

Appendix O

Biodiversity strategy and partnerships for implementation

Meeting between GEOVIC Cameroon and the Direction of Wildlife and Protected Areas (DFAP) at Ministry of Forest and Fauna (MINFOF)
Yaoundé, March 1st, 2007

On the demand of GEOVIC, a working session between GEOVIC Cameroon represented by Rainbow Environment Consult (REC Sarl) and the Direction of Wildlife and Protected Areas took place in the locals of the Ministry of Forest and Wildlife on March 1st 2007 in Yaounde.

Object:

The aim of this meeting was to discuss the propositions of the EIA of the Nkamouna project regarding biodiversity management, to collect the observations of DFAP and prepare proposals/recommendations for a good implementation of proposed impact mitigation measures, especially concerning modalities of collaboration and coordination of interventions on the field.

1. Propositions of the EIA

The EIA of GEOVIC have proposed a strategy based on partnerships in order to address in a collegial manner, questions related to the impacts on biodiversity, flora and fauna which would be caused by the implementation of the mining project. The implementation of specific follow up plans both on the mining site and in the Dja reserve, requires the collaboration of many actors through partnerships and agreements for the execution of specific actions.

The environmental and Social Action Plan of the mining project (cf. 3.2.2 of the executive summary) indicates that “... GeoAid will equally contribute to the preservation of the biodiversity by supporting the authorities and the NGOs involved in the planning, elaboration and implementation of the sustainable management of protected areas as well as the management of specific habitats”.

The Environmental Impact Assessment has proposed a participatory process for the development of a “Biodiversity Management Plan”. This detailed plan will act as a platform of collaboration and coordination of interventions.

2. Observations expressed by the DFAP

The project show many environmental risks; The EIA have made a good description of potential impacts of the project on the flora and fauna. Proposed measures remain general. While recognising the pertinence of the proposed approach, the participants notice the importance of clarifying now the priority domains of intervention and the recommendations below have been made:

3. Recommendations

Contain the concrete actions of GEOVIC on the biodiversity:

- **Reinforcement of the fight against poaching and the illegal exploitation of forest; financing LAB actions at the Est and North periphery of the Dja reserve according to LAB strategy formulated by the conservation service;**
- **Alternative measures to supply proteins;**
- **Platform of collaboration between GEOVIC and active sport hunting guides in the region, to minimize the impacts;**
- **Support to the bio-monitoring (5 years of periodicity);**
- **Environmental education;**
- **Strict and rigorous internal regulations of GEOVIC on the fauna aspects;**
- **Support to the technical training of locals;**
- **Indicate the project of creation of the UTO for the 9 UFA whose logging has been postponed for the conservation. Proposals for the sustainable management of this space are available;**
- **Plan the reforestation of the mining site after exploitation;**
- **Support the local initiatives of community management of forestry and fauna resources.**

4. Conclusion

The development of the biodiversity conservation plan proposed in the strategy of GEOVIC after issuance of the Environmental Conformity Certificate by MINEP will take into account the recommendations bellow; This priority activity should be launched soon. The department of wildlife is available to collaborate for the development of this project.

5. Participants (See list in appendix)

MEMORANDUM OF UNDERSTANDING

BETWEEN

**The World Wide Fund for Nature (WWF) Central Africa Regional
Programme Office**

And

GEOVIC Cameroon PLC

**TOWARDS THE SUSTAINABLE MANAGEMENT OF FOREST
AND WILDLIFE RESOURCES IN THE DJA-BOUMBA MINING
ZONE**

PREAMBLE

The World Wide Fund for Nature (WWF) Central Africa Regional Programme Office (hereinafter referred to as WWF-CARPO), Represented by Mr. Laurent Magloire SOME, Regional Representative for Central Africa

And

GEOVIC Cameroon, PLC (hereinafter referred to as GEOVIC), represented by Mr. Gary Morris, General Manager

Conscious of Government's preoccupation to strike an equitable balance between the sustainable use of its natural resources for development and the well being of its people, and the protection and conservation of these resources for the benefit of future generations as enunciated in the National Poverty Reduction Strategy Paper of 2003;

Conscious of the fact that the conservation and sustainable management of the rich biological diversity of Cameroon is an important priority to Government as enunciated in Law No. 94/01 of the 20th of January 1994 to lay down Forestry, Wildlife and Fisheries Regulations, and its implementation Decrees No. 95-531 PM of 23rd August 1995 and No. 95-678 of 1995 to determine conditions for the implementation of Forestry and Wildlife Regulations respectively;

Conscious of the fact that all mining activities in Cameroon must comply with existing laws and regulations on environmental protection and must be conducted in such a manner as to protect the flora and fauna inside and within the periphery of the mining concession as provided for in Law No. 1 of 16th April 2001 Defining the Mining Code and its Decree of Implementation No. 2002-648 PM of 26th March 2002;

Considering the relevant provisions of the Framework Law on the Management of the Environment, Law No. 96/12 of the 5th of August 1996

Considering relevant provisions of Decree No. 2005/0577/PM of 23rd February 2005 regulating the carrying out of Environmental Impact Assessments in Cameroon and its implementing Order No. 0070/MINEP of the 22nd of April 2005 establishing categories of operations subject to Environmental Impact Assessments;

Considering GEOVIC's obligation to comply with technical and safety standards relating to the management and protection of the environment and the population as stipulated on in its Mining Convention with the Government of Cameroon of July 31st 2002 and its Mining Permit Decree No. 2003-077 of 11th April 2003;

Considering the Partnership and Collaborative Agreement signed between WWF-CARPO and the Ministry of Forestry and Wildlife on the Management of Cameroon's Biological Diversity signed in April 2006;

Considering that GEOVIC's Environmental and Social Attenuation Plan (ESAP) proposes a strategy for the management of impacts faunal and floral biodiversity based on partnerships for conservation with public authorities and NGOs involved in the planning, development, and implementation sustainable management of protected areas;

Acknowledging GEOVIC's goal to expeditiously and prudently develop a high quality, low cost, long-life production operation, designed to take advantage of new market opportunities, while maximising returns stakeholders with fairness and respect to local community aspirations, and effective mitigation of impacts to the environment and to flora and fauna;

Acknowledging WWF's mission to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature by conserving the world's biological diversity; ensuring that the use of renewable resources is sustainable; and promoting the reduction of pollution and wasteful consumption;

Considering the recommendations of the meeting between GEOVIC and WWF-CARPO on the 15th of February 2007 to discuss, identify, and elaborate on ways and means to collaborate on the improvement and further implementation of GEOVIC's ESAP;

It has been drawn up and agreed as follows:

PART 1: GENERAL PROVISIONS

ARTICLE 1: PURPOSE

This present MOU defines general conditions of collaboration between WWF CARPO and GEOVIC to manage wildlife and combat illegal exploitation activities within the mining concession of Dja-Boumba in relation to extraction of cobalt and nickel at the Nkamouna site

ARTICLE 2: GENERAL SCOPE AND GEOGRAPHICAL AREA OF FOCUS

GEOVIC et WWF CARPO agree on a partnership to implement conservation activities aimed at protecting wildlife and to fight against bush meat trade including other illegal activities within the Dja-Boumba mining concession and surrounding forest areas. Specific activities under this convention are described in section 2 of this Memorandum of Understanding.

PART 2: THEMATIC AREAS OF COLLABORATION

ARTICLE 3: SCOPE AND FOCUS

The primary themes of focus of this Memorandum of Understanding which shall be spelt out in detail in the Plan of Action in the Annex to this document shall cover the following:

1. Combating poaching and illegal forest resource exploitation
2. Bio-ecological monitoring
3. Monitoring of mining impacts on forests and wildlife
4. Monitoring and follow-up of local community development initiatives
5. Any other biological diversity related issues that GEOVIC and WWF mutually identify during the lifespan of this Memorandum of Understanding

PART 3: RIGHTS AND OBLIGATIONS

ARTICLE 4: MUTUAL OBLIGATIONS

GEOVIC and WWF-CARPO hereby undertake to cooperate in order to perform the purpose of this Memorandum of Understanding. Both parties shall be obliged to comply with the commitments, responsibilities and obligations incumbent on it under this Memorandum of Understanding, and any other additional clauses in accordance with national legislation and regulations in force, and international norms and standards of good environmental governance.

ARTICLE 5: OBLIGATIONS OF GEOVIC

- a) Compliance to mutually agreed activities spelt out in the Action Plan in the Annex to this Memorandum of Understanding, and provision of financial, material, and logistical support for its execution;
- b) Provide to WWF-CARPO, voluntarily or on demand, all information in its possession on the state of, and its management of faunal, fluvial, and floral resources in its concession and periphery;
- c) Facilitate access to its concession and installations therein to WWF-CARPO staff and accredited agents to carryout activities spelt out in the Plan of Action in the Annex to this Memorandum of Understanding, or any other activity directly related to or that might impact thereto;

- d) Set in place and strengthen internal regulations that promote the sustainable management and use of wildlife resources within its concession and its periphery
- e) Facilitate the organization of anti-poaching drives, and provide material and financial support to anti-poaching drives inside and within the periphery of its concession initiated by the Ministry of Forestry and Wildlife
- f) Collaborate with other stakeholders in biological diversity management in particular the local conservation services of adjacent protected areas, and also forest concessionaires;
- g) Collaborate with the Ministry of the Environment and Protection of Nature in the carrying out of its legally mandated functions as stipulated in the Mining Code and EIA Laws and Regulations;
- h) Provide material, financial and logistic support to scientific research aimed at monitoring the impact of mining activities on forest and wildlife resources
- i) Encourage good environmental governance as a pre-requisite for engaging sub-contractors, and include in their contracts clauses aiming at sustainable forest and wildlife management
- j) Complete EIA studies based on existing information gaps in present document and integrate findings in its Environmental and Social Action Plan (ESAP) in conformity with existing government regulations
- k) Implement EIA recommendations as outlined in the ESAP and other activities defined in present Memorandum of Understanding with WWF CARPO and its attached Action Plan

ARTICLE 6: OBLIGATIONS OF WWF-CARPO

- a) Compliance to mutually agreed activities spelt out in the Action Plan attached to this Memorandum of Understanding, and provision of financial, material, and logistical support for its execution;
- b) Facilitate consultations and development of joint actions between GEOVIC and other holders of exploitation licenses in mining zone.
- c) Provide technical and logistics assistance to the Wildlife Department in carrying out anti-poaching drives inside the GEOVIC Concession
- d) Provide technical assistance to GEOVIC in the development and implementation of sustainable wildlife management initiatives

- e) Use WWF's Network and partners to communicate to the conservation constituency and the world at large efforts made by GEOVIC towards the implementation of its Environmental and Social Action Plan notably the biodiversity related aspects
- f) Facilitate collaboration between the Ministry of Forestry and Wildlife, the Ministry of the Environment and Protection of Nature, and GEOVIC

PART 4: EXECUTION AND MONITORING

ARTICLE 7: EXECUTION OF THE MEMORANDUM OF UNDERSTANDING

The Action Plan provided for in the Annex to this document shall define the activities to be carried out in the short and medium term in the execution of this Memorandum of Association as provided for in Article 3. Activities, results, and indicators in the Action Plan would change as planned activities are implemented. This is in conformity with Articles 3, 4, 5 and 6 of the MOU. However, specific contracts or agreements can be entered into between WWF-CARPO and GEOVIC to implement any of the actions identified in this Memorandum of Understanding.

ARTICLE 8: MONITORING

In order to facilitate coordination and monitoring of execution of engagements made by WWF-CARPO and GEOVIC under this Memorandum of Understanding, a Joint Commission shall be created and shall meet quarterly to:

- Approve activities/actions to implement the Memorandum of Understanding
- To monitor the execution of the Plan of Action
- To develop strategies and design incentive measures to booster the adhesion of both parties to the letter and spirit of this Memorandum of Understanding

The composition and functioning of the Joint Commission shall be mutually decided upon.

PART 5: MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 9: TERM OF THE MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding and its Plan of Action shall take effect from the date of its signature and remain in force for a period of two years renewable on mutual agreement.

ARTICLE 10: OPERATING LAW

Commitments, responsibilities and obligations incumbent on GEOVIC and WWF-CARPO under this Memorandum of Understanding, its Plan of Action, and any other additional clauses shall be subject to Cameroon Law.

ARTICLE 11: SETTLEMENT OF DISPUTES

Any conflict, claim or dispute between WWF-CARPO and GEOVIC arising from the discharge of commitments, responsibilities and obligations under this Memorandum of Understanding shall be resolved amicably and/or through conciliation. In the event of failure to reach amicable settlement, arbitration shall be settled through the competent courts

ARTICLE 12: TERMINATION OF THE MMORANDUM OF UNDERSTANDING

This Memorandum of Understanding can be terminated on the behest of one party giving reasonable notice (Six Months) to the other

ARTICLE 13: MODIFICATION AND AMENDMENTS

This Memorandum of Understanding can be modified or amended on mutual agreement and at the behest of any of the parties.

Done in Yaoundé, this day.....

WWF-CARPO

GEOVIC

ANNEX 1
DRAFT ACTION PLAN

STRATEGIC OBJECTIVE	INDICATIVE ACTIONS	INDICATORS	TIMELINE	STRUCTURE RESPONSIBLE	FINANCIAL RESPONSIBILITY
To combat poaching and illegal forest exploitation	Sensitize local communities, GEOVIC employees, and job seekers on illegal exploitation	Number of communities and individuals sensitized	Throughout the action plan lifespan (2 years)	WWF, local NGOs and MINFOF/MINEP local services	
	Ensure the availability of other protein sources (fish, cow meat etc.) within the mining concession	At least three cold stores operational within the mining concessions by the end of the Action Plan lifespan	Throughout the action plan lifespan (2 years)	GEOVIC in collaboration with veterinary services	GEOVIC
	Develop and introduce measures for the development of animal husbandry	Increase in the number of domestic animals and animal breeders	Throughout the action plan lifespan (2 years)	GEOVIC in collaboration with local NGOs, CBOs, and veterinary services	
	Strengthen GEOVIC's internal by-laws on illegal exploitation of forest resources and poaching	- By-law with provisions and sanctions for poaching and illegal forest resource exploitation endorsed by GEOVIC by end of 1 st quarter of Action Plan lifespan - Number of employees sanctioned for breach of By-Law	1 st Quarter of project lifespan	GEOVIC, WWF, and Labour inspector	

STRATEGIC OBJECTIVE	INDICATIVE ACTIONS	INDICATORS	TIMELINE	STRUCTURE RESPONSIBLE	FINANCIAL RESPONSIBILITY
	Provide logistics support to the Conservation services of MINFOF/MINEP	Communications and locomotion equipment available by the 1 st quarter after signature of MoU	1 st Quarter after signature of MoU	GEOVIC in collaboration with WWF	
	Organize systematic anti-poaching drives	- At least 4 major anti-poaching drives organized by end of Action Plan lifespan	Continuous during Lifespan of MoU	MINFOF in collaboration with WWF and GEOVIC	
	Secure the Permanent forest domain	Reduction/stagnation in the number of agriculture plots in the permanent forest domain	Continuous during Lifespan of MoU	MINFOF in collaboration with GEOVIC and administrative authorities	

STRATEGIC OBJECTIVE	INDICATIVE ACTIONS	INDICATORS	TIMELINE	STRUCTURE RESPONSIBLE	FINANCIAL RESPONSIBILITY
Bio-ecological monitoring/ Monitoring impacts of mining on forest and wildlife resources	Develop a bio-ecological monitoring system	Strategic document developed, validated and endorsed by all stakeholders by the end of the 1 st month of the lifespan of the Action Plan	1 st month of the lifespan of the Action Plan	WWF in collaboration with GEOVIC	
	Train and build capacity to implement bio-ecological monitoring system	Number of GEOVIC staff/and other stakeholders trained and operational by end of 1 st quarter of lifespan Action Plan	1 st quarter of lifespan Action Plan	WWF	
	Procure adequate equipment for implementing the system	Number of GPS', cyber trackers etc. procured and in use by monitoring team	1 st quarter of lifespan Action Plan	WWF in collaboration with GEOVIC	
	Develop a monitoring protocol	Monitoring document available by end of 1 st Year of lifespan of Action Plan	1 st quarter of lifespan Action Plan	WWF in collaboration with GEOVIC	
	Data collection	Database/databank developed and operational	Continuous throughout Action Plan lifespan	WWF in collaboration with GEOVIC and local NGOs	
	Management and valorization of data	Lessons learned used to feed decision making process	Continuous throughout Action Plan lifespan	WWF in collaboration with MINFOF/MINEP	

STRATEGIC OBJECTIVE	INDICATIVE ACTIONS	INDICATORS	TIMELINE	STRUCTURE RESPONSIBLE	FINANCIAL RESPONSIBILITY
To monitor and follow-up local community development initiatives	Develop a socio-economic monitoring system	Strategic document developed, validated and endorsed by all stakeholders by the end of the 1 st year of the lifespan of the Action Plan	1 st month of the lifespan of the Action Plan	WWF in collaboration with GEOVIC	
	Train and build capacity to implement socio economic monitoring system	Number of GEOVIC staff/and other stakeholders trained and operational	1 st quarter of lifespan Action Plan	WWF	
	Procure adequate equipment for implementing the system	SPSS procured and in use by monitoring team by end of 1 st Quarter of Action Plan lifespan	1 st quarter of lifespan Action Plan	WWF in collaboration with GEOVIC	
	Develop a Socio-economic monitoring protocol	Monitoring document available by end of 1 st Year of lifespan of Action Plan	1 st quarter of lifespan Action Plan	WWF in collaboration with GEOVIC	
	Data collection	Database/databank developed and operational	Continuous throughout Action Plan lifespan	WWF in collaboration with GEOVIC and local NGOs	
	Management and valorization of data	Lessons learned used to feed decision making process	Continuous throughout Action Plan lifespan	WWF in collaboration with MINFOF/MINEP	