

General Statement to the Bundestag Committee on Economic Cooperation and Development

Inquiry on “Protecting forests, biodiversity and the rights of indigenous peoples – the example of the Amazon and Congo basins”

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My statement will focus particularly on the Congo Basin, with which my professional work for the last 25 years has largely been concerned.

Whilst it is generally recognised that large parts of the Amazon Basin rainforest have long been occupied by indigenous people, it is much less appreciated that the Congo Basin rainforests have similarly long been widely inhabited. Indigenous hunter-gathering people, often referred to as Pygmies, have occupied many parts of the Congo region for millennia. Forest-farming Bantu peoples have also been present throughout area for up to 3,000 years. Over a ten-year period, my former organisation, the Rainforest Foundation UK, digitally mapped around five million hectares of forest in DR Congo, Republic of Congo, Gabon, Cameroon and Central African Republic. We did this alongside hundreds of communities, walking thousands of kilometres through the forest.

Every square metre of land was found to be claimed under some form of customary tenure. These community ‘territories’ are on average about the size of a smallish Gemeinde in Germany. They are the basis of organisation for farming, hunting, collecting and other rights, and are typically closely regulated by traditional elders and chiefs. Together, they form a completely contiguous pattern. The forest’s biodiversity has persisted and thrived through many centuries of such occupation.

This customary form of land ‘ownership’ has been passed down orally through the generations. Until our efforts, it had been entirely unrecorded. It remains almost entirely unrecognised officially to this date; ownership of essentially all forest land in the region is claimed by the State.

This has profound consequences. When we talk about how the forest in the region is or could be used, we are invariably talking about land that is already considered as ‘owned’ by one community or other. The designation of land by the State for whatever purpose has typically been done with little or no regard for the existing inhabitants.

Because of this, conflict is widespread, almost endemic. Outside DR Congo (which accounts for about half of the region’s forests), the vast majority of forest is allocated to one of two uses: either industrial logging concessions, or protected areas for biodiversity.

When we come to consider what’s causing the loss of biodiversity in Africa’s rainforests, we need to distinguish between the underlying drivers of such loss, and the proximate agents or causes. Ultimately, it’s mostly small-scale commercial or subsistence farmers who have their hands on the actual chainsaws. But if we consider why those people are there, it’s often the lure of forest land newly opened by roads. Logging companies are the largest builders of these.

Communities might initially welcome the jobs, services and infrastructure that commercial logging operations bring, but they also resent the influx of workers and destruction of forest resources, including wild meat, natural medicines and clean water, that often follows. Whilst logging companies

typically only selectively exploit a small number of trees within the forest, their roads can initiate what's called a 'cascade of deforestation'.

The notion of 'sustainable forest management' – meaning large-scale exploitation of timber - has always been utterly misguided in the Congo Basin, as in most other biodiverse tropical forests. The strategy of industrialising tropical forests, reliant as it is on road-building, and as promoted by agencies such as the World Bank and the UN Food and Agriculture Organisation, has been a disaster for biodiversity.

Conversely, millions of people have been evicted or lost their livelihoods in order to create strictly protected areas for biodiversity conservation. Such areas now cover around 27 million hectares in the Congo Basin, equivalent to three-quarters the size of Germany. The removal of the traditional human inhabitants of the forest, often imposed and maintained through armed force, creates a vacuum into which many other external agents of exploitation and destruction can be drawn. Gross human rights abuses against local people (often former inhabitants) by park guards have been widespread. Local communities often deeply resent heavy proscriptions on their use of what they consider to be *their* land by conservation and climate-related programmes. The evidence that these areas have conserved biodiversity effectively is far from convincing.

So what are the alternatives? There is growing evidence that securing indigenous peoples and local community rights is the most effective, cost-effective, and sustainable means of protecting forests. This can take a variety of forms – legally titling indigenous territories, designating communal reserves, allocating community forests, or 'co-management' agreements.

Whilst customary community tenure probably extends across the vast majority of the Congo Basin forest, to date only around 3% of the area has been officially designated primarily for local community control and use. Some of the region's countries do not even have laws allowing for meaningful community management of forest.

But what has quietly been achieved in the DR Congo over the last five or so years is, I believe, instructive. Until 2016, the country had no means at all for communities to gain official designation of their lands. It now has the most progressive community forest provisions in the region. More than 3 million hectares have already been legally protected, or soon will be.

Such efforts show that forest conservation can be achieved at reasonable cost, and in a way that aligns with local priorities, the protection of rights, and promotion of sustainable development. I believe it is such approaches the internationally community should strongly be looking towards in future, for the protection of forest biodiversity, as well as global climate objectives.

Thank you.