

**TRANSLATION OF ORIGINAL FRENCH TEXT
FRENCH VERSION COUNTS AS ORIGINAL TEXT**

**JOINT DECLARATION
OF INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS WORKING
FOR THE SUSTAINABLE MANAGEMENT OF THE DRC'S FOREST
ECOSYSTEMS**

Your Excellency the Vice-President,
Your Excellencies the Ministers for Planning and the Environment,
Dear Colleagues, Distinguished Guests,

The international NGOs working for the sustainable management of the DRC's forests would like to thank the Congolese government for organising this forum. This address expresses our organisations' points of view on the challenges currently facing the DRC and its partners, and on the priorities for action.

The forestry and nature conservation sector is in the midst of a restructuring. The government has already undertaken important actions within the context of its Priority Agenda. These actions enable the foundations for a sounder management of the Congo's natural assets to be laid. We are talking particularly of the formulation of a new Forestry Code, the establishment of a moratorium on the allocation of concessions, and the return to the public domain of 25 million hectares of non-valid concessions. All of these decisions, as well as others to be taken shortly, will have significant consequences for the DRC's economic, social and environmental development. The termination of contracts and the moratorium are important in order to protect the Congolese forests, which are a public asset, from the speculative acquisitions that became increasingly common before and during the period of conflict experienced by the DRC. We want to encourage the government to continue to hold its course on these reforms and implement them. It must be emphasised that there are still many steps to be taken to ensure both sustainable benefits for the local populations and conservation of the biodiversity. We would also like to state our willingness to work with the Congolese people and their government in this regard.

An analysis of the current process in the DRC, and of similar experiments developed in other countries of the Congo basin, clearly shows that extreme caution is required when managing the forest resources that millions of inhabitants rely on for their daily survival. Given the importance of the forest, the international NGOs wish to emphasise the need to strengthen institutional capacities and explore alternatives to the industrial exploitation of wood in order to safeguard the primary forest stands.

It is as active players in this sector and partners of the Congolese state that we wish to express our joint position on the priorities for action, with a view to the rational and sustainable management of the forest ecosystems. In our view, the priority emergency measures the government should implement, with the help of its international partners, can be summarised as follows:

Respect for and continuation of the moratorium

Given the DRC's current particular context of economic and social revival, the international NGOs recommend strict application of the moratorium on all new forestry concessions. This will enable the necessary conditions to be established for the sector's sustainable management on the basis of tests guaranteeing that conditions of transparency and good governance are in place, namely:

Transparency

It is urgent and essential to ensure the State's transparency towards civil society, both national and international. One simple and effective method has the particular approval of the international NGOs. This consists of publishing State decisions in the press or on the Internet. This process of public information should comprise two stages: initial publication enabling civil society to be informed and its reactions to be gathered; a second publication presenting the State's decisions, taken on the basis of the public's reactions in particular. At least four mechanisms, forming the sector's architecture, should follow this strict process of public information:

- the award of forestry concessions;
- the collection of taxes and royalties;
- the redistribution of a proportion of the income to local bodies;
- forestry control, that is, offences noted and sanctions applied.

Independent monitoring

The new Forestry Code establishes some interesting principles. Nonetheless, rigorous control will be required if they are to be implemented. Independent monitoring is an essential tool in enabling the application of forestry legislation. In order to reduce risks, the monitoring system must be transparent and accessible to all, including in particular the local populations, who could play a role in providing information. It must also be followed up with dissuasive sanctions when offences are noted, up to and including termination of the concession contract. Independent monitoring should be applied in at least four areas, namely:

- Firstly, legal review of existing concessions. We would encourage the government to terminate contracts allocated in contravention of the moratorium or the new code
- Secondly, the allocation of future forestry concessions. On this point, we would encourage the government to eliminate private agreements completely and use only public tenders for awarding future contracts. Tenders should be implemented with the participation of an independent observer similar to that recruited for the legal review of old contracts

- Thirdly, control of forestry exploitation on the ground. Independent monitoring should help the Administration to produce reports on offences noted and monitor the enforcement of penalties issued by the Administration or by the courts against offenders.
- Fourthly, monitoring the redistribution of income to local bodies, the use of this for local development, and the fulfilment of contractual conditions.

Respect for the rights of local communities and indigenous peoples

The Forestry Code considers the rights of local communities but does not address the specific rights of indigenous peoples. There is a risk that the positive impacts on local communities will be minimal if the implementing regulations and programmes on the ground do not clearly include their customary and traditional rights as the primary beneficiaries of forestry exploitation. In order to ensure respect for their rights and customs, it is in particular necessary:

- to involve them in preparing the anticipated zoning plan, according to the principle of prior, free and informed consent;
- to involve them in the allocation and planning of concessions according to the principle of prior, free and informed consent;
- to define, test and identify community forests.

To complete the Law on Nature Conservation.

As stipulated in the Forestry Code, the Law on Nature Conservation will be an essential tool in the sustainable management of forests. This law therefore needs to be rapidly concluded in a spirit of complementarity with the forestry code, with the involvement of local communities and indigenous peoples and then applied in unison with them. This law should establish clear rules with regard to the trade in bush meat as this is currently endangering several animal species of importance for the global environment and for the survival of local populations themselves. This law should also establish clear responsibilities for wildlife protection in forestry concessions.

To ensure the integrity of current and future protected areas

In the interests of both national and global populations, it is imperative that the integrity of the DRC's protected areas be respected. For this, application of the basic principles of the National Conservation Strategy, produced by the Congolese Institute for Nature Conservation (ICCN) must be ensured.

In line with this strategy, the following are recommended :

- To review all current protected areas in legal terms, along with their capacity to effectively play the role allocated to them.
- To increase, in a participatory manner, the total expanse of protected areas devoted to protection and conservation, in line with national objectives and the UN Convention on Biological Diversity.

- To grant, in accordance with the legal provisions of the DRC, statutes to all protected areas classified as such.

We welcome the objective established in the Forestry Code to achieve a network of protected areas and we will endeavour, with the Congolese government, to mobilise the necessary international support with which to sustain this collective effort.

We are also ready to reflect, with the government and civil society, on alternative models for developing the forests and environmental services. We appreciate the fact that the forestry code opens the path to new methods of forest development, in the interests of the Congolese people and the global community.

We are aware that none of the code's innovations will be fully applied in practice if the capacity of the public institutions responsible for managing this sector and of civil society is not strengthened.

In conclusion, we would encourage the community of development partners, on the one hand, to coordinate their efforts by means of a sector monitoring and evaluation matrix and the Bretton Woods Institutions, on the other, to ensure greater transparency in their actions.

Institutional strengthening, at all levels of the State apparatus, as well as strengthening of civil society institutions, is necessary and should top the list of priorities for the government and donors working in the forest and nature conservation sector.

The international NGOs would like to emphasise their readiness to put their expertise and their capacity for international mobilisation at the service of the Congolese people and their government. They wish to collaborate closely with the Congolese government on reform of the forestry sector, to the profit of all populations, both current and future.

May I thank you for your attention.

This declaration has been read on behalf of the following organisations:

CARE
Wildlife Conservation Society
World Wide Fund for Nature
African Wildlife Foundation
Rainforest Foundation
Greenpeace

Conservation International
Dianne Fossey Gorilla
Fund International