



“Efficiency in Coordination, Mobilisation, Consultation and Communication”

Governance Day and Land Use in the Congo Basin

Major Conclusions – 29 February 2012, Douala

Context:

A meeting on Governance Day and Land Use in the Congo Basin was organized in Douala – Cameroon, on 29 February 2012. This CBFP Meeting of Partners was organized with the technical support of several CBFP partners and technical and financial assistance from the Canadian Government and other CBFP partners.

The purpose of the meeting was to improve the efficiency of partner support towards boosting forest ecosystem governance in the Congo Basin. This comprised:

- Contributing the strategic and prospective reflections of forest ecosystem governance and land use, including the superimposing of rights and landscape use;
- Contributing in harmonizing existing and emerging initiatives on forest ecosystem governance in the Congo Basin.

Chaired by **Mr. Gaston Grenier, CBFP Facilitator** and **Mr. Cléto Ndikumagenge, Facilitator Delegate**, the meeting was facilitated during the preliminary statements and keynote address by **Martin Tadoum**, COMIFAC Deputy Executive Secretary. Session 1 was moderated by **Madam Clotilde Gomba of CBFF/AfDB**, **Mr Jean Claude Nguinguiri of the FAO** for Session 3, **Dr Chimère Diaw of the Network of African Forest Models (RAFM)** for Session 3 while Alain Karsenty moderated session 4. The meeting brought **together about two hundred and twenty participants** and representatives of CBFP partners including:

- Representatives of COMIFAC countries and the COMIFAC Executive Secretariat;
- Representatives of COMIFAC partner institutions;
- Representatives from countries of the “North” who are CBFP members;
- Representatives of international organisations and institutions ;
- Representatives from Research Institutions ;
- Representative from the private sector.

Summary:

The Governance Day and Land Use in the Congo Basin had several high moments including the following major ones:

- Opening Ceremony
- Plenary presentations
- Panel of Facilitators

A. Opening Ceremony

The formal opening ceremony was marked by three speeches: One from Mr Gaston Grenier, CBFP Facilitator; the introductory statement by the Canadian High Commissioner, His Excellency Benoît-Pierre Lamarée and the Opening Speech by His Excellency Raymond Mbitikon, COMIFAC Executive Secretary.

B. Plenary presentations

The theme of the Governance Day and Land Use in the Congo Basin was focussed on the **central theme relating to « Resources Management and Land Use in the Congo Basin: Critical Appraisal of Sub-Regional Reflections, Opportunities, Challenges, Stakes and Efforts”**. Preliminary statements and sub-themes were identified and organized in plenaries:

- Preliminary Statements and Keynote address, moderated by Mr Martin Tadoum, Deputy Executive Secretary of COMIFAC
- Session 1 : Land use in Africa and their conversion for other uses: Threats and opportunities – moderated by Madam Clotilde Gomba, Coordinator of the Congo Basin Forest Fund;
- Session 2 : Best practices- Lessons learnt – Land use – moderated by Mr Jean Claude Nguinguiri, FAO
- Session 3 : Impacts of current progress on future markets – Main challenges and stakes:
 - ✓ Session 3.1 : Political, institutional and regulatory stakes – moderated by Dr Chimère Diaw, RAFM
 - ✓ Session 3.2 : Towards an active synergy between technical and financial partners on Congo Basin Forest governance – moderated by Mr Alain Karsenty of CIRAD

Many communications were made including an average of three presentations per session, during the plenary and throughout the meeting day (see programme of the Governance Day and Land use in the Congo Basin appended to this document).

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C. Panel of Facilitators

A panel of Session facilitators moderated by Dr John Flynn of CARPE/USAID was organized at the end of the Governance Day and Land Use in the Congo Basin in order to give each Session Facilitator and opportunity to present major conclusions, summaries and/or recommendations of the session.

At the end of the day's discussions, the main recommendations and summaries formulated and presented by the Session Facilitators during the panel of Facilitators are jointly presented as follows:

C.1 Preliminary Statements and Keynote address

Three preliminary presentations were made on the key issue of resources governance and land use in the Congo Basin: "Critical Appraisal of Sub-Regional Reflections, Opportunities, Challenges, Stakes and Efforts".

In the face of the stakes and challenges of sustainable forest management and land use, some recommendations and suggestions were made:

- Need to promote better coordination and consultation among stakeholders. This will imply the putting place and/or reinforcement multisectoral and multi-stakeholder consultation and coordination frameworks at the local, national and regional levels;
- Need for an increasing integrated management of landscapes. This will imply a participatory development of integrated land management schemes or plans;
- Need to work towards reinforcement of legal and institutional frameworks for sustainable forest management; this will imply support /backing of States in the review/adaptation of their legal and institutional frameworks to meet the new requirements/challenges (development of agro-industries, mining, etc.) and boosting the technical capacities of stakeholders.
- A first challenge, especially at the national level, is the poor coordination and consultation of the various stakeholders involved in Sustainable Land Management (SLM). The same observation is true for sustainable forest management due to the fact that decisions taken outside the forest sector have a significant impact on forests, and the fact that these stakeholders and decision-makers are not necessarily members of COMIFAC or CBFP. This intersectoral consultation is therefore the required condition for the promotion of SLM and creation of significant opportunities that would involve new stakeholders and mobilize additional funding in the area of sustainable land and forest management. It is with this spirit that the CCD member countries to draw up integrated investment frameworks in order to ensure an efficient use of available funds from the various sectors for SLM and by searching for new funds.

- At the sub-regional level, the challenge today is to ensure the sustainability of existing policy and funding mechanisms for the proper functioning of sub-regional institutional frameworks and a national leadership.
- At the global level, overcoming major challenges include: i) linguistic barriers as serious negotiations are always conducted in English, with no simultaneous interpretation; ii) Weak negotiations capacities (negotiators often come from Geneva and New York, and rarely represent Central African countries), and iii) the poor hierarchical position of some CCD Focal Points in their own institutions.
- Integration of Sustainable Land Management (SLM) in development processes. To achieve this, there is need to sensitize decision-makers and key stakeholders on the financial stakes of land degradation which remain a priority and must be supported by a clear and targeted communication strategy.

C.2 Session 1: Land use in Africa and their conversion for other uses: Threats and opportunities

- Use of institutions to put in place a virtual system for the monitoring of land pressure from plantation agriculture or mining industries. This system will allow for the evaluation of the impact of other land uses on forests;
- Maintaining and reinforcing customary land rights and integrating them in land tenure reforms as an aspect that helps in the fight against poverty in rural areas;
- Counting on existing laws to promote forest issues by local authorities. Taking advantage of opportunities offered by decentralisation in some countries to attain these objectives.

C0.3 Session 2: Best practices – Lessons learnt – Land Use

Session 2 was devoted to lessons learnt and best practices. Five communications were presented. The following conclusions were arrived at:

- Forest zoning is an excellent tool for used by foresters as a guide in determining forest land use and giving a legal status to the land;
- Besides macro-zoning, other tools using of recent approaches (Restoration of forest landscapes and model forests) have been successfully tested. These tools give priority to negotiation and compromise in the drawing up of land allocation plans at the level of the landscape or the land;
- These tools will certainly help in protecting forest areas against pressures coming from other sectors and, therefore, contribute in forest governance. However, they cannot be enough if considered individually;
- The use of zoning (macro or micro) and other tools must be within a holistic perspective. In other words, forest governance must be constructed by improving on the governance of other related sectors;
- Concerning the particular use of forest land, it is clear that forest zoning must be in line with a comprehensive reform of the land policy framework.

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The following recommendations were made:

- Need to document best practices in order to build on them within the sub-region and elsewhere;
- Need to encourage countries in the sub-region to reformulate their land policy framework by drawing from the African Union's "framework and guidelines on land policies in Africa";
- Need to invite ECCAS to be more involved in the revision of land policy frameworks in countries within the sub-region, in conformity with recommendations by the African Union.

C0.3 Session 3: Impacts of current progress on future markets – Main challenges and stakes:

C.3.1 Session 3.1 Political, institutional and regulatory stakes

- Five presentations were made by Transparency International (TI), TRAFFIC, COMIFAC, CIFOR and SNV. These presentations which were introduced by the RAFM based on the six fundamental principles of governance, made an appraisal on the situation of legality and transparency issues in the Congo Basin forest sectors. They presented the state of knowledge and highlighted the conditions and relations, explaining the emergence of problems of legality, verification and corruption inside major areas of the forest sector. These presentations were used as drivers for heated debates, which now calls for a better understanding of the mechanisms presented in the exposés, in view of a more efficient action.
- Manoj Nadkarni of Transparency International, just like the other panellist, argued that there could be no illegality in the timber sector without a system of complicity. Corruption should, therefore, be seen both as a driver and consequence of illegality in the sector. This is what explains the call by TI for a very large partnership to which this organisation would like to contribute in finding solutions. This offer is inline with efforts launched by TI in the Asia-Pacific forest sector.
- This idea was supported by Germain Ngandjui of TRAFFIC who presented mechanisms through which illegal trade in bush meat could develop and prosper in the Congo Basin. He emphasized on the complexity of the problem and on its ecological, social, economic, cultural and food components. As a result of this complexity, resolving the bush meat crisis requires a support system to decision-making in order to find targeted and suitable solutions. This is what the Central African Bush meat Monitoring System (SYVBAC) is proposing within the framework of the COMIFAC Convergence Plan. This also explains why it is necessary to fund the implementation of the "2012-2017 Sub-Regional Action Plan for the Reinforcement of the Application of National Laws on Wildlife".
- Paolo Cerutti of CIFOR presented similar issues in the timber sector, noting that informal

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timber market represented 61% of the sector and this was a visible and widespread practice in rural and urban areas, especially with lumber. He used examples to explain this paradox and its implications on the people, the State of law and confidence between citizens and institutions. Concerning the economy, this informality further raises problem of job insecurity, investment and indebtedness, which fragilizes stakeholders while causing a loss of confidence in State institutions and very poor optimization. In this light, a positive incentive system (bait) should be instituted to complete a penal system (sanction), which is better oriented and more efficient, in order to avoid stigmatization without discretion of all State employees and to obtain better results.

- Still along the same lines, Nadège Nzoyem of SNV presented the case of community forests in Cameroon, where the implementation of the FLEGT VPA is facing cost-related problems that have been worsened by competition with informal timber markets. On the Douala market for example, legal timber from community forests significantly less competitive than timber from informal sectors. Many buyers are certainly interested by the legal timber offer but this calls for an additional challenge to meet a level of community forests offer (especially in terms of quantity) that could meet this demand.
- Alain Pénélon, COMIFAC FLEGT VPA adviser, on his part, focussed on the answers given by FLEGT VPA as a State intervention instruments with its own rules and tools relating to the integrity of employees, procedures, coordination between administrations, etc. Globally speaking, the legality verification system is a call for action involving a radical change in the practices and functioning of the sector. It is even more important that new challenges are developing in the relations between forests and other sectors such as mining and hydrocarbons. Paradoxically, and in spite of the concerns raised by the public, framework conditions such as the EU Timber Regulation, scheduled for signature on 13 March 2013, should normally be beneficial to Congo Basin countries involved in the VPA.

C.3.2 Session 3.2 Towards an active synergy between technical and financial partners on Congo Basin Forest governance

- We note the setting of the Governance Working Group within COMIFAC. This shows the increasing importance of this theme and the awareness that understanding this issue is the key to progress in other more technical issues.
- The presentation on projects and programmes revealed the interest partners have in FLEGT approaches and in certification. These projects, more or less, involves public entities: Some avoid them to work only with the private sector.
- We may, therefore, express satisfaction for this possibility of complementarity between the various initiatives or express worry about the risk of duplication of efforts.
- The complexity of institutional bottlenecks (especially after presentation of the ECCAS project) risk being very difficult to manage in practice.

- Emphasis was placed on the difference between the FLEGT instrument and FSC certification. FLEGT is a public policy instrument while FSC is a private management instrument. However, one may think some companies can bet that the FLEGT licence will secure them access to markets that are comparable to FSC certification, at a lower cost. This may explain the current stagnation of certified markets, a certain wait-and-see attitude and a drop in the demand for certified timber in Europe.

Done in Douala, on 29 February 2012

[Signed] participants