

Annexe O

Stratégie et partenariats pour la conservation de la biodiversité

REUNION ENTRE GEOVIC ET DIRECTION DE LA FAUNE ET DES AIRES PROTEGEES

Yaoundé le 1^{er} Mars 2007

A la demande de la société GEOVIC s'est tenue dans les locaux du Ministère des Forêts et de la Faune le 1^{er} mars 2007 à Yaoundé, une séance de travail entre la société GEOVIC Cameroon représentée par le Bureau d'études Rainbow et la Direction de la Faune et Aires protégées.

Objet :

Cette réunion avait pour but de discuter les propositions de l'EIE du projet Nkamouna en matière de gestion de la biodiversité, recueillir les observations de la DFAP et de faire des propositions/recommandations pour une bonne mise en œuvre des mesures d'atténuation proposées, notamment en matière de modalités de collaboration et de coordination des interventions sur le terrain.

1. Les propositions de l'EIE

L'EIE de GEOVIC a proposé une stratégie basée sur des partenariats en vue d'adresser de manière collégiale les questions liées aux impacts sur la biodiversité flore et faune qui seront causés par la mise en œuvre du projet minier. La mise en œuvre des plans de suivi spécifiques proposés tant sur le site minier que pour la réserve du Dja, nécessitent la collaboration de nombreux acteurs à travers des partenariats et accords pour la réalisation des actions spécifiques.

Le Plan d'Action Environnemental et Social du projet minier (cf 3.2.2 du résumé analytique) indique que «... GeoAid contribuera également à la préservation de la biodiversité en appuyant les pouvoirs publics et les ONG impliquées dans la planification, l'élaboration, la mise en œuvre de la gestion durable des aires protégées ainsi que la gestion et l'aménagement d'habitats spécifiques »

L'étude d'impact propose un processus participatif pour l'élaboration d'un « plan de gestion de la biodiversité ». Ce plan détaillé servira de plate forme de collaboration et de coordination des interventions.

2. Observations formulées par la DFAP

Le projet présente de nombreux risques sur l'environnement ; L'EIE a bien décrit les impacts potentiels du projet sur la flore et la faune. Les mesures proposées sont restées générales.

Tout en reconnaissant la pertinence de l'approche proposée les participants ont relevé l'importance de clarifier dès à présent les domaines d'intervention prioritaires et les recommandations ci après ont été formulées :

3. Recommandations

Circonscrire les actions concrètes de GEOVIC de la biodiversité :

- Renforcement de la lutte contre le braconnage et l'exploitation illégale des ressources forestières ; financement des actions de LAB à la périphérie Est et Nord de la réserve du Dja suivant une stratégie LAB élaborée par le service de la conservation.
- Mesures alternatives d'approvisionnement en protéine ;
- Plateforme de collaboration GEOVIC et guides chasse actifs dans la région pour atténuer les impacts ;
- Appui au suivi bioécologique (périodicité de 5 ans...) ;
- Education environnementale ;
- Réglementation intérieure à la société GEOVIC précise et forte sur les aspects faune ;
- Appui à la formation technique des locaux.
- Signaler le projet de création de l'UTO pour les 9 UFA dont l'exploitation a été gelée pour la conservation. Il existe des propositions de gestion de cet espace.
- Prévoir le reboisement sur les sites après exploitation.
- Appui aux initiatives de gestion communautaire des ressources forestières et fauniques.

4. Conclusion

L'élaboration du Plan de conservation de la biodiversité prévue par la stratégie de GEOVIC après l'obtention du certificat de conformité environnementale devra prendre en compte les recommandations ci-dessus ; cette activité prioritaire devrait être engagée dans les meilleurs délais.

La DFAP reste disponible à collaborer au développement de ce projet.

5. Participants (voir liste en annexe).

**PV DE LA REUNION ENTRE WWF-CARPO et GEOVIC.
Yaoundé le 15 février 2007.**

Le 15 février 2007 a eu lieu au bureau du WWF à Yaoundé, une séance de travail entre la société GEOVIC Cameroon représentée par Dr FOMETE Timothée mandataire de GEOVIC pour l'Etude d'Impact Socio-Environnementale du projet d'extraction de Cobalt Nickel à Nkamouna dans l'Est du Cameroun, et le WWF représenté par Dr USONGO Leonard, Coordonnateur du Projet Jengi et Dr Tchamba Martin.

Cette réunion avait pour but de discuter les propositions de l'EIE du projet Nkamouna en matière de biodiversité et d'examiner les modalités de collaboration.

L'EIE de GEOVIC a proposé une stratégie basée sur des partenariats en vue d'adresser de manière collégiale les questions liées aux impacts sur la biodiversité flore et faune qui seront causés par la mise en œuvre du projet minier. La mise en œuvre des plans de suivi spécifiques proposés tant sur le site minier que pour la réserve du Dja, nécessitent la collaboration de nombreux acteurs à travers des partenariats et accords pour la réalisation des actions spécifiques.

Le Plan d'Action Environnemental et Social du projet minier (cf 3.2.2 du résumé analytique) indique que «... GeoAid contribuera également à la préservation de la biodiversité en appuyant les pouvoirs publics et les ONG impliquées dans la planification, l'élaboration, la mise en œuvre de la gestion durable des aires protégées ainsi que la gestion et l'aménagement d'habitats spécifiques »

Cette approche est jugée adéquate dans le contexte du projet de Nkamouna et des suggestions pour l'amélioration du document d'EIE ont été faites par le WWF.

Le WWF et GEOVIC seraient disposés à collaborer dans la traduction opérationnelle de la Stratégie proposée et sa mise en œuvre à travers un plan d'action à définir dans le cadre d'un Memorandum of Understanding (MoU) entre les deux parties dont une première mouture est disponible.

En particulier, sous la tutelle du Ministère des Forêts et de la Faune ainsi que du Ministère de l'Environnement et de la Protection de la Nature, les domaines ci après ont été identifiés comme potentiels champs de collaboration :

- La lutte contre le braconnage et l'exploitation illégale des ressources forestières
- Le suivi bio-écologique ;
- Le suivi des impacts miniers sur la forêt et la faune.
- Développement communautaire.

Le WWF est disposé à contribuer au processus participatif prévu (cf Tableau 6 : coût et calendrier de mise en œuvre) pour l'élaboration du plan de gestion de la biodiversité. La finalisation de ce plan et son début de mise en œuvre avant l'ouverture de la mine est une condition essentielle pour limiter les impacts négatifs liés notamment à l'afflux des populations.

Le projet de MoU préparé par WWF sera examiné par GEOVIC et sa finalisation se fera suite à l'obtention du Certificat de conformité environnementale pour le projet de Nkamouna.

Pour le WWF : Dr Tchamba Martin.

Pour GEOVIC : Dr Timothée FOMETE.

Fait à Yaoundé le 16 février 2007.

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 attvached 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/MINE P 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 | |
| | Establish a platform for dialogue and collaboration with other important stakeholders (Conservation services, | - Platform endorsed by all involved stakeholders by end of first quarter of Action Plan Lifespan implementation | First quarter after signature of MoU | WWF | |

| 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/MINE P | |

| 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 | |