

STATEMENT FROM NGOS WORKING FOR SUSTAINABLE MANAGEMENT OF FORESTS AND THE RIGHTS OF LOCAL COMMUNITIES AND INDIGENOUS PEOPLES.

We, the undersigned non governmental organisations from Central Africa, which attended the ministerial conference of AFLEG or participate in the implementation of the Forest Code in the Democratic Republic of Congo, note the organisation of the 2nd commit of heads of state on the conservation and sustainable management of forest ecosystems in Central Africa, held in Brazzaville 29th January to 6th February 2005.

We encourage such meetings which address important issues around sustainable management of forests in central Africa, and the challenges that Central African states and civil society face in assuring the well being of local communities. We think that regional cooperation is a key means of resolving common problems faced in the region.

In the absence of an invitation for the undersigned organisations to participate in the summit, and in the absence of a consultation on the issues to be discussed, we present below, in writing, our observations and recommendations.

We have read with interest the current version of the Treaty establishing the Commission for Forests in Central Africa, dated 29th September 2004. This document, referring to the Rio Declaration of 1992 and Agenda 21, includes many positive aspects concerning the conservation and exploitation of forests in Central Africa. However we would like to express our concerns about certain aspects which should be taken into account before the adoption of this treaty.

1. In article 4, the states commit specifically to 'promote and accelerate the industrialisation of the forestry sector' without accounting for the specificities of the forestry sector in each state.

Many states still need to reform and clean up their forestry sector and put in place the conditions necessary for the sustainable forest management.

We note that state income is the principal justification for industrial forest exploitation. The current destruction diminishes future opportunities for the countries in the region and destroys the livelihoods of communities, without the revenue that could be expected from these activities contributing to the Treasury.

Therefore, we think that promoting industrial exploitation in such a way is not appropriate and runs counter to the commitment to sustainability which motivated this treaty.

This position was clearly and unanimously defended by Congolese civil society and international NGOs at the Forum on Forests and Nature Conservation, organised by the Congolese government in partnership with the World Bank in Kinshasa in November 2004. The NGOs argued that the moratorium on the issue of new forestry concessions in the Democratic Republic of Congo should be maintained and strictly respected until the conditions for effective management of the sector in the field are met.

In addition, the text of the treaty does not mention the commitments on good governance and transparency in the forest sector, despite this being discussed and

adopted in the Ministerial Declaration of October 2003 on Forest Law Enforcement and Governance, (AFLEG).

In order to ensure sustainable management, we recommend that the governments put in place mechanisms to assure transparency in all forest exploitation agreements, (forest concession contracts, etc.), and to put in place, in each country, fora to monitor the AFLEG process, including civil society.

2. The unconditional promotion of industrialisation highlights an approach to management of the forest sector, found throughout the treaty, according to which industrial exploitation of timber is the only way to manage the forests. This is without having clearly shown that this type of exploitation actually reduces poverty in forest communities in the sub-region.

In reality, our experiences in the field clearly demonstrate that communities do not profit from the benefits generated by industrial exploitation of timber.

Therefore, we recommend that member states focus on research into alternatives to the industrial exploitation of timber.

In our opinion, the best models for participatory and sustainable forest management include better management of non timber forest products, the development of the informal sector, the promotion of local community forests and community management. Unfortunately, these are not included in the treaty.

3. The treaty, unlike the Plan de Convergence, makes no reference to the Convention on Biodiversity.

This Convention commits all the signatory states, including all those in the sub-region, to significant obligations concerning the conservation and sustainability of forest ecosystems.

We recommend that you refer specifically to the Convention on Biodiversity. In addition, we recommend that you commit, in this treaty, to ratify and implement all relevant international treaties, in particular the work programme agreed under the Convention on Biodiversity.

4. We also note that there is no mention within this treaty of indigenous peoples. However, we welcome the recognition of the territory rights of Pygmy peoples in the Plan de Convergence.

Despite this positive step, throughout the region, the rights, ways of life and livelihoods of these peoples continue to be seriously threatened by the industrial exploitation of the forests on which they depend.

Therefore, we strongly recommend that the rights and traditional practices of indigenous people are taken into account in the body of the treaty and the work of COMIFAC and its member states. These peoples make an enormous contribution to the conservation and sustainable management of forest ecosystems.

5. Priority actions in the treaty and the Plan de Convergence include the creation of new protected areas.

We recommend that in the promotion of these activities, the rights and interests of the communities concerned are taken into account, following the principle of free, prior and informed consent.

6. Although the treaty makes no reference to the rights and interests of local communities, we note with interest the objective of COMIFAC to “strengthen actions aimed at increasing the rapid participation of rural populations in the planning and sustainable management of ecosystems and reserving adequate space for their socio-economic development”.

We recommend that in the realisation of this specific objective, which, in our opinion, should occupy a central role in the work of COMIFAC, the zoning of the forest must be done in collaboration with local communities and indigenous peoples. This will ensure that protected areas and forest concessions do not impinge on the territories of such communities and peoples and do not threaten their social, economic and cultural development.

7. We regret the absence of consultation with civil society and forest peoples in Central Africa throughout the process of the development of this treaty and Plan de Convergence.

We recommend that you rectify this situation by ensuring effective civil society participation in the work of COMIFAC: at a regional level, in the development and implementation of the Plan de Convergence, and in national forestry policies.

In relation to the above, we ask the Heads of State meeting in Brazzaville to take these concerns into consideration and take account of these recommendations, both in the text of the treaty which, in our opinion, is a reference point and an inspiration for present and future legislators, and in the implementation of the Plan de Convergence.

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