

Republic of Congo awards two million hectares of timber concessions

by John Cannon on 11 February 2016



- The Republic of the Congo recently announced 2 million hectares in new logging concessions. Those awards, some occurring ahead of government bid deadlines, should be seen as a warning bell of possible political corruption, said a number of NGO watchdog groups.
- The large new concessions come shortly after a constitutional re-write that allows longstanding President Nguesso to run for a third term in upcoming elections, causing critics to wonder if the forest sell-off could have been prompted by a political campaign shortfall.
- Several of the companies who were granted large concessions have spotty legal records, including environmental and social violations. Critics say that Congo's forestry laws need to be reformed, and that penalties against rampant logging violations need to be enforced.

*In 2008, scientists with the Wildlife Conservation Society boosted Republic of the Congo population estimates for the Critically Endangered western lowland gorilla (*Gorilla gorilla gorilla*) to around 125,000 individuals. These animals and their habitat could be seriously threatened by poorly regulated logging operations. Photo by Rhett A. Butler*

The Republic of the Congo announced the allocation of 6 timber concessions on January 8 covering 2 million hectares (7,722 square miles), an area about the size of Israel. Two of the concessions were awarded ahead of government-established bid deadlines, an apparent breach of protocol, with little explanation as to why.

"Past operating modes no longer correspond to current issues," said Henri Djombo, minister of the forest economy and sustainable development, who presided over the January forestry commission meeting. He was quoted in the newspaper, [La Semaine Africaine](#), saying: "It is about changing culture." Djombo's office did not respond to Mongabay's requests for comment.

Simon Counsell, executive director of London-based NGO, Rainforest Foundation UK, said in an email that the fact that the commission did not wait for the completion of the bidding cycle hinted "very strongly at illegal or corrupt allocation processes."

The concession announcements come amid escalating criticism from researchers, conservation groups and forestry observers that the Republic of the Congo's claimed progress toward a more legitimate logging sector may not be all it seems.

Around 90 percent of the Republic of the Congo's forests are earmarked for logging concessions, which puts at risk one of the largest tropical swamp forest ecosystems in the world, as well as the highest gorilla densities of any African country. Photo by BSM licensed under the Creative Commons Attribution-Share Alike 3.0 Unported license

Timber is playing an outsized role in the Central African developing country's economy, particularly now that its petroleum export profits have taken a hit from a nosedive in global oil prices. Around 90 percent of Congo's forests are earmarked for logging

concessions, and the majority of them are in production, according to [a 2014 report](#) published by Chatham House, a London-based international think tank.

Congo's forests also hold "one of the largest tropical swamp forest ecosystems in the world" and are home to "the highest gorilla densities of any African country," wrote the report's author, Sam Lawson.

Early this century, the country appeared to be rising to the challenge of both protecting its forests and enhancing its economic security. In 2000, the country's leaders passed a new forest law that incorporated [principles of sustainable forest management](#), requiring forest management plans from companies within the first three years of operating in the country.

Also, in line with the [European Union's Forest Law Enforcement, Governance and Trade Action Plan](#), known as FLEGT, Congo has hosted an independent forest monitor since 2007. The country's Voluntary Partnership Agreement — or VPA — came into full effect in 2013, allowing the nation to export its timber to the European Union.

Republic of the Congo recently announced 6 timber concessions covering 2 million hectares (7,722 square miles), an area about the size of Israel. Clear cutting of African forests, like that shown here in Gabon, can be highly destructive of ecosystems. Photo by Rhett A. Butler

But this year's concession agreements stirred up concerns over possible corruption at the highest levels of government, including questionable relationships between officials and the companies they ought to be policing, lax collection of taxes and fines, and possible connections to next month's elections in a country with a history of violence around significant national votes.

"It would not be the first time there had been a fairly big (and corrupt) sell-off of concessions shortly before an election" to help fund a political campaign, Counsell told mongabay.com.

President Denis Sassou Nguesso, who has held the country's highest office for 32 of the last 37 years in two separate stints, is running for a third term, which [only late-2015 changes to the constitution made possible](#), with an extension of term limits and age limits for the office of president. Similar attempts to hold onto power are not uncommon on the African continent, and such moves have led to protest and violence in Burundi, Burkina Faso and Niger in recent years.

The extreme constitutional measures taken by Sassou Nguesso to stay in power, the potential for electoral violence, and the hurried manner of concession awards, have led in turn to speculation about the particular companies involved in the latest logging concession transactions.

A female lowland gorilla. Photo by Rhett A. Butler

Independent researcher Arnaud Labrousse, who has investigated the Republic of the Congo forestry sector extensively, provided mongabay.com with evidence that the company Sciage Industriels Panneaux Moulures (SIPAM) is "controlled" by suspected arms dealer Guus Kouwenhoven. Labrousse said that documents from 2004 show that Kouwenhoven shared ownership of SIPAM with Emile Ouessou, the Congo's current minister of equipment and public works.

Congo's forestry commission awarded SIPAM the 221,708-hectare (856-square mile) Loumoungo concession, more than two months ahead of the March 8 bid deadline.

Kouwenhoven, a Dutch citizen, had been the president of the Oriental Timber Company in Liberia. In 2001, the watchdog NGO [Global Witness reported that he was involved in arms trafficking](#) in support of Charles Taylor, then-president of Liberia, now a convicted war criminal.

For his part, Kouwenhoven was convicted of arms trafficking in 2006, a verdict overturned in 2008. However, in 2010, [the Dutch Supreme court threw out the acquittal](#), putting his as-yet-undetermined criminal status back in the hands of the Court of Appeal.

SIPAM did not respond to requests for interviews.

An emergent canopy tree felled for timber in East Africa. The great height of these canopy trees creates a large vertical space beneath which smaller trees and plants can grow, promoting extraordinary biodiversity. Photo by Rhett A. Butler

Another long-time operator in the country, [Congolaise Industrielle des Bois \(CIB\)](#), received the nearly 670,000-hectare (2,587-square mile) Mimbéli Ibenga concession in

January, four days before the bid deadline. In 2014, an inspection for Forestry Stewardship Council certification of another of CIB's holdings revealed potential issues with local indigenous populations — specifically, with the Mbendjele, one of the semi-nomadic “pygmy” groups that inhabit Congo's lowland rainforests.

Anthropologist Jerome Lewis of University College London wrote, “The rights and resources of indigenous peoples are not being properly respected or guaranteed within the CIB concession.

“As a culture with ancient links to hunting and gathering wild food as their main source of subsistence, hunting is fundamental to their self-definition, an integral part of their cultural identity, religion and daily life,” he continued. “While national laws concerning wildlife protection are aggressively enforced on CIB concessions, laws concerning the rights of indigenous peoples to their culture, livelihoods, land and resources are not being similarly enforced or even upheld, with the result that their hunting way of life has become criminalised by the excessive targeting of these communities by Eco-guards (sic).”

CIB representatives did not respond to mongabay.com's request for comment. They did however respond to Lewis. They are quoted in his report as saying that the indigenous groups living in the area of its concessions “were offered alternative areas within the community development zones.”

Congo rainforest habitat like that seen here can support lowland gorillas and other primates. Photo by Photo by Myriam Asmani / MONUSCO

A third company, [Société d'Exploitation Forestière Yuan Dong](#) (SEFYD), was awarded nearly 600,000 hectares (2,317 square miles) of undeveloped forest, near Congo's borders with Gabon and Cameroon. Labrousse said that the FLEGT independent observer cited SEFYD in 2014 for “faulty marking, failure to execute contractual obligations, absence of a logging map, and faulty worksite documents.”

A previous report by the independent monitor, a position operated by the Cambridge-based NGO [Resource Extraction Monitoring](#), found numerous broken laws on many companies' concessions throughout the Congo. The report states that 7,790 trees, worth more than 2.2 million Euros (about \$2.5 million today), were cut illegally. That should have resulted in 324,300 Euros (\$363,000) in fines. But, at the time of the 2013 report, only 3,800 Euros had been paid.

The report's recommendation was to increase taxes or confiscate wood from the companies that weren't paying up, as a way to discourage further illegal activity and as a means of better funding enforcement of forestry law.

In some cases, fines for crimes such as excessive timber production, or “fraudulent” marking of cut trees to compensate for wood deemed “unsaleable,” simply went away.

“Congolese forest legislation includes broad discretionary powers for senior officials and these are regularly abused in a serious manner,” wrote Lawson in the 2014 Chatham House report. “For instance, unlimited discretionary power exists for the forests minister to reduce the value of the largest fines levied on timber companies.”

There appears to be little political will to stop these sorts of practices, Lawson said.

“Anti-corruption legislation exists in Congo, and includes potentially serious penalties, but to date no forest officials have ever been prosecuted and it is not clear if any have even been investigated,” he wrote.

The independent monitor acknowledged that the government has become more “responsive” since 2007. But Lawson wrote that “70–75 [percent] of all [timber] harvesting in Congo is illegal in some way.”

Rampant logging violations are not the only problem, Lawson points out in his report, suggesting the need for a serious overhaul of forestry law in the country.

“It should be noted that while illegality is a serious problem in the forest sector in Congo, the [independent monitor] has also observed that even if logging was carried out completely within the law, much of it would still be unsustainable.