

Independent Monitoring: A Practical Manual

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Independent Monitoring of Forest Law Enforcement and Governance (IM-FLEG) in support of FLEGT VPAs in the Congo Basin

CO-AUTHORS OF THE MANUAL

Forests Monitor (FM)



- UK not-for-profit organisation established in 1994
 - Aim: to act as a catalyst and support the development of new forest management models and mechanisms
 - Expertise: rights of local populations and indigenous peoples, community forests, policy review in favour of sustainable forest resource management
 - IM-FLEG project leader in the Republic of Congo 2007-2013
 - www.forestsmonitor.org
-

Resource Extraction Monitoring (REM)



- UK not-for-profit organisation established in 2003
 - Aim: to strengthen forest law enforcement on the ground, promote follow-up to legal proceedings and improve natural resource governance
 - Expertise: independent monitoring of law enforcement and governance of natural resource use
 - Co-leader of the IM-FLEG project in the Republic of Congo 2007-2013, leader of the IM-FLEG project in the Democratic Republic of Congo 2010-2012
 - www.rem.org.uk
-

Cercle d'Appui à la Gestion Durable des Forêts (CAGDF)



- Congolese not-for-profit organisation established in 2010
- Aim: to promote the sustainable management and better governance of forest resources
- Expertise: independent monitoring of forest law enforcement and governance
- Emerged following counterpart team training by IM-FLEG Republic of Congo 2007-2010 and was an IM-FLEG Republic of Congo 2010-2013 project partner



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Log truck inspection by IM-FLEG team



ABBREVIATIONS AND DEFINITIONS

ACA	Annual Cutting Authorisation (decision of the administrative authority enabling a cutting area to be logged for a calendar year within the context of forest concession)
AEV	Average Exploitable Volume
MIM	Mandated Independent Monitoring (with Memorandum of Understanding with the government)
DDEF	Regional Forestry Department (decentralised department of the forestry administration in the Republic of Congo)
DEC	Delegation of the European Commission
DFID	UK Department for International Development
EIM	External Independent Monitoring (no Memorandum of Understanding with the government)
EU	European Union
FLEGT	Forest Law Enforcement Governance and Trade
FM	Forests Monitor
ILP	Industrial Logging Permit (forest concession or industrial-scale logging permit, valid for a period of at least 15 years, obtained following a call for tender and the holding of a forestry committee meeting)
IM/IM-FLEG	Independent Monitoring/Monitor of Forest Law Enforcement and Governance
NGO	Non-Governmental Organisation
PV	<i>Procès-Verbal</i> (Official Statement/Notification of Offence)
REM	Resource Extraction Monitoring
SLP	Small Logging Permit (small-scale permit, allocated without a call for tender to a small-scale operator, valid for a limited duration, usually one year)
SLT	Small Logging Title (theoretically small title enabling limited logging of wood, through Community Forestry or through clearing authorisations for the purposes of opening roads or farming projects)
SMART	Specific, Measurable, Achievable, Realistic and Time-Specific
VPA	Voluntary Partnership Agreement



INTRODUCTION

The manual

Production of this manual is one of the activities of the IM-FLEG project implemented by Forests Monitor, REM and CAGDF from 2006 to 2013 in support of FLEGT VPAs in the Congo Basin. Since the first version was published in 2010,¹ and as a result of comments made during a series of workshops and pilot missions conducted from 2010-2012, the three organisations have updated the manual to target it more closely at civil society organisations.² It should be noted that most of the examples are taken from the Republic of Congo, where the project's main activities have taken place. REM's IM-FLEG experience in other countries of the sub-region has helped to flesh out and expand the conclusions on the IM-FLEG concept. Additional techniques and research sheets can also be found in the enforcement procedures manual published by REM in the DRC.³

Objectives

This manual is intended to strengthen civil society's capacity to provide IM-FLEG, in particular, in the context of FLEGT. More specifically, it is aimed at helping civil society organisations to:

1. **Prepare and conduct field investigations;**
2. **Develop an approach to producing reliable, objective and useful accounts and reports – supported if possible by a well-managed database;**
3. **Engage the different actors in a governance reform process.**

It should be noted that this manual does not offer a complete and exhaustive methodology, nor does it list all of the necessary resources for the successful implementation of an IM programme. Readers/users are therefore encouraged to adapt the practices described in this manual to the specific circumstances of their particular regions.

Definition of IM-FLEG

An approach that consists of gathering credible and verifiable information on forest law enforcement and on problems specifically related to governance, and using this information to encourage governments to take measures that directly address the problems identified.

The target of Independent Monitoring: illegal logging and forest governance

Illegal logging can represent a considerable cost for timber-producing countries and a significant loss of income for the government in question. Globally, this loss is estimated at US\$ 10 billion in tax revenues every year.⁴ Corruption, the perpetuation of conflicts, increased human rights violations and deforestation (which accounts for between 20% and 30% of annual greenhouse gas emissions, or around 1.6 billion tonnes per year) all contribute to biodiversity loss and a degradation of the services provided by ecosystems around the world. IM-FLEG contributes to resolving the problem of illegal logging by providing specific recommendations based on reliable information coming from field observations.

Two types of IM-FLEG

1. **External Independent Monitoring (EIM):** without a Memorandum of Understanding with the government. This does not guarantee the monitor access to physical sites or documents. However, the IM has the ability to publish when it wishes.
2. **Mandated Independent Monitoring (MIM):** with a Memorandum of Understanding negotiated with the government. This ensures IM-FLEG physical access to sites (logging sites, sawmills, ports, ministerial departments, etc.) and to information/documents (authorisations, agreements, proof of payment of taxes/fines, official statement logbooks, etc.). International initiatives promoting good governance, such as FLEGT, often provide governments with the incentive to support an IM-FLEG.

On signing the Memorandum of Understanding, guarantees must be made to ensure and safeguard the autonomy of the IM-FLEG in relation to the government, while contributing to improving official forest law enforcement. This is done by making specific recommendations to the relevant authorities and building the capacity of the enforcement officers during joint missions.

1 www.rem.org.uk/documents/REM_Manuel_Pratique_OIFLEG.pdf

2 http://www.forestsmonitor.org/en/capacity_building_congo_ii/570310, and http://www.forestsmonitor.org/en/capacity_building_congo_ii/569396

3 http://www.observation-rdc.info/documents/REM_Manuel_Procedure_RDC.pdf

4 Formulation and Implementation of National Action Plans to Combat Illegal Logging and Other Forest Crimes. Results of ENA-Fleg. World Bank Technical Paper



The five main stages of IM-FLEG implementation

Figure 1: The broad stages are the same for EIM and MIM but some features specific to each kind of IM-FLEG are explained in this manual



IM-FLEG REM taking note of the discussions, and the methodology used by the Law Enforcement Brigade as lorries transporting illegal wood are stopped, Cameroon

Examples of the impact of IM-FLEG on governance:

IM-FLEG Cameroon project implemented by REM from 2005 to 2009:

- Established a more coherent numbering system for Small Logging Permits (SLP), which are particularly susceptible to illegal activities (2007);
- Created a “secure documents committee” in order to ensure better enforcement of laws on the logging, processing and transport of wood (2008);
- Led to the suspension of 14 SLPs involved in illegal logging activity (2008);
- Resulted in the creation of a committee to analyse the volumes of timber logged within SLPs from 2007 to 2009, with a view to recovering the taxes due.

IM-FLEG Republic of Congo project implemented by Forests Monitor, REM and CAGDF from 2009 to 2013:

- Official IM, considered a component of the legality assurance system (LAS) in the context of the FLEGT VPA;
- Official statements of offence (PVs) were established in response to observations made in mission reports;
- Led to the production, in cooperation with the Forest Legality and Traceability Unit (CLFT) and other FLEGT actors, of an enforcement guide to be included in the logging site inspection procedures in lieu of a framework mission report (2011).

STAGE 1: DEFINING THE ROLE OF THE INDEPENDENT MONITOR

What is the specific role of Independent Monitoring?

All exporting countries can benefit from Independent Monitoring – having access to reliable information on the realities of the forestry sector in timber exporting countries is often not easy. Before Independent Monitoring can be implemented, however, its specific role needs to be clarified in order to ensure the right approach and to take the specific situation of the country in question into account.

IM-FLEG and FLEGT: a source of reliable information

If the problem of illegal logging is to be resolved, investment and coordination are required from and between both importing and exporting countries. The FLEGT initiative is the European Union's response in this regard. One of the major objectives of the FLEGT's action plan is to strengthen timber exporting countries' capacity to monitor the logging of their forests more effectively and stop illegal exploitation, thus reducing the trade in illegal timber between these countries and the European Union.

An Independent System Auditor (ISA) is responsible for verifying the effectiveness of the legality assurance system. However, to conduct a complete and credible audit, the ISA needs to have access to reliable and regularly updated information from the field (monitoring, investigations, observations): this is where **MIM-FLEG plays a major role as it represents a source of reliable information on the realities of the forest sector.**

The FLEGT VPA should help specify the role of the IM-FLEG. The VPA of the Republic of Congo for example, specifies that national civil society will lead implementation of the mandated IMFLEG. Additionally, the MIM-FLEG is listed as an official source of information for the Independent Systems Auditor and government agencies in charge of evaluating legality as well. However, the role of the IM-FLEG and of national civil society is not always clear. One of the first steps in developing an IM-FLEG is to determine if the role of civil society has already been defined by the VPA or another text. If so, is the role favourable or does it need to be changed? If the role is not clear or is not favourable, civil society should consider addressing these issues before launching an IM-FLEG programme. This will help ensure long term viability of the IM-FLEG.



IM-FLEG team discussions with head of exploitation

STAGE 2: PREPARATION

Analysis of laws and regulations applicable to the forestry sector

Before you can begin to investigate logging activities, you need to have a good understanding of what is legal and what is not, along with the way in which different government bodies operate and their procedures. A legal expert needs to produce an initial study of the forestry sector in clear terms so that all members of your IM team can easily and accurately understand the policies, laws and regulations governing the sector.

It is first advisable to produce a chronological diagram of each procedure, starting with the necessary conditions for accessing the forestry profession through to the export of products, and including the allocation of logging titles/permits, along with the logging, transport and processing of wood. This diagram will serve as a guide to clarify the often complex matrix of procedures and will help you to ensure that all the procedures are included in your study.

The specific objectives of the study depend on the overall objectives and kind of IM you are conducting.

The legality matrix - FLEGT

If your independent monitoring falls within the FLEGT process, the FLEGT VPA legality matrix can form a basis for your analysis of the legality of the timber and a guide for your field study/investigation.

Analysis of laws and regulations: MIM with the objective of investigating compliance with forestry regulations

The study and diagram should answer questions linked to the enforcement of forestry regulations, such as:

Acquiring logging permits

What are the conditions for entering the logging profession?
What are the different logging authorisations and how are they obtained?

Once a permit has been obtained, what are the other conditions/documents that are required to fell, transport, process and export wood?

Prior to logging: inventories and management plans

What are the obligations with regard to forest management?
What do the inventory rules and management directives specify?

Who is responsible for producing them - the state or the companies themselves?

Logging, processing, marketing and export

What are the different forestry revenue streams; how are they calculated and collected?

What are the logging standards to be followed (minimum diameters to be felled, marking of wood, opening of access roads, etc.)?

Application of the law, forest law enforcement and prevention/correction

Which are the different government departments responsible for law enforcement, and what are their respective responsibilities?
Is there an enforcement strategy, are there enforcement methods?
If so, what do they state?

What are the different infractions classified by law and the specific penalties (fines, compensation, seizures of wood, etc.)?
What are the different stages in the process of preventing/correcting infractions? Who is responsible for this and at what level? How are rulings followed up and penalties applied?

Analysis of laws and regulations: EIM with the aim of investigating respect for socio-economic and environmental commitments

Investigations into socio-economic and environmental aspects offer more access and flexibility in terms of action and building Independent External Monitoring information channels and relays.

The study and diagram should, in particular, answer the following questions linked to the enforcement of forestry regulations:

How is the general framework for community participation defined and how are community rights considered in the main sectoral laws (land, forests, mines, environment, wildlife); what possible interactions are there?

Consistency of provisions regarding participatory management, community and customary rights according to the laws and their implementing regulations

Recognition of rights of use and customary land rights; procedures anticipated during the classification/declassification of a zone and the allocation of a concession, the inclusion of social and financial clauses in contractual obligations, the production and implementation of management plans, the creation of community forests, conflict resolution between companies and local communities, etc.

STAGE 2: PREPARATION

“Non-industrial” logging sector

What are the other types of forest use, apart from industrial logging? Which are legally recognised (artisanal logging, community forest, small logging permit, conservation through protected areas)? How are the activities governed? What are the problems, conflicts and illegal activities frequently encountered in these sectors?

International agreements, treaties and conventions

What are the international agreements, treaties and conventions applicable to the forestry sector that have been signed or ratified by the government of the country you are working in (e.g. FLEGT VPA, Convention on Biological Diversity - CBD, COMIFAC Treaty, etc.)?

Depending on the conclusions of your analysis, one of the aims of your IM may be to contribute to resolving the problems identified. An example from the external monitoring mission report on forestry illegalities in Gabon revealed that: *“No legal time frame for monitoring is defined in the Gabonese legal texts, and yet such a time frame is necessary in order to enable the Water and Forests administration to effectively conduct forest law enforcement and monitor the implementation of contractual terms and conditions.”*⁵

Initial analysis of problems related to logging (MIM)

Before planning and conducting investigations, it is important to have an idea of the kinds of problem (e.g. illegal activities, governance weaknesses) you are likely to encounter: what kinds of illegal activities are frequently found in the forestry sector? What are their main indicators? This can be achieved by interviewing various stakeholders (other civil society organisations, rural communities, and even government and private sector representatives), reviewing relevant publications, or even preliminary field investigations.

Possible illegalities prior to start-up of logging operations

These kinds of illegal activities take place when private individuals or companies first enter the logging profession and/or access its resources.

Possible illegalities related to entering the forestry profession

To gain access to the forestry profession, economic operators



Illegal wood seized by the Law Enforcement Brigade in IM-FLEG REM's presence, Cameroon

must first obtain a legal document from the appropriate regulatory authority. The name of this document varies from country to country but it is generally known as an “exploitation document”. If any company or individual should exercise the profession of forester without this legal document they are acting illegally. It would be the same case if such a document were granted but without due respect for the legal procedures, as this would invalidate it.

The allocation of logging permits

The allocation of forest permits requires bidders to pass through a number of stages that are generally quite similar from country to country:

- Obtain a document allowing access to the forestry profession (other documents may be required, depending on each country's specific legislation);
- Bid in a call for tender published by the relevant ministry (which assumes that the conditions required in the tender are met by the bidder);
- Be selected by the logging permit allocation committee;
- Be notified that their bid was successful;
- Establish a performance bond for the allocated logging permit;
- Sign the exploitation contract, which is published in an official text (administrative or ministerial order) and which validates allocation of the logging title/permit.

You need to have access to the information held by the members of the allocation committee to identify illegalities in this process. It is not, however, easy; this is why it is extremely useful if there is a Memorandum of Understanding signed between the IM and the government.

It should be noted that, in some countries, specific IM mechanisms already exist for the purpose of logging permit

5 Report of NGO Brainforest, in association with Environnement Sans Frontières and Conservation Justice, May 2012 (*Rapport produit par l'ONG Brainforest en association avec les ONG Environnement Sans Frontière et Conservation Justice sous le thème : Vérification des clauses contractuelles du cahier des charges*, http://www.rem.org.uk/documents/OE_Gabon_Brainforest.pdf)



allocations e.g. in Cameroon and CAR. In the Republic of Congo, civil society is represented on the forestry committee and thus has access to information by virtue of its representation. Even if there is an IM of the allocations, this should not prevent the IM-FLEG from analysing data resulting from the contract allocation process, as illegal activity may occur between the allocation of the contract and the start-up of activities, a period that the IM's mandate, which is specific to the allocation of permits, may not cover and which it may not therefore detect. The advent of FLEGT VPAs offers a better opportunity for all kinds of IM to access information (mandated and external). In fact, as established in the agreement, the public authorities are obliged to make certain information on logging activities available to the public. It remains to be seen whether, in practice, this new obligation will be respected.

Of the illegal activities linked to the allocation of logging permits, the following can be noted:

Geographic relocation of logging permits

This fraud requires cooperation between government officials and a logging company. An area of low commercial value is put out to tender. The logging company puts in a bid slightly above the market value, knowing that the zone that it will actually be allocated will be of a much higher value. To investigate this kind of fraud, the IM needs to compare maps of the zone forming part of the tender with maps of the zone that was actually allocated. If they do not correspond, illegal activity has taken place. This fraudulent complicity is relatively easy to detect provided the necessary information is available and accurate.

Influence peddling / lack of liability

This kind of fraud involves cooperation between a logging company and a private individual or company that does not have the necessary capacity to manage a concession but has close links to the political decision-makers. The person or company

uses their influence to win a tender and is allocated a permit to log a concession. Once the permit has been allocated, they sub-contract activities within this concession to the company for which they are covertly acting. In addition, the logging company enjoys limited legal liability as the legal responsibility for any irregularities that are detected falls to the permit holder. Cases of sub-contracting of logging permits therefore need to be carefully analysed as they may indicate upstream collusion between the permit holder and the sub-contractor. The IM also needs try to ascertain the relationship between the individual permit holder and the logging company that is managing operations in the zone.

Informal transfer of company shares

The IM may seek information on the company's shareholders in order to uncover cases of disguised transfers of logging contracts through transfer of the company's shares. Very often, the company's name and registered offices remain the same but the initial shareholders that benefited from the logging contract have withdrawn or become minority shareholders.

Lack of a logging title or permit

All private individuals or companies wishing to log timber must obtain a logging permit/title from the competent authority. Illegality with regard to the lack of a logging title/permit is, above all, perpetrated by small loggers. The nature of these small permits, like the conditions for their allocation, differs significantly from country to country. Nonetheless, they are generally permits that cover only a limited number of trees (a few dozen, on average) and are for a limited period of time (generally one year). Small-scale logging is often a major activity in tropical countries as it enables much of the national and sometimes even international market to be supplied under conditions of bad governance. It is quite difficult to analyse as it is often spread across the country, along roads, and involves a network of corrupt local authorities.

Note on Small Logging Permits (SLP) in Cameroon

Be aware that there are a number of illegal activities associated with SLPs, in particular related to logging in the context of development projects (road construction, plantation clearing) or natural disasters. These permits are often easier to obtain and taxed more lightly than concessions. They are also subject to less rigorous regulations. Illegal activity is therefore common in the area of SLPs. The following are just some of the possible illegal activities: logging companies request authorisation on the pretext of building a road when the main aim is to fell trees; the procedural and substantive conditions for allocating the permit are not respected (the road is never built, the wood is not lined up on the side of the road and blocks access, the regulations on road width are not respected, etc.); the wood that is illegally felled using this permit (out of limits, protected species, etc.) is marked and transported, often with legally felled wood.

As will be seen in the following chapter, community forest titles can also encourage fraud, particularly in terms of passing off wood cut in a legally-acquired concession as coming from a community forest, in order to pay less tax.

STAGE 2: PREPARATION

Possible illegal activities during forestry operations

These illegalities take place during the logging, processing, transport and marketing of wood.

Lack of administrative documents prior to start-up of logging activities

Once a forest concession has been obtained by signing a forest exploitation contract, access to the forest resources is dependent upon obtaining a number of other administrative documents, the nature of which differs from country to country. In the Congo, for example, logging activities cannot take place within the first two years of an agreement until an installation authorisation has been issued by the Departmental Director for the region in which the title is located. Without this authorisation, all activities conducted by the company will be illegal. Elsewhere (Cameroon in particular), an activities start-up notification signed by the appropriate regional official is required. The IM can detect this kind of fraud by checking whether the company has obtained the necessary authorisation or not.⁶

Sub-contracting the logging operation without permission

This kind of fraud appears when the holder of a logging permit transfers the rights and duties acquired through the contract signed with the state, and hence the resulting logging activities, to a third party. In most countries, logging permits are strictly personal, they cannot be transferred or sub-contracted. Nonetheless, in some countries, the sub-contracting of a limited number of activities is permitted with the formal agreement of the forestry administration. The IM detects this kind of fraud within the administrative structures and in the logging zones by conducting investigations into staff and equipment capacity available.

Possible illegal activities during logging

Logging involves the prospecting, felling, hauling, marking and scaling of wood. Depending on the country,⁷ reduced impact logging (RIL) rules may be suggested or imposed during the different stages of logging and beyond.⁸ These measures, promoted in the context of sustainable forest management, are aimed at reducing the environmental impact.

Logging can involve a number of different illegal activities and the following are given by way of examples:

Lack of signature on field documents

Before using field documents, an operator must get them initialled by the appropriate local official.

Non-marking of wood

The felling of trees must be followed by the marking of the stumps, off cuts and logs. The lack of such marking constitutes an infraction. This infraction is easily detected by the IM. It is a question of checking whether marking is present on the stumps, butts and logs and if they are compliant.



Monitoring of stump marking in the forest and trunks in the yard by the IM team

⁶ The felling dates given in a company's field document can also be checked to see if any felling took place before the authorisation was obtained.

⁷ In the DRC, for example, an operational guide for RIL measures has been produced with a view to completing and facilitating the mechanism for applying the ministerial order establishing production, approval, monitoring and control procedures for implementing management plans for forest concessions. This guide constitutes the implementing measures for Law 011/2002 of 29 August 2002 on the Forest Code.

⁸ Examples of stages covered by RIL: logging inventory; unexploitable zones; the road network and log yards; controlled felling; pollarding and coppicing; uprooting and hauling; sawing, marking and processing of wood; loading and transport of wood; post-logging operations; waste management; wildlife; monitoring and enforcement of operations.



Cutting of trees below the minimum required diameter

Tree felling must observe the diameters required by forestry regulations. To detect cases of trees felled below the minimum diameter, the IM can refer to the field documents, in which the company records information on its felling, and compare the diameters noted with those stipulated in the forestry regulations. This fraud will, however, be more reliably detected by visiting the field and measuring the circumference of stumps where below-diameter felling has been noted.

Felling outside the boundaries of the forest concession or authorised cutting area

Out of limits felling takes place when a permit holder cuts wood outside of the authorised area he is annually allocated for logging or outside the area covered by his forest concession. Felling outside the boundaries of the concession can be difficult to detect as concessions are often huge and it is not realistic to examine the whole boundary during a mission that lasts just a few days.

The detection and tracing of this kind of fraud also relies, in part, on the existence of a network of informants (civil society organisations, local community members, and loggers themselves) in the area in question. Once such areas have been pre-identified, the IM can go to the field with an up-to-date map of the concession / permit and a GPS in order to establish whether logging activity has actually taken place outside the boundary (with a minimum margin of 15 m to account for GPS error). Although this kind of fraud is more easily detectable nowadays thanks to remote detection technologies, it should be noted that even with access to recent high resolution and cloud free imagery (a very rare privilege) you still have to conduct an inventory in the field of the total number of stumps in question in order to quantify the illegally cut wood. It is also worth noting that the volume of timber felled can be estimated by collecting data on stumps on the ground, on the one hand, and on trunks in the field documents on the other, along with its destination (factory, export) although this may be difficult if the marks on the stumps and trunks are not identical. Such an assessment thus remains approximate, based only on the average volumes of trunks estimated according to a sample taken from the field documents for different species. This data on volumes and species is extremely important as it will enable the compensation that the company must pay the state to be calculated.

Wood laundering

Wood laundering is understood as any operation undertaken by legal or illegal operators to transport and market illegally felled or fraudulently labelled timber:

Wood cut illegally but coming from a legally-acquired concession (case of out of limits felling)

Logging outside of the boundaries involves fraudulently marking the illegally cut wood in order to pass it off as coming from the authorised concession/permit. The illegally cut wood will

therefore be marked, registered and removed as if it had come from an authorised logging operation.

Fraudulent use of transport documents

Timber felled illegally can only reach the market if accompanied by documents that enable it to be moved along the access routes. Because of this, many illegal loggers resort to buying transport documents. In countries where there is community forest legislation, for example, the use by industrial loggers of documents issued to community loggers forms one of these fraudulent practices. To expose this kind of illegal activity, the IM has to be able to determine the true origin of all wood declared as coming from a community forest.

Abandoned wood

Wood is deemed abandoned when the authorised logger has neither removed it following felling, nor sold or processed it following storage, within the period of time stipulated in the regulations (this will vary from country to country). Abandoned wood generally becomes the property of the state. To detect this illegality, the IM simply has to check the markings on the wood found. In Cameroon, this illegality is easily detectable as the mark that each tree bears includes the date of felling (day, month and year). In the Republic of Congo, where the mark does not specify the felling date, the IM has to refer to the felling date given in the field documents, or storage date given in the transport documents or sawmill entry records, using the number of the log found in the field.

Logging of unauthorised species or above the quota granted by the felling permit

Over cutting can be detected by comparing the data (total number of trees, number of trees per species, species felled) recorded in the registration documents (field documents) with those given in the logging authorisations /permits.

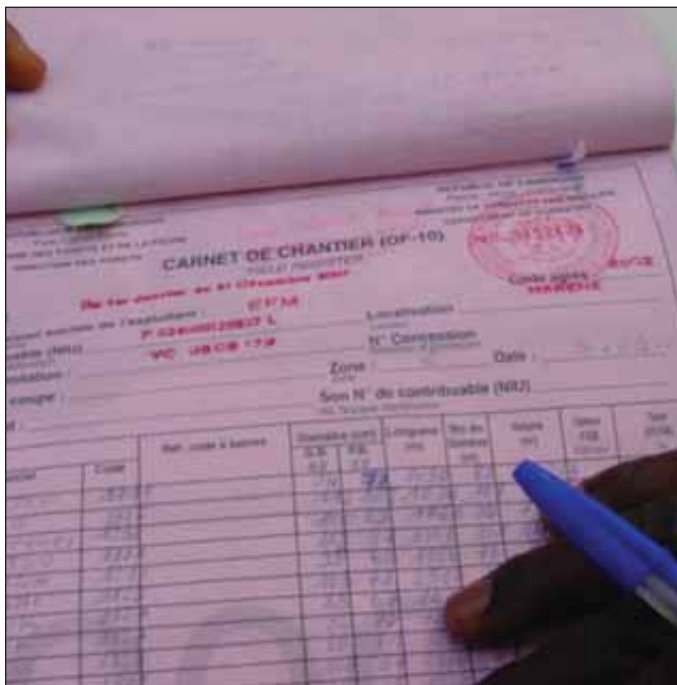
Logging prior to issuing of felling permit

Logging companies may break the law by removing trees before their felling permit has been issued or after it has expired. To detect this illegality, the IM needs to check the felling dates given in the company's field documents in order to see if felling has taken place before or after the period of validity of the authorisation/permit.

Documentary fraud

Compared with illegal activities detected directly on the ground, illegalities relating to documentary fraud are often more difficult to identify and require specific knowledge (scaling of wood, species identification). This kind of fraud consists of wilfully falsifying the details recorded in the documents on timber felled (volume, species, diameter), generally by making a small but constantly repeated change that is unlikely to attract the law enforcement official's attention. It should be noted that these types of fraud often affect operations other than the logging operation itself, such as transport or export declarations.

STAGE 2: PREPARATION



Verification of field documents by REM

A number of examples of such documentary fraud are given below:

Under-estimating the volume

The stumpage tax is normally calculated on the actual volume of trees felled (that is, the volume of the part included between the felled section - 30 cm above the buttress - up to the first large branch.) By under-estimating the actual volume of felled trees, and deliberately omitting to record some evacuated wood in the field documents, the company can thus reduce the amount of stumpage tax paid. In this latter case, the strategy may consist of systematically recording the volume recovered (saleable) instead of the volume felled (actual).

To ascertain whether a logging company has stated accurate volumes of logged wood in its field document, the IM can:

- Compare a sample of trunks scaled in the field (generally at the yard) with the data given in the field documents.
- Verify the data given in the transport documents with that noted in the field document - this latter must be equal to or less than the volume declared, and on which payment of the stumpage tax is based.
- Calculate the volume of abandoned off cuts, adding them to the evacuated volume of corresponding species and compare the result obtained with the volume declared in the field documents.

Annexed to this manual you will find detailed instructions on how to calculate the volume of trunks.

Wrong declaration of species

To reduce stumpage or export taxes (by passing one species off as another with a lower price / lesser FOB value), some operators log protected species and/or species for which the quota set in the annual cutting authorisation has already been reached and provide false information on species. To uncover such a fraud, the IM must be able to compare the species declared with those actually felled, as observed on the ground. This can be done at the log storage sites (field documents), on the lorries (transport documents), in the storage yards of sawmills (transport documents, mill records) and ports (transport and export documents), or even by comparing the information contained in the different work site documents (field document and transport document).

Possible kinds of illegalities during processing operations

The basic processing procedures are generally:

1. Obtaining an operating permit;
2. Recording the wood (rough and processed) in a register established for this purpose.

Failure to respect quota for log processing

Each country's laws and regulations require operators to ensure that a certain percentage of the total volume of wood felled is processed locally; the rest can be directly exported in the form of logs. This rate differs from country to country. By way of example, the rates of processing are 85%, 80% and 70% in the Republic of Congo, CAR and DRC respectively. To ascertain whether a company is breaking this rule, the IM needs to refer to documents relating to trees felled, processed and exported (field documents, waybills, sawmill entry and exit records and export documents). Cooperation with the export-monitoring authorities can facilitate this task.

Processing wood of fraudulent origin

It is important to check the wood lying in the log yards of the wood processing units as it may be that a company is processing timber coming from its permit but which was felled illegally (i.e. wood felled when the company did not have authorisation) or wood coming from expired permits. To detect this kind of fraud, the IM must be able to analyse and interpret the markings on the wood and compare them with the information contained in the records of wood entering the mill, in the transport documents or even in the authorisations.

Processing without the necessary authorisation

People other than logging companies have to obtain authorisation (renewable annually in the Republic of Congo) before establishing a processing unit. The name of this document varies from country to country. It enables an industrial operator to



legally conduct processing activities for a given period. To detect whether an industrial operator is operating legally or not, the IM simply has to ask the person responsible for the processing unit to produce the document authorising them to conduct processing work.

Possible kinds of illegal activity during, transport and marketing operations

Failure to respect the quota and/or species authorised for export in the form of logs

The quantities and species authorised for export in the form of logs are governed by the forestry law and regulations of each country. The rate differs from country to country: by way of example, the rates of export are 15%, 20% and 30% in the Republic of Congo, CAR and DRC respectively. Cameroon⁹ and Gabon have banned all exports of timber in the form of logs. To ascertain whether a company is breaking this rule, the IM needs to refer to the documents relating to trees felled, processed and exported. In general, the IM will find the regular (e.g. monthly) documents summarising this kind of information produced by the company or by the administration sufficient, although it will mean conducting spot checks of basic documents (field documents, sawmill entry and exit records and export documents).

During transport operations

The transport and export of wood and processed products offers numerous possibilities for investigation as monitoring can be conducted at checkpoints and ports. The most important aspect in the case of transport and export is to verify the volumes, species and origin of logs in a particular load, comparing this to the information declared on the transport or export documents. In general, the information contained in these documents is quite similar and takes into account volumes, species, the origin and number of each log in the load (or each batch of processed product).

Transporting without the necessary documents

There are several possible situations. The haulier may: (a) not hold a transport document at all; (b) hold an expired transport document; or (c) hold a transport document relating to another company or another load.

Other kinds of illegalities and monitoring activities to be conducted

Apart from illegal activities directly related to accessing, logging, transporting, processing and exporting forest resources, other aspects of forest law enforcement and governance are of interest to the IM and may be the object of monitoring. The aim of this section is not to provide detailed information on each of them but to give the reader some guidance and an overview of the possible areas of investigation:

Managing litigation and recovery of fines imposed

Forest litigation begins with the issuing of an official statement of offence (citing infractions and continues until payment of the amount by the offending company. Various checks can be conducted in this regard: if infractions are noted during monitoring but no report is produced; if a report has been cancelled for no good reason; if a smaller amount than anticipated has been applied as a fine; if there is a failure to apply damages; if the amount to be paid following a transaction is too little; if fines remain unpaid by the deadline given; if there is a failure to apply sanctions in the case of non-payment.

Forest tax collection

Apart from verifying the accuracy of forest taxes to be paid (stumpage, export and surface area tax are some of the main ones), the IM can also check that taxes have been paid within the deadline, that sanctions have been applied for non-payment and even, if it is within its mandate, that the money has been received by the Treasury and effectively redistributed to the appropriate bodies (particularly in terms of local development taxes).



Seizing illegally transported wood

9 In Cameroon, this ban does not cover all species.



STAGE 2: PREPARATION

Initial analysis of problems - socio-economic and environmental aspects (mandated/external IM)

These kinds of illegal activity are the result of bad enforcement of forestry laws by state officials. Some weaknesses are the result of imprecision in the legal texts. FLEGT expands these social and environmental aspects to include employment and environmental laws. The legality of timber is also therefore dependent on these aspects.

Respect for obligations relating to employment law and social security

Recruitment of workers without observing the procedures established by law

In most countries, employment opportunities must be published and the state departments responsible for gathering information on employment informed. Moreover, when someone is recruited, the job contract must be registered with the labour and employment department. If an operator fails to respect these requirements then he is in contravention of the employment laws. The IM can detect this through the employment administration, or via the workers themselves. The trade unions are also important players in revealing this kind of illegal activity.

Failure to register employees with the social security

All countries have a public social security system governed by employment and social security laws. This system requires that all employees are registered in the system, as stated by employment law. An operator's failure to do so is therefore an illegal activity in the context of FLEGT. The IM may conduct investigations with the respective social security institutions, the employees themselves and/or their union representatives, or with the company.

Respect for obligations made to the local population

Fulfilment of contractual obligations

The terms and conditions that operators sign with the government list the obligations a company must meet with regard to local development, according to a given timetable. This may include: the provision of social and economic benefits within the logging zone (schools, pharmacies, roads, etc.); the creation of a certain number of local jobs; the construction of a certain standard of living base for logging site employees (water supply, electricity, etc.) and so on. Should the company fail to meet any of these obligations as stipulated in the work plan, they are acting illegally.

Duty to consult local and indigenous populations or their representatives

This kind of illegality is very common and occurs when the local or regional authority responsible for consulting the population with regard to a project's local development contribution draws up a proposal for action without any external input. This often leads to misunderstandings between the operator and the local population, and forms a source of conflict. To detect this illegal activity, which is linked to bad forestry law enforcement, the IM must approach the population in question in order to verify whether they feel they have been consulted. The IM must also examine the minutes or reports of the meetings or consultations at which terms and conditions were agreed. In countries where the consultation mechanism for producing terms and conditions with the local population is specified and detailed, this kind of illegal activity can be exposed via the contract/Memorandum of Understanding signed between the company and the local population, validated by the state representative responsible for the forest economy. It is more difficult to uncover this kind of activity in countries where the law is less specific.

Depending on the countries' forestry laws and regulations, operators and/or companies have a duty to ensure participatory mechanisms, particularly with regard to local and indigenous populations or their representatives. The duty to consult generally covers the different stages of producing the management plans (demarkating community development areas, establishing participatory management methods).

Respect for environmental standards

When any activity that is likely to have an impact on the local environment (water, air, wildlife, flora, human) commences, it is subject to an environmental impact assessment. Certain environmental standards may be imposed on logging companies, either directly through their contract (forestry environment intervention standards) or via existing legislation. This relates in particular to: conducting impact assessments (establishing a processing unit) and waste management (wood, waste oil, etc.) A failure to comply with environmental standards in logging activities is illegal and the company may hence be liable to sanctions; this is therefore a cause of illegality in the context of FLEGT.



STAGE 3: MISSIONS IN THE FIELD

Work plan for the mission

The work plan primarily comprises:

1. SMART (Specific, Measurable, Achievable, Realistic and Time-Specific) objectives
2. Activities and methodology
3. Profile of the logging concessions to be visited
4. Resources (material and human) and budget

Objectives of the mission

The objectives should fit within a given timetable, with anticipated activities of finite duration taking place within a particular location - all clearly specified. The overall objective should relate to the theme chosen by the mission, bearing in mind the chosen indicators, and the specific objectives should be produced according to the desired outcomes of the mission.

Examples of the objectives of the NGO, Cameroun Ecologie's external monitoring mission in April 2012:

To monitor the degree of fulfilment of forest concession holders' tax and social obligations in Cameroon: case of UFAs 00-003, 09-026 et 10-041

- To monitor payment of forest royalties to the communities on the part of the three forest concession holders, for the period 2009 to 2011;
- To monitor logging companies' compliance with regard to implementing the terms and conditions benefiting communities for the period 2009 to 2011;
- To measure the applicability of indicators and verifiers in the legality matrix chosen with a view to contributing to their better application.

Activities and methodology - how do you achieve your objectives?

The following questions need to be clearly and specifically answered:

- What are you going to do and how?
- How will these activities enable you to achieve your objectives?
- Who will form part of the mission and what will each person's specific responsibilities be?
- What is the timetable? (include necessary prior preparations); what is the itinerary?

The answers to these questions must be consistent, relevant and as full/detailed as possible. For this, it is recommended that you document the object and area of investigation, and identify a certain number of potential or reported problems to be considered by establishing assumptions that the mission will need to verify in the field.

Profile of the logging concessions to be visited - who are you going to meet?

A good knowledge of the logging companies to be visited will maximise the chances of your mission's success. Here are a few suggestions for information that your company profile should include:

- Map of the concession;
- Contact details of the company's managers;
- Nature of the permit held;
- Annual authorisations obtained;
- Whether there is a forest management obligation or not;
- Existing government enforcement mission reports;
- Official statements of offence and administrative measures taken against the company;
- Reports from other organisations, including national/international NGOs.

If any information is unavailable, this will need to be recorded in the mission report. Remember that, in the context of the Memorandum of Understanding (if you have established one), the state authorities are obliged to provide you with free access to a wide range of information and data.

Check-list for the preparation of materials and documents

Materials

- GPS + batteries and transfer cable
- Camera + memory card + batteries
- Laptop with GIS software + data for the permit
- Calculators, decametre and metre measuring tape
- Mission Order + Memorandum of Understanding (if MIM)
- Coordinates of actors to be met

Maps

- Roads
- Logging permits
- Logging areas (*Assiette de coupe*)

Documents from the Ministry responsible for forests

- Permits (boundaries and conditions)
- Felling permit
- Agreements (terms and conditions)
- Enforcement mission reports

Other documents

- Monitoring guides
- FLEGT VPA legality matrix, if applicable
- Project presentation
- Information gathering sheet
- Laws and regulations

STAGE 3: MISSIONS IN THE FIELD

Conducting your field mission

Some general principles apply to all field missions:

Take clear notes to ensure that all information is recorded and can be easily typed up later. Use as many standard documents as possible to collect information/data.

Analyse and compare the information *in situ* as far as possible. For example:

- Compare the concession boundaries on maps with the boundaries in the field, using a GPS. If possible, take a laptop with you to the field and produce maps *in situ* or programme the boundaries of the concession into your GPS.
- Do the same for the locations of tree stumps that appear out of limits to you.

Be vigilant with regard to the implications of an offence. The initial infraction identified may be linked to a far more significant infraction. In this case, it is important to ask yourself about the consequences of the initial infraction. For example, deletions appearing in field documents (bad record keeping) may indicate fraud (under-declaration of volumes or falsifying of species).



Monitoring of wood during a joint IM-FLEG REM and Enforcement Brigade mission

Flexibility

It is advisable that your data collection tools are *semi-structured*, i.e. structured enough to ensure systematic information collection but still offering enough flexibility to be adapted to a wide range of situations and observations. Flexibility is also important in terms of data collection because offenders tend to change their types of fraud in response to monitoring and/or law enforcement efforts.

Capacity vs. governance

During joint missions with the state authorities, the capacity of the administration's representatives to enforce the law must be observed. Observations may reveal weaknesses (misunderstandings on the part of officials, lack of clarity on the part of some legal texts, etc.) or governance problems (corruption); it is important to distinguish between the two.

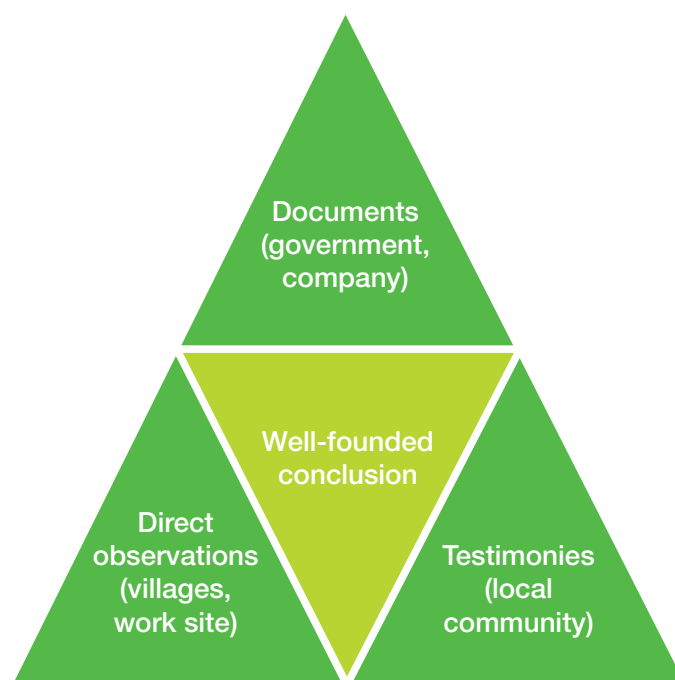
Triangulation

This is a principle specific to data collection and analysis (particularly socio-economic) in independent monitoring. The term triangulation refers to obtaining different perspectives, both those that arise when a subject is studied by a multidisciplinary team using various tools and techniques and those that result from consulting various sources on the same issue, for example different individuals or groups of people representing the diversity of the group (society, population, administration).

Triangulation within the team will be conducted in very different ways depending on the nature of the data collected and the sources consulted, such as:

- Documents
- Field observations
- People (testimonies)

Figure 2: *Triangulation – minimum of three sources, if possible. These three sources may be any combination of different types and sources*





Documentary analysis

The collection and analysis of documents is an ongoing exercise prior to, during and after missions. It is important to identify the different kinds of document relating to the logging site, the sawmill and to transport (annual cutting authorisation, exploitation map, field documents and waybills, records of timber entering the mill, summary production lists - in the case of the Republic of Congo), or to monitoring of the implementation of socio-economic aspects (specific terms and conditions, minutes of meetings, etc.) their use and the main information contained in them, the along with the checks to be conducted by the IM for each document and the infractions that correspond to the observations made.

Documents to be checked

There are a large number of different documents to verify (see Table 1 below), including:

- The *legal documents* specific to logging companies (e.g. permits, annual cutting authorisations, maps, etc.). These documents should be available from the centralised and decentralised public administrative offices.
- *Documents used for recording information*, on which companies provide information on felling, transport, processing and export. These documents are stipulated by law and usually submitted regularly to the administrative authorities for checking. They should be available from the company's and/or forestry administration's offices.
- The *statistical documents* that companies produce on the basis of data coming from wood production, processing and export documents. These documents are stipulated by law and generally submitted regularly to the administrative authorities.

They should be available at the company's and the public administration's offices.

- *Internal administration documents*
 - Used to record certain information, particularly on the payment of taxes and fines or on official statements and notifications of offence produced.
 - For example, activities conducted by the administration and other administrative procedures (mission reports, activity reports, minutes of meetings, etc.).
- *Documents concerning other uses of the forest space*
This may relate to maps detailing protected areas, community development zones or mining permits, etc.

Evidence

It is strongly advised to take photocopies or photos of documents in order to facilitate filing and analysis, and also to be able to provide means of verification for your subsequent reports (for example, by providing a hyperlink in a report to photos enabling the content to be validated), as well as to provide evidence that can be more easily used by the administration in possible official follow-up. This also protects your organisation from potential litigation on the part of the suspected authors of the infraction.

Checking the resolution of digital photos

When you take a photograph in place of a photocopy or scan, make sure you choose the "Document photography" option on your camera (it may be called something different on your camera); this means the appropriate resolution will be used that will enable the text to be easily read once the photos have been saved onto a computer.



STAGE 3: MISSIONS IN THE FIELD

Table 1: Outline table of investigation for document monitoring in the Republic of Congo. A similar table, adapted to your country's specific features, will help you to design your IM programme and to be more effective when conducting field missions

Definition and Content	Examples of checks to be made	Problems/illegalities
Felling inventory		
<p>Definition: Document required of the operator when requesting a cutting authorisation, and on which the plots for the cutting area and results of tree counts are given</p> <p>Main information: Technical features of the Maximum Authorised Volume (MAV) = total area, number of plots, total number of each species per plot, total volume, total density per hectare of standing trees</p>	<ul style="list-style-type: none"> - All required information is present - The counting covers all of the exploitable trees for the saleable species - The counting is accurate (requires cross-checking on the ground) 	<ul style="list-style-type: none"> - Non-compliant document
Cutting authorisation		
<p>Definition: Decision from the relevant administrative authority to give the operator the right to cut trees in a specific area</p> <p>Main information:</p> <ol style="list-style-type: none"> 1. Geo-referenced limits of the area (position of the area) 2. Number of trees of each species that can be felled 3. Species and their anticipated volume 4. Corresponding stumpage tax 5. Duration of logging 	<ul style="list-style-type: none"> - Date of validity and duration - Definition of the boundaries of the logging area - Compliance of species and volumes or number of standing trees to be logged (in relation to the information contained in the contract) - Nature of the authorisation and quality/ accreditation of the authority issuing it 	<ul style="list-style-type: none"> - Non-compliant document - Unauthorised logging (prior to date of issue and/or after date of expiry), with reference to other documents such as the field document, production reports, waybills, etc.
Field site exploitation documents		
<p>Definition: Document in which the operator records information on each tree felled</p> <p>Main information:</p> <ol style="list-style-type: none"> 1. Date of felling of tree 2. Tree number 3. Log hammer and holder 4. Commercial or local tree name 5. Name and numbers of logs provided by the tree (trunk) 6. Dimensions and volumes of trunks (with diameters at base and at summit) 7. Dimensions, volumes (with average diameter) and destination of logs 8. Cumulative volumes of trunks and logs 9. Date of removal and observation (export, factory, abandoned wood, etc.) 	<ul style="list-style-type: none"> - The document must be filled in without deletions or alterations and updated (daily) - All required information is present - The species noted in the document must be those given in the cutting authorisation - The number of trees felled by species must be equal to or less than the quota granted - The total number of trees felled must be equal to or less than the quota granted - Diameter of trunks "at the base" must be more than or equal to the Minimum Diameter for Logging (MDL) of the species concerned - Consistency of dimensions and volumes between stumps and logs <p>Comparisons with the field enable you to verify whether:</p> <ul style="list-style-type: none"> - All felled trees are recorded - The data on volumes, number of logs and species is correct 	<ul style="list-style-type: none"> - Bad keeping of document/ document not updated - Unauthorised felling of some trees - Logging of products not mentioned in the cutting authorisation - Logging of a greater number of trees than indicated in the annual cutting authorisation - Trees felled below a minimum diameter (in relation to that authorised) - False or fanciful declaration of volumes, numbers and species with a view to avoiding payment of the stumpage tax



Definition and Content	Examples of checks to be made	Problems/illegalities
Exploitation map		
<p>Definition: Operator's document that serves to monitor logging within the area</p> <p>Main information:</p> <ol style="list-style-type: none"> 1. Number of plots logged 2. The opening of roads and log storage sites built 3. Number of trees felled in each plot 	<ul style="list-style-type: none"> - The plots logged must be indicated - The number of trees felled per plot must be indicated - Final route of roads opened 	<ul style="list-style-type: none"> - Document not up-to-date
Log truck waybill		
<p>Definition: Compulsory operator's document for transporting forest products (logs and sawn timber)</p> <p>Main information:</p> <ol style="list-style-type: none"> 1. References of the logging permit 2. Origin and destination 3. Date of dispatch 4. Name and surname of lorry driver 5. Credentials of means of transport 6. Quality of products, number, species, unit dimension and volume (for logs: information similar to that of the field document) 	<ul style="list-style-type: none"> - The document must be filled in without deletions or alterations - All the required information must be provided <p>Particular attention should be paid to:</p> <ul style="list-style-type: none"> - Validity of permit - Credentials of means of transport - Date of transport - Authenticity of document <p>Comparing this document with the field documents enables the consistency and compliance of the numbers, species and volumes of logs to be verified</p>	<ul style="list-style-type: none"> - Movement of timber without waybill - Bad keeping of document - Sub-contracting of timber transportation - Unauthorised transport - False declarations of species, numbers and volumes
Periodic production reports		
<p>Definition: Operator's document that summarises, by species, the volumes of trunks and logs: products in stock and where they were delivered by destination (export, sawmill). There are monthly, quarterly and annual reports</p> <p>Main information:</p> <ol style="list-style-type: none"> 1. Volume by species of trunks and logs 2. Volume of logs in stock at the start and end of the period under consideration 3. Volume of logs delivered by destination (sawmill, export) 4. Volume of stocks of logs at sawmill entry 5. Volume of logs processed in the mill and volume of products obtained after processing 6. Volume of products sold (export, local market) 	<ul style="list-style-type: none"> - Produced as regularly as required - Export and processing quotas met - Consistency of data provided in the production reports with the information given in the field documents 	<ul style="list-style-type: none"> - Failure to submit or delay in submission - Failure to respect set quotas - False or fanciful declarations (in relation to the field documents)
Log yard sawmill entry records		
<p>Definition: Operator's document in which logs coming from the forest and brought to the log yard/sawmill are recorded.</p> <p>Main information:</p> <ol style="list-style-type: none"> 1. Number, species, volume and origin of logs transported to sawmill 2. Date of unloading 	<ul style="list-style-type: none"> - The document must be filled in without deletions or alterations and updated (daily) - All required information is present <p>Particular attention should be paid to:</p> <ul style="list-style-type: none"> - Date of storage of logs at the yard - Consistency of data with that given in the waybills 	<ul style="list-style-type: none"> - Bad keeping of document/ Document not updated - Abandoned wood - False or fanciful declarations

STAGE 3: MISSIONS IN THE FIELD

Field monitoring

Field monitoring consists of verifying or physically checking the different pieces of information listed and processed during a documentary analysis. Cross-referencing information from the different documents (e.g.: consistency of log numbers, volumes and species between the field documents, waybills and sawmill records), or between documents and the field (e.g. consistency of numbers and species of logs recorded in the documents with those of the tree stumps found on the ground) is essential, particularly to detect documentary fraud.

Field observation sheets

The field observation sheet you use will depend on the kind of illegal activity you wish to identify. Although it is not always necessary to design a different observation sheet for each kind of illegality, you will probably need to produce multiple field observation sheets.

The following tables give examples of field sheets for lumber, logs and general observations. Collecting quantified data via a standard methodology is a fundamental aspect of IM. For log volumes, refer to Annex 2, which gives instructions for estimating these.

Table 2: Model Table of Investigation for field monitoring in the Republic of Congo

Definition	Examples of checks to be made	Problems/illegal activities
Monitoring of boundaries		
The monitoring of boundaries (annual cutting authorisation, forest concession) is a field activity that consists of assessing whether the following have been met: <ul style="list-style-type: none"> - Regulations for opening boundaries (access roads) - Positioning of boundaries as stipulated in the cutting authorisation - Logging within the given boundaries 	<ul style="list-style-type: none"> - Marks (marking large trees with paint) + maintenance and opening of access roads - Position by noting GPS points at the boundaries of the main access roads for the concessions or cutting areas - Cases of out of limits felling 	<ul style="list-style-type: none"> - Failure to open access roads/access roads do not materialise/failure to maintain main access road - Failure to respect logging rules - Logging outside of boundaries
Monitoring of stump, butt and log marking		
Activity to check that the marking of stumps, butts and logs has been conducted in accordance with the rules	<ul style="list-style-type: none"> - The stumps, butts and logs are marked with the impression of the logger's hammer, the year of felling and an order number - Marking on both sides of the logs 	<ul style="list-style-type: none"> - Incorrect marking of stumps, butts and logs - Lack of marking - Duplication of numbers
Monitoring of stocks		
Activity to check stocks of logs/trunks at storage sites in the forest or at the sawmill	<p>Forest:</p> <ul style="list-style-type: none"> - Marks on the tree butts, nature of abandoned shorts - Checking of stumps against logs stored in the forest - Consistency of data with that of the field documents (number, species, volume/scaling) <p>Sawmill:</p> <ul style="list-style-type: none"> - Date of storage of logs - Consistency of data with that of the waybills and/or sawmill entry records (number, species, volume/scaling) 	<ul style="list-style-type: none"> - Abandoned logs - Lack of marking - False declarations (of species and numbers)

Table 3: Lumber inventory sheet - used to record the quantity, size and volume of lumber. This information is necessary to compare actual volumes with the volumes declared by the company in question (see Annex 2 for the formulae)

Label No.	Species	Quantity No.	Thickness (m)	Width (m)	Length (m)	Volume (m ³)
ZST1786GB	KHA	50	0.25	0.16	2.70	5.4



Table 4: Log inventory sheet - used to record the quantity, size and volume of logs. This information is necessary to compare the actual volumes with the volumes declared by the company in question (see Annex 2 for the formulae)

Log marking	Species	Diameter (m)				Average diameter(m)	Length (m)	Volume (m ³)
		Thick end		Thin end				
		Min	Max	Min	Max			
TCG67797 GH/OCUFOR	KHA	0.75	0.73	0.64	0.62	0.68	7.1	2.5

Table 5: General observation sheet and examples of observations

Category	GPS point No.	Photo No.	Company	Forest concession	Additional comments
Marking	1	NA	ABC	X	5 unmarked logs
Illegal logging	2	1-5	CDE	Y	Felling outside the boundaries of the concession, 5 stumps, Okoumé.
Living base	3	6-8	ABC	X	No base and contradictions between company/local population. The local people said the living base was to be established 2 km from the village. The company said the living base would be established 7 km inside the forest.
Stumpage tax	4, 5,6	9-15	CDE	Y	The companies are not complying with regulatory requirements that state that timber must be marked and scaled after felling and before hauling. Most of them are measuring and calculating trunk volumes after working and sawing has been conducted in the yard. This practice leads to an under-estimation of trunk volume and consequently of the stumpage tax that the companies have to pay.



Using GPS to mark the location of a stump outside the authorised logging area

For the GPS points, you can refer to the user's manual that came with your GPS or other resources available on the Internet.¹⁰

Collecting information with the help of questionnaires

Whilst open discussions with people are a useful source of information, questionnaires are also needed to collect systematic information. This will facilitate the compilation and analysis of the data collected. In addition to the activity forming the object

of the investigation, when designing a questionnaire you need to take into account certain aspects such as the key informants (local community members or leaders, company staff, national or international company staff, forest law enforcement officials or other administrative officials, etc.) and whether the interviews are conducted individually or in participatory groups.

A semi-structured questionnaire comprises both closed (a choice of several answers is given) or open (the person questioned is encouraged to answer in their own words) questions. Closed questions are often used to collect information on quantifiable variables. For example, if you want information on the frequency of enforcement missions, one possible format would be:

"In the past year, how many times have you visited concession X to verify respect for the boundaries?"

<input type="checkbox"/>	Never
<input type="checkbox"/>	Once
<input type="checkbox"/>	Twice
<input type="checkbox"/>	3 times
<input type="checkbox"/>	4 times
<input type="checkbox"/>	More than 4 times (specify how many):...

¹⁰ Manuals for using GPS are available online. For Garmin, see: <http://support.garmin.com/support/manuals/searchManuals.faces>

STAGE 3: MISSIONS IN THE FIELD

Remember that, as it is a semi-structured interview, you can also ask a local enforcement official open questions such as the following: “*Why don't you go to the concession every two months as specified in the national forest law enforcement strategy?*”

The value of the information you obtain from your questionnaire will depend not only on the quality of the questionnaire but also on the style of your interview. Here is some basic advice:

- Establish a polite and respectful rapport with the person being questioned and try to put them at their ease by chatting about different topics before commencing the interview;
- Introduce yourself clearly and explain your objectives in a way that will reassure your contact of your intentions (to raise awareness) - make sure you focus on the issues of most interest to your contact, for example: “*identifying constraints to enforcement*” for the administration, “*feeding back community complaints to the competent authorities*” for a local population or even “*helping the company to understand FLEGT expectations in order to facilitate compliance of their activities with the legality matrix*” for the management team of a logging company;
- Use body language to show that you are interested in what they are saying;
- Ask your questions in a logical order;
- Do not press the person being questioned;
- Do not let the interview go on too long - normally 15 to 20 minutes, depending on the person being interviewed and their interest;
- If you want to record the conversation with the aid of a Dictaphone: ask your contact's permission, explain what the recordings will be used for, and guarantee the anonymity of any informant that requests it.¹¹



Interview with local population

Analysis of results

The results of your monitoring need to be analysed in order to gain a better understanding of the systematic problems. This should ideally be done during the mission, so that you can adapt your work as you go along in line with the main information already gathered, and so that the IM can focus on the key issues.

It should be recalled that the IM is not an enforcement body (it has no state power of law enforcement) but rather a diagnostic tool enabling the relevant authorities to make a link with the reality on the ground (living and working conditions of the population, respect for and enforcement of the law, etc.) and to improve enforcement of forest law and governance by making specific and relevant recommendations.



Your work is like that of a doctor whose patient is the forestry sector. Your observations (diagnosis) focus on the symptoms; the “illnesses” may be of varying kinds: illegal activities, corruption, political failings, legal loopholes, lack of knowledge of the laws and FLEGT process on the part of certain actors, etc., and your recommendations represent the prescription.

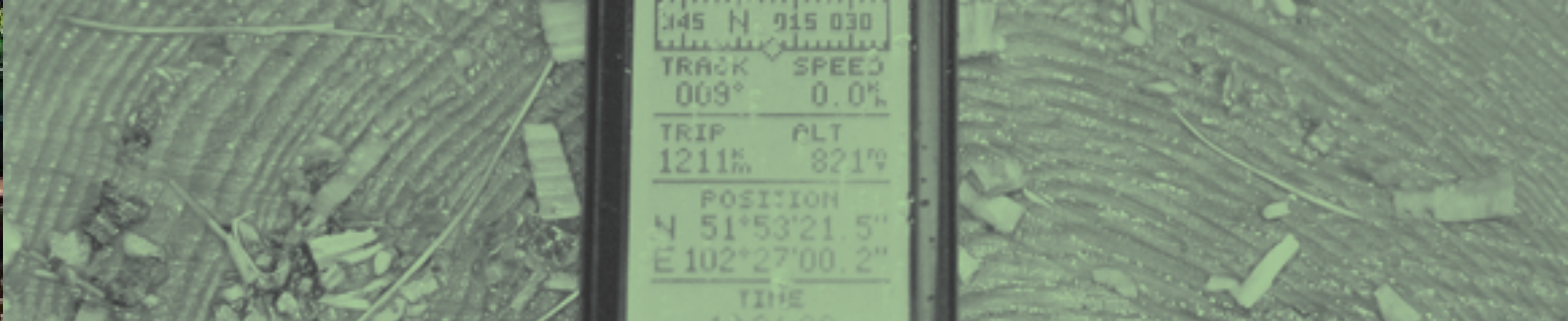
Are the results indicators of corruption?

Inaction and corruption are both factors that encourage illegality. Corruption is not an uncommon phenomenon in timber-producing countries at all levels of the administration, from field agents up to the highest civil servants. Corruption can be fuelled by external factors such as the job insecurity and low salaries. Lawful monetary or material contributions made by logging companies to the administration, even when they are contractually established, can also create an environment conducive to corruption.

Never forget that your main role as IM is to provide objective (unbiased) and reliable (verifiable) information. Do not speculate when drawing your conclusions. Assumptions are made prior to the mission, on the basis of preparation and a preliminary analysis, and the mission should then serve to verify these; the conclusions and recommendations must focus on tangible facts.

A list of factors that may indicate possible corruption in the forestry sector is given below but ***you should bear in mind that these indicators DO NOT SYSTEMATICALLY MEAN that corruption or illegal activity is taking place.***

¹¹ Note that, in this case, the nature of the source should be given by post (*local forestry administration official at Obama or Lengda community member in Niari department, etc.*) rather than by identity (name).



At the central level of the forestry administration

- Failure to make the necessary funds available for enforcement missions;
- Logging permits allocated without due respect for the legal provisions (in general, the holding of a committee meeting) or even sometimes in areas intended for other uses, such as protected areas;
- Annual cutting authorisations granted without respect for the stipulated provisions (date of submission, production of an inventory by the company, etc.);
- Government resistance to developing and implementing a strategy or clear procedures for law enforcement, with different departments setting the methods of control;
- Suspicious human resource management, involving the movement, transfer or demotion of staff who try to improve local governance;
- Administrative posts linked to law enforcement remain vacant for an excessive period of time;
- Limited access on the part of the IM to certain important documents, in violation of the provisions of the Memorandum of Understanding and excessive administrative delays that interfere with IM-FLEG activities, etc.

At local (departmental or other) level

- On-the-ground law enforcement missions are not implemented in accordance with the government work plans;
- Some concessions are visited less frequently than others or form the object of significantly fewer official statements of offence;
- Official statements of offence are not issued when infractions are noted, are cancelled or are never passed on to the relevant level of the justice system;
- Fines and penalties are never paid by the offenders and the forestry administration allows them to continue operations without any constraint;
- Transport or export is undertaken mainly at night, under limited government supervision;
- Auctions of confiscated timber are conducted without due respect for the legal procedures (no public committee, wood undervalued, etc.).

In the case of field missions, it is important to distinguish between serious failings in terms of observing and penalising infractions (difficulties in enforcing the law - e.g. due to a lack of equipment, inadequate staff knowledge of legal texts) and other factors that may encourage bad law enforcement (e.g. low salaries of enforcement officials and/or their logistical dependence on the operator to conduct missions, etc.).

Verifying the data by cross-referencing and triangulation

Verification by cross-referencing is a process that enables data accuracy to be examined. This process involves comparing your observations with information from different sources such as informants, documentation and other databases. Data verification is an essential stage in ensuring the credibility of your IM programme. Imagine that you are trying to convince a senior official that a logging company is committing serious illegalities - you will be better able to defend your position if your evidence is backed up with various sources of information, based on tangible and verifiable facts and evidence.

Take the example of a field observation related to illegal felling outside the area of a concession. In many exporting countries, there may be limited capacity to produce an accurate map of the concession's boundaries and this can lead to confusion as to their precise location. You will therefore need to ask the following questions during the monitoring process: what map was used to verify the boundaries of the concession? Is the scale on which it was produced appropriate? Are there other maps or GIS data that could be used to verify the location of the concession's boundaries? Given that GPS coordinates are often only accurate to the nearest 15 metres, what distance was the GPS point from the boundary?

You will need to hold a meeting with your team to produce a report within a few days of the end of the mission. This meeting will enable the observations/evidence requiring significant verification by cross-referencing to be identified, cross-referencing methods to be discussed, additional necessary information to be identified (for example, other documents at ministry level) and cross-referencing and analysis tasks to be shared.

The fundamental role of the IM is to bring discrepancies to light, if there are any, by comparing what should be done according to the law, regulations and standards and what is actually being done on the ground in reality.

Information analysis is an important stage in this process. It guides the feedback of your report's conclusions and is undertaken according to the stated objectives. For this, you need to establish a link to current legislation in order to demonstrate the relevance of the issue and you need to estimate the impact of the problem on a social, cultural, economic or financial level - as appropriate.



STAGE 4: THE MISSION REPORT

The value of the data collected on the ground depends largely on how it is subsequently used to engage actors as catalysts of governance reforms. The precise process by which actors are engaged in turn depends on the political and economic context in your country. Nonetheless, whatever the situation, it is always useful to produce well-managed and verified data that can be used to inform and thus change the situation.

Elements of a “good” mission report

Once all the observations and evidence have been compiled, verified and securely entered into the database, you can write the mission report (analysis, conclusions and recommendations). The mission report is extremely important as it may be read by a wide audience, including government authorities, international donors, partner organisations, logging companies and civil society.

Back up your data!

Field missions take time and cost money. So do not forget to back up all GPS points, photos and mission reports on an external hard drive. Use a **simple standardised filing system** that will make it easy to consult the data in the future.

In general, a “good” mission report must be:

1. **Objective:** this is the most important aspect of the report. *Keep to the facts* and only base your conclusions on the evidence presented; do not take sides, remain neutral. Specify the additional investigations necessary to be able to draw conclusions. Do not speculate. Take care to use the conditional tense and adopt a principle of caution if making allegations. Remember that while the IM has a right to document signs and actions that constitute infractions, it cannot substitute for the justice system by concluding as to the guilt of an official, individual or company, something which could moreover make it liable for defamation proceedings.
2. **Understandable:** reports must often be accessible to a variety of different audiences (who are perhaps not familiar with the forestry sector). It is therefore advisable to use clear and simple language, avoiding overly technical terms, acronyms or long and detailed descriptions: get to the point and be explicit.
3. **Concise, visual and precise:** give the facts or conclusions in the body of the report but present the details (calculations, analyses, cross-referencing) in an appendix. Again, avoid overly detailed descriptions, long sentences, repetition, detail that contributes nothing to the content; instead use tables and lists - these say a lot more at first glance. Highlight the main infractions and their impact - using figures where possible - in

the executive summary so that the reader can obtain a quick overview of the main points.

4. **Provide SMART recommendations**, if possible, to enable follow-up of the measures taken by the authorities.

It is advisable to present observations, conclusions, means of verification and recommendations together in the form of a table (Table 6)

Dissemination of reports

Dissemination of your reports will, above all, contribute to increased transparency in the sector, by making reliable information available to a wide audience. Governments do not generally respond rapidly or significantly to advice from an NGO, even if it has solid evidence of illegal activity. It is therefore essential to raise the awareness of various actors - international donors, civil society and the wider public.

Raising the awareness of the international community

It is important to inform international donors of your activities and the results obtained because they:

- finance IM-FLEG and other programmes related to the FLEGT and REDD processes;
- exercise strong influence over beneficiary governments and can therefore be a powerful ally in launching governance reform, particularly at a high-level.

Publication of reports

- ✓ Make a list of contacts: civil society, government, the media, donors, FLEGT /REDD committees, etc.
- ✓ Send the report in PDF version via email
- ✓ Include an overview of the main results and recommendations in the text of the email

We suggest you use the following communication strategies, adapted to your activities and your specific country context:

- Invite donor representatives to attend report validation workshops and meetings (it is good if they can become official committee members in the case of an mandated IM-FLEG) and to participate in some field missions;
- Distribute annual and thematic reports to all international donors present in the country in which the monitoring is conducted;
- Organise private meetings with donor representatives to explain your programme and its results in detail.



Table 6: An Outline Summary Table to facilitate the organisation and analysis of data gathered during missions

Concession:	Name of the forest unit where the investigation took place	Company:	Holder of the concession
VPA Indicator	Indicator 3.1.1: The company has a functional mechanism for consulting stakeholders regarding the sustainable management of its concession. (This is an example taken from the VPA-Congo legality matrix)		
Date of monitoring	Observations and information sources	Means of verification (documents, photos, GPS points, results of interviews)	
11-March-2012	The head of the region's forestry services states that the company has consulted all villages	Statement - no document available	
12-March-2012	According to Mr. X, head of the company's communications, all 3 villages A, B and C were consulted prior to producing the management plan	The reports of the consultations with villages A, B and C <i>(NB: you need to photograph or scan all documents and file them with your reports)</i>	
13-March-2012	According to representatives from villages A and B, they were not consulted but merely informed	The reports of the consultations with villages A, B and C	
14-March-2012	The company conducted no consultation in village C	The reports of the consultations with villages A, B and C	
Conclusions	Is there evidence that the indicator was achieved? Partially achieved? Has the law been enforced?		
Recommendations	Measures the government should take to resolve the problems. Be specific in order to enable follow-up to the recommendations: Why? What? When/by when? Who? Where? How many? Refer to the texts of specific laws to highlight what needs to be done (as opposed to what is being done/has been noted).		

In general, when you communicate with an international donor, explain how your results impact on their work and their projects (particularly with regard to governance issues, sustainable resource management, etc.).

Raising the awareness of civil society

It is advisable to inform organisations interested in governance issues via regular working sessions and individual meetings or even by cooperating on the implementation of some activities. As an IM, it is not in your interest to play an advocacy role as this may endanger your objectiveness and independence. Nonetheless, there is nothing to prevent other advocacy NGOs from using information drawn from your observations in their own campaigns. In fact, if your programme is successful, the resulting transparency will help this process to occur naturally.

Raising the awareness of logging companies and government

Most logging companies and government officials, particularly in countries with a FLEGT VPA, are willing to cooperate with independent monitors. In the Congo, IM-FLEG holds a meeting with forestry and logging company officials after each mission in order to share the results, discuss the details of certain problems, gather additional documentation and data, and

then make recommendations. In the VPA countries, this can be done in the context of the legality matrix in order to ensure that those involved understand what is at stake with regard to their continued access to European markets. In non-VPA countries, the focus should be placed on the European Union Timber Regulation (EUTR -<http://www.eutr-platform.eu/fr>).

Public awareness raising

The press

Although the press can be an effective tool, you also need to be very careful in this regard. Newspapers are not always friendly and their accounts are not always accurate, which in some cases can result in harm being done to your objectives. For example, if you work in partnership with the government, the press may raise concerns as to your objectivity, which can make dialogue and cooperation difficult. Providing the press with evidence in support of your statements may be sufficient to neutralise the accusations and dispel all doubts. Although journalists can form an important source of information for the IM, it is essential to systematically verify this, as journalists may have other objectives.

Local communities

As many local community members do not have access to a radio, a television or the newspapers, it can be far more time-consuming and costly to develop a communication strategy at this level than

STAGE 4: THE MISSION REPORT

to implement a national programme. Field activities (awareness raising sessions and workshops, public meetings, etc.) are one way of reaching these groups.

You must ensure that you do not make false promises as you could raise the local population's expectations unjustifiably. Limit your role to: 1) providing information on the broad processes underway in the country (FLEGT, REDD, etc.), on your role within these processes (information link) and on the forestry law and rights of forest communities (so that they become aware of these); and 2) gathering and verifying information to be fed back to the relevant decision-making authorities.



The REM team in Cameroon organised a field mission with enforcement officials from the Ministry and four ambassadors to raise awareness of forest governance issues and to create support for the project

STAGE 5: EVALUATION OF THE IMPACT

The aim of Independent Monitoring is to contribute to change by influencing governance at three levels:

1. in the process of producing uniformly enforceable rules;
2. in the enforcement of regulations approved through the sovereign decision-making authority (Ministry responsible for forestry economy/Forest administration) and;
3. in ensuring respect for regulations governing the sector on the part of operators/users (loggers and /or logging companies).

Independent Monitoring therefore presents its recommendations in terms of the three levels above in order to encourage the different actors responsible to produce, enforce and implement forestry laws and regulations that will ensure strict respect for and improvement in practices, and promote good forest governance.

In the context of MIM, recommendations are focused particularly on the forestry administration, which is responsible for taking coercive or corrective measures and for addressing weaknesses/gaps in the law (legal loopholes, for example). The recommendations of mandated IM-FLEG missions are validated by the forestry administration through a review committee, prior to publication of the IM's reports. As regards EIM, its recommendations can be addressed to all public or private actors and its publications are not subject to bilateral validation, so it can use advocacy and lobbying channels or complaints mechanisms to encourage change.

Are your recommendations being taken on board?

In the context of EIM, monitoring of action in response to recommendations is done through advocacy or lobbying actions or pressure exerted on decision-makers. In this context, whether your recommendations will be taken on board or not will depend on the capacity of CSOs to influence the position of the decision-making authorities. Recommendations are thus only taken on board in an interplay of power relations (advocacy campaigns, raised awareness of public opinion, protest movements).

In the context of MIM, however, the forestry administration's validation of the recommendations is a sign of its commitment to give a favourable follow-up to the monitoring that has been made known to it and discussed. In this context, the monitoring of measures taken by the forestry administration in response to the observations made and discussed is a major activity of MIM, which monitors and evaluates changes.

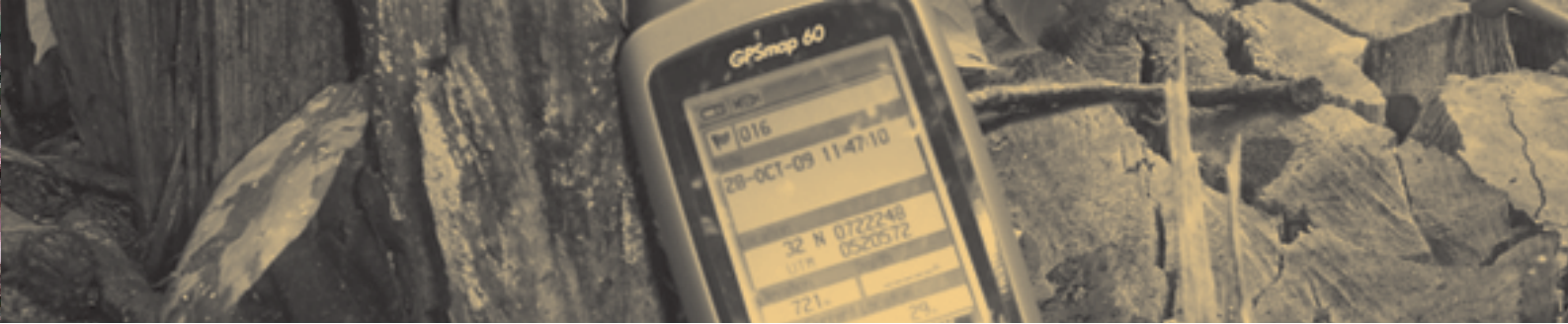
How do you change / adapt the approach in order to maximise the IM's impact?

It is advisable to conduct internal evaluations to analyse not only the implementation of your activities but, more importantly, their specific impact. The monitoring of recommendations is a good start, but you need to go further: are the measures being taken by government in response to your recommendations leading to systematic improvements in law enforcement and governance?



ANNEX 1: SUMMARY AND DEFINITIONS OF THE TECHNICAL TERMS USED

Term	Definition	Name in the Republic of Congo	Name in Cameroon	Specific features according to the country's legislation
Field documents	Document that records the actual felling at a logging site	<i>Carnet de chantier</i> , stamped by the appropriate administrative authority	<i>Carnet de chantier</i> / DF10	The format differs from country to country: in Cameroon, for example, it is provided by the administration while in the Congo it is the operator who produces this record, which is subsequently (on opening) approved by the departmental authority responsible for forests
Forest concession	Area covered by a logging agreement	<i>Forest Concession</i> / forest management unit that may be divided into sub-units called forest operating units	<i>Forest Concession</i> (includes one or more forest management unit(s))	The number of forest units that form the concession
Inventory	Activity of locating and counting standing trees and species in the different plots within a cutting area	National inventory), logging inventory (systematic counting of species in annual cutting plots)	Forest inventory) Management inventory and logging inventory	Each kind of inventory is conducted according to rules set by the forestry administration
Small logging permit (SLP)	Area in which time-limited logging is authorised for reasons of development	Logging authorisation, felling permit for plantation wood, special permit	Permit to use wood for construction and heating, personal cutting authorisation, and gathering wood	The duration and method of allocation differ from country to country
Sawmill records	Document recording volumes and species entering and being processed in the sawmill	Sawmill records (entry and exit)	Sawmill Entry Records)	Differs from country to country: in Cameroon, it is used for calculating export taxes; in Congo, it is used for statistical purposes related to production
Transport document (waybill)	Document required before any cut wood can be moved in an approved logging site	Waybill, or allocation decision in the case of special permits	(Log truck Waybill)	The format differs from country to country: in Cameroon, it is provided by the administration while in the Congo it is the operator who produces this record
Annual cutting authorisation	Permission given for felling operations over the course of a year, for established species and quantities, with extensions of the duration of felling sometimes being authorised	Annual logging authorisation, Completion authorisation, Provisional logging authorisation, Authorisation to fell promotional species	Annual harvest certificate	The kind of cutting authorisation varies according to its purpose (for example, extending the duration of felling)
Export document	Document necessary for exporting forest products	<i>Feuille de spécification</i> (Specification sheet)	<i>Bulletin de spécification</i> (Specification bulletin)	The information contained in the document is generally the same



ANNEX 2: SCALING TECHNIQUES AND APPLICATIONS

Importance of IM monitoring of scaling

The IM's monitoring of scaling is aimed at checking whether the volumes declared in the operator's documents (field documents, waybills, sawmill records) are accurate. By monitoring the scaling on the ground (forest, log yard, sawmill yard), the IM can:

- highlight any under-declaration of volumes by the operator in order to minimise the payment of stumpage taxes;
- in cases of illegal felling (out of limits felling, unauthorised felling, etc.), the calculated volumes of illegally felled wood can be used to calculate the financial value of the wood and thus the damages payable by the operator.

It should be noted that some documentary inconsistencies can be noted without carrying out any actual volume calculations (2nd example below) but that these may sometimes require additional checks on the ground, depending on the possible causes identified.

Findings	Possible causes
Volumes declared by the operator are different from those calculated by the IM (on the basis of diameters and lengths)	Calculation error on the part of the operator when applying the formula for assessing the volume on the basis of the diameter and length of the wood
	Fraud, by intentionally reducing the volume of trunks in the field documents to minimise the stumpage tax
Trunk volume less than resulting log volumes	Calculation error or the fact that, in the end, the operator recovers sections not taken into account in the initial trunk volume estimate (e.g. branches, other parts)
	Fraud, for example by intentionally minimising the volume of trunks in the field documents, or by passing off illegally cut wood (e.g. a trunk yields 2 logs but 3 logs are recorded in the field documents as the 3rd actually comes from another, illegally felled and generally unmarked, tree)

Scaling: calculating the volume of trees felled

Trunk: part of the felled tree that starts at the butt (base) and goes up to the top (to the tree's first main branch)

Logs: sections of trunk extracted and cut at the log yard

Measuring and calculating the volume of a log

It is important to get as close as possible to the actual useful volume of the log. In terms of measuring the length, the margin for error is very little and does not raise any particular problems in practice. This is unfortunately not the case for measuring the diameter. This needs greater care.

Tools used: Metre rule, decimetre, ready reckoner.

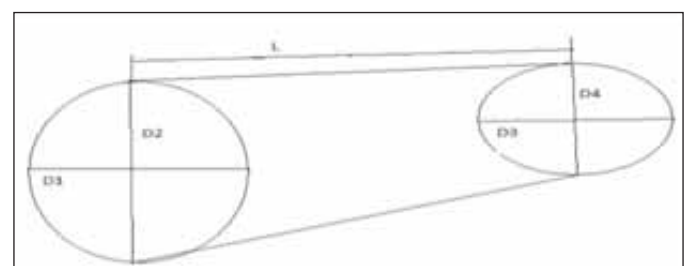
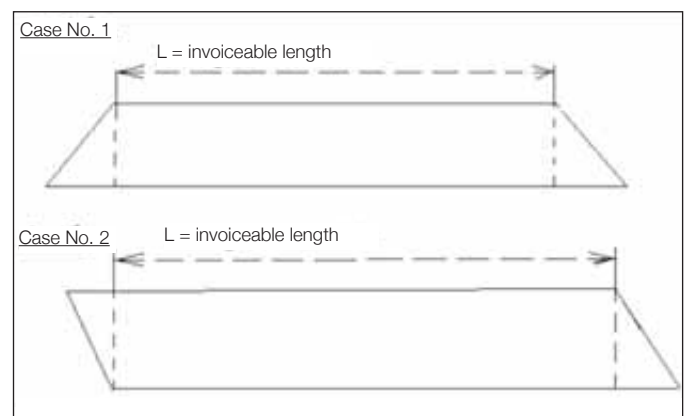
General formula: $V = \pi/4D^2 \times L$ where $\pi = 3.1416$

Simplified formula: $V = 0.7854 \times D \times D \times L$

V : volume, expressed in m³

L : length of log - the shortest distance between two (2) ends, expressed in metres and decimetres, rounded down to the nearest centimetre.

D : average diameter of log = $(D1+D2+D3+D4)/4$



ANNEXES

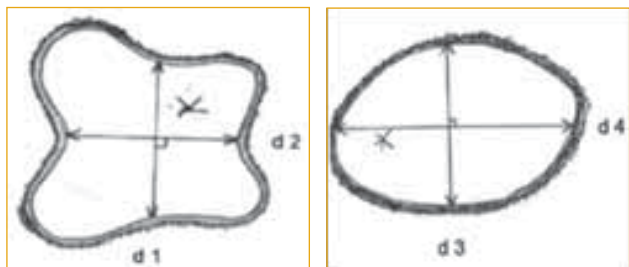


Scaling a log

For each end, the diameters are taken (unless specified otherwise in your country's law):

- crossways (perpendicular);
- crossing at the side's centre of gravity;
- not including the bark;
- on sapwood;
- excluding the base.

Case of buttresses: the wood that forms the buttress is not usable but represent a high percentage of the that end of the tree. The diameters therefore need to be determined as objectively as possible so that they are as close as possible to the actual diameter of the log.



Buttress

Ovality

For example:

Side A: D1 = 112 cm and D2 = 97 cm
 Side B: D3 = 90 cm and D4 = 91 cm
 L = 10.28 m (you need to round down to 10.20 m)

$$\text{Volume} = 0.7854 \times D \times D \times L$$

To calculate the volume, you need first to determine the average diameter:

$D = (112+97+90+91)/4 = 97.5\text{cm}$ being 97cm rounded down to the nearest centimetre

$$\text{Volume} = 0.7854 \times 0.97\text{m} \times 0.97\text{m} \times 10.2\text{m} = 7,538 \text{ m}^3$$

Estimating volumes on the basis of stumps (cases of out of limits felling)

This can be used to roughly evaluate the volume of wood illegally logged on the basis of the stumps discovered on the ground alone.

$$V = \text{AEV} \times N_s$$

V: Volume

Ns: Number of stumps

AEV: Average Exploitable Volume

(Given by species and by sector, according to Order No. 2694 MEFE/CAB of the Ministry responsible for Forests in RC establishing the average exploitable volumes for lumber tree species.)

For example:

in a mission, you have discovered 26 Okoumé stumps outside the boundaries of the concession

Ns = 26

Species: Okoumé (*Aucoumea klaineana*)

AEV= 6 m³ for Okoumé (for the Centre and South forestry sector in RC)

$$\text{Estimated volume of illegally felled trees} = 26 \times 6 \text{ m}^3 = 156 \text{ m}^3$$

Measuring and calculating the volume of sawn timber

$$\text{Volume of sawn timber} = L \times w \times t \times n$$

L: Length of piece (m)

w: width of piece (m)

t: thickness of piece (m)

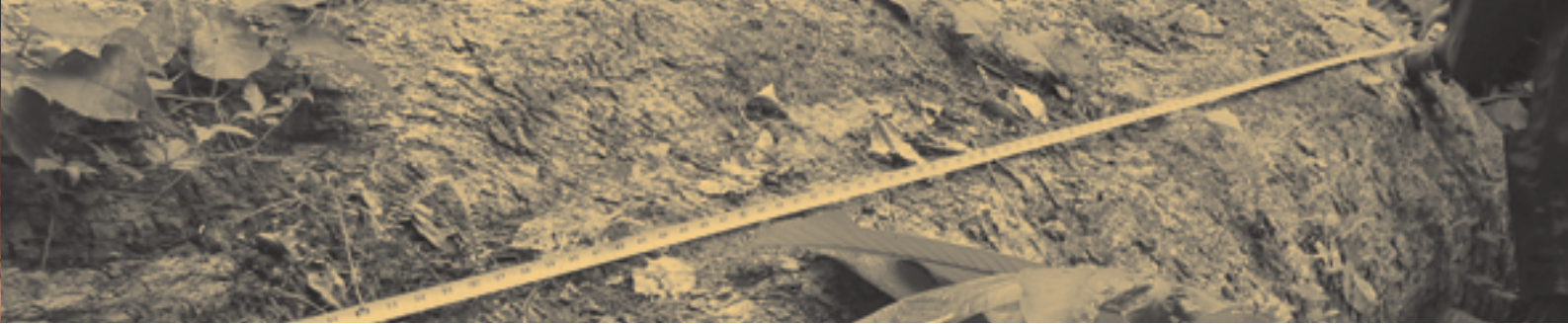
n: number of pieces

For example:

$$L = 2.50\text{m} / w = 22\text{cm} / t = 34 \text{ mm} / n = 20$$

The formula gives:

$$V = 20 \times 2.50\text{m} \times 0.22\text{m} \times 0.034\text{m} = 0.374\text{m}^3$$



In general, sawn pieces are all of the same length so when you want to make a quick estimate of a large number of batches, you can calculate the volume of one piece and then multiply it by the number of pieces in each batch and then by number of batches.

Estimating the value of illegal wood

Market value = volume of timber x FOB value

The FOB value¹¹ is defined in the Republic of Congo by means of Order No. 2739 MEFE/MEFB establishing FOB values, which is updated periodically.



Scaling of fraudulent lumber

For example: illegal felling. Calculation on the basis of unmarked stumps found outside the cutting area

Ns - 26 Okoumé stumps

FOB value = 110 160 FCFA for Okoumé

To calculate the market value of 26 Okoumé stumps

Method 1: estimating using the AEV

Calculation only on the basis of the stumps found. We use the AEV (average exploitable volume established by geographic sector).

AEV Okoumé = 6 m³ (for the Centre and South forestry sector in RC)

Value = Volume (Ns x AEV) x FOB value

Value = (26 x 6 m³) x 110 160 FCFA = **17 184 960 FCFA**

Method 2: more specific calculation using field documents

The company's field documents as a whole can help to calculate the average volume for the species in question. This means taking the average of all volumes of Okoumé trees felled in the area and recorded in the field documents.

Number of trunks in the field documents (Nf) = 26 trunks

The total volume of 26 trunks (V) = 140,406 m³

Average volume of a trunk (AVt) = 140 406 m³/26 trunks = 5 400 m³

Value = Nf x AVt x FOB = 26 trunks x 5 400 m³ x 110 160 FCFA = **15 466 464 FCFA**

¹¹ A commodity is sold or bought FOB when it is bought without including the transport costs and other related costs and taxes and without the insurance for this commodity. Consequently, when you buy a commodity at a "FOB" price, you then have to pay for its transportation and taxes, along with the costs of its insurance. The FOB price is therefore always less than the CIF (Cost, Insurance and Freight) price.

LIST OF REM REPORTS ON IM-FLEG AVAILABLE ON WWW.REM.ORG.UK

Republic of Congo (Brazzaville) 2005-2013

Following the publication of **2 scoping reports** by REM (2005), an IM-FLEG project has been implemented by Forests Monitor (www.forestsmonitor.org) and REM (2006-2010). The second phase (2010-2013) is also implemented with the Cercle d'Appui à la Gestion Durable des Forêts (CAGDF), a CSO created by experts recruited by REM. CAGDF will pursue IM in partnership with Cameroonian CSO FLAG which operates at the regional level and is also composed of former REM IM experts.

Forests Monitor, REM and CAGDF published **11 annual and summary reports** on issues of governance and forest illegalities; **43 reports of field missions**, each covering between 1 to 6 forest titles and up to 13 logging companies for thematic missions; **5 regional workshop reports** for Congo Basin CSOs and 6 national workshops reports for RoC CSOs on IM-FLEG; as well as **1 capacity building workshop** for the Anti-Corruption Observatory (OAC) and the National Commission for the Fight against Corruption, Extortion and Fraud (CNLCCF) in RoC on forest governance, **1 study on forest taxes** and **1 report** for the participation of local communities in the management of forest concessions in RoC.

Democratic Republic of the Congo 2010-2013

Following the publication of a scoping report, an IM-FLEG project has been implemented by REM (2010-2013). The Congolese CSO OGF and Cameroonian CSO FLAG, with a regional scope, were created by REM experts to continue the IM approach.

REM published **2 annual reports** and summary notes and **7 thematic syntheses** on issues of governance and forest illegalities, the role of civil society in the FLEG and future; **4 field mission reports** on forest illegalities of operations at 21 sites; **1 analysis of forest legislation in the DRC** and **1 law enforcement procedures manual**; **3 national workshop reports** for CSOs on IM-FLEG in DRC; **1 proposed CSO strategy** for IM-FLEG; and **1 report on the feasibility of a Logging Vehicle Tracking System**. 1 REM report providing recommendations was also issued for the Observer of **old forest licenses conversion**.

Cameroon 2005-2009

An IM-FLEG project was implemented by REM from 2005 to 2009. **20 interim and annual reports** were published on issues of governance and forest illegalities, **86 field mission reports BNC/REM** covering 1 to 30 forest titles each and on forest illegalities; and **5 independent field mission reports** on forest illegalities.

Sri Lanka 2012

3 REM reports were published in 2012 on the application of IM-FLEG approach to fisheries, strengthening fisheries policy and the involvement of civil society in monitoring in Sri Lanka; and **1 mission report** was also released following an investigation on illegal fishing in Sri Lanka.

Tanzania and Liberia 2006, 2009, 2011

3 scoping reports were published by REM in 2006, 2009 and 2011 on the establishment of IM-FLEG projects and practical training workshops on IM-FLEG; and **1 pilot field mission report** was published following an investigation on forest illegalities in Tanzania.

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