

Integrating forest peoples in forest management: two cases from the Congo Basin

A.J.M. ter Heegde¹

Abstract

The Congo Basin or Central African rainforest is the second largest in the world, and plays an important part in the livelihoods of millions of people. Those most dependent on the forest are the forest peoples, commonly called 'pygmies'. The national governments in the region and the international community have mostly expressed their concern with the right of the different groups of forest dwellers to use the forest resources freely and benefit from its management.

The Congo Basin rainforest is increasingly seen as a 'global' resource whose management requires novel types of management. Past and present management has focused extensively on financial gain through resource extraction (like industrial logging), which now appear increasingly discredited². Despite international involvement and funding, the inhabitants of the rainforest are still mostly excluded from participation in forest management. Tenure issues are emerging as crucial for long-term sustainability. However tenure issues remain fundamentally unanswered in the management of the rainforest.

Surprisingly there are virtually no experiences in legalizing local management practices. Those instances where local communities have been invited to participate in forest management were characterized by extremely constrained conditions, notably through a very technical form of community forestry disconnected from local management practices and experiences. Rather than evaluating the causes of the apparent failure of community forestry and the broader forest management policies, new policy initiatives seem intent to dismiss a more thorough review of forest management in favour of plugging the substantial holes in current forest management practice.

The paper focuses on how forest peoples have been unable to participate in forest management in Cameroon and the Democratic Republic of Congo, Cameroon being one of the first countries to have adhered to sustainable forest management policies and the DRC now building a new forest policy.

Key words: *Forest management, community participation, community forestry, forest royalties, Congo Basin*

The Congo Basin Rainforest: A Global Resource

The tropical rainforests of the Congo Basin in Central Africa form the second largest expanse of rainforest in the world second only to the Amazon. As our

¹ Anthropologist currently employed as Program Coordinator Africa at the Rainforest Foundation UK.

² On the 25th of July 2006 Baroness Amos, the UK Government's House of Lords spokesperson on international development said: "There is a growing consensus that the traditional concession-based industrial logging model does not generate the desired economic, social and environmental benefits."

knowledge of these forests is increasing it has become clear they contain a remarkable biodiversity of flora and fauna.

The biodiversity of the Congo Basin rainforests is mirrored by an increasing interest of the conservation community, the presence of organizations like World Wide Fund for Nature and the Wildlife Conservation Society throughout the region but also the creation of the Congo Basin Forest Partnership, bringing together Western donors, conservation organizations and the government of the Congo Basin countries.

The interest in the Congo Basin rainforest is however not just guided by conservation. In the last 60 years these forests have become the stage for industrial logging on an ever increasing scale³. The industrial logging of the forest took shape during the colonial era (in most countries, independence was achieved in the 1960s) and has always involved the presence of large logging companies from Western Europe (notably France, Germany, Italy and the Netherlands). Several European governments have openly supported the operations of logging companies- often from their respective countries⁴. Beyond the close involvement of some European governments and the conservation community another big actor in the Congo Basin rainforest's management has been the World Bank. Its presence is linked to panoply of activities it has assumed the status of an 'expert advisor' ready for whatever action is required.

Rainforests: A national treasure?

The Congo Basin rainforest has attracted outside interest but is first and foremost controlled by national governments. Well over 2/3s of the rainforest is located in countries with recent or current civil wars (the Democratic Republic of the Congo, the Republic of Congo and the Central African Republic) precluding any normal form of management. The other countries concerned (Cameroon, Gabon and Equatorial Guinea) were not hindered by warfare but this has not necessarily led to sustainable practices⁵.

Clearly the Congo Basin rainforest represents a livelihood for the millions of forest dwellers in the region. Whether these forest dwellers are classed as subsistence farmers or hunter-gatherers, they all use forest resources for food, medicine and for construction. For many of these communities the forest also assumes a cultural or spiritual function with sacred spaces, burial grounds and the like.

Some of the forest dwellers' communities have resided in the forest for a very long time and their presence has contributed to the forests health and diversity. The knowledge of these communities of their natural environment is much more developed than the slowly increasing scientific understanding⁶. The long-standing presence of forest communities does not translate in any form of legal ownership. The national government are the sole owners of practically all of the forest. This ownership has continued the colonial practice

³ See the country reports for Central Africa on www.globalforestwatch.org for examples

⁴ See for example the FFEM and GTZ support to the Congolaise Industrielle de Bois, a logger in the Republic of Congo

⁵ Sustainability is used here in the sense of social, environmental and economic sustainability. See www.rainforestfoundationuk.org or www.brainforest.org for examples of how forest management has failed forest communities

⁶ For further references on this consult www.ipacc.org.za

of denying communities rights to the forest and its resources and has made tenure issues a key sticking point.

The ownership of the forest by the state has also made the state the main stakeholder of the extremely profitable industrial logging. The revenue generated by logging contributes between 5-10% of the Gross Domestic Product in the Congo Basin countries⁷; in fact the taxes extracted from logging operations often represent one of the main sources of government revenue.

Managing the forest

The management of the forest has been handled by forest communities for generations. 'Pygmy' hunter-gatherers developed their entire livelihood to live of the forest. Such dependence on the forest meant a need to understand and know the forest resources and how to maintain the forest healthy. Other Communities who subsequently settled in the forest also had an interest in healthy forests, depending on many forest resources.

Initial "management" of the forest by the colonial administration involved the appropriation of all valuable resources by the state, often by physically removing resident communities or by severely restricting their rights to the resource. During the colonial period several protected areas were created (ex: Minkébé in Gabon) amid mass deportations of the communities. However the appeal of the rainforest for colonial government was not in preserving it but in cutting it down. As such large forest concessions were awarded to European logging companies⁸. The resident communities in these concessions were not necessarily removed but rather ignored.

The independence of the countries in the region did not fundamentally alter this equation. Forests for the governments of these independent countries meant a source of revenue by taxing the logging operations of mostly foreign operators. The development of national operators in the logging sector slowly took off but produced national loggers who were often uncomfortably close to the administration⁹.

It's possible to resume the state management of the forest for the larger part of the 20th century as a simple economic operation. The only objective was to maximize government revenue. Restrictions on logging were rare as the state did not have the means to impose restrictions¹⁰ or the wish to do so¹¹.

Certainly there was no international interest in changing this status quo.

The arrival of sustainability

The arrival of sustainable development as a concept following the 1992 Rio Conference increased global interest in the fate of the world's rainforests. The heavily mediatised disappearance of the Amazon rainforests was never

⁷ See <http://www.cameroun-foret.com/index.php?menu=pgdrn&page=page01> or <http://www.forestsmonitor.org/en/reports/549968/549987>

⁸ CF www.politique-africaine.com/numeros/pdf/075147.pdf

⁹ In Cameroon a number of parliamentarians and other officials hold concessions

¹⁰ Even now the capacity for enforcement of the law in the field is weak as infrastructures are often absent and officials in the field do not have adequate staff or resources like cars

¹¹ It's notable that the forest laws operated by most countries in the region until the 1990s were not fundamentally different from the colonial laws.

matched by an equal interest or knowledge of the fate of the Congo Basin rainforest but nevertheless international interest took off.

By this time the countries in the region were facing economic meltdown, with mounting debt payments and corrupted governments¹². Logging revenues were just another source of income for the elite, and the forest areas that produced their riches did not see much development in return.

Countries like Gabon, the Republic of Congo and Zaire (later the Democratic Republic of Congo) were also preoccupied by oil and mining and had alternative sources of income¹³. This apparent disinterest did not mean any better practice in logging- rather it meant a virtual absence of government vision or supervision of the logging taking place¹⁴.

In the 'sustainable development fever' of the 1990s the Congo Basin rainforests were attracting international interest. Nature conservation organizations started to pour money and resources into creating and managing protected areas. These protected areas were promoted in the West as untouched, virgin forests just waiting to be conserved to the benefit of all mankind¹⁵. This conveniently ignored the communities whose livelihoods had depended on these same areas and who were now told to look for somewhere else to live (see the case of Korup NP in Cameroon¹⁶). However conservation only ever involved a percentage of the rainforest and most of the forest was in use for logging operations of questionable sustainability. This was to change with the arrival of forest sector reform by the World Bank and Western donor countries. Their involvement was a big step in deciding where forest management would go in the Congo Basin.

The case of Cameroon: forest reform

The first test case in Central Africa for a large forest sector reform presented itself in Cameroon. The structural reform package Cameroon underwent in the 1990s included a forest sector reform. The forest sector reform was primarily guided by the World Bank and included a new forest law and a Forest and Environment Sector Policy. On examination the ensuing 1994 Forest Law reflects some of the intentions of the reform. The forest concessions were reorganized into Forest Management Units (FMUs), reattributed and subject to a host of measures aiming at social and environmental sustainability. The forest taxes were also reorganized and efforts were made to guarantee strict collection and distribution of forest taxes, notably foreseeing a retrocession of forest taxes to local communities and local authorities. A final point was the creation of community forests, foreseen as a means to get local communities involved in and benefit from forest management.

The reform process was mostly "a duet" between the government and the World Bank experts. Communities had no significant input into law and

¹² Field Marshall Mobutu of Zaire was a clear case but in fact as soon as organizations like Transparency International started to look at countries in Central Africa they had the dubious honour to lead the rankings.

¹³ Oil and mining were and are far more important for the national treasure in these countries than logging

¹⁴ See the information on www.brainforest.org

¹⁵ Some of the early WWF communication on Korup National Park is especially illustrative

¹⁶ Where conservation translated into a long process to try to get the communities to leave their villages inside the newly created park

crucially the forest law never looked beyond forest concessions as the primary use of the forest. This fits into a prevalent rationale goes that the main purpose of the forest is to generate revenue and the only way to generate revenue from a forest is by logging, however selectively or sustainably¹⁷. The fact that communities had always been able to provide for their livelihoods by using the forest did not prevent the forests for being earmarked for logging. Community livelihoods were now going to be subject to the willingness of the logging operator to take into account their needs¹⁸ and of the national government to effectively give back some of the forest taxes to the communities. "Giving back to communities" translated in the law as 10% of an annual tax (forest royalties) the loggers paid to the government¹⁹. Obviously the forest reform depended on the good intentions of the Cameroonian authorities to execute the law and on the international community to critically monitor this execution. The latter seemed obvious due to the large amount of donor money that was used in the process. Even ahead of the 1994 Forest Code the zoning of the forests in Southern Cameroon in 1993 had already cast doubt on good intentions²⁰. The zoning plan that was produced resulted in assigning the greater part of the forest²¹ as Permanent Forest Estate (PFE) of which 2/3s was intended for industrial logging. The areas assigned to community forestry were nearby roads and grouped in small strips. The zoning plan as such ignored the presence of the 'pygmy' communities *inside* the PFE who would not have access to community forests or any other form of forest management where they lived. The community forests being close to the roads were going to be subject to disputes between communities (very much concentrated in these areas) for ownership and were largely degraded forest lands. The forest law, on close inspection, also appeared to contain some ingredients for failure. Forest Management Units were kept small (around 50,000 hectares per concession) and national operators were favoured. Small concessions mean more intense logging on a smaller surface and the national operators turned out to be for the most part (elected) officials (mayors and MPs)²². Another ingredient for failure was the prescribed redistribution of some forest taxes to communities (the previously mentioned 10%), done without having any legalized local structure to actually receive these funds. A final note concerns the community component par excellence of the 1994 Forest Code: community forestry. Community Forestry was the subject of quite extensive prescriptions. The maximum of 5000 hectares and the clear

¹⁷ Personal observation from meetings with many different parties

¹⁸ The forest law was not very specific on this point. The quickly conducted socio-economic studies during the preparation of the management plan and the lack of knowledge of community use of the forest resources meant that often management plans for FMUs did not consider community use of the forest. Hunting within the FMUs had effectively become a constant bone of contention between loggers and communities.

¹⁹ These 10 % are not an impressive part and even some state actors thought so. The state forestry agency managed a test forest itself and previous to the 1994 law had decided on a higher percentage of the same tax for communities as being more balanced.

²⁰ See <http://www.wrm.org.uy/bulletin/102/Cameroon.html>

²¹ 9 Million hectares of the 14 million hectares of forest. For more figures see the Cameroon reports on www.globalforestwatch.org

²² Who would subsequently strike deals with foreign logging operators for the actual exploitation and transformation

focus on timber extraction would make sustainable forest management challenging. To obtain a community forest communities had to complete a complex set of procedures, lengthy in the best of times but more importantly very costly²³.

Management realities today in Cameroon

In the last couple of months Cameroon has witnessed the suspension of several logging companies, the sacking of senior officials in the forestry ministry and the arrest of the former mayor of a strategic town in the forest²⁴. Do these headlines indicate good governance practice? To judge the reality on the ground it's necessary to look beyond them. From the beginning the reality of execution was a stark contrast with some of the ideals behind the law. The bidding for the new forest management units was considered flawed and many forest management units operated for years without a full agreement based on a management plan but with a temporary agreement²⁵. Forestry ministry officials in the countryside charged with supervising logging were (and are) starved of resources. They have no equipment to adequately perform their duties and often rely on the logging companies to provide transportation for inspection visits (!). This situation is surely not due to any lack of government revenue from logging concessions; the large sums thus collected are kept conveniently out of sight. The tax regime for many loggers has changed; whereas previously their tax payments were made public they now no longer are. During the elections campaign of 2004 the payments of some the decentralized taxes to local authorities were halted for unknown reasons²⁶. Where local authorities have received their share (40%) of the forest royalties scrutiny has been minimal and abuse of these funds has been acknowledged by several observers²⁷. The local communities that are supposed to receive 10% of the taxes have reason to complain²⁸. For years the legal status of they payments was unclear, and malpractice common, and while measures were put in place²⁹ their execution is still not universal³⁰. The communities are in effect ordered to organize and negotiate with local authorities over who would get what. Often mayors decide of what activity or benefit the communities will get and sometimes they even decide on the execution of any works or the acquisition of any goods. Communities are therefore deprived of an effective say and malpractice by mayors is rampant. Pygmy communities are often entirely ignored by the authorities for these benefits. In the case of some communities around the town of Mindourou where community shelters were built, some pygmy communities also got

²³ Vermeulen et al (2006)

²⁴ See www.camerooninfo.net for news items . The mayor of the town of Yokadouma was arrested on accusation of corruption, some of it apparently traced back to mismanagement of forest taxes.

²⁵ See the Cameroon reports on www.globalforestwatch.org

²⁶ Though many people I spoke to assumed this was because the money had been used to fund the presidents campaign

²⁷ Including myself

²⁸ See for further information

<http://www.c3ed.uvsq.fr/cdgecorev/fr/pdf/t4/Bigombe.pdf>

²⁹ The so-called *arrêté conjoint MINEFI-MINAT* of the 29th of April 1998

³⁰ Personal observation from Yokadouma. Abuse of the 10% I have observed almost everywhere

shelters built for them. Typically however they did not get the chairs, tables and TVs the other communities got delivered with the shelter³¹.

Cameroon was seen as a great test case for community forestry, but unfortunately the results have been less than encouraging. From the outset the ingredients for failure were present, first of all in the 1994 Forest Law. The vision of community forests as miniature logging concessions were communities would use timber resources to generate revenue goes against the reality of the forest dwellers generally only use timber for self consumption and who lack the technical skills and tools to produce timber for the marketplace³². Even more damaging for the success of community forestry was the lengthy process to actually obtain and manage a community forest. This process was full of bureaucracy and expensive (especially prescriptions like conducting an inventory of the timber in the forest and drawing up a simple management plan). A final blow was the imposition of an annual certificate the communities had to apply for to continue operating. All this bureaucracy meant long delays and ample room for officials to ask for kickbacks.

In the end only a limited number of proposed community forests ever came into existence and even then, in recognition of problems, the authorities suspended some for irregularities. A number of communities managing community forests were lured by loggers into accepting a fee from the logger in exchange for allowing the logger to take out all the commercially interesting species³³.

The logging concessions that cover most of Cameroon's forests are still producing substantial revenue for its operators and taxes for the state. However community benefits have been disappointing. The Forest Legislation in Cameroon identified the following benefits for communities:

- Access to 10% of the forest royalties destined for communities
- Employment by logging companies
- Provision of priority services by the loggers to communities³⁴; i.e. maintaining/building classrooms, health centres, roads and bridges
- Potential access to parts of the 40% of the forest royalties destined for local authorities

In fact the realities today are quite different. These differences are due to confusion over the law but also to deliberate misinterpretation. An overview³⁵ of realities today reveals that:

- Many communities have so far not benefited from the 10% share of forest royalties, notably pygmy hunter-gatherers. Those who have

³¹ Personal observation 2006 and 2007

³² See Vermeulen et al (2006)

³³ Personal observation and communication by community representatives 2005, 2006 and 2007

³⁴ The so-called cahier de charge

³⁵ On the basis of work with dozens of communities and NGOs in Southern and Eastern Cameroon

- benefited in some way have mostly had little say in how and why³⁶. In several areas authorities are not implementing the letter of the law³⁷
- Though some villagers have received jobs, these are mostly the lowliest and worst paid. There is no obligation on the logger to train people Job security is mostly absent.
 - The services that communities are offered by loggers are usually not subject to substantial and participatory reflection³⁸ and there is also no objective monitoring of implementation. In some ways it is unreasonable to expect the logger to provide services that are clearly the confines of the state (education or health care). Therefore there are classrooms but no teachers and clinics with no medicine or nurses³⁹ throughout the forests of Cameroon.
 - The 40% of forest royalties handed back to local authorities are not subject to any monitoring and is used in whichever pleases. Its very apparent that towns like Yokadouma that have boasted very substantial budgets because of the forest royalties do not dispose of any works to show for⁴⁰.

Fourteen years later: what lessons?

Cameroon was a test case in the region for a new form of forest management aiming to guarantee sustainability. Its past management practices were environmentally unsustainable and had seriously infringed forest communities' rights and threatened community livelihoods. The forest reform was a high profile effort closely supported by the international community and especially the World Bank. The accumulated experience and the lengthy process raised expectations of a fresh start.

From the outset the forest reform effort did not include meaningful community participation. The 1994 Forest Code that came out of this process and the 1993 Zoning Exercise expressed a clear disinterest in community management practices and the associated community livelihoods. The greater part of the forest was given to industrial logging with smaller surfaces for conservation. The only part of the forest attributed specifically to the forest communities were small bits of land mostly near the roads for community forestry. Though user rights were guaranteed, these user rights were inevitably going to clash with the industrial logging taking place. The only benefit identified in the law to compensate communities for the logging taking place on community lands is a 10% share of forest royalties, and even this small percentage has not reached many communities

Many of the problems illustrated show how 14 years after it is safe to say the forest reform has not delivered- especially to the communities most affected by logging. Characteristically the focus of the Forest Code is on technical prescriptions with inadequate focus on community issues like tenure. The forest reform also assumes a responsible state that will dutifully deliver on redistributing any benefits, and assumption that seems to contradict

³⁶ Personal observation in the areas around Lomié, Ebolowa and Yokadouma in 2004,2005,2006 and 2007

³⁷ Notably in Yokadouma in the Southeast

³⁸ Personal observation in the areas around Ebolowa and Yokadouma

³⁹ Idem

⁴⁰ Yokadouma has no tarred roads and a largely decrepit infrastructure

Cameroon's reputation of corruption and mismanagement. The accumulated experience of the World Bank and other partners of the reform process could have anticipated many of today's failures.

Forests in the DRC: background

Two thirds of the Congo Basin rainforest lies in the Democratic Republic of Congo, with an impressive 60 million hectares of rainforest⁴¹. The focus of the government of the DRC has traditionally been on mining and this is still the case. Logging was not as developed as is Cameroon, however despite the absence of governance and rampant corruption during the Mobutu years (1965-1997) logging did take place and in a context of impunity. The war that ravaged the Congo from 1996 till 2002 halted the normal economy, including logging, but in fact offered the parties in the conflict the chance to exploit timber in their zones of influence at will.

The forests in the DRC, like those in Cameroon, are home to important communities of forest dwellers- including pygmy hunter-gatherers. It is estimated that the livelihoods of as many as 40 million Congolese depend on the forest⁴². Work on mapping community use of forest resources⁴³ shows the diverse use of the forest

In the final years of the civil war logging operations had restarted and were visible in many parts of the forest. Foreign logging companies (re) appeared next to some national operators. In 2002 a peace agreement officially ended major combat and in 2003 a transitional government was installed. The government started to work on a reform of the forest sector with support of the World Bank. In 2002 the situation was dire, with the economy in tatters the country gained a transitional government composed of different groups in the conflict whose only common denominator was that they had not been elected. Ministers showed total disregard for the interests of the populations and many shady operations took place in the forest sector⁴⁴.

Forest reform in the DRC:

In 2002 some 43 million hectares were identified as logging concessions⁴⁵. In the same year the transitional DRC government suspended the allocation of new logging titles and the renewal or extension of existing ones as recommended by the World Bank. The government in the same year produced a decree to halt the creation of new concessions. The *"moratorium followed a World Bank-instigated tax review of logging contracts: 163 non-compliant contracts covering 25.5 million hectares of rainforest were cancelled."* (Greenpeace, 2006)

The promising situation following the moratorium was undone by the members of the transitional government itself who by April 2006 had signed 107 new logging contracts- in clear contravention of the moratorium- for 15

⁴¹ Greenpeace (2006). The figures for the DRC forests are subject of discussion with figures as high as 100 million or more hectares also in circulation.

⁴² Rainforest Foundation (2006)

⁴³ See www.rainforestfoundationuk.org or <http://news.bbc.co.uk/1/hi/world/africa/7355335.stm>

⁴⁴ Greenpeace (2006)

⁴⁵ Greenpeace (2006)

million hectares of forest⁴⁶. The logging review process that was set up to look at the legality of the different concessions is supported by an International Development Association grant for the large PUSPRES⁴⁷ urgent social and economic relief project. Worryingly the process examined even the legality of those concessions that had been granted in violation of the moratorium. Two other World Bank projects⁴⁸ were to examine the future of Congo's forests. A complete review would have allowed for new ideas; however quickly the focus in the forest reform went to increasing the number of protected areas and looking at industrial exploitation as the best way to develop and manage Congo's forests.

Finally an urgent priority legislative reform was to provide for a complete legislative package, adding implementation decrees to the 2002 Forest Code. Similarly to Cameroon, the (transitional) government in DRC was a by-word for malpractice and corruption. There is a cruel cynicism that while some ministers illegally sold off logging concessions during the moratorium⁴⁹ other minister would claim that the moratorium was depriving the country of crucial resources.

Communities and Forest Reform

Despite the evident importance of the forest reform for communities they were not involved in the discussions and their voices went unheard. In the context of a transitional government (up to 2006) neither elected nor accountable to the Congolese people it should have been no surprise the government wasn't pushing for communities to participate in the proceedings. It was more surprising that the World Bank and the international community did not insist on this point. Rather than encouraging dialogue and reflection the World Bank led reform process produced a one-sided and limited set of solutions. These solutions amounted most notably to identifying industrial logging concessions as an appropriate way to develop and manage the DRC's forests.

Communities were never consulted over their wishes or livelihoods needs, and initial elements of the forest reform that could have changed this were not followed up. Most notably a forest zoning pilot scheme that could have incited serious reflection on the spatial use and priorities for forest management was ended prematurely.

The legal reform process has barely moved since 2002 and despite this concessions in the legal review process continue to operate in what is a legal vacuum. The review process has been stalled as well.

Congolese civil society and community activists got increasingly concerned over their lack of participation and particularly the consequences of the forest reform process on indigenous pygmy communities. This led them to make a complaint to the independent World Bank inspection panel in December

⁴⁶ Greenpeace (2006)

⁴⁷ Projet d'Urgence et de Soutien au Processus de Réunification Economique et Sociale (PUSPRES)

⁴⁸ Transitional Support for Economic Recovery Grant TSERO (IDA Grant No. H 1920-DRC) and Emergency Economic and Social Reunification Support Project EESRSP (Credit No 3824-DRC and Grant No H 064-DRC)

⁴⁹ Greenpeace (2006)

2005⁵⁰. Their complaint focused on the way the World Bank led project for forest reform was ignoring the rights of communities, particularly the indigenous pygmy hunter-gatherers.

The complaint led to a full investigation by the Inspection Panel, whose report was published in January 2008⁵¹. The report expressed grave concern about the Forest Reform process and reads as a clear indictment of some World Bank decisions and policies in DRC, very significant because this was the World Bank's "own" inspection panel with access to World Bank staff and documentation. The public availability of the report offers a rare opportunity for insight into the decision making process of the World Bank. It's an independent and factual review of the forest reform process. Below are reprinted some textual key passages from the report, 'Management' refers to the World Bank Management.

The World Bank Inspection Panel Report: Selected findings:

Page	Text
Xv	Management explains that the design of the Project as reviewed at concept stage did not reveal the existence of Indigenous Pygmy communities
Xviii	Management indicates that the impacts of forest reform on poverty alleviation will be brought about through innovations such as (1) economic benefits from logging concessions and (2) community forest programs. Management notes that the Bank is conducting a Poverty and Social Impact Analysis (PSIA) "on the impact of forest reforms on poverty alleviation (forest revenue shares to local entities, cahiers des charges, community forests)" and that fieldwork and local consultation are being carried out in partnerships with local NGOs
Xix	Unless strong measures are taken to ensure that the benefits reach local people, the concession system will not make the expected contribution to poverty alleviation
Xix	The market value of timber production (...) is estimated at US\$169 million per annum, the total economic value of the resources used by local people amounts to over US\$2 billion per annum
Xix	The Panel notes that if access to these non-timber resources were to be considerable restricted by timber operations
Xx	The environmental assessment for component 2
Xxi	After the concession review process has been completed, the Moratorium can be lifted and new concessions allocated
Xxi	The Panel observes that the financing of policy and institutional reform
Xxiv	The Natural Habitat policy also provides that the Bank expects the borrower to "take into account the views, roles, and rights of groups (..) affected by Bank-financed projects involving natural habitats, and to

⁵⁰ See www.rainforestfoundationuk.org or http://www.globalwitness.org/media_library_detail.php/620/en/world_bank_logging_plans_for_dr_congo_slammed_by_t

⁵¹ <http://web.worldbank.org/WBSITE/EXTERNAL/EXTINSPECTIONPANEL/0,,contentMDK:20742493~menuPK:64129250~pagePK:64129751~piPK:64128378~theSitePK:380794,00.html>

	involve such people in planning, designing, implementing, monitoring and evaluating such projects”
Xxv	The Panel finds that the Bank determination that there were no significant environmental or social effects of the forest component of the TSERO is not consistent
Xxvi	The Panel does not agree that systematic assessment would have caused delays that, in turn, would have cause greater social and environmental harm in the field
Xxvii	The post-Moratorium swaps and allocations of new concessions raise significant concerns about the entire concession conversion process
Xxxi	The panel understands that the local representatives will not have access to the Technical Working Group Report and to the concession file under review...Unless these concerns are addressed, the Panel is concerned that the inclusion of a local indigenous representative may legitimize a process under
Xxxii	Management dropped the pilot zoning component from the Project around the time
Xxxiii	The Panel notes the recommendation in the Forests in Post-Conflict DRC report that local communities’ uses be mapped and their rights secured
Xxxiii	Various reasons have been cited for this delay, including that the decree on community forests requires innovation, studies, and other preparatory work
Xxxiv	In its investigation, the Panel noted that when the Bank initially became engaged in the DRC and decided to support work in the forest sector, it provided estimates of export revenue from logging concessions that turned out to be much too high. This had a significant effect, for it encouraged a focus on reform of the forest concession system at the expense of pursuing sustainable use of forests, the potential for community forests , and conservation
Xxxv	The Panel is concerned that the benefits form the industrial harvesting of trees which is at the core of the policy and administrative reform, are not going to the people living in and around the forest
Xxxv	The Panel notes the potential importance of developing a more balanced approach by emphasizing appropriate models of community forests as well as other actions to support community participation, land tenure and use rights in the forests and by linking to the recently proposed Bank administered fun to pilot instruments for reducing carbon emissions from deforestation and forest degradation

The reports finding go from the candid to the absurd. Note that the World Bank claimed to have been unaware of the presence of hundreds of thousands of Pygmy hunter-gatherers in the project area. More sobering are the panel’s doubts about the benefits of industrial logging for communities and its concern about finding a more balanced approach aiming at community and land tenure rights. Finally the panel questions the economic rationale of logging concessions and the way to World Bank produced wrong estimates about export revenues of logging concessions that led to the focus on industrial logging in the first place.

The World Bank reply to the report⁵² dismissed some of the report's conclusions and accepted others. According to the World Bank's Managing Director of the World Bank Group, Ngozi N. Okonjo-Iweala: *"The World Bank has done a lot but can do more to protect forests, reduce poverty, support Indigenous Peoples' rights and promote global environmental stability through its work in the DRC . We will take on board the Panel's findings, apply lessons learned and stay engaged in cooperation with our development partners and the DRC Government, which is leading this important effort."*⁵³

Despite these admissions the World Bank reply seems to indicate that according to the World Bank they are on the right track. Concrete solutions for many of the problems raised in the report (community forestry, conversion process and community participation) have yet to be formulated.

Analysis of the DRC forest reform

The DRC forest reform was prominently supported and piloted⁵⁴ by the World Bank as in Cameroon in the 1990s. Whereas the experiences of Cameroon have produced some well documented failures, particularly so in addressing the needs and rights of forest communities, many of same elements showed up in the DRC forest reform.

The persistent lack of consultation or participation of communities in a country where the livelihoods of millions so very much depended on the forest is worrying to say the least. The constant focus on industrial logging, despite many indications of inherent risks, led to a dismissal or neglect of community led forest management is no less damaging.

It's hard to see the institutional blindness of World Bank staff in DRC towards community led forest management, not as a sideshow to the far more important industrial logging but as a serious alternative, change overnight. During the past years the World Bank and the Congolese government have not engaged in any meaningful dialogue with the very vibrant Congolese civil society- expect a limited number of 'chosen' NGOs. The government has in fact berated NGOs for showing a lack of patriotism and smearing the reputation of the country⁵⁵ when assuming a critical stance on the forest reform. Despite the apparent availability of Congolese civil society to work towards better forest management too often they are perceived by World Bank staff as obstacles and not as potential partners. The World Bank's confidence in its own ability to redress the situation could yet translate in a perception they can do it alone.

Conclusion

Forest management in both Cameroon and the DRC has taken place in countries with very important and rich natural forests, and large numbers of

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<http://web.worldbank.org/WBSITE/EXTERNAL/EXTINSPECTIONPANEL/0,,contentMDK:20742493~menuPK:64129250~pagePK:64129751~piPK:64128378~theSitePK:380794,00.html>

⁵³ Idem

⁵⁴ Even though some observers might object to the word 'piloted' and talk about DRC sovereignty it is a country with practically no expertise in forest management, no trained officials and severe budget restrictions.

⁵⁵ Personal observation and communications in 2006 and 2007

poor forest communities who depend on the forest. Both countries were supported by the international community in their forest reform efforts, and especially by the World Bank. The outside support offered important expertise and experience that was not necessarily locally available. Both forest reforms therefore generated a lot of expectation. The expectation was partly due to the extremely unfair and unsustainable ways forest management had been organized previously in both countries- allowing for unsustainable industrial logging while leaving communities marginalized.

Forest dwellers' communities with an accumulated history and knowledge in managing the forest could have been presented with appropriate models empowering them in providing in their own livelihoods in culturally and environmentally appropriate ways.

Instead the Cameroon forest reform produced a "version 2.0" of the past model by placing practically all of the forest in the hands on industrial loggers. These loggers were bound by some rules ostensibly aiming to improve the lot of communities. The forest reform foresaw a very profitable logging industry in a frequent unhealthy relationship with many government officials submitted to law enforcement by often the same officials. A government that has continuously under-resourced its forestry officials in the field, was denounced for rampant corruption, and that never felt the need to share the spoils of the forest with communities was not going to be an effective protector of community rights and benefits.

For the World Bank staff to have co-produced a law that did not have adequate community involvement in its design and execution and a focus on a system of industrial logging that had a poor track record on delivering benefits for communities should have been the source of lessons learned. Especially so after more than 10 years of persistent failure in the Cameroonian forest law and forest reform in producing benefits and development for communities- a development in line with the extravagant sums produced by industrial logging.

Instead the World Bank involvement in forest reform in the Democratic Republic of Congo repeats many of the failures of the Cameroon case. The DRC relied even more on World Bank guidance being in a post-war transition, low on money and capacity. If we believe that the DRC government chose to ignore the plight of its own forest communities the World Bank and other international partners could have guided the government into alternative paths through persuasion. In fact the Inspection Panel report is unequivocal in its criticism of the World Bank's role in the forest reform and even appears to suggest that the World Bank used faulty arguments to win the government over on prioritizing industrial logging.

This is not to say the World Bank should shoulder the responsibility alone. Many other major stakeholders (EU governments for example) seem to have meekly followed what must have appeared (it was apparent quickly enough to the Inspection Panel) as a forest reform full of flaws.

The Congolese government could be blamed for holding the international community to ransom by claiming that halting logging was depriving it of crucial money, an argument the Inspection Panel resolutely debunks.

It is fair to say that the Congo Basin has seen few true innovative experiences in community led forest management; however there is a host of willing stakeholders and partners that are awaiting the occasion to work on

developing just such a true alternative. The chances of success of such an enterprise are certainly not worse than continuous and all-round failure of industrial logging to deliver.

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