

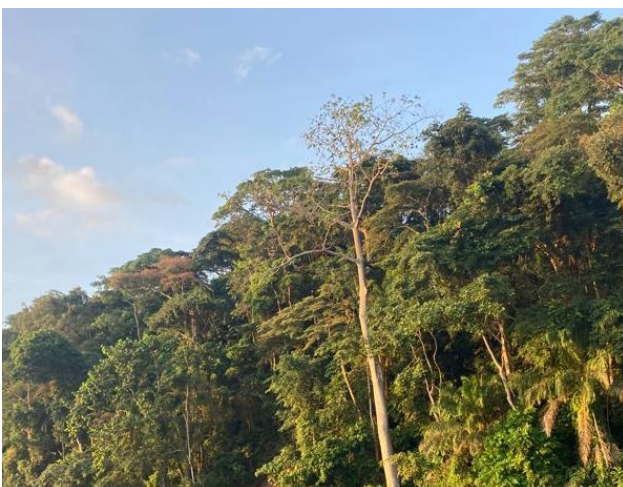
EVE BAZAIBA AND LAND GRABBING:

THE TRADELINK
SCANDAL, SEASON 2

GREENPEACE
AFRICA 

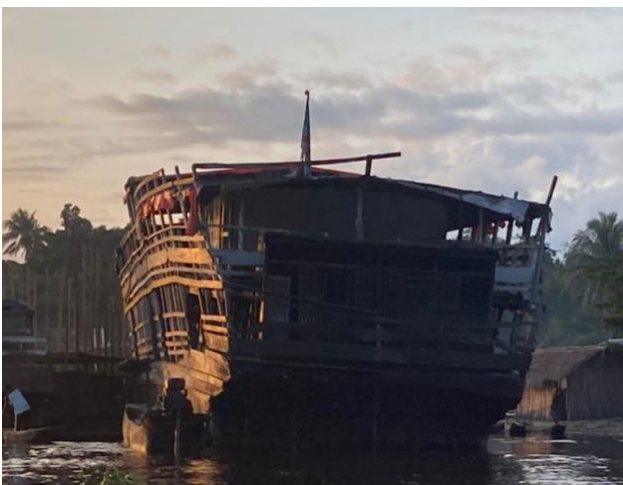


After being forced last year by President Félix Tshisekedi to suspend six phony “conservation concessions” she had herself promoted, the Vice-Prime Minister and Environment Minister Eve Bazaiba of the Democratic Republic of Congo (DRC) is today playing a key role in a new land grab in Tshopo Province. A mission order she signed last 16 July, obtained by Greenpeace, mandates a team to “wrest” (“arracher”) consent from local communities.



The Tradelink scandal, which Greenpeace exposed in June 2021, [1] just took a new turn. Recap:

On 12 September 2020, then Environment Minister Claude Nyamugabo illegally awarded six “forest conservation concessions” to Tradelink, a Congolese firm one of whose shareholders is a Belgian expat who made his career in mining, oil and timber. [2] In all, 1.4 million ha are handed over – perhaps the biggest “retrocession” of Congolese territory to Belgian interests since independence...

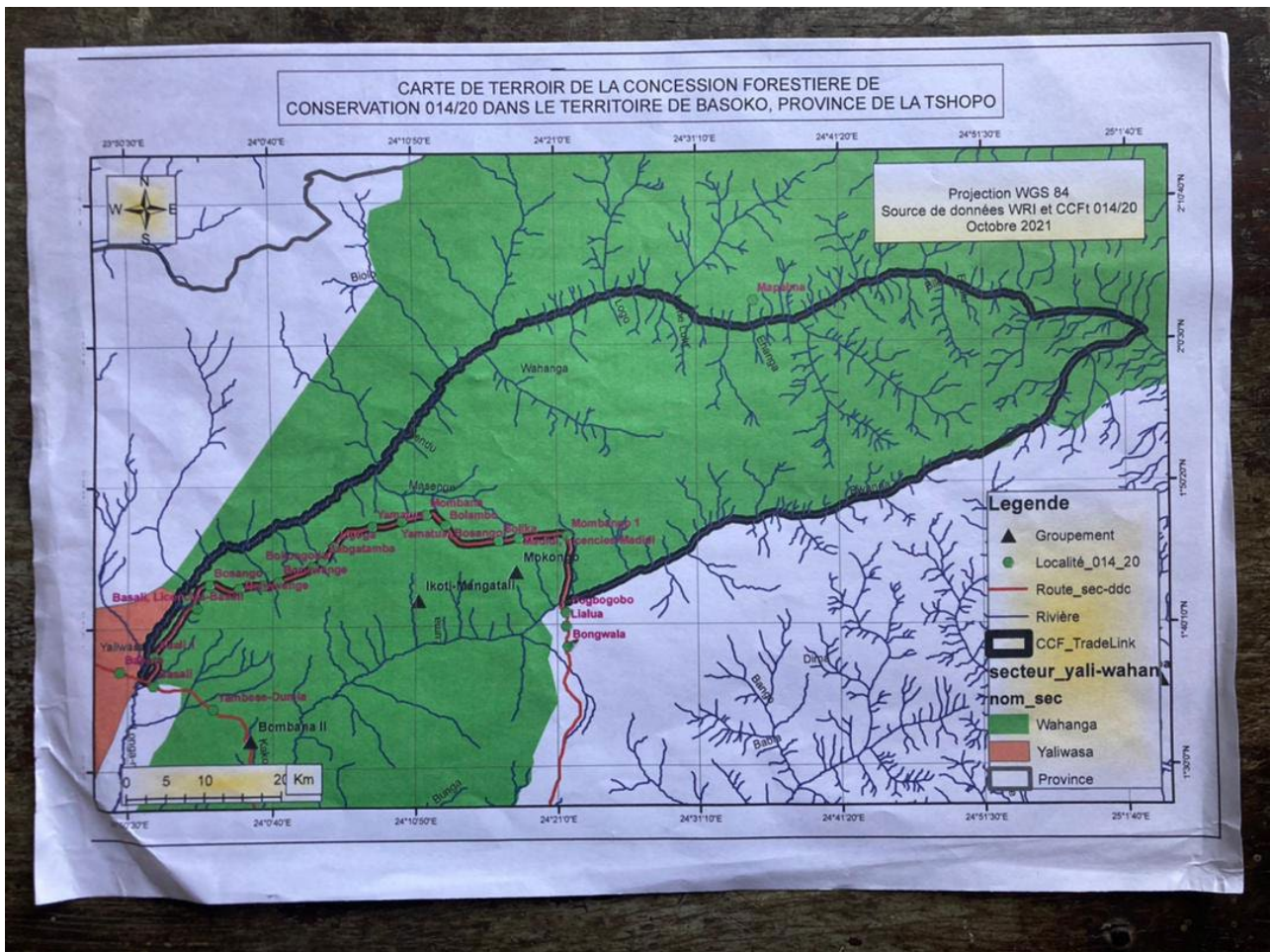


On 9 June 2021 two DRC NGOs filed an administrative complaint seeking the cancellation of the concessions. [3]

The action of Ms Bazaiba, newly appointed Vice-Prime Minister, is double: 1. to haughtily ignore the administrative complaint, and 2. to issue, on 13 September 2021, a mission order to seven members of her Ministry to accompany a Tradelink team to Tshopo province, to help it obtain local communities’ “consent.” [4] The mission costs are “covered by the concessionaire.” On the itinerary, her own electoral district of Basoko occupies pride of place.

Alas, with COP26 fast approaching, out of the question that Congo jeopardize the \$500

Photos Credit:
Patient Muamba, Greenpeace
Africa



million deal donors are preparing to sign, giving a green light to the lifting, as soon as 2023, of the moratorium on new logging concessions and, above all, to the gigantic oil and gas auction the government has been planning for ages.

On 15 October 2021, i.e. on the eve of Glasgow, President Tshisekedi ordered his Minister to suspend all “dubious” forest concessions – starting with all of Tradelink’s. [5]

She does so... after an almost two-month delay. [6]


End of Season 1 of the Tradelink scandal. Last July communities in the territory of Basoko received an unexpected visit: a new

mission of carbon entrepreneurs under Environment Ministry escort has come to promise them the sky – more than thirty schools, fifteen “health centers,” water pumps everywhere, ten crates of beer a year... [7]

It’s history repeating itself : the 16 July 2022 mission order is signed Eve Bazaiba. [8]

The document specifies that the team’s objective is to “wrest” – that’s the verb used – the free, prior and informed consent of the Basoko communities. “Wrest” rather than “negotiate.” You can’t make this stuff up.

Minister Eve Bazaiba's 16 July 2022 mission order authorizing Wildlife Works to "wrest" the consent of local communities for its carbon project.


MINISTÈRE DE L'ENVIRONNEMENT
ET DÉVELOPPEMENT DURABLE
Le Vice-Premier Ministre

ORDRE DE MISSION COLLECTIF N° 163/CAB/VPM-MIN/EDD/EBM/OLM/08/2022

Les personnes dont les noms, post-noms, prénoms et fonctions suivent sont désignées pour effectuer une mission officielle.
Il s'agit de :

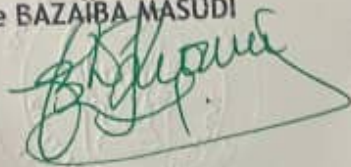
1. Mr. Michel BANKANZA BOKA	:	Directeur Chef de Projet ERA-ONG ;
2. Mr. Eric MOENE LIKUNDA	:	Directeur Technique à la COMIFAC-RDC
3. Mr. Pitchou MPWA YAMBA	:	Expert en Cartographie ;
4. Mr. Miky BUYA WA BELA	:	Expert en Cartographie ;
5. Mr. Michel BOLA BO LOKANGA	:	Expert en Cartographie ;
6. Mr. Pires ILONGA -I-NKINDO	:	Expert en Cartographie ;
7. Mr. Valentin INGBEKE MABELE	:	Société Civile ;

OBJET DE LA MISSION **Arracher** le consentement libre informé et préalable (CLIP) des Communautés de BASOKO en vue de la demande d'une concession de conservation.

LIEU DE LA MISSION : Basoko/Tshopo
DUREE DE LA MISSION : Vingt-cinq(25)
DATE DE DEPART : le 18juillet 2022
DATE DE RETOUR : Open
MOYEN DE TRANSPORT : Avion-Canon rapide-Moto
ITINERAIRE : Kinshasa -Kisangani-Basoko-Kisangani-Kinshasa
FRAIS DE MISSION : A charge de WWC

Les Autorités tant Civiles, Militaires que celles de la Police Nationale sont priées leur apporter toute assistance nécessaire pour l'accomplissement de leur mission.

Fait à Kinshasa, le **16 JUIL 2022**

Me Eve BAZAÏBA MASUDI


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Tél. : +243998289145, +243817777818 ● E-mail : info@medd.gouv.cd ● www.medd.gouv.cd

The mission order features two incongruities.

First, Tradelink is out, replaced by an American firm, Wildlife Works, better known in Congo under the name of the company it bought a decade ago, ERA-Congo.

Secondly, the affiliation of one member of the mission isn't the same as in the company's own mission order, issued 15 July. The individual identified in the order signed by the Minister as "civil society" is identified by the company as "Environment Ministry official." [9]

One of the two concessions visited by the mission is indeed the ex-Tradelink concession #14 – Ms Bazaiba seems to have taken the initiative of simply transferring it to another firm. Without canceling it first? Not clear.

It's only on 2 August 2022 that two "conservation concession vacancy notices" were issued by the Provincial authorities of the Ministry – over two weeks after Wildlife Works went to the field. [10] Oddly, these notices dated 2 August refer to mission reports dated 3 August...

If the firm was merely "requesting" [11] a concession in mid-July, it seems to have prevailed quite soon thereafter: a social investment agreement, in an improvised format, signed 26 September with three villages of Basoko territory refers to "the forest conservation concession recently awarded by Her Excellency Ms Vice Prime Minister, Minister of the Environment and Sustainable Development." [12]

A resident complains: "They lied to us using the same kind of language as Tradelink."

Has Ms Bazaiba committed the same illegalities as her predecessor?

The area of the concessions that Mr. Nyamugabo awarded Tradelink exceeded the legal limit of 500,000 ha. [13] The two concessions that Ms Bazaiba appears to have allocated to the two subsidiaries of Wildlife Works exceed it as well – they're 581,620 ha. [14]

The 2011 decree regulating the award of conservation concessions requires the presence at the meeting at which award requests are examined of "a representative of local forest inhabitants and, where relevant, a representative of Indigenous People," as well as a representative of Congo's Nature Conservation Institute (ICCN). [15]

Has Ms Bazaiba also violated this legal requirement?

But did such a meeting even take place?

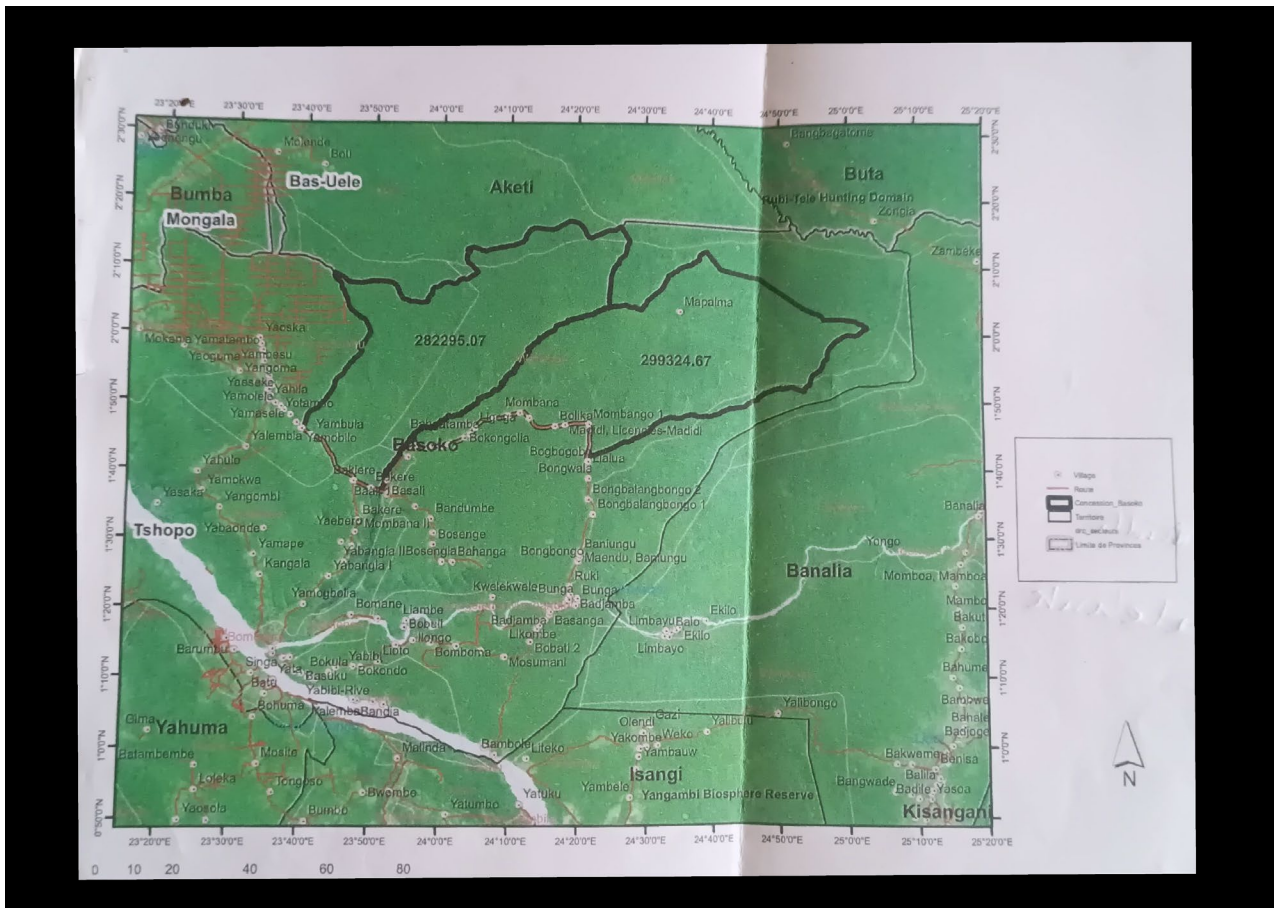
And what was the amount of the "agreed upon" sums with the Ministry – to quote the decree – as well as the amount of the bank guarantee that Wildlife Works was required to present at the meeting to examine its offer?

All questions which Ms Bazaiba, whom we contacted, has declined to answer.

The most remarkable thing though is no doubt the record time in which the Minister managed to obtain the villages' signatures: the social investment agreement was "wrested" in a single day.

Before signing on 26 September 2022, under the watchful eye of the territorial administrator, did the future victims of Wildlife Works consult with a legal expert?

Of course, no one showed them the concession contract, which runs, presumably, for 25 years.



But that's not all.

The Wildlife Works project director claims he doesn't know of Tradelink: it's the first time he's heard its name, he says. Before adding, later:

"We weren't aware of the suspension of the Tradelink contract and decided to no longer work in Wahanga [in the ex-Tradelink concession]. The suspension isn't a cancellation, and given that the situation isn't yet entirely clarified we prefer to withdraw for the moment until Ms Bazaiba finds an adequate solution."

Wildlife Works has just made headlines in Germany.

The project it's been managing since 2011 in Mai Ndombe province never had the real consent of local people, according to Die Zeit. [16] The magazine recounts the "fear"

of inhabitants during initial contacts, as well as violent resistance.

In 2012 Forest Peoples Programme and the Cercle pour la Défense de l'Environnement had already alerted that "none of the communities had been informed about what the carbon market actually is, or how it works." [17]

In 2020 Rainforest Foundation UK skewered the project, which is part of a World Bank program in the province. [18] The 50,000 local people are "effectively prevented from being able to obtain legal tenure over areas they have inhabited and managed for generations." Most of the officials of the "development committees" meant to represent them are appointed by the company. In 2020, the level of local hostility towards Wildlife Works prevented its agents from setting foot in much of the concession. Wildlife Works' partner in Mai Ndombe, the

French firm Forêt Resources Management (FRM) is well known for its minimalist approach to due diligence. Before teaming up with TotalEnergies in Congo-Brazzaville for a mega-greenwashing plantation of acacias, it worked in DRC for the country's most highly-contested logging companies. [19]

In one village visited by Die Zeit – eleven years after the launch of the project –, the company's "village ambassador" could point to only a single well, a hectare of agricultural fields, and a handful of abandoned, hardly-begun construction sites.

If Wildlife Works has sold 13 million tons of carbon credits to date, it refuses to disclose how much it's made from their sale. Die Zeit poses the question whether the emissions the firm says have been avoided in Mai Ndombe are really attributable to the project.

The company admits the loss of 10.4 million tons of CO₂ since 2013 – but estimates that without the project the figure would have been four times that. Difficult to believe – without assuming that the zone would have been awarded as a logging concession... in violation of the moratorium. Wildlife Works has such little confidence in the rule of law in Congo? Good to know !

New challenge for the team in charge of communications for Ms Bazaiba, who has "no lessons to learn about our resources from an NGO" and especially not from Greenpeace, which she describes as "anything but green and peaceful." [20]

If international donors refused to finance her makeshift "scientific" conference at Yangambi last September, [21] she nevertheless succeeded in squelching all discussion, during the meeting, of the

auction of thirty oil and gas blocks which it's her task to greenwash. [22] With success, she submitted for signature to the scientists a "final declaration" which reads like free advertising for the government. [23]

In Kinshasa a month later, during the pre-COP27 Ministerial meeting, she was on all the fronts: one minute in a tête-à-tête with American special envoy John Kerry, the next chatting about carbon credits with the personal representative of Vladimir Putin. [24]

And her com' has worked. What's been carefully left out is her quietly inviting a US firm to take over the forest of her electoral fief, trampling the rights of the people who live there. Perhaps she didn't digest very well President Tshisekedi's order to suspend the Tradelink hoax...

The episode speaks volumes about the real attitude of the government towards the Congolese who'll be on the firing line against industry if and when the moratorium on new logging concessions is lifted. This is likely to be sooner rather than later, thanks to the green light to lifting it that donors gave a year ago at the COP26 at Glasgow.

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