

A NATIONAL STRATEGY FOR COMMUNITY FORESTRY IN DEMOCRATIC REPUBLIC OF CONGO

**BRIEFING
MARCH 2018**



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Members of a local forest community in Equateur province, DRC collect non-timber forest products. Photo credit: GASHE

INTRODUCTION

In February 2016, the Democratic Republic of Congo (DRC) became the latest country in the Congo Basin to provide a legal basis for communities to manage their own forests. The signature by DRC's Environment Minister of a Ministerial Order¹ on the management of community forests [*Concessions Forestières des Communautés Locales (CFCL)*] followed a 2014 Presidential Decree² laying out the process through which these community forests could be applied for by local communities and indigenous people.

These new laws allow for 'multi-use' community forest concessions to be held in perpetuity for up to 50,000 hectares of land – ten times more than the maximum amount authorised in any other country in the region. The potential implications of this reform are significant, given that DRC has the second largest and most intact area of contiguous rainforest in the world, accounting for more than half of the total remaining rainforests in the Congo Basin region.

DRC HAS A FOREST COVER OF AROUND 100 MILLION HECTARES, WITH AN ESTIMATED 40 MILLION PEOPLE RELYING ON FORESTS FOR THEIR LIVELIHOODS.



40 MILLION
people depend
on forests



50,000 HECTARES
max size of a local
community forest concession



100 MILLION
hectares of forest
in DRC



26.3 PERCENT
of country's forest under
protected status



14.7 PERCENT
of country's forest
attributed to logging
concessions

¹ Arrêté ministériel n°025/CAB/MIN/ECN-DD/CJ/00/RBM/2016 du 9 février 2016 portant dispositions spécifiques relatives à la gestion et à l'exploitation de la concession forestière des communautés locales - République Démocratique du Congo.

² Décret n°14/018 du 2 août 2014 fixant les modalités d'attribution des concessions forestières aux communautés locales.

CONTEXT

Community management of forests has become increasingly recognised in recent years as having the potential to reduce deforestation and improve livelihoods for rural communities, who depend entirely on the forest for their survival. Indeed, there is a general consensus that forest areas under community control tend to result in better social and environmental outcomes³.

In the Congo Basin it offers a much needed alternative to both industrial logging, which has failed to foster local development, and strict conservation projects, which are often implemented without taking forest communities' customary land rights and livelihoods into account. In DRC, these new laws put in place a legal framework for small-scale wood felling, as well as the production of non-timber forest products, which is led by local communities themselves. The vast majority of Congo's forests have long been occupied and managed by local people, and the legislation represents an almost unprecedented opportunity to bring large areas of forest under formal community control.

Nevertheless, there remain a number of significant challenges to making community forestry a success in DRC. Perhaps most significantly, there is a clear need to build the capacity of the many actors involved in community forestry – especially those of the forest administration (particularly at the local level) responsible for allocating and monitoring community forest concessions. This lack of staff, skills, resources and institutions brings with it a risk of CFCLs being granted in a haphazard way, without proper oversight or a common vision of how community forestry can be developed to benefit communities across the country.

In response to these challenges, a Roundtable on Community Forestry was initiated in Kinshasa in October 2015, with the aim of forging consensus amongst different stakeholders and developing a common National Strategy on Community Forestry (*Strategie Nationale sur la Foresterie Communautaire [SNFC]*), as well as a roadmap for its implementation across the country.

This briefing note outlines the key elements of this new National Strategy, and gives a concise overview of the Roundtable process that has led to the creation of this landmark document.



A participant speaks during a Roundtable panel discussion in Mbandaka, Equateur province.

³ See: E. Ostrom, 2015, *Governing the commons*. Cambridge University Press; A. Agrawal, 2001, "Common property institutions and sustainable governance of resources," *World Development* 29(10); A. Agrawal & E. Ostrom, 2001, "Collective action, property rights, and decentralization in resource use in India and Nepal," *Politics & Society* 29(4).

THE NATIONAL ROUNDTABLE ON COMMUNITY FORESTRY

RATIONALE

In 2014, following the signature of the Community Forestry Decree, a number of pitfalls and challenges to the successful development of community forestry in DRC became evident⁴. These included the absence of strong administrative capacity, particularly at the local and provincial level, where the new legal texts place much of the decision-making powers over the granting and oversight of CFCLs. Moreover, the risks of rent-seeking, elite capture and abuse of the new system by loggers have been identified from an early stage. The creation of a range of new legal tools and guidelines to help regulate the creation and development of CFCLs is another obvious need.

Since the legal texts were signed into law, other worrying trends have emerged that threaten to undermine community forestry before it has had the chance to become truly established. Some Congolese civil society organisations have reported a proliferation of CFCL applications facilitated by external NGOs in forests where the local communities have not been properly informed or consulted and are, therefore, not fully engaged in the process. In several cases, concessions have been allocated arbitrarily by provincial authorities who do not fully understand or follow the legal process. There are fears that a scramble to set up CFCLs without putting in the necessary groundwork at the community level will likely lead to failure.

The National Roundtable was initiated in 2015 to address such risks by bringing together different stakeholders involved in the development of community forestry in DRC and agreeing on a common national strategy and approach, developed through consensus. The National Roundtable also serves as a forum for sharing lessons from pilot projects across DRC, both in terms of best practices and in order to identify obstacles to the national community forestry process.

THE ROUNDTABLE PROCESS HAS BEEN COORDINATED BY CONGOLESE NGO CENTRE D'APPUI À LA GESTION DURABLE DES FORÊTS TROPICALES (CAGDFT), WITH THE SUPPORT OF THE RAINFOREST FOUNDATION, WORLD RESOURCE INSTITUTE (WRI), USAID AND THE UK DEPARTMENT FOR INTERNATIONAL DEVELOPMENT (DFID), AS WELL AS THE POLITICAL SUPPORT OF THE MINISTRY OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT THROUGH ITS COMMUNITY FORESTRY DIVISION.

⁴ Rainforest Foundation, 2014, New community forest decree in DRC: Opportunities, risks and implications for forest governance, <http://www.rainforestfoundationuk.org/media.ashx/37742-RFUK-CF-Briefing-Statement.pdf>

WHAT IS THE PURPOSE OF THE ROUNDTABLE?

The Roundtable on Community Forestry is convened with the following objectives:

- Develop and validate the National Strategy on Community Forestry (SNFC) in a participatory manner, with a view to formal government endorsement;
- Monitor the implementation of the SNFC and related action plans;
- Provide a space where stakeholders and practitioners regularly exchange views on all issues related to the controlled development of community forestry, and reach consensus on points of divergence;
- Inform discussion on policies that can be put in place to support the development of community forestry, based on learnings on the ground and in collaboration with other policy processes such as the ongoing land reform, the decentralisation process, land use planning, and REDD+ initiatives;

- Share ideas, experiences and best practices from the implementation of community forests in DRC and elsewhere (in the region and around the world), including through the identification and monitoring of a limited number of existing and planned pilot projects in different social, political and geographic contexts across DRC;
- Strengthen collaboration among stakeholders involved at all levels (national, provincial and local) in DRC.

To summarise, the Roundtable on Community Forestry represents a unique national platform for consultation, coordination and dialogue between the diverse actors involved in community forestry – including women’s groups, indigenous leaders and traditional authorities. By bringing together government actors, civil society organisations, the private sector and local representatives, it offers a much-needed space for a participative, progressive and controlled development of community forestry across DRC.



KEY DATES IN THE DEVELOPMENT OF COMMUNITY FORESTRY IN DRC



Participants gather at the first Provincial Roundtable in Mbandaka.

THE NATIONAL STRATEGY ON COMMUNITY FORESTRY

To date, the main achievement of the Roundtable process has been the participatory development of the National Strategy, which was validated unanimously during the fourth National Roundtable in Kinshasa in August 2017, in preparation for a formal adoption by the Environment Ministry. At its core, the National Strategy is a guidance tool for actions both at the administrative level and with communities on the ground.

The overall objective of the National Strategy is to promote, by consensus, a sustainable and flexible model of community forestry that is implemented in a transparent and controlled manner between different stakeholders, through a phased approach and in accordance with relevant laws and regulations.

The main points of the National Strategy are as follows:

KEY PRINCIPLES

Commitments are undertaken to certain key principles, namely:

- a) respect for the traditional rights of communities including indigenous peoples and women over their land and forest resources;
- b) respect for traditional community structures as the basis for managing community forest concessions, while also promoting inclusion of all parts of the community and the role of women and youth;
- c) support for DRC's decentralisation process and for building the capacities of the local administration.

OBJECTIVES

1. Provide local communities with legal security over their traditional land tenures, allowing them to develop their forest resources.
2. Contribute substantially to poverty alleviation, peace and social cohesion in rural areas, and develop mechanisms to share the economic benefits of community forestry amongst local communities.
3. Develop local level expertise to ensure the effective management of forest concessions granted to local communities.
4. Ensure that community forestry plays a positive role in spatial planning processes (forest zoning and land use planning).



A local community in Equateur province learns about community forestry. Photo credit: GASHE

A PHASED APPROACH

Community Forestry in DRC should be rolled out through a **phased approach**, with a **five-year experimental phase**. During this period, different approaches to community forestry will be tested through a number of officially recognised **pilot projects**. This phase will also require the legal, institutional and operational capacity-building of all actors involved in the community forestry process.

This experimental phase is also, above all, a period for learning lessons from the field and elsewhere. This approach will make it possible to evaluate the gradual implementation of community forestry in DRC, in order to adjust the legal frameworks and institutions according to the realities on the ground in different provinces.

To this end, several long-term and short-term goals are identified in the National Strategy.

SHORT-TERM OUTCOMES

1. A manageable number of pilot concessions are defined in the short term, taking into account the different management options provided for in the regulatory framework.

2. All communities who have requested assistance in the application and management phases of their concessions are supported, particularly in the preparation of simple management plans and other administrative and technical documents.

3. All legal, technical and operational tools required for the attribution, sustainable management and operation of pilot concessions are developed and made available to local communities and indigenous peoples.

4. A central database or registry of CFCL applications, including geospatial data on pilot concessions, is created by the Forestry Administration and shared between the three levels of forest governance (national, provincial and local) for the duration of the process.

5. The documentation of lessons learned from the pilot concessions, with a view to facilitating possible future revision of the regulatory framework and informing the development of community forestry across the country.

STRATEGIC ACTIONS

- Development of selection criteria for community forestry pilots in a transparent and participatory manner.
- The selection of a defined number of pilots for the experimental phase that meet these criteria.

- Support to local communities and indigenous peoples in the acquisition, management and commercial operation of these concessions, including the preparation of simple management plans and other administrative and technical documents required.

- Ensuring the forest administration has the support required to produce the technical and operational tools necessary to administer the attribution, sustainable management and exploitation of these pilot concessions.

- Establishment of a monitoring system at the national level to document the attribution of CFCLs.

- Documentation of lessons learned from the experimental phase, with a view to improving the legal and regulatory framework around community forestry.

CONCLUSIONS AND RECOMMENDATIONS

The validation of the National Strategy has been the most significant achievement of the Roundtable on Community Forestry thus far, and this platform will hopefully continue to demonstrate its value as an inclusive and transparent process for developing community forests in DRC. In order to build on the Roundtable process and to support the National Strategy, and to proactively address potential risks to community forestry, the following measures are proposed:

- The relatively new legal framework around community forestry has created new responsibilities for the local and provincial forest administration and for the *Division de la Foresterie Communautaire (DFC)* at national level. The DRC Environment Ministry and international donors should work to ensure that the DFC and provincial and local forestry administrations are not only trained but also adequately resourced to properly manage and oversee monitoring and coordination of the community forestry process.
- The phased approach to the development of community forestry, as laid out in the National Strategy, should be respected. The proliferation of CFCLs without regard for either the National Strategy or the legal framework could pose a serious risk to the long-term viability of community forestry in DRC. Forestry authorities at all levels, as well as international NGOs and donors should be aware of the risks inherent in such an approach, and ensure that they are following due process in relation to the creation of new CFCLs.
- The National Strategy on Community Forestry should be widely disseminated to all stakeholders and to all relevant actors within the forestry administration at national, provincial and local levels. The implementation of the strategy should be monitored on an ongoing basis by the Environment Ministry.
- All organisations involved in community forestry projects in DRC should be encouraged to engage in the Roundtable process as a platform for discussing best practices, identifying obstacles and sharing lessons learnt.
- Ensure that the development of community forestry is effectively coordinated with other relevant processes such as land use planning reform ("*réforme de l'aménagement du territoire*"), land ownership and tenure reform ("*réforme foncière*"), and REDD+.

Finally, the monitoring, evaluation and communication of progress on the implementation of the National Strategy should be ensured on four axes, namely:

1. the establishment of a steering committee (national and provincial);
2. the regular convening of the Roundtable on Community Forestry (at both national and provincial levels) to intensify the dialogue between stakeholders involved;
3. establishing a database of local community forest concessions; and
4. ongoing monitoring of these concessions to assess the impact on forest protection, as well as drivers of deforestation and degradation.



COMMUNITY FORESTS IN DRC

Community Forests in DRC is a consortium project that aims to establish a successful model of community-based forest management, one that focuses on the rights, needs and priorities of local communities, including those of marginalised groups such as indigenous peoples and women. The project's overall aim is to alleviate poverty, improve rural livelihoods and reduce deforestation in the Congo Basin.

For more information, visit www.rainforestfoundationuk.org



COMMUNITY FORESTS IN DRC

Securing community rights, sustaining livelihoods

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