

Findings from the Community REDD+ Monitoring Missions in the Mai-Ndombe Province

November 2018

1. Summary

This briefing provides a short summary of results from a civil society monitoring mission in Mai Ndombe in September and October 2018 conducted by six local monitors trained by the Congolese organisation *Action pour la promotion et protection des peuples et espèces menacés* (APEM) and financially and technically supported by the Rainforest Foundation UK. The monitoring consisted of 239 structured interviews with villagers in the Wildlife Works Carbon (WWC) private REDD concession, the Forest Investment Programme (FIP) Integrated REDD+ plateaux project (PIREDD Plateau) implemented by World Wide Fund for Nature (WWF), and the Somicongo logging turned REDD+ concession east of Lac Mai Ndombe. A summary of the methodology used is included as Annex 1.

Our findings are consistent that REDD+ activities on the ground are mostly failing to adhere to national and international standards. Local communities visited remain largely unaware of the existence of REDD+, and if they do know what REDD+ is, have not given their free, prior, and informed consent (FPIC); have not partaken in any activities that would improve their land rights; and have not received many of the promised benefits. Lastly, there has been negligible support to local administrations in the province and there is no functional feedback, grievance and redress mechanism (FGRM) in place.

It should be noted that some obstacles in gathering of data were encountered. In the WWC concession, the constant presence of agents of the company and agitation of local elites during the field mission was part of a concerted effort to prevent free and open exchange about the project. For the newly-created Somicongo concession, it became apparent that communities had been 'pre-prepared' to give a favourable opinion of the new project as one of the monitors was persuaded by the supervisor of the Somicongo concession to ensure the data would reflect positively on the project so that "the World Bank would give funds to the society," as was stated in a letter. The data collected from this area is thus not included in this brief overview.

2. The findings

2.1 Consultation

While interviewing a REDD+ project implementer in Mushie, he said "if our job had been just to sensitize and inform communities of what REDD+ is for the first two years before the project began, it would have been a complete success".

The right of local and indigenous communities to proper consultation and FPIC is enshrined in DRC's national REDD+ safeguards and the FCPF Carbon Fund Methodological Framework, among other international standards and conventions that DRC is party to. However, across all projects, we found that REDD+ project implementers did not obtain the FPIC of local communities.

WWC project

Villages: Bobolampinga, Iballi, Mbale and Selenge

- The majority of interviewees had never heard of REDD+ and do not know what REDD+ is (74% of WWC interviewees). However, many were aware of an ongoing WWC/ERA project.
- The majority of interviewees felt their community did not have the chance to say yes or no to REDD+ establishment on their land (93% of WWC interviewees).
- Female focus groups revealed that women are particularly marginalised in REDD+ activities, with extremely little knowledge of what REDD+ is or that there is a project ongoing on their land.
- The only community members (3 people, 7% of WWC interviewees) who have heard of REDD+ and who responded that their community had the chance to give their consent to REDD+ establishment on their land were local elites who were members of the local development committees (CLD).

PIREDD Plateau

Villages: Mbali, Bopaka, Mongama, Maseke, Nkoo and Komambi

- Only 8 out of 167 people could give a basic description of what REDD+ is. The majority of people have heard of REDD+ (130 people, 78% of PIREDD interviewees), but most described it as paying communities to plant trees. Nobody mentioned conserving forests, access to alternative livelihood activities, agroforestry, or other benefits project documents prescribe.
- A full and inclusive consultation was not undertaken for the establishment of REDD+ projects in any of the villages. For example, members of both the CLD and wider community stated during village meetings in Maseke that the project was presented as a government authorised project and as the government owns the land, the community had no say in its establishment. Nobody knew or could remember what REDD+ is in the village Komambi. Community members of Mongama were told the affair only concerned the village chief.
- Monitors reported that CLDs were created or reinstated by WWF selecting local elites rather than the community electing their representatives in a participatory manner. Elections to choose CLD members were reportedly organised in haste, without the full sensitisation of community members to whom and for what they were electing individuals. Consequently, monitors reported that there is significant tension in certain villages visited regarding who is part of the CLD and why they get to decide.
- CLD members told monitors they are not consulted on content of PES agreements they sign with WWF.

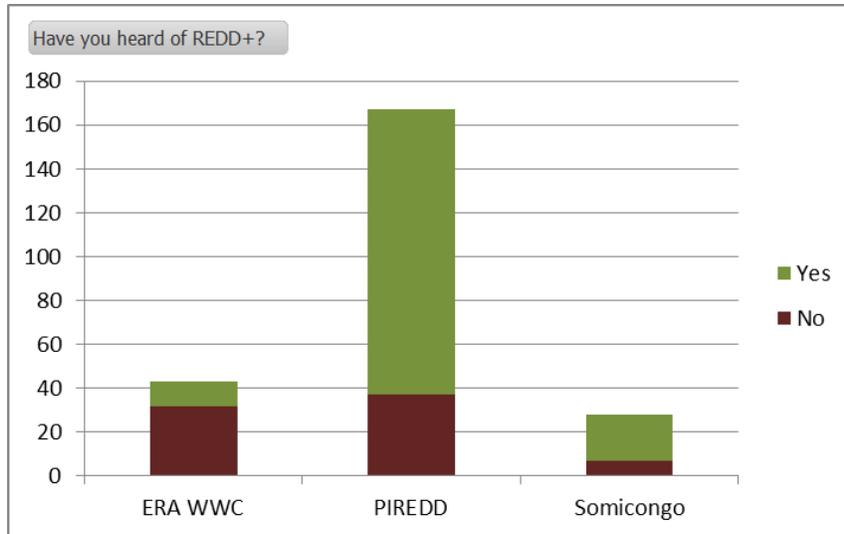


Figure 1
Number of people that have heard of REDD+ inside WWC, FIP and Somicongo concessions

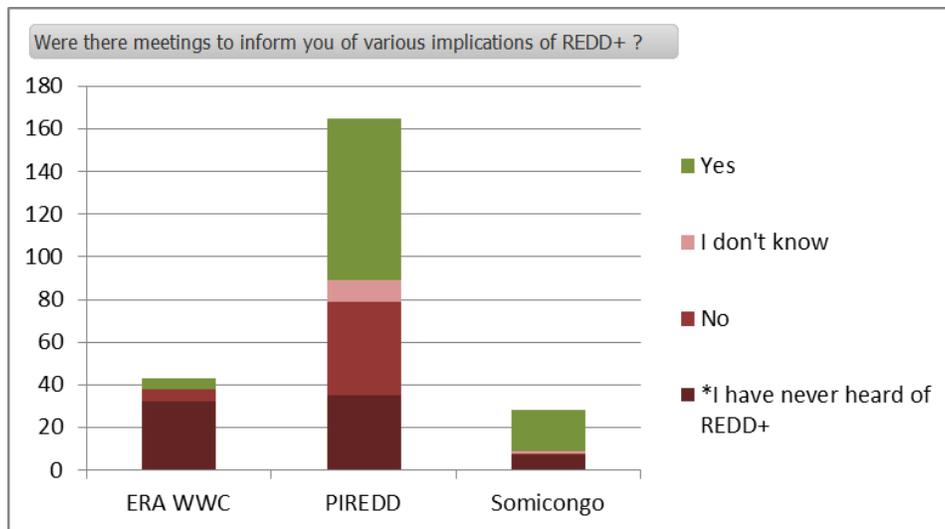


Figure 2
Number of people who knew if a meeting on REDD+ occurred within their village within the WWC, FIP, and Somicongo concessions.
*People who had never heard of REDD+ were not asked this question

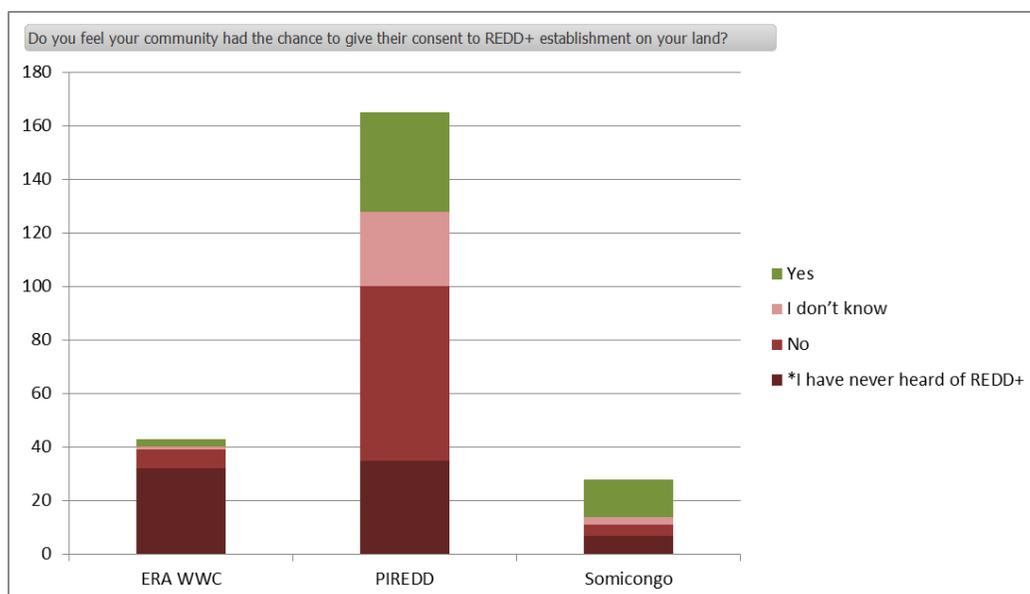


Figure 3

Number of people who felt their community had or did not have the chance to give their consent to REDD+ establishment on their land within the WWC, FIP and Somicongo concessions.

*People who had never heard of REDD+ were not asked this question.

2.2 Land rights

"I prefer the exploitants because we know which products they extract from our forests, which is not the case with WWC/ERA. No one among us can tell you exactly what [WWC/ERA] does or especially what they gain from our forests."

The Cancun Agreements specify that Parties must address land tenure and governance issues when implementing their national action plans with the effective participation of all relevant stakeholders, including indigenous peoples and local communities.¹ This requirement is reflected in the policies of the FCPF readiness assessment framework that similarly require REDD+ action plans to address natural resource rights, land tenure, and governance issues. However, the required REDD+ tenure assessment has yet to materialize. Monitoring missions found there has been no effort to improve the land rights of the communities visited, and that some land restrictions imposed by REDD+ projects have created conflict within communities.

WWC

Villages: Bobolampinga, Ibali, Mbale and Selenge

- The majority of interviewees (83% of WWC interviewees) responded that their community possesses customary land rights, while the few that stated their clan does not possess customary land rights can still use the forest either freely or with the permission of the chief.

¹ "Cancun Agreements | UNFCCC." Accessed November 6, 2018.

<https://unfccc.int/process/conferences/pastconferences/cancun-climate-change-conference-november-2010/statements-and-resources/Agreements>.

- When asked if REDD+ project developers had requested authorisation to use their forest, about a third of interviewees responded “yes” a third “no”, and a third did not know (34.5%, 31%, and 34.5% of WWC interviewees, respectively).
- There are two community maps of two different villages; however, both were developed through a previous project supported by RFUK rather than with REDD+ project developers.
- Monitors reported that the project’s establishment has created serious inter-communal conflict due to suspicion over project aims and initial restrictions of forest access. Previous reports documented four deaths in the Ngongo and Mpili villages arising from this conflict, the most recent in December 2017.
- As a result of this, customary authorities still prevent WWC employees from accessing a large portion of the concession, which is therefore effectively ‘off-limits’ to the project.

PIREDD Plateau

Villages: Mbali, Bopaka, Mongama, Maseke, Nkoo and Komambi

- When asked if they knew how their village could obtain rights to their customary forests, 96 percent of PIREDD interviewees (155 people) responded that they did not know.
- Similarly, agents of the local administration had no knowledge of the legal provisions for community forestry.
- Community members expressed in village meetings and focus groups that natural resource management plans were created by an organisation titled Action Massive Rurale (AMAR), recruited by WWF, without the participation or consultation of communities and many are afraid of what restrictions will be imposed on them.
- Community members of certain villages stated they are facing restrictions on forest use, which have been designated as conservation areas, similarly for savannahs important for grazing cattle and foraging, which were assigned as reforestation areas under the natural resources management plans.
- Many villages (particularly Mongama, Maseke, Komambi) risk suffering serious human rights abuses at the hands of guards for the cattle ranch SOGENAC, which is a private partner of the ER Programme. A murder committed by SOGENAC guards was documented during the monitoring missions.

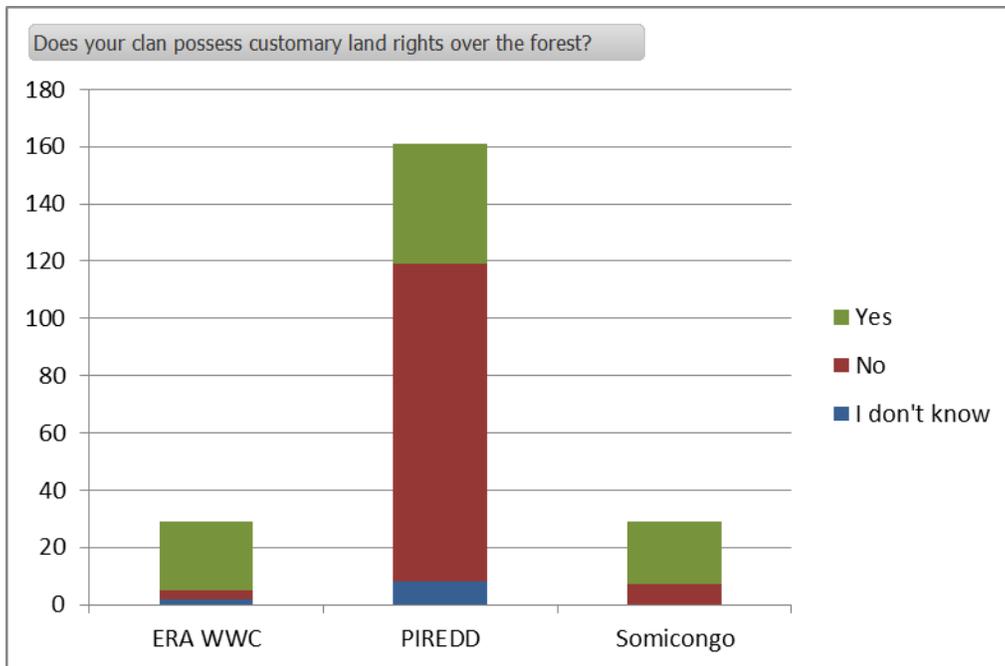


Figure 6. Number of people who responded to whether their community possesses communal land tenure.

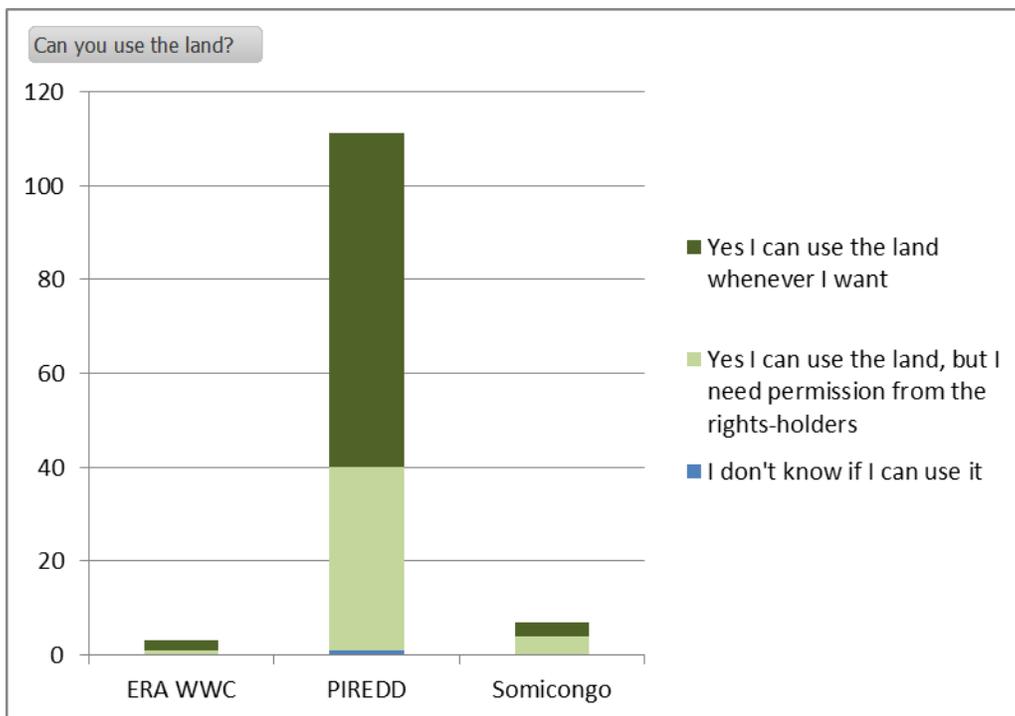


Figure 7. Number of people who responded they can still use the land after answering that they do not possess customary land rights.

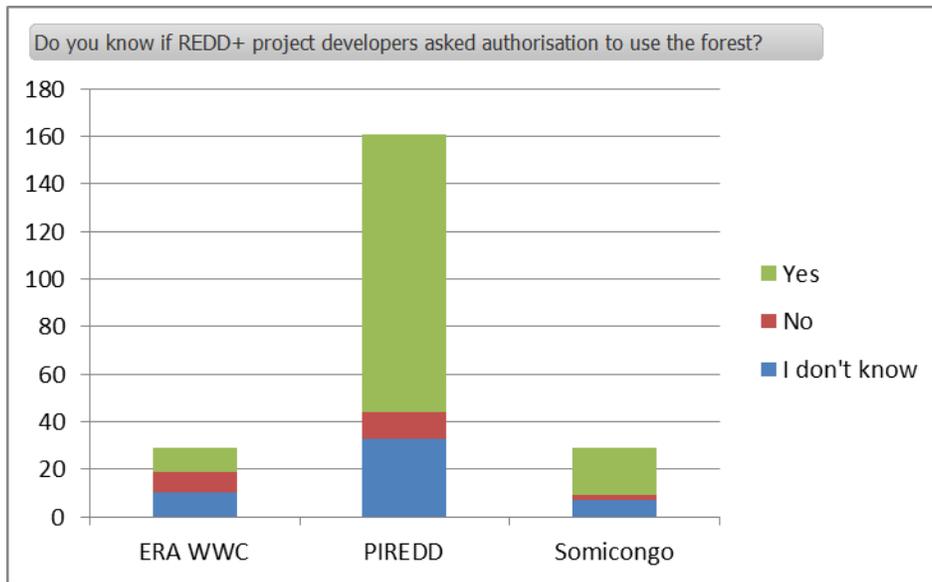


Figure 8. Number of people who answered whether REDD+ project developers asked authorization to use their forest.

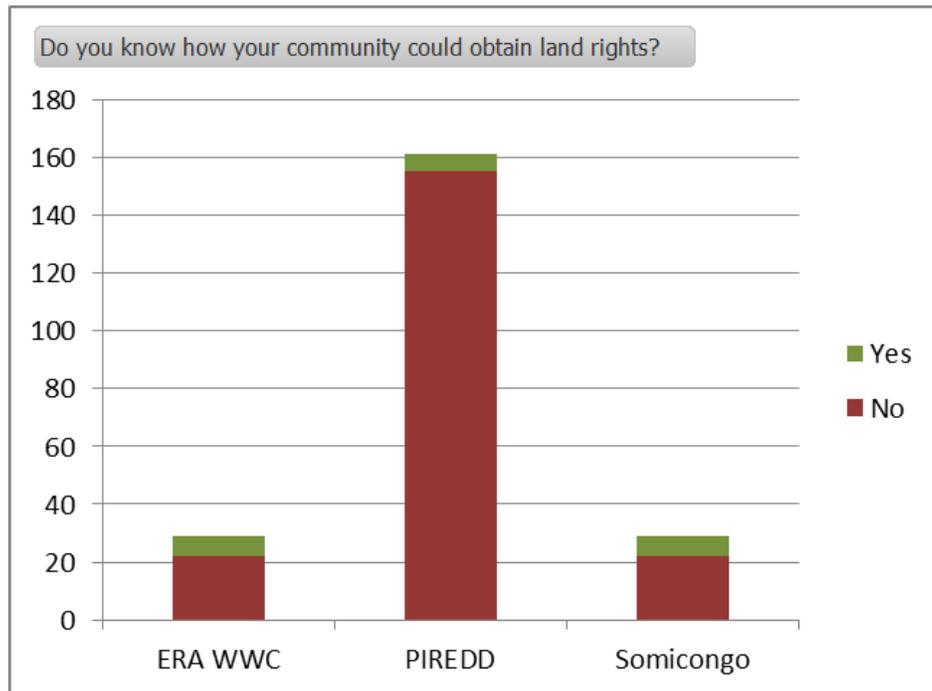


Figure 9. Number of people who responded if they knew how to obtain land tenure.

2.3 Benefit-sharing

“They make us plant hectares of acacia (eucalyptus) and coconuts, but the pay is poor, it is useless for us to spend the time working our fields so after three months they pay you 12,000 Congolese francs equivalent to about 7\$. Maybe 20\$.”

The Nagoya Protocol under the Convention on Biological Diversity requires parties to ensure indigenous peoples and local communities gain fair and equitable benefits from the use of genetic resources.² The FCPF Readiness Fund similarly requires an assessment of benefit-sharing arrangements as part of their readiness phase, before or at the time an ERPA is signed.³ Across the villages surveyed, there is a clear trend that among communities that are aware of REDD+ and the associated benefits, benefits have not been adequately delivered.

WWC concession

Villages: Bobolampinga, Ibali, Mbale and Selenge

- The process for developing *clause sociale* agreements between the company and the communities has been extremely opaque, and in some cases has been signed on behalf of the community by persons with no mandate to do so. *Clause sociale* agreements to implement community development projects have not been respected.
- ‘Demonstration gardens’, ranging from 2m² to 10m², are present in all villages but do not significantly benefit the community. In fact, in some villages, WWC collects the produce, sometimes gives a bit to members of the CLD, and transports the majority directly to the market in Inongo where WWC collects the profit.
- Barely any of the promised health centres, schools, and improved roads have been built yet.
- In terms of payments, it is not clear what the exact amount communities were promised by WWC is. Some reports are that each clan was promised 500 USD a year. Given that clans range from 10 to 900 people, this equates to 50 USD to 0.55 USD per person. However, the payments are often not paid in full, with significant delays, or not paid at all. No payments were made during an 18 month hiatus during which all project activities ceased due to financial difficulties faced by the company.

PIREDD Plateau

Villages: Mbali, Bopaka, Mongama, Maseke, Nkoo and Komambi

- Similar to findings of the 2017 investigation by the Congolese NGO LICOCO⁴, monitors found none of the communities visited had received the full benefits promised by WWF.

² “The Nagoya Protocol on Access and Benefit-Sharing.” Accessed November 6, 2018. <https://www.cbd.int/abs/>.

³ “Chapman - REDD+ Law Project - Working Paper.Pdf.” Accessed November 6, 2018.

<https://www.4cmr.group.cam.ac.uk/filecab/redd-law-project/21040813%20WP%20Legal%20aspects%20of%20benefit%20sharing%20for%20REDD.pdf>.

⁴ Kassanda, Jarline, and Fabrice Mangbele. *Rapport mission d'observation independante non mandatee du processus REDD+ dans la province de Mai-Ndombe, territoire de Mushi villages de: (Isali, Mbali, Duama, Kesomi, Mpoko)*. 2017. <http://www.redd-monitor.org/wp-content/uploads/2017/11/RAPPORT-FINAL-OI-MUSHIE-REDDLICOCO-2017.pdf>.

- Many community members stated the payments promised by WWF are very small to begin with, and in most cases communities are not paid at all or paid irregularly with significant delays.
- Of the 167 people questioned inside the PIREDD Plateau area, 94 people said they were participating in reforestation activities in exchange for payments, and 90 of them (96%) said their standard of living has not improved or has stayed the same.

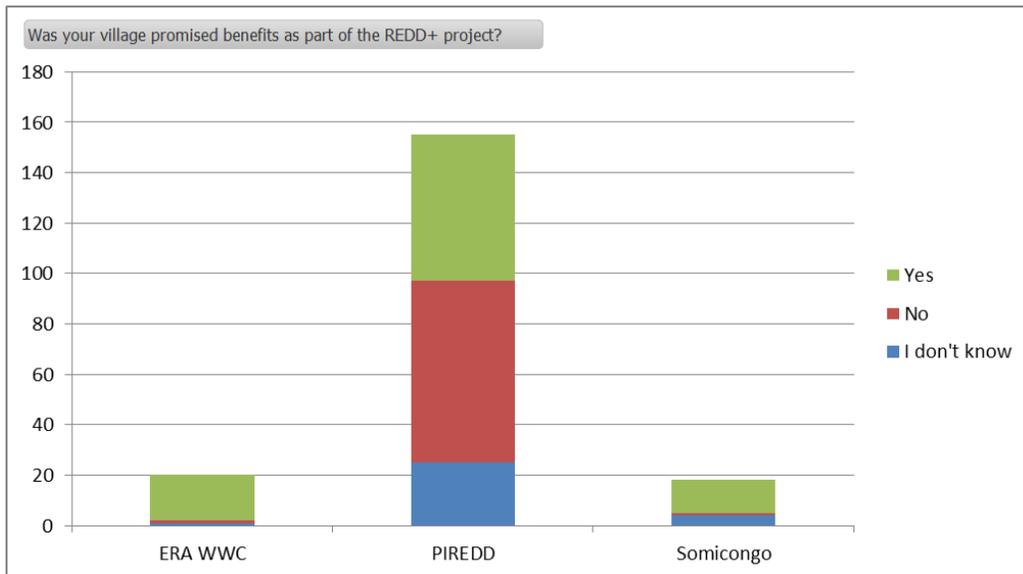


Figure.10

Number of people who responded to whether their village was promised benefits as part of the REDD+ project.

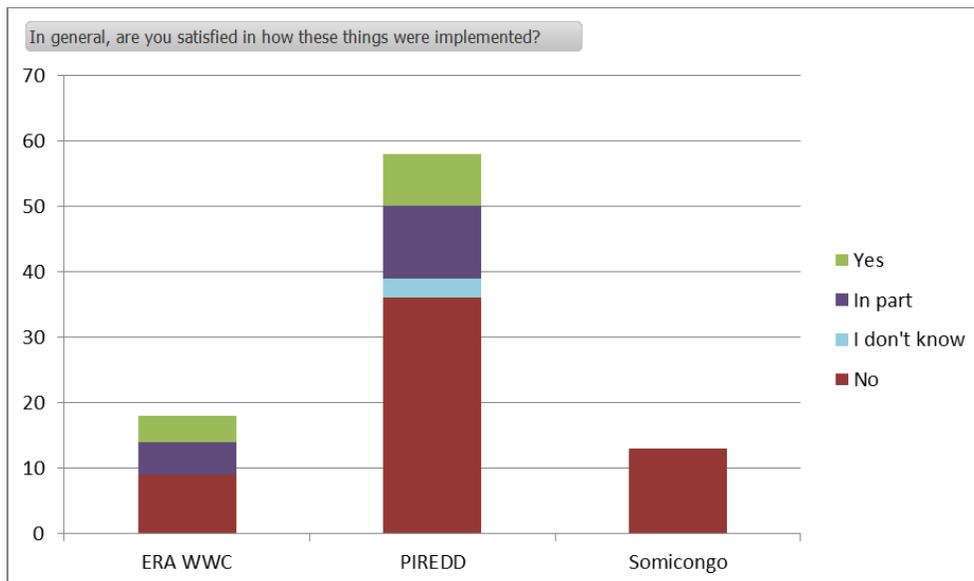


Figure. 11

Number of people who responded who were satisfied or unsatisfied with how REDD+ project benefits were delivered at the communal level. Only those that answered yes, their village was promised benefits were asked this question.

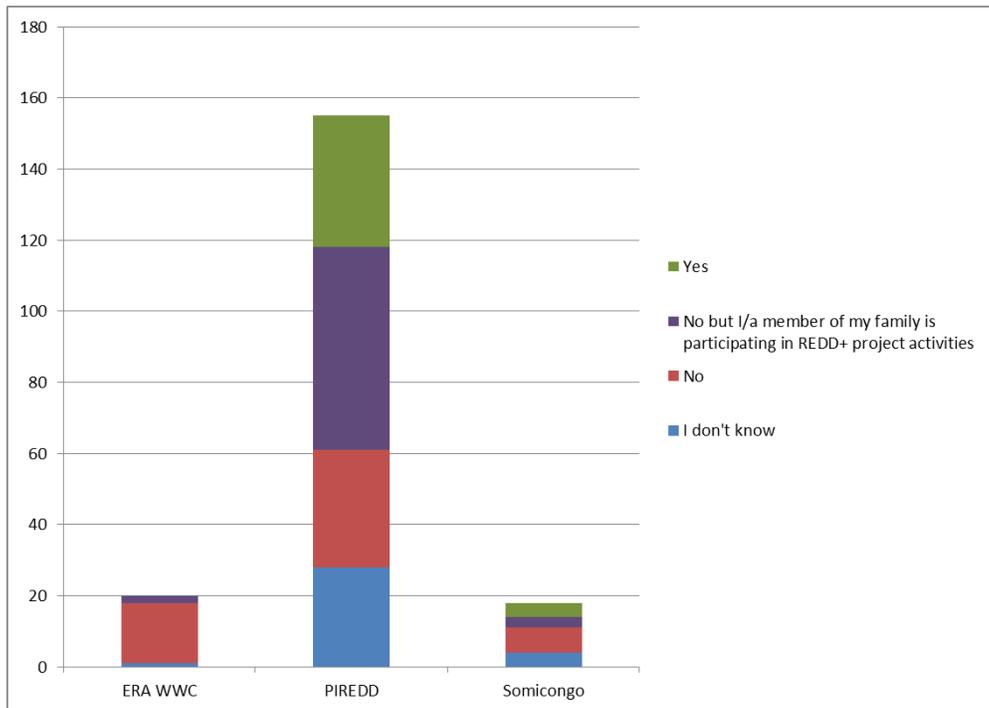


Figure 12.
Number of people who responded to whether they or a member of their family was engaging in REDD+ project activities at the individual level.

3. Other Findings

- There is an extremely limited understanding of REDD+ among administrative organs in Mai Ndombe province. Monitors of the PIREDD Plateau visited the local administration and found they were not receiving any support from REDD+ project implementers. On a previous mission to Mai Ndombe, the local administration in both Oshwe and Inongo was found to have a very limited understanding of REDD+.
- There is no functional FGRM in place. For example, to our knowledge none of the issues described above came to light through the systems in place. Community members are largely unaware of how to raise concerns to REDD+ implementers, and are more likely to address local authorities or use their customary structures when problems arise.

Annex 1

Summary investigation methodology

Over the course of 22 days, the six REDD+ monitors from the province accompanied by two trained community facilitators from the organisation APEM interviewed 239 people across fourteen villages located in three REDD+ projects nested within the province: the Wildlife Works Carbon (WWC) concession, the Forest Investment Programme (FIP) Integrated REDD+ plateaux project (PIREDD Plateau) implemented by World Wide Fund for Nature (WWF), and the Somicongo logging turned REDD+ concession. Village surveys measured the level of consultation carried out by REDD+ project implementers, to what extent project activities focus on clarifying and improving land tenure of forest communities, and what benefits are delivered to communities. This criterion is based on internationally-recognized standards on REDD+ implementation, such as the Carbon Fund Methodological Framework, the Cancun Agreements, UNFCCC safeguards, UN Declaration on the Rights of Indigenous Peoples, and the DRC national Forest Code.

Village surveys included village meetings, focus group sessions with women or indigenous peoples, detailed individual interviews, incident reports to document human rights abuses, and a mission report to detail the overall situation inside villages. While village meetings, focus groups and mission reports are all largely qualitative, individual interviews provide quantitative data to measure the respect of REDD+ safeguards.

The full methodology is available on request.

Annex 2

Photos of REDD+ projects



Image 1

Road constructed as part of infrastructure development for PIREDD Plateau.



Image 2

Construction material in WWC concession. In one village, Iballi, community members said they were promised a school, a hospital, and a route to Kasenge and the bricks to construct the hospital would be bought from the community for 250 Congolese francs each. Community members proceeded to make 11,000 bricks upon this agreement, but at the time of purchase, WWC/ERA employees said they would only buy the bricks for 50 francs each and have still not paid that amount to the community. All of the sand the community collected to build the school has now been washed away by rain.



Image 3

Demonstration garden in the WWC concession. Community participation in gardening activities has been minimal.