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CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Twenty-sixth meeting of the Plants Committee
Geneva (Switzerland), 5 – 9 June 2023

SUSTAINABILITY CRITERIA FOR TIMBER NON-DETRIMENT FINDINGS
(NDFS)

1. This information document has been submitted by Cameroon. It relates to PC26 Doc. 18 on *Sustainability criteria for timber non-detriment findings*^{*}.

^{*} *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

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Trade Regulation

SUSTAINABILITY CRITERIA FOR TIMBER NON-DETRIMENT FINDINGS (NDFS)

PAPER ON CAMEROON'S POSITION

1. INTRODUCTION: SUMMARY OF THE DOCUMENT AND KEY PROPOSALS BY THE EUROPEAN UNION

The European Union (EU) drafted and submitted to the 26th Meeting of the Plants Committee, the document PC26, DOC. 18, entitled: “**Sustainability Criteria for Timber Non-Detriment Findings.**”

The proposed **sustainability criteria** that takes into account, particularly, only one species included in the CITES Appendices and which is under forest management may be considered as fully sustainable if the said forest completely demonstrates its regeneration and recovery capacity, i.e. a **100% Regeneration Index**.

Moreover, the EU Scientific Review Group (SRG) agreed, in January 2023, not to import any longer tree species included in the CITES Appendices that do not originate from areas under permanent forest management. In other words, sources of supply from non-permanent forest estates would be “ring-fenced”, as well as forest concessions currently under management.

2. PROPOSAL ANALYSES BASED ON THE FORM AND PRE-CONDITIONS TO BE CLARIFIED

As per the document proposed by the European Union, **the regeneration index** or **regeneration rate** is compared to the reconstitution rate applied in forest management under permanent forest estates.

This assumption results to a number of technical inconsistencies that need to be clarified, because technically and based on drivers applied in each case, these concepts are different and do not seem appropriate with regards to CITES targeted objectives.

CITES's existence is, indeed, centered on the sustainability and survival of species throughout its area of distribution, which means that the analysis must be based on vulnerability assessment. It should be therefore underscored that, before any further development, there is need to clarify drivers to be

taken into account, and to remove inconsistencies in connection with definitional approaches, which are sources of misunderstanding and disagreements.

Regeneration rate is used to assess the regeneration potential of timber species within each biotope. It takes into account the total number of immature trees with a diameter of 10 cm or less and the total number of species within the vegetation unit.

It should be underscored that, as part of **the regeneration process**, there are silvicultural interventions which depend on circumstances that we shall talk about, namely regeneration under high forest, coppice or mixed management. Drivers taken into account are combined by human beings depending on their action and influence with regards to regeneration index.

In this case, the EU proposal does not specify **the scale used to calculate the target regeneration index** (annual authorised felling plan? forest concession? the region? the area of distribution? or the country?) and does not clearly define whether it refers to a regeneration index relating to the forest or the species.

From an analytical perspective, it is crystal clear that legally, the regeneration index, as formulated in the EU proposal does not neither appear in Cameroon's forestry law, nor in that of several other Central African countries. This legal vacuum thus, poses a problem of application that may require a prior and thorough amendment of regulatory instruments in force that govern logging and forest management at the national level.

The reconstitution index (rate) is an indicator used by forest managers to identify the number of trees that can already be harvested after a rotation. It was drafted in the 90s by projects aimed at providing support to forest management in Central Africa, funded by the European Union, the French Cooperation and the Canadian Cooperation, and then implemented by forest managers and operators.

To continue with this analysis, the reconstitution rate is an economic sustainability assessment tool

Principles and drivers for calculating the reconstitution rate in Cameroon

*It is calculated based on inventory data and depends on several management drivers such as: **logging damage**, estimated at 7% in terms of residual stand, **annual mortality rate**, set at 1%, **rotation**, set at a minimum of 30 years, **the total number of trees initially exploitable per species**, **the number of trees in a few diameter classes immediately below DME and rise above DME after rotation**: this is also the number of trees reconstituted after a rotation. This number is calculated from the lower limit of the last class to be recovered whose calculation takes into account DME and the annual average increment.*

If the reconstitution rate is less than 50% (step 1), DME then increases by 10 cm increments using the same calculation principles. The process will continue until it reaches a rate of at least 50%. The DME/AME (Steps 02, 03 and 04) is the diameter to be attained by this rate.

NB: Up to three runs can be carried out. If the CITES Appendix II species does not recover at least 50% after the three runs must have been conducted, it should be banned from logging operation because it will not be possible to recover it in the next rotation.

It should be underscored that the reconstitution rate does not take into account silvicultural operations, because the annual average increment (AARI) is defined based on the fact that species are in their natural environment, and therefore have the capacity to return to the initial harvest threshold after two consecutive runs in the same plot, for a 30 year rotation period.

that measures the sustainability of timber harvests. It is therefore not suitable to assess the survival of a species, and cannot be used for this purpose. In practical terms, it usually happens that a species with more than 50%, or even 100% of DME reconstitution rate, has a glaring regeneration deficit, with bell-shaped or irregular diametric structures, characterised by the absence of several diameter classes.

Moreover, the forest manager is not necessarily obliged to identically reconstitute forest stand from one rotation to the next (Fargeot, C., Forni, E. & Nasi,

R., 2004). He/she only assesses the regeneration of harvestable trees, beyond a minimum diameter set by the Forestry Administration and not the regeneration of an entire population or a mature population (Durrieu de Madron, L. & Forni, E., 1997).

Furthermore, the reconstitution rate, as considered separately, cannot guarantee the long-term survival of a species, as its representativeness in managed forest as well as its regeneration capacity (future stems, dbh less than 40 cm) are not taken into account here. It should therefore be maintained at a reasonable rate of 50%, especially as logging in forests under management involves thinning operations for our forests, some of which have reached their climax (closed canopy).

3. INCONSISTENCY OF PROPOSALS WITH SUSTAINABILITY PRINCIPLES: (ECOLOGICAL, SOCIAL AND ECONOMIC LEVELS)

The ecological goal under forest management policy in Cameroon aims at ensuring that logging activities do not lead to species extinction, either locally or regionally and that production generates income for private companies as well as for the State in the long run. The survival of species in forest concessions has constantly been the concern of forest managers and other stakeholders in the industry.

Based on the above demonstration, the proposal made by the EU does not seem to adequately ensure/guarantee the survival of tree species classified in CITES Appendix II throughout their area of distribution, presented under CITES objectives. On the other hand, this would be extremely detrimental for the timber industry in Cameroon in particular, and in countries of the Congo Basin sub-region in general.

Imposing reconstitution indices of 100% or even 75% for each targeted species and in each concession will not contribute to the survival of these targeted species, but will rather jeopardise forest economies, jobs creation and all social benefits.

To illustrate what has been said above, **if a reconstitution rate of 100% is applied**, then the forest manager shall be obliged to exploit only **over-mature trees** (the bonus), with several enhancement defects, among which previously marked seed trees have been sampled.

It should also be noted that such an increase in terms of reconstitution indices is likely to push up DME/AME. As a result, logging volumes will drop significantly and reduces State revenue as well as private operators' turnover. It should be recalled that sustainable forest management is based on three pillars: environmental/ecological, economic and social. In fact, the reduction in production negatively affects the economic pillar of sustainable management, particularly because it disrupts and jeopardises the economic profitability of forest operators, the very compass that guarantees the acquisition of their forests.

4. EXCLUDING SOURCES OF SUPPLY UNDER NON-PERMANENT FOREST ESTATE (NPFE): LOW OWNERSHIP OF THE PURPOSE AND DEFINITION OF NPFE

Cameroon covers a surface area of 475,442 km² with a forest area of about 21,500,000 ha which is comprised of various types of forest, namely dense rainforest, savannahs and steppes, as well as tiered mountain formations.

Provisions of Law No. 94/01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations in Cameroon, provide that the national forest estate, through its sustainable management and development policy, shall be comprised of two types of forest estates: the Permanent Forest Estate (PFE), which represents all land permanently allocated to carry out forestry activities and/or as wildlife habitat, and the Non-Permanent Forest Estate (NPFE), which contains land likely to be allocated to uses for other purposes than forestry.

The NFE therefore includes protected areas and production forests under management, while the NPFE includes sources of supply that are strictly not under management as far as their original purpose is concerned.

Politically, Cameroon has taken a major step by deciding to allocate at least 30% of the total area of the national territory to PFE.

To date, the forest area allocated to sustainable production stands at 8,740,404 ha and that allocated to conservation is estimated at 2,938,825 ha, representing respectively more than 40% and 14% of the national forest area, or about 55% put together. The area of unallocated forest area is estimated at 9,820,771 ha (45% of the forest area) and is comprised of NPFE sources of supply and other forms of land not allocated to forestry activities (State of the Forests in 2021).

With regards to its purpose, NPFE is a source for providing support to socio-economic development. Moreover, it is largely made up of vital and livelihood areas where locals depend on the forest for their survival. It is their preferred area where livelihood activities are carried out, in the absence of any large-scale development project decided by the State.

From an analytical standpoint, excluding sources of supply for this NPFE from international trade does not have any impact on the conservation species included in CITES Appendix II. Conversely, such an exclusion will contribute to intensifying the pressure on gazetted forests in a bid to meet the development needs of the State and the livelihood needs of local populations.

It is worth recalling that to strictly enforce the relevant provisions enshrined in the aforementioned forestry law, under its Article 73 paragraph 1, which stipulates that, in the event a major development project that may cause the destruction of a portion of the national forest estate is carried out, or in the event of a natural disaster with similar consequences, the Forestry Administration shall fell all timber on the affected section in accordance with terms and conditions laid down by a Decree. This is one of the reasons for granting forest titles in this multi-purpose area where sustainable management principles cannot be strictly applied. The only standards relating to forestry operations and in compliance with minimum administrative diameters are implemented.

In fact, based on the above-mentioned statistics, the decision to ban exports of timber from areas not allocated to sustainable forest management will put around 10 million hectares of Cameroon's forests under a protective bubble in keeping with the list of species included in CITES Appendix II.

5. CONCLUSION: CAMEROON'S POSITION AND PROPOSALS

5.1. Giving the country's position:

Based on the aforementioned arguments, Cameroon does not endorse the approval of sustainability criteria proposed as it is currently presented in the document submitted by the European Union.

5.2. Proposals/recommendations

Emphasis shall be laid on:

- Maintaining and enhancing the enforcement of the species vulnerability assessment approach developed by IUCN and adopting appropriate management measures in accordance with species status;

IUCN has defined a much more appropriate approach **for assessing the impact of logging a tree species**, with a set of criteria for assessing species vulnerability.

We therefore recommend that management methods should be consolidated and vulnerability analyses should be generalised by applying the methods developed by IUCN rather than making inappropriate and disproportionate demands as far as reconstitution indices are concerned.

Finally, we support the strengthening of ownership and the adoption at national level through the assistance in monitoring species and implementing appropriate management measures relating to vulnerability status of species listed by IUCN. In addition, ACNP sustainability criteria could be developed in relation with such an approach, which entails implementing the following salient actions:

- Managing all species included in CITES Appendix II within permanent forest estates;
- Providing support for the drawing up, for each concession to be managed, of specific management plans for species included in CITES Appendix II when drafting management plans for permanent forest estates;
- Maintaining the management of NPFE's sources of supply, and the marketing of specimens harvested therein, in accordance with the regulations in force;
- Strengthening efforts to secure forest areas gazetted as permanent forest estate, which are under various endogenous and exogenous threats;
- Including in the list of CITES Appendix II, species that are on the verge of becoming extinct, such as the Mukulungu (*Autranella congolensis*), which is considered as an endangered species under IUCN criterion A3d, and this threat has already been confirmed in Cameroon, based on an analysis of all management plans currently in force;
- Conducting studies with a view to harmonising key management drivers in countries of the Congo Basin.