

Working legally makes artisanal loggers strong

by Meindert Brouwer

In the Democratic Republic of Congo a transition from illegal small scale logging to legal logging is on the rise. Both loggers and the state benefit.

Around the city of Kisangani in the northeast, a growing number of artisanal loggers is emerging from the dusky informal economy to go legal and pay taxes. By doing so, they take control of their own destiny and contribute to the functioning of the state and to the improvement of the livelihoods of local communities. Professor in Political Sciences, Alphonse Maindo (52), of the University of

Kisangani and director of NGO Tropenbos DR Congo is a pioneer of the transition from illegality to legality in artisanal forestry in the region around Kisangani. Maindo, who once received the Claude Ake Memorial Award of the Africa-America Institute and the African Studies Association in the United States for outstanding young scholars, is convinced about the direction: 'Working formally and legally is necessary, it is mandatory. It is a condition for good forest governance. Formal employment means that the state will receive tax revenues and loggers are complying with (forest) laws. When taxes are paid, the state can function like it should to the benefit of all, provided that there is good governance of the public institutions. Citizens paying taxes to the State can loudly stand and claim for increased accountability in regard to civil servants and State rulers.' He continues: 'To the contrary, working informally means loss of income for the state. When you work informally, you don't pay tax. You are not registered, you don't exist in the administration of the government. In fact when you work illegally, you are vulnerable. A civil servant can come to you and make you pay for himself. And you will not be able to prove that you paid.' The innovative part of the project is that students in forestry and natural resource management of the University of Kisangani teach artisanal loggers how to manage the forest and how to harvest timber in a sustainable way.



Alphonse Maindo (glasses on dark blue shirt) visits lumber vendors at the central market of Kisangani.



Women resellers of timber in Kisangani, Tshopo province, DR Congo.
PHOTO BONAVENTURE IBANDA, TROPENBOS DRC

LICENSE Working legally means that an artisanal logger has to pay for a license from the government, for the accompanying technical inspection and for the actual permit to log. Illegal loggers do not bother and do not pay such costs. This means they can sell logs cheaper than legal loggers. It is hard for the latter to be competitive. How do you solve this problem, how can legal loggers make a profit? Maindo explains that he and his Tropenbos team employ three strategies: 'First we need to link the legal loggers with the market for a better and fair price. In the second place we advocate the implementation of law enforcement to stop sales of illegal timber. Thirdly, we empower loggers and push for transformation to add value.' Maindo: 'We seek access to better markets, where buyers are willing to pay more. This is the case in Kenya and Uganda, for instance. In Kenya logging in natural forests is forbidden. There is a growing demand for timber to build houses and for furniture. In Kenya it is more difficult to sell illegal timber. So there are opportunities to sell legal timber

from the DRC over there. In Uganda there is little forest and timber harvesting is limited. There is demand and the price is interesting. It is easier to sell legal timber than illegal timber in Uganda. Bribing costs money too.

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We are supporting artisanal loggers who started to negotiate in South Africa. We support small holders to organize themselves in order to address market demands collectively because alone they are often not able to provide important quantity requested by clients.'

'In the second place,' Maindo continues, 'we encourage public institutions inside the DRC to buy legal timber only,

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Artisanal wood sawing in Kisangani.

when they have to build or need chairs and tables. We have also created three awards. One is for the best administrative body on the national level and on the provincial level: which body has only bought legal timber and has imposed penalties on illegal logging? The second award is for the best artisanal logger. The third award is for the association of artisanal loggers which delivers the best assistance to its members to comply with the rules.'

Maindo: 'To avoid bankruptcy for legal small holders who cannot compete with illegal loggers on the market of raw products, we push for transformation of products. We train them to process timber, to make chairs, tables, doors, beds or seats for churches or schools. By doing so, they create more employment and add value to their timber. And when they supply the Kinshasa market, for instance, they almost do not face any hassle from civil servants, compared to what they have to address when providing raw material. Some of the loggers diversify by developing their own carpentry service or other services and goods made from timber. A few of them also start up farming or shops.' Maindo wants to change that a violation of the law merely results in minor fines: 'Both on the national and provincial level we advocate to increase the penalties, confiscate illegal timber and put recidivists in jail.'

ASSESSMENT How have provincial authorities reacted to the Tropenbos project of encouraging artisanal loggers to go legal? Maindo, proud: 'Our assessment of artisanal logging in the region around Kisangani proved that the number of tax payers has improved significantly in just fourteen months. In August 2014 2% of over 400 artisanal loggers paid taxes. In October 2015 20% of them paid taxes and 40% were recognized as being legal. So the provincial administration and the governor are happy. They support us because they notice an increase in tax income. In 2020 the situation continues to improve though we have not been able to conduct a large survey. In 2019 we assessed legality among artisanal loggers in Bafwasende territory (equivalent to the size of Switzerland, ed.). We got a wonderful

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result, 80% of legally registered artisanal loggers pay taxes regularly.' In the years that followed, the empowerment of artisanal loggers expanded to other provinces. In 2020 around 450 artisanal loggers from four provinces – Tshopo, Ituri, Haut-Uele and Mongala – all working legally and paying taxes, are part of a producer association which can make a fist in negotiations with the authorities.

What is necessary to assure good forest governance in your country, I ask Maindo. His answer touches two important things. Maindo: 'The Democratic Republic of Congo has good forest laws and regulations. So the main thing is compliance with these laws and regulations. Education of civil servants both on the national and provincial level is something which needs attention. Civil servants have to be informed about the law and new regulations. How can they implement law enforcement when their knowledge is not sufficient?' Maindo underlines that civil servants should be paid well. 'Sometimes they have a bad salary. Sometimes they have no salary at all. Some have not been paid for eight years. They need money, so they make illegal loggers pay for their services. Sometimes a civil servant transforms into an illegal logger himself.' The circle is closed. The transition from an informal forest economy in which no taxes are paid to a formal economy in which taxes provide for salaries of civil servants, is important in order to establish a sustainable economy and stability in society.

MIX It is not only this transition, it is a mix of things that have to be arranged well, Maindo tells: 'Good governance means true democracy in which leaders are accountable for what they do or don't do. We need better livelihoods. We need to raise awareness about things that do not go well and strengthen citizens and civil society so they can speak out. So we need capacity building, training in advocacy, training in lobbying, training in defending civil rights, training in knowledge of laws and regulations. And we need money for that.'

SATISFACTION ABOUT TRANSITION



Léon-Dehon Basango Makedjo, then vice-governor of the province of Tshopo, was very satisfied about the work of Tropenbos DR Congo: 'The government of the province of Tshopo is very much in agreement with the work of Tropenbos. We thank Tropenbos, because its action has resulted in an increase of revenues in the timber sector. We hope that Tropenbos will expand its project of transition from illegal logging to legal logging in other areas, so that many people may benefit from the advantages of this intervention. However, the government wishes that Tropenbos also examines other fields, since timber is not the only natural resource. Like logging, mining in particular is an activity which affects many people and in which irregularities also occur. By being active in other sectors such as mining, Tropenbos will reduce human pressure on the natural resources and highly contribute to an increase in people's income. It will specifically contribute to the reduction of conflict between people, since natural resources are a source of conflicts which condemns our country to endless wars.'