Chapter 6

THE PROMOTION OF NATIONAL POLICY AND GOVERNANCE AGENDAS FOR CONSERVATION

The Promotion of National Policy and Governance Agendas for Conservation: Lessons Learned from the CARPE Program

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1. Introduction

1.1 Overview

It is often said that policy and legislative issues are the bedrock of any socio-cultural and political structure – be it a small village community at the heart of the Congo Basin forest or a large state in central USA. This is obvious because they help control and maintain any structure, facilitate cohesion among actors, reduce conflicts and, above all, ensure the effective management of natural resources. While it is also true that most policies and legislations are in the form of written documents – as in modern States, others are not – as in village communities. However, whether they are written or unwritten, one thing is clear – they often manifest themselves in the form of unwritten norms, actions, behaviours, roles and statuses that help determine whether a person is acting conventionally or unconventionally. If not, cultural or political custodians tap from these policies and laws to come up with some corrective measures (sanctions, etc.) to ensure that deviants are brought back on track.

The diversity and complex nature of socio-political structures make it very challenging to put in place, and implement, appropriate policies and laws that effectively take into account both “modern” and local knowledge in natural resource management (NRM). To guarantee that the effective implementation of these laws and policies will have a significant impact on the ground, indicators need to be put in place that can prove that the rational use of these natural resources is fostering sustainable regional, national and local development. Some say that this is possible only if modern laws and policies are not only consistent with customary laws but also keep on adapting to innovative conservation dynamics.
Although most countries in Central Africa have taken giant strides in reforming most of their NRM codes, especially the forestry codes, there is still plenty of progress to be made. There has been a call for the various stakeholders to work alongside government officials to ensure that some of these laws are either reformed or adapted, or that implementation decrees are passed if this has not been done yet, as is the case with some countries.

This is why the CARPE Phase 2b programme, notably its governance components commonly known in our jargon as IR2 (Intermediate Result 2), has been focusing on good governance issues in natural resource management because it is an invaluable tool to avert forest degradation and the loss of biodiversity in Cameroon, Republic of Congo (RoC), Gabon, the Democratic Republic of Congo (DRC), Burundi, Rwanda, Sao Tomé and Principe, the Central African Republic and Equatorial Guinea. A major objective of the CARPE Focal Points and Country Team members is to facilitate good governance in the management and use of natural resources by focusing on strategies that will subsequently facilitate policy/legislative change and/or reforms.

Another crucial issue for CARPE is to push for a “people-centred approach” to conservation by facilitating the implementation of key reforms so that they can have sustainable impact on the lives of populations in terms of reconciling the conservation of natural resources and sustainable livelihoods.

To share their experiences with others, CARPE Focal Points have come up with four case studies on lessons learned from Gabon, Cameroon, RoC and DRC. The goal of these studies is to show that a good national policy and governance agenda is the bedrock to sustainable resource management and local development. They show how they have used concrete field data to help influence policies, laws and various regulatory frameworks (through advocacy, communication, etc.) or conversely have helped to create enabling policy and legal frameworks to facilitate work at the landscape level. The aim of this paper is to provide a synthesis of these four studies, showing some similarities and differences, followed by some key recommendations.

1.2 The importance of promoting a national policy and governance agenda for conservation

Although Central Africa harbours the richest biological diversity in Africa and is the second largest continuous expanse of tropical forest in the world after Amazonia, most environmental specialists and policy/decision makers are very uncomfortable with the persistent rate of forest degradation and loss of biodiversity in the region. Current NRM policies and legislative frameworks have not been able to effectively balance local and national development needs and the conservation of biodiversity. Some observers strongly believe that increased human population and lack of development opportunities are the major drivers of this unfortunate phenomenon. Other dominant dynamics include: unsustainable agriculture, irrational forest and mineral exploitation, armed conflicts, road construction without adequate environmental impact assessment, unsustainable hunting, poaching, fire, large population movements in times of war (refugees) etc., invasive alien species, climate change, etc. The armed conflict in DRC and RoC, the increasing problem of arid lands in the northern part of Cameroon as well as the vast, complex and enormous territory of DRC, have all made it very difficult to implement most of these policies and laws. Also, the creation of enormous tracts of protected areas in Gabon (13 national parks), without putting in place consistent institutions and policy mechanisms to manage them, has only fuelled additional pressure on these resources, creating discord between local populations, government officials and international organizations.

However, on analysis, some observers are of the opinion that the root cause of forest loss in Central Africa is the difficulty some decision makers have in coming up with, and implementing, effective, consistent, harmonized and feasible conservation and development policies and laws which aim to satisfy current human practical needs without compromising the use of these resources by present and future generations.

Although sound policy and legislative reforms aimed at reversing forest degradation and the
loss of biodiversity are currently in force in most countries in the Congo Basin, especially in Cameroon, Gabon, RoC and the DRC, a quick look at the various national policy and legislative agendas shows that their elaboration, implementation and monitoring differ from one country to another. For example, most observers are of the opinion that although Cameroon is regarded as “far advanced” in putting in place a robust environmental policy and legislative agenda (1994 Forestry Code; 1995 Implementation Decree; 1995 Forestry Policy, etc.), much still has to be done to facilitate their implementation, notably on community involvement in natural resource management and illegal logging. These tools not only failed to put in place appropriate implementation mechanisms, but also showed inconsistency between some articles and laws. Also, there are outright incompatibilities in some environmental policies and legislations when it comes to who is actually in control of certain resources. For example, some stakeholders and government officials in most countries are still confused as to their roles and responsibilities in managing various sectoral issues such as forestry, agricultural, lands and mineral resources, etc. Some of these gaps were not noticed when the laws and policies were drafted. To help remedy this, the Cameroonian Government, for example, has already put in place the necessary structures to reform its forestry law. Although their forestry codes have been updated in recent years, countries like Gabon and the Republic of Congo have still to step up their national strategies to effectively involve community-based structures in government efforts in natural resource management. Also, because of its vast and complex nature (2,345,000 km2), the DRC is currently struggling in its fight against poaching and illegal logging, mainly because of the lack of manpower, resources, funds and adequate modern technology to control their resources in spite of the adoption of their new forestry code in 2002.

However, although there are obvious problems, there is ample evidence that most countries in the region are taking giant strides to strengthen their good governance strategies to ensure effective natural resource management. For example in DRC, the Government, through its Growth and Poverty Reduction Strategy Document, has identified the forest as a key sector for development. This explains why the 2002 Forestry Code is the base for all forestry operations in the country. In the Republic of Gabon, the 2001 Forestry Code (Law N° 16/2001 of December 31) as well as the 2007 Law on National Parks (Law N° 003/2007 of September 11) brought in a lot of innovations in terms of forest and wildlife management as well as community-based natural resource management (CBNRM). In Cameroon, seen as the pioneer of forestry reform in Central Africa, the impetus came before and immediately after the 1992 Rio Conference with the creation of the Ministry of the Environment and Forestry (MINEF) for the effective management of flora and fauna. To this effect, the groundwork was set for the elaboration of the first draft document on forest policy in 1993 while one year later, the 1994 Forestry Law (Law N° 94/01 of January 20) was promulgated. This provided adequate material for the publication of the Cameroonian Forestry Policy in 1995. The Republic of Congo has not been lagging behind because the Government has been at the forefront in defining sustainable management policies and laws. The Government was praised when it produced its new 2000 Forestry Code (Law N° 16/2000) and the 2008 Law on the Conservation and Management of Wildlife (Law N° 37-2008 of November 28, 2008). The stage was therefore set for sustainable forestry management in all four countries.

At the regional level, there has been some consensus in Gabon, Cameroon, DRC and the RoC to join their other six neighbours in elaborating a consolidated Central African Forest Commission (French acronym COMIFAC) Convergence Plan – an outcome of the 1999 Yaounde Heads of State Summit and the 2005 Second Heads of State Summit that produced the COMIFAC Treaty. Most stakeholders were aware that laying down a harmonized regional policy framework was the only way to achieve effective natural resource management both at a national and sub-regional level.
1.3 CARPE’s approach to promoting a national policy and governance agenda for conservation

CARPE’s approach has been very proactive ever since its inception in 1995. In order to facilitate the implementation of its Strategic Objective which is to reduce the rate of forest degradation and loss of biodiversity through increased local, national and regional NRM capacity in nine Central African countries, CARPE and its partners have concentrated their efforts on capitalizing on the results of the first phase which focused on the increase of conservation knowledge, institutional development and capacity building of the various actors. This second phase has highlighted three main objectives – elaboration and implementation of sustainable NRM practices; the improvement of environmental governance; and the strengthening of natural resource monitoring capacity.

Following the recommendations of a mid-term evaluation report in February 2006, IUCN has become a core partner and, since October 2006, has been responsible for the “natural resources governance strengthened” component (IR2). Since then our major approach has focused on strengthening partnerships with existing governance structures, and encouraging host countries and COMIFAC/Congo Basin Forest Partnership partners to participate in the decision-making process of the programme, use the small grants to build the capacities of civil society organizations (CSOs) to advocate for policy and legislative actions, and increase communication between various stakeholders. With this new role, a CARPE-IUCN Regional Program Manager is coordinating the efforts of CARPE Focal Points to convene and coordinate Country Team meetings aimed at implementing and monitoring activities in order to promote short and long-term policy and legislative reforms. Country Team members include designated government officials, parliamentarians, national and international conservation organizations, bilateral and multilateral organizations, research institutes, etc. In addition to the organization of Country Teams, Focal Points organize a policy, regulatory and legislative agenda aimed more especially to build the capacity of local CSOs in their advocacy and social mobilization roles. Through Country Teams, the CARPE Focal Points also work with CARPE-funded Landscape and cross-cutting partners as well as other conservation actors in the countries. While some members seek to use their field research results to lobby for policy/legislative change in order to facilitate the sustainable management of natural resources, others engage in advocacy activities to facilitate the implementation of field-based conservation programmes. This approach has proved very successful over the years as Country Team members have contributed significantly to the elaboration of new laws and policies and the updating of archaic laws.

2. Review of the policy and governance case studies

2.1 Lessons learned from the Democratic Republic of Congo

With a surface area of close to 2,345,000 km², the forests of the Democratic Republic of Congo cover close to 60 percent of its territory and constitute about 50 percent of the entire Congo Basin forest area. However, although these forests are among the most biodiversity-rich in the world in terms of flora and fauna, its population is still poor with the majority living on less than a dollar a day. The reason for this unfortunate paradox was clarified by the authors of the Poverty Reduction Strategy Document who identified bad governance as one of the major causes of this poverty and suggested some critical issues that needed to be addressed to promote good governance. Most people identified armed conflict as a contributory factor to poor governance in the management of natural resources because it destabilized the capacity of public institutions and the local populations to manage these resources.

However, most observers believe that the ongoing democratization process should be pursued to promote good governance. The new constitution of the Republic, the new mineral and
investment codes, the 2002 forestry code, the decentralization laws, etc., are all evidence of the ongoing democratization process and the good intentions of the DRC Government. With the help of partners like CARPE, measures have also been taken to ensure the implementation of these NRM reforms. These include the cancellation of close to 25 million hectares of illegal forest concessions; the periodic publication of lists of forest contracts and their fiscal status to ensure transparency and sustainable use of natural resources; the recruitment of international independent observers to oversee the implementation of the forest exploitation reform; etc. Also, the recruitment of an observer to support forestry control and the preparation of the implementation decree of the Forestry Code was an important step taken by the Food and Agricultural Organization of the United Nations (FAO) and other partners who supported the process. The Government has also initiated reform of Law N° 069 on the protection of nature as well as participatory elaboration of a national forestry and conservation policy.

However, despite all these efforts most national and international conservation and development actors are strongly of the opinion that poor governance is still a very important issue in DRC. The issue of transparency, weak capacity at all levels of government administration to monitor illegal actions, lack of human resources and viable environmental information to foster good decision making, illegal logging in forest concessions, bad tax recovery systems, lack of some implementation decrees, numerous conflicts between forest exploiters and local communities because of inadequate gazetting system, etc. – all still prevail.

Most of these policy and legislative shortfalls were identified by DRC Country Team members who participated in the February 2007 CARPE Inception Workshop that launched Phase 2b and who have since then endeavoured to discuss some of these priorities with decision makers and other actors. Some members like the CARPE Landscape partners and others suggested that some important policy actions could only be properly undertaken if the Country Team was enlarged to include MPs, the private sector and strong indigenous and women’s networks. Once this was done, Country Team members were quite happy with the dynamism and results of the entire team. It has been quite easy to discuss issues and give technical, financial and strategic inputs to facilitate the elaboration or implementation of some draft laws.

To give some examples: representatives of the Country Team worked very hard with other actors as members of a validation committee put in place by a Ministerial Degree to elaborate a draft implementation degree of the 2002 Forestry Code. Their views as expressed in the Committee were simply a reflection of the views of Country Team members. The text was eventually signed and published under the coordination of FAO. Also, Country Team members facilitated the finalization and validation of the manual on the procedures for the attribution and management of Community Forests.

Since the implementation of the 2002 forestry code was an uphill task, Country Team members supported (technically and financially) the elaboration and publication of a commented version of the forestry code by Government experts. When published, this commented version (which will be prefaced by H.E the Minister in charge of forestry) will be widely disseminated to all pertinent forestry stakeholders. It will be translated into two national languages by the Country Team to facilitate its ownership by the local populations. Also, Country Team members carried out a lot of lobbying activities to make sure that civil societies (such as a member of the coalition of NGOs) are represented in pertinent NRM structures like the National Forests and Conservation Programme, the Forest Consultative Council, the Steering Committee in charge of revising the law on nature conservation, etc.

As regards capacity building, Country Team members have been very instrumental in building the capacities of DRC MPs, notably those of the environmental commission. This was done through the organization of training sessions on the Forestry Code (its vision and environmental challenges), illegal logging, the importance of ratifying and implementing international conventions, etc. Along the same lines, CSOs have been in the forefront when it comes to the conception,
elaboration, implementation and monitoring of policy, legislative and development projects. Country Team members help them lobby so that the results of their projects are better appreciated.

Over the years, Country Team members have been working with other institutions such as the US Forestry Service in a bid to make sure that the DRC government starts to consider elaborating a forestry zoning plan for the whole country. It is believed that this is vital in the fight against illegal logging because the information in a zoning plan would facilitate control of these concessions.

A summary of the lessons learned in DRC is as follows. Firstly, in order to effectively play their role, Country Team members should work in close collaboration with each other so that they can act as a joint force to lobby for policy and legislative reforms. Secondly, it will be very difficult to attain their objectives if the various actors do not develop and implement a robust communication strategy that facilitates the exchange of experiences and lessons learned as well as capacity building to promote policy and law changes and reform. Thirdly, in order to make the deliberations of Country Team members as effective and relevant as possible, the Focal Point and other members should organize preparatory meetings. This will help create synergy, save duplication and avert possible conflicts. Fourthly, it has been noted that the involvement of CSOs in policy and legislative debates is very important because it ensures that their interests are taken into consideration when elaborating and implementing these laws.

2.3 Lessons learned from the Republic of Cameroon

Some observers are of the opinion that the Cameroonian 1994 Forestry Law is the legacy of her three colonial masters – Germany, France and Britain. In fact, it was adopted two years after the Rio Summit and the creation of the then Ministry of the Environment and Forestry in 1992 which was the main government body in charge of the management of environmental issues. The 1994 Forestry Law, or Law N° 94/01 of January 20 as it is often called, and the 1995 Forestry Policy document promoted some sustainable management practices such as the fight against illegal logging; the gazettement of protected areas; reforestation; the recognition of the rights of indigenous and local populations; the need to reconcile conservation and sustainable development objectives; the recruitment of independent observers to monitor sustainable harvesting in forest concessions; and the setting up of efficient government institutions to ensure the effective implementation of these laws and policies. The Cameroonian Forest and Environment Sector Programme was adopted in 2004 and is considered a consolidated and comprehensive policy document that facilitates cohesion in the drive towards sustainable forest and environmental management.

Also, in 1999 when the Cameroonian President convened his peers in Yaoundé to attend what is now known as the First Central African Heads of State Summit for the Sustainable Management of Central African Moist Forest, most conservation and development stakeholders knew that things would never be the same again in Central Africa because of this commitment at the highest level. This facilitated the creation of COMIFAC, formerly known as the Conference of Ministers in charge of the conservation and sustainable use of the Central African Forest Ecosystems (up to January 2005) and later the Commission for the Forests of Central Africa, immediately after the Second Central African Heads of State Summit in February 2005 that was organized in Brazzaville by the RoC Head of State.

Unfortunately, in spite of this background, some observers are strongly of the opinion that although Cameroon is at the forefront in NRM reforms, there is still a lot to be done in terms of putting in place appropriate governance structures to facilitate their implementation. Numerous studies and observations have shown that corruption in the forestry sector is still rife, especially in forest concessions. Local communities are still complaining over their 10 percent share of forest royalties while women are yet to effectively take on their role in sustainable forest management, etc. The technology, manpower and funds to effectively manage the resources are still not suffi-
The Cameroonian Country Team knew that they had a big task ahead if they wished to reverse these trends. Through various strategies such as lobbying, capacity building, outreach, etc., Country Team members have done a lot in terms of improving the legal and policy framework (1994 Forestry Law and its implementation Decree of 1995, ratifying the Ramsar Convention, etc.). They lobbied for the update of the Document *Manual of the Procedure for the Attribution and Norms for the Management of Community Forests*. An advanced draft is currently on the table of the Minister of Forestry and Wildlife for signature. The draft decree regulating the management of wildlife, especially the norms and procedures for the attribution and management of Community Hunting Zones, is also available.

It was a unique opportunity to discuss the Ministerial Order No. 122 on the setting up of equitable access and benefit-sharing regimes for forest resources. Currently, Country Team members and other partners have been involved in discussions with the Cameroonian authorities to revise the 1994 Forestry Law. At the demand of the Ministry, members have contributed in the elaboration process of the ToR for a Consultant that will take the lead in the process.

As regards Ramsar, the Team provided the necessary technical support to the Cameroonian Government which subsequently led to the ratification of the Ramsar Convention in 2006.

Although information generation and sharing have been handicapped for some time now in Cameroon because of the lack of adequate capacity and information technology, Country Team members have, for example through Global Forest Watch, helped the Ministry in charge of Forestry (French acronym MINFOF) to collect, process and publish data each year on forest cover in forest concessions. Here, data on illegal logging and mining in forest concessions were collected and handed to MINFOF for appropriate decision making. Along the same lines, the Cameroon Country Team has set up the Environmental Journalist Network to facilitate the generation, production and dissemination of environmental information.

In the field of participation and capacity building, Country Team members took the necessary steps to facilitate the effective involvement of CSOs in relevant national and sub-regional meetings such as CEFDHAC (*Conférence sur les Ecosystèmes de Forêts Denses et Humides d’Afrique Centrale*). The Cameroon component of the CEFDHAC network (parliamentarians, young people, women, indigenous and local populations, etc.) participated in the entire CEFDHAC reform process and is still very committed to assisting in implementing its recommendations and fostering its links with COMIFAC. Also, the Team facilitated the activities of Access Initiative Network, a CSO that promotes public access to information, participation and justice in decision making that affects environmental management. The Country Team also supported local communities in establishing sustainable wildlife management activities. For example the Committee to Valorise Wildlife Resources (COVAREF) in eastern Cameroon is doing a great job in managing their community hunting zones to obtain the necessary funds to build schools, hospitals and other local development structures.

A summary of lessons learned in Cameroon is as follows. Firstly, to successfully push for good governance it is important to start by enhancing the legal, policy and regulatory frameworks. Secondly, lobbying for good governance in NRM is a painstaking exercise because it takes a lot of time and energy – one needs to work very hard to change predominantly negative habits which are deep in the fabric of some stakeholders. Thirdly, in order to achieve meaningful involvement of CSOs in policy/legal oriented issues, it is very important to simplify these numerous laws and policies and translate them into the national languages. Fourthly, it is not easy to work with some stakeholders in the Country Team who are not directly funded by CARPE because they do not feel obliged to implement some of the activities outlined in their Country Matrix. Fifthly, enhancing the capacity of CSOs is a prerequisite to ensuring their effective participation and involvement in natural resource management since they will acquire the necessary skills to compete with conflicting interests among other actors. Sixthly, although the small grants scheme is an effective way to support CSOs, it can be a source of
conflict if not managed properly. Seventhly, although the legislative arm of government is supposed to balance some actions of government, they often compete with some local organizations to manage these resources.

2.3 Lessons learned from the Republic of Congo

With its surface area of 325,000km², the Republic of Congo harbours one of the important segments of tropical forest of the Congo Basin. Because almost 60 percent of its territory is forested, the country is host to some of the richest biodiversity in the world. Over the years, these resources have been subjected to numerous human activities such as forest exploitation, mining, agriculture, etc. Unfortunately, these activities have often been carried out without adequate concerns for their sustainability. Studies have shown that if adequate precaution is not taken, these rich resources will be severely depleted over the years which will be very detrimental not only to the growth of the Congolese population, but also to the Congo Basin and the world at large. With the climate change debate now being taken seriously by most countries in the world, the Congo Basin forest is seen as a public international good that could help avert the negative consequences of climate change in the world.

To address this situation, the Congolese Government was quite aware that with these emerging dynamics, the old forestry law needed to be updated. It was because of this that after some participatory consultation among most relevant actors including local and indigenous populations, Law N° 16/2000 came into force in 2000. Alongside Law N° 48/81 of April 21, 1981 on the Conservation and Management of Wildlife (revised by Law N° 37-2008 of November 28, 2008 on Wildlife and Protected Areas) and Law N° 003 of April 23, 1991 on the Protection of the Environment, most stakeholders were certain that the management of these resources would certainly be ensured. At the regional level, the Congolese Government has often been at the forefront in facilitating the setting up of a regional structure that would ensure regional collaboration in the management of the Congo Basin forest. In 1996, the Congolese Government hosted the first Conference on Central African Moist Forest Ecosystems (CEFDHAC) which laid the foundations for coordinated management of forests not only among States but among all relevant actors such as parliamentarians, the private sector, research institutions, women, indigenous and local populations, etc. In order to consolidate some of the achievements brought by about CEFDHAC, the Congolese Government also organized the Second Central African Heads of State Summit in Brazzaville that culminated with the signing of the COMIFAC Treaty which is currently responsible for streamlining the management of the Congo Basin Forest.

In an ideal situation, one would expect that all of these regulatory frameworks would stop the unsustainable use of natural resources. Unfortunately, this has not been the case because illegal logging and corruption still prevail, unsustainable hunting and farming are still causes for concern, mining has not complied with existing norms, the manpower and funds to implement these policies and laws are still lacking, the management of protected areas has been very difficult, local communities have still not yet benefited from their rights, and decision makers have not been able to obtain adequate information to take sound decisions.

Given these circumstances, CARPE Country Team members went to work. For example, they took part in the preparation of Law N° 37-2008 of November 28, 2008 on Wildlife and Protected Area Management. The draft law on Fisheries and Continental Aquaculture was adopted by Parliament on December 10, 2008 and now members are lobbying for its promulgation by the President of the Republic. They have also lobbied alongside CSOs for the suspension of Ministerial Order N° 7053/MEF/CAB which authorized the killing of elephants at the periphery of the Odzala-Kokoua (around Miélékouka) and Nouabalé-Ndoki (around Bomassa and Kabo) National Parks.

Lessons learned from the Republic of Congo can be summarized as follows. Firstly, the Country Team is an invaluable catalyst for NRM policy and legislative reform or change because of its
diverse and expert membership. **Secondly**, it will be very difficult, if not impossible, to lobby for policy and legislative change and implementation if there is no collaboration between all necessary partners such as local administration, parliament, civil society, research centres, etc. **Thirdly**, dialogue and consultation among various actors remain a key factor to reducing conflicts related to the management of natural resources. **Fourthly**, since man is at the centre of all conservation efforts, the success of all our endeavours will depend on how well man is treated in terms of socio-economic-health development. **Fifthly**, awareness raising and sharing of information are vital for the sustainable use of natural resources because they help change attitudes and belief systems. **Sixthly**, it will be very difficult to implement all of these policies and laws if we do not have a sustainable funding mechanism and the necessary manpower.

### 2.4 Lessons learned from the Republic of Gabon

The current NRM regulatory frameworks in Gabon seek to facilitate the sustainable use of natural resources, and national growth. The elaboration process was fairly participatory since the Government took into account the opinions, views and preoccupations of all relevant actors. For example, the 2001 Gabonese Forestry Code (Law N° 16/2001 of December 31, 2001) and the 2007 Law on National Parks (Law N° 003/2007 of September 11 2007) facilitated the effective involvement of all actors in the management of forest resources and national parks. The laws sought to fill certain gaps found in Law N° 1/82 of July 22, 1982 on the management of water and forest, and brought in some innovations such as combating illegal logging and poaching, community management of natural resources, the link between conservation and local development, sustainable management of forest concessions, transparency and information sharing, etc. The law also laid down some hunting rules. To hunt, one must have one of the following permits: for small or large-scale hunting, for scientific hunting or for capturing wild animals alive. All these permits can be issued to both nationals and non-residents. However, this does not abrogate customary user rights for subsistence purposes. However, all has not gone well with the 2001 Forestry Code and that is why it was supplemented in 2004 by Decree N° 689/PR/MEFEPEPN of August 24, 2004 which clarified the technical management norms and the sustainable management of productive forests. But this did not seem to satisfy some managers who still find the law silent on important socio-economic issues. Also, the implementation of the code has encountered numerous problems: illegal logging and poaching because of inadequate control by the administration, corruption because of poverty and lack of ethics, inefficient conservation techniques, etc. Most observers are of the opinion that poaching is still on the increase because of the lack of an implementation decree outlining measures for effective law enforcement.

The Country Team in the Republic of Gabon has been very active – they played a key role in the elaboration and promulgation of Law N° 03/2007 of August 11, 2007 on National Parks. It is very important to note that this law has been long awaited, especially after the Presidential Decree of August 30, 2002 creating 13 National Parks. Conservation partners have always been calling for the creation of a National Park Agency to better manage these parks.

A summary of the lessons learned in policy and governance in Gabon can be summarized as follows. **Firstly**, management decisions that do not take into consideration the interests of the local population are destined to fail. **Secondly**, decisions that do not incorporate economic realities will be very difficult to implement. **Thirdly**, information campaigns should always go hand in hand with the adoption of any NRM law. **Fourthly**, because funds given to national NGOs are not sustained, conservation and development efforts are quite vulnerable after these funds are stopped. **Fifthly**, ministerial instability and frequent transfers of senior civil servants have a negative impact on natural resource management. **Sixthly**, partners should be patient because the adoption and promulgation of laws takes a lot of time. **Seventhly**, because conservation requirements do not often tie in with political and economic objectives, there are bound to be conflicts between NGOs and politicians.
3 Conclusion and recommendations

From the above we can see that although each country has its own specificities and philosophy in terms of the identification, elaboration and implementation of appropriate policy and regulatory frameworks, there is some common ground. Below are some lessons learned which are common to all four countries:

1- Lobbying for the adoption and promulgation of new laws and policies by Country Team members is not the only answer to sustainable natural resource management. It is very important to ensure that these new or reformed laws and policies are implemented on the ground and their impact felt by local populations and other actors in terms of socio-economic and conservation benefits. Past experience shows that often when some conservation NGOs, governments and community-based organizations have succeeded in having a new NRM law adopted or promulgated, most of them feel that they have “delivered the goods” – which is not necessarily the case, because a law or policy that is not fully implemented is just as bad as no law or policy at all. A strong recommendation would therefore be that in collaboration with governments, Country Team members should always formulate an appropriate strategy to make sure that these new policies and laws have an impact on the ground.

2- To successfully achieve good governance in sustainable NRM, Country Team members should build on each other’s comparative technical and advocacy experiences and advantages. If some members undermine the actions of other stakeholders (like competing NGOs) because they are competing for funding from donors or for favour from Governments, most of their resources are diverted towards irrelevant competition and latent conflicts among themselves. Country Team members have learnt from past experience and are now working very hard to create synergy in their activities. It is therefore very important to continue along this line if we want to be both time and cost-effective.

3- Although they lack the necessary capacity and funds to be effectively involved in natural resource management, CSOs are still very important actors because they facilitate buy-in from local populations and act as a counter weapon to some government actions which try to undermine their involvement. The IUCN-CARPE Small Grants Program has shown that with just a little seed money, CSOs can be helped to undertake very productive activities, with local, national and regional impacts.

4- In order to facilitate synergy and reduce conflicts, timely communication and information sharing among the various actors is very important to ensure efficient programme delivery. It is therefore very important for members to formulate a simple but appropriate communication strategy to be implemented amongst themselves.

5- The process of elaborating, adopting and promulgating NRM policies and laws can be very time-consuming. At times there are conflicting interests and viewpoints, and a lack of the necessary funds and other resources to effectively engage and involve all the relevant actors. It is vital that partners exercise patience because any hasty measures will surely be detrimental to the objectives of such an important process.

6- Capacity building of CSOs is a prerequisite to ensuring policy change or reforms; however, most CSOs do not often have the means or capacity to play their role fully. The Small Grants Program is gradually filling this gap.

7- Although the small grants scheme is an effective way to support CSOs in lobbying for policy and legislative change, it can also be a source of conflict if not well managed. This is because some CSOs are often competing for cash and will not hesitate to denigrate any competing organizations. It is therefore very important for donors to help create a friendly environment amongst CSOs.

8- Some stakeholders, including local communities, have been less supportive to the legal governance framework because it is
difficult to have a good and comprehensive understanding of laws and policies which are written in English or in French. It is therefore very important to translate some of these documents into national languages and promote peer capacity building.
Overview of the policy and governance context in Cameroon

The forest and wildlife policy in force in Cameroon is a combination of the consequences of its colonial history with Germany, Great Britain and France. After the reunification of the former Federated States of East and West Cameroon in 1972, the construction of a United Republic led to the nationalization of the judicial framework (forestry and land tenure) in order to begin to create harmony and coherence between the two systems, especially in terms of reconciling the fragile rights of local communities.

After the Rio Summit in 1992, the State’s leading objective was that the government should meet its national and international obligations, i.e., to curb practices detrimental to the sustainable management of forest resources and to ensure economic development of the country through forest exploitation. During this first period, forestry and wildlife policy could be summarized as follows: more emphasis was placed on regulating extractive activities like logging, with a few compulsory provisions on reforestation and a target of 20 percent of the country’s surface area to be gazetted as protected areas. Local communities’ user rights, which had been identified as being fragile and vulnerable to withdrawal (Obam, 1992), also began to be taken into account.

The Ministry of Environment and Forestry (MINEF) was created in 1992 and was the only government body in charge of the management of forestry and wildlife issues. The first forestry policy document was drafted in 1993, leading to the development and adoption of Law N° 94/01 of 20 January 1994, which lays down forestry, wildlife and fisheries regulations in Cameroon. This law is considered one of the most progressive in Central Africa for the following reasons:
firstly, the way forest concessions were allocated, taxed and managed changed significantly, giving way to the introduction of market pricing for timber through competitive auctioning of concessions. There are provisions for two independent observers to monitor transparency and compliance both during the allocation of forest concessions (first level) and during the exploitation of the timber in the field (second level). Secondly, the classification of the national forest heritage into Permanent Forest Estate (PFE) and Non-permanent Forest Estate (NPFE) is another important innovation. The PFE is the private domain of the State, and designated to remain forested in the long term. This includes production forests dedicated to timber exploitation, protection forests for the conservation of natural resources, research forest and recreation forest.

In 1995, the National Forestry Action Programme (PAFN) was presented as part of the broad National Programme for Environmental Management – PNGE (MINEF, 1995). The 1995 forestry policy, which is still in force, has the following five objectives:

- To ensure the protection of the forest heritage and to participate in the safeguarding of the environment and the preservation of biodiversity in a permanent way;
- To improve the populations’ involvement in conservation and the management of the forest resources in such a way as to raise their standard of living;
- To enhance the forest resources in order to increase the share of forest production in the GDP while maintaining its productive potential;
- To facilitate the renewal of the resource by regeneration and reforestation in order to perpetuate the potential;
- To rekindle or reactivate the forest sector by putting an efficient institutional system in place with the participation of all stakeholders.

Another important crossroads in the history of Cameroonian and Central African forest management is March 1999 when presidents and leaders from Central Africa met in Yaoundé and made a commitment to enhancing forest management. Cameroon immediately adopted an action plan in November 1999 that was revised in June 2000. It focused on the following themes: controlling illegal forest exploitation including poaching; and the increasing involvement of local populations in forest conservation. In 2002, at the World Summit on Sustainable Development (WSSD, Johannesburg), they signed up to the Congo Basin Forest Initiative which included commitments to better timber harvesting and processing technologies; ecotourism; increasing capacity for natural resource management in both the public and private sectors; and improving legal and law enforcement infrastructures. Targets are provided by an updated regional master plan being developed by the Central African Forest Commission in which Cameroon has played a key role.

Cameroon also adopted the Forest and Environmental Sector Programme (FESP) in 2004 which has been supported by donors since 2005. The FESP is a ten-year programme (2005–2015). It is a comprehensive and coherent policy document that facilitates sustainable forest management in Cameroon. Based on both forest and environmental legislation, the FESP prioritizes five components: 1) environmental management, including environmental monitoring and awareness; 2) production (concession contracting and supervision, promotion of industrial processing, etc.); 3) wildlife and protected areas (focusing more especially on the development of a network of protected areas properly financed and managed with local participation); 4) community forest management, with three sub-components: community forest management, community forest regeneration and fuel wood supply in the northern regions; and 5) institutional strengthening, training and research, focusing on the Ministry of Forestry and Wildlife (MINFOF) and the Ministry of Environment and Nature Protection (MINEP).

Environmental policy and governance successes over the past ten years

Although the current forestry and wildlife policy and laws in Cameroon are an exceptional achievement in the Central African sub-region, the
The WRI-Global Forest Watch/MINFOF agreement to monitor forest cover by tele-detection has enabled the mapping of different land-use options and delimiting forest concessions while at the same time controlling the implementation of management plans.

The Ministry also put in place a computerized system of forest management information (SIGIF) followed later by the Global Law Information Network (GLIN). The “Network” is a public database of laws, regulations, decisions, judicial and other complementary legal sources, compiled by the governmental agencies and international organizations. This system will surely reinforce access to information by all stakeholders.

Involvement in the Forest Law Enforcement, Governance and Trade (FLEGT) process. In a bid to facilitate good governance in forest management, the Cameroonian Government hosted the First African Ministerial Conference on African Forest Law Enforcement and Governance (AFLEG) in Yaoundé in October 2003. The outcome of this very important meeting was to provide Cameroon with the necessary conditions to start its negotiations with the European Union (EU) for a Voluntary Partnership Agreement (VPA) that will make it possible to reduce or even eradicate the illegal logging and trade in timber exported to the EU.

Cameroon also contributed to the setting up of a network of forest policies in the Congo Basin (REPOFBAC). Its main objectives were to promote information exchange between governments, while at the same time identifying priority areas for action, including forestry planning, the valuation of non-timber forest products, community participation, and decentralization.

The Cameroon Ministry of Forests and the Environment annually publishes the names of forestry corporations that are guilty of illegal practices in forest concessions. The Government’s desire to ensure transparency and participation in the management of protected areas through co-management has received a strong boost from framework and individual agree-

major challenge is to develop governance structures that will enable their effective implementation by all stakeholders.

However, although this may still appear an uphill task, efforts have been made both by the Cameroonian Government and its multilateral, bilateral and international partners. Several assessments of their implementation have already been carried out (Bikié et al., 2000; I&D, 2000; Global Witness, 2002; MINFOF, 2005; FGF, 2006; Karsenty et al., 2006). From these reports, some of the country’s efforts, and positive results that have strengthened environmental governance, can be highlighted:

- The allocation of forest concessions to concessionaires through public bids with the presence of an independent observer to facilitate transparency and competitiveness in the process;
- The recruitment of an independent observer in charge of monitoring forestry activities in the field which has helped in the reduction of illegal logging, poaching and the fight against corruption;
- The implementation of transparent practices such as the tri-monthly publication of forestry infractions and sanctions and the publication of the amount of annual forestry royalties dedicated to local councils (40 percent) and local communities (10 percent);
- The increased contribution of the forestry sector to the GDP. To make it workable, accessible and transparent, a special institution – the Forestry Revenue Security Programme (PSRF) – was put in place to trace and collect revenue from the sector.
- The Last Great Ape Organization (LAGA)/MINFOF agreement to fight commercial poaching and all related trade in endangered animal species by ensuring the prosecution of large-scale illegal wildlife exploiters, and running public awareness campaigns to increase the enforcement of wildlife law and the risks and penalties for wildlife crimes. Thanks to the activities implemented under this agreement, over 50 court cases have been initiated and wildlife crime is gradually being perceived as being as bad as other types of crime in Cameroonian society.

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ments signed with the World Wide Fund for Nature (WWF), aimed at improving the management of Cameroon’s wildlife and protected areas.

Some shortcomings in forest governance

Despite the above-mentioned advances, there are important weaknesses and outstanding challenges with regard to forest and wildlife law enforcement and governance:

- The persistence of corruption in the forestry sector has been a matter of debate and frequent criticism for several years. A World Bank report, for instance, indicated that during the October 1997 allocation of concessions, the specified allocation criteria were not fully respected. Because of behind-the-scenes shady dealings, competition among the bidders was not fair and as a result, a huge amount of forestry revenue for the State, the local councils and local communities was lost. The costs of corruption are estimated at 0.5–5 percent of the “coût de revient” of a logging company in Cameroon (Karsenty et al., 2006).
- The weak decentralization policy for timber extraction, intended to enable local communities to increase their benefit from forest exploitation. This approach was put in place to help communities to exploit and sell their forest resources by themselves rather than going through local mayors who are frequently guilty of mismanagement. Though this was a good approach in theory, in practice, the process seems to be controlled by local elites and authorities. Also, many studies have shown that the share of forest taxes transferred by the State to local councils (40 percent for the councils and 10 percent for communities) continues to be rarely invested in local development. This contributes to the failure of the State to meet the second objective of its 1995 forest policy, thereby putting into question the social legitimacy of its forest regulation and policies. The lack of transparency and accountability in the use of forest royalties (40 and 10%) by local councils remains a serious thorn in the side of equitable revenue sharing.
- The weak institutional performance of the administration. The fact that many illegal forestry activities are neither reported nor sanctioned could be explained by the lack of capacity (human, organizational, material) within the MINFOF. This also raises the issue of ownership of forestry reform by the administration. The multiplicity of administrative bodies in charge of forestry and environment is one of the causes of weak performance. The conflict between MINFOF and MINEP is an interesting illustration. MINFOF and MINEP have failed to put in place a functional framework for involving other stakeholders in the implementation of the FESP. The same lack of coordination leads to inconsistencies between the data on logging activities (SIGIF database from MINFOF) and the data on forestry revenues collected by the PSRF in the Ministry of Finance.
- Insufficient funding to facilitate the enforcement of forestry laws and policies. One of the reasons for the poor performance mentioned above is the lack of sufficient and long-term funding for the forestry sector. Though a Special Fund for Forestry Development (FSDF) was put in place following the enactment of the 1994 Law, the disbursement of money from the State Treasury to this fund doesn’t always comply with the law, partly because of the weak political position, and hence bargaining power, of the Forestry and Wildlife Minister. In 2005, 3.5 billion CFA were to be disbursed to the FSDF, but only 1.5 billion eventually got there.

The CARPE strategy for promoting a policy and governance agenda in Cameroon: activities undertaken and results achieved

After the WSSD, CARPE’s activities were
concentrated on six countries and the programme’s strategy was updated. Three intermediate results were anticipated, including forest governance and policies strengthened. To address this, CARPE relied on its partners to put in place a coalition of technical and strategic members to work towards improving environmental governance in the region, and strengthening their capacity to monitor natural resources. Under this approach, it was also anticipated that NGO/civil society initiatives would specifically address illegal logging, bushmeat poaching, and other natural resource governance abuses by bringing public attention to a given problem and generating public support at the national level for remedial actions by government through policy/legislative reform or change. To facilitate the host country’s participation, the Country Team group has worked in close collaboration with members of parliament, representatives from the Ministry of Forestry and Wildlife and the Ministry of Environment and Nature Protection, etc., under the supervision of CARPE Focal Points (FPs). The Country Team is a think-tank on pertinent issues related to policy and governance in natural resource management (NRM), and its major objective is to involve all relevant partners in the planning, implementation and monitoring of NRM projects and programmes in the country to facilitate a change or reform in policies and laws. It has a wide range of activities including data collection and analysis, advocacy, communication, etc.

To make their work as effective as possible, the group meets three times a year. The first meeting helps to identify and agree on: priority areas on governance and policy issues; a range of broad-based activities; and the role and responsibility of each organization. At the second meeting, each Country Team member presents his/her report based on activities on which he was the lead. One of the objectives of this second meeting is to help partners to carry out any necessary adjustments before the end of the year. The last meeting helps to assess achievements as per the plans made during the first meeting, and also start planning for the activities of the next CARPE fiscal year.

Below are some of the results that CARPE and its partners have achieved within the framework of the Country Team.

**Improving the legal framework**

The Country Team has contributed significantly in terms of promoting the Cameroon Government’s accession to international conventions and in setting up norms and procedures for access to wildlife resources. For example, the Government’s ratification of the Ramsar Convention in 2006 came immediately after the Country Team adopted an advocacy approach, contacting various stakeholders to explain the importance of the Convention. The Country Team also provided the necessary technical support through the elaboration of the RAMSAR Information Sheets that allowed the designation of a RAMSAR site around the Nyong area as a wetland of international importance upon accession. In addition, the Country Team organized a series of brainstorming meetings on the subject to present the usefulness of the Convention to Cameroon, Central Africa and the world. The Country Team also worked to elaborate norms and procedures that would ensure the devolution of forestry and wildlife management powers to local communities (Community Hunting Zones) by advocating this to the Ministry in charge of Forests and Wildlife. The group contributed in defining and facilitating a participatory process from which the draft norms and procedures for the attribution and management of Community Hunting Zones was developed. The Team also worked closely with the Ministry of Forestry and Wildlife to rally civil society organizations (CSOs) to participate in the review process of the Norms and Procedures for Community Forestry, and the Arrêté 122 for the setting up of an equitable access and benefit-sharing regime for forest resources. These texts have since been presented to the MINFOF for endorsement. To improve forest management in Cameroon, a working group was put in place to finalize the criteria and indicators in the Cameroonian context, merging the ITTO (International Tropical Timber Organization) and ATO (African Timber Organization) criteria. The CARPE Country Team played a key role here by working with other stakeholders to identify the most pertinent indicators.
The concept of “community forest” has been problematic since the process started ten years ago because some elites have been requesting forests purely for their own benefit. To avoid this unsatisfactory situation, the outdated manual for the designation, attribution and management of community forests is currently being revised. The Country Team members contributed directly to this process with their inputs during strategic, technical and awareness-raising meetings. For instance, members insisted on some critical aspects such as the responsibility for the Ministry of Environment and Nature Protection (MINEP) to assist communities in the realization of Environmental Impact Assessment studies. Through the CARPE and the Country Team support, CSOs were able to insist on some points which will certainly enhance the process. For instance, reducing the administrative burden through a decentralized system that will empower local MIN-FOF staff in remote areas was raised.

Information sharing

Governance and policy improvement in the sub-region have always faced the problem of sufficient accurate data due partly to the high costs of collection, analysis and dissemination.

Through Global Forest Watch (GFW), the Country Team has helped the Ministry of Forestry and Wildlife to collect and process data which has resulted in the publication of annual (Interactive Atlas) maps on the logging situation in Cameroon and this has helped the Government to take the necessary actions to improve governance in the forestry sector. The Interactive Forestry Atlas produced by GFW in close collaboration with the Ministry personnel was very helpful in tracking illegal logging. Other data collected on fraud and illegal exploitation of natural resources were also shared with the Ministry of Forestry and Wildlife and with the Head of the Cameroonian government (the Prime Minister). We had at least two meetings each year with the Minister of Forestry and Wildlife not only to share information in our possession but also seek advice and support from him on the way forward.

The Country Team has also been instrumental in organizing the annual field trip with donors to assess the main programme in the forestry sector (PSFE). Findings from this trip are shared with the public and policy makers.

To enhance communication and information sharing, the CARPE FP also organized a gathering of journalists involved in environmental issues in Cameroon. This was the first ever workshop seeking to enhance the capacity of media practitioners in effective environmental reporting with the aim of promoting participatory management of resources in Cameroon. The workshop covered several topics including approaches for measuring standards through statistical analysis of media output; fighting corruption; and informing the public of sustainable forest and wildlife management approaches.

Participation

To ensure effective good governance, the participation of all stakeholders, including civil society, is absolutely key. The Country Team promoted the participation of parliamentarians in the process. This participation has enabled decision makers to take into account rural communities’ voices in forest management initiatives. One example is the Conference on Central African Moist Forest Ecosystems (CEFDHAC), a forum open to all relevant forestry stakeholders in the region. Ideas and reflections from the Conference contributed to decision making by political authorities involved in environmental and forestry issues in Central Africa. For instance, the Conference signed an MOU with the Central African Forest Commission (COMIFAC). The group’s contribution to the CEFDHAC reform process was invaluable, notably because it will facilitate the sustainable management of the Central African forest ecosystems.

The Team was also involved in other coalitions or networks such as The Access Initiative (TAI) process, a global civil society coalition promoting public access to information, participation and justice in decision making that affects the environment. Under this project, a database of information was designed and several training workshops were conducted. Several networks such as the Network of African Women for Sustainable Development (Réseau Femmes Afri-
caines pour le développement durable – RE-FADD) working to improve resources management and transparency also received input from the Country Team.

**Accountability**

Accountability has improved in the forestry sector with the support of the CARPE Country Team. The Group has assisted local communities to set up management committees in charge of development plans from revenues received from the community-based wildlife management committees (Comités de Valorisation des Ressources Fauniques – COVAREFs) in South-east Cameroon. These committees are independent of local government administrative structures and accountable to communities because they have to justify investments (health centres, schools) against incomes received. Due to a lack of transparency in the existing management of forestry taxes, other committees are also following this example. Although mayors will still have to play a key role in the management of these royalties, they will be accountable to the committees in terms of the utilization of funds. The committee will also decide on the type of investment to make. The Country Team further contributed to the setting up of these committees with a rigorous and transparent supervision of the elections of their members.

**Access to justice**

Access to justice has been troublesome because most members of the judiciary have not fully mastered the provisions of the 1994 forestry code and its subsequent 1995 implementing Decree and hence they are scarcely competent to dispense justice. Also, it was believed that some members of the judiciary were corrupt, and therefore wildlife traffickers and illegal loggers could easily “negotiate” in court to obtain favourable judgements.

To address these problems, the Country Team organized two major training sessions with magistrates to explain the forestry code where about 20 individuals were trained.

Some partners such as LAGA investigated corruption within the judiciary in relation to wildlife trafficking. For the first time, this resulted in the conviction in May 2008 of a Senior Magistrate who was helping traffickers. The magistrate had been receiving money and ivory in exchange for his illegal services to them.

Also, with CARPE financial and technical efforts for special projects (CEW) and with the interactive forest atlas regularly produced by GFW, we helped the Ministry to track the illegal bushmeat trade and illegal logging. This resulted in several court cases, and eventually some convictions (see Annex 1).

Access to justice is also hampered by the general public’s lack of knowledge of the law. CARPE and the Country Team liaised with Citizen Initiative Governance (CGI), a non-profit-making association that publicizes citizens’ rights. CGI is currently setting up small offices in three regions including the east and the south where more attention needs to be paid to levels of forest exploitation. The purpose of these offices is to assist local communities in court cases. Most communities, NGOs and CGI staff themselves have appreciated the Country Team’s help in setting up these offices. Lawyers from this association will help the communities in cases which include, but are not limited to, land disputes, forest infractions, alienation of human rights etc.

**Lessons learned**

- Good governance in NRM is not well established and this has had a negative impact on natural resource exploitation in general and the forest sector in particular. This is because it takes a lot of time and energy to deal with the problem, especially as it is a phenomenon that is deep-rooted in the psyches of some stakeholders;
- To achieve good governance, it is important to start by enhancing the existing legal framework because some laws governing natural resource management have only recently been put in place and at times do not fully take into consideration the context where they will be implemented;
• Some stakeholders, including local communities, have been less supportive of the legal governance framework because it is difficult to have a very good and comprehensive understanding of laws which are written in English or in French;
• Working with different stakeholders within the framework of the Country Team without funding is a continuous challenge in a region where most stakeholders are used to working for cash. CARPE needs to explore the possibility of funding the existing targeted governance activities of some CSOs, aimed at achieving policy and legislative change and reform;
• Building CSO capacity is a prerequisite for effective governance; most CSOs do not have the means or capacity to play their role fully. The CARPE Small Grants Program for CSOs is gradually filling this gap;
• Although the Small Grants Program is an effective way to support CSOs, it can also be a source of conflict if not well managed. This is because CSOs often compete for cash, often blackmailing each other. Also, some of them seem not to understand that transparency in small grants management needs some stringent measures on the part of managers which at times might be looked upon as “unconventional”; 
• The decentralized approach put in place to make local populations more responsible for forest resources can be efficient if local élites do not prevent the people’s participation in both forest management and forest revenue investment;
• Community representatives like members of parliament must use their influence to question the executive arm of government on natural resource management during sessions of the National Assembly as this would certainly improve governance practices;
• Local radios have been set up throughout the forest area, but did not really play the expected role in governance due to a shortage of efficient technical staff and the necessary funds. In order to allow them to play their role fully, these shortages should be addressed;
• Both the COVAREF and the community forest could improve forest governance if local populations were fully involved in these processes. It is necessary to facilitate the legalization of the COVAREF and to finalize the community forest manual by including those civil society observations which support communities’ rights in this process.

Recommendations

The 1994 Forestry Law aims to enhance forest management in Cameroon but still has not been fully implemented to date, therefore non-practical segments of the law need to be reviewed. The fact that the right of indigenous or local populations to use land and forest resources is restricted could impact negatively on their willingness to control and contribute to sustainable forest management.

If reviewed, the forestry Law should strongly consider other sectors such as mining which could impact the forest cover and biodiversity.

It is important to implement systematic audits in the use of forestry taxes by decentralized structures (mayors).

It is also necessary to conduct Environmental Impact Assessments with recognized international standards for all projects that may have forest cover/biodiversity impacts.

Conservation initiatives in Cameroon are supported mostly by contributions from the international community, and as such are constrained in their effectiveness by their short-term nature. To achieve stronger policy reforms in particular and establish conservation programmes in general, Cameroon needs to increase the efficiency of the self-financing mechanisms that the Forestry Revenue Securing Programme (PSRF) has already put in place.

Annexe 1

16 Sociétés forestières suspendues

Décision No. 0145/D/MINFOF/CAB
Du 20 mars 2008
Le ministre des Forêts et de la Faune décide :

Art. 1. Les sociétés qui ne se sont pas présentes pour justifier de la provenance de leurs bois à l’issue des saisies effectuées au Port de Douala en octobre 2007 sont, à titre conservatoire, suspendues de leurs activités à compter de la date de signature de la présente décision. Il s’agit de :

- BK BUSINESS
- CAMFOREST
- EGB
- LL
- SOCIETE NOUVELLE FORESTIERE (SNF)
- TLC
- TT
- ETS JA BOIS (EJB)
- FZ
- ROCKFIELD TRADING CAMEROUN (RTLC)
- STE FORESTIERE ET DES SERVICES DU CAMEROUN (SFSC)
- TCS
- ETS TF BOIS (TF BOIS)
- TRANSATLANTIQUE CAMEROUN (TRANSCAM)
- TRANSPORT REPRESENTATION COMMERCIALE (TRECOM)
- ETS WOOD SUPPLY AND SERVICES (WSS)

Art. 2. La suspension ne pourra être levée qu’après production des justificatifs valables de la provenance des produits saisis.

Art. 3. Le directeur des Forêts, le directeur de la promotion et la transformation des produits forestiers, le chef de brigade nationale de contrôle, le chef de la cellule juridique, les délégués provinciaux et le coordonnateur du programme de sécurisation des recettes forestières sont, chacun en ce qui le concerne, chargés de l’application de la présente décision.

Art. 4. La présente décision sera enregistrée et communiquée partout où besoin sera.

(é) Elvis NGOLLE NGOLLE

Cameroun Tribune : Mardi, 25 mars 2008

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Introduction and background to forestry policies and legislation in Gabon

« The Long March » towards the rational management of natural resources of Central African countries remains intimately linked to the evolution of the legislative and regulatory framework in these countries. During the colonial period, the discovery of Okoumé, Gabon’s most valuable wood, and the ease of cutting veneer from it, made it possible to exploit it to satisfy the needs of all the countries of the north. The development of veneer cutting led to the standardization of the process by defining the exploitable diameter of the tree’s trunk, i.e., the precise diameter at which an okoumé tree can be exploited. The technology used at the time made the impact on nature insignificant. In a bid to perpetuate the logging potential of the forests of Gabon, Okoumé plantations were created. The concern for conservation was also extended to wildlife with the creation of rational exploitation and conservation areas for wild fauna.

In view of the enormous potential that the forest offers, African countries are increasingly adopting policies that address the economic and social development concerns of the population.

Thus, concerns about the sustainable management of natural resources are still strong today. There is an urgent need for a form of management that guarantees the sustainability of the resource and contributes to sustainable
Since the Yaoundé Declaration in 1999, countries of the Congo Basin have committed themselves to rational and sustainable management of their natural resources. This commitment aims at harmonizing all forestry laws with a view to joint management of the second largest forest complex in the world. In order to achieve this, they have to adopt several new laws that enhance the use and management of natural resources.

Gabon has reformed its legal framework by adopting two major laws based on the concept of sustainable management of natural resources. These are Law No. 16/2001 of 31 December 2001 on the forestry code of the Republic of Gabon and Law No. 003/2007 of 11 September 2007 on National Parks.

Since its launch in 1995, the Central African Regional Program for the Environment, CARPE, whose objective is “to identify and create conditions and practices necessary to reduce deforestation and biological diversity loss” has been committed to helping States formulate efficient national strategies that contribute to the conservation of resources and to building the organizational capacities of civil society actors in order to make them active partners for conservation. Members of the CARPE Country Team, and their partners, are sharing their expertise with the various administrations as they define national strategies for the rational and sustainable management of the natural resources that are the Congo Basin’s transboundary wealth, and draft and develop relevant legal texts.

**The new trends and limitations of the Forestry Code**

The 2001 Forestry Code, that abrogates the provisions of Law No. 1/82 of 22 July 1982, has brought about innovation in several areas of which the most significant are: forest management, wild fauna management and the issue of community forests.

Unlike the old forestry law that was silent on the principles of sustainability in the use of forest resources, the 2001 Forestry Code emphasizes forest management with the aim of rational and sustainable exploitation.

In fact, in Article 18 of the Forestry Code, before any logging, the logging company is required first of all to develop the concession using a plan that has to be validated by the administration. This includes management of wild fauna.

In addition, the management plans of forest concessions, called Forest Management Units (FMUs), include, beyond the technical aspects, two new concerns: a socio-economic analysis and the designation of a conservation zone within the concession.

The socio-economic analysis will make it possible to take into consideration the interests of the local communities living close to the concession (hunting grounds, farmlands …), and the conservation zone allows for participation in the management of fauna found in the concession.

Under the Code, three types of permits are henceforth recognized: forest concession under management (CFAD), for an area of 50,000–200,000 ha – mostly issued to large companies. The associated forest permit (PFA), reserved for nationals, for an area of 15,000–50,000 ha. Finally, the mutual agreement permit (PGG), also issued only to nationals for local processing, allows for logging up to 50 trees.

Whichever the size of the area, the logging company must carry out an inventory of all forest resources and evaluate them in order to determine zones meant for felling, with a logging plan, and those to be retained for conservation. These documents must be presented to the appropriate authorities to be checked. Further verification may be carried out by forestry officials on the ground.

The Forestry Code, supplemented by Decree No. 689/PR/MEFEPEPN of 24 August 2004 to define the technical standards for the sustainable development and management of registered productive state forests, remains ambivalent on the
socio-economic analysis specified in Article 21 – the text does not provide any explanation of this term.

The implementation decree, mentioned above, stipulates the role of each actor in the process of logging FMUs and extends to technical provisions.

As regards non-timber forest products, « obtaining a permit does not confer the right to exploit forest products including timber » (Article 148). Their exploitation remains under the area of customary usufruct rights and is defined by Decree No. 692/PR/MEFEPEPN of 24 August 2004, laying down the conditions for exercising customary usufruct rights in the areas of forest, fauna, hunting and fishing. The economic aspects of these products are not covered by the law. Exploitation of rattan is beyond the scope of usufruct rights.

Hunting out of protected areas is controlled by the issuing of permits or licences. The Forestry Code provides for six types of permits: small-scale hunting permit, large-scale hunting permit, scientific permit, permit to capture live wild animals, licence for commercial capture of live wild animals, and photo safari licence. These various permits and licences subdivided into categories are granted both to nationals and foreigners (Article 173). However, they do not override the customary usufruct rights of village communities to hunt for their subsistence.

In spite of these provisions, illegal hunting occurs in Gabon (Article 14 and 163) and is on the increase. Increasingly sophisticated networks of poachers are developing both inside and outside the conservation zone.

For provisions on the exploitation of wild fauna to be complete, they have to be accompanied by implementation decrees that will help organize and control the bushmeat sector, and make official the practice of hunting and marketing of hunting products. The increased presence of forestry officials, more staff training, and game wardens patrolling the conservation zone may help deal with illegal hunting.

In order for the major principles contained in the forestry code to become operational, they therefore require the enactment of specific decrees to implement them.

Initiatives supported by partners, aimed at effective management of wild fauna, will only be sustainable if the appropriate decisions are taken at the appropriate time, if comprehensive training of conservation officials takes place and if local communities are made more aware of all aspects of the law.

Community forests are another important innovation of the Forestry Code

Unlike previous forestry regulations, the Forestry Code recognizes the rights of the local population to exploit their forests. Seven articles describe how to create and manage a community forest. Such a forest, usually situated in a rural area, is the property of a village, a group of villages or a canton. The procedure for its attribution has been simplified for the decision is taken at the level of the provincial inspectorate of forestry.

According to the Code, the Head of the provincial inspectorate of forestry is the competent authority to whom members of a village community should address themselves when they wish to designate a community forest for exploitation. He/she will give an opinion on the matter while forwarding the file to the Minister in charge of forestry for a decision. The provincial services are also charged with assisting communities in developing the management plan for the community forest.

The provisions of the forestry code, relating to community forests, are supplemented by a regulatory instrument that is intended to guarantee transparency in the attribution and management of community forests for exploitation purposes.

In the long term, it would be beneficial for local communities to organize themselves into associations or cooperatives for more cohesive action. In order for them to be real community forest managers, they need to have mastered the texts that
govern the exploitation of community forests.

It is not uncommon for tensions to mount in villages where community forests are exploited on a rental basis. They generally arise as a result of the management of revenues paid to local communities.

Those who “know the system” (i.e., those who are or have been involved in local government) may commit their whole community and be the first to benefit from the effects of these commitments.

At the level of provincial inspectorates, apart from the provincial inspector, most of the officials have been recruited locally and do not necessarily have the requisite expertise to carry out the tasks entrusted to them.

In spite of the law’s imprecision on socio-economic analysis, Article 251 of the Code provides for the establishment of a financial contribution fed mostly by forest concessions whose objective is to fund development actions initiated by local communities. This provision will effectively allow the population to deal with their general needs (electrification of rural areas, building primary health care centres and schools …).

The law on national parks

National parks, formerly governed by an ordinance, are today regulated by Law No. 03/2007 of 27 August 2007. This law specifies the provisions contained in the Forestry Code and the Environment Code.

Historically, Gabon already had national parks before it became independent. In 1946, the Okanda National Park was created and in 1956 the Loango National Park was created. After independence, the Wonga Wongue National Park was created in 1967. These parks only exist in the letter of the law, because no structure has ever been designated to manage them.

In the end, they were transformed into wildlife reserves. The legislation provided for two types of reserves: those devoted to rational exploitation of fauna and those devoted to integral conservation. Unfortunately, the economic potential of these protected areas, other than their fauna, could make them liable to be exploited. Moreover, in these reserves, only the fauna was ever protected and not its habitat.

Before the 2001 Forestry Code, the provisions contained in the 1982 Forestry Law had already set the basis for the management of protected areas with the introduction of an important innovation: “the wildlife reserve is a perimeter wherein flora and fauna have absolute protection” (Article 38). This law also authorizes scientific activities, tourism activities and recognition of customary rights (Article 5).

When the creation of the network of thirteen national parks was announced, the Government enacted Ordinance No. 2/2002 of 22 August 2002 to modify some of the provisions of the 2001 Forestry Code. This ordinance creates the National Council of National Parks, placed under the direct authority of the President of the Republic (Article 2). This council, an inter-ministerial body, is charged with managing national parks and the activities carried out therein (scientific and tourism activities). It is headed by a Permanent Secretary and the parks are under the responsibility of conservators (Article 3).

Pursuant to this ordinance, decrees to create each of the thirteen national parks were passed. These decrees give the geographical situation of the parks, specifying their surface areas and boundaries.

Law No. 03/2007 of 11 September 2007 on national parks starts by defining what a national park is and outlines the activities that may be carried out in them. In Article 3, paragraph 8, the National Park is defined as a “protected area created in a portion of the territory where terrestrial and marine ecosystems, geomorphological sites, historical sites and other forms of landscape have special protection with the aim of preserving biological diversity and the processes of regulating natural ecology by authorizing regulated ecotourism activities, scientific research and educational activities, while contributing to the economic and social development of local com-
This new law does not impinge on the rights of the local population for whom the park is an opportunity to improve their living conditions, through income-generating activities.

In order to achieve sustainable development, the national park associates conservation of biological diversity with economic and social development of local communities. Its management plan, drawn up after consultation with all stakeholders, takes into consideration data related to the history, physical features of the area, biological diversity, etc. (Article 21).

Articles 4 and 7 state that local communities should play an important role in the management of the park and Article 18 recommends that community representatives are appointed onto the local consultative committees for the management of the parks.

Within the park, exploitation of natural resources is not allowed. This is only possible in the peripheral zones, subject to prior conduct of an environmental impact assessment (Article 17) that must be presented to the park management body, for review and approval.

Thus, the biodiversity of the park benefits from integral protection and the integrity of the park is guaranteed by law. This law makes it difficult to degazette all or any part of the park. If all or part of the park is to be degazetted, then a new zone must be gazetted that has the equivalent ecological features and biodiversity (Article 8 and 12). This same degazettement provides for financial compensation to the national parks.

This provision for degazettement is unlikely ever to be applied because of the very specific nature of the biological wealth of the zones designated as national parks. It would be almost unimaginable to contemplate the degazettement of all or part of the Monts de Cristal National Park, since the same ecological features such as the clouds and an abundance of orchids, which are so peculiar to this zone, could not be found elsewhere. Each national park has its special and unique features.

Articles 8 and 12 of the law on national parks attempt to resolve the conflict between the concern for conservation of the biodiversity of national parks and the economic needs of contributing to the country’s development, through the exploitation of natural and mineral resources. However, this attempt is doomed to failure because of the multiplicity of decision-making centres and the absence of a national consultation framework for actors. Each ministry takes decisions without taking into consideration the regulations governing other administrations.

The « realistic » opening of Article 12 that provides for the degazettement of national parks in the case of discovery of petroleum or minerals is sufficient proof that the exploitation of minerals supersedes biological conservation. It should be envisaged that brainstorming on an integrated and sustainable management model for conservation zones that mainstream the exploitation of mineral be conducted. The experience of the Gamba protected area complex can be applied in protected areas currently under exploitation with, as prerequisite, the carrying out of a social and environmental impact assessment.

**Administrative organization of national parks**

In addition to the major principles related to natural resource management, this law stipulates the three types of organizational bodies charged with the management of National Parks, namely: political, technical and scientific.

Article 24 institutes the High Council of Protected Areas, whose role is to assist the President of the Republic. This body is placed under the authority of the Prime Minister and brings together all technical ministries and local elected officials. It defines the national policy on national parks and conditions for its implementation.

A specific text has to be passed to describe the powers, organization and functioning of this council. It is also the appropriate body to resolve the conflicts between conservation and exploitation of natural resources. Its members, all admi-
nistrators, have to discuss and assess projects that may impact social development and exploitation of resources.

The National Agency, an administrative, technical and financial body, with corporate status and financial and administrative autonomy (Article 27), is the body in charge of national parks and charged with the execution of national policy on the protection of natural resources and valorization of the natural and cultural heritage of national parks.

The agency is made up of the management committee, a deliberative body, the Executive Secretariat, the management body and an accounting agency (Article 31).

The chairman of the management committee is chosen from amongst senior civil servants, and is appointed by decree taken during the council of ministers.

Due to its role in the management of national parks, the designation of the Executive Secretary of the agency follows a special procedure. He/she is appointed during the council from amongst candidates previously selected by the management committee, after a public call for candidatures (Article 33). This provision ensures that the output of the Executive Secretariat, chosen based on competence and moral qualities, is likely to be good.

The accounting agent, appointed on the proposal of the minister of finance, guarantees the financial autonomy of the agency.

An implementation decree, Decree No. 19/PR/MEFPPN of 9 January 2008, stipulates the real powers of these bodies.

Finally, the scientific committees of national parks, made up of well known scientific personalities, provide opinions on issues related to biodiversity conservation in national parks. Their members are chosen by the management committee, on the proposal of the Executive Secretariat, with a mandate of three years (renewable).

Contributions of CARPE and its partners

The multi-faceted participation of the CARPE Program in the process of improving environmental governance in Gabon is enabled through a constructive partnership with the administrations in charge of natural resource management. This partnership extends to international NGOs and is engaged in initiatives such as the management of wild fauna, combating poaching in forest concessions, and banning the transportation of bushmeat by train.

Also, for more than 15 years, CARPE has been funding the activities of environmental NGOs, to the tune of US$ 30,000 per NGO per year. This support aims at involving civil society in the process of managing natural resources and making its participation relevant. The CARPE Small Grants Scheme has made it possible to fund a wide range of sectors: environmental education, research, training, production of documents, ....

Lessons learned

Decisions that do not take into consideration the interests of local communities are bound to fail

The rational and sustainable management of natural resources is a complex process that requires the acceptance of a great number of actors in order to attain set objectives. The administration has to open up to local communities and to NGOs that work in the area of conservation in order to define together the main guiding principles organizing the exploitation of resources and integrating the interests of all stakeholders. Involving civil society organizations and local communities in decision making makes the implementation of those decisions much easier.

Decisions that do not take into consideration economic realities are difficult to uphold

The concern for development and improving the
living conditions of the population compels African countries to exploit, at all costs, their mineral wealth. The opening in the definition of conservation zones is multidirectional. In as much as it takes into consideration the interests of civil society, it also has to take into consideration the concerns of other ministries. Collaboration between administrations will lead to a consensual definition of conservation zones, in full respect of the geographical situation of mines. Gabon has to combine mineral exploitation and conservation in several of its national parks.

**Information campaigns have to accompany the adoption of laws**

For better appropriation of the terms contained in a law on management/use of natural resources by local communities and other stakeholders, information and awareness campaigns must be organized for the populations. This will facilitate a better understanding of legal provisions and real implementation of those provisions on the ground. A law that is not well understood will not have any impact on the ground and repressive sanctions will not help – people will continue to do as they have always done.

Apart from information campaigns, within the framework of laws, the implementation decrees also have to be enacted. Experience has often shown that following the promulgation of a law, the enabling instruments are not systematically enacted. This makes implementation difficult.

**Unsustainability of their funding makes NGOs vulnerable**

The involvement of civil society in the process of rational and sustainable management of natural resources remains precarious, because of a shortage of funds and the way the projects of national NGOs are funded. There are not yet any mechanisms for the sustainable funding of NGO activities. CARPE remains a shining example in Gabon. It is the only programme that has provided support to civil society since its creation, in a permanent manner. These funds, though limited, enable NGOs to execute field projects and to build their organizational capacities. If another mechanism could also be put in place, with substantial funds, the involvement of civil society would be greater. The relevance of the interventions of NGOs and the performance of their projects are inextricably linked to the sustainability and level of funding obtained.

**Partnerships with the administration**

The quality of collaboration with public authorities depends on the behaviour of the individuals concerned. Changes effected in some administrations, as a result of professional mobility, can have a great influence on the quality of relations between these administrations and partners. The previous incumbent may have been open and receptive, but there is no guarantee that the person replacing him/her will be of the same character and, under the new regime, partners may find themselves excluded from consultation frameworks within which discussions on improving policies and on the formulation of strategies for concerted management of natural resources are held.

Also, public officials are becoming less able to participate in the meetings of partners, due to their ever-increasing administrative burden. They may also show little interest in some of the activities of their partners.

**A long process to enact laws and implementation decrees**

For a law to be promulgated and published, it must follow a painfully lengthy process with potential obstacles at every stage. This “long march” starts with its drafting by the initiating administration. In a participatory process, drafts are discussed and enriched by all stakeholders. At the end of the exercise, the bill is examined by both houses of parliament (National Assembly and Senate) that may propose amendments or vote it through without any amendments. The draft text is then re-introduced into the channel for signature by legal councillors and the ministries concerned, the Prime Minister’s office and the Presidency. Thus, a text may easily spend a year in the pipeline before being signed off by the President of the Republic for publication. It is a
process that requires patience and endurance. Once the draft law is adopted, the next step is to enact implementation decrees – a process that follows the same course.

The law on national parks is a good illustration of this process. The enactment of implementation decrees of this law has not yet occurred. Several provisions still cannot be implemented today, in spite of the existence of the law.

**Primacy of politics and economics over conservation exigencies**

The Government of Gabon has responded swiftly to the positions taken by NGOs concerning issues related to the exploitation of natural resources. There has been some controversy about the exploitation of the iron deposits at Belinga, situated in the Ogooué Ivindo Province. For its exploitation, NGOs require that the legislative framework be respected (environment code) that requires an environmental and social impact assessment as a prerequisite. Since the company retained to exploit this deposit has not carried out any impact assessment, NGOs are opposing the operation. This is in keeping with regulations on the subject. The iron deposit of Belinga is situated at the crossroad of three national parks: Minkébe, Mwagna and Ivindo. Its exploitation, without security measures and any guarantee to respect the environment, may seriously affect these parks.

The mining of the Belinga iron is to be accompanied by the construction, over the Ivindo River, at the level of the Kongou falls, a hydro-electric dam. This huge investment will cause the Kongou falls, situated at the heart of the Ivondo National Park, to disappear, and has created an access road that is useful to poachers.

After clearly manifesting their opposition to these two projects by demanding that certain prerequisites be respected – such as an environmental impact assessment, and the choice of an alternative site for the hydroelectric dam – the NGOs were initially suspended by the Government which accused them of being manipulated by foreign organizations. However, subsequently the NGOs were summoned to a meeting by the President of Republic for a direct exchange of views. As a result of this, the President decided that the NGOs should take part in all discussions related to the exploitation of the Belinga iron deposits.

**Conclusion and recommendations**

The march towards an adequate legal framework for rational and sustainable management of natural resources has started and is irreversible. This process makes local communities active participants and aims at improving their social conditions.

Civil society, hardly mentioned in the regulatory instruments, should develop its activities around the interests of local communities and build their capacities so as to intervene in a relevant manner.

The tendency for some administrations to cause all stakeholders to take part in the formulation of some legal instruments on the management of natural resources is appreciated and has to be maintained and encouraged in other sectors of activity. All stakeholders defining the content of legal instruments that orientate and organize the management of natural resources is a very good way of appropriating the process by all and a guarantee for conservation projects to succeed.

For greater harmony and national cohesion, this approach has to be extended to other ministries involved in the management of natural resources: Planning, Mines and Land Management.

The management of forests requires a legal framework that commits States to jointly protect their common heritage.
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 percent 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 derange” 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-
• 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

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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.
Case study 4 - The Promotion of a National Policy and Governance Agenda for Conservation: Lessons Learned from the Democratic Republic of Congo

Serge Osodu Omba

Background

The Democratic Republic of Congo (DRC) covers an estimated surface area of 2,345,000 km² of which more than 60 percent is covered by forest which contains a very high level of animal and plant biodiversity. Indeed, it ranks as the fifth richest country in the world in terms of biodiversity. The country is endowed with several natural resources that unfortunately, because of problems of governance and the recent armed conflicts that have plagued the country, are not benefiting the majority of its people who live in abject poverty. The DRC is among the poorest countries in the world and the majority of its population lives below the poverty line, on less than a dollar a day.

The government’s Strategic Growth and Poverty Reduction Document (Document Stratégique pour le Croissance et la Réduction de Pauvreté or DSCRP) has identified improving governance as a priority. The DRC is a post-conflict country, which is emerging from several decades of mismanagement of public resources, including natural resources, followed by a decade of instability characterized by conflicts that have been disastrous for the population. The cumulative effects of this negligence and these wars have had a disastrous impact on the capacity of the country’s public institutions, the living conditions of its local populations and the wealth of its biodiversity. Social and economic infrastructures have deteriorated. The systems of forest management, of access to benefits, of control and follow up have been disrupted or are non-existent. Post-war DRC is today looking towards reconstruction. The forests which used to be protected from industrial logging, as well as the country’s other natural resources, are now the focus for exploitation. The government of the DRC is strongly committed to exploiting the forest and natural potential of the country in order to successfully carry out its five-
pronged programme of reconstruction, and improve the living conditions of its people. This all the more so, as the DSCRP identified natural resources, especially forests, as a crucial sector in the drive towards growth.

Alongside this keen interest, the country is undergoing institutional reconstruction with the putting in place of democratic institutions, which has entailed a formidable process of acquiring the appropriate tools of modern governance. Several fundamental texts for the management of various sectors have been drawn up or are being revised, including the Constitution of the Republic, the new mining code, the new investment code, the law on the management of portfolio companies, the appointment of new agents/representatives, the draft agriculture code, the law on decentralization, etc.

In the forest and nature conservation sector, with the support of its conservation and development partners, the government has drafted a new Forestry Code since 2002. This new code enshrines the principles underlying a modern vision of its forestry policy. The government has also initiated a priority reform programme geared towards transparency, law enforcement and increased participation of the public. This reform programme has led inter alia to the withdrawal of 25 million hectares of forest concessions from the forest tax system in a bid to re-orient the tax regime towards taxes that are easier to recover and control, and that have a positive incentive effect. Other elements of the reform programme include periodic publication of the list of forest contracts and their fiscal status, in order to keep the general public informed on the management of the country's natural resources; setting up a Technical Working Group (Groupe Technique de Travail – GTT) to undertake a legal review of old forest titles with the participation of an independent international observer, the private sector, civil society and local and indigenous communities; recruiting a third-party observer to support forest control; and drafting the text of the main implementing instruments of the Forestry Code, with the support of the FAO. The European Union will continue the process of finalizing the texts of the 11 priorities that have been identified to accompany the post conversion. In terms of biodiversity protection, the government is in the process of reforming Law No. 069 on Nature Conservation. In accordance with the Convention on Biological Diversity, a priority action plan with 11 priority actions has been validated. Alongside these efforts, in a bid to be consistent with the logic of the new Forestry Code, a national forestry and conservation policy (politique nationale forêt et conservation – PNFOCO) is being formulated, using a consultative and participatory approach at a national level.

In spite of all these efforts, the path towards better governance remains a long one given the challenges that need to be overcome – lack of transparency; the lack of capacity within the forest administration to monitor and control; under-valued and aging staff; and the problem of illegal logging. There is a need for more environmental information and monitoring; a more efficient tax collection system; and more effective implementation of the benefit-sharing mechanisms laid down by the Forestry Code (from the central to the regional and district administrations, and all the way down to the local communities living around the forest concessions). Conflicts are arising between communities and loggers as a result of land being allocated without a land-use plan (LUP) leading to encroachment onto local communities' lands. The issue of indigenous peoples' rights also needs to be dealt with, and general capacity building is required so that all stakeholders, especially within civil society, are better able to play an effective role in natural resource management. Legal instruments need to be finalized and implemented, including those that will enable the enactment of the Forestry Code. Poverty in forest sites must be addressed, and cooperation between government sectors and between institutions must be fostered in the course of developing the necessary programmes and policies. It is against this background that the Country Team of the Central African Regional Program for the Environment (CARPE) has made its contribution to the promotion of national laws and policies aimed at the sustainable management of natural resources, and to attaining the strategic objectives of CARPE.
Methodology

The Country Team as a tool for CARPE to take action on governance and policy

The inaugural meeting of Phase IIB of CARPE, held in Yaoundé in February 2007, enabled some members of the CARPE Country Team in each country to identify and plan priorities in terms of governance agendas in the form of laws and specific national policies to be addressed. These priorities included: contributing to the finalization of the implementing instruments of the Forestry Code; monitoring the decentralization process; finalizing the law on nature conservation; promoting the creation of reserves and community management; developing an environmental framework law; establishing a land-use planning process; developing a new hunting law; popularizing the Forestry Code, and contributing to the process of legal review of forest titles, to mention just a few. In addition, a strategic recommendation aimed at broadening it was formulated. The DRC Country Team is made up of the following: officials of the six protected landscapes funded by CARPE DRC, the CARPE Focal Point, the National Coordinator of the Central African Forest Commission (Commission des Forêts de l’Afrique Centrale – COMIFAC), a National Assembly representative, a Government representative (from the Ministry in charge of forestry), a representative of the Congolese Institute for Nature Conservation, and a civil society representative. Recently, in light of the challenges and realities thrown up during the implementation of the programme, the Country Team has decided, for strategic reasons also to include representatives from the private sector, the Senate and two international organizations working in the landscapes, to collaborate on aspects such as community participation fora.

Contribution to the process of promoting laws

The Forestry Code and its implementing instruments

The Country Team has participated in the process of promoting new laws by contributing ideas, lobbying and also by providing financial support. The CARPE Country Team has actively contributed to the process of producing implementing instruments for the Forestry Code through its engagement with the validation committee put in place by an Order of the Minister in charge of forestry. Points of view put forward by the Country Team were a reflection of the consensus obtained within the team during previous discussions. The validation committee was headed by the FAO within the framework of its project. This contribution facilitated the signing and publication of these legal instruments. Furthermore, having identified as a priority the finalization of instruments on procedures for allocating community forests and for their management, the CARPE Country Team supported the validation of these instruments by ensuring the presence of their Focal Point at the relevant meeting. This made it possible for two draft instruments to be validated while waiting for them to be published.

Contribution to the implementation and popularization of the Forestry Code

The Forestry Code, besides its dissemination and popularization, remains both a need and an unprecedented challenge. Moreover, there is also the problem of differing interpretations. In the past, the Rural Development Service, together with some local and international organizations (including CARPE), has launched several initiatives to disseminate, translate and popularize this code. The CARPE Country Team supported (both technically and financially) the preparation of an annotated version of the Forestry Code by Congolese Government experts. This document, that has already been submitted to the Minister in charge of forestry for comment and final approval, will enable popularization of the Code and will allow all stakeholders access to the spirit of the Code. It will be a working tool on which all user rights can be based, but also a teaching support for popularizing activities identified within the PNFOCO framework. The Country Team intends to translate it into two national languages for wider distribution.
The process of converting forest titles in the DRC

The Forestry Code allows the conversion of old forest titles (letters of intent and guarantee of supply) into forest concession contracts. To this end, a two-phase process was instituted, the first of which was the setting up of a Technical Working Group and an independent observer respectively for identification work and data collection on titles submitted for conversion. The second component of the process concerns the work of the inter-ministerial commission in charge of the review within which there must be representatives of the local communities and indigenous peoples living around these titles. A total of US$ 250,000 was raised by the World Bank and managed by CARPE.

The contribution of the CARPE Country Team represented by the Focal Point, SNV (the Netherlands Development Organisation), and civil society was to guide and support members of the coalition of NGO Networks in the implementation of the strategy to designate community representatives. The team supported the administrative and technical management of the project and carried out lobbying activities with partners on legislative aspects accompanying the process. The ministry and other partners were kept informed at all stages of the process.

Several radio and television programmes and newspaper articles were produced on the process. The CARPE Country Team also facilitated the designation of a permanent indigenous peoples’ representative to take part in the inter-ministerial commission. The same team also lobbied the ministry over the signing and publication of two ministerial decrees on how to modify the composition of the inter-ministerial commission and on the appointment of commission members. The Country Team also assisted in the drafting of a ministerial decree on the terms and conditions of management of those titles that remained unconverted after the review, because the current Code does not cover this eventuality in the text of its implementing instruments. As a result of these activities, civil society has been strengthened, and partners and the general public have been kept informed about the process. Altogether, the Team facilitated the designation of 195 community representatives including many from amongst the indigenous peoples, and local communities have learnt about the Forestry Code.

Institutional representation

The Country Team (Focal Point, SNV and civil society) has lobbied the ministry on several occasions for representation in a number of national governance processes. These include the PNFOCO Coordination Unit where a member of the coalition of NGOs is represented; the forest advisory council instituted by the Forestry Code; the steering committee in charge of revising the law on nature conservation; and the validation committee for legal instruments (the African Wildlife Foundation and the Focal Point are members). The Country Team also contributes actively to various national fora and meetings on governance in terms of endorsing policies, operational guides, national and sectoral action plans related to governance and forests.

Capacity building

National Assembly

Since 2006, the DRC has set up democratic institutions for its governance including a two-chamber parliament. This budding National Assembly, that will be playing a key role in the country’s governance, approached CARPE for assistance with capacity building. Conscious of the strategic importance of this institution, the Country Team organized a training and discussion session on the Forestry Code and its vision, as well as the environmental challenges ahead, for 20 Members of Parliament (MPs) from the environment commission. The success of this training is visible today with the active participation of MPs in environmental debates in the parliament.

Civil society

One outcome of Phase IIa of CARPE was the creation of a platform of Networks of environmental NGOs. This platform had neither legal status, nor a strategic vision, nor a programme of activities. The Country Team helped with the drawing
up and legalization of the Statutes of the coalition, organized a training session on the formulation of the organization’s logical framework and strategic planning, and supported them in carrying out their programme. All of these activities have helped them become more involved in advocacy aimed at policy change or reform, with the objective of further involving the indigenous and local peoples in the process of conversion of forest titles, or the annotated Forest Code.

**Forest land-use planning process**

The DRC has neither a national land-use plan, nor a forest LUP and has therefore been groping its way in the dark when it comes to allocating forest concessions. This has caused several conflicts on usage and occupation between various stakeholders. With the new Forestry Code, the DRC wants to have its own forest LUP. A national workshop was organized (with the help of IUCN) to capitalize on the experiences of several partners on the matter. CARPE partners as well as the Focal Point gave presentations and pleaded for CARPE experience of large-scale planning to be made use of. Discussions are still underway.

**Diplomacy**

In the course of implementing the programme, several strategic partnerships have been developed with public institutions and partners, as well as contacts in various ministries whose activities could be considered to interact directly with those of CARPE. These include the Ministry of the Interior and Decentralization, the Ministry of Planning, the Ministry of Agriculture, the Ministry of Mines, the Ministry of Public Works and Reconstruction, the Ministry of Rural Development, and the Ministry in charge of forests.

We have also been privileged to work in collaboration with the National Assembly through its commission and the Presidency of the Republic in the execution of our activities. Thanks to the work of the Country Team, CARPE’s reputation and image are strong in the eyes of its partner institutions, and collaboration is fruitful. In the near future, the expansion of the Country Team will allow it to open up to the private sector, to the Senate and to the Prime Minister’s Office.

**Lessons learned**

**The Country Team as a platform for action**

The Country Team has facilitated the creation of a coalition of various actors of different interests, of diverse horizons indispensable to governance around CARPE objectives and outputs. This platform has enabled the team to capitalize on the contributions from some very influential actors who have leverage in decision-making circles. Partners come together, discuss the context and the implementation of the programme, its strengths and weaknesses as well as avenues to be explored. All the appointed members were chosen for their potential to contribute and their added value. The Country Team is a driving force, a melting pot of ideas and a facilitator of discussions.

**Achieving acceptance of CARPE and its objectives**

During Phase IIa, the programme was neither well perceived nor understood by the Government. It was viewed with much suspicion, as something from the Americans, and what was being done in the landscape was shrouded in obscurity. But the Country Team has made it possible for there to be a rapprochement not only with the government (the Ministry of environment), but also with other government agencies and other institutions such as the Presidency and Parliament. Through their representation in the Country Team which facilitates information sharing, and especially as a result of seeing the actual activities undertaken, the reputation of the programme has been enhanced and CARPE is now well accepted. Relations with the government and especially the Ministry of Forestry have improved significantly. Members thus recruited undertake advocacy and lobbying for the programme and its objectives. Everybody has understood that the CARPE’s mission is first and foremost to facilitate conservation and the development of the Congolese people.
The principle of member-driven

The Country Team facilitates a sense of ownership and capacity building amongst its members. The sense of ownership is nurtured by allowing participation in sessions to identify and plan the programme’s strategic activities, and in core discussions on the programme. Capacity building occurs by the mere fact that participants are involved in the planning forum of USAID/CARPE. This principle allows for the validation of the planning matrix in relation to annual priorities and allows for judgment to be passed on the evolution of the project.

Communication amongst members should be developed

Communication is an important element within the Country Team especially as it only meets formally twice a year. Although a certain amount of information sharing already takes place, much effort is nonetheless required to improve communication both laterally and horizontally within the Country Team. It would be good for members to know what activities are taking place in each other’s institutions and organizations, but the Team also needs to find ways of regularly keeping all members informed on progress made on the evolution of activities and also giving them vital information on monitoring governance and on identifying priorities within the context of the government’s priority actions.

The need for preparatory technical meetings

The whole area of forest and natural resource governance is very dynamic. New facts and information are emerging all the time that require consultation, analysis and a jointly prepared response. This is the case with the texts under preparation on local community forests, for validation under the Forestry Code. A meeting bringing together strategic members of the Country Team was held and, after heated discussions, a common position was adopted. But in practice, since all members are not available at all times, there have been very few meetings of the kind especially for ongoing processes of the law in the country. Efforts will be made to have extraordinary sessions to focus on events that come up that are unforeseen but nonetheless must be followed up.

Motivation of Country Team members

The work of the Country Team is time-consuming for its partners (participating in meetings, carrying out activities, reacting to produce the MOV). This fact, and acknowledging the quality of the members facilitating the implementation of the programme, have made the subject of motivation of members come to the fore. It is accepted that, besides current allowances, a mechanism needs to be found to pay members for activities carried out within the framework of the programme.

Strengthening civil society

The Coalition of eight Networks of national environmental NGOs is a member of the CARPE Country Team. It has a strategic vision, strategic plan and work plan with actions covering three CARPE intermediary outputs and touching on various environmental themes including governance. Its functioning is greatly handicapped by a lack of operational capacity. More resources should be raised in addition to those awarded by the Small Grants Scheme to further support the operational capacity of the coalition. The Country Team has made a start by helping provide the coalition with a vision, a critical analysis of its strengths and weaknesses, a strategic plan and a work plan, and a legalized statute for its legal recognition.