

**PROCEEDINGS OF THE STAKEHOLDERS WORKSHOP ON THE ILLEGAL  
TIMBER TRAFFICKING BETWEEN UGANDA AND DRC**

***BENI, 24<sup>th</sup> APRIL 2008.***

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## **I. INTRODUCTION**

### ***1.1. Background information and justification***

In the past five years WCS has been supporting the transboundary collaboration between Uganda (Queen Elizabeth National Park, Ruwenzori Mountain National Park, Semliki National Park) and DRC (Virunga National Park). In various regional wardens meetings it was realized that the transboundary collaboration was very important for both ICCN (Institut Congolais pour la Conservation de la Nature) and UWA (Uganda Wildlife Authority) in terms of reduction of threats facing biodiversity in the greater virunga landscape. It's clearly proved that illegal activities have gone down and that there is an improved relationship between managers of the two sides.

Nevertheless, the wardens meeting held in Ishasha from 10 to 11<sup>th</sup> January 2008, identified the increase in timber traffic from DRC to Uganda and recommended that there is a need of involving all stakeholders who are thought to have a contribution in finding means and ways to solve that problem. It's in that way the stakeholders regional meeting was planned for April in order to discuss mainly the ways of addressing the matter of timber trafficking and gain the Ugandan experience on how they do control illegal timber trafficking, experience which can be used as an example in the DRC side.

### ***1.2. Objective of the meeting***

The focused outcome is to minimise the illegal timber trafficking between DRC and Uganda

- 1. To share information on the illegal timber trafficking between DRC and Uganda*
- 2. To identify control options for the illegal timber trafficking between DRC and Uganda;*
- 3. Obtain support from key stakeholders for the illegal timber trafficking.*

### ***1.3. Expected results:***

The expected results by objective are described as follow:

#### **Objective 1 :**

- Information sharing strategies for the timber business between the two countries
- Information gathering strategies linked to timber business are known

#### **Objective 2 :**

- To identify gaps and mechanisms for timber certification
- To identify gaps in the illegal timber trafficking
- To identify various control options for the timber business

#### **Objective 3 :**

- To identify stakeholders in the timber business network

- To define roles of stakeholders in the timber business

#### ***1.4. Participants profile:***

Apart ICCN wardens (DRC), UWA wardens (Uganda) and cadres and employees of WCS ; participants were of six categories from the two countries. Namely; customs officers, immigration officers, forest exploiters, environment and forest officers as well as police and the army. To know each other, participants introduced themselves before the meeting to start. For the list of participants: see appendix I.

#### ***1.5. Facilitation team:***

The facilitation of the meeting was done by a team composed by:

1. Joël Wengamulay, CSAF/ICCN, North-Kivu, Facilitator;
2. Deo Kujirakwinja, Director WCS-PNVi project ; translator;
3. Joseph Matunguru, Field assistant WCS-PNVi : secretary;
4. Edgar Buhanga, Strategic planning coordinator, UWA, Uganda : working groups facilitator;

Presentations were facilitated by:

5. Tom Okelo, Chef warden, UWA ;
6. Ephrem Balole, Field Officer, Wildlife Direct;
7. James Patrick Ndimukulaga, National Forestry Authority, Uganda
8. Félicité Kalume, Provincial minister of environment North Kivu, DRC;
9. Gustave Chishweka Lubala, Forest expert, Consultant (ENRA), DRC.

#### ***1.6. Programme of the day (See appendix II)***

#### ***1.7. Methodology***

In order to meet specific objectives of the meeting, the facilitation team used the following methods:

- Presentation on specific themes;
- Debate during presentation for a common understanding of various themes;
- Working group followed by presentation of findings;
- Recommendations.

#### ***1.8. Presentation topics***

To allow a common understanding of the problem on timber business between the two countries, the following topics were presented to participants:

- Overview of the transboundary collaboration in the central albertine rift;
- Timber and by product exploitation in the (PNVi) ;
- The Ugandan legal framework of the timber business;
- Movement and control of the timber business in Uganda;
- Legal obligations for timber exploitation in DRC;
- Sustainable exploitation of timber in DRC-lessons learnt at ENRA.

## **II. PROCEEDINGS OF THE WORKSHOP**

The word of welcome was given by the Provincial Director of ICCN/North Kivu (see appendix III) and by the opening speech of the provincial minister of environment of North Kivu (see appendix IV). After that, the facilitator informed participants about the agenda and rules of conduct that will allow a smooth proceeding of the workshop (phones under silent mode, intervention in order with the acceptance of the moderator, freedom of expression and respect of others opinion).

### **2.1. Overview of the transboundary collaboration in the central albertine rift (Tom Okelo, UWA, UGANDA)**

The presenter focused on four main points and those are the context of the transboundary collaboration, it's objectives, the advancement of the process, key achievements, challenges facing the transboundary collaboration and the summary of themes that were presented in the meeting.

#### **2.1.1. Background information:**

Various initiatives of transboundary collaboration have been undertaken by various partners like (WCS, WWF, IUCN, ...)

The first initiative was facilitated by IGCP (International Gorilla Conservation Project). It started in 2003 and the programme involves the ICCN (Virunga National Park) and UWA (Semliki National Park, Queen Elizabeth National Park and Ruwenzori Mountains National Park) and the wardens committee was launched at the beginning of the process and since 2003 quarterly meetings are organized.

- Threats analysis also is done: Poaching, illegal trafficking of wildlife and byproducts (ivory, timber, skins...)
- Coordinated patrols are conducted, information sharing, education, sensitization and support to identified stakeholders.

#### **2.1.2. Aim of the transboundary collaboration:**

- Be part of the general transboundary alliance;
- Gestion effective de la conservation du Grand Paysage ;
- Capacity building;
- Research and Monitoring;
- Forest economy and socioeconomic development of people;
- Environmental education

#### **2.1.3. Evolvement of the transboundary collaboration process**

- Before 2005, meetings were conducted with a limited number of stakeholders (the army, police and court) ;
- In 2006, the process was extended to other stakeholders like custom officers and immigration officers.
- Note: The collaboration was informal at that stage.
- In 2004, a memorandum of understanding was signed in Goma between ICCN (Institut Congolais pour la Conservation de la Nature), UWA (Uganda Wildlife Authority) and ORTPN (Office Rwandais de Tourisme et Parcs Nationaux) ;

- In 2005 Ministers of environment of DRC and Uganda signed bilateral declaration of cooperation;
- Presidents of the three countries signed an agreement of collaboration in Australia.
- A 10 years strategic plan put in place for the greater Virunga landscape.

#### **2.1.4. Achievements**

- Better understanding and cooperation between wardens (PNVi, QENP, SNP and RMNP)
- Better understanding and collaboration between wardens and stakeholders
- Relevant prosecution and convictions
- Reduced illegal activities across the borders
- Confiscation;
- Training in language (French and English)
- Technical support.

#### **2.1.5. Summaries of meeting themes**

- Increase timber movement across borders;
- Identify participants who are stakeholders in the process;
- Role of reorganizing timber exploitation system for sustainable forest products exploitation;
- We want to benefit from your timber business expertise and experience.
- Strengthening transboundary collaboration support.

*Note : The presenter conclude that the meeting is not aiming to stop the timber business but want to make it sustainable and more profitable to exploiters and to our two countries in particular.*

## **2.2. EXPLOITATION OF TIMBER AND IT'S BYPRODUCT IN SEMLIKI/PNVi-North (Ephrem Balole, WLD/ACF, DRC)**

The study was conducted between December 2007 and January 2008 by WCS (Jean Remy Makana and Deo Kujirakwinja) with Ephrem Balole (ACF). The study focused on aspects related to timber exploitation, agriculture, charcoal making, firewood collection, building poles collection and possible selling markets. The following is the summary of the study.

### **2.2.1. Timber exploitation:**

- There are no more forests exploited around the park except Mbau-Kamango road (All trees of good quality is finished)
- Nowadays timber is coming from the Ituri Forest - eastern province (Idohu, Mambasa, etc..)
- Most of forests exploiters don't have legal documents and concessions. The majority use property right and buy trees in customary forests.
- After exploitation they don't plant any tree and don't have any management program.

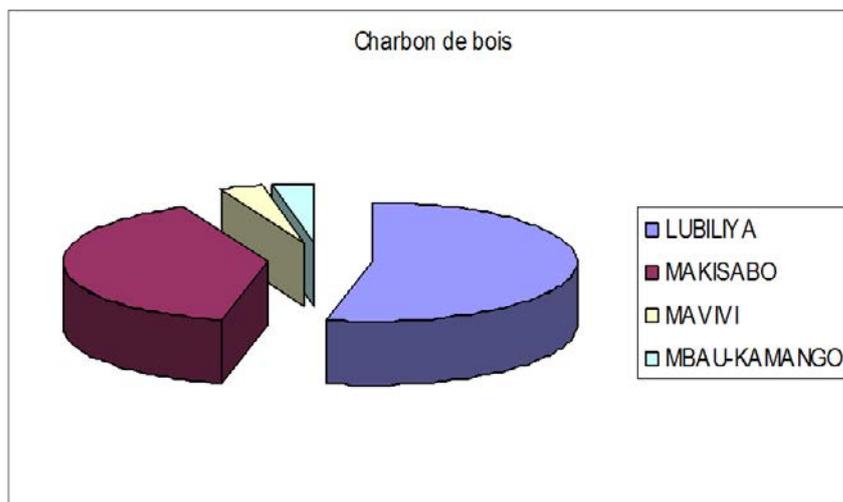
### **2.2.2. Agriculture**

- The primary forest is shrinking seriously around the park due to agriculture expansion. The mean size is 0.9 ha while 18.6% of farmers have more than 1 ha and 67% have less than 0.5 ha

- Farmers with big land got it before 1990 (18.6%), 61.4% got land after 2000 with 43% in 2004 – most of those were evacuated from the Park (Mavivi, Nyaleke, Mayangose)
- The main crop chasing the forest in the area is papaya (24%). Farmers are getting US\$ 1116 per annum being \$ 93 monthly. The remaining crops are Rice (58.6%), banana plantations (30%), maize (23%) and coffee (18.6%)
- Farmers don't have legal papers to protect their lands but they pay annually to the local customary
- Most of farmers are using family members using traditional agricultural tools

### 2.2.3. Charcoal exploitation

- No concessionaires, no professional exploitation but it's an activity done together with agriculture
- No technology used for charcoal making
- Main markets of charcoal being Makisabo for Beni, Mavivi and Oicha. For Kasindi road, it's Lubiliya.



*This figure shows that Lubiliya is the main market for charcoal as it provides fuel for Lubiliya town and Kasese in Uganda.*

### 2.2.4. Firewood

- Villages concerned with firewood are Lubilia, Mbau-Kamango and Mavivi and used for households energy needs. The big quantity is used in Uganda is greater than the one in DRC.
- The firewood is coming essentially from the park for Lubiliha and Mavivi
- Kamango sell firewood in Uganda through Nobili market

### 2.2.5. Extrapolation of firewood collection

Firewood collection is done in Kamango. It was observed that within a month villagers collect 87 tons which means that within a year they collected  $87 \times 12 = 1,044$  tons, or 95 ha of forest

If we consider that a bundle of firewood weighting 20kg; and there are about 12,642 collected from the Park equivalent to 26 tones or 2,37 ha of the forest

**Questions of understanding:**

Various questions of understanding were asked to orators and here is the summary:

- For the ENERA representative, he said that the papaya being a crop for peasant stabilization in the region, the closing of the papaya factory may lead to the overexploitation of forest resources in the region. Participants mentioned that even if papaya business could give a revenue of 93 \$US to exploiters illegal logging was going on and as the demand of timber is high and the factory closed peasants will keep on destroying the forest;
- He further mentioned that forest exploitation is done in public forests and in private forests. No community woodlots or private wood plantations in Beni and peasants are exploiting only existing natural forests; but in Butembo people are having tree plantations to say that we have to think of sensitization in Beni area for tree planting.
- The director of ESCO-KIVU is doing cocoa business in the region since 2000 and is having qualified personnel. According to him, cocoa being a cash crop can contribute to the stabilization of peasants because it's harvested every two weeks and also when planted it has to be associated with trees (agroforestry) as it needs shade.
- In his intervention, Balole (wildlife direct) said that cacao is a new business which is at an experiment level like papaya and palm nut and advised that it may be important that the ministry of environment conduct a feasibility study before popularization.
- Her Excellency, the provincial minister of environment wanted to know recommendations given to peasants who are exploiting the forest who are paying annual taxes to private forests owners without title deed. As an answer, Balole said there is no strategies were developed on that matter by the study but reminded that the study had a different focus/aim.
- Joël Wengamulay, mentioned that as a similar study has been done in the southern sector of virunga national park, wildlife direct have to develop strategies that give alternatives to firewood and those have to be presented in the next stakeholders meeting.
- Strategies envisaged by the study to overcome firewood deficiency and allow peasants to have access to new technologies, participants noted that various technologies exist and the most used in Uganda are bricks stove, improved stoves, metal stoves and others. The information related to these stoves is available even if the technology is outdated and not used.

### **2.3. THE LEGAL FRAMEWORK OF TIMBER BUSINESS IN UGANDA** (*James Patrick Ndimukulaga, National Forestry Authority, Uganda*)

He focussed on the legal framework context of timber business in Uganda, stamping procedures and documentation, importation conditions in Uganda and some observations.

#### **2.3.1. Context**

Up to 2003, the forest department had the following attributions:

- Administration;
- Management of forest reserves;
- Management of timber business in private owned forests.

In 2003, the forest department and forest plantations added three responsibilities:

- Forest Sector that manage the administration department;
- National Office of forests: Forests and central reserves;

- District forests Service : Private owned forests and local reserves

### **2.3.2. Stamping procedure and documentation:**

- A marking by a hammer type is made on the timber by field staff in the forest of origin (Forest rangers);
- How field staff are involved in forest product management: There is a declaration form which is filled in by field staff and give details like type of the product or tree species, quantity, size, the vehicle which will transport trees and the reason why.

The marking by the hammer is done at district level by the district officer who verifies timber by pile;

When satisfied the officer can now mark the timber (stamp);

And he will be the one authorizing the businessman to sell his timber within the district or out of the district with reasons why selling the timber out of the district.

### **2.3.3. Advantages:**

This system gives a number of advantages, like:

- To control timber exploitation at a sustainable level
- Availability of data on timber exploitation (Database available);
- Revenue generation for the government.

### **2.3.4. Timber exported to Uganda :**

Timber imported in the country has to be accompanied by the following documents:

- Export document of the country of origin;
- Evacuation document issued by custom offices of the two countries;
- Proofs of taxes payment;
- Timber have to be marked by the importation hammer N°40 ;
- Timber movement permit that include timber characteristics information

Note: The importer of the timber have to pay ¼ of the total value of the timber to the forest department.

**Observations:** Two important observations were done:

1. Most of the timber imported from DRC are not accompanied by an official document ; That make people wonder if the business is legal or illegal or it's just an act of negligence?
2. The selective logging of the Mahogany species is not well done.

## **2.4. MOVEMENT AND CONTROL OF TIMBER TRAFFICKING IN UGANDA (James Patrick Ndimukulaga, National Forestry Authority, Ouganda)**

In his second presentation, Mr James Patrick informed participants on categories of timber that is sold in the Uganda market, control measures in place, legal state representatives and procedures of public and private forest reserves exploitation licence granting.

### **2.4.1. Timber categories**

Timber to be sold in Uganda must be accompanied by the Timber exploitation licence

### **2.4.2. Control measures:**

Control measures in place are:

- Timber marked by the hammer having a special marking
- Timber movement documents are from a deposit market

### **2.4.3. State representatives**

Chapter V of the Forests and tree plantations National authority Act of 2003 have provision on who have the mandate of issuing exploitation licence.

Chapter V, Section 42, state that “the forest service is responsible of issuing tree cutting licences in regard to regulations and conditions”.

FSSD guidelines for timber import and export administration.

Chapter VI: give the minister the power to control the timber business.

Eg: current Timber Export ban was by the Minister under statutory instrument N° 6031989

### **2.4.4. Procedure for delivering a timber exploitation licence**

#### **a. For private owned forests.**

- The number of people who want to get the licence in the district is determined and licences delivered by the ministry.
- The request is done in local consulate (LCs) LC1-LCV
  - LCV : is the district chair person
  - The district approves the list of people requesting licences according to the quota and the list is sent to the ministry;
- The ministry will release the final list of requesters and the amount to be paid
- Licences delivered describe terms and conditions of tree cutting.

#### **b. For forest reserves under NFA**

The permit is issued by the ministry of environment

The quota of permits to be issued is determined according to norms defined by the ministry having the management of forests in his authority. The more you cut trees the fewer permits you get

The use of mobile sawmill is not allowed.

The licence is issued for the exploitation of 150 to 500 m<sup>3</sup> of timber if you go beyond that quantity in a month the exploitation is suspended for all the year.

For public forests that are managed by forests authority, the procedure consists of sending technicians to the field to divide the forest into blocks before issuing licences. The procedure is public and competitive.

## **2.5. LEGAL OBLIGATIONS FOR TIMBER EXPLOITATION IN DRC (Félicité Kalume, Provincial Minister of Environment of North-Kivu)**

Her presentation focussed on four legal aspects organizing timber exploitation in DRC, particularly on the institutional framework, management plan, exploitation plan and the fiscality.

### **2.5.1. Generalities**

Timber exploitation in DRC is an activity having together many actors organized in group or at individual level. The appropriate permit for timber exploitation is the permit of timber harvesting or tree cutting permit.

The tree cutting permit is a licence that the DRC government issues to each forest exploiter interested in the timber harvesting in all DRC.

According to needs, the exploiters will negotiate a portion of a forest that can supply his company. He will apply for a licence that will allow him to cut trees in an the portion of the forest with a maximum area of 100 ha for small companies and 100 ha or more for average to big companies having an intention letter et supply guarantee.

### **2.5.2. Institutional Plan:**

The Congolese government has the obligation to elaborate the national forest policy that is materialized by a national forest plan, to review periodically forest industrialization according to the dynamism of the sector.

### **2.5.3. The management plan:**

Each forest to be granted has to be visited by officials to avoid conflicts and the nearby local communities are consulted to guarantee peace and allow the exploiter the peaceful use of the granted forests.

Having that in consideration, the president of DRC signed the decree N° 05/116 of 24 October 2005 that organize the sector by giving directives on how the existing title deed possessed by forest exploiters will be converted into forest concessions and that the title is given on an annual basis and can be renewed.

### **2.5.4. The exploitation**

The exploitation of any forest, is prior to an inventory. The established forests administration have to conduct regular inventories in all forest of the country and can use consultants having capabilities and expertise to conduct the inventory on their behalf.

Standards, data to be collected, the work to be done and methods to be used for the inventory are clearly defined by a ministerial order.

When a given forest is in demand and no inventory has been conducted, the survey of the area and the inventory work are done by the applicant under the control of the administration.

To conduct the inventory one has to get the governor of the province authorization. The inventory will give the area, the quantity and trees species to be exploited. The collected data will allow the mapping of the forest to be exploited. The forest exploitation is not limited to the cutting of trees or the harvesting of forest products but also include tourism and recreation that can be done in the forest.

Forests with a permanent production can be exploited:

1. under state control and by forest administration or decentralized administrative entities;
2. By a public institution;
3. By private forest exploiters in possession of a licence.

Any forest product to be sold or to be stored in another area out of the forest have to be accompanied by a licence that is given freely by the administration responsible of forests in the area of exploitation.

### **2.5.5. Taxes:**

Forest exploitation or forest product transformation is subjected to the payment of taxes according to law N°11/2202 of 29 August 2002.

Taxes rates are fixed by a common decision made by ministers of forests and of finances.

Forest taxes are paid directly to the central government and are apportioned as follow:

- Tax for the area granted(conceded): 40% to the local government and 60% to the central government;
- Tax of tree cutting: 50% to the national forest fund and 50% to the central government;
- Exportation tax: 100% to the central government;
- Deforestation tax: 50% to the central government and 50% to the national forest fund;
- Afforestation tax: 100% to the national forest fund.

### **2.5.6. Procedures to be followed to get a licence in DRC**

**1. Availability of a forest:** The applicant have to make sure that the forest he is applying for is not occupied by another exploiter. In communal forests; the forest can be exploited by the community itself or by an intermediary exploiter after signing a contract.

**2. Inventory of the forest:** an inventory is conducted to know the available quantity for logging, the quality and volume of timber and the area of the forest to be exploited before mapping the area.

#### **3. Documents to be in the application file:**

The application file will be having forms that are required by the Forests exploiters guide and will be made up by:

- The year in which the exploiter want to get the permit;
- The description of the aim of the exploitation;
- The identity of the applicant,
- List of equipments,
- Describe the usage of the timber exploited for the former period of exploitation;
- Describe the results of the inventory
- Describe the staff available

#### **4. Submission of the application file to the Province:**

- The applicant have to submit four copies to the provincial coordination of the environment for opinion giving
- Then the province will forward the application with province opinions to the minister and to the district.

#### **5. Licence issuing:**

The application is analyzed by the general director of forests who will draft the licence to be submitted to the minister for signature. The draft has to be accompanied with the receipt of taxes payment. The payment have to be done to the central government at e rate of 28,000 FC per hectare requested.

**6. Validity of the licence:** one calendar year (from 1<sup>st</sup> January to 31 December)

## **2.6. SUSTAINABLE TIMBER HARVESTING IN DRC-LESSONS LEARNED FROM ENRA (Gustave Chishweka Lubala, Forest Expert, consultant ENRA)**

The presenter focussed on the following aspects:

- Background information of the ENRA forest sector;
- ENRA Forest concessions;

- Timber processing by ENRA ;
- Forest species of trees exploited by ENRA ;
- Forest exploitation problems met by ENRA ;
- Efforts done by ENRA in the sustainable management of forests
- The problem of timber trade in the eastern DRC;
- ENRA expectations from the government.

### **2.6.1. Background information of the ENRA forest sector**

In fact, ENRA is a limited liability company working since 1983 under ministry of environment order (decree).

The company supplies only end products of timber in the market (floor boards, doors, windows and furnitures) and also sometime planks that are dried in acceptable norms which is not the case for other timber industries.

### **2.6.2. Forest Concessions:**

The company has got two forest concessions located in the Territoire de Mambasa (Mambasa district) in the province orientale, the first concession was obtained through the agreement signed between the company and the ministry of environment n°006/CM/ECN/92 of 17 August 1992 for an area of 52,192 ha and the second by the agreement n°020/CAB/ MIN/ECN-EF/05 of 19 April 2005 for an area of 28,800 ha. The first concession that is exploited is divided into two blocks A and B located both sides of the road Beni-Mambasa in Groupement Bangole, while the second which is contiguous to the first is located in Groupement Bakaeku and still a pristine forest non exploited.

### **2.6.3. Timber processing/transformation**

ENRA supplies only timber end products in the local and international market and those products are from its factory and that is its main objective in the forest sector. The sawmill production capacity is of 25 m<sup>3</sup> per day.

The industrial joinery has got to production lines: one for doors and windows and the other one for furnitures. The electricity supply is from generators which makes the task to be difficult due fuel prices that are high.

### **2.6.4. Trees species to be exploited:**

For a sustainable forest management, ENRA surveyed the whole area concessioned to him and from 1984 to date 51 species of trees have been identified. Up to the end of July 2008 they will reach 60 trees species of trees that are exploitable among those 30 are exploited by the company to satisfy orders from local and foreign customers.

Their perspective is to sensitize small scale exploiters to be aware that there is no first class species that will produce best products. With the involvement of the government, this may minimize the exploitation by skimming they practice and which lead to a huge deforestation in Mambasa, Irumu and Beni districts.

### **2.6.7. Problems related to timber exploitation:**

In 1983, ENRA concessions were untouched and the company could satisfy 95% of its need in timber. Now with the increase in human population in the northern Kivu and wars successions in the eastern DRC, the concession is occupied by 75% and by:

- Peasants from Mambasa district looking for land for agriculture are in the concession for now 10 years;
- Peasants who were chased in Mayangose (inside Virunga National Park) and most of them are from Butembo and Beni.
- The Minister of mines granted almost the whole concession to a mining company named Kilo Gold Mining for gold mining; an activity which is incompatible with the sustainable management of forests.
- The government wants the company to pay taxes for the whole concession while the company is not exploiting the whole area.
- Conflict between staff of the company and illegal exploiters;
- Timber demand from Nairobi is high while timber is available in Matadi but at a high price.

*Note: Consequently, the forest is disappearing without a hope of seeing it back.*

### **2.6.8. ENRA's Efforts for a sustainable management of forests**

Due to its mission and obligations given by the government, the company is putting effort in the sustainable management of forests like:

- Dialogue with local communities: dialogue for information sharing, signing of a memorandum of understanding between the company and local communities for roads rehabilitation, building schools, trees nurseries and other social services.
- Establishment of a tree nursery in order to stabilize the movement of people inside the company's concession and for the afforestation of degraded areas by cultivation
- Establishment of a security team by the company since 2005 for the protection of the concession;
- Partnership with WCS for sustainable forest management;
- Partnership with ESCO/Kivu in the socioeconomic development of communities living near ENRA concessions by practising agroforestry (cocoa mixed with trees to stabilise the population)
- Partnership with WWF in training and sensitization for afforestation
- Implementation of development projects for the benefits of local communities in Bangole and Babila/Babombi.

### **2.6.9. Problems related to timber trade in the eastern DRC**

For ENRA, the uniformity of trade and customs policies in the eastern and southern part of DRC (Zambia, Tanzania, Burundi, Rwanda, Uganda and Kenya) can be a fundamental base for peace between nations.

Unfortunately, nowadays fraud is higher in the region which attracts neighbours for the following reasons:

- Trade rules and regulations of the country don't consider realities of the east.
- Fraud of timber from illegal timber exploitation supported by local exploiters as local exploiters export timber illegally and they do better trade with Kenyans and Ugandans. It's understandable that their products have a negative influence on the price of end products in the foreign countries. This is a consequence of the failure of the Congolese government officers posted at borders who are not efficient.

## 2.6.10. Expectations of ENRA from the government

To overcome these challenges, the company is expecting from political and administrative decision makers the following:

- Reestablishment of the government authority at all level;
- To be given other concessions or space covered by forests to compensate despoiled areas by migrants;
- Put in place regulations for timber exportation in relation to local political and economic situations;
- Illegal timber exploiters have to pay all taxes like other dealers
- To protect timber traders, the government has to fight harassment caused by officers of the administration;
- To do zoning of forests, mining and agriculture in areas of high population density in order to reduce existing conflicts between forest concessionaires, mining concessionaires and immigrant on the other hand.

### *Questions of understanding :*

At the end of this second presentation, participants asked various questions and they were answered by the presenter:

Q1 was asked by Mushenzi that taxes that are paid to the environment service for timber exploitation are not invested in afforestation to compensate the deforestation; what is the policy we can think of?

*Answer. Normally these taxes are for building up a forest capital. Unfortunately, technicians don't do survey in concessions in order to help exploiters to plant trees (afforestation) in their concessions. What they do is to establish tree nurseries in towns and distribute freely those seedlings to people.*

Q2. How comes that timber coming from DRC don't have exportation document for the case of lubilia and when do they transport the timber? Does Uganda arrest those people and the timber without legal documents?

*Answer. In Uganda timber exportation is not allowed. If timber is imported to Uganda it's for local use only.*

*For the timber bought in Lubiliya, it's stocked in the no man land for control and don't have the way of controlling movement of timber coming from DRC.*

*Timber in transit in Uganda is checked by customs at each control point or checking point.*

Q3. In relation to the relocation of people towards Ituri in ENRA's concessions which is done in the specific habitat of the Okapi (*Okapia johnstoni*) and leading to the disappearance of the forest as well as the disappearance of other animal species, favouring illegal trade of trophies and animals; are those people doing afforestation by creating communal woodlots ?

*Answer. The concession is occupied and the company is now controlling only 15% of the total area conceded. The government is looking other areas of forest to give to the company. Area of forest given to ENRA: 52192 ha and 22500 ha*

### **III. GROUP WORK AND DISCUSSION GROUP RESULTS (EDGAR BUHANGA, UWA)**

#### **3.1. Methodology**

Under the facilitation of Mr Edgar Buhanga (Strategic planning coordinator in I'UWA), group works followed the following steps:

- Reminding objectives and expected results of the meeting;
- Participants were divided into three working groups with reference to the six socio-professional categories and expertise of participants;
- Each group was given a theme: information sharing on timber trade, control options on the timber trade between the two countries and how to get support of key stakeholders or strategies for controlling the timber trade.
- The meeting being bilingual (French and English), a translator was given to each group to ease communication and understanding: Wambale (Group I), Deo Kujirakwinja (Group II), Ephrem Balole + Joseph Matunguru (Group III).

#### **3.2. Group work results:**

Two steps in the presentation of results:

- First of all each group presented its results from their discussion.
- Then a small group was formed and was composed by Andy and Deo thinking on the future in relation to recommendations got from each group and as a result of that ; they established a compiled list of adopted recommendations by participants.

The steps followed are described as follow:

##### **3.2.1. Working group results presentation :**

###### **3.2.1.1. Information sharing on timber trade between Uganda and DRC:**

###### **a. Strategies for information gathering:**

Forest concessionaires have to collect informations on the following strategies:

- Timber exploitation sites;
- Quantity produced by site
- Exploited species;
- Quality produced;
- Identifying sub-contractor of concessionnaires;
- Identifying local and foreign markets;
- Identifying illegal exploiters found in concessions;
- Equipment used.

The Environment services will provide:

- Lists of legal forest exploiters;
- The site of each exploiter
- Use of DRC and Uganda customs statistics
- Use security agents;
- Visit the timber selling places;

- Have a focal point/agent;

**b. Strategies for information sharing:**

Information sharing between stakeholders will be done as follow:

- Regular meeting between parties;
- Creation of a network between parties;
- Publication of a journal on the exploitation and the timber trade
- Environmental education: popularize the forest act, translate the forest act in a simple language and in local languages, conceive and implement a environmental education programme, train staff in charge of data collection.

**3.2.1.2. Timber trade control options between DRC and Uganda.**

**a. Problems encountered by exploiters:**

- No system of timber stamping (using a hammer) in DRC;
- Inadequate collaboration between Uganda and DRC in timber trade matters
- No system of information sharing between authorities in charge of forest (NFA in Uganda) and the environment service in DRC;
- Language barrier (French-English) making communication between actors of the two countries
- Another problem is a gap in laws that govern timber trade in the two countries.

**b. Recommendations:**

- Select important documents that go with exported timber (exploitation permit, exportation license, quality and quantity evaluation document, health certificate, evacuation taxes, Proforma invoice)
- Formalize the timber in the no man land;
- Put pressure on authorities in charge of forests supervision
- Establishment of a timber monitoring unit in DRC
- The use of the hammer for stamping in DRC;
- Ensure a regional collaboration between authorities responsible of forests in the two countries;
- Provide sample copies of timber exportation documents to customs officers of the two countries.
- The north kivu provincial government has to push taxes review for forest concessionaires.
- Need of sensitization of people on the new collaboration on the forest exploitation between Uganda and DRC
- Train managers and other stakeholders in languages (French and English)

**3.2.1.3. Key stakeholders and their roles in timber trade between DRC and Uganda:**

**a. Stakeholders in the timber trade and their roles:**

Stakeholders	Roles
Landowners	- distribution of forests

	<ul style="list-style-type: none"> <li>- proof of forest availability</li> <li>- Customary rental charges</li> </ul>
<p>Forest exploiters:</p> <ul style="list-style-type: none"> <li>- industrials : ENRA</li> <li>- small scale exploiters (COVEB, CENM, APNB)</li> </ul>	<ul style="list-style-type: none"> <li>- tree cutting, sawing, exportation</li> <li>- ENRA: transformation, selling with added value, sustainable management plan, protection of the concession, afforestation.</li> <li>- Legal small scale exploiters: don't abide to their obligations toward the government.</li> </ul>
Timber merchants	<ul style="list-style-type: none"> <li>- Bying and selling timber</li> <li>- Favor illegality</li> </ul>
Transporters	- timber transportation
Services : Environment, OCC, Ustoms, DGI, COVEB	Legal services allowed to work in the timber trade network
Non authorized services in the timber trade: FARDC, DEMIAP, PNC, ANR, DGM, IPMEA.	Collect money illegaly
<p>In Uganda :</p> <ul style="list-style-type: none"> <li>- Customs</li> <li>- Immigrations</li> <li>- NFA</li> <li>- Police</li> <li>- Military</li> <li>- Forestry inspection</li> <li>- URA</li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>- Custom controls</li> <li>- Importation control</li> <li>- Transportation license</li> <li>- Inspection and control</li> <li>- Control of illegal timber</li> <li>- Taxes</li> </ul>

## **b. Recommendations :**

### In DRC :

1. convene all legal exploiters to put in order their required legal documents
2. To advise legal exploiters to be in order with the environment service
3. Forbid the use of chain saws in favour of a saw like in Uganda
4. To have a unique place where to pay all taxes: Provincial government
5. Marking with the hammer all timber to be exported
6. Fight impunity in the timber network: here we have to combine police, judiciary, and environment.

### In Uganda :

7. Send back timber without exportation documents (Customs, immigration and police)
8. To curb DRC illegal exploiters financing: Uganda security, Police)

### **3.3. Future perspectives (Action Plan)**

#### **Short term:**

1. Share documentation required for timber trade between Police, Forest authorities, customs of the two countries;
2. Publish a list of legal concessionaires and their exploitation sites in DRC
3. Enforce timber export laws in the no mans land between the two countries;

4. Ensure concessionaires meet their legal obligations in DRC

**Mid term.**

5. Customs, police and forest authorities of the two countries don't have to allow timber without legal export documents;
6. Enforce timber export laws in the no man land and confiscate all timber found in the no man land without legal export documents;
7. There is a necessity of having documents in the two languages (French and English) to ease understanding and communication between stakeholders of the two countries;
9. DRC Forest authorities have to ban the use of chain saws for tree cutting like it's the case in Uganda;
10. Ensure sensitization on the forest laws is done in the two countries as in DRC the law is still new and not old in Uganda;
11. Review taxation scheme in the timber trade network of the two countries to ensure that legal timber exploiters won't turn into illegal timber exploiters;
12. Put in place the hammer marking practice and a timber export monitoring mechanism;
13. Publish data collected on the timber trade and the annual frequency. Have it be available to concessionaires and custom officers;
14. Support to regional meetings between forest authorities and environment officers for their involvement in the existing transboundary collaboration which may help to create a favourable environment for the collaboration of the two departments of the two countries;
15. Authorities of the two countries (Uganda and DRC) have to work together to stop the illegal timber trade in the two countries;
16. Customs officers, Police and immigration officers of the two countries have to work together to arrest timber trafficking;
17. Create and support a forum of various forest exploiters network in order to share information related to the timber exploitation network across borders: there is a need of thinking of possible stakeholders in order to implement this recommendation.

*Note: Looking at these perspectives and considering limited time to allocate to the systematic thinking on all recommendations made, it was advised that before to circulate them to all participants, they have to be deepened by ICCN, UWA and WCS.*

#### **IV. CLOSING REMARKS**

##### **1.1. Word of the facilitator**

The facilitator of the meeting Mr Joël Wengamulay of ICCN/North-Kivu, gave a word of thanks to all participants for their availability to participate to the meeting. To him, the participation is a sign of goodwill of people to find out durable solutions to deepen the transboundary collaboration of the betterment of our contiguous national parks looking at results from working groups we had during this workshop.

### ***1.2. Word of the Provincial Director of ICCN/North-Kivu***

The provincial director in his word, thanked the active participation of all participants and especially that of the North-kivu provincial minister in charge of environment, who despite her busy agenda decided to participate to the meeting to give some clarifications in the timber trade in DRC and her participation in the working groups for discussion that gave useful recommendations for better management of forest resources in the country. At last, he invited the provincial minister to close officially the meeting.

### ***1.3. Official closing remarks***

The provincial minister of environment gave her speech to close officially the meeting. She gave a word of thanks to all participants from the two countries for their active participation , said that she was satisfied of the proceedings of the meeting and also by the results got from the meeting, she committed herself to give the feedback of the meeting to the governor of the north-kivu province and to implement key recommendations and at last she hope that there will be a development of a durable partnership between environment authorities of DRC and forest authorities in Uganda for the conservation of our national parks. At last she wished to all participants a safe journey for their way back.

## APPENDIX I.

## LIST OF PARTICIPANTS.

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