

Of scams and conservation project audits...

Staatsekretariat fuer Wirtschaft
Att: Hans Peter Egler
Effingerstrasse 1

CH 3003 Berne, Switzerland

Open Letter on the SECO/ITTO Evaluation of the PROGEPP project.

Nanyuki, February 7th 2005

Dear Mr. Egler,

I had not reached the end of page one of the 'Resume' of the PROGEPP evaluation report when I concluded that I would have to spend a lot of my time to deal with issues of basic principles affecting such audits, as well as putting some of the facts presented into perspective, deal with some of the claims which are clearly not based on facts – certainly not facts which were provided - and once more list some vital questions which were ignored in this evaluation.

In paragraph one we are told that CIB is contributing 70% of the cost of a management plan to which German Aid (GTZ/BMZ) contributed 30%. The analysis of this was not being asked for under the terms of reference. However, a key element of the terms of reference is how replicable this PROGEPP project is. Financial considerations in turn being a very crucial part in discussing replicability. However, also in this very first paragraph we are told how the PROGREPP project has benefited from third party financing and how: 'CIB ont egalement apporte leurs financement propres.' However IN THIS CASE no figures and no percentages although, as mentioned already, this is one if not the key elements of this evaluation. However, the figures you personally provided, at an earlier stage, showed that the donors contribute 88% of the project cost and CIB 12% in kind (meaning in business terms that only a fraction of it will be real actual cost which affects the bottom line).

I had no choice but to conclude, already at this point, that the consultant team had an agenda of presenting selected facts and presenting them in a selected context (see above).

The question then arose how, after a similar approach was used in the GTZ/BMZ evaluation, good money had again been spent on producing a document which seems to have as the main objective to inform the client (SECO) that its money had been well spent.

I felt the above needed some discussion of basic principles associated with such audits/assessments. In the second part I will take the executive summary and the Terms of Reference and deal with specific facts as well as the absence of data which would have been necessary to come to some of the conclusions reached.

Let's start with one of the most basic principles:

Should the remaining primary rain forests be industrially logged?

There are clearly two schools of thought with leading scientists and conservationists on each side of the debate:

- Hard wood timber from primary rain forests is a luxury commodity as far as the consumer end is concerned.
- A wide range of other natural resources (such as fresh water, hydrocarbons, fish, phosphates) are exploited and used unsustainably. These are resources clearly needed to maintain economic growth and help with poverty alleviation. The same is not true when it comes to tropical hard wood (except for the few permanent jobs being created at the producer end).
- At some point soon the world community will have to make up its mind on how to deal with the scarcity of natural resources and overexploitation. If an example could be set with tropical hard woods, maybe finding trust funds to compensate producer countries, this in turn would show some real political will at the consumer end and as such might greatly contribute to boosting the world communities confidence.
- In addition to the above there are additional questions associated with logging of tropical hard wood, especially in countries in Central Africa. E.g. the overall economic benefits in countries with some of the poorest governance records in the world, the rich biodiversity of primary rain forests (first time logging will always turn them from primary into secondary forests), the marginalization of the indigenous populations, etc.

Clearly the consultant team (possibly with the exception of Samuel Nguiffo) does not share this more philosophical outlook and subscribes to the other school of thought:

- Resource exploitation is not controllable, these forests will be logged however we feel about the actual need for it, the best we can hope for is to mitigate the impact a little.

The end result of this school of thought is that even major conservation organizations are now signing on to endorsing the logging of old growth forests, finding money to subsidize logging operations and taking care of the serious PR problem logging had to deal with in the past.

Clearly a balanced consultant team would have needed to include team members from both sides of the divide. A donor agency like SECO should also have a clear cut policy as to where it stands on the above and the public should know such a position. This should have been reflected in the terms of reference.

To underline some of the comments just made, I would like to suggest that interested parties read a paper in the present issue of Conservation Biology: Volume 19, Issue 1, Page 23, February 23 entitled- Sustainability: A Dissent. by Julia Lutz Newton and Eric T. Freyfogle.

It goes to the heart of the debate when it comes to the sustainability aspect of it. It makes points like:

- Our thesis is that sustainability has grave defects as a conservation goal and should be replaced

- Sustainability's popularity among conservationists ought to give us pause because it provides telling evidence that conservation is on the rocks, intellectually speaking
- Conservationists need to get their act together, intellectually and morally
- We should strive to improve our behavior pattern, not sustain them with the long term aim of fostering and enjoying a good life.

There is little doubt that if consultants sharing some of these outlooks had been recruited into this team the outcome of the report would have been very, very different.

The principle of selecting consultants for such audit jobs:

Besides the philosophical disposition outlined above other criteria could have and should have been employed in selecting the consultant team:

A 2001 report by Forest Watch, analyzing the logging companies operating in Central Africa comments on CIB as follows:

‘Whilst the company may be better than many other timber companies in the region, the woeful records of many of these other operators does not provide an acceptable base to which companies genuinely striving to achieve sustainable forest management should compare themselves. Independent audit and verification of the environmental and social benefits and impacts of the joint CIB/WCS initiative and CIB's operations by experts acceptable to all parties would seem to be an appropriate next step’.

The key here is clearly: ‘Experts acceptable to all parties.’ Since the Terms of Reference make me the main protagonist of this project, maybe I should have been provided with an opportunity to comment on the selection of the consultants. I recall offering to make suggestions at one time to which I received no answer.

Clearly one criteria of selecting suitable consultants should be the avoidance of obvious conflicts of interest. It would appear that the team leader, since leaving ECOFAC, has worked for WCS in the capacity of a consultant and will probably expect to do so again. Evaluating your past and potential future employer might not provide the best basis when it comes to being objective.

Dr. Aveling also seems to be in the process of establishing himself as consultant out of Bruxelles and will clearly build his practice on his expertise with conservation in Central Africa. Such experts have a relatively limited client base when it comes to getting awarded consultancy assignments. Foremost among them would be the logging industry itself, the donor community (including the ones which see private public partnership deals as a way forward) and some of the large conservation NGO's which also have decided that these private public partnership deals are a profitable bandwagon to ride. Clearly any consultant confronted with such a business environment will feel the need to 'position' him or herself and not upset past, present and future clients which have already taken a stand on these issues. (The notable exception is the evaluation of the effectiveness of spending of the EU grants by WWF - to help logging with SFM - where one of the conclusions reads: ‘It would be better not to pursue intervention on the certification market with public funding.’)

In the case of Christian Faregeot he clearly is working as a consultant for AITBT and sits on a steering committee covering social and wildlife issues. The AITBT is a logging industry forum. If in addition

one finds on the internet him being thanked for assistance on a thesis with words like: "... et les longues discussions sur le bienfait de des forestier travers les siecles," it is also very clear where he stands and where the butter on his bread comes from.

As for Samuel Nguiffo, he stated as of last week that he only dealt with the social aspect and that he had not seen the final document - which was supposedly circulated to all interested parties some two weeks ago - and as such clearly can not have signed off on the final document. It would also appear he was not part to the discussions in Bern when CIB, WCS and the other parties were invited to discuss the report before publication. This again is clearly outside the Terms of Reference and the question would arise as to what changes were made based on these 'consultations' and why different consultants on the team seem to have played different roles.

I have maintained for some time now that one of the main priorities in dealing with conservation performance issues requires the establishing of a system of independent third party auditing. As it stands there are thousands of such projects out there pretty much all claiming success while species are lost and eco systems going down the drain at a faster rate than ever before. There is something wrong with this equation.

However, this audit/assessment makes it again clear that it can not be left to the donor to choose 'suitable' consultant and that this would need to be institutionalized and an organization like SGS would have to open a division to deal with such auditing and in turn their mandate would include the selection of the most suitable candidates and the ones with the least conflicts of interest.

The principle of auditing and assessing the trafficking of a contraband commodity.

It is clear that when it comes to bush meat hunting and trading in logging concessions which have made some efforts at controlling the trade and adhering to some of the national laws, the trend would be for the illegal component of the traffic to go underground. This would be especially true in the context of Central Africa where I have classified the tendency to always try to beat the system as being the 'National Sport'.

This is clearly a law enforcement issue and evaluating law enforcement might be best delegated to law enforcement experts rather than biologists. What is clear is that you can not audit such a project without the undercover component.

When it comes to drogues, weapons, ivory etc, human nature dictates that one can not preannounce the visit of a team of western experts, them arriving in a small town, clipboards under their arms, being accompanied by a company official and traveling in a company vehicle and then expect any kind of valid results. This is an absurd notion.

I admit that auditing of timber production and export might be possible under the above conditions. The fact is a Sapelli tree does not fit in a back pack and can not be sold from house to house or under the market table.

We have demonstrated over and over again that introducing any kind of bush meat control measures will result in displacing hunting pressure from the area under control to one less controlled (an issue not really addressed in this evaluation either). We have seen in several places the trade going from on the table to under the table. Joseph interviewed some villagers from Ndoki on camera telling him that

no trader would sell elephant meat to a party which did not speak Lingala and they then showed the hand signal one used to inquire if elephant meat was available, again illustrating the above point.

Some PROGEPP project reports also seem to indicate that even the project management had decided that without the undercover component they would have no idea of what was really going on and I have seen comments indicating that they had several such agents on the payroll. The audit report makes no reference to the results and the validity of this investigative method.

However, to call an undercover investigation to be 'biased type of documentation,' because it provides no objective assessment of 'the scale of the activity,' in the context of the above, takes this beyond absurd. Taking 'the announced international audit teams' data collection/interview methods into consideration and a local ex bush meat hunter traveling undercover, looking for bush meat hunting opportunities and actually recording them in a form third parties can assess and evaluate, I know which type of information I would put my money on.

When it comes to bush meat auditing, undercover operations by local operatives are an absolute must - as it is with pretty much any kind of contraband. Without it the data presented reflects the view point of what the villagers feel these international experts would want to hear.

I will further touch on specifics on how this audit could have provided some data which clearly must be available and which would have overcome this huge credibility gap.

The principle of having the right terms of references and following them:

With the terms of reference classifying me as the most critical voice as far as this project is concerned, I had hopes that my input - or that of other critics - would have been taken into consideration in drafting these terms. This did not happen and I only saw them for the first time during the short meeting in Paris.

While one of the consultants seems to work on a document for AITBT which as a major component seems to have the 'Direct impact of logging on the wildlife', this topic is not touched on at all. This despite the fact that papers have been written on logging disturbance alone heavily impacting chimp populations (when one group has to flee in to the territory of another group, which in most cases leads to chimp warfare with apes getting killed).

In addition the report, as previously mentioned, does not make statements or present data concerning aspects of the CIB operation which seem to have been classified as 'no go' zones from day one. Of the specific questions put to the team in Paris practically none seems to have been followed up and answered which essentially made this meeting a huge waste of time and money.

The body of the report is some 50 pages when the terms state it should be restricted to 30 pages.

The terms of reference state as the main objective: "Therefore the present assessment focuses on REPLICABILITY." Replicability is of course closely linked to the availability of financial resources. In this context the project budget and the area the project actually covers is not mentioned a single time. Not the total amount for the three years – including the additions in guard forces it would appear were agreed on during the project period. The meager contribution of CIB is only mentioned in the very end. In the annex reference is made to the fact that this is 'in kind' and not in cash, with no analysis of what the 'in kind' contribution is. Without really assessing the past present and future cost

for the areas presently controlled and the areas which would need to be controlled for such projects to really make sense, the above objective for this evaluation has not been met.

The terms provide for a meeting of all the participants in Pokola or Kabo, while this meeting took place, it is clear that other meetings with stakeholders (including CIB) took place thereafter in Bern. The meeting minutes of these meetings, which almost certainly resulted in amendments to the final report, should have been attached.

These are the principle issues I have a problem with. While I consider most of the data in the report to be biased with the available facts interpreted in a biased manner, the document might still serve a useful purpose. In my case I certainly have learnt an important lesson: That I will never again participate in such an exercise where the donor/client:

- Writes the terms of reference
- Chooses the team of auditors and
- Supervises the final production of the report

The next part of this feedback to the audit will consist of comments fitted into the executive summary of the report and referring to details of the main body of the report if and where necessary. This part will deal with:

- The facts ignored
- The facts misrepresented
- The questions put to the team which went unanswered

I would request that I am provided the list of parties SECO sent this report to so I can offer them my comments in the interest of basic transparency and accountability.

Regards

Karl Ammann

Executive summary of the draft report Evaluation PROGEPP June 2004

Comments on facts and figures presented in this report, as well as departures from terms of reference and questions asked in the Paris meeting to which there appears to be no response (all in Italics):

- 1) Steps followed during the evaluation mission

The following methodology was used:

- Review of project documents (technical reports, scientific publications, activity reports, diverse correspondence, meeting minutes, agreements etc...).

A lot of the project documents the team consulted and listed in the annexe 2 do not seem to be available publicly or on any SECO/ITTO/WCS web site. Without being able to view these reports it will not be possible to establish to what extent the data was selectively extracted.

In depth interviews with heads and personnel of three partner organisations in the field, and with representatives of the Ministry of Forest Economy in Brazzaville.

- Interviews with some stakeholders in the field (village chiefs, villagers, semi-nomads, traders in the market, teachers, etc...).

Interestingly, there is a list of dozens of names of CIB officials who were interviewed. There is no list of ‘village chiefs, villagers, semi nomads, etc.’ This is particularly disappointing since we presented video taped interviews with two village chiefs, of what is in this report called ‘semi nomadic’ village chiefs, in which serious allegations against CIB were made.

It is also very clear that in this category few would speak out freely to a foreigner arriving in a CIB vehicle with a minder of the WCS/CIB scheme in tow - as stipulated by the terms of reference.

- Visits of field level activities (components of conservation, monitoring, forest management, timber processing, product substitution activities, awareness building, social activities, etc...).

With the terms of reference stating that such visits were to be done with two team members present and a minder from the WCS/CIB scheme, I wonder if Mr. Samyn of INTERCOOPERATION was, in this context, classified as a team member or if indeed there could only be one team in the field at any given time?

In accordance with the terms of reference, the evaluation included the following **steps**:

- Description of the current situation
- Analysis of results obtained and constraints experienced
- Analysis of the perception of external actors
- Analysis of the performance of the collaboration between CIB-WCS-MEFE
- Lessons learned and replicability of the various aspects of the collaboration

2) PROGEPP

The objectives and expected results of PROGEPP are:

Development Objective

To contribute to biodiversity conservation, and to the production of valuable timber in a lowland forest concession forming a managed buffer zone adjacent to the Nouabalé-Ndoki national park, northern Congo.

Can we be straight on this: Are all the donors to the PROGEPP project clear that they are “contributing to the production of valuable timber in lowland forests”? In this context the allegation of subsidizing a logging operation seems to be confirmed.

Specific Objective

To elaborate, implement and monitor ecological management systems based on the timber industry and local communities in the forest concession of Kabo, Pokola and Loundougou, adjacent to the Nouabalé-Ndoki national park.

Expected results:

1. Co-ordination of the project and of the established management unit.
2. A plan for the management and the protection of the wildlife has been elaborated, adopted and implemented.
3. Low impact logging strategies and technologies have been elaborated, tested and evaluated.

What seems absent here is: ‘Implemented’. Without implementation this makes for just another nice line of words.

4. Studies conducted on activities for alternative production, pilot projects and plans have been elaborated and implemented.
5. Applied scientific research/ monitoring programmes elaborated, tested and implemented to produce information for an evaluation and an adapted management

3) Brief reminder of the current situation

Historical aspect

The Congolese Timber Industry (CIB) was created in 1968.

In 1991, WCS signed a protocol agreement with the Congolese Government, formalising the conditions under which it would work in Congo.

The work undertaken by WCS led to the creation, in 1993, of the Nouabalé-Ndoki National Park (PNNN).

WCS is responsible for the management of the PNNN (formalised by a convention with the State since 1996).

No reference to the controversial ‘protocole d’accord’ signed in Dec. 1995 (a copy of which was provided in Paris).

It finally shows up on page 54 of the annex which states under “Performance des Partenaires”. “Un compte rendu d’une reunion a Pokola en 1995 sans engagement formel pour des actions quelconques par le WCS et le GTZ.” Of course not in the case of GTZ since it was not one of the partners and did not sign the agreement in question which clearly contains very clear cut obligations for CIB which illustrate that it is now 10 years since the same objectives are discussed:

‘La CIB s’engage:

- *a amplifie son projet d’agriculture et de l’élevage*
- *a favoriser l’importation de boeufs pour la consommation a Pokola*

- *a maintenir l'interdiction a ses chauffeurs de transporter la viande des especes protégées interdits a Pokola et Ndoki*
- *continuer son projet de sylvicultrve*

Forest harvesting started in the Ouesso region at the end of the 1940s. CIB has been so far assigned four Forest Management Units (FMU), centred in Kabo, Pokola, Toukoulaka and Loundoungou and one Forest Harvesting Unit (FHU), that of North Pikounda Unit. The total area covered by the FMUs is 1'291'244 ha.

The situation in Congo

No rural management plan.

A copy of a newsletter by a Congo based Human Rights NGO states in its first 2001 edition- "Enfin, dans les accords d'établissement de la CIB, la forêt de Ndoki étant une forêt classée donc destinée uniquement à l'exploitation forestière, cette société devait faciliter l'approvisionnement en vivres des travailleurs."

As such there seems to be some zoning plan in place affecting agriculture in FMUs.

Existence of a new forest law, approved in November 2000 (*Loi N° 16-2000 of November 20th 2000 portant Code Forestier*, which is implemented through 6 decrees and 10 orders.

A partitioning in zones and forest management units (FMU) is foreseen, each subjected to management for periods of 10 to 20 years and adhering to the principle of sustainable management. Conservation areas, such as National Parks, are defined.

Wildlife conservation and use are governed by *Law No48/83 dated 21/04/1983, which defines the conditions for conservation and wildlife harvesting*. A proposed new Law concerning wildlife and protected areas is under preparation.

Other dispositions taken by the private sector.

Modification of *the internal rules of the CIB* approved on 31st December 1999.

In February 2001, a *Code of Practice* for the sustainable management of forest concessions in Africa has been approved and to which CIB was a signatory.

CIB has initiated the process to obtain FSC certification.

Statement of commitment by CIB to a continued improvement of socio-economic and environmental performance (May 2003).

Approval since 2001 of new techniques for *low impact forest harvesting* (LIFH).

With CIB having in the past claimed to be certified under the Kerhout label - which then had to be withdrawn - it would have been preferable for the team to evaluate implementation of specific steps and not dwell on nice rhetoric as to possible future improvements, which generally means very little in the context of industrial logging in Central Africa.

Demographic data

In total, the population of the area consisted of approximately 26 000 inhabitants in 2001, date of the start of PROGEPP (WCS, 2001).

The population census carried out by PROGEPP in 2001 reveals the following categories of inhabitants:

- The indigenous people, of which 19 % are Mbenzélé (semi-nomads) and 76 % are villagers

- The immigrants (5% of the total population)

A growing number of foreigners are primarily Rwandans and Congolese from the DRC.

If the project started with 26,000 inhabitants in 2001, why not provide the figure for the inhabitants at the date of the audit? With minimizing migration pressure clearly having to be one of the main objectives when discussing conservation of this region, this would make for an interesting statistic.

It has to be assumed that the Rwandans living in the concession are Hutu refugees from the genocide period. Rwanda has on many occasions asked its neighbours to repatriate what they consider to be remnants of extremist Hutus. What efforts are being made to achieve this and what pressure is CIB applying on the government to comply with this request?

Evolution of the collaboration

A protocol agreement was signed in June 1999 for a 5 year period between the Forest Economy Ministry, CIB, WCS and Congo Safaris for the implementation and management of the conservation component in the FMUs of Pokola, Kabo and Loundoungou (following the cancellation of its licence to hunt bongo, Congo Safaris has left Congo and is therefore no more a partner in the agreement).

There was also the protocole d'accord of 1995.

According to information available on hunting web sites, Congo Safaris had its Bongo licence reinstated and then still decided to withdraw and it would appear that another trophy hunting operator which was originally active in CAR has taken over.

Another document, dated May 2001, specifies the project agreement between ITTO, the Government of the Republic of Congo, the General Directorate of Forest Economy, CIB and WCS for the implementation of project PD 4/00 Rev :1 (F) for a duration of 3 years (June 2001 to May 2004).

In September 2001, another protocol signed between the Forest Administration, CIB and WCS specifies the mission and the operational and financial conditions of the Surveillance and Anti Poaching Unit (SAPU).

This seems to be a very important document in the context of financial sustainability. Is this agreement and budget publicly available? If not, why not?

Partner strategies

CIB

The CIB industrial operator offers a real/ concrete long term strategy for industrial development, based on the first level of wood processing. It has set up a well adapted and efficient modern sawmill on the two locations of Kabo and Pokala and, on the latter, it has established a wood drying unit and a moulding workshop for value addition of small timber.

CIB is currently considering the utilisation of sawmill waste for energy production through co-generation.

CIB has also committed itself to a clear forest management strategy, with a will to quickly obtain eco-certification of its timber, enabling in particular secondary species from its forest concessions to be marketed in Europe.

WCS

WCS (Wildlife Conservation Society) is a large American NGO involved in nature conservation. According to an agreement with the Congolese Government, it is responsible for the management of the NNNP and for the implementation of PROGEPP. In a context of conservation largely influenced by the ways in which forest enterprises function, it is to WCS's substantial credit that it has strongly promoted a collaborative approach to multiple use forest management in the inter-tropical zone and has led to a real dialogue being established between the different partners. WCS has stated that it is able to evaluate progress in wildlife and forest management using its ecological, socio-economic and law enforcement monitoring mechanisms. These studies and research result in objective and verifiable information. But WCS role remains limited to its operational mandate and to its role as the representative of a specific interest lobby.

Again, where are WCS's evaluation reports resulting from its "ecological, social, economic and law enforcement monitoring system"? It would appear that in terms of replicability these documents would be important. Are they, as well as the results of implementing these mechanisms, publicly available? If not, why not?

Does WCS have an official policy concerning its collaborative agreements with the logging industry? Have the conflicts of interest been analyzed in the context of the two parties jointly benefiting from project financing contributed by donors, resulting in budgets of millions of dollars, with both sides having an equal interest to declare success?

When looking at the traditional separation of power which provides for the most effective governance of any society and most projects, we have a legislative body, an executive body and a judiciary. In the context of the above, is there any good reason why CIB and WCS should not have worked jointly on the legislative framework which then could have been implemented by CIB, spending its own resources, and hiring its own experts (exactly as this report proposes at the end as far as dealing with socio economic issues)? WCS and the wider conservation community could then have assumed the role of the Judiciary and evaluated the performance of the company/project in question. With such an approach the donor community would not have to consider subsidizing extractive industries in poorly governed third world locations. The companies concerned would have had to accept that internalizing these costs is the only way to go and the concerned world community at large would have less of a problem with conservation organizations endorsing the logging of primary rain forests. This in turn resulting in making the logging of primary rain forests more profitable and less controversial and as a result clearly contributing to more logging taking place rather than less. In addition, setting a precedent allowing unsure and less informed players and actors to jump on the bandwagon and conclude that this is the way to go and a new route to raise public funding.

This potential 'other avenue', in evaluating WCS's policies, should have been taken into consideration before congratulating them to this approach. It puts this consultant team very clearly on one side of this debate.

The Congolese Administration

The Congolese Administration is represented only by the Ministry responsible for forests and environment and by its field offices (Ouessou and Imfondo inspectorates). This set up is explained by the fact that the region is primarily forested and also by the historically influential position of the concerned Ministry within the Congolese Administration. It is regrettable that other Ministries (finance, agriculture and animal husbandry, rural planning, « social » Ministries, health and education) are not involved in the management of a concession of the size of CIB (1.3 million hectares). Nevertheless despite a disturbed post-conflict social and security context, the FEM has involved itself in the management activities by supplying the agreed deputation of staff, by ensuring the support for SAPU and through the facilitation of Anti Poaching (AP) operations in the field.

The IMF recently demonstrated how, in neighbouring Angola, roughly US\$ one billion of oil revenue disappears on an annual basis while the donor community injects some US\$ 300 million a year to keep the Angolan people alive. Congo ROC is a neighbour with a relatively low human population and density, and it has considerable income in the form of oil royalties and forest taxes. If such an administration is not willing or able to use these incomes to provide some services (via the Ministries of health, education, agriculture, finance, rural planning) in a large part of the country which is also home to 26,000 people, then the question arises - Do extractive industries really contribute to the development of such economies or will the end result be that of depleted resources with more poverty down the line rather than less? (I appreciate that this is not strictly part of the terms of reference but it should be part of the terms of reference for SECO when subsidizing resource extraction in poorly governed third world countries.)

4) Achieved versus expected results

Project co-ordination and management unit:

- WCS ensures the control of the project and good technical, administrative and financial management.

Fine, as a critical observer who has demonstrated in the past how CIB/WCS (the Gualougou triangle deal) has taken the international donor and conservation community for a ride, I believe in facts and figures and I see few in this report which really go to the heart of the matter. E.g.-

Road block effectiveness, number of arrests made, what species and what quantities confiscated, what vehicles involved, how were the meat and trophies disposed off? Supposedly these statistics exist. Where are they?

With various reports describing eco guards as being far from disciplined, how many have been dismissed, for what reasons, how many prosecuted (reference of a turnover of 50% early on in the project is mentioned. It would have been interesting to see this further qualified).

In terms of internal discipline and measures taken by CIB: How many employees have been suspended (as per company policy) for infringing on hunting and transport laws? For a total of how many days? How many have been reported to the authorities?

How many 'process verbal' have been recorded for infringements of national laws concerning hunting and related laws? How many have been passed on to prosecutors? How many cases have ended up in court? How many court rulings have there been? What fines have been paid and what prison sentences served?

How many illegal guns have been confiscated? Where did they end up? What are the guarantees that they are not being used for hunting somewhere else?

If any ivory has been confiscated, where is it and can it be inspected?

All of the above would appear to be pretty measurable criteria which could have greatly contributed to the above evaluation of WCS's management and effectiveness. Why is this data not annexed, not publicly available?

- The central co-ordination structure of PROGEPP, which meets twice a year, is the Monitoring and steering Committee (MSC) composed of the representatives of the 3 partners as well as the donors.
- A management cell, established by CIB for the monitoring of forest management, consists also of CBI and the FEEM and enables transparency in the monitoring and planning of the forest management activities. WCS participates in the Steering Committee set up to oversee the management plan process.
- At the field level, the partners interact regularly to monitor the implementation of the activities. A permanent dialogue is also maintained with the field level actors (CIB workers' union, village chiefs, hunters' committee, etc...).

Wildlife management and protection Plan.

With regards to the implementation of the legislation concerning wildlife, a progressive approach has been necessary to initially secure the priority zones (villages and areas neighbouring the NNNP), before extending the activities to areas further a field from the protected area. The extension of the activity range of the project has evolved on the one hand as a function of the increase in available funding and on the other hand with respect to the sensitivity and context in the areas of intervention. In particular, a progressive approach, necessitating important efforts in extension and negotiation, was necessary in Pokola due to the high social costs associated with the introduction of the new wildlife management measures and to the wildlife law enforcement measures.

The only figure I have ever seen regarding the coverage of this project was one of 550,000 hectares. This is less than half the concession area held by CIB. What area is being covered at this point in time? To what extent has the evaluation team established the effectiveness of the controls at the edges of the areas under control? To what extent has hunting pressure shifted from controlled to non controlled areas?

Talking about the high social cost of introducing the scheme in Pokola... Clearly this 1995 agreement granted the populations rights which were outside the national laws. However, it would be interesting to know why there was such a high social cost of introducing these measures when indeed the whole leadership of the civil society of Pokola signed on to it already in 1995. Is there a pattern of signing agreements with no intention of living up to the terms?

In a documentary film shot in the concession, the spokesperson for CIB acknowledged that bush meat hunting was totally out of control at the time this project was initiated.

So here we have a logging company operating the same concession area for more than 30 years. During all this time the selective logging of sipo and sapelli was clearly done unsustainably, there was no management plan in place, the social and economic position of the semi nomadic pygmies has been in constant decline and wildlife has been harvested totally unsustainably.

Then you get a National Park next door and some need to create a buffer zone and the end result of this is the conclusion that the neighbouring logging company is not capable of managing effectively its concession and the donor/conservation community has to find the means and expertise to try to improve things - and in the meantime it also automatically grants amnesty for 30 years of mismanagement.

An effective organisation has been established by the project for wildlife management, which is illustrated by:

- A very clear reduction in hunting pressure, particularly so for protected species, based on a strict application of the wildlife law (protected species, prohibition of hunting with traps, regulation in the use of firearms, respect for the restrictions in hunting season, etc....).

This has already been discussed. What was the hunting pressure prior to establishing the project, if it was totally out of control, how could this be the case without CIB being party to national laws being infringed on? How many hunters have been arrested prosecuted and sentenced for using cable snares, hunting with illegal weapons, not respecting the hunting season, etc.?

This should be data easily available and would lift the above statement from wishful thinking to reality.

The question also arises of what is the basis for the above statement: "A very clear reduction in hunting pressure..." If things were totally out of control and they are now better controlled, does BETTER have to be accepted as GOOD ENOUGH. How can the above be reconciled with statements by the project leaders such as -

Paul Elkin stating: "The idea is to have a plan: 'We do not say 'sustainable' we say improved.'" Or Mr. Van der Walt of tt-Timber stating: "We have not reduced illegal hunting directly. The project only started in 2001 and we still have a lot to learn through it."

- A network of eco-guards, recruited exclusively amongst local communities, ensures permanent surveillance (fixed posts and patrols) of the three Forest Management Units in the CIB concession, and benefits from rigorous and efficient support from the project.

While I do have other things to do in life I will look up some of the references in question if I have to. In the context of the above I recall seeing reports, shortly after this project started, of the Central Government insisting that all logging companies hire one eco guard for every 10,000 hectares of concession area allocated. These however had to be ex "Ninja" or "Cobra" rebels designated by the government. Clearly the logging industry would have opposed this

since it meant shifting hard core criminals from the cities to the forests. However, in the context of the above statement, it would be interesting to find out if this directive was adopted and for how long?

In addition, most wildlife departments in Africa have found that locally recruited rangers and guards find it a lot harder to enforce national laws because of the way close knit tribal communities tend to stick together and see the Central government as the enemy, creating numerous conflicts of interests for rangers having to go up against acquaintances, relatives, friends of relatives, etc., etc.

Some projects have actually created funds for vocational training in towns for young men to get them in town and out of the forest. The argument being that creating more jobs for ecoguards will attract more immigrants, create a new class of potential hunters which will not shy away from doing so should a project fall apart or should there be more civil unrest?

A recent book by Ian Parker also elaborates why generally fixed posts and patrols from fixed posts tend not to work because of the rangers forming 'working relationships' with the poachers in given areas and that the 'flying squad' approach of rangers with no fixed base and no fixed patrol areas was a lot more effective.

What is the definition of "rigorous and efficient support"? Can this be somehow quantified with specific facts or is it just another view point expressed by the consultants?

- *The adoption of Internal Regulations (IR) by CIB aiming at the reduction of bush meat marketing through restrictions on its transport within the concession and the enforcement of penalties in case of non respect of rules and regulations. The IR is implemented in the field and reinforces national legislation.*

These internal regulations are attached and it seems they have not changed:

An employee gets fired for introducing a foreigner to the work place without authority! Three days of suspension from work for ignoring control barriers, compromising the hunting rules or poaching (this supposedly includes protected species which under article 16 has no specific fines or penalties). Eight days suspension from work for hunting in fully protected areas. There seems to be no specific provisions for sanctioning employees for hunting outside the open hunting season, for hunting at night, for hunting with snares etc., and no provision to automatically report any such infringements of company policy and national law to the relevant authorities.

Are these meant to really be deterrent sentences or slaps on wrists in order not to incur social and labour problems??

Why do these rules not correspond with national law and provide that, in addition to company imposed sanction, the culprits are reported to the local authorities for them to deal with the cases in hand? Again it would be great to see statistics of how many employees suspended for how many days for what offences, how many reported to local authorities, how many prosecuted, how many sentenced, how many sentences actually executed?

It is very clear that a law enforcement chain is only as strong as the weakest link and to ignore the government just because it might represent the weakest link might not be the way to improve the quality of governance. Then there is of course the question if company laws can supersede national laws? (Clearly law enforcement is very 'effective' when CIB and the authorities want it to be which was illustrated in the case of Joseph, who was moved from Pokola to Ouesso within 24 hours and then flown to a special high security jail in Brazzaville).

- The adoption and implementation of zones for hunting enable regulated access to the resource for all local actors, a reduction in access by commercial external hunters and a strengthening of the sense of community ownership of the wildlife.

There is still no indication that the badge system, touted in the IR, has actually been implemented, if every hunter has to wear one as stipulated, and there is a photo ID on it – as stipulated there should be absolutely no problem to identify fully licensed hunters mounting a CIB lorry for organized hunts – based on the ID photograph. When Joseph did his investigation there was no sign of these badges and this was long after the IR were adopted as policy.

- An integration of the wildlife zoning within the Management Plan of CIB.

The establishment of new ways of managing wildlife has evolved in parallel with an important effort at environmental awareness building in schools with well adapted extension material. Information campaigns have also been run outside of the school environment (on average 29 meetings per semester). Despite this substantial effort, it is recognized that information campaigns and awareness building activities require a sustained effort over a long period if a complete understanding and acceptance of current rules and regulations relating to wildlife management is to be achieved in the villages and logging camps.

This is interesting- At the end of this executive summary we are told that: “In the medium term, however, village communities also need to start evolving towards greater responsibility for wildlife management.”

That seems to contradict the above of: “sustained effort over a long period...”

The second is clearly what sociologists would agree with, certainly in new immigrant societies which are in no way homogenous and where there is bound to be a mentality of let us eat OUR animals before all these new outsiders and foreigners do so.

It seems the same statements and facts in this report are fitted to very different conclusions if the need arises.

Constraints linked to legal considerations have been identified. According to the Forest Code the forest and its resources belong to the State. Outside classified forests the use rights are recognised but are limited to the personal needs of beneficiaries, and marketing is explicitly forbidden, any commercial use (NTFP, wildlife, fishing) requiring a special permit. All aspects of the rural economy in the region which have a commercial component are therefore currently illegal (hunting, fishing, caterpillars, palm wine, raffia). Furthermore, the condition for benefiting from use rights is residency and not ethnic origin, while the pilot wildlife management zoning plan aims at the reinforcement of traditional resource use rights through delimitation of zones with respect to indigenous communities.

That did not stop WCS/CIB from, in 1995, signing an agreement which granted all residents the traditional right to bush meat.

Low impact forest harvesting strategies and techniques (LIFH)

- A good low impact forest harvesting strategy has been adopted and implemented. In particular one should note the setting up of an efficient geographical information system (GIS), a method for harvesting inventory adapted to GIS (numbering and geo-referencing of trees) and a start with the use of GIS for road and extraction planning. Voluntary measures to limit the number of harvested trees (to reduce damage) have also been adopted as well as other protection measures including the identification of conservation areas. Staff has also been trained in appropriate felling techniques.

After operating in this area for more than 30 years, let's hope things will happen a little faster in future and not only as the result of outside pressure.

Again the Terms of Reference state: "It (the report) does not concern itself with other key elements of sustainable forest management, such as silviculture, except where these have a clear and direct impact on wildlife." As such the above was not asked for.

Clearly, when there are positive things to say about the partners then the terms of reference do not seem to apply or are amended.

In the context of the direct impact of logging practices, we specifically asked the consultants in Paris to establish how the agreement reached between Mr. Stoll and Jane Goodall actually worked. She claimed in media interviews that she had assurance that no logging would take place whenever chimps were heard. In my opinion this is about the most naïve statement I have seen or heard in the bush meat/logging context. However, it would have been interesting to get confirmation of this 'deal' to establish if any party on the ground is actually part of it. Plus of course having such a question answered would be clearly within the terms of reference.

- CIB has embarked in the *FSC certification process* and has mobilised the necessary means to achieve it. In parallel CIB has also established procedures and control measures according to ISO 14.000.

There appear to be some serious questions regarding the ROC's adherence to international human and indigenous people's rights conventions it has signed and which an FSC audit would not be able to ignore. New and serious allegations have also arisen concerning CIB possibly infringing in a major way against OECD anti corruption legislation which clearly will have to be taken into consideration by an FSC evaluation.

Pilot substitution activities

- An efficient system of *supplying animal protein* from domestic animals, based on the importation of live beef and frozen products (chicken, fish) has been established. A network of efficient cold storage (cold rooms and freezers) has been established in the different communities of CIB, which has led to an increase in domestic meat consumption.

That is great, however it would be good to know where the full reports and methodology are available on how these results have been arrived at. In terms of bush meat consumption –versus other protein sources – again there is a paper in Conservation Biology Volume 19 Issue 1. Dealing with "Role of Price and Wealth in Consumer Demand for Bush meat in Gabon."

It outlines the methodology used for collecting the data which is impressive and which leads me to believe that the conclusions are probably sound. It seems a far cry from the data presented in this report of a percentage decline in bush meat consumption in terms of total meals per household.

The data presented just does not add up in any way with some of the earlier, well researched, bush meat consumption data for some of the same villages. (In one case even the total percentage of total protein consumed did not add up to 100%. I will further touch on this when commenting on some more specific information contained in the main body of the report.)

There are figures available for biomass in tropical rain forests and projected sustainable offtakes. We also know that the total area under the project control is some 550 000 hectares. If we now equated the potential production of this area (assuming that a large majority of the meat comes from within the controlled region) we would get somewhat of an idea of the sustainability of this offtake.

- Other *pilot substitution activities* have been tested such as sheep/goat share farming, animal husbandry (poultry, snails, guinea pigs, brush-tailed porcupine), fish farming, support for fishing (supply of fishing equipment at cost price) and support for vegetable production. Within the limits of the project resources devoted to testing these activities it appears that the development of fishing activities shows considerable promise, while the other alternative activities produced only modest results. The non-availability of necessary supplies (supplementary feed, vaccines, chicks...) is a constraint for these activities in the current context of the region.

The above mentioned report from Gabon makes it clear that if substitution of bush meat is taking place it will most likely mean a shift to fish. If in the CIB context we are talking about fishing the surrounding river system, then there would appear to be a great danger of shifting from one unsustainable resource to another. That is unless pisciculture is involved. However we are again not given the production figure for fishing the rivers and pisciculture.

I am also missing price data, but we know of a similar such scheme started by the present project manager in Cameroon (it seems he just resigned). In the end the chickens raised and offered for sale were double the price per kilo compared to bush meat and as such there were no willing buyers and the company forced them on the Baka employees as part of their pay.

- The need for more in-depth socio-economic base-line data is underlined in order for an effective socio-economic diagnosis to be developed. In particular an in-depth analysis of the market chains, of the indigenous rules for the management of village lands, and of the social and financial impact of the hunting restrictions is necessary.

Again, some 30 years after the company started logging we are talking about more studies on socio economic base line data of various socio economic aspects. At this rate we might well be studying the pygmy population into extinction.

Monitoring and scientific research Programmes

An ecological monitoring and management system for wildlife has been established and enables access to a good quality database. The main topics which are monitored are relative abundance indices and distribution of animal species and of human activities, the intensity of patrolling by eco-guards (conservation “effort”) and the number of illicit acts recorded, and the characteristics

of hunted wildlife (quantity, live weight, species composition, age/sex category etc...). The collected data taken as a whole confirm a good level of protection of animal populations in the intervention zone of the project.

Where is this data available, why is it not summarized in this report, why is it not on the internet in response to demand for more transparency, accountability and of course potential replicability?

However more detailed studies are necessary to understand the real impact of the different interventions (hunting, forest harvesting) on particular species, particularly on forest duiker for which the interpretation of ecological monitoring data poses a number of problems.

Again, more studies and more studies and no suggestion of a moratorium on logging or hunting until the facts are in.

Socio-economic and population monitoring is conducted through surveys in the villages and a census in the CIB sites is carried out annually. In parallel, consumption surveys are undertaken through a household sample in CIB sites to monitor changes in food habits in relation to the introduction of animal protein substitution. However the interpretation of this nutrition monitoring is limited by the fact that only the types of protein eaten during the meals are recorded and not quantities of protein effectively consumed.

As mentioned in the previous paragraph, it would be interesting to see a comparison of the methodology used to survey households in Gabon versus the methods used in the CIB concession. Again see comments later. The data presented does not make much sense when comparing it to earlier such studies.

5) Collaboration performance

Notwithstanding their differences, a constructive collaboration has been established between CIB, WCS and the FEEM for the implementation of the project leading to concrete results, and especially the elaboration of the management plan for CIB. The CIB industrial company currently offers a concrete strategy for long term forest management and industrial development. WCS has the considerable merit to have committed itself strongly to a concerted approach of multiple use forest management in an intertropical zone, and to have established a concrete dialogue with the different partners. The FEEM is solidly engaged in the forest management operations and in support of the USLAB. However the Ministry's weak financial and technical resources limit its ability to play a more proactive role in the ongoing global reflection on the concept of integrated forest management.

It would appear this has all been said before and commented on before. I guess spreading positive news twice is not a problem if it helps fill pages.

6) Project impacts

Impact on wildlife conservation

The strategy for wildlife law enforcement and the establishment of hunting zones has led to:

- a decrease in illegal hunting in general, and in particular significantly improved protection for protected species over a very large area

Where is the specific data for this conclusion? To what extent might the control measures in place have resulted in hunting pressure being shifted to areas outside the controlled area? To what extent has the direct impact of logging on wildlife been assessed and mitigated?

- a change in hunting methods (towards more selective hunting)
- an improvement in protection for special habitats.

In the FMUs of CIB, *the special anti poaching unit (SAPU)*, which was set up on a pilot basis with the support of the project and of WCS, largely achieves its objectives with respect to wildlife law enforcement, and this is reflected in the obviously healthy state of large mammal populations in the UFA's. However while recognising that the situation is well controlled thanks to excellent supervision and monitoring of the guard force by the project, the policing nature of this work, by uniformed guards, means that risks exist for abuses to occur if this high level of supervision cannot be maintained. For example:

- The confiscation of non registered hunting weapons, associated with high fees, runs the risk of bribes being requested during controls in the forest and in particular against semi nomads. The currently implemented guard monitoring system should limit this risk.
- The establishment of control barriers is an obvious constraint on the free movement of people and goods and can lead to abuses if close supervision is not ensured.

Supposedly this SAPU unit was later added to the ecoguard units and there must have been a specific reason and need for this addition. What would the reasons and needs have been?

Joseph Melloh reported that he had been made to kneel in the street with a gun to his head and then have three hundred dollars stolen from him. He was willing to identify the roadblock and the day and time when this happened. Nobody seemed interested to follow up this claim. (I also understand that other armed robberies have taken place in the concession involving eco guards, and people have been killed by eco guards.)

He also filmed a road block on which clearly there was no real restriction of free movement in a sense that some money changed hands and no inspection of vehicles and passengers took place. It is hard to conclude that what he documented are isolated incidences while when he is not there with his hidden camera, travelling as just another paying passenger in a logging lorry, everything is just perfect.

Talking about 'close supervision,' how is that handled? Does it involve undercover investigations? How many of the ecoguards / SAPU unit members have been fired or prosecuted? These would be good statistics to have.

Again there is a clear indicator that this high level supervision continues to be necessary and probably will be a must in the long term, thus clearly affecting the long term feasibility and replicability not only as far as funding is concerned but also as far as the relevant expertise required (it is assumed that at this stage this close supervision is provided by expatriates).

A number of difficulties related to aspects of law enforcement remain:

- For organised hunts it is common practice for CIB staff to lend their hunting permits and their weapons to semi-nomads who do not generally have the means to be in conformity with the law with respect to possession of fire arms and hunting permits.

If on organized hunts there are Bakas hunting with Bantu hunting permits and guns then little seems to have changed. Clearly national laws are infringed on. Clearly checking the hunters mounting the CIB truck taking them on organized hunts should be a very easy initial step. With all this fantastic and perfect supervision – why is this not happening?

- Dealing with elephant crop damage (reporting and evaluation of crop damage, compensation, problem animal culling) is a highly complex issue and for which no easy solutions are available. Although the forest law provides for a number measures, these are not compulsory, and as a result the perceived application and/or non-application of these measures leads to tensions with affected villages.

What is the legal status of the CIB concessions? According to the earlier mentioned OCDH newsletter there is legislation in place under which states: “la foret etant une foret classee donc destinee uniquement a l’exploitation forestiere...” If there were no plantations the elephants could cause damage to, there would be no need for “culling.”

- The legal status of eco-guards, foreseeing their incorporation in the forest service, is not respected (restrictions imposed by the IMF and the lack of funds)

What happened to the government proposal/directive of all logging companies having to hire one eco guard for every 10,000 hectares and these would have to be recruited from the ex rebel army? Who were they going to report to??

Finally the policy of recruitment of ecoguards from the local communities, who have a traditional interest in managing the resource, is considered a sound conservation principle.

Clearly many would disagree. In a environment where introducing and trying to enforce national laws concerning wildlife management and hunting is done at ‘a high social cost,’ the local people are far from convinced that this is the way to go. Having relatives, colleagues, friends trying to police them is bound to make enforcement a lot more difficult and conflicted than if outsiders were brought in who are not compromised by specific alliances.

Socio-economic aspects (substitution proteins, wildlife meat commercialisation)

Concerning one of the project’s priorities (that of finding animal protein alternatives in Pokola to reduce hunting pressure), a close scrutiny is required on certain economic aspects linked to subsidies on domestic animal protein imports.

What are they? These appear to be important consideration. E.g. - if the imported meat is subsidized so it comes in at half the price of bush meat, then clearly the impact will be very different to offering domestic meat at the same or higher prices than bush meat. Where are these vital price comparisons?

Concerning substitution activities in the villages, we have noted above the necessity to analyse the financial impact of the restrictions to the commercialisation of wildlife meat on the villagers and

the semi-nomads (§ 5.2.3.2), as well as the necessity to strengthen the technical capacities of the socio-economic component (§ 5.4.2.2).

Project impact on forestry activities

PROGEPP contributes directly to the elaboration of forest management plans, as foreseen by the new Forest Act. It therefore has an obvious impact on the conception of these plans and first and foremost on those of CIB. A detailed analysis of constraints encountered in the implementation of the CIB Management Plan is presented in the report. These constraints highlight a number of difficulties and incoherencies from the regulatory and political points of view and which have a direct impact on the implementation of **PROGEPP** activities.

Strategies for the control of population growth

Through its commitment to the process of sustainable forest management, CIB promotes the economic stability of Pokola, at least at its current level. Pokola's situation is not an "artificial" one, but very much a normal socio-economic situation resulting from the establishment of an industry, be it based on forest or any other resources, in a region of low population density, very poor social infrastructures, and a very poorly developed local economy. It is therefore also necessary to promote sustainable solutions for feeding the town and the lumber camps.

Papers have been written on the liabilities of creating 'island economies' in the course of resource extraction. Papers have been written on 'the time bomb of immigration into ecologically sensitive areas'.

Clearly if a zoning law is in place then CIB together with the authorities would have the basis to control immigration. It seems to be largely responsible for the action taken by the Ouesso authorities in controlling arriving foreigners whereby the passport is taken off them at the steps of the airplane, which is then only returned after an interview at the police station. CIB documents also state: 'Together with the local customs and police, CIB has installed a system which controls the travel of 'foreign people' thorough the concession.' Clearly for any industrial concern establishing an island economy in a country with the poor quality of governance of the ROC, either a way is found to restrict immigration (as is done for foreigners with a different skin color) or it accepts the social responsibilities coming with it. In this context, counting on the central authorities is clearly wishful thinking.

The population growth problem is a regional issue and therefore requires a regional approach.

Fiscal impact

According to the new Forest Act (article 88), the new fiscal system is organised in a classic manner:

- A land tax,
- A felling tax,
- An export tax

Generally the collection of each of these taxes is not a major problem.

The terms of reference do not appear to require the team to establish if CIB lives up to its tax and fiscal responsibilities. However it is touched on in the above paragraph and the comments of it 'generally...not a major problem' seems to imply that occasionally it is. That would be an interesting point to have elaborated on. It would also have been interesting to find out what the

annual tax burden is for CIB and how it has increased since a World Bank team provided some of these figures a few years ago.

Even more importantly, it would have been very interesting to get some of the export statistics for CIB timber, considering that a World Bank/WWF report states that ‘nationwide, there are huge discrepancies in what are declared exports and imports. In the case of Spain the declared imports are higher by 802% than what is declared as export, for Italy it is 530%, for China it is 217%.’ With this level of tax evasion going on it would be good to have some real audit data confirming that CIB is not part of this racket.

7) Constraints

Several technical, political and fiscal constraints have been identified and analysed in the report.

A fundamental problem which concerns all the components, is that the forest sector is not integrated in a long term sustainable development vision for the country’s resources, since no comprehensive rural land use management plan exists in the Congo which defines the long term objectives for all the sectors concerned with respect to land use and population growth. In particular there appears to be a problem of lack of coherence in the priorities set by policy concerning conservation and development objectives. For example one cannot aim to encourage local wood processing while at the same time being concerned about the creation of industrial sites with significant population increases, and also obliging the industry to establish social structures which are far superior to those available to the population at large.

Should natural resource extraction be encouraged in countries with a record of poor governance (the bottom half of the Transparency International corruption listing)? Will resource exploitation actually result in socio economic development or will it result in the development of Swiss bank accounts? Mr. Aveling should be well placed to comment on this in the context of Gabon. What has been the potential income from natural resource extraction for the last two decades, to what extent has this income been fairly distributed? What socio economic/industrial development has taken place? What will happen now that these resources and the corresponding income are declining? In what way is the ROC different? Where will the country stand once these resources are gone?

(I suggest interested parties look at the recent World Bank publication: “Natural Resources and Violent Conflict.”)

A new element of concern is the evolution of the taxation system imposed by the government to the logging companies in Congo. The increase of taxes applied by the government since March 2003, combined with other constraints (high cost of transport, depressed market for the sapelli, etc.), have put the companies in a difficult financial situation. Incentives measure should be analysed to encourage the sustainable management of the forest, the certification process and the diversification of species.

It is the World Bank which has been pushing hard for a new forestry tax code, basically because they have some economists employed which have a good idea as to what the logging industry can and should pay.

If I hear one more biologists stating that the logging industry is hard up and needs incentives/subsidies I will scream!!!

Anybody who knows anything about the business climate of Central Africa knows that no sound corporation (I am not talking about money laundering operations) would willingly

operate in this climate if it was not for the fact that serious profits can be made and are being made. There are averages out there stating that between the producer and consumer the average cubic meter of hard wood results in US\$ 100 net profit being earned at one or several points. If CIB has an output of 300 000 cubic meters, some parties along the chain are expected to realize a profit of some 30 million dollars annually. Clearly, a perfect setting to employ transfer pricing to not have to pay the taxes at source. CIB through tt-Timber seems to be pretty vertically integrated, allowing for all kinds of transfer pricing mechanisms to be exploited and for profits to be made at various levels.

To suggest (not for the first time) that the donor and conservation community should be running around finding ways to make logging more profitable - in the absence of annual profit and loss statements as well as balance sheets for all the companies involved in marketing this timber - is at best being totally naïve.

8) Actors'/stakeholders' perception and external criticisms

The **fundamental criticisms** were analysed in detail. These concern essentially:

- the appropriateness of the use of international funds to finance this project and the negative impact of the project on the more marginalized social groups, particularly semi nomads.

Many of the very relevant questions in this context were not actually addressed (see above and below)

The many **factual criticisms** (for example extent of hunting control, non respect of wildlife laws, social conditions in Pokola, corruption...) were also analysed. Many of these were found to be either incorrect or no longer relevant in view of the results achieved by the project.

In future the transparency of the operation should be guaranteed by the FSC certification process to which CIB has committed itself. This process will allow for objectively verifiable information to be checked by independent experts in the field and will address specifically the issues which are included in the criticisms.

Will the FSC process result in the authorities at Ouesso no longer coming to any landing aircraft to take the passports of any foreigner? Will it allow a landing foreigner to charter a boat and go up to Bomassa? If he decided to walk from Soccambo to Pokola will he be able to do that? Why would we need for the FSC process to see the whole country being available for visitation based on a travel visa covering the whole country?

CRITICISM 1 : PUBLIC FINANCE CONTRIBUTIONS FOR THE IMPLEMENTATION OF FOREST MANAGEMENT PLANS.

Since the Rio conference, biodiversity is considered as a global public good; it is therefore perfectly normal that the international community, through its bilateral and multilateral donors, contributes financially to the identification and management of this good. Furthermore this very financial contribution gives legitimacy to the international community's right to intervene and lobby through its independent observers.

This can take the form of subsidies to extractive industries in the hope they will do a somewhat better job in ecological terms or it could go into trust funds where the countries concerned could benefit from not having to exploit such resources and preserve them for all mankind –

like the remaining tropical rainforests. Looking at the correlation of natural resource extraction and conflicts (of which the ROC clearly has been a victim), all empirical evidence seems to suggest that this is not the way to go in poorly governed third world countries.

The management of forest stands is normally the responsibility of the forest owner. In central Africa, the State is the legitimate owner of timber resources. For the State to justify its legitimacy it is important that it redistributes a portion of taxes in management activities. In the long term it is therefore undesirable that the State should continue to impose on the logging companies virtually all the costs of elaborating and implementing management activities (e.g. stand regeneration, wildlife management, socio-economic development,...).

That is the result of operating in partnership with a dysfunctional state. One answer might be to not encourage and subsidize these kinds of resource extractions and partnerships.

In the specific case of CIB, the pilot character, at least for Congo, of its management plan has entailed an increase in management costs and a risk of unfair competition with other enterprises, which will benefit directly from the methodology developed by CIB. This reinforces the argument for public financing for this management plan.

Which other companies have actually agreed to sign on to the approach pioneered with this pilot project? I heard of one company which has invited the PROGEPP partners to introduce the same kind of wildlife management in their concession – AND FIND THE FUNDING FOR IT.

Clearly that is the other side of the “level playing field”... No other company will embark on costly measures without getting the same kind of subsidy as CIB does. This is the level playing field argument and in the case of the German legislation it would appear that actually the GTZ/BMZ grant was conditional to all companies being offered the same deal under the same criteria.

As is made clear over and over again, a management plan is necessary to get FSC certified. With FSC certification in place supposedly the consumer will pay the cost for improved forest management and the logging companies concerned should accept the risk coming with such an equation. If public funding is used to help one company achieve the above objective and then be able to market its timber more effectively and at a higher price then clearly this is the other side of ‘unfair competition.’

I have a further question at this stage: Once CIB has logged its third concession area of Sipo and Sapelli and it should turn out that other species are less profitable in the marketplace they cater to and profitability declines, what will stop the owners from selling the company and concessions to some Malaysian or Chinese outfit which has very different market needs and has no interest in certification? Do the investors into the management plan have any guarantees that this will not happen?

The questioning of the legality of GTZ's financing should be seen within the context of the chronology of events. The financing was approved in October 2000 while the new Forest Act was introduced on November 20th 2000. This document insists on the principles of sustainable forest management; however Art 47 states that inventory and management activities will be undertaken by a public body, namely the CNFAF, which was created at a later date. The arrangements by which the costs of the elaboration and implementation of management plans were to be passed on to the industries were included in decree n° 2002-437 of 31st December 2002 (article 31 and article 40), some two years after acquisition of the subsidy.

Again, why are we exposed to this defensive ‘spiel’ on the GTZ deal despite the terms of reference not asking for it? Clearly there are serious questions as to the legality of it. These should ideally be discussed by lawyers and legal experts and not by biologists. Are the consultants expecting to get GTZ contracts?

Finally it should be noted there is an urgent need to examine how the costs of sustainable wildlife management and ecosystem services can be integrated into forestry fiscal and management plan funding.

One very simple answer: If CIB would not be operating in Northern Congo, if it had not attracted some 26,000 new residents, if the area had not been opened up with new roads, and a new ferry crossings into Cameroon, the cost of managing wildlife would be a fraction of the US\$ 1 million a year it appears to cost at the moment. One principle, in this context, which is applicable everywhere is: Once these forests are opened up, to try to control anything becomes a lot more difficult and costly. So should logging be obliged to clean up its own mess or should the donor community be asked to step in? (Again there are clearly two points of view as illustrated by the comments of a similar evaluation which was done for the EU on a WWF/logging deal.)

CRITICISM 2 : INADEQUATE CONSIDERATIONS OF THE LIVING CONDITIONS AND NEEDS OF SEMI-NOMADS.

This is undoubtedly is one of the most difficult questions to tackle and should be situated in general context of forest people’s issues in the Congo Basin. On the one hand the semi-nomads are citizens, on a par with other ethnic groups and therefore, in principle, subject to the same treatment with respect to wildlife law enforcement as all other citizens. On the other hand, they are the most marginalized group in central African societies due to their particular way of life and to their low social status (or example, in the case of hunting, a semi nomad has very little possibility of conforming to the law with respect to possession of fire arms and hunting permits).

The PROGEPP is working towards improving understanding of forest people’s issues and is adopting an adaptive approach with respect to semi-nomads, but it is recognized that improving understanding does not necessarily translate into easy solutions, particularly for complex issues like those of forest peoples. Although a considerable body of information on the forest peoples in this area have been collected over the years (e.g.: studies by Eaves, Lewis, Mukassa) the reports of Pierre (Pierre, JM., 2003) and by Leclerc (Leclerc, C. 2004) highlight that certain gaps in the understanding of the local environment remain. In particular the issues of semi nomad social and territorial organisation, local usage rules and transmission of traditional knowledge would benefit from further study.

Dr. Stoll in a letter to SGS in 1999 wrote: ‘... the official status of the pygmies towards the Congolese government: Everybody who knows Africa after the colonial times is aware that recommendations of CIB’s expatriates or WCS may be understood as action against the sovereign Congolese government and its regional administration. I have many unfortunate experiences in this field. The first one was when I bought the two companies – which I merged later into one - from a French owner (Jacques Redon) who was expelled overnight because he tried exactly the same what FSC criteria are demanding.’

It would be interesting to find out what basic human rights and principles Mr. Redon was willing to stand up for which CIB is not?

At least since then there appears to have been some change in outlook – just sad that it took 30 years for it. However, based on the interview footage Joseph brought back this change in outlook still does not seem to have resulted in real changes on the ground. (There appears to be now one exclusive school for Bakas – because Baka children when attending a mixed school get ‘tape.’ A photograph of the school in question shows some 52 registered students but the benches seem to be occupied by only half a dozen.)

The acquisition of in depth knowledge of semi-nomadic communities is a precondition to the development of an intervention strategy ensuring a concrete incorporation of their needs and aspirations, and providing guidance to ways of resolving new constraints, such as the impact of forest harvesting and the important population changes associated with it. In particular the territorial organisation of semi nomad communities is a key element for management planning since, according to Leclerc, the territorial unit is at the same time the sociological unit. In other words the way that the forest is split up and shared between the semi nomad groups is the most effective means of identifying the different social units, and thus the legitimate interlocutors. While recognising that the current zoning plan constitutes an extremely interesting pilot experience, Leclerc’s report highlights that further refinements are necessary in order to more fully reflect the full limits of the forest territories used by the semi nomads and the manner in which these territories overlap with those of the villagers.

Again, the company has operated for 30 years in these forests and they have attracted some 26,000 new, mostly Bantu, immigrants which have turned the so called ‘semi nomadic communities’ into even more of a marginalized minority than they have been before. And now after more than thirty years the recommendation is to have more studies to establish what needs to be done...

Finally the project should examine ways in which the legal dispositions concerning wildlife could be adapted to be more coherent with respect to semi-nomads’ way of life.

CRITICISMS relating factual details:

The mission has noted that most of the criticisms concerning procedure are based on information that is either out of date, poorly understood, or simply erroneous. The content of the video (financed by Greenpeace and submitted to the team at the start of the mission) provides some examples (not exhaustive):

It was meant to provide the examples which lead to very specific questions to which I was hoping to finally get some very specific answers. Below is a list of these questions directly linked to the video footage presented in Paris and handed to the team which however seems to have been a huge waste of time having not resulted in any specific answers to any of the very specific questions.

However, first let’s get the points raised below out of the way:

- Misuse of data on quantities of protected species being hunted in the zone as a whole, without specifying that the data originate from a document provided to the World Bank by WCS referring only to Kabo and to a period prior to PROGEPP (June to June 99). It must also be noted that the eco-guards have only been operational in Pokola, the most sensitive poaching area, since the end of 2000.

I am not aware of the video footage or any information using WCS data going back to the World Bank report and stating that this was recent and up-to-date information on poaching of endangered species.

- Erroneous data (and particularly exaggerated) on the population size in Pokola. The figure of 15.000 people is presented for 2001, while the correct figure for that year was 7.000 (§ 4.4).

This is ironic: In the pile of back up documentation I provided to all the consultants there was this copy of a letter by Mr. Stoll addressed to a concerned conservationist in which he states: “Die Bevoelkerung hat sich seit Beginn der Taetigkeit der CIB im Raum Pokola fon ca. 150 auf mehr als 15 000 vermehrt die nicht in Armut leben.”

Clearly, if the chairman of the company does not know some of his basic facts and can not be quoted on them then there have to be questions regarding the credibility of any of the company information.

- Poor understanding of the opening date of the hunting season. For example J. Melloh’s last mission was planned for the month of May in order to film examples of “out of season” hunting, while this is in fact the month that the hunting season opens.

Joseph Melloh arrived in Pokola at the end of April with the hunting season opening on the 1st of May (and indeed not as suggested to him closing on that date). However his main objective, in this context, was to establish the differences in hunting practices and availability of meat between the closed and open hunting season. Irrespective of when the season started and ended, he concluded there was absolutely no difference in the amount or the trade in bushmeat between the supposedly closed season and the open season.

The footage presented which was largely shot on a trip three months earlier has him documenting a night hunt (illegal), the hunting of two Black and White Colobus (illegal) the transport of the meat on a CIB lorry (illegal), the payment of the driver with one Colobus (illegal), and tons of meat in the market. This all in the closed hunting season which begs the question:

- *In what way do CIB rules and regulations regarding hunting change between the closed and open season? There is nothing in the company regulations.*
- *In what way does eco guard enforcement of hunting and trading in wildlife products change between the closed and open season?*
- *In what way does the government enforce the closed versus open hunting season laws?*

- Inaccurate or distorted information on the social conditions in Pokola (criteria for access to the hospital, drinking water, follow up of files concerning pensions and social security (CNSS) for semi-nomad employees

Analyzing the social conditions was not at all part of Josephs initial brief and only when he came back from an earlier trip with interviews which contained very serious allegations made by Pokola residents was it decided to send him back to ask very specific questions (the consultants were provided with a tape which should have allowed it to be shown in Pokola and ask some of the featured parties for specific feedback):

- *The Baka chiefs and villagers state that only company employees and their families are entitled to medical treatment at the hospital.*
- *The company states that all of the population has the right to treatment.*
- *Joseph tests this by trying to get a doctors appointment to complain about malaria.*
- *He films how he does not manage to get past the main entrance and is sent instead to a nearby 'pharmacy' where he is sold what he considered the wrong and outdated medication.*

Question: Does all the population of the concession have the right to medical treatment (free for company employees and based on payments by non-company employees)? Is it correct that there is one doctor employed who would be expected to serve the whole of 26,000 people?

Answer: None

Joseph filmed Rwandan refugees ferrying thousands of liters of water from a nearby river into Pokola, while Pokola supposedly has a range of piped water supply points. When he asked for the reason he was told that the public water supply was not safe and that the well was near the cemetery.

The consultants were asked to confirm or discount this information.

The report contains no answer.

A Baka village chief showed Joseph a gun which he said was given to him as his retirement present from CIB. He stated that Bantus received a proper pension and Pygmies received - or in the past had received - guns. This is all fully documented in a video tape and the consultants were asked to verify this story. Tracking down the villager and maybe talking to him and collecting evidence, without the CIB minder in tow, would have resulted in some answers to this question.

The result again: No answer.

The same village chief, as well as another, told of various accounts of villagers (including his son) having been killed in logging accidents and him having received no compensation of any kind. He explains what would happen to him if he tried to go and "harass the white executives." This was later confirmed by another village chief who recounted half a dozen such cases even providing the names.

We requested a list of fatal accidents in the CIB concession in the last few years, records of insurance claims and compensation payments, and receipts confirming that these payments had been passed on to the beneficiaries.

Feedback: Zero

Going back to hunting and bushmeat, Joseph documented acquiring a dozen 'home made' steel bullet tips which could be set on top of a 12 gauge shot gun cartridge and be used to hunt elephants. Joseph explained, in comments on camera, the day he bought these bullet tips as to where and how he got them and how they were being used. (Juergen Blaser later confirmed that during a visit to Pokola he secured the kind of bearing which could have easily been used to produce such projectiles.) In Paris Joseph presented the details of the

house (including the position of palm trees) for the evaluation team to establish if the occupant was indeed working in the CIB workshop which would have established once and for all that Joseph was and is telling the truth and that this aspect of the undercover investigation alone might have resulted in potentially saving dozens of elephants.

Response: Zilch

We also provided the team with a number of maps received from various sources (including GTZ) which show the Nouabale Ndoki Park with a distinct belly in the South East corner. On some of the recent National Geographic maps this belly is now gone. This is the very area in which CIB supposedly requested to take an access road through the park to avoid expensive road constructions in the swamps further south. As such it would be interesting to know when and how this corner was lost.

Reponse: Nothing

We asked the team to meet up with a French professional hunter operating just across the border from Soccambo who only last year stated on camera that he had written several letters to CIB complaining about lorry drivers travelling to Pokola and buying meat on the Cameroonian side for resale in Congo. He supposedly never received an answer.

Response: Rien

We suggested that the team might try to get back all the valuable camera equipment and cash which was taken off Joseph and maybe review the raw tapes which he said he had shot at that stage.

Answer: You guessed it...

- Outdated information on the zoning plan and on the regulations concerning the management (meat transport, badge system).

The OCDH reference was used to ask if indeed there was a zoning plan in place and adhered to. There was no other reference to zoning. According to the Company rules the badge system was adopted in 1999. Joseph states that he did not see any such badges on any of his visits and that he went hunting with a licensed hunter who had never heard of such a badge. I would very much like to see such a badge with a date as to when it was first issued.

Aside from the question of the accuracy of information used, the appropriateness of “undercover” operations to obtain footage of illegal operations should also be considered. The payment of cash to one of the most notorious elephant poachers in the zone (from whom several guns have already been confiscated by the project) to purchase a big game rifle is delicate to say the least, and certainly cannot be used to “prove” that the surveillance system is not functioning properly (one could equally well conclude that the person wishes to sell his gun because law enforcement activities have resulted in big game hunting being less profitable for him...). Nobody contests that there is corruption, nor that illegal hunting occurs, but care must be taken as to the conclusions than can be drawn from such a partial and biased type of documentation, because it provides no objective assessment on the scale of the activity.

It is interesting to note that the hunter selling an elephant calibre rifle is now suddenly “a well known elephant poacher,” while only late last year Mr. Stoll filed a court case against a German rain forest organization in which he alleged there was never a gun for sale (despite all the corresponding video evidence), and that we had asked Joseph to buy such a gun on the Cameroonian side and smuggle it into Pokola and then set it up as evidence... Maybe with the above clarification in place we should ask Mr. Stoll to apologize. (A GTZ study shows that 76% of all the illegal weapons in South East Cameroon are smuggled in the other direction, INTO Cameroon. With the CIB ferry crossing of Soccambo being the major border point it has to be assumed that a lot of guns pass that route.)

One of the elephant guns which Joseph was offered was actually hidden in a hollow tree in the forest together with quite a bit of ammunition. It showed clearly that this was another way to beat the system (not having to carry a heavy gun out of Pokola and taking it past roadblocks) and that it was easily picked up when elephant hunting was on the agenda. The one he was offered was broken and needed repair, which supposedly was only possible in Cameroon (the good sign here obviously being that it could not have been taken to a CIB workshop for repair).

If the project has attracted a impressive number of visitors (journalists, film crews, evaluation missions...), the critics of the project deplore the fact that they have not had free access to the site to undertake their own investigations. This is one of the reasons given for resorting to undercover methods and may also explains why much of the information used are outdated. In addition to the above-mentioned limitations with respect to the interpretation of the information obtained, this kind of approach is almost bound to be in contravention of national rules and regulations (absence of a filming permit for example) and thus will almost inevitably lead to tensions with the national administrations in the case of detection. Furthermore, in the particular context of Northern Congo, any visitor to the project is more or less dependent on the logistics and support provided by the project. It is therefore understandable that a certain level of exasperation is felt in the field by the teams, who are all too often solicited by visitors with varying motivations and interests, and whose behaviour and attitudes have not always been irreproachable.

Journalists and media personnel are closely vetted before they are allowed to visit. Visits have to be prearranged and would appear, in some cases, there are even written agreements in advance as to what will be filmed and who owns the footage. The ministry concerned then pretty openly asks for a wide range of bribes in addition to the official filming licence before any filming permit is issued. The reporting often corresponds to these preconditions and is Hollywood like (perfect roadblocks with ecoguards in immaculate uniforms climbing on top and under the lorries), while exactly on the day Joseph passes and secretly films, they do not leave their huts, the lorry is parked 100 meters away and a cigarette is dangling out of the mouth of a badly dressed guard.

Of course Joseph must have filmed with his undercover equipment when everybody had a bad day, the one day of the year where general law breaking is going on which is clearly not representative of “the scale of the activity.” Actually if there is any evidence of the “scale of these activities” it would be this kind of undercover data, especially considering that verbal comments from somebody like Joseph are automatically discounted and only conclusive video evidence is ‘partially accepted.’

On the other hand, you have a bunch of consultants shadowed by a CIB employee going out with clipboards and CIB vehicles to ask questions, not even looking for the under the table facts and activities, and then expecting that their WRITTEN reporting is considered sacrosanct and in no way biased. This clearly represents a very extreme level of arrogance and double standards in classifying what is ‘evidence’ and what is not.

If corruption is going on and if the consultants were concerned about the actual scale, Transparency International has pioneered and uses methods which seem to be acceptable as a measuring standard. Why was this not part of the brief?

We know that Joseph was arrested after he was reported by a CIB employee. We know that a CIB employee translated the documents found on him that very evening. We know that he was transported the next day on the CIB boat to Pokola. All the while tt-Timber stating they had no clue what was happening.

As for the government authorities, if indeed this kind of filming without a permit is restricted by law, then why did they not charge him according to this law? Why was he held incommunicado for months in a high security facility while the constitution appears to state the usual: Charge within 48 hours or free the person?

Why did the minister call a press conference to present his 'evidence' and announce that Joseph was guilty to then only hand the case back to the Judiciary? A minister who does not understand his constitution and the separation of power - restricting him to order around the judiciary - is another piece of evidence to what extent the state of ROC can be considered to be functional.

In the future the transparency of the operation should be guaranteed by the FSC certification process to which CBI has committed itself. This process will enable the production by experts of objectively verifiable information from the field, and will specifically address the issues which upon which criticisms are based (social conditions on the sites, smuggling of timber, considerations for semi-nomads, hunting control, etc....).

I have travelled in dozens of logging concessions without the support from the company concerned. I have walked, I have taken bicycles, and I have been on motorbikes and in cars. I have never found it a problem to get around, certainly not in an area with a good road infrastructure and 26 000 inhabitants. The exception is and has for a long time been CIB. The big question is of course why? What do they have to hide? Why will they only allow announced and supervised visits?

Clearly, FSC certification will not resolve this most basic issue.

9) Lessons learned and replicability

The success factors concerning the collaboration were analysed with respect to institutional, geographical/spatial, political, technical and financial aspects.

Institutional :

- the presence of three partners (the FEM, CIB since 1960, and WCS since 1991 with a country agreement and a mandate for the management of the NNNP), who share a long term vision and who each have an interest in the success of the project.
- the three partners already had excellent field knowledge at the outset, enabling each to be operational immediately.
- the presence of competent and highly motivated technicians.
- a particular focus given to training of technicians.
- the WCS is a credible witness for the international scientific community.
- the presence of a third party reduces the usual "face to face" situations, which when conflictual, are difficult to manage.

- the quality of personal relations between the representatives of the organisations. An important investment has been necessary to ensure an open dialogue (despite evident differences of opinion), with a mutual respect and transparency between the parties.

Geographical/ spatial :

- the proximity of the protected area which ensures added motivation from the three partners.
- a low population density zone with few villages inside the concession.
- the possibility to control access to roads enabling an easier application of the rules and regulations of the Management Plan and of the Internal Regulations of the Company.
- the presence of a good level of wildlife (not too degraded situation).

Technical:

- a comprehensive and integrated approach (information, protection, substitution activities, research/ monitoring).
- The innovative character (pilot) of the project justifying an experimental, evolving and adaptive approach.
- A high quality of supervision of the guard force, with adequate financing.

Policy :

- A political and institutional will to succeed, in particular good support by the Congolese administration for an activity which has high social costs (eg: social disturbances following the strict enforcement of the wildlife law).

Financial :

- Seed money enabling the start-up of activities as the company progressively bought in to the process.
- The possibility of mobilising other financial resources (especially through the WCS)
- A promising timber market for the operating company enabling a clear industrial investment strategy and a substantial investment for the certification process.

We were just told that the logging industry operates in a depressed timber market and now it has become a promising market!!!

As a concluding remark, and within respect to replicability of this management model, it is important to underline the following points:

The management model developed by PROGEPP presents the major advantage that the biodiversity conservation costs in forestry concessions can be passed on to the consumer (the timber buyer), which is not possible in the case of protected area management.. However it is essential to impose the same conditions (constraints) for everybody in the different FMUs (principle of a “level playing field”). The difficulty of achieving financial sustainability for an approach requiring such a high level of support and supervision for the guard force is raised. Where logging is taking place the solutions are likely to link to the revenue generated. However there is also a need to evolve, in the medium term, towards greater responsibility for management by the local communities.

Let's get this straight: The project costs can be passed on to the consumer! Why has it not been passed on? What confirmation is there that it will be passed on?

Then we have the next qualification: It can only be passed on in the context of a 'level playing field,' meaning all loggers accept this kind of additional management cost which equals the surface tax. Let's take Hazim who now appears to have more concession area under his control than CIB and who has stated to me in person that wildlife management is not an issue he feels he should concern himself with. Now he will never accept to absorb this additional cost. So clearly CIB and all the others will shout: "Uneven playing field." If one wants to be cynical one would have to assume that the loggers will always find one or two of their own who refuse to participate and they all have the excuse they are looking for to put the ball back into the court of the donor community.

I do not understand: 'Where logging is taking place the solutions are likely to link to the revenue generated.'

The people who generate revenue, not only with their local holding company but with various foreign trading and holding companies, are the loggers. So when will somebody come up with the solution that logging should pay for it, no ifs and no buts, and this should have been the starting point and things would not be in the mess they are today.

There is reference in the above to the high level of supervision needed for the guard force. That presumably means expats. Expats are costly and the ones willing to work in this kind of environment will be hard to find. There is little reference otherwise to the very limited pool of experienced manpower available to expand this pilot project ten or one hundred fold.

It is also interesting that in the same paragraph we are told of this high level of support and supervision for a project which is already three years old while in the same breath there is mention of the local communities accepting more responsibility. While I have touched on this before, clearly if well paid employees still need very close supervision to do their job it is pretty unrealistic, in a central African context, to expect village communities to voluntarily accept more responsibilities. The chance is very, very high that the moment the high level supervision, which is provided at the moment, is reduced that the project will collapse.

In this context I would have loved to see a statistic of how many expats CIB started off with 30 years ago and how many they have today and what their total costs are? I would assume this would illustrate the point made above.

Although PROGEPP has tested, on a pilot basis, a number of « alternative » activities, the project considers that its socio-economic component should focus mainly on supporting the project's principal goal of sustainable wildlife use. It is therefore important that the project ensures that this strategy choice is clearly defined and articulated. Certain aspects of the socio-economic context require further study (eg; traditional structures, economic chains, household economies) in order to consolidate this strategy choice. It is also recommended that the project strengthens and professionalizes its socio-economic component by involving other relevant technical experts and/or institutions.

Once more further studies... Mr. Stoll clearly states that WCS has accepted all responsibility for dealing with the pygmy problem. The bushmeat and the indigenous minority issues have been passed to WCS at very, very little cost. Clearly there is no logger out there who will pass on the opportunity to externalize all these issues and costs. In terms of replicability this means tens if

not hundreds of millions of dollars annually (considering the World Bank suggests opening up another 60 million hectares for logging in the Congo DRC). A great replicability scenario...

In conclusion, and with respect to the replicability of this management model, it is important to underline the following points:

- An advantage of this model is that the biodiversity conservation costs can be borne by the user (the timber buyer), unlike protected area management. Nevertheless the constraints and the costs of the model are substantial (the forecasted costs for the USLAB are between \$ 1,25 and 1,5 per hectare, or an equivalent amount to the surface area tax). The model can therefore only be sustainable if the restrictions are applied to all companies. The staff and the running costs are an important proportion of the overall costs but these can be lowered by reducing the access roads, avoiding ecologically sensitive zones and by reducing the number of lumber camps. These elements must be incorporated in the cost benefit analysis.

Why after all this, and all the publicity CIB had on the back of this project, is the cost NOT borne by the consumer??? If indeed the area under active management is 550,000 hectares and the project cost is US\$ 1 million a year the cost might be closer to US\$ 2 per hectare than US\$ 1. How will the restrictions be applied to all companies??? This clearly is more wishful thinking in the Congo context.

- The management of a paramilitary eco-guard force requires a high level and quality supervision to avoid possible excesses. Such an input must be guaranteed before considering replicating the model. Central African timber is currently undervalued as it does not yet incorporate the costs of sound wildlife management and ecosystem services. Solutions for sustainable financing mechanisms for wildlife management are therefore likely to be linked to the revenue generated by the forestry activities. In the medium term however village communities also need to start evolving towards greater responsibility for wildlife management, The conditions for increased community participation need to be created in a progressive manner and will only succeed if villages are genuinely convinced of the real advantages of a hunting management system which imposes limits to “free access” to the wildlife resource. This will not be an easy task since experience shows that humans only tend to start understanding the need for sound management of natural once a crisis situation has been reached. The underlying hypotheses of the project must therefore be based on a clear strategy for local development for the semi-nomadic populations, and which takes into account the constraints which this kind of management model imposes on them and which gives them the possibility of benefiting in a more equitable way from the economic opportunities created by timber resource harvesting. With respect to regional development as a whole, it is evident that development poles should be concentrated in Ouse and other major towns rather than around the industrial logging camps. , This is clearly the responsibility of the government.

Where is the expertise for high level and quality supervision for eco guards? How many applications did WCS have when they replaced Paul Elkin? How many were considered suitable candidates? Why did the expat manager just leave?

Again, village communities accepting more responsibility! Clearly in an immigrant community with a small proportion of really indigenous people the end result of resource consumption will be: Let me eat MY wildlife before these NEWCOMERS get their hands on it. This will be the reality considering the demographics we are dealing with in this concession.

As long as the majority Bantu expect to eat bush meat, and eat it at a reasonable price, the issue is not the attitude of the semi nomadic Baka population. When there is a demand there will be a supply. The issue here is not the semi nomadic Baka, the issues are the bush meat demand characteristics of 26,000 people, most of them immigrants from various different tribes.

To find for the Bakas a more equitable distribution system, as far as timber income is concerned, is of course a must and has clearly been for the last 30 years. However, as Mr. Stoll points out, it is not realistically possible to treat one group of inhabitants preferentially. And if they start doing so today, I will hire them a lawyer tomorrow so they can expand the claims to the injustice done for the last thirty 30 years – unless THEY want to grant CIB amnesty.

- It is recommended to pursue in-depth studies on questions relating to the management of the common bushmeat species, particularly duiker (evolution of levels in household consumption and the informal economy, responses of these species to different hunting pressures). They are essential elements for an intervention strategy which proposes alternative protein and revenue sources. However employment related to the timber industry will undoubtedly remain the principle the source of revenue for local populations.

If employment and wealth increases, bush meat consumption will increase. Some basic figures as to total biomass production and bush meat consumption should be available by now and could have been one of the basic results of this report. More studies and more studies seem to be a way to postpone the difficult part of the decision making process.

- With respect to the socio-economic component, a strengthening of the capacity for conceptualisation, analysis and technical implementation/supervision is necessary. It is recommended that the project incorporates into the team a specialist (institution/ technical adviser) with proven field experience in socio-economic diagnosis and rural extension, and prepared to invest for the long term within the project area.

If ten years ago WCS had told CIB to hire some wildlife management experts – as is now being proposed for an ‘institution/technical adviser’ – and then worked with them to establish the above project objectives and outline, that would have been one option. If CIB had then absorbed the cost for this from day one onwards and WCS would have filled the role of auditor/evaluator, then this audit, this report, these constant discrepancies and interpretations would not be necessary and we would have a much better idea as to what works and what does not.

We certainly would have a replicable scheme which, with the above, we do not have.

P.S. The GTZ evaluation states the new forestry code provides for nationals of the Congo being entitled to buy shares in any foreign owned logging company. I would like to see confirmation of the above and if it is the case I would like to buy US\$ 10,000 worth of shares for the two Baka village chiefs. I would be delighted to help them to then analyze their annual statements and balance sheets to ensure the correctness of the claimed profits of the Congo based company. (That is if CIB is indeed foreign owned and there seems to be some very serious question marks in this context.) In the name of basic transparency could this be channelled through the PROGEPP project?

Comments concerning some of the information in the main body of the French text and not touched on in the Executive Summary:

Page 11

An interesting comment on how WCS suggested to the government a plan/project to manage the park buffer zone: “Le government a refuse ce plan pour les raisons de conflict entre des objectifs de conservation et ceux d’exploitation forestiere.” So the government is not willing to internalize these costs and take some of the logging tax income to pay for it. The loggers are not willing to do so. How many buffer zones need to be managed around Nodki, Odzala, Lac Tele, Conkouati? How often will this have to be repeated and at what cost? Where is the replicability?

Page 15

“Environ 72% des habitants de la zone peripherique au Parc National (UFA Kabo, Pokola, Loundoungou e Mokabi) vivent das les sites exploitation forestiere notamment dans l’UFA Pokola et Kabo.”

Les natifs dont 19% de Mbenzele et 76% de villageois

Les migrants (5% de la population total).

That appears to be an interesting way to downplay the immigration problem by not defining “immigrant.” If Mr. Stoll says when he arrived in Pokola there were some 150 people present and now we have over ten thousand and because some have arrived a decade ago and some were born there, they are not immigrants, then what is the definition of an immigrant?

It would appear some 90% of the population has immigrated since the arrival of CIB.

Page 18/19

“Ce dernier (les semi nomads) voient leur mode de vie trnditionel conteste par ‘irruption brutale de la modernite et de l’economie monitaire. Les semi nomads formment le bas d’echelle sociale e cumulent les handicaps sociaux (analephebetisation, difficultes d’access aux soins medicaux et au travail salarie...”

I guess modernism should be defined as an industrial enterprise indiscriminately attracting thousands of immigrants swamping the indigenous peoples and turning them into a minority.

Mr. Stoll in a letter to SGS stated that, all pygmies had free medical treatment, Mr. Blaser stated the same, and the GTZ report comes to the same conclusion. We asked the question: Does the Pygmy community receive free medical treatment? It seems here we are finally getting the disguised answer.

Page 19

“Les disposition du RI adopte par le CIB vont dans le sens de renforcer l’application de la loi. .. en certaines cas, une double penalite pour l’employe lors qu’il s’agit d’une infraction de la loi qui pourrait etre poursuivie par la justice.”

Let's take a guy who has hunted in a fully protected area and supposedly extracted his meat. He gets suspended from work for eight days (his meat having probably been worth a lot more than the salary for eight days). The national law however providing for a court process, for the loss of the hunting licence, confiscation of the gun, fines, jail sentences etc. and we get "pourrait etre poursiivie par la justice." Clearly this might never have happened or happens very rarely (certainly no statistics in this report).

Clearly if national laws were adhered to they would be a lot more severe then the IRs and there would have been no need for the IRs in the first place. What is the basis for the IRs to supersede national law?

Page 20

This is about CIB and "recuperation des huiles, cables, filters, batteries." It concludes: "Le niveau de recuperation reelle atteint largement celui de nombreuses enterprises europeennes."

In 2001 the OCDH report still stated, among other infringements: 'Les dechets après l'usage son deverses par un collecteur dans la fleuve Sangha.'

Question: Has the clean up been organized for the benefit of an announced auditing team or is it for good? Should a European company operating in Africa be as good as a European company operating in Europe? Is getting close good enough???

Page 22

"En mai 2004 une cellule de coordination 'initiative certification' a ete mise en place regroupant la CIB et le WCS."

En termes de moyens techniques et humains on notera la mise en place de
- 2 expatrie WCS et un expatrie CIB.

Now, if I am not mistaken, the idea was that the consumer would appreciate certified wood and pay a higher price for it, and as such the logging company would get its return on its investment and therefore had a real incentive to log better and take the risk of the additional cost of getting certified.

Now we seem to have reached a stage where the conservation community is so desperate to get a logging company certified that they seem to be willing to do almost anything at any cost (providing two expats is no chicken feed). The question is will they start cutting the trees next and just send a monthly check to the logger who can stay at home???. The conflicts of interest seem to be growing.

Page 23

Talks of how the project had to 'securicer le zones prioritaires' and then was expanded. Again no reference of what area is actually being patrolled and controlled. No indication what the opening up of the new concession and the new saw mill, in a so far undisturbed forest, will do to manpower needs and budgets.

Page 25

Talks about 10% of the budget being used for education. At no point are we presented any figures to go with this budget (except for the 'in kind' contribution by CIB).

“Il n’a pas ete possible ‘deffectuer un sondage approprié dans les villages pour apprehender le reel niveau de reuissite des campagnes d’information.’ ”

Clearly a simple questionnaire, maybe one for the schools and one for the adults, would have yielded very representative results. The Baka Joseph interviewed seemed to have no clue as to what they were allowed to do and what they were not.

Page 26

We are told here that six MEFÉ agents were trained in anti poaching and sent to Zimbabwe. On what basis does MEFÉ train its rangers before or after employment? Why did they need to be trained in anti poaching? What is their role in the CIB concession? Who do they report to? Do they control with the other eco guards? If not what is their job description? Clearly if the work load and remuneration for MEFÉ guards is different (and they get sent of to Zimbabwe) than the PROGEPP ecoguards, there exists a serious management and motivation problem.

Page 26

“Il est considere que le controle des vehicules aux barriers permettrait 90% du trafic de viande.”

This is clearly wishful thinking without the corresponding data in place – which again can only be obtained with undercover information. The fact is wherever barriers have been set up there are immediately ways found to get around them. The meat is portered around the road blocks, the guys at the road blocks are bribed, or it is put on pirogues and taken down river to other transfer points. (Joseph on his first visit was offered as much gorilla meat as he wanted by a pygmy hunting for a police officer, all to be delivered at a specific kilometer behind a road block.) How has the figure of 90% been arrived at?

Page 27

“Depuis sa signature la CIB a applique le RI (Internal Regulations) de facon satisfaisant avec un taux de sanction de quasi 100% des infractions constatees.”

The evaluation of every law enforcement activity I have ever seen includes detailed crime statistics and statistics on cases solved and dealt with. Regular comparison data of murders, muggings and rape are analyzed to establish trends. In this case we are getting no data of any kind, not a single figure. That is about as unscientific as it gets.

Page 28

“Parmi les constraints a la reuissite de la lutte antibraconnage on peut noter les dysfonctionnements dus system judiciaire...”

So here we are getting to the bottom of it. A dysfunctional legal system, which can not be relied on, which leaves the internal company rules and a few days suspension from work as the main repercussions for breaking the national hunting laws.

Why should there be any logging under these conditions, why should donor agencies like SECO support extractive industries in countries with dysfunctional legal systems...

Page 28

“L’objectif de zonage d’une partie de foret situee en dehors d’une aire protégée est ambitieux et toute a fait innovateur dans l’ensemble du Bassin Congo.”

I remember the very first meeting with Mike Fay in which we told him of the level of endangered species being openly traded in Ouesso on a daily basis, asking what he thought would happen once everything had been wiped out outside the National Park? When will the pressure shift to the Park? Clearly, these questions in the end led to the buffer zone concept which is trying to be preventive as far as the fully protected areas are concerned.

As for CIB to have to do some zoning and have some fully protected areas: This is enshrined within FSC and is an absolute must, not an option. Except with CIB, every square meter of swamp classified as protected is celebrated with a press release, long in advance of any certification having actually being achieved.

Page 29

“Plusieurs villages ont d’ailleurs demande un appui du project pour combattre l’exploitation, venant de l’exterieur, de la faune dans leurs zone traditionnelle.”

With all this zoning and all these controls and supervisions of controls, why is this still going on? Locals poaching is one thing, outsiders poaching is a different story.

Typically this is always what it comes to: OUR ANIMALS, outsiders getting them and eating them. End result- let me get them before the others do.

Page 31

We are again told: “Il covient de sougliner que le sensibilisation est un travail qui necessitera un effort continue et de longue haleine...”

In other parts of this report we are told that the local communities are expected to take over a lot of the responsibility for wildlife management, which totally contradicts the above and is totally unrealistic.

Page 35

Here we are getting some input on the amount of protein being brought in. Let’s be generous and say it is actually 20 tons, 6 times a year, of frozen protein and maybe 40 tons of beef on the hoof per year.

Let’s here take into consideration a quote from a CEO Working Group meeting minutes held in Zurich in 1999 attended by the Central African logging and conservation community: “Also

provided, domestic meat often replaces the (also supplied) sardines and corned beef. Workers LOVE their bushmeat!”

Again the above substitution has not been mentioned.

Let’s go to Page 42, which has some statistics how supposedly some of the substitution attempts resulted in real changes:

The first graph shows the consumption of other than bush meat protein from 2001 to 2004 and how it has supposedly increased (from roughly 2-5%) to 5-20%.

The main statistic for Pokola however shows that this consumption declined from over 20% in January of 2003 to less than 10% in May 04. This seems to prove the opposite. (Is this a reason why this report presents virtually no internal figures and statistics – because they never add up?)

There also seems to be absolutely no correlation between consumption in the open and closed hunting season, illustrating again that these national laws appear to be totally ignored.

In Table 4 we are then told how the consumption for Kabo has shifted by a few percent from 2001 to 2002. The problem is that the one table of ‘Total protein consumption’ in 2001/2002 does not even add up to 100% which is reflective of the reliability of this data (20 households being sampled ten times a month but no indication for how many months or if the surveyors lived in town and had the confidence of the population or if they were outsiders which would not be trusted).

However, if one now compares this with the 1997 Wilkie/Auzel study, which ended up in the book of Robinson and Bennett titled “Hunting for sustainability in tropical forests,” then these tables for Kabo make even less sense (it would be interesting to know if these tables were done for other towns and why only Kabo was chosen for representation in this report).

Anyway, Wilkie/Auzel take the logging town of Ndoki and do a very similar survey: The results are that 96.8% of the meals contain animal protein, 75.8% contain bushmeat. So even in 1997 21% of the consumption must have been other protein than bushmeat. (The latest 2004 data provided tells us that between 2001 and 2004 in Ndoki the numbers of meals with no bush meat has increased from 2-3% to 5-10%, when several years ago only 75.8% of the meals contained bushmeat.)

When they do the same in two riverside villages in the CIB concession the figures show: 95.1% of meals containing animal protein and only 48.8% including bush meat. So even then almost 50% was other protein – most likely being fish considering they are river villages.

However, one of the keys of the earlier study is: “Logging company employees eat more bush meat than their village counterpart but hunt less and sell less than households that have equal access to markets.”

So again, more evidence that employment and wealth will result in more bush meat being consumed and not less.

Furthermore it states: “Residents of the most logging oriented settlement – the Ndoki camp – ate the most bush meat and captured, in absolute terms, the most bush meat.” This clearly again has to do with purchasing power and access to a market.

The final figure for Ndoki in 1997 was an average per capita per day consumption of 150grs. of bushmeat.

Let's assume some real progress has been made with substitution and this is now down to 100grs. (also let's recall this same village only consumed 75.8% of their meals with bushmeat) and then we take the 26,000 people now living in the concession and use a per capita consumption of 100grs. of bush meat per day. The total annual consumption would be 949 tons per year or 2,600 kgs per day.

The import – on the generous side being 160 tons per year - leaves a consumption of 789 tons of non-imported protein with most of it being bush meat.

It would appear that these are the best figures publicly available to calculate consumption and potential sustainability.

They are very different from what this report tries to present.

Page 39

Another absurd one, putting into question the whole census debate of large mammals.

We are told: “En particulier l'abondance de grands singes (gorille et chimpanzes) est elevee que ce soi dans les zones chasses ou non chassees, avec un augmentation significant detectee entre 2000 et 2002.” (No census or density figures provided).

We all know that great apes are slow breeders, we know that a female has an offspring on average every six years. As such it would take generations before there was a clear cut picture of any real increase and not just two years. Even immigration into hunted or unhunted areas is not likely. Chimps are territorial and groups do not move as a whole.

There is also no indication that specific line transects and nest counts were used to try to get some better picture as to ape density.

Also on page 39 we are told that: “l'evolution des differents indices de conservation (infractions, saisie etc). C'est un outil fundamental pour une gestison efficace des activites de conservation...”

Except we are again not being given any figures or any statistics to measure the effectiveness.

Page 40

I find it interesting that the team concludes that the population of dead animals in the Pokola market amounts to evidence that there are healthy populations in the forests. In bush meat hunting terms there is clear evidence of boom and bust cycles which only show really diminished population at the bust stage – when it is too late.

Page 40

The conclusion is again: “Il est important d'anlysier finement cette situation et d'en tirer less conclusions.”

After the first agreement was signed 10 years ago we are still at the stage of collecting data and analyzing it. Will this ever end or stop being an excuse?

Page 44

A list of studies based on which this data is supposedly based. Based on a web search I could not find a single one on the internet. Why not???

Page 46

Concerning immigration: “Il est indispensable d’analyser finement cette situation et d’en tirer les conclusion.”

One more situation to be analyzed and studied!!!

On page 48

We get one of these very rare figures: “En effet Pokola, en plus des emplois salaries (225 millions FCFA injecte chaque mois dans l’economie local...)”

Clearly there is something very wrong here. The World Bank team in 2000 came up with CFA 1 billion in local payroll or about US\$ 1.4 million per year, the above figure would result in CFA 2.7 billion or US\$ 3.9 million. As such the assumption has to be that the payroll did not triple in these few years but that the second figure includes the expat payroll as well which of course would mostly not go into the ‘local economy.’ It might also be an indicator that the percentage of the expat payroll is very high compared to total payroll.

On Page 50

We are told how effective custom control is for exported timber. Joseph filmed the custom post of Soccambo and how he paid bribes to a range of officials. The earlier mentioned huge discrepancies between the import statistics for timber to some European and Asian countries versus the official exports seems to indicate that this efficiency is again ‘wishful thinking.’

Page 65

Out of seven of the listed reference paper I looked for on the internet, only one seems to be listed as being in the BCTF library. I have now requested it. Without these documents being publicly available it will not be possible to establish to what extent selective data was used to make some of these dubious points.

I promised myself after the GTZ ‘evaluation’, that in future I would spend my time more productively than to try to expose the ‘greenwashing’ which appears to be on going with these evaluations. However in some ways this SECO report is even more disturbing and more insulting to anybody willing to study the issues and facts available.

I just wish I could send SECO a similar bill as the consultants did for putting this ‘fairy tale’ into perspective.