THE RAINFOREST FOUNDATION UK
SECURING LANDS, SUSTAINING LIVES

**Briefing**
**November 2011**

# Central African Republic: linking rights, capacity strengthening, REDD and FLEGT

**General background**

The purpose of this briefing is to provide a case study of recent developments in one country, linking together the work that has been done to advance forest community rights and livelihoods, EU Forest Law Enforcement Governance Trade (FLEGT) and REDD processes, and civil society participation. Broadly, the experience has been positive, though not without considerable challenges, some of which remain. We believe it demonstrates a case whereby relatively limited external financial support has had significant benefits in advancing all of these agendas, which could be further reinforced in the future, and replicated to some extent elsewhere.

**Background to the Central African Republic**

The Central African Republic (CAR) has some 5.4 million hectares of dense moist forests (8% of the national territory), located in the south-west (3.8 million hectares, most of which have been allocated to industrial logging firms) and the south-east (1.6 million ha).

Despite substantial natural resources which include diamonds, uranium, gold, oil and timber, CAR ranked 159 of 169 in UNDP's Human Development Index (2010). The indigenous and forest-dependent communities are considered to be the most disenfranchised of the population with many lacking secure access to traditional lands, resources and public services.

The 2011-2015 Poverty Reduction Strategy Paper promotes the participation of local populations in the sustainable management of forest resources, and the Government is starting to put in place a legal and policy framework to promote this. This includes the Forest Law adopted in 2008 which contains a number of progressive elements including provisions for community forestry and certain safeguards concerning the rights of communities around areas protected for biodiversity. More recently the Government has taken the important step - a first in Africa – of ratifying Convention No.169 of the International Labour Organization. This places a legal obligation on the Government to protect the rights of indigenous peoples, such as the Bayaka, including the rights to own their traditional land and to be systematically consulted in all initiatives that concern them.



Photo Credit: RFUK

In December 2010, the CAR signed a FLEGT Voluntary Partnership Agreement with the European Union. The Action Plan for this agreement includes requirements to respect the rights of local and indigenous peoples and to improve the legal framework for community forests. It is clear that the content of the VPA has been a prime catalyst in helping to move the community forests pro-

gramme forward.

Concerning REDD, like other countries of the Congo Basin, CAR is a member of the World Bank's Forest Carbon Partnership Facility (FCPF). The Government officially launched the national REDD process in September 2010, and the CAR REDD Readiness Preparation Proposal (RPP) was approved for $3.6m of funding in October 2011, dependent on the inclusion of key donor and civil society concerns into the RPP.




**Photo Credit: RFUK**

**RFUK's work and achievements**

Participatory mapping

From November 2008 to July 2011, RFUK implemented a participatory mapping project entitled "Community Mapping in the Congo Basin as a Means of Forest Protection", which was funded by the UK's Department for International Development. The project was implemented in the CAR by the local NGO partner *Maison de l'Enfant et de la Femme Pygmées* (MEFP), and was a collaborative initiative with other civil society organisations and key government institutions, particularly the Ministry of Forests, Water, Hunting and Fishing and the High Commission for Human Rights and Good Governance. The purpose of the project was that forest communities, associated NGOs and government staff have the capacity and resources to accurately map community forest land tenure and to make use of this data to influence decision-making related to forests and forest-dependent people.

Some of the main achievements of the project have been:

- About 100 members of local and indigenous communities have been trained as local mappers and have produced 18 participatory maps covering more than 200,000 ha
- 13 national NGO staff and 5 technicians of the Ministry of Forests have been trained on participatory approaches and community mapping techniques ;
- Six technicians from civil society organizations and the Ministry of Forests have been trained on GIS technologies and are able to produce high quality maps;
- A fully-functional mapping laboratory has been set-up in Bangui;
- 54 members of local and indigenous communities have been trained on advocacy techniques and are able to express their concerns and claims using participatory maps;

- About 10,000 people from local and indigenous communities have been informed and trained on their rights to access, use and control forest resources, on the basis of national and international legal texts (Forest Code, Environment Code, ILO Convention No. 169 etc.) which have been extensively disseminated;
- MEFP has been able, thanks to the project, to develop a permanent dialogue and key collaborations with the Ministry of Forests, which represents a real shift in the relationship between civil society and government in the CAR, and;
- National NGOs and national authorities are using participatory maps and data as key information in the implementation of their respective policies and strategies.

Development of a manual of procedures for allocation of community forests

Evolving from our work with government staff on the Participatory Mapping project, RFUK has been working over the last two years with the CAR's Ministry of Water, Forests, Hunting and Fishing, and local civil society groups to develop a Manual of Procedures to ensure implementation of the community forests provisions in the 2008 Forest Law. RFUK has supported a national process to explore what specific policy instruments and governance structures need to be put in place to ensure proper development and management of community forests.

The draft Manual of Procedures for allocation of community forests went through a Ministry-led public validation and amendment process in August. The Minister of Forests has now signed off on the Manual, and has forwarded it for approval to the Council of Ministers, which is expected to adopt it shortly.

The Manual is innovative in that it allows for recognition of customary and traditional forest community rights and social organisation as a basis for the establishment of officially designated community forests. It especially addresses indigenous peoples' specific considerations so that they can effectively decide about community forest objectives, participate in the allocation and management of community forests, and benefit directly from the potential income generated by those forests. The manual has incorporated the lessons learned from community forest policies and procedures in Cameroon, in order to make them more effective and adapted to the needs of local communities in CAR.



Photo Credit: RFUK

**REDD processes in the CAR**

With the financial support of two private foundations, RFUK has provided in-depth capacity building support to NGOs on REDD issues in CAR since July 2010, two months prior to the official launch of the REDD Preparation Proposal (RPP) process within the framework of the FCPF. This has included significant in-country time working with local civil society, including supporting and helping coordinate six meetings of national NGOs in Bangui, as well as providing 'virtual' day-to-day support, training and information sharing with civil society REDD 'Focal Points'. The network of organisa-

tions working on REDD has, with our support, evolved into a general 'Platform of CAR Civil Society for the Sustainable Management of Natural Resources and Environment', which also incorporates the former 'FLEGT platform', thus providing a structural link between how these two issues are addressed by civil society.

Our support has given NGOs the necessary information, space and time to understand, analyse and take positions on the REDD process, and especially the contents of the various draft RPP documents (and included the preparation of an accessible 12-page synthesis of the draft RPP which, at 100 pages in length, was very hard for civil society to digest). These have been the subject of various statements and 'positions' by the local civil society platform, and have led to progressive reforms and improvement of the RPP drafts. We accompanied one member of CAR civil society to the October meeting of the FCPF Participants Committee in Berlin where the RPP was provisionally approved for funding.

With RFUK's support, CAR civil society has thus been enabled to be involved in all stages of the evolution of the RPP, and to have an influence on the following key areas, which have now been included as conditions for approval by the Participants Committee of the FCPF:

- An explicit demand that consultations in the next phase respect the right to consultation enshrined in ILO Convention No. 169, and thus indigenous rights:
- Increased scrutiny of the role of industrial logging, which the RPP had failed to mention as a current or potential future cause of logging, despite there being three million hectares of active logging concessions already in existence;
- Rethinking how REDD funds are managed so that there is multi-stakeholder oversight, and;
- Upwardly revising the RPP budget for currently underfunded areas such as studies on social and environmental impacts, and support for the multi-stakeholder National REDD+ Committee, which is supposed to be the overarching REDD organ in CAR.

Potentially, the participatory mapping work could play a critical role in the longer term in ensuring equitable distribution of benefits from REDD, if or when CAR receives any such payments – because it provides a basis for showing on an accurately quantifiable basis the 'tenure' of forest dependent communities, and thus the area of forest for which they are 'responsible'. As noted below, ideally, CAR (and indeed all others in the region) would have one consolidated geographical database or other forest planning and zoning tool showing all communities and other forest users.

One notable problem with the REDD process in CAR has been that it has largely been captured by Ministry of the Environment, even though this has no jurisdictional mandate over most of the policy areas to which, for example, the RPP relates. In that sense, it reflects similar problems in other countries in the Congo Basin, where the initiation of the FCPF process by the World Bank has sparked what seem essentially to be 'territorial/resource' conflicts between different ministries.

The CAR RPP includes a budget for US$6.6 million, but only US$3.6 million will be granted by the Bank and US$0.2 million by the CAR Government. This leaves a funding gap of US$2.8 million just for activities in the RPP. There is likely to be necessity for further funding to ensure proper social and environmental impact assessment and benefit-distribution studies, the functioning of the multi-stakeholder National REDD+ Committee and civil society participation, which are very low in the existing government budget.

THE RAINFOREST FOUNDATION UK
SECURING LANDS, SUSTAINING LIVES

**Links to the EU-FLEGT national process**

The national Forest Law Enforcement Governance and Trade negotiations between the CAR and the European Union started in October 2009 and continued throughout 2010. RFUK gave support and specific advice to national NGOs involved in the national coordination committee, especially within the national NGO FLEGT platform created (largely with the support of FERN) in 2008. RFUK has provided support to NGOs to ensure that relevant debates on forest land tenure and community rights are being addressed within the FLEGT negotiations. In the Agreement, signed on 21st December 2010, CAR makes a commitment to meet the requirements of legality by upgrading the legal framework, particularly regarding legislation on land ownership and the rights of populations to the land; and empowerment of local communities in managing forest resources. The participatory mapping and community forest work undertaken collaboratively with the RFUK has helped the CAR government move towards compliance with its FLEGT Voluntary Partnership Agreement obligations.

Also, due, in part, to RFUK support for CAR NGOs lobbying on REDD, the Government has been asked by the FCPF to increase the coherence between FLEGT and REDD plans and include details of concrete joint activities between the two processes in the revised RPP. This is an important development in ensuring policy coherence because, as noted above REDD is being led (and in fact monopolised) by the Environment Ministry, not the Forest Ministry responsible for FLEGT. This has meant that some of the 'linkages' between REDD and other areas of forest policy are not working, because the Ministry of Environment is not within the networks working on these issues.



**Photo Credit: RFUK**

THE RAINFOREST FOUNDATION UK
SECURING LANDS, SUSTAINING LIVES

**Lessons learned and ways forward**

RFUK's work on REDD in CAR has thus helped civil society, government and donors 'join the dots' between the REDD process and other existing processes and reforms such as FLEGT.

Broadly speaking, the FLEGT process provided important initial impetus for reform which, crucially, was reinforced through international NGO support to local civil society to engage with this process. Through this engagement, important developments such as the need for better legislation, and tenure conditions, have been recognised. Programmes such as the DFID-supported, RFUK-implemented, participatory mapping have enabled the CAR government to advance both with practical initiatives to fulfil the new obligations, as well as move forward in policy developments, such as on community forests. Despite the initial 'design flaws' in the FCPF process, local and international civil society have been able to successfully lobby to ensure that it could (with continued improvements) reinforce the progress made following the FLEGT agreement, rather than undermine it.

On the basis of the above, and despite the challenges, we believe there are interesting opportunities over the next few years to make CAR one of the better examples of 'joined-up' forest policy making, which should also serve to strengthen the rights and livelihoods of poor people. These would proceed alongside the work already foreseen in the VPA Action Plan and RPP and would include:

- Carrying out a 'gap and overlap analysis' between the RPP and FLEGT Action Plan and ensure that any such gaps or overlaps were addressed;
- Bringing the Forest Ministry into the centre of the REDD programme;
- Addressing technical weakness within both the Forests and Environment Ministries, such as on participatory approaches, consultation, indigenous rights law, project design, carbon monitoring etc
- Extending participatory mapping of communities' lands and resources to cover all areas of forest and developing a national database or 'atlas' of these, to also include other forest users and claimants;
- Ensure implementation of community forest provisions, including a rapid piloting of applications under different social and geographical conditions;
- Ensure implementation of ILO Convention 169
- Ensure continued participation of civil society in the implementation of the RPP and related REDD projects
- Building capacities of forest communities and national NGOs

DFID could potentially play a significant role in all of these – either directly or indirectly through NGOs. One entry point could be the funding gap in the RPP process.

**The Rainforest Foundation UK**
Imperial Works, Perren Street, London NW5 3ED, United Kingdom
Tel: +44 (0) 20 7485 0193 Fax: +44 (0) 20 7485 0315
www.rainforestfoundationuk.org

Supported by
~ANTHONY RAE FOUNDATION~