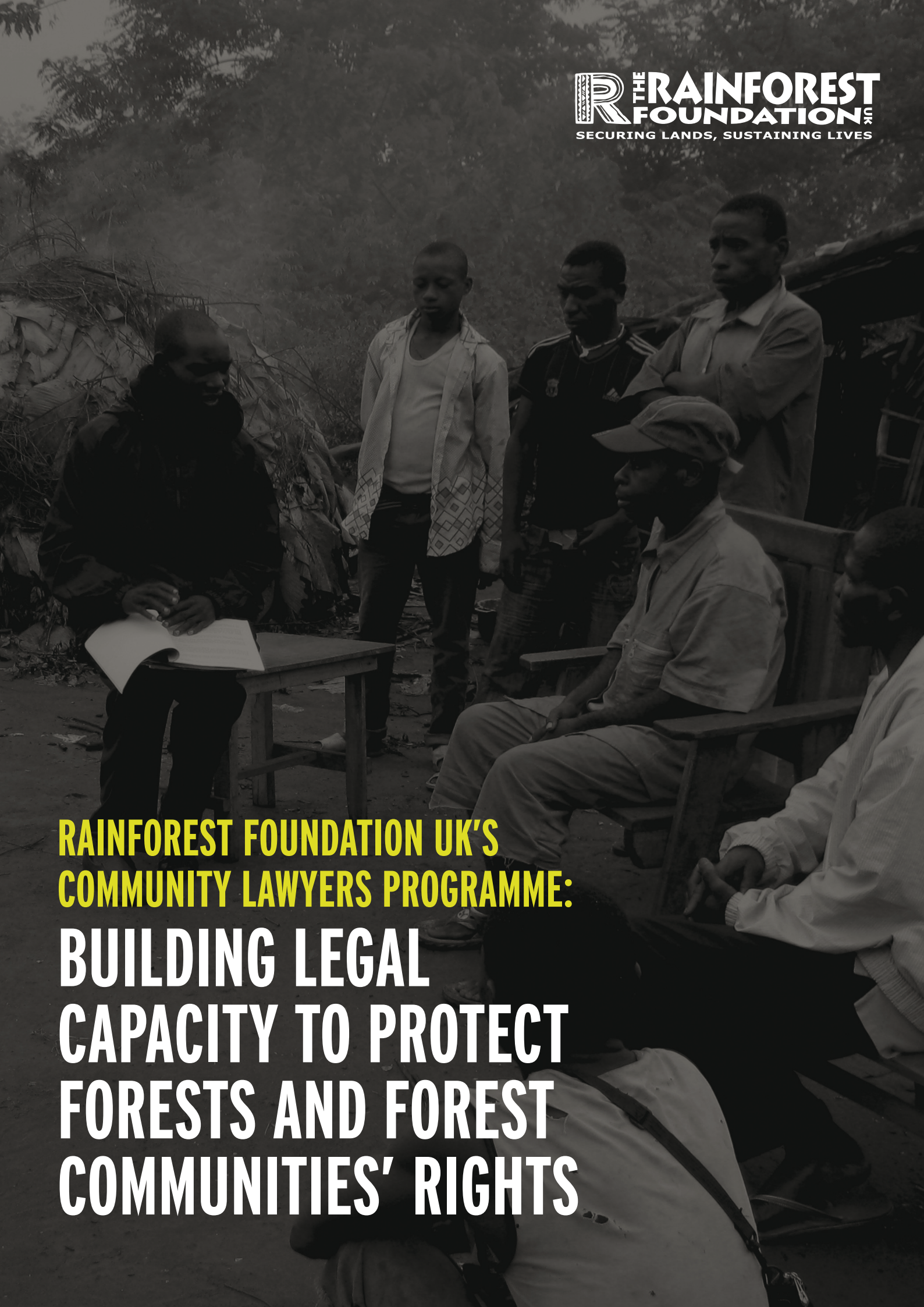


THE RAINFOREST FOUNDATION UK

SECURING LANDS, SUSTAINING LIVES

RAINFOREST FOUNDATION UK'S COMMUNITY LAWYERS PROGRAMME:

BUILDING LEGAL CAPACITY TO PROTECT FORESTS AND FOREST COMMUNITIES' RIGHTS

THE NEED FOR LEGAL CAPACITY

Second in size only to the Amazon, the Congo Basin rainforest in Central Africa covers around 1.7 million square kilometres, spreading across six countries. An estimated 50 million people depend on these forests for their livelihood, including up to 500,000 indigenous "Pygmies", many of whom maintain a semi-nomadic, hunter-gatherer existence.

Almost all forest land in the Congo Basin region is officially owned by the state, but much of this is designated or 'leased' as concessions, in the form of logging areas, or as strictly protected areas. This is in comparison to less than one percent formally allocated to communities. As a result, forest communities and indigenous peoples in the region face serious challenges and see very little benefit from the extensive exploitation of the lands they have traditionally occupied and relied on for their subsistence.

Living in extreme poverty, forest people often have very low literacy rates, are under-represented in political and legal decision-making processes, and have little if any security of land and resource rights. Indigenous peoples (groups such as Baka and Bakoya) face additional challenges because of the discrimination they face at the hands of others. Furthermore, there are extremely few forest and indigenous peoples' organisations in the Congo Basin. This means that their voices are not heard by decision-makers.

Although important rights are sometimes provided for in national legislation, or under international obligations, communities are not aware that these rights exist, let alone how to exercise them. Local civil society organisations (CSOs) mostly have little capacity to utilise human rights or forest-related laws.

WHAT ARE WE DOING TO TACKLE THESE PROBLEMS?

The Rainforest Foundation UK (RFUK) develops and funds special training programmes for teams of young African lawyers to work with forest communities and local organisations, helping them defend community rights to lands and resources and basic rights, stop illegal forest destruction, confront abuse of forest peoples' rights, obtain essential legal documents such as identity papers, and establish legally-designated community forest areas.

By training local lawyers, we can ensure that legal capacity is built in-country, thus making our work more sustainable. After their training, local lawyers are placed in forest communities for periods of several months at a time so that they are able to learn firsthand about the legal issues these communities are facing, build up a relationship of trust with those communities, and support them directly to develop and implement legal solutions to address the problems they are facing.

These lawyers are also supported to train local people as 'paralegals', so that these community representatives can better understand the law and support the community lawyers in their work.



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WHAT HAVE WE ACHIEVED SO FAR?

We have implemented this approach in three countries: Cameroon, Central African Republic (CAR) and Gabon, with great success. Currently, we are also extending this programme to the Democratic Republic of Congo (DRC). RFUK-trained Community Lawyers in Cameroon, CAR and Gabon have so far supported communities in numerous areas of concern to them including:

- Obtaining basic identity documents that many forest community members lack. These are essential to access even basic social services, as well as for them to exercise their basic right to vote, for example.
- Securing land rights
- Supporting communities to obtain community forests –by helping compile the legal dossier required to obtain official recognition of a community-managed forest area
- Training on the rights of indigenous peoples and how to exercise them – in particular land rights and the right to free, prior and informed consent
- Supporting conflict resolution over competing resource uses and helping communities negotiate their resource use rights with the managers of strictly protected areas
- Helping communities to understand the contractual obligations of companies operating on their land, and how to hold them to account

Among our achievements so far are:

- Nineteen law graduates in the CAR and Gabon received training in 2011 and 2012 to become 'Community Lawyers' to help forest peoples defend their homelands
- Since 2010, 16,500 people including 3,500 indigenous people from 60 forest communities benefitted from the RFUK project to increase their understanding of legal rights in Gabon and the CAR
- In Cameroon, Community Lawyers trained in 2006 have gone on to become active advocates of forest communities' rights at the national and regional levels
- In Gabon and CAR, more than 30 community paralegals have been trained to ensure a close and permanent support to forest communities and reinforce the work of the Community Lawyers
- In Gabon, a community association was created in January 2013 with the support of the Community Lawyers, in order to strengthen community capacity to deal with logging companies
- In CAR, more than 30 indigenous people have been supported by Community Lawyers to obtain basic identity documents such as birth certificates.



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"THANKS TO THIS PROJECT, WE LEARNED A LOT ABOUT OUR RIGHTS TO LAND AND NATURAL RESOURCES, AND ABOUT HOW REALISING THESE RIGHTS IS CRUCIAL FOR IMPROVING THE LIVING CONDITIONS OF OUR COMMUNITY. WE NOW UNDERSTAND HOW CLAIMING OUR RIGHTS IS ALSO A CLAIM FOR OUR DIGNITY, OUR LIFE, AND THE PRESERVATION OF THE FOREST."

Léon Désiré MBAZZA, Iyoko-Ngota Village, Gabon



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WHAT ARE THE NEEDS AND PLANS FOR THE FUTURE?

Community Lawyers are an essential form of support to forest communities in tackling the legal challenges they face on a daily basis – from lack of respect for basic human rights, to problems with securing land rights, and access to resources.

Despite existing successes, the need for the continuation of this work is great. We plan to expand this work in the future in the following ways:

- Scaling up of the number and reach of Community Lawyers in all Congo Basin countries so they can support more communities in addressing the legal problems they face.
- Replicating the model in our project countries in South America to support indigenous communities in particular
- Creating stronger links with academic institutions in the UK and in the Congo Basin, to strengthen support for the education of these Community Lawyers
- To institutionalise university courses in the Congo Basin on land rights, indigenous peoples' rights and other relevant legal issues that are so far lacking, yet are so crucial for the rights of forest communities.
- Linking this work to RFUK's other large-scale work on mapping of community lands to further secure land rights for forest communities

FOR MORE INFORMATION...

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