

GOVERNMENT FOREST POLICIES IN COTE D'IVOIRE

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Introduction

There is clear evidence that natural forests are being cleared at an exceedingly rapid rate (300,000 hectares per year) for shifting cultivation and increasing demand for land, fuelwood and commercial timber in Côte d'Ivoire. Even though some corrective actions, such as halting illicit farming, reforesting the forests and mitigating logging activities were implemented, present policies have not adequately countered forest degradation in the country (African Development Bank 1990).

This article is a review of government policies intended to prevent the destruction of forest resources in Côte d'Ivoire. A major question is whether Côte d'Ivoire can have sound forestry legislation in the light of development priorities that are centered on agricultural development. For forestry and agriculture coexist, policies are being developed to promote necessary intensive methods of farming while avoiding negative impacts on forestlands. However, to a considerable degree, these policies have considerable drawbacks despite well-intentioned development goals. The shortcomings often result from both a failure to understand the issues and from lack of program execution.

Historical Perspective of Land Tenure Policies

Private claims and the acquisition of land title in Côte d'Ivoire were historically based simply on evidence of active land use (Heath 1993). Early period colonial rules allowed French authorities to claim all vacant and uncultivated lands under the decree of July 20, 1900. This act denied the indigenous farmers ownership of land not under cultivation. The main reason of the decree was to increase land ownership among French colonists (Heath 1993). This vision of

colonial administration was furthered by the decree of July 25, 1932, which stressed legal procedure for obtaining individual freehold title to land. A subsequent decree, dated November 15, 1935, reaffirmed the principle that all lands not under cultivation belonged to the state.

In addition, the decree of 1935 stipulated that even land under customary law that was currently in use could be expropriated by the state if there were an economic justification for doing so. On the basis of this policy, the colonial administrators settled migrants (mainly Baoule and Senoufo) in central and northern Côte d'Ivoire, without seeking the permission of the local inhabitants (Heath 1993). Their objective was to stimulate the production of main cash crops such as coffee and cocoa that the indigenous farmers were slow to take up (Raulin, H. 1957; Hecht 1981).

This decision was systematically reversed by the decree of May 17, 1955 which rejected government claims to vacant land not under cultivation or unexploited. However, for anyone to stake a claim to a piece of land, it was important to show either that the land was not subjected to customary law or that the customary claimants had waived their right to the land (Heath 1993). The Policy of 1955 may have been reflective of a general trend toward liberalization by the French authorities. The effect of the reversal was to stimulate a rapid acceleration of rural land transactions in areas that had, in principle at least, been part of the public domain (Heath 1993). As a result, private plantations were created and timber concessions were available to absentee landlords, European and Ivorian alike, who employed mostly migrant laborers. Changes to land ownership tends to encourage "privatization," rather than strengthening traditional land rights. And this helps to explain, from an early date, a high incidence of land sales in the western forest (Heath 1993).

Land Tenure Legislation Following Independence

With independence acquired on August 7, 1960, and the promulgation of the new constitution, the government of Côte d'Ivoire reaffirmed land tenure laws inherited from France (Heath 1993). It was obvious that there remained a fundamental conflict between indigenous customs, which believe that land ownership (as opposed to usufruct) is inalienable, and the emphasis on private freehold maintained by European legal traditions (Heath 1993). According to Webster's dictionary "usufruct is defined as Roman and civil law which gives the right of using and enjoying the fruits or profits of an estate or other thing belonging to another, without impairing the substance".

Finally, the government sought to establish the primacy of state rights and updated modern procedures over customary laws. A 1963 bill declaring that all lands that were not valued or unregistered were the property of the state was never formally promulgated. The most important government initiative remains the decree of March 20, 1967, stating that "land belongs to the person who brings it into production, providing that exploitation rights have been formally registered." Coulibali and Sawadogo (1991) argued that the second clause of this decree tends to be overlooked; the 1967 edict (reaffirmed in the President's celebrated Daloa address of 1968) has been used by indigenous and migrants alike to legitimate the clearing of unoccupied land (Heath 1993). To continue with this philosophy, the government further sought to assert its claim to land by confirming that "the state is the owner of all unregistered land", "customary rights to land are abolished" and "no compensation will be paid to so-named customary owners" (Coulibali and Sawadogo 1991).

Early support for land registration has encouraged the government to take steps to ease the stringent requirements for acquiring land titles that were inherited from colonial authorities. However, while it intends to give the people ownership of the land, few could afford it. Full title can be obtained only after survey and registration work costing US \$170 per hectare in the early 1990s. As a result, less than one percent of the rural areas of Côte d'Ivoire have been thus registered (Heath 1993). The costliness of the process was a real barrier to obtaining full title. Thus, in practice, almost all forestlands remain subject to customary law. Any attempt to utilize them or develop forestlands must take place with the explicit cognizance of the traditional authorities; matriculation or land registration carries little conviction with these indigenous authorities and is regarded as an illegitimate imposition by the state (Heath 1993).

Despite customary land claim of the traditional authorities, the state managed to mark a "permanent domain". Permanent domain is defined as "protected" areas covering about 2 million hectares (4.9 million acres) (six percent of the national territory), with about one-third of this area consisting of gazetted forest (Heath 1993). Gazetted forest is defined as depleted forest. The government has never efficiently and effectively policed such public domain lands, and traditional chiefs have remained the effective arbitrators of access (Heath 1993).

Presently, land claimed by the state is subjected to private appropriation from two sides. It is appropriated by politicians and leaders who use their powerful positions to become owners of land, and it is appropriated by migrants who acquire use rights from local chiefs in exchange for gifts and lately, monetary incentives. In many cases, the politicians end up acting as patrons and protectors of the clandestines who have moved onto state land (Heath 1993). The contradictions in the state's policy have given the clandestines a certain leverage. For

example, in the 1970's, in a state park called Marahoue Park, the government evicted a group of clandestines, mainly Baoule, who had settled in the park and were depleting forest resources. However, shortly after their eviction, the clandestines were able to re-occupy the land after a successful appeal to the President (Heath 1993). Therefore, as long as politicians are involved in land transaction itself, public agencies will lack all credibility in the eyes of local chiefs.

Reorientation of Forest Policies of the 1990's

It is sometime hard to separate the agricultural policies from forest policies in Côte d'Ivoire, for the Ivorian economic development is essentially based on agricultural production that affects the forest utilization and management activities. Sustainable agricultural policies would definitively encourage sustainable forest utilization and management. Thus, to control the deforestation and to promote forest conservation, the government of Côte d'Ivoire has decided to promote its agricultural policies by offering high producer prices and easy credits to farmers to use more chemical inputs to produce commodity crops from the same plots on yearly basis. In 1995 alone, it provided US \$4 million worth of chemical inputs subsidy and free seed supply to cotton farmers (NTDB 1996). Tariffs for the import of agricultural inputs were also reduced. In implementing its economic development policies, the government's new strategy shows a clear shift, one which now emphasizes productive sectors beyond agriculture to alleviate pressure on forestlands. This strategy is seen as a second era of government economic development focus, one which provides greatly expanded and stable prospects for growth and encourages economic development of Côte d'Ivoire's untapped mineral wealth (NTDB 1996). In this way the base of economic development will be diversified and forests conversion for

agricultural use will be minimized. There is evidence that significant deposits of oil, gas, gold, nickel and other minerals are available. New policies and regulatory framework are being developed in order to promote growth in mining activities and to further develop the country's offshore hydrocarbon resources. Finally, with this new economic development strategy, pressure can be alleviated on the forestlands while sustainable forest management will be pursued and the economic growth will continue. In 1996, agricultural development maintained its dominant position and for that purpose the government allocated a capital budget of \$178.85 million for agricultural investment projects. Strategies of development need to be changed. More investments in forestry need to be promoted for forest development programs in Côte d'Ivoire. Forest development programs should heavily rely on indigenous people, as they are the ones using the forests. **Table 1** shows the 1996 agricultural investment budget allocation. Aside from general support and administration forestry is the dominant sector with regard to budget allocation.

Table 1. 1996 Agricultural Investment Budget Allocation (US \$ million)

Industry Sector	Budget Allocation
Rubber	2.44
Coffee	9.00
Fruits	.22
Vegetables	.21
Rice	8.37
Other Food Crops	4.87
Animal Husbandry	15.30
Fisheries	.74
National Parks	4.4
Forestry	34.50
Integrated Operations	42.70
General Support	56.10
Total	178.85

Source: National Trade Database 1996. Data are converted from Franc CFA into US \$.
Exchange rate: US \$1=500 CFA

Concession Policies

Government policies dictate log harvesting by the private sector. Forest concessions are issued by the Ministry of Agriculture and Wildlife Resources to applicants based on established conditions such as financial strength and entrepreneurial abilities. Individuals with inadequate financial resources to purchase processing facilities are granted licenses for a duration of five years with the possibility of renewal, while licenses granted to processing firms are generally given for a period of fifteen to thirty years. The number of licenses granted is determined according to the financial strength of the individual or company. It is the responsibility of the agents of the Ministry of Agriculture and Wildlife Resources to identify the number of concessions on which timber is available for harvest on a yearly basis. Only one third of the total concessions available can be harvested annually because of conservation concerns.

The government of Côte d'Ivoire, as part of a goal to develop sustainable forest management, organizes individuals with no processing facilities and affiliates them with various processing firms. As a result, only the affiliated firms may purchase timber harvested by these individuals. Under these conditions, all concessionaires are required to undertake development and long-term forest regeneration programs on their concessions.

Forest Regulations

Government regulations are geared towards reducing log exports. Since the early 1980s, the government of Côte d'Ivoire has established regulations to restrict the export of the most merchantable hardwood species. For example, in 1981 the government decided to place a ban on the export of iroko (*Chlorophora excelsa*) and sipo (*Entandrophragma utile*) logs, requiring that they be processed domestically to enhance the country's secondary wood processing industry, increase employment and add export value.

Following is the chronology of actions taken in the area of log exports:

- ?? In January 1982, export quotas were instituted on logs of all species and log exporters were required to obtain an export allocation from the government.
- ?? By April 1982, log exports from open woodland (savanna) and marginal forest areas of the northern and central parts of Côte d'Ivoire were prohibited. The government's goal of prohibiting log exports from open woodlands was only applied to the northern and central regions in order to improve the supply of logs to sawmills in those regions.
- ?? In 1983, log exports from concessions allocated to the processing industry were prohibited.
- ?? In 1984, the export tariff on hardwood logs was increased, raising the export price.
- ?? In 1991, the government instituted a monthly auction system for log export quotas.
- ?? In January 1992, the government published a decree to extend the ban on the export of logs to include species such as acajou (*Khaya Ivoensis*), avodire (*Turraeanthus Africana*), and makore (*Dumoria spp.*).
- ?? In 1993, the export of all logs was placed on a quota basis.

And finally, in October 1995, Côte d'Ivoire instituted a total ban on the export of all hardwood logs except teak logs that can be exported to be processed due to the lack of availability of modern technology.

Non-Forest Policies of the 1990's

Non-forestry policies in Côte d'Ivoire have caused more extensive forest destruction than "misdirected" and "misapplied" forestry policies have. Most obvious are the effects of policies leading directly to physical intrusion in natural forest areas (Repetto et al. 1988). These include agricultural programs under which production has been encouraged by government subsidy, through recently established social programs. The goal is to encourage young people to enter agricultural production. As a result, a special delegated Ministry was established in 1994 under the Ministry of Agriculture. This newly created Ministry has been set up to promote the entry of young people into farming. Consequently forestland depletion will continue to persist.

Many such projects are politically driven and have questionable economic worth, even apart from the forest and other natural resources losses they impose (Repetto et al. 1988). For example, agricultural expansion policies overemphasize cash crop production at the expense of other potential benefits and forego potential long-term benefits for lesser transitory gains. Potential benefits from forest exploitation are dissipated in agricultural expansion. Despite official endorsements of conservation goals, government policies contribute significantly to the rapid deforestation now under way in Côte d'Ivoire. Why were these policies adopted, and why do they persist? The answer lies in policies that are intended to reward special interest

groups such as the “elites” in power. Also the existence of vast commercial rubber, coffee, cocoa and palm oil plantations, and large resources from harvesting timber attracted elites as well as businessmen, usually Lebanese and Italian, to the opportunities for immediate gains (Repetto et al. 1988).

Forestlands have been exploited for a few valuable commodities, ignoring other tangible and intangible benefits (Repetto et al. 1988). Natural forests serve both protective and productive functions. Forests have been exploited as if only two resources were of significance: the agricultural land and timber (Repetto et al. 1988). As a result, the capacity of the natural forest to supply a perpetual stream of valuable non-wood products that can be harvested without damaging trees, has been overlooked. These include such commodities as nuts, fibers, oils, honey, plants and animal products. In forest resources and economic development, these products need to be taken into account as well, since their economic strength and contribution to development on a local and community level may be extremely important.

Development planners have proceeded to exploit forest resources for commodity production without adequate biological knowledge of their potential or limitations or awareness of the economic consequences of the country’s development policies (Repetto 1988; Anonymous 1993). The values of many tree species are not known so most trees are treated as weeds and destroyed during logging, shifting cultivation and bush fires.

Another area of concern is land-tenure policies that stimulate deforestation. The most direct are “tenurial” rules that assign property rights where the planting of crops such as coffee and cocoa for example, provides a recognized claim to ownership or control of land. Such

practices have encouraged small farmer expansion into forested zones and some “elites” to amass large forest holdings (Lumpungu 1977, Repetto 1988 and Laarman et al. 1992).

Externally Funded Forest Sector Development Programs

Programs of forest rehabilitation are mainly financed by foreign donor agencies. In 1995, the government of Côte d’Ivoire’s development budget for the forest sector was US \$15.2 million from which US \$13 million were provided by foreign donor agencies (NTDB 1996). This budgetary allocation is to enable La Societe Pour le Developement des Plantations Forestieres (SODEFOR), the forest management agency, to continue its program to manage, protect and regenerate the classified forest area and to pursue forest plantation programs.

The 5-year sectoral forest project, started in 1991, is the country’s largest forest development project financed by the World Bank and the Commonwealth Development Corporation at a total cost of US\$48 million. The project involved demarcating an area of 1.5 million hectares (3.7 million acres) as classified forest, restoring 700,000 hectares (1.7 million acres) of forest, maintaining 55,000 hectares (135,910.5 acres) of forest and planting a new forest on 9,000 hectares (22,240 acres) of land (NTDB 1996). Other projects which concern mainly forest replanting include an African Development Bank forest project in the north and central regions, funded at US \$3.8 million in 1995 and a French Caisse for Development project in the southeast, with an allocation of US \$1.75 million for forest management. Out of 1995 budget of \$15.2 million Côte d’Ivoire allocated \$2.2 million and \$13 million came from external funding for forest regeneration programs. This means that Côte d’Ivoire alone can not afford forest maintenance programs.

Conclusion

Much needs to be known about potential regeneration of currently valuable tree species and successful management of heterogeneous natural forest for sustained yields. Lack of knowledge in forest utilization may confirm the assertion that the forest may hold unknown treasures. Problems associated with forestland ownership are in part rooted in French colonial rules under which vacant lands were government property. Forest policies and forest laws have to be continually reversed, updated and adapted to social conditions if they are to remain relevant. Land acquisition and utilization laws should be clearly defined to hold indigenous people accountable in their behavior of viewing land as a commodity. This way, wasteful forest utilization will be prevented and sustainable forest utilization and management will be promoted in Côte d'Ivoire. Government should secure the participation of all stakeholders in forest utilization and management, and in formulating present-day policies and/or laws, while ensuring sustainability of its forest resource through safeguards on control. Programs of economic development should be well assessed to guarantee short-term and long-term benefits and improve the position of the underprivileged relative to the upper classes.

Since agriculture remains one of the main sources of national income, sound agricultural policies should positively affect forest utilization and management practices in Côte d'Ivoire. It is also important that forest policymakers take in consideration local customs and traditions, and even be able to assess the needs of indigenous people while formulating forest policies. The adaptation of colonial land tenure policies should only be necessary when it is beneficial both to the society and to the economic growth. Government should stop to promote the idea that

“natural forestland does not belong to anyone but to the individuals who value it” in that way, people will not compete among themselves to acquire forestland that is already scarce in Côte d’Ivoire.

Thus, the successful development policy strategies should not exclude forest utilization and should integrate and emphasize both economic growth and social objectives for the well being of the citizens and the health of the ecosystem in Côte d’Ivoire.

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