



Framework for Assessing Legality of Forestry Operations, Timber Processing and Trade Annex

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Framework for Assessing Legality of Forestry Operations, Timber Processing and Trade - Principles, Criteria and Indicators for Cameroon

<i>Indicator</i>	<i>Guidance note/verifier</i>
PRINCIPLE 1: ACCESS, USE RIGHTS AND TENURE	
Criterion 1.1: The company is legally registered with the relevant administrative authorities	
Indicator 1.1.1: Legal existence of the company, licensed to practice as logging company and/or registered as timber processor	Verify that documentation held by the company includes: <ul style="list-style-type: none"> • Proof of residence (natural person) • Commercial register obtained at the appropriate court office • Approval for the forestry profession granted by the Prime Minister • Extract from the registration of logging hammer stamps to the clerk of the competent Court of Appeal • Authorization to set up and operate as a first class establishment of the Ministry in charge of industry • Certificate of registration as a timber processor from the Ministry in charge of Forestry Legal references: <ul style="list-style-type: none"> • Article 41 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 35. 1, 36, 114 and 140. 1, 2, 3, 4, 5, of the Decree No. 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Article 1 of the Decree 2000-092-PM of March 27, 2000 amending Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Law No. 98/015 of July 14, 1998 on the companies classified as dangerous, unhealthy or inconvenient

	<ul style="list-style-type: none"> • Decree No. 99/818/PM of November 09, 1999 fixing the procedure for setting up and operating [of these companies] • Order No. 013/MINEE/DMG/SL of April 19, 1977 repeals and replaces Order No. 154 of March 28, 1957, establishing the list of dangerous, unhealthy or inconvenient companies
<p>Indicator 1.1.2: The forestry company holds a forest concession and holds an operating agreement signed with the administration in charge of forests</p>	<p>Verify that documentation held by the company includes:</p> <p>At final operating agreement case</p> <ul style="list-style-type: none"> • Statement of compliance with the terms of the provisional operating agreement • Approval Order of the management plan issued by the Minister in charge of Forestry • Five Year Management Plan and Operations Plan for the current year • Social specifications signed by the competent authority and the forestry company • Act of classification issued by the Ministry in charge of Forestry • Authorization to set up and operate of a first class company of the Ministry in charge of industry or declaration receipt (second class) • Certificate of registration as a timber processor of the Ministry in charge of Forestry <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 46; 47, par. 1, 2, 3, and 50, par. 1, of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 35, 36, 37, 61, 68, 69, 70, 75, par. 1; 76, par. 4, and 77 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Article 1(c), 1(d) of the Decree 2000-092-PM of March 27, 2000 amending Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime

<p>Indicator 1.1.3: The forestry company is not subject to any action of suspension or withdrawal of approval or title by the administration</p>	<p>Documentation to verify includes:</p> <ul style="list-style-type: none"> • Records/files of violations issued by the competent authorities • Litigation records of competent local departments • Suspension decision of the Minister in charge of forestry substantiated and challenged to the offender, where appropriate.
	<p>Legal references:</p> <ul style="list-style-type: none"> • Articles 146, 150 and 152 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Chapter 3 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 130, 131, 132, 135, par. 2, 136 and 137 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
<p>Criterion 1.2: Use, access and tenure rights applications are subject to stated pre-conditions within the laws and regulations</p>	
<p>Indicator 1.2.1: The award of a forest concession to a forestry company or individuals is subject to public consultation and the respect of property rights of the State, decentralized entities, local communities and indigenous people</p>	<p>Documents to verify are:</p> <ul style="list-style-type: none"> • Notice of public tender • Minutes of consultations
	<p>Legal references:</p> <ul style="list-style-type: none"> • Articles 6,7,8, 12, 30(2), 39(1) of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
<p>Indicator 1.2.2: The award of a forest concession to a forestry company or individuals is subject to public consultation and implementation of pre-emption rights of local communities and / or indigenous people</p>	<p>Documents to verify are:</p> <ul style="list-style-type: none"> • Notice of public tender • Minutes of consultation with local residents
	<p>Legal references:</p> <ul style="list-style-type: none"> • Article 37(4), 39(5) of the Law No. 94/01 of January 20, 1994 on the

	<p>forests, wildlife and fisheries (Forestry Code)</p> <ul style="list-style-type: none"> • Article 2 of Order No. 2001/ 0518/MINEF/CAB of December 21, 2001 specifying additional community rights to acquire community forests.
<p>Indicator 1.2.3: The award of a forest concession to a decentralized entity (Council) is subject to public consultation with respect to rights of various counterpart (especially local communities and/or indigenous people)</p>	<p>Verify that documents held by the council includes:</p> <ul style="list-style-type: none"> • Notice of public tender • Minutes of consultation with local residents • Administrative act classifying the forest issued by the Ministry in charge of forestry • Legal act of classification (Decree) signed by the Prime Minister • Title deed (land ownership document/title) issued by the Ministry in charge of State property and land affairs
	<p>Legal references:</p> <ul style="list-style-type: none"> • Title 3, section II, article 25(5), 30 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 17,18,19,20,21 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Decision 1354/D/MINEF/CAB of November 26, 1999 fixing procedures of forests classification in the permanent State property
<p>Indicator 1.2.4: The use and operation in a Council forest is based on legal requirements</p>	<p>Verify that documents held by the Council includes:</p> <ul style="list-style-type: none"> • Inventory reports from the Council • Management plan approved by the Ministry in charge of Forestry • Operational plan issued by the Council • Notified title of operation signed by the Mayor of the Council
	<p>Legal references:</p> <ul style="list-style-type: none"> • Article 31, 32 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Article 79, 80 of the Decree No 95-531-PM of August 23, 1995

	<p>establishing detailed rules for the implementation of forest regime</p>
<p>Indicator 1.2.5: The award of a forest area to (a) local or indigenous people communit(y)ies is based on minimum requirements</p>	<p>Verify that documents held by the Community includes:</p> <ul style="list-style-type: none"> • Minutes of the consultative meeting signed by all local participants • Copy of the official demand of the forest by the community to the Ministry in charge of Forestry • Proof of legal personality of the community(ies) • Management agreement/convention signed between the Ministry in charge of Forestry and the community or collective convention in case there is more than one community • Simple management plan approved by the Ministry in charge of Forestry
	<p>Legal references:</p> <ul style="list-style-type: none"> • Articles 37, 38 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 27, 28, 29, 30, 31, 32, 33, 34 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Order No. 0518/MINEF/CAB of December 21, 2001 specifying additional community rights to acquire community forests
<p>Indicator 1.2.6: The use and operation in a Community forest is based on legal requirements</p>	<p>Verify that documents held by the Community (local development community body) includes:</p> <ul style="list-style-type: none"> • Multi-resources inventory report • Yearly operational report from the community(ies) • Agreements signed with subcontractors if any • Simple management plan • Activities reports
	<p>Legal references:</p>

	<ul style="list-style-type: none"> • Articles 54 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 95, 96 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
Criterion 1.3: Clear evidence of forest and/or land use, access and tenure rights shall be demonstrated in accordance with laws and regulations	
Indicator 1.3.1: The forestry company has a legal harvesting authorization from the forestry administration	Verify that documentation held by the company includes: <ul style="list-style-type: none"> • Letter of approval of the Terms of Reference (ToRs) for the audit / Environmental Impact Assessment • Environmental Compliance Certificate • Annual Certificate of Plot Harvesting or annual operations permit/license • Notification of the start of activities
	Legal references: <ul style="list-style-type: none"> • Articles 44 and 46 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • The format for the provisional and final agreement and the social specifications associated with sheet 2 and sheet 3 • Article 17, Law No. 96/12 of August 05, 1996 concerning framework law on the environmental management • Article 20 of the Decree No. 2005/0577 of February 23, 2005 laying out the procedures for performing environmental impact assessments
Criterion 1.4: Use, access and tenure rights are subject to stated conditions within laws and regulations	
Indicator 1.4.1: The forestry company holds a forest concession and holds an operating agreement signed with the administration in charge of forests	Documents to verify includes :
	At provisional or final operating agreement case <ul style="list-style-type: none"> • Notice of public tender

	<ul style="list-style-type: none"> • Acknowledgement of receipt of a complete assignment of the timber concession • Notification of results of the interministerial committee selecting the company as the best bidder by the Minister in charge of forestry • Proof of the guarantee with the Treasury in a timely manner • Provisional Operating Agreement signed by the Minister in charge of forestry • Receipts / transfer requests addressed to the Minister in charge of forestry by the dealer and the applicant • Notification of transfer of the license by the competent authority • Receipts for payment of the transfer fee prescribed by the law
	<p>Legal references:</p> <ul style="list-style-type: none"> • Articles 46; 47, par. 1, 2, 3, and 50, par. 1, of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 61; 68, 69, 70, 75, par. 1; 76, par. 4, and 77 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
<p>PRINCIPLE 2: HARVESTING REGULATIONS</p>	
<p>Criterion 2.1: Forest Management Plan in accordance with the government policies, guidelines and regulatory requirements, approved by relevant authority</p>	
<p>Indicator 2.1.1: The forestry company has competent and adequate professional resources, either internally or through a person or entity, for execution of management works.</p>	<p>Verify that documentation held by the company includes :</p> <ul style="list-style-type: none"> • Approval of the enterprise or individual subcontractors who participated in selected activities of the management plan (inventories, harvesting) • Contracts of service delivery with (a) structure (s) or public body approved <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 23, 40, par. 3, 63 and 64 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)

	<ul style="list-style-type: none"> Article 35 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
Indicator 2.1.2: The forestry company produces a forest management plan in accordance with all rules and regulations	Document to verify includes : <ul style="list-style-type: none"> The forest management plan of the forestry company, duly approved by the Ministry in charge of Forestry
	Legal references: <ul style="list-style-type: none"> Articles 3 to 7, 11, 12(2), 14 to 35, 50, 52 to 55 of the Order No. 0222/A/MINEF of May 25, 2002 on procedures for developing, approval, monitoring and control of the implementation of forest management plans for the production forests in the permanent forest estate
Criterion 2.2: Harvesting/timber licence with stated conditions is in accordance with the government policies, guidelines and regulatory requirements, approved by the relevant authority	
Indicator 2.2.1: The forestry company meets the quantities of timber allocated (number of stems / volume) in accordance with the requirements of the certificate / annual permit.	Verify that documentation held by the company includes: <ul style="list-style-type: none"> Field books (DF10) from the company or SIGIF declaration issued by the Ministry in charge of Forestry Count certificate provided by the company
	Legal references: <ul style="list-style-type: none"> Articles 46 par. 3; 72, par. 1 and 125 par.2, 3, of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime Article 5, 6, Order No. 0222/A/MINEF of May 25, 2002 on procedures for developing, approval, monitoring and control of the implementation of forest management plans for the production forests in the permanent forest estate Sheets 6 PROC

	<ul style="list-style-type: none"> • Operating Inventory Standards in forest areas (NIMF)
Criterion 2.3: The company implements harvest operations in accordance with the legally prescribed silvicultural system and relevant regulations	
Indicator 2.3.1: The forestry company meets the operational standards in force in the areas awarded	<p>Verify that documentation held by the company includes:</p> <ul style="list-style-type: none"> • Count certificate from the company or certificate of compliance with harvesting standards issued by the Ministry in charge of Forestry <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 51 par. 1, 73, par. 1, 2, of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Article 4, par. 1, 2, 3, 4, 6, 12, with 1, 2 and 13, par 1, 2, Order No. 222 MINEF of May 25, 2001 on procedures for developing, approval, monitoring and control of the implementation of forest management plans for the production forests in the permanent forest estate • Article 2, 3, 4 of the Decree 99-781-PM of October 13, 1999 laying down detailed rules for the application of Article 71 (1) (new) of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Sheets 6, 14 and 17 PROC • Operating Inventory Standards in forest areas (NIMF)
PRINCIPLE 3: TRANSPORTATION OF LOGS AND WOOD PRODUCTS	
Criterion 3.1: Clear evidence of documents and licences for companies and carriers involved in timber products transportation shall be demonstrated in accordance with the laws and regulations	
Indicator 3.1.1: The forestry company ensures that timber products from its facilities are transported legally and are accompanied by all necessary documents to certify their legal origins.	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Waybill secured and signed by the competent authority of the Ministry in charge of forestry for the transportation of logs and processed wood by road

	<ul style="list-style-type: none"> • Special declaration on note stamped by the competent manager in the case of transport by rail • Special authorization by the competent authority in the case of transport of special wood (ebony, etc.) • Potting certificate of the competent customs department (transport by containers) together with the potting report of the Forest Service at the loading location <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 127. 2, 3, and 128 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
<p>Criterion 3.2: Clear evidence of documents and corresponding markings of timber products for transport shall be demonstrated by companies and carriers in accordance with the laws and regulations</p>	
<p>Indicator 3.2.1: The forestry company have appropriate documents in compliance with all markings of timber products transported</p>	<p>Documents to verify includes</p> <ul style="list-style-type: none"> • Waybill secured and signed by the competent authority of the Ministry in charge of forestry for the transportation of logs and processed wood <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 127 (2), (3), and 128 of Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
<p>PRINCIPLE 4: PROCESSING REGULATIONS</p>	
<p>Criterion 4.1: Clear evidence of documents and licences for companies involved in timber processing shall be demonstrated in accordance with the laws and regulations</p>	
<p>Indicator 4.1.1: The forestry company ensures that the logs produced or purchased on the local market for processing in its installations are accompanied by all necessary documents and</p>	<p>Documents to verify includes :</p> <ul style="list-style-type: none"> • Secure waybills, signed by the competent authority • Certificate of legality (of) supplier (s) issued by the Ministry of Forestry

<p>regulatory markings to certify their legal origins.</p>	<p>and Wildlife</p> <p>Legal references:</p> <ul style="list-style-type: none"> Articles 115, par. 1, 2, 3; 127, par. 1, and 128 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
<p>Indicator 4.1.2: The forestry company ensures that the logs imported for processing in its installations are accompanied by all necessary documents and regulatory markings to certify their legal origins.</p>	<p>Documents to verify include:</p> <ul style="list-style-type: none"> Import licenses issued by the competent authorities of the government in charge of forestry and Finance International waybills referred along the course of transport route Certificates of origin from the Ministry in charge of Forestry (Mostly for CITES listed species and upcoming FLEGT licenses) and phytosanitary measures of the exporting country under the control of the Ministry of Health FLEGT licenses of the country of origin, or any other private certificate of legality / sustainable management by Cameroon (repository of the private certification system incorporating the main elements of Cameroon legality frameworks) Specifications/permit for CITES species <p>Legal references:</p> <ul style="list-style-type: none"> Articles 115, par. 1, 2, 3; 127, par. 1, and 128 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
<p>Criterion 4.2: Timber processing companies are subject to stated conditions within the laws and regulations</p>	
<p>Indicator 4.2.1: The processing company is legal and is registered as a timber processor</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> Proof of residence (natural person) from the Director of the company Commercial register obtained at the appropriate court office (legal entity)

	<ul style="list-style-type: none"> • Authority to set up and operate a first class establishment of the Ministry in charge of industry or receipt of declaration (second class) • Certificate of registration as a timber processor from the Ministry in charge of forestry • Extract from the registration of logging hammer stamps the clerk of the competent Court of Appeal <p>Legal references :</p> <ul style="list-style-type: none"> • Article 114 of Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Articles 2(1), 3, 4, 5, 6, 8, 15, 16, 20, 21, 22, 23, 24, 28, 29, title 7, title 8 of the Law No. 98/015 of July 14, 1998 on the establishments classified as dangerous, unhealthy or inconvenient • Chapter 1, Articles 1 to 5, 6(2), 7 to 13, Chapter 2, Chapter 3 of the Decree No. 99/818/PM of November 09, 1999 fixing the procedure for setting up and operating of the establishments classified as dangerous, unhealthy or inconvenient • Order No. 013/MINEE/DMG/SL of April 19, 1977 repeals and replaces Order No. 154 of March 28, 1957, establishing the list of dangerous, unhealthy or inconvenient companies
<p>Indicator 4.2.2: The processing company respect the timber processing rate in force in the Country</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Processing activities reports <p>Legal references :</p> <ul style="list-style-type: none"> • Article 1 of the Ordinance No. 99/001 of August 31, 1999 supplementing certain provisions of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
<p>PRINCIPLE 5: IMPORT AND EXPORT REGULATIONS</p>	

Criterion 5.1: Clear evidence of licence/permit of company involved in import and export shall be demonstrated in accordance with the laws and regulations	
Indicator 5.1.1: The company holds an export/import licence	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Import/export licenses issued by the competent authorities of the government in charge of forestry and Finance • FLEGT licenses of the country of origin, or any other private certificate of legality / sustainable management by Cameroon (repository of the private certification system incorporating the main elements of Cameroon legality frameworks) • Specifications/permit for CITES species <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 127, par. 1 and 128 of the the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Articles 8, 9, of the Convention on the International Trade in Endangered Species (CITES) and national regulation¹
Criterion 5.2: Clear evidence of official documents of timber products for import and export shall be demonstrated by companies and carriers in accordance with the laws and regulations	
Indicator 5.2.1: The company possess all required documents for the export or import of timber products according to official regulations	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Import/export licenses issued by the competent authorities of the government in charge of forestry and Finance • International waybills referred along the course

¹ Cameroon signed the CITES Convention in June 1981 and ratified it in September of the same year. To guarantee the effective implementation of this Convention, and in pursuance of the relevant provisions of its Articles 8 and 9, Cameroon adopted a number of legislations composed of three major measures : (1) Decree n° 2005/2869/PM of 29 July 2005 setting forth the enactment provisions of a number of provisions of the Convention on the International Trade in Endangered Species (CITES), (2) Ministerial Order N° 067/PM of 27 June 2006 providing the organisational set-up and operational procedure of the Inter-ministerial Coordination and Monitoring Committee for the implementation of the Convention on the International Trade in Endangered Species (CITES), (3) Decision N° 104/D/MINFOR/SG/DF/SDAFF/SN of 02 March 2006 providing the designation and definition of role of the CITES Scientific Authority in Cameroon. The adoption of these regulations bears witness, if need be, of the ownership process of the CITES Convention by Cameroon at national level.

	<ul style="list-style-type: none"> • Certificates of origin and phytosanitary measures of the exporting country • FLEGT licenses of the country of origin, or any other private certificate of legality / sustainable management by Cameroon (repository of the private certification system incorporating the main elements of Cameroon legality frameworks) • Specifications/permit for CITES species <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 127, par. 1 and 128 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • CITES and national regulation • Annexes 1 and 2 of the Decree No.99/781/PM of October 13, 1999 • Articles 1, 2, 3, 4 and 5 of the Order No. 0872/MINEF of October 23, 2001
<p>Criterion 5.3: Timber products import and export companies are subject to stated conditions within the laws and regulations</p>	
<p>Indicator 5.3.1: All species exported /imported are authorised by the appropriate agency under existing regulations.</p>	<p>Verify that species exported (or imported) comply with the requirements of:</p> <ul style="list-style-type: none"> • Annual operations certificate • CITES declaration • Yearly quotas of species under CITES <p>Legal references:</p> <ul style="list-style-type: none"> • CITES and national regulation • Annexes 1 and 2 of the decree N°99/781/PM of October 13, 1999 laying down detailed rules for the application of Article 71 (1) (new) of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 1, 2, 3, 4 and 5 of the Order No.0872/MINEF of October 23, 2001 on forest species classification

<p>Indicator 5.3.2: All special species exported/imported are duly authorised by appropriate agency under existing regulations</p>	<p>Documents to verify includes :</p> <ul style="list-style-type: none"> • Public notice • Deposit receipt of a complete grant of a special permit • Decision of the grant of the special permit signed by the Minister in charge of forestry <p>Legal references :</p> <ul style="list-style-type: none"> • Articles 127, par. 1 and 128 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • CITES and national regulation • Annexes 1 and 2 of the Decree No.99/781/PM of October 13, 1999 laying down detailed rules for the application of Article 71 (1) (new) of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 1, 2, 3, 4 and 5 of the Order No.0872/MINEF of October 23, 2001 on forest species classification
<p>PRINCIPLE 6: ENVIRONMENTAL REGULATIONS</p>	
<p>Criterion 6.1: State/Company conducts environmental impact assessments or other required assessments within the laws and regulations</p>	
<p>Indicator 6.1.1: Environmental impact assessments must be conducted according to regulations and approved by the relevant authorities</p>	<p>Document to verify includes:</p> <ul style="list-style-type: none"> • The environmental impact assessment report approved by the Ministry in charge of Environment <p>Legal references:</p> <ul style="list-style-type: none"> • Article 16(2), (3) of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
<p>Indicator 6.1.2: The forestry company encourages, supports and /or initiates any action to enforce regulations on hunting and wildlife protection on its sites.</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Rules of Procedure of the company regarding hunting and wildlife protection • Memoranda giving details of the ban on poaching and transportation of

	<p>bushmeat²</p> <ul style="list-style-type: none"> • Memoranda publishing any penalties • Food supply plan • Record of offenses <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 95 and 101, par. 1 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Article 11, par. 1, 3, Order No. 222 MINEF of May 25, 2001 on procedures for developing, approval, monitoring and control of the implementation of forest management plans for the production forests in the permanent forest estate • Articles 1 to 6 of the Decision No. 0108/D/MINEF/CAB of February 9, 1998 applying the NIMF • Specification of the definitive agreement • Chapter VI of NIMF (art. 28, 29 and 30)
<p>Criterion 6.2: State/Company takes mitigation measures on negative environmental parameters in accordance with the laws and regulations</p>	
<p>Indicator 6.2.1: The forestry company has complied with environmental legislation and implement the mitigation measures identified for negative environmental parameters. Follow the environmental coverage above.</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Environmental inspection report • Certificate of compliance with environmental clauses • Record of environmental offenses <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 3 and 4 of Order 0069/MINEP of March 08, 2005 laying down the different categories of operations whose realization is subjected to an environmental impact assessment • Articles 1 to 6 of the Decree No. 0577 of February 23, 2005 laying out

² The term Bushmeat is related to any animal or wildlife species used/trade for food, medicine, pets or fashion.

	<p>the procedures for performing environmental impact assessments</p> <ul style="list-style-type: none"> • Article 11, par. 1, 2, of the Order No. 0222/A/MINEF of May 25, 2002 on procedures for developing, approval, monitoring and control of the implementation of forest management plans for the production forests in the permanent forest estate • Article 16 of the specifications of the CDE defines the specific comments regarding the operation in the periphery of protected areas (buffer zone) (FMU) • Article 1 to 5 of the Decision No 0108/D/MINEF/CAB of February 9, 1998 applying the NIMF • Articles 17, 79 and 82 of Law 96/12 of August 05, 1996 concerning framework law on the environmental management • Guide on environmental measures in relation to logging
PRINCIPLE 7: CONSERVATION REGULATIONS	
Criterion 7.1: State/company conducts conservation assessment/evaluation within the laws and regulations	
<p>Indicator 7.1.1: Fragile sites are identified during the forestry inventory according to regulations and guidelines of the forest authorities and other relevant agencies</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Forestry inventory reports • Management plan <p>Legal references:</p> <ul style="list-style-type: none"> • Title 2, Articles 17 and 18 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • CITES Convention and national regulation
<p>Indicator 7.1.2: Nationally protected species of flora and fauna must be identified in the forest management plan</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Forestry inventory reports • Management plan • Yearly CITES species quotas <p>Legal references:</p>

	<ul style="list-style-type: none"> Title 2, Articles 17, 18, 78 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) CITES Convention and national regulation
Criterion 7.2: State/company takes mitigation measures on negative conservation values in accordance with the laws and regulations	
Indicator 7.2.1: The forestry company has taken steps to prohibit the participation of its employees in poaching, commercial hunting and the transportation or trade products and means of hunting	Documents to verify includes: <ul style="list-style-type: none"> Internal rules of procedures
	Legal references: <ul style="list-style-type: none"> Articles 79, 80, 81 of the 94/01 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
PRINCIPLE 8: SOCIAL REGULATIONS	
Criterion 8.1: Company maintains or strengthens socio-economic welfare of local communities/indigenous people in accordance with the laws and regulations	
Indicator 8.1.1: The forestry company meets the social obligations (roads, bridges, health centers, schools, local workforce, etc.) prescribed by the Forest Code	Documents to verify includes: <ul style="list-style-type: none"> Social specifications document signed between the company and local or indigenous communities Minutes of realization of social work provided by the social specification document Minutes of the information meeting on the exploitation of forestry title, signed by all parties Land Use Map Report of socio-economic studies Minutes of the meeting of restitution of the socio-economic studies Record / file of offenses / report
	Legal references: <ul style="list-style-type: none"> Article 61 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) Official scale provided by the Ministry of Agriculture for fixing prices of

	regular crops damaged by forestry operations
Criterion 8.2: Company recognizes legal or customary rights of indigenous/local people in accordance with the laws and regulations	
Indicator 8.2.1: The company recognizes legal and customary rights of local residents surrounding their concession	Documents to verify includes: <ul style="list-style-type: none"> • Management plan • Social specifications agreement
	Legal references: <ul style="list-style-type: none"> • Articles 8, 26, 36 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
Indicator 8.2.2: The company recognizes the exercise of the right of hunting of local and indigenous people in their concession as stated by the law	Documents to verify includes: <ul style="list-style-type: none"> • Management plan • Social specifications agreement
	Legal references: <ul style="list-style-type: none"> • Chapter 3 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
Criterion 8.3: Company complies with the laws and regulations on its employees' and workers' rights	
Indicator 8.3.1: The forestry entity meets its obligations in terms of labor law, social security law and collective agreements in the timber sector.	Documents to verify includes: <ul style="list-style-type: none"> • Certificate of registration issued by the National Funds of the Social Welfare (CNPS) • Employer registers in 3 parts, listed and signed by the competent court or by the appropriate labor inspector • Rules of Procedure referred by the appropriate labor inspector • Reports of election of staff representatives • Declaration of establishment sent to the appropriate labor inspector
	Legal references: <ul style="list-style-type: none"> • Articles 61. 2, and 62. 2 of Law No. 92/007 of August 14, 1992 labor

	<p>code</p> <ul style="list-style-type: none"> • Decree No. /2115/PM of January 24, 2008 revaluing the minimum wage (SMIG) • Ordinance No. 73-17 of May 22, 1973 on the organization of social security • Decree No. 74-26 of January 11, 1974 laying down detailed rules for implementing certain provisions of Ordinance No. 73-17 of May 22, 1973 organizing the National Fund of Social Insurance • Decree No. 74-723 of August 12, 1974 fixing the rates of contributions payable to CNPS for branches family benefits and insurance old age pensions, disability and death • Law No. 69-LF-18 of November 10, 1969 establishing an insurance old age pensions, disability and deaths, as amended by Law No. 84/007 of July 4, 1984 • Order No. 019/MTPS/SG/CJ of May 26, 1993 laying down rules for the election and terms of exercise of functions of staff representatives • The national collective agreement (April 2002) of logging companies, products processing and related service activities • Order No. 11/DEC/DT of May 25, 1978 laying down the procedures for summoning and appearance of parties before the labour inspector in the settlement of labour disputes • Practical Guidelines of the International Labour Office (ILO) • Decree No. 99/818/PM of November 09, 1999 fixing the procedure for setting up and operating [of these establishments] • Salary Grid of logging companies, forest products processing companies and associated activities in force • Law No. 92/007 of August 14, 1992 labour code
<p>Criterion 8.4: Company complies with the laws and regulations of its employees' and workers' welfare</p>	
<p>Indicator 8.4.1: The forestry entity meets its obligations in terms</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Agreement on visits and care with a physician

of welfare of its employees	<ul style="list-style-type: none"> • Instrument establishing a committee on health and safety, signed by the head of the company • Inspection reports of the Ministry of Health <p>Legal references:</p> <ul style="list-style-type: none"> • Order No. 039/MTPS/IMT of November 1984 laying down general hygiene and safety at work • Law No. 64/LF/23 of November 13, 1964 on the protection of public health • Law No. 98/015 of July 14, 1998 on the establishments classified as dangerous, unhealthy or inconvenient
PRINCIPLE 9: TAXES, FEES AND ROYALTIES	
Criterion 9.1: The company fills in its tax returns in accordance with its effective professional activity	
Indicator 9.1: The company declares regularly its tax payments to the administration in charge of forestry	<p>Verify that documents held by the company includes:</p> <ul style="list-style-type: none"> • Tax returns from the competent service of the Ministry in charge of Finance <p>Legal references:</p> <ul style="list-style-type: none"> • Article 66(1) of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Article 122, 123 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
Criterion 9.2: Clear evidence of current paid taxes, fees and royalties in a timely manner shall be demonstrated by the company in accordance with the laws and regulations	
Indicator 9.2.1: The forestry company is in good standing vis-à-vis its tax liability under common law.	<p>Verify that documentation held by the company includes:</p> <ul style="list-style-type: none"> • Trading tax title • Certificate of non-indebtedness/rental charge (fees) from the competent tax office • Deposit certificate of the bank guarantee if the status of the company

	<p>requires it</p> <ul style="list-style-type: none"> • Receipts of payment (Annual rental fees, slaughter tax, Twenty-foot Equivalent Unit (TEU), tax for local development or any other forestry taxes if required by the social specifications) for the current year and the previous year to verification issued by the appropriate service of the Ministry in charge of Finance <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 66, 67 and 69 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Article 122 of the Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime • Updated General code of Customs (title 1, chapter 1; title 2, chapter 1; title 5, chapter 3) • Finance Law No. 2002/003 of April 19, 2002 and following
<p>PRINCIPLE 10: SUBCONTRACTORS AND PARTNERS</p>	
<p>Criterion 10.1: The company respects the contracts made with subcontractors and partners</p>	
<p>Indicator 10.1.1: In case of subcontracting logging activity / processing, the company subcontracting has documents confirming the regularity of this situation.</p>	<p>Documents to verify includes:</p> <ul style="list-style-type: none"> • Approval by the Ministry in charge of Forestry of the various subcontractors involved in the development of certain activities (inventory, silviculture) • Subcontracting/partnership Contract • Letter of approval of the contract outsourcing, issued by the Ministry in charge of forestry • Acknowledgement of receipt of the agreement approved by the local authorities of the Ministry in charge of forestry • Commercial register obtained at the appropriate court office • Approval for the forestry profession granted by the competent authority (logging) • Authority to set up and operate a first class establishment of the Ministry in charge of

	<p>industry (processing)</p> <ul style="list-style-type: none"> • Certificate of registration as a timber processor from the Ministry in charge of forestry (processing) • Extract from the registration of the logging hammer to the appropriate court office <p>Legal references:</p> <ul style="list-style-type: none"> • Articles 41 and 42 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code) • Articles 35. 1, 36, 114 and 140. 1, 2, 3, 4, 5, of Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
<p>Criterion 10.2: The company ensures that all subcontractors and partners are operating within the law</p>	
<p>Indicator 10.2.1: When a processing company outsources the processing activity with a company holder of a forest, it has documents confirming the regularity of this situation.</p>	<p>Documents to verify includes :</p> <ul style="list-style-type: none"> • Proof of residence (natural person) • Commercial register obtained at the appropriate court office (legal entity) • Authority to set up and operate a first class establishment of the Ministry in charge of industry or receipt of declaration (second class) • Certificate of registration as a timber processor from the Ministry in charge of forestry • Extract from the registration of logging hammer stamps by the clerk of the competent Court of Appeal • Subcontracting/Partnership Contract • Letter of approval of the contract outsourcing, issued by the Ministry in charge of forestry • Approval for the forestry profession granted by the competent authority (operator) <p>Legal references:</p>

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| | <ul style="list-style-type: none">• Article 114 of Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime• Law No. 98/015 of July 14, 1998 on the establishments classified as dangerous, unhealthy or inconvenient• Decree No. 99/818/PM of November 09, 1999 fixing the procedure for setting up and operating of establishments classified as dangerous, unhealthy or inconvenient• Order No. 013/MINEE/DMG/SL of April 19, 1977 repeals and replaces Order No. 154 of March 28, 1957 list of dangerous, unhealthy or inconvenient• Article 42 of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)• Articles 114 and 140. 1, 2, 3, 4, 5, of Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime |
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Legal references, regulations and standards in force:

Laws

- Law No. 64/LF/23 of November 13, 1964 on the protection of public health
- Law No. 69-LF-18 of November 10, 1969 establishing an insurance old age pensions, disability and deaths, as amended by Law No. 84/007 of July 4, 1984
- Law No. 92/007 of August 14, 1992 labour code
- Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
- Law No. 96/12 of August 05, 1996 concerning framework law on the environmental management
- Law No. 98/015 of July 14, 1998 on the establishments classified as dangerous, unhealthy or inconvenient
- Finance Law No. 2002/003 of April 19, 2002 and following

Ordinances

- Ordinance No. 73-17 of May 22, 1973 on the organization of social security
- Ordinance No. 99/001 of August 31, 1999 supplementing certain provisions of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)

Decrees

- Decree No. 74-26 of January 11, 1974 laying down detailed rules for implementing certain provisions of Ordinance No. 73-17 of May 22, 1973 organizing the National Fund of Social Insurance
- Decree No. 74-723 of August 12, 1974 fixing the rates of contributions payable to CNPS for branches family benefits and insurance old age pensions, disability and death
- Decree No. 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
- Decree 99-781-PM of October 13, 1999 laying down detailed rules for the application of Article 71 (1) (new) of the Law No. 94/01 of January 20, 1994 on the forests, wildlife and fisheries (Forestry Code)
- Decree No. 99/818/PM of November 09, 1999 fixing the procedure for setting up and operating of companies classified as dangerous, unhealthy or inconvenient
- Decree 2000-092-PM of March 27, 2000 amending Decree No 95-531-PM of August 23, 1995 establishing detailed rules for the implementation of forest regime
- Decree No. 2005/0577 of February 23, 2005 laying out the procedures for performing environmental impact assessments

- Decree No 2005/2869/PM of July 29, 2005 setting forth the enactment provisions of a number of provisions of the CITES
- Decree No. /2115/PM of January 24, 2008 revaluing the minimum wage (SMIG)

Orders

- Order No. 013/MINEE/DMG/SL of April 19, 1977 repeals and replaces Order No. 154 of March 28, 1957, establishing the list of dangerous, unhealthy or inconvenient companies
- Order No. 11/DEC/DT of May 25, 1978 laying down the procedures for summoning and appearance of parties before the labour inspector in the settlement of labor disputes
- Order No. 039/MTPS/IMT of November 26, 1984 laying down general hygiene and safety at work
- Order No. 019/MTPS/SG/CJ of May 26, 1993 laying down rules for the election and terms of exercise of functions of staff representatives
- Order No. 0872/MINEF of October 23, 2001 on forest species classification
- Order No. 2001/ 0518/MINEF/CAB of December 21, 2001 specifying additional community rights to acquire community forests.
- Order No. 0222/A/MINEF of May 25, 2002 on procedures for developing, approval, monitoring and control of the implementation of forest management plans for the production forests in the permanent forest estate
- Order 0069/MINEP of March 08, 2005 laying down the different categories of operations whose realization is subjected to an environmental impact assessment
- Order No 067/PM of June 27, 2006 providing the organizational set-up and operational procedure of the Inter-ministerial Coordination and Monitoring Committee for the implementation of the CITES

Decisions

- Decision No 0108/D/MINEF/CAB of February 9, 1998 applying the NIMF
- Decision 1354/D/MINEF/CAB of November 26, 1999 fixing procedures of forests classification in the permanent State property
- Decision No 104/D/MINFOF/SG/DF/SDAFF/SN of March 02, 2006 providing the designation and definition of the role of the CITES Scientific Authority in Cameroon

Others

- Convention on the International Trade in Endangered Species (CITES)
- Cameroon Voluntary Partnership Agreement (VPA)

- Specifications of the CDE defining the specific comments regarding the operation in the periphery of protected areas (buffer zone) (FMU)
- Guide on environmental measures in relation to logging
- The national collective agreement (April 2002) of logging companies, products processing and related service activities :
 - a) Exercise of Right to Organise (Division 2)
 - b) Staff representative (Title 3)
 - c) Employment contract (Title 4)
 - d) Working conditions and salaries (Title 4)
 - e) Health, Safety and Health (Title 5)
- Practical Guidelines of the International Labour Office (ILO)
- The format for the provisional and final agreement and the social specifications associated with sheet 2 and sheet 3
- Sheets 6, 14 and 17 PROC
- Operating Inventory Standards in forest areas (NIMF)
- Official scale provided by the Ministry of Agriculture for fixing prices of regular crops damaged by forestry operations
- Salary Grid of logging companies, forest products processing companies and associated activities in force
- Updated General code of Customs

Abbreviations and Acronyms:

CAB :	Cabinet
CDE :	Convention Définitive d'Exploitation (Final Operating Agreement)
CITES :	Convention on International Trade of Endangered Species
CM :	Cameroon
CNPS :	Caisse National de Prévoyance Sociale (National Funds of the Social Welfare)
DF :	Direction des Forêts (Forestry Department)
DF10 :	Carnet de chantier (Field Book)
DME :	Diamètre Minimum d'Exploitation (Minimum Logging Diameter)
DT :	Division du Travail (Labour Division)
EU :	European Union
FLEGT :	Forest Law Enforcement Governance and Trade
FMU :	Forest Management Unit

GFTN :	Global Forest & Trade Network
ILO :	International Labour Organization
IMT :	Inspection de la Médecine du Travail
IUCN	International Union for the Conservation of Nature
LF :	Loi de Finance (Finance Law)
MINEE :	Ministère de l'Eau et de l'Energie (Ministry of Water and Energy)
MINEF :	Ministère de l'Environnement et des Forêts (Ministry of Environment and Forestry)
MINEP :	Ministère de l'Environnement et de la Protection de la Nature (Ministry of Environment and Nature Protection)
MINFOF :	Ministère des Forêts et de la Faune (Ministry of Forestry and Wildlife)
MTPS :	Ministère du Travail et de la Prévoyance Sociale
NIMF :	Norme d'Inventaires en Milieu Forestier (Operating Inventory Standards in Forest Area)
ONADEF :	Office Nationale de Développement des Forêts (National Office for the Forest Development)
PM :	Premier Ministère (Prime Ministry)
PROC :	Procédure
SDFC :	Sous Direction des Forêts Communautaires (Sub Department of Community Forests)
SG :	Secrétariat Général (General Secretariat)
SIGIF :	Système Informatisé de Gestion de l'Information Forestière (Timber Traceability System)
SMIG :	Salaires Minimum Interprofessionnel Garanti (Minimum wage)
TEU :	Twenty-foot Equivalent Unit
ToRs :	Terms of Reference
TRAFFIC :	The Wildlife Trade Monitoring Network
USA :	United States of America
VPA :	Voluntary Partnership Agreement
WRI :	World Resources Institute

Additional documents:

1. Procedure (PROC noted) development, approval, monitoring and control of management plans of productive forests of Cameroon's permanent forest estate.
Defining SHEETS (version July 2001):
 - Fact 1: List of documents and standards of forest management.
 - Fact 2: Convention and provisional specifications model.
 - Fact 3: Convention and final specifications model.
 - Fact 4: Glossary.
 - Fact 5: Framework of Forest Management Plan.
 - Fact 6: List of species, code, and DME increases.
 - Sheet 7: Sample report for the management inventory.
 - Sheet 8: Land Use within production forests and related activities
 - Sheet 9: Canvas Year Management Plan.
 - Sheet 10: Protocol approval of the management inventory.
 - Sheet 11: Protocol verification and approval of the management plan.
 - Schedule 12: Five-year Assessment Protocol, end of convention and end of rotation.
 - Sheet 13: Forms of annual procedures for logging.
 - Sheet 14: Certificate of materializing plate.
 - Sheet 15: Certificate verification of the logging inventory.
 - Sheet 16: Control Protocol for industrial exploitation.
 - Sheet 17: Count certificate of industrial use.
 - Sheet 18: Protocol for receipt of development work.
2. Standards of management inventory and pre-investment. ONADEF, June 1991.
3. Standards of operational inventory. ONADEF, May 1995.
4. Handbook of environmental measures in terms of logging in Cameroon (Ministry of Environment and Conservation - March 2005 version):

- a) Background, definitions of terms
 - b) protecting the interests of people
 - c) Protection of specific sites
 - d) Protection of water resources
 - i. Protection of banks of water bodies
 - ii. Protection of water quality.
 - e) Protection of biodiversity
 - i. Wildlife protection
 - ii. Protection of flora
 - f) Protection of soil
 - i. Highway Planning
 - ii. Construction and road improvement
 - iii. Crossing
 - g) Location of log yards
 - h) Camps and industrial plants in the forest
 - i) Final Provisions
5. NIMF: Standard activities in forest areas (Decision No 0108/D/MINEF/CAB February 9, 1998)
- a) General provisions
 - b) Relations with the local population
 - c) Activity forest management according to certain territorial units or sites to protect
 - d) Protection of the banks and water bodies
 - e) Protection of wildlife
 - f) Layout, construction and improvement of forest roads
 - g) Encampment and industrial plants in the forest
 - h) Location of log yards

- i) Logging
- j) Skidding
- k) Final Provisions.

6. Decision No 0098/D/MINFOF/SG/DF/SDFC adopting the document entitled «procedures manual of allocation and standards of community forest management - 2009 Version ».