Gabon

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Gabon is located in Central Africa, in the Congo Basin, and has a tropical climate. The country is a major producer of timber, and the forest sector is a **significant contributor to Gabon's GDP**. Despite launching negotiations to implement a Voluntary Partnership Agreement (VPA) with the EU in 2010 and relaunching the process in 2019, as well as **developing a timber legality and traceability system (SCLT-Gabon)** in 2021, **illegal logging remains widespread** throughout Gabon. In August 2023, a military coup d'état took place in Gabon and the country is currently undergoing a political transition phase. Various laws, such as the Forest Code, are currently under review.

Forest Management

Forest Governance

According to the **2001 Forest Code** (currently under review), forest lands in Gabon are owned by the government (Article 13). Engaging in any forestry activity within the national forest estate is prohibited without prior authorization from the Ministry of Water and Forests (Article 14). The commercial use of forests is permitted through forest concessions and authorizations for logging as granted by the Ministry of Water and Forests. The following agencies/ministries oversee regulation and management of forest lands and products in Gabon:

- **Ministry of Water and Forests in charge of the Preservation of the Environment, Climate and Human-Wildlife Conflict**: Before the **political transition, this Ministry was known as** the Ministry for Water, Forests, the Sea and the Environment, responsible for the Climate Plan and Land Use. The ministry is responsible for implementing national policies on the protection of the environment, nature, flora and fauna, combatting climate change and land management.
- **Forestry and Timber Sector Activities Execution Agency** (*Agence d'Execution des Activités de la Filière Bois – AEAFFB*): Responsible for promoting activities within the forestry sector. The Agency provides technical assistance on forest management plans, contributes to the sustainable management of forest resources, supports data collection and forestry research and maintains databases on the traceability of forest products.
- **Gabonese Agency for Space Studies and Observations** (*Agence Gabonaise d'Etudes et d'Observations Spatiales – AGEOS*): is a public scientific, technological and environmental establishment. The Agency's mission is to contribute to the collection, analysis and provision of data from spatial observation of the national territory for the sustainable management of the environment, natural resources, land use and regional planning.

Transparency

For more information regarding transparency and risk scores in Gabon, head to these links:

- **Transparency International's Corruption Perception Index**

- The World Bank's **Worldwide Governance Indicators**
- **Index of Environmental Monitoring by CSOs in the Congo Basin**

Laws and Regulations

Forest Laws

- **Forest Code (Law No. 016/01) (2001)** modified by **Order No. 11/2008 (2008)**, **Order No. 008/PR/2010 (2010)** and **Organic Law n°039/2023 of 02 November 2023**: The 2001 Forest Code regulates the sustainable management of forests throughout Gabon by providing provisions on the rights to use, sell and trade, and process forest products. All forests, divided into Forest Management Units (UFAs), are subject to a management plan (Article 21). The Code defines several aspects of the management plan, including the annual cutting possibility *(possibilité annuelle de coupe)*, and it must be accompanied by an industrialization plan (Articles 22-23).
    - **Forest Management Unit *(Unité forestière d'aménagement - UFA)*:** Requires a management plan (Articles 21-22) which must be accompanied by an industrialization plan for a Provisional Development-Exploitation-Transformation Agreement (Article 23). Once the approval is issued, the Provisional Agreement becomes an exploitation title. Implementing the management plan is the responsibility of the title holder and must be reviewed every 5 years (Articles 24 and 26). UFAs are further divided into Forest Management Blocs (UFGs) subject to individual management plans and whose annual cutting allowance *(assiette annuelle de coupe - AAC)* are established in the UFA's management plan (Article 29). For details on the management plan requirements for UFGs, see Article 30.
        - The logging potential of UFAs is based on the number of stems with a diameter greater than the Minimum Exploitable Diameter per Forest Management Unit (DME/UFA) (Article 32). There are several additional factors, which are detailed in Articles 33-37.
        - The management plan is accompanied by a Book of Contractual Clauses *(cahier des clauses contractuelles - CCC)* and Annual Operations Plan *(plan annuel d'opération - PAO*) (Articles 40 and 45). Additionally, holders of logging titles must maintain a daily logbook providing information on daily felling activities, the characteristics of the trees felled, the log site and the felled trees' contributions to the AAC (Article 49).
    - There are three types of forest permits that allow logging in registered productive state forests, sensitive productive forests or forests bordering the rural forest estate (Article 94). Any individual/entity interested in logging or other forestry activities must obtain professional approval prior to engaging in these activities (Article 102). The three permit types include:
        - **Forest Concession under Sustainable Management *(Concession forestière sous aménagement durable - CFAD)***: Issued to any natural or legal person for logging in the permanent forest estate, excluding classified state forests, for surface areas between 50,000 to 200,000 hectares (Article 97). If a holder has multiple CFADs, the maximum combined surface area cannot exceed 600,000 hectares.
            - Minimum duration: One rotation and is renewable (Article 98).
            - Stipulations for obtaining a CFAD are outlined in Articles 106-111.

- **Associated Forest Permit *(Permis forestier associé - PFA)***: Issued to Gabonese nationals only for logging in the permanent forest domain, excluding classified state forests (Article 96). The PFA covers 15,000 hectares when integrated into a CFAD and 50,000 hectares when the surface area is subject to the holder's management.
    - Minimum duration: One rotation and is renewable (Article 98).
    - Stipulations for obtaining a PFA are outlined in Articles 112-113.
- **Mutual Agreement Permit *(Permis de gré à gré - PGG)***: Issued to Gabonese nationals for local processing purposes in the Rural Forest Domain (Article 95).
  • Stipulations for obtaining a PGG are outlined in Article 114.

- **Law No. 007/2014 on Environmental Protection (2014):** Establishes principles that guide national policy on the protection and improvement of the environment and the sustainable management of natural resources. The law requires an environmental impact study for any industrial activities (including forest processing industries) carried out that may harm the environment (Article 30).

Processing/Manufacturing Laws

- **Forest Code (Law No. 016/01) (2001)** modified by **Order No. 11/2008 (2008)**, **Order No. 008/PR/2010 (2010)** and **Organic Law n°039/2023 of 02 November 2023**: Establishes the types of processing activities applicable to forest products in Gabon (Articles 220 and 222). To create a processing facility in Gabon, the facility is subject to an industrialization plan which includes (Article 226):
    - Feasibility study of the project;
    - Environmental impact study;
    - Implementation program with a detailed timetable;
    - Descriptions of the installations and industrial equipment with indications of their functions related to production, productivity, material yield, product specification and number of employees;
    - Company statute or business license for individuals;
    - Professional approval required for anyone engaging in logging/wood processing, as determined in Article 102.

The facility must be located in the timber harvesting area (Article 232). Processing managers must open and maintain registers that document the movement of wood received and processed in their factories (Article 228).

The national production of logs must cover the demand of local processing industries. Thus, all forestry operations must contribute to the promotion of local wood processing industries. A joint order by the Ministers of Water and Forests, Economy and Industry sets the volume of log production in relation to the total industrial capacity (Article 227 *new*).

- **Decree No. 0018/PR/MPIPPPAEA of 07/03/2023 on the reorganization of the NKOK Special Economic Zone (2023)**: Stipulates that an approval may be withdrawn from an investor if he has used resources attached to the Special Investment Zone for a purpose

other than the processing of those resources in the Special Investment Zone (Article 36).

Transport Laws

- **Order No. 041/MEFMEPCPAT/CAB-M of 23/07/2021 on the creation, organization and operation of the system for monitoring the legality and traceability of Gabonese timber**: Creates a control system for the legality and traceability of timber from Gabon (Article 1). This system aims to certify that Gabon's timber products come from legally logged forests and that the various stages, from felling to export, including processing, transport, storage and marketing, are well known and have been carried out in accordance with sustainable development and international standards adopted by Gabon (Article 2).
- **Order No. 00029/MTAC/DGTT (2002):** Establishes rules for the transport of logs and forest products, especially related to transport vehicles. Transporting forest products on national roads is prohibited on Saturdays, Sundays and public holidays. Logging vehicles may only operate from 5:30 a.m. to 11:30 a.m. and 2:00 p.m. to 6:30 p.m. (Article 2).
- **Regulation No. 04/01-UEAC-089-CM-06 (2001):** This regulation revises the existing Community Road Code and establishes rules on transport vehicles for different purposes, including forestry vehicles. Article 85 introduces the **Exceptional Transport Authorization**, which is issued for a single trip and details the period the authorization is valid, the route and measures to be taken by the transporter. Exceptional Transport Authorizations can be issued to transport forest products.
- **Forest Code (Law No. 016/01) (2001)** modified by **Order No. 11/2008 (2008)**, **Order No. 008/PR/2010 (2010)** and **Organic Law n°039/2023 of 02 November 2023**: Forest operators must have at least one hammer with the operator’s mark registered with the court registry of its judicial district and the Ministry of Water and Forests (Article 127). All forest products harvested under a forest operator’s authorization for logging must bear the hammer mark before transport or trade and recorded within the site logbook (Articles 129 and 131). Individuals or entities with authorizations for logging are required to establish a roadmap to transport raw or processed forest products on private and public roads. The roadmap must accompany the transported products (Article 135). Resellers of processed wood or forest products must provide proof of origin of the stated products to the Ministry of Water and Forests in the form of a transport slip (Article 229).

Tax Laws

- **Forest Code (Law No. 016/01) (2001)** modified by **Order No. 11/2008 (2008)**, **Order No. 008/PR/2010 (2010)** and **Organic Law n°039/2023 of 02 November 2023**: All taxes and duties must be paid to legally sell and trade, harvest, process or engage in forestry activities (Articles 140; 234). The following taxes are applicable to any individual/entity carrying out forestry activities (Article 244):
    - Felling tax;
    - Surface area tax;
    - Renewal tax;
    - Transfer tax ;
    - Processing tax for chainsaw sawing;
    - Exit duties and taxes;

    - Leasehold tax;
    - Specific submission fee for plantations; and
    - Forestry charges.

- **Finance Law 2024 (Law No. 005/2023):** Determines the rates of taxes, fees and royalties listed above (Article 246). Additionally, a specification sheet is required for the purchase/sale of logs, which must be approved by the forest service overseeing the operating zone of origin (Article 138). The forest service will not approve any specification sheet without a receipt or a certified copy proving the payment of all taxes and duties of the forest operator (Article 140). Buyers, local factories and other entities are required to pay the appropriate taxes and duties within 30 days of receiving the specification sheet (Article 139).
- General Tax Code 2022: Establishes the basis and rates of all taxes in Gabon. Title 3 *Specific Taxes* Chapter 1 *Forest Taxation* details the applicable forest taxes and their rates, taxes and rates applicable to businesses and value added taxes (VAT). The Code repeals the felling tax listed as a forestry tax in the 2001 Forest Code.
    - Surface/area tax: Applicable to forest permit holders, including holders of the Mutual Agreement Permit (PGG). The tax is to be paid annually and the rates for each permit type are established in Article 317. Copies of forest declarations must be submitted by the forest permit holder to Tax Administration (Directorate General of Taxes) to prove concession area boundaries and locations (Articles 319-320).
    - Forestry charges: Technical hammering services carried out by the Ministry of Water and Forests on behalf of the permit holder are subject to forestry charges. The rates for different services are provided in Article 326.

Trade Laws

- **Order No. 041/MEFMEPCPAT/CAB-M (2021):** Establishes a legality and traceability system for timber in Gabon known as SCLT-Gabon (Article 1). All forest operators in Gabon are subject to SCLT-Gabon (Article 10). The System conducts audits on forest operators and their processing facilities, places controls on the trade and transport of timber, provide public information on timber legality and traceability and tracks and monitors documents issued to operators to ensure authenticity of documentation and legal compliance with regulations (Articles 11-12). When timber legality is established, forest operators/processors are issued a certificate of conformity, known as Certificate of Legality and Traceability, which allows a legal wood marking to be placed on the wood, transport slip, wood packaging, etc. (Articles 14-16).
- **Forest Code (Law No. 016/01) (2001)** modified by **Order No. 11/2008 (2008)**, **Order No. 008/PR/2010 (2010)** and **Organic Law n°039/2023 of 02 November 2023**: To trade or sell forest products, the following conditions must be met prior to engaging in the sale (Article 233):
    - Authorization to operate;
    - Approval of wood in accordance with regulations;
    - Checking the operators' hammer/marking;
    - Communication of statistics to the administrations of concern;
    - Payment of all taxes, royalties and levies.

Selling/trading forest products is allowed across the entire national territory, except for okoumé and ozigo which are under the control of the Gabonese government (Article 235). The export of logs is subject to quotas and forest operators are required to promote local wood processing industries (Articles 236-237). Entities involved in the export of forest products must collect and submit export statistics every month to the Ministry of Water and Forests (Article 240).

Criminal Laws

- **Forest Code (Law No. 016/01) (2001)** modified by **Order No. 11/2008 (2008)**, **Order No. 008/PR/2010 (2010)** and **Organic Law n°039/2023 of 02 November 2023**: According to the new Article 275, a fine ranging from 100,000 to 10,000,000 CFA francs and/or imprisonment between 3 to 6 months shall be imposed for logging without a forest title, poor record-keeping of the worksite book (*carnet de chantier*) or fraudulent practices.

Non-regulatory policy instruments

- Commission of the Forests of Central Africa (COMIFAC) **Convergence Plan (2015-2025)**: The **reference framework and coordination of all interventions in the conservation and sustainable management of Central Africa's forest ecosystems.**

Bilateral Agreements

- **Gabon - European Union Voluntary Partnership Agreement (VPA):** Aims to ensure timber exported to the EU has been produced according to Gabonese laws and regulations. In 2010, Gabon began negotiations on the VPA, a bilateral agreement that promotes improved forest governance, traceability and transparency within forest product supply chains. The negotiations have since stalled, but in 2019, Gabon re-expressed interest in the VPA process.

CITES

The **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)** is an international agreement among governments whose purpose is to ensure that the international trade of wild animals and plant species does not threaten the survival of these species. It is up to each country to draft their own domestic legislation to comply with its CITES obligations. Gabon signed onto the Convention in 1989.

The species under the protection of CITES are listed in three Appendices based on how threatened they are by international trade. The species listed in Appendix I are the most endangered and international trade in these species is prohibited unless the purpose of import is noncommercial. The species listed in Appendix II are tightly controlled in international trade and may be authorized with an export permit or re-export certificate. Appendix III lists species at the request of a Party that needs other countries' cooperation to regulate the trade in the species. International trade in Appendix III is allowed with appropriate permits or certificates.

If you don't know if the species you are interested in sourcing from this country is CITES listed, please check this **link**. If it is, please use this **database** to identify the National CITES Authority. In Gabon, the CITES managing authority is the Ministry of Water and Forests Director General of Wildlife and Protected Areas (DGFAP).

Forest Resources

Resources Overview

In 2010, Gabon had **24.7 Mha of natural forest**, extending over 93% of its land area.

According to the 2001 Forest Code, Gabon divides its forest resources into two categories (Articles 5-16):

- **Permanent forest estate:** Forests that are used for production and protection purposes.
  - **Classified State forests (Article 8)**: Consists of forests intended for preservation including protective forests, recreational forests, botanical and zoological gardens, forests for educational and scientific uses, the arboretum, protected areas, reforestation areas and particularly sensitive or bordering productive forests or rural forest areas.
  - **Registered productive State forests (Articles 10-11)**: Consists of productive natural forests outside of those specified as classified State forests. These forests include allocated forests and production forest reserves.
- **Rural forest domain (Article 12)**: Consists of forests and lands intended for local communities' use.

Contacts

Below are incomplete lists of government ministries, industry associations, civil society groups, and research institutes involved with forestry, trade, and efforts to combat illegal logging and associated trade.

Industry Associations

- Chamber of Commerce, Agriculture, Industry, Mining and Crafts of Gabon (CCAIMAG)
- **Union of Foresters and Wood Industrialists of Gabon (UFIGA)**
- Forestry Union of Asian Industries of Gabon (UFIAG)
- **TEREA**

Civil Society Organizations

- **Brainforest**
- **Field Legality Advisory Group (FLAG)**
- **USAID Central Africa Regional Program for the Environment (CARPE)**
- **Greenpeace Africa**
- **World Wide Fund for Nature (WWF) Gabon**
- **Wildlife Conservation Society (WCS): Gabon**
- **Central African Forest Initiative (CAFI)**

- **Central African Forest Commission (COMIFAC)**
- **Congo Basin Forest Partnership (CBFP)**
- **International Union for the Conservation of Nature (IUCN) – West and Central Africa**
- **US Forest Service International Programs: Gabon**
- **World Wide Fund for Nature (WWF) Forests Forward Initiative**
- **International Tropical Timber Technical Association (ATIBT)**
- **Resource Extraction Monitoring (REM)**

Government Ministries and Agencies

- **Ministry of Water and Forests**
- **General Directorates of the Ministry of Water and Forests**
- **Forestry and Timber Sector Activities Execution Agency (AEAFFB)**
- **Ministry of Transport, Merchant Marine and the Sea**

Research Institutes

- **CIRAD**
- Research Institute for Tropical Ecology (IRET)
- Agricultural and Forestry Research Institute (IRAF)
- **Masuku University of Science and Technology (USTM)**
- **National Center for Scientific Research and Technological Development (CENAREST)**

Tools and Resources

For more information regarding forest legality in Gabon, head to these links:

- **Preferred by Nature – Timber Sourcing Hub: Gabon**
- **Timber Trade Portal: Gabon**
- WRI - **Forest Atlases**
- **Global Forest Watch (GFW) Country Profiles**
- WRI - **Open Timber Portal (OTP)**
- **Forest Trends - Illegal Deforestation and Associated Trade (IDAT) Risk: Gabon**
- **ITTO Biennial Review Statistics**
- **WWF Wood Risk Tool: Gabon**
- **Index of Environmental Monitoring by CSOs in the Congo Basin**

References

- **EIA (2019)** *Toxic Trade: Forest Crime in Gabon and the Republic of Congo and Contamination of the US Market*