adapt.

Even if missions are planned well in advance, this should not constitute a limiting factor in the Independent Observer's capacity to adapt to new situations being detected. A great help can come from the collaboration with external services and from continuous checks of collected data about infractions.

Interviewed officials, donors, and NGOs agree that there is an increased use of the monetary needs of the local population by businessman and local/external elites to obtain timber without any authorisation, and buying it for a very low price. Many IFAs, thus, are now committed by or with the complicity of the local population, once helping in denouncing them. Thus, attention should be paid when the local population will establish contact with the new Independent Observer, and its team should be constituted at least by a couple of members with solid capacities to work on that.

As one NGO representative put it, many IFAs have moved away "from the field to the paper": to this end, an extensive cross-checking among different administrative data is needed. The new Independent Observer should be granted the same capacities and powers granted to Global Witness to develop strong collaborative links with the keepers of those data.

- **Action:** new Independent Observer to help CCU understand and analyse changes in IFAs' typology, scheduling missions accordingly;
- **Action:** new Independent Observer granted the capacity of carrying out independent missions if the CCU is unwilling or slow to adapt the missions' schedule;
- **Action:** new Independent Observer and CCU granted capacities and powers to collect and cross-check their data with administrative or quantitative data collected by other services. MINEFI collaboration needed;
- **Problem:** new ways of working with local population needed. New Independent Observer and/or CCU members' with solid capacities to work with local populations needed.

11.4. Seek collaboration with other Ministries and IOs

The main reason behind the introduction of an Independent Observer was that IFAs in Cameroon were widespread and openly perpetrated without any sanction being issued for them. As already noted, IFAs have partly changed: there seem to be much less IFAs regarding over boundaries exploitation in assigned concessions, for example, and much more IFAs regarding administrative processes and the NPFDF.

Since three Ministries are now dealing with administrative responsibilities linked to forests, collaboration among them is the only possible solution in the fight against IFAs, and the CTS, even if not yet operational, could constitute a good starting point. Following the software's logic, each Ministry could better understand the whole process from the ground to the court, and most importantly, understand where and when its responsibilities can be applied, avoiding redundancy of functions and speeding up the whole process. We are not saying that the CTS, as it is, is the perfect and only solution to increase collaboration, but the fact that it has been built on Global Witness' long experience in Cameroon could surely help the government to set up a transparent procedure.

The Ministry of Forests and Fauna, the Ministry of Environment, and the Ministry of Finance, especially with its PSRF, should find a way to keep running their own services while exchanging information and data with the others. A fourth actor, the Ministry of Justice, should always be informed about the follow up of reports and sanctions, and the Independent Observer should establish a regular contact with the Public Prosecutor, so that it can be part of a system going from the detection of the illegality to the issuing of a court case, when necessary.

If capacities and powers will be granted to the IO, it should play an important role in highlighting gaps and improving this information network among governmental services.

- **Action:** CTS operational and regularly updated inside the four involved Ministries, with new Independent Observer operating as the linking agent. If this is too optimistic considering the present technological level (i.e. computers and networks), a regular publication of discovered illegalities and status of the legal procedure to be distributed to the four Ministries.
- **Action:** The CCU and the Independent Observer to establish a regular contact with the Public Prosecutor.

11.5. EU to well coordinate the Reading Committee

According to EU officials interviewed, they will make every effort to have the RC made of as many people as necessary to guarantee that all the actors can express their opinions.

Interviewed officials of the donor community, which have been part of past RCs, stress the need to well coordinate all the actors involved if problems are to be avoided and a functioning body is to be set up, and suggest the EU to take up this responsibility.

- **Action:** EU to coordinate RC's activities.

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ANNEX 1

List of interviewed people

- (Roundtable discussion) M. Mermoz Metono (ONG CIAD, Responsable foresterie communautaires Lomie), M. Ferrey (ONG PAPPEL, Directeur, Messamena), M. xxx (Président FC Eschiembor-Melene), and M. Zamass Abot Nzil (Chargé des opérations forestières FC Eschiembor-Melene)
- Belmond Tchoumba and Samuel Nguiffo (NGO CED)
- Benga Joseph – Director of Transformation, representing the General Secretary (MINEF)
- Benoit Mertens (GFW-WRI)
- Beyene Benoît (Cadre Société Ingénierie Forestière, demande de rencontrer le Directeur Général)
- Bilo'o Belinga Angeline (Secrétaire Permanente du Syndicat des Jeunes Exploitants Forestiers du Cameroun, demande de rencontrer le Président du syndicat)
- Cadre de la société ALPICAM
- Carole Megevand (WB)
- Daniel Lono Miasse (Chef de la Cellule Juridique – MINEF Yaoundé)
- Djibrilla Hessana (Delegue provincial - MINEF Sud-Ouest)
- Ebode Siméon (Cadre Patrice Bois, demande de rencontrer le Directeur général)
- Eloundou Paul (Cadre Société Ingénierie Forestière, demande de rencontrer le Directeur Général)
- Emmanuel Mutondo and Guy Huot (NGO REM)
- Eugene Aka (Chef brigade provinciale de contrôle – MINEF Bertoua)
- Eya'ane Nsengue (Chef de la brigade provinciale de contrôle – Délégation provinciale du Centre – MINEF)
- Hon. Wa Mathurin (Président du Groupement de la Filière Bois du Cameroun)
- Isiaka Nkouandou (Delegue departmentale – MINEF Haut Nyong)
- Jacques Batchom (responsable cellule informatique – VICWOOD/THANRY Kagnol)
- Jean-Claude Soh (CIDA-BACC)
- Kouamedjo Thomas (Chef de la Brigade provinciale de contrôle - MINEF Littoral)
- Lapnet Kodja (Chargée des relations publiques de la Société SCTB, Yaoundé)
- Lassegue S. (GWZ – Wijma, Douala)
- Loic Douaud (Chef de site – PALLISCO Mindourou)
- M. Justin (Société Ingénierie Forestière, Chef du personnel): refused the interview
- M. Laurent (Responsable de la Scierie Kasa – Douala)
- M. Mamene (UCC-MINEF)
- M. Martin (Chargé des opérations forestières FC Kongo) and M. Obono (Cubeur FC Kongo)
- M. Mbock II (PSRF-MINEFI)
- M. Yomi (SEPBC – Douala)
- Mme Pendoue (Responsable de la filière bois SGS - Douala)
- Moyo Pola (Cadre de la Société SIM, Yaoundé)
- Ondoa Zita (Responsable des programmes ONG CIAD – Centre International Appui au Développement)
- Pah Patrice (Coordinateur du ROLD/OCBB) and M. xxx (Directeur ONG GECEC – Appui Micro-crédit Forêts Communautaires)
- Parfait Mimbimi Esono (Président du GNT - Douala)
- Parfait Ze (Chef service provinciale des forêts, chargé de le geomatique – MINEF Bertoua)
- Pasquale Raimondo and Marie-Laure Robert (EU)
- Patrice Bigombe Logo (NGO CERAD)
- Piatchou Georges (Cadre de la société PLACAM - Douala)
- Reiner Tegtmeyer (GW)
- Robinson Djeukam (GW)
- Salomon Endameyo Bessala (Delegue provinciale – MINEF Bertoua)
- Yadji Bello (Delegue Provincial du Centre – MINEF)
- Zacharie Nyobe (Responsable du site - VICWOOD/THANRY Kagnol)