



GREENPEACE

**'artisanal logging'**  
=  
**industrial logging in disguise**

**Bypassing the moratorium on the allocation  
of new industrial logging concessions in the  
Democratic Republic of Congo**



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## Credits

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Log rafts of real artisanal loggers on Mfini river near Nioki, March 2012



**T**he Congo Basin forest is the world's second largest tropical rainforest, after the Amazon. The conservation of these forests plays a critical role in the global effort to fight the harmful effects of climate change. Around 60% of the Congo Basin forest lies within the Democratic Republic of Congo, and 40 million people depend on the forest for their livelihood. However the industrial exploitation of these resources does not contribute to the sustainable development of forest communities. And according to official figures, the forestry sector in the DRC only contributes 0.7% to the country's economic development, in terms of GDP<sup>1</sup>.

The Congolese forests are currently at the epicenter of enormous economic pressure from different sectors, often in complete disregard for the principles of social, economic and environmental justice.

A moratorium on the allocation of new industrial logging concessions was imposed in 2002, and reconfirmed by presidential decree in 2005, but it has never been properly enforced. Over the past couple of years the issuing of artisanal logging permits has increased<sup>2</sup>. By law these permits are reserved for small Congolese businesses, but currently the government and foreign investors appear to be abusing the artisanal logging permit system for disguised industrial logging operations.

This alarming development has been recorded and monitored by several civil society organizations in the DRC, as an illegal activity which aims to circumvent the moratorium on industrial logging<sup>3</sup>. This poses a growing threat for the forests, its people, and its biodiversity.



CEBA - logs near harbour of Etebe in Bolobo, ready for transport via the Congo river - March 2012





## DRC – an ‘artisanal’ logging paradise



### Region

The main forest provinces in DRC are: Bandundu, Equateur and Orientale. This report concentrates on the province of Bandundu, the districts of Mai Ndombe and Plateau, and the territories of Oshwe and Bolobo.

Greenpeace and RRN (Réseau Ressources Naturelles, a Congolese network of environmental NGO's), conducted field research in this area on the activities and permits of 4 artisanal logging companies, as an example of the issue country wide.

The Plateau district and a part of the Mai Ndombe district belong to the CARPE (Central African Regional Program for the Environment) priority landscape of Lake Tele and Lake Tumba (partly in DRC and partly in Rep. Congo). Oshwe is located in the CARPE priority landscape of Salonga - Lukenie – Sankuru, an high biodiversity area that includes the Salonga National Park. The CARPE program, led by USAID (United States Agency for International Development), and implemented by WWF (World Wildlife Fund) and WCS (World Conservation Society), aims to reduce the threats of forest degradation and the loss of biodiversity through efficient natural resource management in Central African high biodiversity areas<sup>4</sup>.

The area consists of a tropical rainforest, gallery forest mixed with savannas, and swamp forests. It is a recognized high biodiversity area with iconic and endangered species, such as the bonobo (the ape closest to humans, in terms of DNA), the forest elephant, and many others. In the Bolobo area a special conservation program is being developed for the involvement of local communities in bonobo conservation.

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Bonobo



## Logging companies

Many different logging companies, both industrial (large scale logging in 'permanent production' forests) and artisanal (small scale logging in 'community' forests), are active in the region.

Industrial logging companies include *Sodefor and Soforma (NST GROUP), Foresterie du Lac, ITB, Compagnie des Bois (CB), NBK, Riba Congo, etc..*

So called 'artisanal' logging companies include *Compagnie d'Exploitation du Bois en Afrique (CEBA), Azimuts Services, The Full Business, Almafidi, Song Ling Wood, Ets Terco, Rombo, Nicate, Sino Congo, Songli, Amina Sanghai, Ets Kagi, Mot/Bois, Van Amisi Daniel, Ets Heng Ling, Tropical Bois, and many others.*



The 4 'artisanal' logging companies in this research:

	Nationality <sup>5</sup>	No. of permits <sup>6</sup>	ha	m <sup>3</sup>	estimated market value <sup>7</sup>
<b>ALMAFID</b>	Jordan	2	100	900	\$ 0.9 million
<b>CEBA</b>	Lebanon	11	550	4950	\$ 5 million
<b>AZIMUTS</b>	Congo/Spain	6	300	2400	\$ 2.4 million
<b>SONG LING WOOD*</b>	China	1	50	450	\$ 0.45 million

\*In 2011 SONG LING WOOD also had permits to buy and export 5000 m<sup>3</sup> of Wenge timber, with an estimated market value of around \$ 5 million.





## Artisanal - industrial – illegal exploitation

The Congolese forestry law is clear on artisanal logging; order 035/CAB/MIN/ENV-EF/2006, dated October, 2006. However, very often the reality in the forests conflicts with the law.

Art. 8 al. 1 "Artisanal logging permits are issued to licensed physical persons, using a saw or a chainsaw."

In the area of Bolobo and Oshwe, the "licensed physical persons" are not individuals but companies, using the operation methods and heavy equipment of industrial logging companies.

Art. 8 al. 2 "Artisanal logging permits cannot cover an area in excess of 50 hectares. An artisanal logger is entitled to no more than two permits per year."

Several artisanal logging companies have more than two logging permits per year; AZI-

MUTS and CEBA even had 6 and 11 permits respectively in 2011 (see table). The permits allow the felling of a certain volume of timber per year (country average is around 350m<sup>3</sup> per permit). It is unclear on what basis the volumes of timber are granted, and what the social and environmental impacts are. Nobody controls the boundaries of the logging areas, nor the extracted timber volumes.

Art. 8. al. 3 "... the logging permit is issued by the Provincial Governor ...."

In this region most artisanal logging permits are not issued by the Provincial Governor at all, but by the Ministry of the Environment in Kinshasa. Also the permits issued by the Ministry are titled "artisanal logging permit", but are granted for "an industrial logging operation".

CEBA - Artisanal permit for industrial logging

REPUBLIQUE DEMOCRATIQUE DU CONGO  
MINISTÈRE DE L'ENVIRONNEMENT,  
CONSERVATION DE LA NATURE ET TOURISME

N° 107

Perm. spécial de coupe de WENUE

25/BN/2010

**PERMIS DE COUPE DE BOIS ARTISANALE** N° .....

**LE MINISTRE**

Vu la Constitution de la République Démocratique du Congo ;  
Vu la Loi n°011-2002 du 29 août 2002 portant Code Forestier, spécialement en ses articles 97 et 98 ;  
Vu l'Ordonnance n°08/067 du 26 octobre 2008 portant nomination des Vice-Premier Ministres, Ministres et Vice Ministres ;  
Vu l'Ordonnance n°07/018 du 16 mai 2007 fixant les attributions des Ministères, spécialement en son articles 1er point B.36 ;  
Vu l'Arrêté Ministériel n°006/CAB/MIN/ECN-EF/2007 et n°004/CAB/MIN/FINANCES/2007 du 08 mai 2007 portant fixation des taux, des droits, taxes et redevances à percevoir en matière forestière à l'initiative du Ministère de l'Environnement, Conservation de la Nature, Eaux et Forêts.  
Vu le Rapport favorable sur l'examen de la demande de coupe du bois d'oeuvre introduite par l'Exploitant Forestier..... **CEBA, SPRL** .....

**DECIDE**

**Article 1<sup>er</sup> :** Il est accordé à l'Exploitant Forestier dont le nom est susmentionné, la présente **autorisation** de coupe industrielle du bois d'oeuvre pour la période allant du **1<sup>er</sup> JANV. AU 31 DEC. 2010**

Province :	<b>BANDUNDU</b>	District :	<b>PLATEAUX</b>
Territoire :	<b>BOLOBO</b>	Secteur :	<b>BATEKE NORD</b>
Lieu dit :	<b>NKURU 1</b>	Superficie :	<b>50 HA</b>

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Art. 23 “.... an artisanal logger is natural person of Congolese nationality ...”

This sector in the DRC, is invaded by foreign companies who are using Congolese intermediaries to organize their operations at some point, but are directed and financed by non-Congolese people or companies, from countries such as Switzerland, Spain, China, Lebanon, Korea, Bulgaria, and Jordan<sup>8</sup>.

Art. 24 “... the right to log in a forest of local communities with a contract signed by the representatives of the relevant local community and approved by the forest authority.”

In reality none of the existing social agreements have been approved by the authority in charge of the forests. Also there has been no compensation for the local communities who depend on these forests, apart from some gifts to the village chiefs.

ALMAFID, based in Oshwe, has two artisanal logging permits, located in an industrial concession 024/03 of SODEFOR. However according to Congolese law, artisanal exploitation can not be done in this permanent pro-

duction forest. The industrial logging company SODEFOR failed to negotiate the social agreements with the local communities, and cannot exploit the timber in this concession. It seems unlikely that ALMAFID is logging in this concession without SODEFOR's consent.

Art. 63 “the administration responsible for forestry shall monitor logging, in order to ensure a sustainable forest management.”

No official information on reporting or control of artisanal logging is available to the public. Only since the beginning of 2012, a mechanism to monitor artisanal logging is being developed by SGS (a Swiss inspection, verification and certification company), for the various ports of Kinshasa on the Congo River. But timber from the area of Bolobo, logged by CEBA, is transported together with timber of the company Trans M to the private port of Congo Futur in Kinkole, near Kinshasa. Here the logs can be mixed with timber coming from other areas and put into containers to be exported<sup>9</sup>.



Forest workers of CEBA in Bolobo complain about their social conditions, about the lack of service cards, the lack of employment contracts validated by the competent authorities, etc.. :

"... working every day of the month, without rest. Our salary is poor and does not match the amount of work. If you try to protest, you are stifled.... Our social conditions are not taken into account because we are controlled by foreigners..."

"... We do not know our functions in CEBA, because no worker has a letter on this subject, let alone a service card. We work a lot. Last year we produced what? Despite this, no salary increase, only salary advances, often even nothing at all. We have no tent or tarpaulin, ... It's unfortunate for us. "



Log raft of real artisanal loggers on Mfimi river near Nioke, March 2012



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Song Ling Wood - log parking at Mbinga village, March 2012



Azimuts- Industrial engines near Bolobo 2, March 2012





## Conclusions

>> In the DRC much of the artisanal logging is occurring on an industrial scale, and is in fact industrial logging in disguise. Information from civil society points out that this practice is not only happening in Bolobo and Oshwe, but that it is a common method of circumventing the moratorium on new industrial logging permits, which is spreading all over the country.

>> The issuing of artisanal logging permits is chaotic and without any respect for the law. Instead of genuine artisanal permits being issued by the Provincial Governor, artisanal permits for industrial logging operations are being issued by the Ministry of Environment in Kinshasa.

>> Nobody on the ground controls whether the artisanal logging companies respect the law in terms of authorized timber volumes, tree species, diameters, etc.. The companies do not establish credible social agreements with the forest communities, and the social conditions for the forestry workers are terrible.

>> If industrial logging companies fail to negotiate social agreements with the local communities and thus cannot exploit their concession, they can be tempted to agree to 'sub-let' their concession to artisanal loggers, who don't need management plans and social agreements to exploit these permanent production forest areas.

>> No reliable official statistics on artisanal logging operations are available, despite the presence of independent observers, funded by international donors, and various requests by Greenpeace. Logging operators are working outside of any control or monitoring, and in all impunity. This also prevents the collection of the obligatory tax revenues from this sector.

>> Operators can mix timber from legal and illegal, and from artisanal and industrial operations, without any control, making it impossible for national and international traders and consumers to know where their timber has been sourced from.







## We are asking that...

- illegally awarded permits are cancelled, that the moratorium on the allocation of new industrial logging concessions is enforced, and that current legislation on logging is respected and extended to include the control and monitoring of artisanal logging.

- the legal rights of local communities are strengthened and respected, with emphasis on their traditional rights, territorial boundaries and the social agreements with logging operators; to ensure that decisions are taken with the free, prior and informed consent of forest dependent communities.

- transparency of the logging sector is radically improved by directly disclosing all information to the public on permits, monitoring and control.

- international donors and consumers require verification of origin and legal compliance of all timber products coming from the DRC.



- the EU, USA, China, and other governments, in the implementation of their respective regulations, combat illegal timber trade and focus enforcement activities to ensure compliance of timber originating from the DRC.







## References

<sup>1</sup> [www.minfinrdc.com](http://www.minfinrdc.com)

<sup>2</sup> [www.mecnt.cd](http://www.mecnt.cd), anecdotal evidence; number of artisanal permits in 2009<50, in 2010=50, in 2011=77

<sup>3</sup> Magasin of Réseau Ressources Naturelles in RDC N° 12 June-October 2011

<sup>4</sup> [www.carpe.umd.edu](http://www.carpe.umd.edu)

<sup>5</sup> [www.almafidgroup.com](http://www.almafidgroup.com) , anecdotal evidence

<sup>6</sup> See 2

<sup>7</sup> Anecdotal evidence employees

<sup>8</sup> Interviews in Kwamouth port

<sup>9</sup> Interviews in ports of Kinkole and Maluku





Greenpeace is an independent global campaigning organization that acts to change attitudes and behaviour, to protect and conserve the environment and to promote peace.

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