Forest Code

Code forestier

PRESIDENCE OF THE REPUBLIC OF GABON UNION-WORK-JUSTICE LAW N0016101 ON THE FOREST CODE IN THE REPUBLIC OF GABON The National Assembly and the Senate have adopted The President of the Republic, Head of State, promulgates the law whose content follows: Article 1.- This law, enacted in application of the provisions of Article 47 of the Constitution, is the Forest Code in the Gabonese Republic. TITLE ONE GENERAL PRINCIPLES Article 2.- For the purposes of this law and its implementing texts, the Forest Code is the set of provisions applicable to the Water and Forests sector. In this regard, it establishes the modalities for the sustainable management of said sector with a view to increasing its contribution to the economic, social, cultural, and scientific development of the country. Article 3.- The sustainable management of the Water and Forests sector is the rational exploitation of forests, wildlife, and fishery resources based on: the protection of ecosystems and the conservation of biodiversity; the enhancement of resources and ecosystems; the regularity and sustainability of production; the continuous inventory of resources; the management of natural resources; training and research; the involvement of nationals in the activities of the Water and Forests sector; raising awareness and educating users and populations.

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Article 4.- For the purposes of this law, the following definitions apply: the forestry sector, the set of natural resources of the forest domain and economic, environmental, social, cultural, and scientific activities related to it, excluding those of the agricultural and mining sectors; forest domain, the set of forests distributed throughout the national territory; forests, the set of areas with vegetation cover capable of providing wood or non-agricultural plant products, sheltering wildlife, and exerting a direct or indirect effect on soil, climate, or water regime; forest products, the set of woody and non-woody plant products as well as genetic, wildlife, and fishery resources derived from the forest; wildlife, the set of species belonging to the animal kingdom found in a given region. Article 5.- The forest domain includes a permanent state forest domain and a rural forest domain. Article 6.- The permanent state forest domain consists, under conditions set by regulatory means, of classified state forests and registered productive state forests. These forests are designated for production, protection, and constitute the habitat of wildlife. Article 7.- Classified state forests are those that present a preservation interest. Article 8.- The following are part of the classified state forests: protective forests; recreational forests; botanical and zoological gardens; arboretums.

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 protected areas; forests for educational and scientific purposes; reforestation areas; particularly sensitive productive forests or bordering the rural forest domain. Article 9.- The classification or declassification of a forest in one of the categories mentioned in Article 8 above is carried out by regulatory means. The text concerning the classification or declassification of a forest in the public domain must specify to which category it belongs, the management mode of its resources, and the restrictions applicable within that forest. Article 10.- Registered productive state forests consist of the natural productive forests of the permanent state forest domain other than those mentioned in Article 8 above. Article 11.- Registered productive state forests include allocated forests and production forest reserves. Article 12.- The rural forest domain consists of lands and forests whose enjoyment is reserved for village communities, according to modalities determined by regulatory means. Article 13.- Every forest falls under the national forest domain and constitutes the exclusive property of the State. Article 14.- No one may, in the

domains of Water and Forests, engage in the exploitation, harvesting, or transformation of any natural product, whether free of charge or commercially, without prior authorization from the Water and Forests administration. However, in order to ensure their subsistence, village communities enjoy their customary usage rights, according to modalities determined by regulatory means. Article 15.- The Water and Forests administration is a paramilitary administration responsible for the application of this law. In this capacity, it ensures a general mission of information, awareness, education, dissemination, control, policing, and repression. Article 16.- The forest domain is divided into two zones, the first of which is reserved for nationals and defined by regulatory means.

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TITLE II ON THE SUSTAINABLE MANAGEMENT OF FOREST RESOURCES Article 17.- By sustainable management of forest resources, we mean management that maintains in particular their biological diversity, productivity, regeneration capacity, vitality, and ability to sustainably satisfy relevant economic, ecological, and social functions, without causing harm to other ecosystems. CHAPTER ONE ON THE MANAGEMENT OF FORESTS AND WILDLIFE Article 18.- For the purposes of this law, the management of forests and wildlife consists of valuing and conserving forest ecosystems for their rational and sustainable exploitation. Article 19.- All management operations as well as forest and wildlife inventory work must be carried out in accordance with the national technical standards defined by the Water and Forests administration. Article 20.- Any state forest, whether granted or not, must be subject to a management plan integrating the objectives as defined in Article 3 above. Section 1: On the management of forests. Article 21.- The management plan concerns a geographical entity called a Forest Management Unit, abbreviated UFA. This plan must integrate: the socio-economic and biophysical analysis of the UFA; the objectives of the management; the proposed management; the costs of management; the implementation of monitoring-evaluation and the revision of the management. Article 22.- The management plan defines: the limits and areas of the series and forest strata; the composition of the group of "target species"; the rotation retained for management; the Minimum Diameter of Exploitability retained on the Forest Management Unit for each of the "target species", abbreviated DME/UFA;

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 the reconstitution rate of the populations of each of the "target species" between the first and second exploitations; the annual cutting possibility; the limits of the management units; the order of passage in the management units; the characteristics and location of the roads and main infrastructures; the intervention program, notably inventory, reforestation, natural or artificial regeneration, forest exploitation, and the realization of infrastructures; Article 23.- The management plan referred to in Article 22 above must be accompanied by an industrialization plan and submitted for approval to the Water and Forests administration within three years from the date of signing the provisional management - exploitation - transformation agreement. Failure to comply with this deadline automatically results in the cancellation of the Agreement. The aforementioned approval is issued by an order of the Minister in charge of Water and Forests. It replaces the provisional agreement and establishes the exploitation title. Article 24.- The implementation of a management plan is the responsibility of the holder of the exploitation title without prejudice to the provisions of Article 160 below. Article 25.- The control and monitoring of the execution of management and industrialization plans fall under the Water and Forests administration. Article 26.- The management plan is subject to revision every five years. In case of revision, the request must mention the constraints or new data justifying it. It must be accompanied by an amendment. Article 27.- Any individual or legal entity wishing to engage in activities related to inventories and forest management work must submit a request to be

approved by the Water and Forests administration. Article 28.- After approval of the management plan, the holder of the exploitation title establishes a management plan for the first Forest Management Unit, abbreviated UFG, defined in the management plan. Other management plans are presented for each of the UFGs taken in the order of passage provided by the management plan. Article 29.- The Forest Management Unit, abbreviated UFA, is divided into Forest Management Units abbreviated UFG, the number of Annual Cutting Areas abbreviated AAC, is determined according to the provisions of Article 19 above.

Each UFG is subject to a management plan. Article 30.- The management plan must include: the characteristics of the Forest Management Unit, abbreviated UFG; the composition of the group of "target species"; the characterization of the resource based on the minimum diameters of exploitability by Forest Management Unit; the delimitation of the annual cutting areas abbreviated AAC; the implementation and monitoring of the Annual Operation Plans, abbreviated PAO. Article 31.- The main and secondary exploitable species are categorized according to their marketability potential, into groups whose composition is fixed by regulatory means. Article 32.- The potential of the Forest Management Unit, abbreviated UFA, based on the populations of stems with a diameter greater than the Minimum Diameter of Exploitability by Forest Management Unit, abbreviated DME/UFA, and of usable quality, is the volume exploited and calculated from the main species referred to in Article 31 above, excluding species reserved for reasons of public interest. Article 33.- The average annual possibility corresponds to the average exploitable volume per year in the Forest Management Unit, abbreviated UFA during the first rotation. It is obtained by dividing the management potential by the number of years of the rotation retained by the management plan. Article 34.- The rotation corresponds to the time required between two successive exploitations on the same plot. The duration of the rotation is never less than twenty years. Article 35.- The rotation calculations are carried out on a group of commercial species or "target species" chosen from the exploitable species based on their abundance in the Forest Management Unit, abbreviated UFA, and demand. Article 36.- The reconstitution rates of the populations between the first and second exploitation are determined in accordance with the provisions of Article 19 above. Article 37.- The Minimum Diameters of Exploitability by Forest Management Unit, abbreviated DME/UFA, are greater than or equal to the DME set for each of the exploitable species. They may be modified in certain cases by the Water and Forests administration.

Article 38.- The boundaries of the different series and management groups, the Forest Management Units, abbreviated UFA, and the Forest Management Units, abbreviated UFG, the main hydrographic network, the layout of roads, and the location of the main infrastructures and processing units are shown on a management map.

Article 40.- In view of its approval, the annual operations plan is submitted to the Administration of Water and Forests, accompanied by the Contractual Clauses Book, abbreviated CCC, and, if applicable, the association contracts with the holders of the exploitation titles integrated into the Forest Management Unit, abbreviated UFA. Article 41.- The total possibility or exploitable volume of the Forest Management Unit, abbreviated UFG, is determined in the management plan based on the main species according to the modalities defined in Article 33 above. The total volume exploited in each UFG cannot exceed 15% of the total possibility defined in paragraph 1 of this article. Article 42.- The intervention program in the Forest Management Unit, abbreviated UFG, determines: - the order of passage in the Annual Cutting Schedules, abbreviated AAC; - the characteristics of the road network and secondary infrastructures; - the planned interventions with their schedule as well as all measures aimed at preserving the ecosystem. Article 43.- A

detailed map of the Forest Management Unit, abbreviated UFG, established in accordance with the provisions of Article 19 above, corresponds to an enlargement of the management map completed by the delimitation of the Annual Cutting Schedules, abbreviated AAC, and the precise location of secondary infrastructures. Article 44.- The Administration of Water and Forests is required, within three months of receiving the management plan, to accept or reject it. In case of rejection, the decision must be justified. After this period, the silence of the Administration is considered acceptance.

The PAO is a management tool based on a precise knowledge of the resource obtained from the exploitation inventory. It is established for each Annual Cutting Schedule, abbreviated AAC, in accordance with the provisions of Article 19 above and mentions:

- the results of the exploitation inventory; - the structure and location of the resource; - the possibility of the AAC; - the definitive layout of the logging tracks and the location of log yards; - the intervention program including inventory, reforestation, natural or artificial regeneration, forestry operations, and the realization of infrastructures. Article 46.- The possibility of the Annual Cutting Schedule, abbreviated AAC, is determined by taking into account only the "target species" retained in the management plan and the cutting limitations imposed in the Contractual Clauses Book, abbreviated CCC. Article 47.- The annual exploitable volume corresponds to the possibility defined in Article 48 above. To take into account physical or economic constraints, the actual exploitable volume per year may vary within proportions set by regulatory means. Article 48.- Each Annual Cutting Schedule, abbreviated AAC, remains open for exploitation for a period of three consecutive years. After this period, the AAC is definitively closed to exploitation until the end of the rotation. Article 49.- The holder of an exploitation title is required to mention in a daily logging notebook the trees felled with their characteristics and to open for each Annual Cutting Schedule, abbreviated AAC, in exploitation, a site notebook where the entries from the daily notebook are recorded. Article 50.- The holder of the exploitation title is required to provide the Administration of Water and Forests, by March 31 at the latest, a global summary by species of the volumes exploited, marketed in the form of logs, and the volumes delivered to local processing units. Article 51.- During the three years of opening to exploitation of an Annual Cutting Schedule, abbreviated AAC, the holder of an exploitation title provides, at the deadline set in Article 50 above, a cumulative statement of the volumes exploited in the AAC, as well as the difference between the total volume exploited and the possibility of management.

Article 52.- The Administration of Water and Forests is required, within two months of receiving the operations plan, to accept or reject it. In case of rejection, the decision must be justified. After this period, the silence of the Administration is considered acceptance.

Article 53.- Any management plan is subject to the completion of inventory work. Article 54.- The forest inventory is an assessment of forest resources in order to plan and rationalize their management. Depending on the planning objectives pursued, two types of forest inventories are necessary within the framework of the management and administration of a Forest Management Unit, abbreviated UFA. Article 55.- In case of duly identified ecological constraints during the management inventory, the Administration of Water and Forests may contribute to the realization of inventories or complementary ecological studies aimed at defining areas with high biological richness, high heritage value, or significant environmental risks. Article 56.- The management inventory allows: - to quantitatively and qualitatively assess the richness of the forest stands that make up the Forest Management Unit, abbreviated UFA; - to locate the resource and establish forest maps based on stratification obtained through remote sensing; - to collect all dendrological and dendrometric data necessary for determining management parameters, notably the possibility and rotation; - to collect a minimum of environmental data to

detect the presence of ecologically fragile areas or those with high biological or heritage value. Article 57.- The management inventory is based on georeferenced base points established from existing geodetic markers and a differential positioning system. These base points are marked by permanent markers installed with metric precision. Article 58.- The dendrological and dendrometric surveys conducted during the management inventory cover all stems with a diameter of twenty centimeters or more. Counts are performed by class of ten centimeters in diameter. The minimum required precision at the level of the Forest Management Unit, abbreviated UFA, is 10% on the number and total volume of stems of the main exploitable species at the first rotation. Article 59.- The sampling plan for the management inventory includes the positioning of the lines and inventory plots in relation to the georeferenced points as well as the characteristics of the inventoried plots. This sampling plan is submitted to the General Directorate of Water and Forests along with the raw results of the counts. The Administration of Water and Forests conducts field checks within three months following the submission of this information. After this period, the inventory is deemed validated and usable to establish the management plan. The applicant is required to facilitate the verifications and assist the Administration of Water and Forests in locating the control plots. Article 60.- The exploitation inventory consists of quantifying and precisely locating the exploitable stems and future stems in the Annual Cutting Schedule, abbreviated AAC, with a view to: - optimizing the layout of logging tracks and the location of log yards; - rationalizing exploitation and forestry work; - limiting damage to the environment. This inventory is carried out over the entire area of the AAC. It is associated with a detailed cartographic survey. Article 61.- The exploitable stems and future stems include all the main species and secondary species referred to in Article 31 above. In all cases, only usable quality stems are counted. Article 62.- The exploitation inventory is carried out prior to the Annual Operations Plan, abbreviated PAO. It is completed three months before the exploitation of the Annual Cutting Schedule, abbreviated AAC.

Article 63.- The Forest Management Unit, abbreviated UFA, is subject to a forest mapping established from existing cartographic data or base maps, aerial photographs, or any other suitable images obtained through remote sensing covering the entire UFA. The cartographic databases are integrated into a geographic information system. Article 64.- The base map includes the layout, location, and toponymy of the following elements: - contour lines and benchmark points; - hydrographic network and permanent water bodies; - main and secondary roads, railways, and airfields; - important cities, villages, and camps; - administrative boundaries of provinces, departments, and cantons; - boundaries of the exploitation title or the Forest Management Unit, abbreviated UFA; Article 65.- Based on the data from the management inventory and the interpretation of aerial photographs or other images obtained through remote sensing validated by ground checks, a forest map of the different types of forest stands or forest strata is produced. On this basis, a synthesis forest map is established in accordance with the provisions of Article 19 of this law. Article 66.- In case of non-compliance with management rules, particularly through intensive exploitation leading to environmental degradation and compromising the natural regeneration of the forest, the permit holder is required to carry out reforestation and site rehabilitation work according to the modalities set by regulatory means. Article 67.- When the general interest requires it, the Administration of Water and Forests may, within a zone even granted: - reserve any plant species; - impose restrictions on any form of activity; - withdraw all or part of the granted permits. However, the concerned holders are entitled to compensation under the conditions set by regulatory means.

Article 68.- The management of wildlife revolves around the following: - the classification of protected areas; - the classification of non-domestic animal species. - in the protected areas created within classified state forests; - in the exploitation zone within productive state forests.

Article 70.- Constituting protected areas: integral nature reserves; zoological gardens; sanctuaries for animal and plant species; wildlife reserves; national parks; hunting domains. In all cases, no logging permits may be granted in protected areas. Article 71.- The integral nature reserve is an area within which activities that may disturb the fauna or flora are prohibited, as well as the introduction of indigenous or exotic, wild or domestic animal or plant species. Article 72.- Subject to the provisions of Article 71 above, residence, unauthorized entry with or without equipment, circulation, camping, low-altitude flying, scientific research, and the elimination of animals and plants in case of necessity within integral nature reserves are subject to written authorization from the Ministry of Water and Forests. Article 73.- The sanctuary is a protection area for specific or endangered animal or plant communities, as well as their habitat. Access is regulated. Article 74.- The wildlife reserve is a protected area intended for the conservation of biological diversity, the propagation of wild fauna, and the management of its habitat. Article 75.- The national park is a portion of territory where flora, fauna, geomorphological sites, historical sites, and other forms of landscapes enjoy special protection and within which tourism is organized and regulated. It must be a single unit and its area cannot be less than one thousand hectares, except for marine or island parks. Article 76.- The national park is a protected area intended for: the propagation, protection, and conservation of wild animal and plant species, the management of their habitat;

 the protection of sites, landscapes, or geological formations of particular scientific or aesthetic value in the interest of and for the recreation of the public; developing tourism activities. Article 77.- At the periphery of each national park, a protection zone called a "buffer zone" is created to mark the transition between the national park area and areas where forestry, mining, hunting, or agricultural activities are freely practiced. The width of a buffer zone is at least five kilometers. Article 78.- All forestry, mining, aquaculture, hunting, agricultural, and tourism activities within the buffer zone are regulated by order of the Minister in charge of Water and Forests. Article 79.- Every national park is subject to a specific management plan that can be revised. Article 80.- The management plan provided for in Article 79 above is made enforceable by decree taken in the Council of Ministers on the proposal of the Minister in charge of Water and Forests. Article 81.- The management of a national park is placed under the authority of a conservator appointed by decree taken in the Council of Ministers on the proposal of the Minister in charge of Water and Forests. He is assisted by one or more deputies appointed under the same conditions. Article 82.- Visits to national parks are only authorized in motor vehicles at a maximum speed of 30 km/h and in the company of a park agent. Article 83.- The risks incurred in the various activities authorized within national parks are the responsibility of their authors. Article 84.- Within national parks, it is also prohibited for visitors and unauthorized persons to: circulate at night and camp without authorization; camp outside the designated and equipped areas for this purpose; allow dogs or any other domestic animals; transport and sell live or dead animals, game meat, carcasses, and trophies;

 introduce eggs, live wild animals, seeds, seedlings, grafts, cuttings, and plants without prior authorization from the Ministry of Water and Forests; deduct, capture, and collect eggs, nests, uproot, mutilate, transport, buy, and sell plants, seeds, seedlings, grafts, and cuttings; provoke animals; approach animals on foot to photograph or film them; light fires; throw away, abandon, outside designated areas, papers, cans, bottles, and other waste; inscribe signs or draw on plants and materials. Article 85.- Within national parks and wildlife reserves, the Ministry of Water and Forests, for scientific or management needs, may carry out or have carried out under its control, operations of logging, animal capture, destruction, or collection of plants.

Article 86.- The hunting domain is an area where hunting is subject to more restrictive regulations, particularly regarding hunting quotas. Article 87.- In order to classify or declassify protected areas, a classification or declassification commission for protected areas is created in each province, the composition and functioning of which are established by regulatory means. Article 88.- The classification or declassification commission can only validly meet if at least 2/3 of its members are present. Decisions are made by consensus. Article 89.- The work of the classification or declassification commission is sanctioned by a report which is transmitted to the Minister in charge of Water and Forests for approval decree taken in the Council of Ministers. Article 90.- The initiative for classification belongs jointly to the Ministry of Water and Forests and the populations of the area concerned. In all cases, the Ministry of Water and Forests proceeds in collaboration with representatives of neighboring villages to recognize the perimeter to be classified and the customary or other usage rights exercised within this perimeter. Article 91.- Classification and declassification are subject to the same procedure. Article 92.- As part of the management of wild fauna, the Ministry of Water and Forests also proceeds with the classification of animal species.

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This classification must show: the list of fully protected species whose hunting, capture, possession, transport, and marketing are prohibited; the list of partially protected species whose hunting, capture, transport, and marketing are prohibited; the list of non-protected species whose hunting and capture are subject to general regulation. The lists mentioned above are established and can be revised by regulatory means. □□□□□□□□□ □ □ □ □ □□□□□□□□□ □□ □□□□□□□ □□ □ □ □□□□□ □□□□□□□□ □ □□□□□□□□□□□□□□ □□□□□□□ !□□□□□□□□□□□□□□"□□□□#□" □ □ □□□" □□□□□□□□□□□□□□ □□"□□□□□□□□□□□□□"□□□"□!□□□ □"□□□□□"□□□□" □ □ Article 93.- Logging is the implementation of all or part of the operations for wood production for local processing and, where applicable, products other than wood or accessory products for which the exploitation title(s) are issued. Article 94.- The exploitation of a registered productive state forest or a sensitive or bordering productive forest of the rural forest domain is subject to the granting of one of the following industrial permits: the Sustainable Management Forest Concession, abbreviated CFAD; the Associated Forest Permit, abbreviated PFA; the Gré à Gré Permit, abbreviated PGG. Article 95.- The Gré à Gré Permit, abbreviated PGG, is issued for local processing purposes only to nationals in the forests of the rural forest domain. It concerns the allocation of a maximum of 50 tree trunks in previously identified and marked perimeters by the Ministry of Water and Forests.

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It is issued under conditions set by regulatory means. Article 96.- The Associated Forest Permit, abbreviated PFA, is a surface permit reserved for nationals only. It is issued for the exploitation of forests in the permanent forest domain except for classified state forests. The area of a PFA cannot exceed 15,000 hectares when integrated into a CFAD and 50,000 hectares when it is subject to management by the holder. Article 97.- The Sustainable Management Forest Concession, abbreviated CFAD, is a surface permit granted to any natural or legal person for the exploitation of the permanent forest domain, except for classified state forests, with an obligation for management and local processing. The area of a CFAD varies from 50,000 to 200,000 hectares. In all cases, the total area of several CFADs granted to the same holder must not exceed 600,000 hectares. Article 98.- The minimum duration of a Sustainable Management Forest Concession, abbreviated CFAD, or an Associated Forest Permit, abbreviated PFA, is equal to one rotation. This rotation is renewable. Article 99.- The Associated Forest Permit, abbreviated PFA, is issued only to nationals. It is integrated into the management plan of a Sustainable Management Forest Concession, abbreviated CFAD, except for nationals who have

the capacity to ensure sustainable management and develop a processing industry according to conditions set by regulatory means. Article 100.- The area of an Associated Forest Permit, abbreviated PFA, cannot exceed 15,000 hectares when integrated into a Sustainable Management Forest Concession, abbreviated CFAD, and 50,000 hectares when it is subject to management by the holder. Article 101.- Participation in the capital of a forestry exploitation company and the creation of a new company are subject to prior authorization from the Ministry of Water and Forests. In all cases, these operations are prohibited when they concern holders already exceeding the ceiling of 600,000 hectares or when they result in increasing the forest areas held by an operator beyond this ceiling.

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Article 102.- Any natural or legal person wishing to engage in forestry exploitation and wood processing must obtain a professional approval, under the conditions set by regulatory means. Article 103.- The administration of Water and Forests has a period of three months following the submission of the application to notify the applicant of the acceptance or reasoned refusal of the professional approval. After this period, the economic operator should contact the administration, which is required to provide a response within fifteen days. After this period, the silence of the Administration is deemed acceptance. Article 104.- In order to guarantee the industrial nature of forestry exploitation, a committee called the "Committee for the Industrialization of the Wood Sector" is created, responsible for examining and giving prior advice on any application for the allocation of forestry permits other than the Permit of Gré à Gré, abbreviated as PGG. The composition and functioning of this committee are determined by regulatory means. Article 105.- The committee can only validly sit if at least two-thirds of its members are present. Paragraph 1: On the conditions for the allocation of the Sustainable Management Forest Concession, abbreviated CFAD. Article 106.- Any application for a Sustainable Management Forest Concession, abbreviated CFAD, is addressed to the Minister in charge of Water and Forests through the Chief of the Provincial Inspection of Water and Forests for the relevant area. The allocation procedure includes the following steps: obtaining an exploration authorization; signing a provisional management-exploitation-transformation agreement; issuing the CFAD approval by the Minister in charge of Water and Forests; signing the decree for the allocation of the CFAD by the Prime Minister.

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 In the case of multiple applications for the same area, the exploration results serve as a technical basis to differentiate the applicants after verification by the administration of Water and Forests. Article 107.- The exploration authorization is issued by the administration of Water and Forests after a thirty-day display period. Its validity cannot exceed twelve months from the date of signature. Article 108.- At the end of the validity period of the exploration authorization, the holder submits to the General Directorate of Water and Forests a draft provisional management-exploitation-transformation agreement, accompanied by the results of the exploration inventory. The administration of Water and Forests has a period of three months to approve or reject the draft agreement. In case of rejection, the decision must be reasoned. After this period, the silence of the Administration is deemed acceptance. Article 109.- The agreement is granted for a maximum duration of three years. It allows for various operations related to the development of management and industrialization plans in the requested area, according to the terms set by the said agreement. Article 110.- At the end of this period, the holder of the agreement submits to the Minister in charge of Water and Forests a request for a Sustainable Management Forest Concession, abbreviated CFAD, accompanied by the associated management and industrialization plans. This file is transmitted for reasoned advice to the Committee for the Industrialization of the Wood Sector, which has a period of two months to

transmit it to the Minister. After the committee's advice, the Minister in charge of Water and Forests has a period of one month to notify the applicant. In case of acceptance, the CFAD is definitively allocated by decree of the Prime Minister. Article 111.- In the case where the requested Sustainable Management Forest Concession, abbreviated CFAD, is located within reforestation perimeters, sensitive productive forests, or bordering rural areas, the decree of allocation referred to in Article 110 above is taken after adjudication according to the modalities set by regulatory means.

Paragraph 2: On the conditions for the allocation of the Associated Forestry Permit, abbreviated PFA. Article 112.- The application file for an Associated Forestry Permit, abbreviated PFA, addressed to the Minister in charge of Water and Forests through the Chief of the Provincial Inspection of Water and Forests for the relevant area is examined under the conditions set by regulatory means. In case of acceptance, the PFA is definitively allocated by order of the Minister in charge of Water and Forests. In case of rejection, the decision must be reasoned. Article 113.- When the requested Associated Forestry Permit, abbreviated PFA, is located within reforestation perimeters, sensitive productive forests, or bordering rural forest areas, the allocation order referred to in Article 113 is taken after adjudication. In all cases, the exploitation of the PFA is subject to the exploitation authorization issued by the Chief of the Provincial Inspection of Water and Forests, in accordance with the general clauses regarding the exploitation of timber. Paragraph 3 On the conditions for the allocation of the Gré à Gré Permit, abbreviated PGG. Article 114.- The application file for the Gré à Gré permit is submitted to the Provincial Inspection of Water and Forests for the relevant area and examined under the conditions set by regulatory means. Sub-Section 3: On the general clauses for the exploitation of productive timber forests. Article 115.- The exploitation of Sustainable Management Forest Concessions, abbreviated CFAD, and Associated Forestry Permits, abbreviated PFA, is subject to general clauses supplemented by specific clauses, unique to each exploitation title. These specific clauses are, for each exploitation title, a contractual clause book. Article 116.- The perimeter of forestry permits is represented either by a polygonal line defined by points or by natural boundaries between two points. The points defining the limit of the permits are marked by permanent markers installed using a differential positioning system ensuring metric accuracy. These markers are positioned from the base points established in the Forest Management Unit, abbreviated UFA. Article 117.- The polygonal line defining the limit of the permits is marked on the ground by a cleared and regularly maintained path. Article 118.- The delimitation and marking operations are carried out by the administration of Water and Forests or by an approved service provider, at the expense of the permit holder. In case of dispute, the committee for the industrialization of the wood sector, referred to in Article 104 above, is required to appoint an approved expert, assisted by a representative from each party. Article 119.- The Annual Cutting Slices, abbreviated AAC, mapped at the time of the development of management plans, are delimited on the ground before the submission of the Annual Operations Plan, abbreviated PAO, by the economic operator. Article 120.- During the exploitation of the Annual Cutting Slice, abbreviated AAC, the paths and marks on the trees are maintained by the economic operator to remain always visible. Article 121.- The Annual Operations Plan, abbreviated PAO, established for each Annual Cutting Slice, abbreviated AAC, is transmitted for approval to the competent Provincial Inspection of Water and Forests. The opening of the AAC for exploitation is conditioned by the exploitation authorization issued by the Chief of the Provincial Inspection of Water and Forests at the same time as the approval of the attached PAO. Article 122.- In order to preserve future stems and reserve stems during tree felling operations and wood draining, the trees to be exploited and the trees to be preserved must be marked by the economic operator under the control of the administration of Water and Forests. Article 123.- A forestry exploitation permit only grants the right to establish, for a

duration of at least one rotation provided in the management plan, the necessary

infrastructures for the organization and functioning of the exploitation and, where applicable, for the establishment of the planned transformation units.

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Article 124.- The exploitation titles and exploitation authorizations grant the right to fell trees with a diameter greater than or equal to the Minimum Diameter of Exploitability, abbreviated DME, set in the management plan for all Minimum Diameters of Exploitability by Forest Management Unit, abbreviated DME/UFA. The right to fell concerns all marketable timber species, except for species reserved for reasons of general interest and within the limits set by the management documents of WFA. Article 125.- During exploitation, the operator is authorized to fell a tree that is entangled in another even if it has not reached the exploitability diameter. Article 126.- For the strict needs of their operations, operators are authorized to carry out the necessary felling to establish access roads or evacuation paths, log storage yards, forest camps or villages, technical installations for exploitation, and transformation units. The stumps of trees felled and recovered as logs under this article are left in place or at the edge of the cleared area to allow for later control. Article 127.- Any holder of a forestry exploitation title must possess at least one hammer bearing their mark. The imprint of this hammer is registered at the registry of the Court of their judicial district and deposited with the administration of Water and Forests or any delegated organization. In case of leasing, the lessee is obliged to use the marks or hammer of the owner of the forestry permit. Article 128.- Any tree felled in the forestry permits is marked with the imprint of the hammer referred to in Article 128 above and an identification code of the tree directly on the wood, the butt, and on the cut logs. Article 129.- The trees felled and recovered as logs under the provisions of Article 127 above are subject to distinct identification. Article 130.- Any forestry operator must keep up to date, for each site in operation, a site notebook in accordance with the provisions of Article 19 above. Trees broken during felling as well as trees showing visible defects or damages after felling making them unusable are considered abandoned on the site.

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The reasons for this abandonment are mentioned in the site log according to a conventional code. Article 131.- The indications concerning the trunk are recorded in the site log before the end of the week of felling. Those concerning the logs must be recorded in the log before the evacuation of the wood from the site. Article 132.- The site log is signed and initialed by the Head of the Provincial Inspection of Water and Forests. It must be presented upon request by agents of the Water and Forests administration, who affix their visa in full immediately after the last entry in the log. Article 133.- The site log is closed at the end of each year and submitted to the headquarters of the competent Provincial Inspection of Water and Forests, no later than January 31 of the following year. Article 134.- It is prohibited for operators to abandon logs of commercial value at the felling sites, loading yards, or along drainage paths. Logs that are not evacuated six months after felling are deemed abandoned on the permits. The characteristics of the commercially valuable wood whose abandonment is prohibited on logging sites are established by regulatory means. Unjustified abandonment of logs of commercial value on the site constitutes a violation of the management plan. Notwithstanding the applicable sanctions in this case, abandoned wood becomes the property of the State for valorization. Article 135.- Holders of exploitation titles who wish to use a public or private road to evacuate raw or processed products from their operation are required to prepare a triplicate waybill that contains neither erasures nor overwriting. One copy of this waybill must accompany the products. Article 136.- Every logging operator is required to provide the Provincial Inspection of Water and Forests, at the end of each quarter and no later than the end of the following month, with the technical and

accounting documents related to their activity, including: the quarterly report of the production of okoumé and ozigo logs delivered to the Gabon National Timber Company, abbreviated as SNBG; the quarterly report of the production of logs delivered to local mills with a breakdown by mill;

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 the quarterly report of sales of various wood logs with a breakdown by buyer and references of the buyers. Article 137.- At the end of each year and no later than March 31 of the following year, the permit holder is required to present summary statements, in accordance with the provisions of Article 19 above. Article 138.- The purchase or sale of logs is subject to the presentation of a specification sheet endorsed by the forestry service of the area of origin. Article 139.- The SNBG, local mills, and other buyers of various wood are required: to require this specification sheet before any acceptance of the wood; to comply with the forestry service's requirements regarding taxes and fees and to pay the amount to the Domain services within thirty days after receipt. Article 140.- No specification sheet can be endorsed by the forestry service without the presentation of a receipt or certified copy attesting to the payment by the operator of the rights and taxes owed under their permits, their exploitation, and the processing of the wood derived from them. Article 141.- Forestry exploitation titles are granted subject to the rights of third parties. In the event of overlapping permits, the exploitation of the disputed area belongs to the first holder in date. Article 142.- Every operator has the right to access a public evacuation route via private roads or paths without any hindrance being opposed by the holder of the crossed permit. In this case, the latter must be informed of the proposed route at least three months before the work. However, when establishing the evacuation network, the owner of the crossed permit who believes they are suffering harm may request arbitration by the competent Provincial Inspection of Water and Forests. If the dispute persists, it is resolved by a Commission chaired by the Minister in charge of Water and Forests, assisted by two representatives of the forestry corporation.

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The Commission may either confirm the route of the evacuation path or prescribe another one. In any case, it must arbitrate any dispute arising from the establishment or use of the evacuation path. The wood resulting from the opening of the road in the public domain belongs to the State. Those resulting from third-party permits belong to the owner. Article 143.- Except for the movements of populations from surrounding villages, agents of Water and Forests, and security forces in the exercise of their functions, the holder of the forestry exploitation title manages the use of the evacuation network they establish, including parts of this network located on third-party permits or on state forests not yet granted. Article 144.- In cases where a forest or part of a forest managed by the State is subject to unusual physical, ecological, or social constraints, the Water and Forests administration may decide to exempt it from the bidding rule and exploit it either directly or under specific conditions set by regulatory means. Article 145.- At the end of each quarter and no later than the end of the following month, the operating administrative unit is required to provide the General Directorate of Water and Forests with a technical and financial report of the operation. The financial revenues from the operation are paid to the Public Treasury to fund a Fund whose creation is aimed at in Article 249 below. Article 146.- At the end of the operation and no later than three months after the expiration date of the exploitation authorization, the operating administrative unit must present a technical and financial balance of the operation to the General Directorate of Water and Forests. Article 147.- The following are authorized under conditions set by regulatory means: the transfer of permits; the transfer of permits for the grouping of Sustainable Management Forest Concessions, abbreviated as CFAD; the grouping of permits for the establishment of a CFAD. In all cases, the area of the grouped

CFADs cannot exceed 600,000 hectares. Article 148.- Obtaining a forestry permit does not grant the right to exploit forest products other than wood.

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The exploitation of these other products such as genetic, wildlife, fishery, agricultural, mining resources, and the canopy is subject to separate texts. Article 149.- Within classified forests, the granting of forestry exploitation permits is prohibited. However, areas reforested by the State may, before maturity, be allocated by bidding. Sub-section 4: On the cession, transmission, transfer, and grouping of forestry permits. Article 150.- Only Sustainable Management Forest Concessions, abbreviated as CFAD, and Associated Forestry Permits, abbreviated as PFA, may be subject to cession, transmission, and transfer, subject to the authorization of the Water and Forests administration. Article 151.- The transfer contract specifies the technical and financial conditions. It recalls the obligations and charges attached to the transferred permits. It must be attached to the management plans and validated by the General Directorate of Water and Forests after verifying its compliance. Article 152.- The grouping of permits consists of reciprocal transfers between two concession holders. The Contract for reciprocal transfers is drafted in accordance with the provisions of the first paragraph of Article 152 above. Article 153.- Contracts between holders of Associated Forestry Permits, abbreviated as PFA, aimed at forming a Sustainable Management Forest Concession, abbreviated as CFAD, also constitute a grouping of permits. These contracts must be submitted for validation to the Water and Forests administration simultaneously with the request for a provisional management-exploitation-transformation agreement related to the concerned permits. The aforementioned validation occurs after the opinion of the committee for the industrialization of the wood sector for a management-exploitation-transformation agreement related to the concerned permits.

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These holders designate and mandate an operator who is their legal representative. Article 154.- The Sustainable Management Forest Concession, abbreviated as CFAD, may only be sold in the event of bankruptcy or when the holder has exploited at least the first Forest Management Unit, abbreviated as UFG. In all cases, the CFAD returns to the State's forest domain for bidding. Article 155.- The conditions for the renewal of forestry permits are set by regulatory means. Sub-section 5: On community forests. Article 156.- The community forest is a portion of the rural forest domain allocated to a village community for the purpose of conducting activities or undertaking dynamic processes for sustainable management of natural resources based on a simplified management plan. Article 157.- Community forests are created under conditions set by regulatory means in the rural forest domain, at the request of a village, a grouping of villages, or a canton in the general interest of the concerned village communities. Article 158.- The exploitation of community forests is subject to a simplified sustainable management plan, referred to as a "simple management plan," and to one or more supply contracts made with one or more local processing companies. Article 159.- The delimitation, classification, and management works of community forests are carried out free of charge by the Water and Forests administration. Article 160.- The exploitation of community forests may be carried out directly or through leasing by the village communities. Article 161.- The revenues from the exploitation of community forests are the property of the community. Article 162.- The request for the creation of a community forest is presented to the head of the Provincial Inspection of Water and Forests of the concerned area accompanied by: a report from the representative body of the community;

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 of a plan of the situation of the requested forest. Section 2: On the exploitation of Wildlife. Sub-

Section 1: Common provisions for the exploitation of wildlife. Article 163.- Subject to the provisions of article 14 above, no one may hunt in Gabon unless they hold a hunting permit or a hunting license issued by the Ministry of Water and Forests. This provision does not apply to enclosed properties. Article 164.- Acts of hunting within the meaning of this law include pursuit, approaching, shooting, and conducting an expedition with the aim of capturing or killing a wild animal. Article 165.- Hunting permits may only be issued to holders of a firearm possession permit. Article 166.- The capture license may only be issued to individuals or legal entities pursuing a commercial, scientific, or tourist purpose. Article 167.- The image hunting license may only be issued to individuals or legal entities pursuing a commercial or professional purpose. Article 168.- Hunting permits and licenses are personal. They may not be sold, lent, or transferred. Article 169.- In case of necessity, the Minister in charge of Water and Forests may limit the issuance of hunting permits and licenses. Article 170.- The introduction of new hunting techniques in Gabon must be approved in advance by the Ministry of Water and Forests. Article 171.- Except in cases of legitimate defense and subject to the provisions of article 166 above, no one may hunt with weapons other than those classified as category three in accordance with current regulations. Article 172.- For the purposes of this law, legitimate defense is understood as the act of prohibited hunting practiced in the immediate necessity of defending oneself, others, their own domestic livestock, or their crops.

Article 173.- The following hunting and animal capture permits and licenses may be issued in the Gabonese Republic: the small game permit; the big game permit; the scientific hunting permit; the scientific capture permit; the commercial capture license for live wild animals; the image hunting license. Article 174.- The small game permit entitles the holder to kill non-protected or partially protected animal species, except for the elephant and the buffalo, using smooth or rifled weapons of an authorized caliber. It includes three categories: the small game permit reserved for nationals; the small game permit reserved for resident expatriates; the small game permit reserved for non-resident tourists, valid exclusively in hunting areas. Article 175.- The big game permit entitles the holder to kill non-protected or partially protected animal species, using rifled weapons of an authorized caliber. The big game permit includes three categories: the big game permit reserved for nationals; the big game permit reserved for resident expatriates; the big game permit reserved exclusively in hunting areas. Article 176.- The scientific hunting permit and the scientific capture permit are issued for scientific purposes to representatives of scientific organizations identified by the Ministry of Water and Forests and entitle the holder to kill, collect, or capture wild animals. Article 177.- The commercial capture license for wild animal species authorizes the capture and holding of live animals for commercial, tourist, and breeding purposes. It is only issued to nationals. Article 178.- The image hunting license is issued to professionals in cinematography, television, and photography.

Article 179.- The small game and big game permits reserved for non-resident tourists, the scientific hunting permit, the scientific capture permit, and the commercial capture license for wild animal species are subject to the payment of a hunting or capture tax, the rate and basis of which are set by the finance law. Article 180.- Permits, hunting licenses, and capture licenses are issued according to the conditions set by regulatory means. These provisions do not apply to the small game permit except for the insurance contract. In this latter case, the applicant must be at least 18 years old. Article 181.- Permits, hunting licenses or capture licenses, and firearm insurance contracts are strictly personal. They may not be lent, transferred, or sold. They must be presented upon request by authorized agents. Article 182.- Hunting or capture permits and licenses are refused or revoked for: any person sentenced to a firm imprisonment of more

than six months for rebellion or violence against agents of the Public Force and agents of the Water and Forests, any person convicted for violating the regulations in force regarding Water and Forests concerning the regime of weapons and ammunition. any person sentenced to imprisonment of more than two years for violations related to wildlife and hunting. Article 183.- The small game permit may not be issued to individuals under the age of eighteen. Article 184.- The application for a small game permit is submitted to the nearest Water and Forests service which, after processing, issues the permit. The small game permit is only valid for the current year for nationals and resident expatriates; This validity is three months for non-resident tourists, starting from the date of issuance. In all cases, the small game permit may only be used during the hunting season.

Article 185.- The application for a big game permit is submitted to the head of the Provincial Inspection of Water and Forests who, after processing, forwards the file to the General Directorate for issuance. The validity of the big game permit is the same as that of the small game permit, as provided in article 185 above. The big game permit may only be issued to individuals aged at least twenty-one. Article 186.- Holders of small and big game permits are required to record daily in the special pages of their hunting notebooks the partially protected animal species killed, the sex of the animal, the location and date of killing as well as the characteristics of the trophies. Article 187.- Holders of big game permits must declare, within fifteen days following the killing, the partially protected animal species killed and have their hunting notebooks validated by the local Water and Forests authority. Article 188.- Receipts for hunting taxes must be affixed in the hunting notebook in the designated spaces. Article 189.- The scientific hunting permit and the scientific capture permit are granted by the Minister in charge of Water and Forests. Article 190.- The scientific hunting permit and the scientific capture permit specify the rights and obligations conferred to their holder and the perimeter in which they are exploited. Article 191.- The holder of the scientific hunting permit or the scientific capture permit is subject to the payment of hunting, capture, and export taxes. Article 192.- The commercial capture license for wild animal species is granted by the Minister in charge of Water and Forests. The applicant must be an individual aged at least twenty-one or a legal entity duly identified by the Ministry of Water and Forests. Article 193.- The commercial capture license for wild animal species indicates the duration of its validity, the capture area, as well as the number of animals authorized per species. Its issuance is subject to the payment of a tax set according to the category of the animal to be captured.

Article 194.- The holder of the commercial capture license for wild animal species keeps a capture notebook endorsed by the Ministry of Water and Forests in which they record: the captured animals as well as the injured or dead animals captured during captures or in captivity before being sold or exported; the date, location of capture, sex, and age of the animal including any particular characteristics. Article 195.- The image hunting license is issued by the Ministry of Water and Forests to individuals aged at least eighteen or to duly identified legal entities. The image hunting license must indicate the location of intervention as well as its validity. Article 196.- Following damage caused to crops by certain species, the Ministry of Water and Forests may, after investigation and under the conditions set by regulatory means, authorize drives or any other means of control within a delimited area. The same applies to the control of injured or sick animals. In the event of killing, the Ministry of Water and Forests recovers the carcasses and the trophies. The meat is left to local populations. Article 197.- The conditions for holding, transporting, and marketing any wild animal, trophies, and hunting products are defined by regulatory means. In all cases, the marketing of hunting products is subject to

obtaining a special approval. Article 198.- Any holder of live wild animal species, not or partially protected, may under the conditions defined by regulatory means create a breeding unit. Article 199.- The exploitation of live wild animals, carcasses, trophies, and hunting products is subject to obtaining: a certificate of origin and an exploitation permit issued by the Ministry of Water and Forests; a zoosanitary certificate issued by the national livestock service.

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Article 200.- Any person who discovers ivory tusks is required to report it to the nearest Water and Forests service. Article 201.- In the context of wildlife management, the Water and Forests administration may call upon hunting lieutenants to: protect wildlife participate in administrative hunts following significant or repeated damage caused to food crops, domestic animals, or individuals by certain wild animal species observe infractions related to wildlife and hunting. Article 202.- Hunting lieutenants are recruited and take an oath under the conditions set by regulatory means. Article 203.- Within the hunting domain and under the conditions set by regulatory means, hunting activities are organized after bidding by a hunting guide holding a hunting guide position or by their designated hunting guides. Article 204.- The hunting guide ensures compliance by their staff and clients with the regulations in force. In this capacity, they are civilly responsible for the harmful consequences of their actions during expeditions and are required to have insurance. Article 205.- Subject to legitimate defense, it is prohibited for the holder of the hunting guide position and their designated staff to hunt for personal purposes within the perimeter of their activity zone. Article 206.- The hunting guide takes an oath under the conditions set by regulatory means. Article 207.- The license and position of hunting guide are subject to withdrawal in case of: recidivism in hunting offenses; non-payment of taxes and fees; clandestine introduction of clients; non-compliance with the specifications; hunting during closed seasons; hunting in a protected area other than the one for which they are responsible; fraud in hunting matters; failure to provide required information or providing erroneous, false, or insufficient information.

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Sub-section 2: Specific provisions for the exploitation of wildlife. Article 208.- The technical exploitation of protected areas is the responsibility of the Water and Forests administration. In this capacity, the Water and Forests administration is responsible for regulation, the development of management plans, monitoring, control, and issuing revenue orders. Article 209.- The tourist exploitation of national parks consists of the creation and management of complexes and tourist activities. Article 210.- The conduct of tourists within national parks and hunting domains is exclusively ensured by persons accredited according to the modalities set by regulatory means. Article 211.- The tourist exploitation of national parks and hunting domains results in the collection of taxes and fees defined in Article 245 of this law. Article 212.- At the request of a local community, part of the rural forest domain may be classified as a protected area under the conditions set by regulatory means. Article 213.- The concession of protected areas is prohibited. However, in order to ensure the development of tourism, the exploitation of tourist activities within national parks and hunting domains is authorized in accordance with the provisions of Articles 209 and 211 above. Article 214.- A zoological garden is a public or private area designed for the exhibition of captive animals for recreational, aesthetic, cultural, or repopulation purposes. The conditions for the creation and management of zoological gardens are set by regulatory means. Article 215.- The following are prohibited throughout the national territory: hunting without a permit; hunting during closed seasons;

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 hunting in protected areas; non-compliance with capture and slaughter standards for

animals; pursuing, approaching, or shooting game from a land vehicle, vessel, or aircraft; flying at less than 200 meters in protected areas; night hunting with or without lighting devices; hunting drives using fire, nets, and pits; hunting and capturing using drugs, poisoned baits, traps, and explosives; hunting using metal traps and steel cable snares; all other frauds in hunting matters. Article 216.- In case of necessity, particularly for the protection of persons and property, repopulation, or pursuing a scientific goal, the Water and Forests administration may authorize the hunting or capture of a wild animal using appropriate means. Article 217.- Visiting and circulation within national parks are subject to the payment of an entrance fee, the rate and basis of which are set by the Finance Law. Article 218.- Professional activities concerning the photography and cinematography of wild animals are subject to prior authorization from the Water and Forests administration and the payment of a special tax, the basis and rate of which are set by the Finance Law. Article 219.- Within hunting domains, the slaughter of juveniles and females of all species is prohibited. CHAPTER III: ON THE INDUSTRIALIZATION OF THE WOOD SECTOR Article 220.- The industrialization of the wood sector encompasses all activities carried out using simple tools or complex production chains aimed at transforming wood or its by-products into semi-finished or finished products. Article 221.- The industrialization of the wood sector aims in particular at: promoting the rational use of wood products, financing sustainable forest management; creating added value and jobs, developing wood industries; increasing gross domestic product (GDP).

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Article 222.- The industrialization of the wood sector essentially includes: first transformation industry; second transformation industry; third transformation industry. Article 223.- The first transformation industry includes activities such as sawing, peeling, slicing, and drying. Article 224.- The second transformation industry includes activities related to the production of panels and the manufacture of simple standard products such as moldings, planed profiles, and flooring. Article 225.- The third transformation industry includes other activities leading to finished and composite products in carpentry and cabinetmaking. Article 226.- The establishment of any industry on national territory must include an industrialization plan comprising: a feasibility study of the project; an environmental impact study; an implementation program with a detailed timeline, a description of the installations and industrial equipment with performance indicators such as: production, productivity, material yield, specifications of products, and employed staff; company statutes or a business license for individuals; a professional accreditation issued under the conditions of Article 102 of this law. Article 227.- The national production of logs must primarily meet the demand of local transformation units. To this end, the transformation rate of local production must evolve to reach 75% within the decade following the promulgation of this law. The Minister responsible for Water and Forests shall present to the Government all appropriate measures to achieve this objective. Article 228.- The heads of wood industries are required to maintain registers indicating the movements of stocks of wood received and transformed in their factories. These registers must be regularly updated.

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To this end, the heads of wood industries are required to transcribe in the specific registers the information recorded on the delivery note within 48 hours of receiving the logs. Article 229.- Resellers of transformed or processed wood products must source from transformation units accredited by the Water and Forests administration. In this capacity, they are required to justify the origin of their products upon any request from Water and Forests Agents, by presenting a transport slip, compliant with regulations. Article 230.- Every industrialist is required to provide the General Directorate of Water and Forests, at the end of each quarter and no later than the

following month, the statistical and accounting data related to their activity. Article 231.- The local transformation rate of logs is set at the beginning of each year by order of the Minister responsible for Water and Forests. It is the same for all operators as a percentage of their annual production capacity. However, depending on the evolution of results, this rate may be revised during the year by order of the Minister responsible for Water and Forests. Article 232.- The wood transformation industry should be located, as much as possible, in the wood exploitation zone. CHAPTER IV ON THE MARKETING AND PROMOTION OF FOREST PRODUCTS Section 1: On the marketing of forest products Article 233.- For the purposes of this law, marketing refers to all operations of selling forest products by economic operators in the forestry sector on national and international markets. Article 234.- The marketing of forest products is subject to the following obligations: prior authorization to exploit; prior approval of wood in accordance with current regulations; verification of the operators' hammer; communication of statistics to the relevant administrations; payment of taxes, fees, and other levies.

Article 235.- The marketing of forest products is free throughout the national territory, with the exception of okoumé and ozigo, which are under the monopoly of the State. However, in case of necessity, the State may extend this monopoly to other forest products. Article 236.- The marketing of raw or processed forest products is subject to the classification, standardization, and certification rules approved by Gabon. The modalities for control, classification, standardization, and certification of forest products are established by regulatory means. Article 237.- Any forestry operation must contribute to the promotion of local wood processing industries. In this regard, the export of logs is contingent upon each permit according to the modalities set by regulatory means. Article 238.- With the exception of Gabonese individuals who exploit their own forest concessions, all other approved producers are subject to a production quota. Article 239.- Depending on market fluctuations, and within the limits of the management plan, the Minister in charge of Water and Forests sets, by decree, the annual ceiling for total production of okoumé, ozigo, and other species. Article 240.- Organizations responsible for the marketing of forest products are required to establish, monthly, commercial statistics of exported products and make them available to the administration of Water and Forests. Section 2 : On the promotion of forest products. Article 241.- For the purposes of this law, the promotion of forest products refers to the multifaceted actions implemented for better knowledge of these products, diversification of production, their use, and market development. Article 242.- The promotion of forest products aims to develop markets. In this regard, producers and operators in the forestry sector participate, under the control of the Minister in charge of Water and Forests, in the promotion and development of these products. Article 243.- The promotion of forest products aims for: better knowledge of the resource; diversification of forest products; development of industrialization; actions to defend the markets for forest products; monitoring of the trade in forest products and derived products; creation of centers for the promotion of forest products; strengthening of training, research, and development actions in the wood and forest professions. CHAPTER V ON ECONOMIC, FINANCIAL, AND SOCIAL PROVISIONS Article 244.- The allocation, possession, renewal, exchange, and transfer of any exploitation title, transformation by chainsaw milling, marketing, and export of logs and products other than wood, are subject, as applicable, to the following taxes or fees: logging tax; area tax; renewal tax; transfer tax; tax for transformation by chainsaw milling; exit duties and taxes; lease tax; progressive export tax on logs outside quotas; specific fee for plantation submissions; forestry charges. Article 245.- Permits, licenses, approvals, marketing, and export of hunting products, entrance fees to national parks and hunting domains, the killing and capture of partially protected animals, and the possession of live wild animals are subject respectively to the following taxes or fees: permit, license, and approval allocation tax; tax on

local marketing and export of hunting products; entrance fees to national parks and hunting domains; slaughter tax; capture tax; tax on the possession of live wild animals. Article 246.- The finance law determines the rate and basis of the fees, rights, and taxes provided for in Articles 244 and 245 above. Article 247.- Holders of C.F.A.D. established by the administration of Water and Forests are liable to the State for the cost of these works. Article 248.- Bidders for forest plantations are subject during the waiting period to a specific fee for forest plantation submissions, the rate and basis of which are set by the finance law. Article 249.- Forestry work carried out

by the administration of Water and Forests on behalf of individuals is compensated under fees called "forestry charges" according to the conditions defined by regulatory means. The rate and basis of this fee are set by the finance law. Article 250.- The financing of sustainable forest management operations, reforestation programs, promotion, industrialization of the wood sector, conservation, and protection of the forest and its products will be ensured by a fund to be created by law. Article 251.- To promote the social aspect of sustainable management policy, a financial contribution is established, funded by the holders of these concessions to support collective interest development actions initiated by the said communities. The nature and level of this contribution are defined by the contractual specifications related to each concession. The management of this contribution is left to the discretion of the representative assemblies of the concerned communities. CHAPTER VI ON CUSTOMARY USE RIGHTS Article 252.- The exercise of customary use rights aims to meet the personal or collective needs of village communities, which notably concern: the use of trees as construction wood and the use of dead wood or branches as firewood; the harvesting of secondary forest products, such as bark, latex, mushrooms, medicinal or edible plants, stones, and vines; the practice of artisanal hunting and fishing; grazing in savannas, clearings, and the use of branches and leaves for fodder; the practice of subsistence agriculture; grazing rights and use of water. Article 253.- The exercise of customary use rights is free and gratuitous in the rural forest domain for members of village communities living traditionally near this domain, subject to compliance with restrictive regulations for the necessity of management or protection. Article 254.- The list of prohibited products, equipment, or materials subject to the regime of customary use rights provided for in Article 252 above is the subject of a decree from the Minister in charge of Water and Forests. Article 255.- The Minister in charge of Water and Forests regulates, if necessary, the exercise of customary use rights for the needs of protection of the domains referred to in Article 259 below. Article 256.- With the exception of the harvesting of dead wood and subject to specific authorizations provided for by classification texts, the exercise of customary use rights is regulated in classified state forests and registered productive forests. Article 257.- The classification texts of a forest or the management plans of a production forest must provide for a sufficient area within which neighboring populations can exercise their customary use rights. Article 258.- The exercise of customary use rights in terms of hunting and wildlife is strictly limited to the use of weapons and equipment listed in a list established by decree of the Minister in charge of Water and Forests. This hunting only concerns unprotected animals. Article 259.- The exercise of customary use rights in terms of fishing, hunting, and wildlife is prohibited in Protected Areas and is subject to strict compliance with regulations. However, classification texts determine the courses and bodies of water where populations can exercise their customary use rights. Article 260.- The exercise of customary use rights in terms of fishing is practiced with the means and equipment listed in the list established by decree of the Minister in charge of Water and Forests. Article 261.- The exercise of customary use rights in terms of fishing using drugs, poisons, or toxic products and explosive devices is prohibited. CHAPTER VII ON REPRESSIVE PROVISIONS Section 1 : On the observation of offenses. Article 262.- Without prejudice to the prerogatives recognized to the public prosecutor and judicial police officers, agents of the

administration of Water and Forests are responsible for the search and observation of offenses related to

forests, waters, wildlife, and hunting in accordance with the provisions of Article 15 of this law. Article 263.- Agents of Water and Forests are, depending on their rank, judicial police officers in their field of activity. However, they can only exercise these functions after taking an oath before the competent jurisdiction according to the modalities defined by regulatory means. Article 264.- Offenses related to forests, waters, wildlife, and hunting are observed through a report established, under penalty of nullity, according to the modalities defined by regulatory means. Article 265.- The reports referred to in Article 264 above are valid until proven false regarding the material facts related to the observed offenses. Article 266.- The person convicted in absentia who opposes may contest the report on which the judgment was rendered. Article 267.- Sworn agents of the administration of Water and Forests may, in the exercise of their functions and in accordance with the texts in force, carry out any form of search and seizure, notably: entering deposits, sawmills, construction sites, cold rooms, and other stores of fresh products; accessing maritime or river docks, train stations, and airports; freely and gratuitously traversing railway tracks; visiting trains, boats, vehicles, aircraft, or any other means likely to transport products related to forests, waters, wildlife, and hunting; seizing and placing under sequestration livestock, objects, or products of fraudulent origin and any material used to commit an offense. For this purpose, agents of the administration of Water and Forests enjoy the right of pursuit.

Article 268.- Without prejudice to the prerogatives of the Public Prosecutor's Office and the transaction procedure, public action may be initiated by the Ministry of Water and Forests. Article 269.- The collection of fines, restitutions, damages, and other penalties related to forests, water, wildlife, and hunting falls under the administration of Domains. Article 270.- Failure to comply with sentences of fines, damages, restitutions, or costs awarded in favor of the State regarding forests, water, wildlife, and hunting exposes the offender to incarceration under the procedure of constraint by body. Article 271.- Without prejudice to the texts in force, agents of the Ministry of Water and Forests may, in actions and prosecutions related to forests, water, wildlife, and hunting, make all citations and notifications of deeds. However, these agents are not authorized to carry out seizures-executions. Article 272.- Actions for the repression of offenses related to forests, water, wildlife, and hunting are subject to a two-year limitation period from the date of commission or from the date of observation by official report. However, cases of offenses against regulations concerning deforestation are subject to a four-year limitation period from the year in which the deforestation was carried out. Section 2: Sanctions. Article 273.- Punishable by imprisonment from five days to one month and a fine of 10,000 to 50,000 CFA francs or one of these two penalties only, are the authors of the following offenses: - non-compliance with regulations on usage rights, as provided in Article 14 above; - unauthorized entry, even without a weapon, into protected areas, as provided in Article 72 above; - circulation and parking outside marked paths in accordance with the provisions of Article 77 above; - non-compliance with provisions on the sale, loan, and transfer of permits, in accordance with the provisions of Article 168 above; - wandering of domestic animals in forests not open to grazing. In case of recidivism or flight, the penalty is doubled.

Article 274.- Punishable by imprisonment from forty-five days to three months and a fine of 25,000 to 1,000,000 CFA francs or one of these two penalties only, are the authors of the following offenses: - violation of prescriptions related to classified forests; - unauthorized entry with a weapon into wildlife protected areas, in accordance with the provisions of Article 84 of this law; - non-compliance with regulations on the marketing, circulation, or possession of live

animals, carcasses, or trophies, in accordance with the provisions of Article 84 of this law; - hunting using nets and pits, in accordance with the provisions of Article 215 of this law; - non-compliance with capture and slaughter standards for animals, in accordance with the provisions of Article 215 of this law; - violation of provisions related to found ivory tusks, in accordance with the provisions of Article 200 of this law; - failure to subscribe by weapon holders to a hunting weapon insurance contract; - importation, sale, transfer, donation, loan of all lamps and lanterns known as "hunting"; - importation of metal traps, except those intended for capturing rodents or except for individual written authorization issued by the Director General of Water and Forests; - non-compliance with the modalities for conducting professional activities such as cinematography and photography of wild animals, in accordance with the provisions of Article 218 above; - violation of provisions related to visiting national parks and circulation within, in accordance with the provisions of Articles 72 and 84 above; - non-compliance with regulations on the recovery of abandoned logs along waterways, beaches, roads, and parks, in accordance with the provisions of Article 134 above; - voluntary obstruction of the duties of agents of the Ministry of Water and Forests; - cutting and removal of trees or exploitation of accessory forest products without authorization from the Ministry of Water and Forests outside of customary usage rights; - non-compliance with logging latitudes; - introduction of new hunting techniques, in accordance with the provisions of Article 170 above. In case of recidivism or flight, the penalty is doubled.

Article 275.- Punishable by imprisonment from three to six months and a fine of 100,000 to 10,000,000 CFA francs or one of these two penalties only, are the authors of the following offenses: - hunting in integral natural reserves, sanctuaries, national parks, and reserves, in accordance with the provisions of Articles 71 and 72 of this law; - poisoning of water points and courses; - creation of villages, camps, private roads, in accordance with the provisions of Article 72 of this law; - flying at less than 200 meters, in accordance with the provisions of Article 72 of this law; - hunting or capturing of fully protected species, in accordance with the provisions of Article 91 of this law; - marketing of fully protected species or products from these species, in accordance with the provisions of Article 92 of this law; - non-compliance with opening or suspension periods for hunting, in accordance with the provisions of Articles 184 and 215 of this law; - hunting in prohibited areas; - night hunting with illuminating devices, in accordance with the provisions of Article 215 of this law; - hunting using drugs, poisoned baits, explosives, fixed guns, in accordance with the provisions of Article 215 of this law; - hunting without a permit, in accordance with the provisions of Articles 163 and 215 of this law; - sale, loan, or transfer of permits and licenses, in accordance with the provisions of Article 181 of this law; - hunting with unauthorized weapons and ammunition, in accordance with the provisions of Article 174 of this law; - violation of provisions related to carcasses, trophies, and meat of animals killed in self-defense; - export or import of ivory tusks weighing less than 5 kg and crocodile skins, particularly that of the false gharial, measuring less than 1.70 meters; - importation of hunting products without appropriate documentation from the country of origin; - non-compliance by airlines, transit, and freight companies with conditions for transporting live wild animals, following IATA and CITES provisions; - falsification or counterfeiting of export or import permits for hunting products; - non-compliance by the hunting guide with the terms of the specifications; - non-compliance by holders of the hunting guide charge as well as by their employees holding a hunting guide license, in accordance with the provisions of Article 204 above; - clandestine introduction of clients by the hunting guide;

- unauthorized exploitation, in accordance with the provisions of Article 14 of this law, cutting wood outside the limits of the permit, harvesting products other than those provided for in the

exploitation title; - unauthorized transfer, transmission, or transfer of permits and unauthorized grouping of exploitation titles, in accordance with the provisions of Article 150 of this law; - exploitation outside the deadline provided by the management plan; - non-compliance with standards and classifications of forest products, in accordance with the provisions of Article 236 of this law; - poor maintenance of work logs; - fraudulent maneuvers; - non-payment of domain taxes and fees, in accordance with the provisions of Articles 244 and 245 of this law; - lack of supporting documents for the export of hunting products, in accordance with the provisions of Article 245 of this law; - failure to present technical and accounting documents to the Ministry of Water and Forests, in accordance with the provisions of Articles 136, 137, and 230 of this law; - practice of subsistence farming in a classified forest; - destruction, displacement, disappearance of all or part of the markers, signs, or fences used to delimit classified forests. In case of recidivism or flight, the penalty is doubled. Article 276.- Punishable by imprisonment from three to six months and a fine of 500,000 to 10,000,000 CFA francs or one of these two penalties only, are the authors of the following offenses: - exploitation without a management plan or with an unapproved management plan; - non-compliance with the management plan; - non-compliance with production, transformation, and export quotas; - opening limits and marking with non-compliant topographic devices; - intensive exploitation harmful to the environment. In case of recidivism or flight, the penalty is doubled. Article 277.- Seized weapons not recovered after a period of six months are destroyed in the presence of a representative of the competent jurisdiction. Article 278.- Seizures of game resulting from anti-poaching missions are, after health control in a laboratory approved by the State, destroyed or deposited in public establishments at the end of each operation, in the presence of judicial police officers with general competence.

Article 279.- Those guilty of the following offenses shall be punished with a fine of 2,000,000 to 50,000,000 francs and imprisonment for six months to two years, or one of these two penalties only: non-compliance with the production transformation rate; hunting with aircraft, land vehicles, or motorboats in protected areas, in accordance with the provisions of Article 215 of this law; false declaration in forestry or wildlife matters. In case of recidivism or flight, the penalty is doubled. Article 280.- Those guilty of the following offenses shall be punished with imprisonment for five to ten years and a fine of 20,000,000 to 50,000,000 francs or one of these two penalties only: forgery or counterfeiting of the hammers of the Water and Forests administration used for forest markings; forgery or counterfeiting of private forest hammers or their regularly registered marks; forgery or counterfeiting of titles of allocation in forestry, hunting, and wildlife matters. In case of recidivism or flight, the penalty is doubled. Article 281- Without prejudice to the provisions of Articles 273 to 280 of this law, any offense committed in hunting or forestry may lead, as the case may be and under the conditions set by regulatory means to: the confiscation of wildlife or forestry products or payment by transaction of a penalty equal to their value if they could not be seized; the suspension, withdrawal, or refusal to renew the permit or license; the suspension or withdrawal of the forestry exploitation title. In case of recidivism or flight, the penalty is doubled. Article 282.- Objects used to commit the offense may be seized and deposited with the competent jurisdiction at the same time as the report establishing the offense. Article 283.- Any delay noted in the payment of taxes and fees related to forests, water, wildlife, and hunting shall be sanctioned by a penalty of double duty. Article 284.- For the purposes of this law, the recidivism period is twelve months from the date of the report that resulted in either a final conviction or a transaction.

CHAPTER VIII MISCELLANEOUS PROVISIONS Article 285.- Personnel of the Water and Forests administration receive a share of the products from rights and taxes, fees, confiscations, and

monetary sanctions, the rate, collection methods, and distribution of which are set by regulatory means. Article 286.- Logs abandoned along waterways, beaches, roads, parks, and train stations are the property of the State under the conditions defined by regulatory means. Article 287.- The introduction into the national territory of any plant, animal, remains, and trophies is subject to prior authorization from the Water and Forests administration, upon presentation of a phytosanitary or zoosanitary certificate issued by an accredited organization. Article 288.- Matters related to the field of fishing, not expressly addressed in this law, are subject to specific texts. Article 289.- It is prohibited to discharge or bury in the forestry domain, as well as in the riverine, lacustrine, lagoon, and maritime domains, any toxic product or industrial waste likely to destroy or modify the fauna or flora in accordance with the provisions of the law on environmental protection. Article 290.- Each year, the Government presents a report to Parliament on the evolution of the implementation of the forestry policy defined by this law. The report referred to in the above paragraph is annexed to the draft finance law submitted to Parliament for examination. CHAPTER IX TRANSITIONAL PROVISIONS Article 291.- Any permit that has not been subject to an approved management plan, deemed exhausted, expiring, or whose abandonment has been requested by the holder, is removed from forestry exploitation for a period of at least twenty years, regardless of the geographical area in which it is located. Article 292.- During a transitional period necessary for the effective coverage of community forests, quotas for family cuts are allocated by province, based on the availability offered by the market and in accordance with the modalities in force before the promulgation of this law.

This transitional period is limited to four years from the date of promulgation of this law. Article 293.- Holders of exploitation permits granted as industrial permits and lots in the attraction zone of the railway prior to the effective date of these provisions must, within one year from the date of promulgation of this law, present to the Minister in charge of Water and Forests a provisional agreement known as the management - exploitation - transformation agreement. Article 294.- Under penalty of withdrawal of their permits, the holders referred to in Article 109 above are required to present a management plan and an industrialization plan in accordance with the areas held. Article 295.- Holders of exploitation permits granted as temporary exploitation permits have a period of four years from the date of promulgation of this law to associate with a Sustainable Management Forest Concession, abbreviated CFAD, or group into CFAD. These temporary exploitation permits then automatically transform into Associated Forestry Permits, abbreviated PFA. Article 296.- Non-compliance with the deadlines referred to in Articles 292 to 295 above results in the return of the concerned areas to the domain. Taxes and fees paid remain acquired to the State. CHAPTER X FINAL PROVISIONS Article 297.- Regulatory texts shall determine, as necessary, the provisions of any nature required for the application of this law. Article 298.- This law, which repeals all previous contrary provisions, notably those of law n° 1/82 of July 22, 1982, concerning the orientation in the field of Water and Forests, shall be registered, published according to the emergency procedure, and executed as a law of the State. □ □ □

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