

Case study 3 - The Promotion of a National Policy and Governance Agenda for Conservation : Lessons Learned from the Republic of Congo

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Background

The Republic of Congo (ROC) has a surface area of 325,000 km² with 60 percent forest cover, distributed in two major blocks: the Mayombe and Chaillu massifs and the great forest block of Northern Congo. Congolese forests that are an integral part of the Congo Basin are home to the greatest biological diversity in Africa. They contain many species of wild fauna of which some are rare and spectacular like the Gorilla, the Chimpanzee, the Mandrill, the Leopard, the Elephant, the Buffalo, the Bongo, the Grey parrot, the Abyssinian ground hornbill, the Aardvark, the African manatee, etc.; there are also high-value plant species such as okoumé, sipo, sapelli, oroko, longui, ebony, etc. Because of their exceptional importance at a global level, the forests of the Congo Basin in general and those of the Republic of Congo in particular require great conservation efforts. The conservation of these forests is not only essential for the wild fauna and flora

but also for the millions of people for whom they are the only source of satisfying the most basic of needs – the need for food, medicinal plants, shelter, fuel wood and other products. The forests play a leading role in maintaining the world's ecological balance and hence are indispensable for the wellbeing of humanity as a whole, directly and indirectly through various ecological functions that they fulfil. Their continued existence has to be guaranteed by sustainable and equitable management.

However, the Congolese forests are facing ever-increasing human pressures due to exploitation of resources, with a consequent significant loss of biodiversity. The main causes of this degradation are deforestation caused by forest exploitation and shifting cultivation (bushfires), subsistence hunting and poaching (commercial hunting). The practice of subsistence hunting is a tradition that has always been perpetrated from generation to generation to satisfy the animal protein needs of the rural population; the noble tra-

ditional rules of management guarantee sustainability of this practice. This balance is today being disturbed with the adoption of new management mechanisms that do not take into consideration traditional know-how. This imbalance is found at various levels:

- Logging and mining companies have opened new roads thereby facilitating access to areas hitherto inaccessible and that had served as refuges and zones of repopulation for animals;
- The staff needs of these companies have led to a demographic explosion and an increase of human pressure on forest resources (poaching and marketing of bushmeat);
- The gradual exploitation of new concessions accentuates pressure on natural resources at the detriment of indigenous village communities that continue to live in a state of perpetual poverty;
- In Congo, the forest is subdivided into Forest Management Units or FMUs, in accordance with Law No. 16/2000 of 20 November 2000 on the forestry code. For reasons of economic interest, these FMUs are primarily designated for timber exploitation and rarely or almost never as protected areas. The total surface area of exploitable forests is about 22,471,271 ha (FAO, 2005) of which 16,167,109 ha, more than 70 percent, are open to logging and this figure is constantly on the increase;
- The country has 14 protected areas representing about 11 percent of the national territory, but only those receiving financial and technical assistance from abroad are operational. Those that do not have any foreign assistance are effectively abandoned and they are in a state of serious degradation resulting from poaching and wanton exploitation of resources; this is the case with the Léfini Faunal Reserve some 200 km from Brazzaville, the Domonika Biosphere Reserve, the Mont Fouari Wildlife Reserve, the Tsoulou Faunal Reserve, the Nyangs Sud Hunting Ground and the Mont Mavoumbou Hunting Ground. The Government lacks the political will to promote protected areas and only contributes a trivial amount to their protection and enhancement. Out of the 11 per-

cent of the ROC's surface area covered by protected areas, only about half of this area receives partial protection thanks to support from foreign partners including the Central African Regional Program for the Environment (CARPE). Very few protected areas have been created after independence as opposed to forest concessions that are constantly on the increase. Protected areas attract very little interest from policy makers in spite of the important role that they play in the maintenance of both animal and plant species and the preservation of ecological balance. This lack of interest is mostly because, to date, no protected area has been put to good use (e.g., through the promotion of ecotourism) in order to generate appreciable economic revenues; there are no management plans;

- Even if the deforestation rate resulting from logging only averages 0.5 percent per year, the rate of biodiversity loss is reaching alarming proportions. The exploitation of logs affects the composition of forests and modifies the quantitative and qualitative availability of habitat for the animal species that depend on the forest.

The national legal arsenal supporting the sustainable management of biodiversity and the environment is made up essentially of three basic laws: Law No. 16/2000 on the forestry code, Law No. 48/81 of 21 April 1981 on the conservation and management of wild fauna and Law No. 003 of 23 April 1991 on environmental protection, together with their subsequent ancillary texts. The Republic of Congo has also signed up to several international and regional conventions such as the Convention on International Trade in Endangered Species of Wild Flora and Fauna, the Convention on Climate Change, the Convention to Combat Desertification, the Convention on Biological Diversity and sub-regional conventions such as the COMIFAC (Commission des Forêts de l'Afrique Centrale or Central African Forest Commission) etc. There are some problems concerning implementation of the law because of the very weak capacity of the public services responsible for its implementation; the transitory nature of some texts or some provisions; poor knowledge of the law on the part of the majority

of the public (due to lack of awareness and little popularization of legal texts). At an institutional level, the Ministry of Forest Economy is both player and referee for it is in charge of forest exploitation and of the management of biodiversity and protected areas. This situation does not favour the promotion of protected areas, especially as the Ministry's priorities seem to be geared towards accelerated exploitation of the forest (for timber) without any guarantee of the conservation of other resources such as wild fauna and non-timber forest products. The lack of capacity within the public services to monitor and control logging activities encourages fraud and causes inestimable losses in kind and in cash. It is estimated that about 40 percent of the timber exported from Congo is illicit. The forestry sector, though a revenue generator, only contributes a trivial amount to the economic development of the country and to the wellbeing of communities that continue to live in perpetual poverty. The redistribution of revenue derived from logging amongst local communities is a real problem.

This legal and social shortfall in terms of biodiversity management at a national level is gradually being overcome with the country's adherence to regional and sub-regional initiatives such as COMIFAC, the CBFP (Congo Basin Forest Partnership), RAPAC (Réseau des Aires Protégées d'Afrique Centrale or Network of Central African Protected Areas), CARPE, etc. Voluntary partnership initiatives with the private sector over issues such as timber certification, and on the legality of marketed timber (Forest Law Enforcement, Governance and Trade (FLEGT)) are tools that exist to help correct the persistent shortcomings of the forest sector in Congo. These initiatives and partnerships create consultation frameworks and can also lead to the revision and harmonization of policies and laws. Ongoing management plans in some forest concessions may contribute to improving forest management in Congo.

The question asked is: What needs to be done for logging to be sustainable and economically profitable in Congo? The answer to this question will undoubtedly come from partners such as CARPE.

CARPE strategy for the promotion of policy and governance for the conservation of natural resources

CARPE has been active in the Republic of Congo since 1995 by providing substantial support to the management of protected areas and their peripheries through a key partner – American NGO, the Wildlife Conservation Society (WCS) – that has given large amounts of money to develop activities for conservation and the sustainable management of natural resources in three protected areas, two peripheral zones, and a protected area under creation. These are the Nouabalé-Ndoki National Park, the Lac Télé Community Reserve, the Conkouati-Douli National Park, the peripheral zone of the Nouabalé-Ndoki National Park (Kabo, Pokola and Loudoungou FMUs), the south-east peripheral zone of the Odzala-Kokoua National Park (Ngombe FMU) and the national park under creation in the Batéké Plateau. WCS is the main partner of the Government of Congo on issues of nature conservation and protected area management.

A CARPE Congo Country Office has been operational since May 2006, and is run by a Focal Point. It serves as a base for carrying out the strategic objectives of the programme that include, inter alia, the reduction of the rate of deforestation and slowing down the rate of biodiversity loss through good governance of natural resources and institutional capacity building; and also for monitoring the activities of its partners. CARPE is more and more well known within the local administrations, scientific and public institutions as well as amongst civil society, thanks to its efforts to promote and disseminate information about its activities.

A local consultation and discussion forum bringing together the main actors involved in environmental and nature conservation issues has been set up. This forum is called the Country Team. The role played by the Country Office and Country Team is key – it consists of influencing national policies and governance on the management of natural resources in order to achieve the objec-

tives of the programme. To this end, activities are undertaken at various levels, and with various groups.

Local administrations in charge of environmental and biodiversity management issues

In the Republic of Congo, two ministries are directly concerned with environmental and biodiversity management issues. They are the Ministry of Forest Economy on the one hand and the Ministry of the Environment and Tourism on the other hand. The CARPE Focal Point works closely with the two ministries by putting at their disposal its expertise in the treatment of issues related to environmental and biodiversity management problems and by actively taking part in technical meetings and other activities of common interest organized by these ministries. Working sessions are regularly organized between the Focal Point and the technical departments on issues of concern. The Focal Point has encouraged the nomination of CARPE correspondents within each administration to maintain the momentum for collaboration and information sharing. Also, these administrations are represented in the Steering Committee for the selection of micro projects (Small Grants) and in the CARPE Country Team. The Focal Point, who has a not insignificant audience, regularly addresses technical papers on issues of concern (and sometimes of a sensitive nature) to the Ministers in charge of the environment, forestry and biodiversity, which have often had a positive effect.

Partners

The Country Office and the Country Team play a role in monitoring and guiding partners that receive funds from CARPE for carrying out activities on the ground. In Congo, the key privileged partner is the American NGO, WCS, that has signed memoranda of understanding with the Government of Congo to manage biodiversity in a number of protected areas and their peripheries. At this level, the Focal Point plays the role of facilitator between WCS and local administrations as well as other institutions working in the same field. It helps disseminate scientific information

gathered in the field to other conservationists, so that they can take advantage of it in their conservation activities. With local NGOs and other institutions, it has instituted various fora for discussion and consultation on the management of biodiversity such as the network of local environmental NGOs, the CARPE Country Team. The Focal Point takes part in guiding local NGOs and strengthening their operational capacities for them to be able to play their role of counterweight to the Government and actively take part in the management of natural resources. It is the same for village communities especially those that live in and around protected areas and in forest concessions. At the level of protected areas, the CARPE Focal Point supports actions aimed at organizing grassroots communities, raising their awareness on environmental preservation and community development initiatives. In collaboration with the management units of two large forest concessions in northern Congo, notably in Ngombe (IFO Danzer) and Pokola (CIB: Congo-laise Industrielle du Bois), the Focal Point has initiated activities aimed at organizing and preparing local communities so that they are able to benefit from revenues derived from logging and assisting them to carry out community projects. At the level of these two concessions, a village fund was created provisioned by part of the surface area tax that the company pays directly to the account of communities. There also, the CARPE Focal Point has supported a local NGO in drawing up a proposal to be submitted for funding to the CARPE Small Grants Scheme. It has to do with preparing village communities of the Ngombe forest concession to take up their rights and manage the revenue derived from logging in a sustainable manner, especially the village fund. The purpose is to strengthen these communities so that they fully participate in the management of the resource.

The Country Team is also a strategic instrument. By its very composition (actors and partners influential in conservation), it indirectly influences national policy and government decisions on the management of natural resources. Members of the Country Team, in their professional capacity, are directly involved in decision-making bodies in environmental and natural resource management.

There is permanent contact with local nature conservation NGOs and associations through the network established by the Congo CARPE Office. Capacity building for local NGOs is a key issue given the role they should play in influencing government decisions and policies. The results are very encouraging: two local NGOs – Conservation de la Faune Congolaise and Association pour la Protection des Ecosystèmes Tropicaux et Développement de la Sangha – are influential members of the independent observatory of the forests of Kabo, Pokola, Loundoungou FMUs (CIB) and actively participate in the processes of certification and of establishing the legality of marketed timber. These two NGOs have received CARPE training and have been recipients of the CARPE Small Grants 2006. They promote CARPE's vision in any discussions in which they have the opportunity to take part. Local NGOs have begun to assert themselves and have in some cases become indispensable to the private sector. Their advice is sought in the development of management plans for forest concessions, something that was rare and almost taboo a few years ago.

Parliamentarians

The CARPE Focal Point and the Country Team interact very closely with the Parliamentary Commission in charge of environmental issues with which working sessions are held fairly regularly to raise topical issues and examine the status of files related to the management of natural resources and the environment that have been submitted to the Assembly. They have worked to revive the process of promulgating the new law on wildlife, which has just been put back on the agenda of the next session of parliament for transfer to the General Secretariat of Government, the final step.

Local media

The Congo CARPE Office has contributed to the establishment of a communications network specializing in environmental issues. This network receives the regular support and supervision of the CARPE Office in Congo, which has already organized two capacity-building workshops for its benefit. The press is widely used to disseminate

environmental information; it has a significant impact on the public and the government. The CARPE Office in Congo contributes, and supports the publication of, articles on environmental issues and nature conservation in the local press. The same channel is used to some extent to attract the attention of the public and policy makers to issues of concern in the management of forest resources. Articles on forest management issues, such as sharing revenue from logging, deforestation and habitat degradation and the impacts of logging on the survival of indigenous communities, etc. have thus become quite common in the local press. The Focal Point is involved with the NGO INCEF (International Conservation and Education Fund) in the production and distribution of documentary films to raise public awareness on issues related to the environment and nature conservation and on advocacy of indigenous peoples. The same is true for awareness on legislation and national policy on conservation and natural resource management. The documentaries produced by INCEF are distributed across the country by partners involved in conservation and serve as tools for public awareness. A weekly programme called “espace environnement” involving the Country Office of CARPE Congo is broadcast once a week on national television. National and local radio are also used to disseminate environmental information. This is especially because the people in the hinterlands listen to the radio more than anything else.

The creation of the network of environmental communicators and the workshops organized for them have had a significant impact in the local press in relation to the increase of articles and column inches on environmental issues. Through this network, CARPE is becoming better known to the Congolese public.

The public awareness campaign on climate change launched by the ROC CARPE Focal Point has had a considerable impact. Public meetings held in halls and the screening of the film “La vérité qui dérange” has impressed more than a thousand people of all social levels on this important issue. This has had a ripple effect on other institutions such as UNDP and Médecins d’Afrique who have requested that the CARPE

Country Office assist them in the screening of the film. The Focal Point has received many requests for copies of the film which is not available locally.

A success story: Actions undertaken by the CARPE CONGO Focal Point to influence the suspension of the Ministerial Order No. 7053/MEF/CAB authorizing the killing of elephants in the surroundings of the Odzala-Kokoua National Park (Miélékouka zone) and Nouabalé-Ndoki National Park (Bomassa and Kabo zones) **Background:** Over the past five years, human-elephant conflicts have increased in Congo, especially in the vicinity of, or within, protected areas where elephants enjoy protection. The sites affected by this problem are the Odzala-Kokoua National Park and periphery, the Nouabalé-Ndoki National Park and periphery, and the Conkouati-Douli National Park and periphery. These three sites are the best protected from poaching in the country. The first is managed by EU-funded regional environmental programme ECOFAC with support from WWF and WCS; the other two sites are managed by WCS with funds

from CARPE-USAID, the US Fish and Wildlife Service, and other donors. Conservation efforts made in these areas have been successful, leading to an increase in the animal population. Large mammals in particular are increasingly abundant in the periphery and in areas of human occupation. As regards the elephant population, field data do not show an increase in the population except for migration to areas of human activity including the vicinities of villages and farmlands. This trend is observed at all three sites. Why elephants prefer the edges of villages to the depths of the forest is unknown. Some people, such as Forestry Administration staff, claim that the population has increased but there has been no inventory to confirm this. On the other hand, data analysis from game warden patrols has led to the following hypothesis: that pressure from poaching carried out deep in the forest pushes elephants to seek refuge around and sometimes in villages where they have more security because of the regular presence of game warden patrols. Poachers do not dare kill elephants in areas that are close to human settle-



The elephant in question in Bomassa (WCS Nouabalé-Ndoki)

ment for fear of attracting attention.

The presence of elephants in villages is certainly spectacular and attractive to visitors (tourists) who come. In Bomassa, for example, tourists have a 100 percent chance of seeing an elephant in the WCS base camp and in the village, and a less than 60 percent chance of seeing one in Mbeli bay for example. But this coexistence has advantages and disadvantages. In Bomassa, for example, people stopped planting cassava (a staple food) over five years ago because of the destruction of their farms by elephants. The WCS Nouabalé-Ndoki project has since then subsidized cassava for the entire population of Bomassa, something that is not sustainable. On the other two sites, crops are regularly destroyed by elephants, and the local people are demanding compensation. The farmers' anger is fierce, and can lead to attacks on conservationists and representatives of the administration in charge of wildlife and protected areas, to whom claims are addressed. In Miélékouka, for example, farmers locked up the conservator in exchange for compensation by the Forestry Administration for farms destroyed. However, it is necessary to ask if it was not a hoax by poachers to leave them free to rescue the ivory tusks from their hidden booty. The Miélékouka area is one of the hottest elephant poaching spots. About ten years ago, a mass grave was discovered with more than one hundred elephants, massacred almost at the same time in the Moadjé clearing. This massacre will be engraved in the annals of wildlife conservation in the Congo.

It should be noted that there has been no attempt on human life (no cases of human death).

Although conservation partners and managers operating on these sites initially downplayed the scale of the situation, they have recently begun to think and try to find solutions to this problem. In Bomassa, WCS launched an experimental pepper barrier to protect crops, which unfortunately has proven not to work. At other sites such as Conkouati, they thought of putting up electric fences to protect crops. The fences have been ordered and supplied; the farmers just need to install them and then wait for the results.

While partners were brainstorming and looking for solutions, the technical services of the forestry administration opted for killing the elephants without any reference or assessment and without consulting other stakeholders and partners. They submitted, without valid arguments, a draft order for signature by the Minister of Forest Economy. Despite the lack of arguments, the Order was signed by the Minister with immediate effect.

Faced with this momentous decision, which could trigger the killing of elephants on other sites already threatened by poaching, the Focal Point upon analysis of the situation began to take steps to engage with the Minister of Forest Economy in order to avoid disaster. He wrote to the Minister of Forest Economy seeking suspension of the Order and consultation with other stakeholders. The Minister responded by convening an urgent meeting with partners. The meeting took place in a tense atmosphere, but the outcome was favourable – the Order in question was simply suspended.

For the record, this is how the Congo CARPE Focal Point was able to save elephants and at the same time influence the position of the Forestry Administration, which now always asks for the opinion of the Focal Point and partners in such circumstances.

Some lessons learned

Lessons learned are summarized as follows :

- The country offices of CARPE generally not only contribute to the promotion of the programme in the host country, they play an important role in national policies on environmental management. They become to some extent indispensable.
- Close collaboration with local administrations, political bodies such as Parliament, civil society, the media, research institutions, international agencies and other stakeholders is crucial in resolving environmental issues.
- Consultation and dialogue among actors remain an essential element of a harmonized approach to the resolution of conflicts and differing views on environmental issues and sustainable management of natural re-

sources.

- Man is central to all issues; the success of actions undertaken is reflected first of all in the interests of communities being satisfied.
- Good conservation and sustainable management of natural resources is not possible without taking into consideration the interests of local communities.
- Awareness and information dissemination as well as sharing of experiences are essential in changing habits and attitudes to environmental issues.
- Multi-faceted support and assistance of partners (donors and other funding bodies) remain the main and essential sources of support to conservation efforts and sustainable management of natural resources. The countries of the sub-region in general and Congo in particular can not do without these.
- Sub-regional initiatives such as the CBFP (without which partners

¹⁵ For more on gorilla nest counts, see Mehlman, P.T. and Doran, D.M. 2002. "Factors influencing western gorilla nest construction at Mondika Research Center". *International Journal of Primatology* 23(6): 1257–1285.

¹⁶ To emphasize the context of our work at that time, it is important to note that the first training was cut short and had to be completed in Butembo (Figure 3). After a week at Iseya, our group received word that armed forces of unknown origin (suspected Interehamwe) were camped only a few kilometres west of our position and were occupying a neighbouring village, and possibly intent on doing us harm. We immediately left, but two of the RDT supervisory staff courageously decided to go unaccompanied to the village to try to discuss the issue. They were promptly beaten, and taken hostage for three months before we secured their release. They remain with the programme today, one being the Director of UGADEC, and the other being a field supervisor for the RGT. The Interehamwe eventually left the village and today the village actively supports the Tayna Project. Since that initial incident, Tayna staff have never experienced a similar situation.