

**Second Progress Report to the Board of Executive Directors  
On the Implementation of Management's Action Plan  
In Response to the Democratic Republic of Congo Inspection Panel Investigation Report on  
Transitional Support for Economic Recovery Project and the Emergency Social and  
Economic Reunification Project  
March 2011**

***Summary***

- (i) On August 31 2007, the Inspection Panel distributed its Investigation Report No. R2006-0001/2 to the Board which addressed compliance with Bank policies with respect to specific forestry sector activities in two Bank-financed projects in the Democratic Republic of Congo (DRC). On November 19, 2007, Management submitted its Report and Recommendations in response to the Inspection panel's Investigation Report. Chapter V of the Management Report contained an Action Plan, proposed by Management to follow up on the Panel's findings.
- (ii) On January 10, 2008, the Board discussed the Inspection Panel Investigation Report and Management's Report, endorsed the Action Plan and asked that Management report back on the progress with implementation of this Action Plan after one year. The first progress report was submitted to the Inspection Panel and the Executive Directors in March 2009.
- (iii) This second progress report is aimed at providing information to the Board regarding the progress in implementing the Action Plan. The status of implementation of the Action Plan is first summarized in matrix form, and then described in detail under the four main action areas:
  - (i) improving and scaling up work in the region on safeguards and sound environmental and social design and implementation of the portfolio; (ii) scaling up the work on indigenous peoples in DRC and ensuring that the relevant safeguards are appropriately triggered; (iii) supporting the forest policy reform agenda in DRC, and scaling up the forestry work; and (iv) improving outreach and communications.
- (iv) ***Regarding safeguards***, the work has been scaled up and given a higher profile. Progress has been made in increasing staffing and decentralizing environmental and social specialists to ensure safeguards are adequately and promptly addressed during project preparation and implementation. Rosters of environmental and social experts are being finalized, allowing task teams to draw on such resources, while also helping countries develop networks of technical expertise. The Region has also been carrying out periodic country and sectoral portfolio reviews (e.g. projects involving natural habitats or physical cultural resources) – with a particular focus on riskier projects – to better anticipate and plan for safeguards risks and mitigation. Training for task teams and project implementation units continues via mobile clinics (e.g. Nigeria, Cameroon, Uganda, Kenya, and Mozambique), as well as dedicated sessions for the Sustainable Development sector team, including Sector Managers, Sector Leaders, and Program Coordinators. The Region will also continue to engage clients at a more strategic level to address environmental and social management more effectively and systematically, including

technical assistance and lending to strengthen country environmental and social management capacity. Through these efforts, the Region is going beyond compliance with safeguards and moving towards the “triple bottom line” of economic, social and environmental sustainability.

- (v) ***Regarding Indigenous Peoples***, a “Framework for a National Development Strategy for Pygmy Communities in DRC” was developed by the Bank with the government, development partners and after consultation of key stakeholders. The Framework was disclosed and disseminated in December 2009. Its aims are to analyze factors which threaten the cultural identity of Pygmy populations and contribute to their impoverishment, and develop a set of proposed actions to mitigate them. The Framework would provide an informed basis on which a national and longer-term strategy would be developed by the Government in 2011. It should be mentioned that the preparation of the Framework was an important opportunity to discuss at various levels the status of and issues connected to Indigenous peoples Communities in DRC. Furthermore, on the operational side, the Indigenous Peoples and Cultural Property safeguard policies have been triggered by a number of investments in the Bank’s portfolio and adequate safeguard instruments and plans developed and adopted, as appropriate. Where implementation has been constrained this has been, as with other aspects of the portfolio, because of security issues and the practical difficulties of working in remote areas.
- (vi) ***Regarding forestry***, the Government has continued to pursue the reform agenda defined in the “Forests in Post-Conflict Democratic Republic of Congo: Analysis of a Priority Agenda”, moving towards a more modern approach to forest management supporting a mosaic of different uses. It has completed a legal review of concessions which has resulted in a dramatic reduction in the area of forest under concession management, from 22.4 million ha in 2005 to 12.2 million ha in 2011. Other reforms include the following: (i) support for community based forest management; (ii) respecting the rights of traditional users; (iii) developing innovative payment for ecosystem services models; and (iv) ensuring community participation and consultation in all decision making processes related to forest management. Development partners have remained engaged, and the Bank is scaling up its support, focusing on capacity building, community forest management and conservation, with a total assistance package of US\$ 77 million approved by the Board in FY 09. It must be recognized however that building capacity to realize these reforms on the ground is a long term endeavor, a challenge that will be addressed only in part by the US\$70 million Bank-funded Forest and Nature Conservation Project, which became effective in September 2009. DRC received a first grant (US\$200,000) under the Forest Carbon Partnership Facility (FCPF) to prepare its readiness plan, which was accepted by the FCPF Participants’ Committee in March 2010. A second FCPF grant of US\$3.4 million is being provided to the government to implement its *Readiness Plan for Reducing Emissions from Deforestation and Degradation (REDD)*<sup>1</sup>. The Grant, approved by the FCPF Committee on March 2010, will finance capacity building; technical assistance for forest cover monitoring and building a legal framework to regulate REDD activities in the country.

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<sup>1</sup> The United Nations Collaborative initiative on Reducing Emissions from Deforestation and forest Degradation (REDD) is being implemented in several countries in Africa, including DRC.

- (vii) ***Regarding outreach and communications***, the Bank has scaled up its work both outside and especially inside DRC. The Ministry of the Environment will use part of the Forest and Nature Conservation Project grant to develop a communications plan, including a website, to be updated regularly, to make available basic information on forest management. The implementation decrees for the 2002 forest law make provision for direct consultation with local communities through the process of developing social plans to benefit local communities that will be agreed upon through contracts to be entered into by logging companies and local communities under the monitoring and supervision of government agencies, and forest management plans to be developed by logging companies and to be agreed upon by competent government agencies. The communities will thus have access to all relevant information about the concession terms and related management plans even if they cannot access the internet. The Consultative Councils at the Provincial and National levels, established respectively in 2006 and 2008, are also an important conduit for information-sharing with citizens that do not have access to the internet.
- (viii) The National REDD Coordination program, which is financed by the Bank and other donors, has a full time staff member responsible for "Information, Education and Communication". He is responsible for ensuring that basic information on REDD+<sup>2</sup> is shared with stakeholders at the national, provincial and local levels. The staff member works in close collaboration with civil society representatives to prepare the necessary communication tools, including innovative media such as theater and music. A series of national and provincial workshops to share knowledge on REDD is ongoing in the country, bringing together various stakeholders on the ground to discuss REDD-related issues. The FCPF has also been working directly with the Working Group on Climate and REDD ("Groupe de Travail Climat REDD"), supporting their outreach to and capacity building efforts with local communities.
- (ix) Work is in progress and well embedded in the Country Program. The following pages provide details.

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<sup>2</sup> The REDD+ program goes beyond deforestation and forest degradation, and includes the role of conservation, sustainable management of forests and enhancement of forest carbon stocks.

## Action Plan and Implementation Progress Summary

ISSUE	ACTION AND RESPONSIBLE UNIT(S)	TIMEFRAME	PROGRESS
<b>REGIONAL LEVEL</b>			
SAFEGUARDS	<p>Continue to strengthen safeguards quality control across the AFR portfolio to ensure that: (i) projects are properly classified and relevant Operational Policies are triggered; (ii) EAs and other safeguard instruments are prepared on time, including for emergency operations; and (iii) implementation of safeguard instruments is adequately monitored. (AFTEN/AFTCS/AFTQK). In particular:</p> <ul style="list-style-type: none"> <li>▪ Ensure Task Team Leaders are adequately trained in safeguards</li> <li>▪ Review the AFR portfolio.</li> </ul>	Ongoing	<p><u>Safeguards strengthened</u> with recruitment and decentralization: 13 EA and 12 SA staff now in country offices. Further decentralizations planned.</p> <p><u>Regional Safeguards portfolio reviews</u> (natural habitats and physical cultural resources) and 4 country-specific reviews conducted. Reviews also being done of Environmental and Social Management Frameworks and Resettlement Policy Frameworks.</p> <p><u>High risk projects</u> reviewed quarterly by senior management, with senior safeguards staff assigned to them. Safeguards training provided to TTLs and managers</p>
<b>COUNTRY LEVEL</b>			
INDIGENOUS PEOPLES	<p>Integrate Indigenous Peoples as a cross-cutting theme across the Bank's activities in DRC (AFTCS/AFCC2). In particular, the Bank will:</p> <ul style="list-style-type: none"> <li>▪ Analyze the current situation of vulnerable groups in DRC, including Pygmies, and draw and disseminate lessons from</li> </ul>	FY08 onwards	<p><u>All infrastructure, forest, agriculture and other relevant projects under preparation and supervision</u> are integrating the Indigenous Peoples policy and other safeguards, as</p>

ISSUE	ACTION AND RESPONSIBLE UNIT(S)	TIMEFRAME	PROGRESS
	<p>ongoing efforts to reach and support them with: (i) the Social Fund in terms of access to education, health and rural infrastructure; (ii) the Indigenous Peoples Plan of the Emergency Recovery Project; and (iii) the dialogue with Indigenous Peoples in the context of the forest reform agenda.</p> <ul style="list-style-type: none"> <li>▪ Ensure the upcoming Agriculture Project will include capacity building components to strengthen social safeguards and implement Indigenous Peoples Frameworks, and ensure that such frameworks developed for ongoing Roads and Forest Projects are implemented.</li> <li>▪ Dialogue with Government on ways to address the special needs of Indigenous Peoples groups in the framework of the PRSP.</li> <li>▪ Based on the above actions, discuss and agree with Government and other donors on measures to further strengthen development of Indigenous Peoples in DRC.</li> </ul>		<p>appropriate. Also, the Agricultural Rehabilitation and Recovery Support Project, approved in FY10, included an Indigenous Peoples Action Plan – which was prepared through a consultative process</p> <p><u>The Bank completed in collaboration with key stakeholders including indigenous peoples representatives and delivered in December 2009 a formal Economic and Sector Work (ESW), “Framework for a National Development Strategy for Indigenous Peoples Communities”.</u> On the basis of this Framework, the Government plans to develop a national strategy in 2011.</p>
FORESTS	<p>Stay engaged in the DRC forest sector.</p> <p>Continue to monitor the Legal Review and the moratorium and assist the Government to help ensure compliance with the 2005 Presidential Decree; continue to mobilize attention of the highest level of government, and ensure that forest governance benchmarks feature in possible</p>	Ongoing since 2008	<p><u>Legal Review</u> of forest concessions was formally completed in January 2011. Follow-up assistance is provided for implementation and enforcement of the decisions made on the basis of the legal review process.</p>

ISSUE	ACTION AND RESPONSIBLE UNIT(S)	TIMEFRAME	PROGRESS
	<p>future policy lending or similar instruments (AFTEN/AFCC2). In particular, the Bank will:</p> <ul style="list-style-type: none"> <li>▪ Continue to provide advice on the Legal Review and follow-on steps</li> <li>▪ Continue to support and monitor progress on five TSERO indicators</li> <li>▪ Agree with Government on key benchmarks and policy instrument</li> </ul> <p>Ensure that capacity-building, participatory zoning, customary rights, critical natural habitats, and law enforcement, and independent monitoring featuring in ongoing forest-related operations are implemented, as are provisions to help provide equal opportunities to Indigenous Peoples. (AFTEN). In particular:</p> <ul style="list-style-type: none"> <li>▪ Include in FY08-10 CAS a forest sector project</li> <li>▪ Launch GEF Grant for national parks</li> <li>▪ Launch Multi-Donor Trust Fund for Forest Governance</li> </ul> <p>Continue to foster high-level public debate on alternative uses and innovative models, and to stimulate Government's commitment and donors' interest. In particular:</p> <ul style="list-style-type: none"> <li>▪ Help organize a Chatham House Meeting on innovative uses</li> <li>▪ Help the DRC access the new Forest Carbon Partnership Facility (FCPF)</li> <li>▪ Help pilot conservation concessions in DRC.</li> </ul>	<p>CAS discussion December 2007 CAS Progress Report May 2010</p> <p>December 2007</p>	<p><u>TSERO indicators</u> monitored successfully</p> <p><u>Key benchmarks and policy instruments</u> agreed</p> <p><u>Chatham House event</u> held in London and included discussions about the way forward to implement the DRC's Forest Agenda. All stakeholders participated including DRC Government officials, all donors involved in the forest sector in DRC, and international NGOs as well in, December 2007 and was followed up with a conference held in Kinshasa (June 2008) on the same subject and to which local NGOs and other stakeholders contributed.</p> <p><u>Forest Operation</u> included in CAS, has been effective since September 2009 and under implementation.</p> <p><u>GEF grant for national parks</u> was approved and</p>

ISSUE	ACTION AND RESPONSIBLE UNIT(S)	TIMEFRAME	PROGRESS
			<p><u>is under implementation.</u></p> <p><u>DRC accessed FCPF</u> in July 2008. The first grant (US\$ 200,000) enabled the DRC to prepare its readiness plan. Following acceptance of DRC's readiness plan by the FCPF Participants' Committee in March 2010 in Gabon, the Bank is preparing a second grant (US\$ 3.4 million) which will finance capacity building and technical assistance for forest cover monitoring and a legal framework to regulate REDD activities in DRC.</p> <p><u>Support for conservation concessions included in IDA-GEF Forest and Nature Conservation project.</u></p>

<p>OUTREACH</p>	<p>Continue to implement the Congo/Forest communication strategy, with media, civil society and donors, in-country and internationally. Mainstream forests in Bank’s core communication and high-level events (AFREX/AFTEN). In particular:</p> <ul style="list-style-type: none"> <li>▪ Disseminate the multi-author ‘Forests in Post-Conflict DRC’</li> <li>▪ Implement a strengthened outreach strategy, and update annually</li> <li>▪ Conduct targeted meetings with Pygmy communities and their representatives to discuss forest issues.</li> </ul>	<p>Ongoing 2009-2010</p>	<p>25 field missions with government and civil society team members organized from December 2009 to March 2010 to inspect all 91 forest concessions deemed non-convertible by Inter-Ministerial Commission after legal review. Meetings held with local communities during these field missions.</p> <p>Safeguards training was provided to local stakeholders and staff involved in the implementation and monitoring of the Bank country portfolio. This training included a side event with journalists and media on the implementation of the Bank’s Indigenous Peoples policy in DRC.</p> <p>Consultative Councils (national and provincial level) provide information-sharing through various networks.</p> <p>National REDD Coordination team includes an information, education, and communication professional.</p> <p>Regular outreach by Bank staff during field visits; the most recent visit was in September</p>
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			<p>2010.</p> <p>Opportunities have also been leveraged for online media outreach about DRC's forests, including the blog posts "Think Africa, Think Mitigation" (Apr 25, 2010) and "What Forests Can Do for Africa" (Dec 17, 2010).</p>
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## **Progress Report on the Management Action Plan**

### **Section 1: Safeguards.**

- Continue to strengthen safeguards quality control across the AFR portfolio to ensure that: (i) projects are properly classified and relevant Operational Policies are triggered; (ii) EAs and other safeguard instruments are prepared on time, including for emergency operations; and (iii) implementation of safeguard instruments is adequately monitored;
- In particular, ensure Task Team Leaders are adequately trained in safeguards;
- Review the AFR portfolio.

#### ***Strengthening safeguard work***

1.1. The Africa Region continues to work towards strengthening safeguards work in the portfolio, which at over 650 projects, is the largest of the Bank's six Regions. Decentralization continues, with about half the safeguards staff in the field. Projects are appropriately classified, but challenges remain in ensuring safeguards are addressed adequately during preparation and implementation, including due attention to the institutions responsible for and costs of environmental and social management, as well as adequate supervision of projects. Investment lending reform has provided an opportunity for teams, initially on a pilot basis, to assess more clearly and accurately project risks, including safeguards, so that resources for implementation can be allocated accordingly.

1.2. In early 2009, the Region undertook a safeguards analysis which recommended ways to build capacity, place environmental and social risks in the context of project development, and ensure adequate opportunities for problem-solving and sharing lessons learned across the Region. This effort was updated in early 2010 with a view to better managing safeguards in the portfolio.

#### ***Monitoring safeguards work***

1.3. The Region's systematic management review process for projects classified as corporate risk for environmental and social issues plays a critical role in ensuring that such projects are staffed with the most experienced safeguards specialists. Meetings are held quarterly to discuss progress with action plans for addressing social and environmental risks, and the Regional Vice President chairs every alternate meeting. In addition, the Africa safeguards team continues to monitor the portfolio as a whole and provide advice as needed to SMUs and CMUs. Over the last year, an environmental and social assessment and safeguards quality review was undertaken for a sampling of projects in Burkina Faso, Ghana, Guinea, Liberia and Sierra Leone. Portfolio reviews of projects triggering OP/BP 4.04 (Natural Habitats) and OP/BP 4.11 (Physical Cultural Resources) are also being prepared for completion by the end of FY11, along with a

review of Environmental and Social Management Frameworks and Resettlement Policy Frameworks.

***Strengthening environmental and social assessment***

1.4. The Africa Region has continued to strengthen its safeguards team, through ongoing efforts to scale up and decentralize staff. The headquarters safeguards team received an additional senior staff member and will shortly add additional environmental specialists in West and East Africa.

1.5. Safeguards training sessions for Task Team Leaders (TTLs) continue to be regularly offered. Safeguards training sessions targeted at sector leaders were offered in March and April 2010. A special training for Sector Managers was held on May 3, 2010. In FY 11, Sector Managers have been hosting team meetings with the Regional Safeguards Advisor to discuss safeguards issues in programs and projects.

1.6. Recognizing that country capacity is equally important to ensuring adequate environmental and social assessment and safeguard oversight, country environment and social clinics are taking place, where project authorities work with Bank staff in problem-solving and sharing lessons on portfolio management. Mobile clinics, involving project staff, task team leaders, and safeguards specialists, were held in Nigeria in March 2010, Cameroon in April 2010, Uganda in May/June 2010, and Kenya in November 2010. Additional clinics are planned for Mozambique (February 2011) and West Africa (FY11). The reviews and clinics allow project teams an opportunity to discuss implementation issues regarding environmental and social safeguards and to get training on Bank policies, as well as technical advice.

1.7. Support is being provided to strengthen country environmental and social management capacity through lending (for example, in Cameroon). Environmental and social specialists in the country offices play an important role in building the capacity of government ministries to undertake environmental and social impact assessments; they have also mentored local consultants. Rosters of environmental and social experts are being finalized, allowing task teams to draw on such resources to address safeguards issues on the ground. The Region plans to do more to build country capacity in this area as part of its broader programs to strengthen public sector management and manage the risks associated with investments across all sectors. Environmental and social staffs continue to be involved early in project preparation, so that project design incorporates sound environmental and social measures. The principle of mainstreaming “good” environmental and social design elements into projects (the “triple bottom line”), rather than simply “mitigating harm” (addressing safeguards), is key, and progress in this area is ongoing.

## Section 2: Indigenous Peoples

- Integrate Indigenous Peoples as a cross-cutting theme across the Bank’s activities in DRC (AFTCS/AFCC2). In particular, the Bank will:
- Analyze the current situation of vulnerable groups in DRC, including Pygmies, and draw and disseminate lessons from ongoing efforts to reach and support them with: (i) the Social Fund in terms of access to education, health and rural infrastructure; (ii) the Indigenous Peoples Plan of the Emergency Recovery Project; and (iii) the dialogue with Indigenous Peoples in the context of the forest reform agenda;
- Ensure upcoming Road, Agriculture and Forest Projects will include capacity building components to strengthen social safeguards and implement Indigenous Peoples Frameworks;
- Dialogue with Government on ways to address the special needs of Indigenous Peoples groups in the framework of the PRSP;
- Based on the above actions, discuss and agree with Government and other donors on measures to further strengthen development of Indigenous Peoples in DRC.

### *Economic and Sector Work on DRC Pygmy populations*

2.1. In order to support the Government in addressing development issues confronting Indigenous communities from a more comprehensive perspective, the Bank has initiated formal Economic and Sector Work (ESW), namely the “Framework for a National Development Strategy for Indigenous Peoples Communities” which was completed in December 2009.<sup>3</sup> The aims of the study were to identify and analyze factors which directly and indirectly threaten the cultural identity of Pygmy populations and contribute to their impoverishment and marginalization, and to propose a set of actions to mitigate them. The study provides an informed basis on which a national and longer-term strategy would be developed by the Government. The study analyzed the experience and drew lessons from ongoing projects and IPDPs (Indigenous Peoples’ Development Plans) to reach, and support the development of, Pygmy communities.

2.2. More specifically, the study:

- Identifies and proposes supportive measures to the Government, the Bank and other donors, including specific institutional arrangements, policies and capacity building for local Pygmy-led organizations and for government agencies working with Pygmy populations. The data and information collected, as well as the policy and institutional recommendations, will form the basis for a national strategy for the Pygmies which would need to be developed and validated by the Government with donor-support; and
- Provides a reference document and baseline to be used, as needed, by Bank and donor-funded projects to prepare and monitor documented and well-informed

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<sup>3</sup> Published as “Democratic Republic of Congo Strategic Framework for the Preparation of a Pygmy Development Program” by the Fragile States, Conflict & Social Development Unit of the Sustainable Development Department of the World Bank’s Africa Region (Report No 51108-ZR, December 2009)

IPDPs, thus avoiding a fragmented and, often, uncoordinated project-by-project approach; to support Pygmy development.

2.3. The dialogue with Government, as well as other stakeholders, on ways to address the special needs of Pygmy communities took place in the context of the preparation of the “Framework for A National Development Strategy for Pygmy Communities in DRC”. A participatory consultation and information-sharing workshop was held on June 27-28, 2008 in Kinshasa, with the participation of Pygmy-led NGOs, government officials, donors and international observers. On the basis of this initial consultation and discussion, a preliminary set of issues was identified:

- Citizenship and registration;
- Access to health services, education, potable water and sanitation;
- Access to land, agriculture and livestock;
- Environmental protection and forest zoning;
- Pygmy leadership capacity;
- Improvement of housing and quality of life; and
- Sensitization of the public authorities (nationally, regionally and locally) to Pygmy-related issues.

2.4. In DRC, an estimated 450,000 to 600,000 Pygmies live in 9 provinces (out of 11), with considerable variation by province, thus requiring approaches which are appropriately targeted and take into account differences by province. To this end, the ESW aimed to capture key differences and priorities through an additional data collection effort in the 9 provinces with Pygmy populations. The data collection was carried out in a participatory manner by qualified Pygmy NGOs and NGOs working with Pygmy communities. Before completion, the study was validated through a national workshop held in Kinshasa on June 2 and 3 2009, organized by the Ministry of Environment, Nature Conservation and Tourism. Participants included representatives from the Ministries of Finance and Social Affairs, members of civil society, Pygmy NGOs and Pygmy support organizations. Discussion and validation of the “Framework for A National Development Strategy for Pygmy Communities in DRC” has provided an opportunity to discuss key issues and help the Government prepare an overall strategy to adopt specific measures to strengthen development of Indigenous Peoples in DRC. This agenda is being considered by the Government.

### ***Improved portfolio management on Indigenous Peoples***

2.5. The World Bank has triggered the safeguard policy on Indigenous Peoples (OP/BP 4.10)<sup>4</sup> when implementing development activities in areas where Pygmy populations are present. In such cases, Indigenous Peoples’ Plans (IPPs) or frameworks

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<sup>4</sup> OP 4.10 provides rules, principles and guidelines for Bank financing of projects that may impact on Indigenous Peoples. Indigenous peoples are viewed as a distinct, vulnerable, social and cultural group possessing certain characteristics in varying degrees. The Bank provides project financing only where free, prior, and informed consultation results in broad community support to the project by the affected Indigenous Peoples.

have been prepared as appropriate. Since 2004, Bank staffs have regularly met with Pygmy groups and representatives.

2.6. Eight major projects have triggered OP/BP 4.10 for which mitigation measures have been identified and prepared. These projects are: PASU (Emergency Social Action Project, including an Additional Financing); PUSPRES (Emergency Economic and Social reunification project), PUAACV (Emergency Living Conditions Improvement project), PROROUTES, PFCN (Forest and Nature Conservation Project), PREPAN (GEF National Parks Project), PARRSA (Agricultural Rehabilitation and Recovery Support Project) and PROMINES (Growth with Governance in Mining Sector Project). PASU, PUSPRES, PUAACV, PROROUTES, PFCN and PREPAN are under implementation. PARRSA was approved by the Board in March 2010 and PROMINES was approved by the Board in July 2010.

2.7. ESAP (Emergency Social Action Project). This US\$60 million project was approved in August 2004 with the objective to improve access of the poor to social and economic services and increase the availability and management of development resources at the community level. The project uses an Environmental and Social Management Framework to screen community micro-projects and an Indigenous Peoples Plan, including a program for ensuring that the Pygmy populations benefit from project activities. The project's strategy to support Pygmy communities consists of: a) a series of outreach activities to inform pygmy communities about the project and help develop proposals for micro projects that would benefit them; and b) promote the inclusion of pygmy communities as beneficiaries of activities such as schools and clinics proposed by non-pygmy communities in the same area.

2.8. PUSPRES (Emergency Economic and Social Reunification Project) and PUAACV (Emergency Living Conditions Improvement Project): These two projects, totaling US\$296 million are taking steps to strengthen mitigation measures related to indigenous peoples.

2.9. PUSPRES, approved in 2003, was one of the projects subject to the Inspection Panel and included balance of payments support, and support for institutional strengthening, infrastructure rehabilitation, urban rehabilitation and community empowerment. An Action Plan has been prepared by the implementing agency UCOP (Unite de Coordination de Projet) with support from the World Bank. The Action Plan is structured around five main components: (i) citizenship; (ii) income enhancement; (iii) education; (iv) health and other basic social services; and (v) sensitization campaigns...

2.10. The implementation of the Action Plan was initially delayed due to implementation difficulties and the withdrawal of the local NGO which was expected to facilitate the entire action plan. Since then, responsibility for implementation has been divided among three different local NGOs that were recruited subsequently. These NGOs are respectively in charge of: i) improving the citizenship status and living conditions of Pygmy communities; ii) facilitating health and education activities, access to other basic

services, housing, agriculture and income generation. Implementation of the Action has started and is being monitored monthly by the UCOP.

2.11. *PUAACV*, approved in 2005 with an IDA grant of US\$82 million, aims to improve living conditions in key urban centers and two isolated areas, and to improve transport links. The project includes a Pygmy Action plan, prepared in consultation with local groups, to address the concerns of indigenous peoples related to the project.

2.12. *High Priority Roads Reopening and Maintenance Project (PROROUTES)*: This is a US\$123.0 million project financed by DFID (US\$73 million) and IDA (US\$50 million approved in May 2008). Its objective is to re-establish lasting access between provincial capitals, districts and territories in three provinces in a way that is sustainable for people and the natural environment in the project's areas. OPs on environmental assessment, critical natural habitats, Indigenous Peoples, physical cultural resources, involuntary resettlement, and forests (4.01, 4.04, 4.10, 4.11, 4.12, and 4.36) were triggered. An ESMF (environmental and social management framework), RPF (resettlement process framework) and the IPDF (Indigenous Peoples Development Framework) were disclosed in September 2007 in six locations in DRC and the ESIA for one of the road sections to be reopened was disclosed in February 2008. An Environmental and Social Advisory Panel (ESAP) will assist the Bank to monitor and supervise the effective implementation of the environmental and social program and make public the results of its reports. The recruitment of this ESAP is underway. The project includes an environmental and social program (US\$18.7 million) whose objective is to support participatory land use planning and local livelihoods initiatives in the vicinity of the roads to be rehabilitated, as well as improved protected areas management. It includes specific measures to support pygmy groups and an HIV/AIDS prevention campaign. The recruitment of the consulting firm, to be assisted by NGOs, in charge of the implementation of the environmental and social program, through a delegated management contract, has been completed on December 31, 2009.

2.13. *PFCN or FNCP (Forest and Nature Conservation Project)*: The project includes an IDA grant of US\$64 million and a GEF grant of US\$6 million and became effective in September 2009. Its objectives are to increase the capacity of the Ministry of Environment, Nature Conservation and Tourism and improve collaboration among government institutions, civil society and other stakeholders in order to manage forests sustainably and equitably for multiple uses in selected pilot areas of DRC. The operation has triggered OPs 4.01; 4.04; 4.10; 4.11; 4.12; and 4.36. It was subject to a thorough environmental and social assessment and analysis. Appropriate safeguard instruments based on the findings and conclusions of these assessments were prepared as required under each of the respective policies. These safeguard instruments were disclosed as drafts and as final documents. Disclosure included translation of executive summaries in French and English as well as local languages (Lingala, Swahili, Tshiluba and Kikongo) and presentation and distribution to local and Indigenous populations. National and local radio stations were also used for enhanced outreach. Project design includes support for local livelihoods initiatives and participatory forest management and conservation.

2.14. PARRSA (Agricultural Rehabilitation and Recovery Support Project). This FY10, US\$120 million IDA Grant is to increase agricultural productivity and help smallholder farmers to improve processing and marketing of crops, fish and animal products in selected areas. OP/BPs 4.01; 4.10; 4.12; and OP 4.09 (pest management), have been triggered including the preparation of process framework documents covering all these OPs. Four safeguard documents – including (i) an Environmental and Social Impact Management Framework; (ii) a Pesticide Management Plan; (iii) an Involuntary Resettlement Policy Framework, and (iv) an Indigenous Peoples Action Plan – have been prepared through a consultative process and disclosed.

2.15. PROMINES. This US\$50 million Technical Assistance project, approved in June 2010, is aimed at strengthening the Government’s capacity to manage the mineral sector, improve the socio-economic impacts of industrial and artisanal mining for the Congolese, and improve conditions for increased mining sector investments and revenues. The project triggers OP/BP 4.01, 4.04, 4.10, and 4.11. Terms of Reference for a Strategic Environmental and Social Assessment (SESA) have been consulted upon and disclosed. The SESA will help the Government to (a) look more broadly at DRC’s policies and regulations for addressing environmental and social issues in the mining sector; (b) identify key gaps through multi-stakeholder consultations, including culturally appropriate consultations with indigenous peoples; and (c) strengthen DRC’s institutional capacity to address these impacts through the environmental and social impact assessment process as potential investments in the sector are identified in the future. As the project may affect and/or involve Pygmy communities, an Indigenous Peoples Planning Framework has been prepared.

### Section 3: Forests

Stay engaged in the DRC forest sector. Continue to monitor the Legal Review and the moratorium and assist the Government to help ensure compliance with the 2005 Presidential Decree; continue to mobilize attention of the highest level of government, and ensure that forest governance benchmarks feature in possible future policy lending or similar instruments (AFTEN/AFCC2). In particular, the Bank will:

- Continue to provide advice on the Legal Review and follow-on steps;
- Continue to support and monitor progress on five TSERO indicators;
- Agree with Government on key benchmarks and policy instrument
- Ensure that capacity-building, participatory zoning, customary rights, critical natural habitats, and law enforcement, and independent monitoring feature in forthcoming forest-related operations. Include provisions to help provide equal opportunities to Indigenous Peoples. (AFTEN). In particular:
  - Include in FY08-10 CAS a forest sector project
  - Launch GEF Grant for national parks
  - Launch Multi-Donor Trust Fund for Forest Governance
  - Continue to foster high-level public debate on alternative uses and innovative models, and to stimulate Government's commitment and donors' interest. In particular:
    - Help organize a Chatham House Meeting on innovative uses
    - Help the DRC access the new Forest Carbon Partnership Facility
    - Help pilot conservation concessions in DRC.

#### *The Legal Review and follow-up steps*

3.1. The governance of the forestry sector has long been problematic in the Democratic Republic of the Congo. Prior to 2002, 45 million hectares of forest had been given out into concessions, often without any prior consultation (or social responsibility contracts) with local communities and with limited development benefits as a consequence. Fiscal revenue for the government was almost non-existent and investment in timber processing by most concessionaires limited, so that little employment or value added was generated. The new 2002 forest law represented a real opportunity to move forward on a different path. It enshrined the principles of competitive and transparent concession allocation, obligatory social responsibility contracts (“Cahiers des charges environnementales et sociales”), and increased forest taxes, to be shared equitably between central, provincial and local governments. A moratorium on new concessions was adopted in 2005 and a legal review of all existing concession agreements was organized subsequently. The first phase of the legal review was completed successfully on January 19, 2009 when the Minister announced publicly the results of the review and appeal stages of the process, and signed individual letters notifying the results to concerned companies.

3.2. The Legal Review involved 37 months of work by a national Technical Working Group, (TWG) assisted by a Consultant (World Resources Institute (WRI) in partnership with AGRECO, a consultancy firm based in Belgium) with the dual role of providing (1)

initial technical assistance and, subsequently, (2) acting as Independent Observer to certify that the review was conducted in compliance with current laws and regulations.

3.3. The TWG analyzed 156 requests to convert logging permits totaling 22.4 million hectares into long-term concessions. The TWG recommendations were reviewed by an Inter-ministerial Commission that included 21 permanent members representing the President and Prime Minister of DRC; the ministries in charge of Forests, Justice, Finance, Budget, Planning, and Industry; the Federation of Timber Industries; a federation of national NGOs; and a federation of national NGOs dedicated to the cause of indigenous peoples. For each logging concession to be examined, the Inter-ministerial Commission also included one representative of the local communities and one representative of the Pygmy populations living in the vicinity. A total of 153 representatives covering 155 titles, were chosen by the communities with the aid of a national NGO of whom 133 (116 from the local populations and 17 from the Indigenous Peoples) were able to come to Kinshasa and collaborate with the Inter-ministerial Commission. Of those 133, 17 were able to participate in the plenary sessions to decide on the final recommendation regarding the conversion or not of the logging concession titles, and all were provided the opportunity to express their views which were consigned in the title files.

3.4. Information on the review was disclosed by the Minister responsible for Forests at all stages of the process. As part of a significant drive towards improved transparency in the forest sector, at the end of both the review and appeal stages, the Minister provided detailed explanations on the process followed and the criteria used for examining and determining the legality of the forest titles. Reports on the review were published periodically by the WRI-AGRECO consortium in its capacity as Independent Observer to the Review. Information on the review was also posted on Internet sites maintained by the World Resources Institute, the International Union for Conservation of Nature (IUCN), and the Central Africa Regional Program for the Environment. The review and appeal stages of the Legal Review have been certified by the Independent Observer which found that both had been carried out objectively, impartially and equitably, and in compliance with applicable laws and regulations.

3.5. The Committee made recommendations<sup>5</sup> for allowing the legal conversion, or not, of logging titles including concession contracts and other permits on the basis of four criteria: (a) the signature date of the logging title, concession contract or permit - before or after the date of the moratorium on the issuing of new concessions introduced under the 2002 Forest Code; (b) payment of all forest-related and other taxes; (c) investment in timber processing capacity (a legal requirement); and (d) realization of social infrastructure to benefit local communities as required by law and to be negotiated with them through a contractual process and included in a management plan. Out of the 156 permits reviewed, 65 were judged legal and therefore definitely convertible, 75 were considered definitely non-convertible and therefore to be cancelled, and 16, while not

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<sup>5</sup> The Interministerial Commission was not a decision-making body but rather an advisory one. The Congolese government has the political responsibility for endorsing the Committee's recommendations in whole or in part, and for implementing any decisions taken.

immediately convertible, were the subject of special observations which the Inter-ministerial Commission asked the DRC government to take into account.

3.6. During 2009 and 2010, twenty-five field visits were conducted by the Ministry of the Environment, Nature Conservation and Tourism (MECNT) in the various provinces to ascertain the situation in the ninety-one concessions deemed non-convertible by the Interministerial Commission. All of the teams carrying out the field visits included at least one member of a Civil Society Organization.

3.7. In a press conference held on January 26<sup>th</sup>, 2011, the Minister of the Environment announced the final decisions of the government regarding the 156 concessions reviewed by the Interministerial Commission, thus formally closing the legal review process. The government decided to convert all 65 concessions originally recommended for conversion, plus 15 out of 16 concessions that had been the subject of particular observations by the Interministerial Commission. All in all, 80 out of 156 concessions have therefore been validated by the government. Provided that all the concessionaires concerned will be able to successfully negotiate social responsibility contracts (“cahiers des charges environnementales et sociales”) with local and indigenous populations, as mentioned above, the area of long term forest management concessions in DRC will be 12.2 million hectares, a dramatic decline from the 43.5 million hectares prior to the 2002 forest reform and the 22.4 million hectares prior to the Review.<sup>6</sup> Forest concessions therefore account for only about 15% of a total estimated lowland rainforest area of 86.3 million hectares in DRC. This percentage is much lower than in the other Congo Basin countries, where, on average, over half of the lowland rainforests has been given out in concessions.<sup>7</sup>

3.8. A World Bank supervision mission spent a week visiting the Eastern Province of DRC in May 2010, accompanied by a Congolese government delegation headed by the Secretary-General of the Ministry of the Environment. The mission visited the territories of Bafwasende, Ubundu, Isangi and Mambassa, to meet with local communities, timber companies and local authorities in and around the forest concessions and to assess the situation of the small-scale loggers operating alongside National Highway No. 4. Given the growing risk of illegal timber exports to the East, the Minister of the Environment decided to visit the East of DRC during the month of July 2010, to take stock of the situation himself. Following this visit, he has been working to deploy a timber tracking system in the Eastern Province in the course of 2011. The Bank will report on progress in this area in its next Progress Report (see Section 5.3).

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<sup>6</sup> The figures used here are all “administrative” ones; we have been informed recently that the real surface areas as measured on GIS are 15-20% higher. This measurement error affects all area figures mentioned above proportionately and does not change the conclusions drawn.

<sup>7</sup> The area of forest concessions as a share of total lowland rainforest area varies from about a third in Cameroon to about half in Congo and Gabon, and to almost two thirds in the Central African Republic.

### *Monitoring TSERO Indicators*

3.9. The Bank has continued to work with the Government on monitoring the five Transitional Support for Economic Recovery Operations (TSERO) indicators. The first indicator dealt with the Legal Review, progress of which is described above. The fifth indicator dealt with the implementation of the Forest Code's provision that 40% of area taxes be ploughed back into development of localities where forests were utilized. Implementation is still pending because this provision intersects with a constitutional provision (the Constitution was passed after the Forest Code) and modalities of implementation are still under discussion. The Bank-financed IDA-GEF Forest and Nature Conservation Project is helping the Government to resolve this issue. As to the remaining three indicators, the situation is as follows:

3.10. *The moratorium.* No cases of breach of the moratorium have been observed by the Bank since January 2008 when the Board discussed the Management Report. In a statement pronounced during a press conference on October 6, 2008, the Minister clarified that the moratorium on new forestry concessions would be maintained according to the conditions set forth in Presidential Decree 05/116 (including the participatory planning of concessions to be allocated during a three year period). In a further press conference held on January 26<sup>th</sup>, 2011, the Minister announced that the moratorium would be lifted after (i) the publication of the definitive results of the conversion process; (ii) adoption, on the basis of a consultative process involving all local stakeholders, of a three-year rolling plan for the allocation of new concessions. This plan, which will include detailed information on size and location of planned concessions, would allow for only a limited number of concessions to be allocated in any given year, thus enabling proper administrative oversight of a transparent, competitive bidding process. Key considerations in the allocation of new concessions will be the preferences of local communities and Indigenous Peoples concerning different forest uses and the Ministry's capacity to enforce the law in the particular locations concerned.

3.11. *Independent Monitoring.* The Government of DRC hired Global Witness (GW) from July 19 to October 11, 2007 to learn more about independent monitoring and test its relevance to DRC conditions. GW helped assess control procedures and operations, assisted national teams in control missions, provided technical expertise, documented infractions and ascertained whether controls were consistent with prevailing laws and regulations. While the mission revealed that legal and administrative instruments and implementation arrangements were inadequate to protect DRC's forests from illegal logging, the test was sufficient to convince the Government of the usefulness of Independent Monitoring. The need to bring in an international independent observer was reinforced by the main conclusions of a July 2009 Forest Monitor workshop in Kinshasa which was attended by representatives from 19 national civil society organizations as well as international NGOs.

3.12. Based on this experience, the Government has recruited in 2010 the UK-based NGO Resource Extraction Monitoring (REM) to fulfill the function of independent observer, with financing provided by the European Union. Given the current weakness of the Congolese government institutions, the independent observer mission would need to go beyond strict observation and include capacity building and other support activities.

3.13. *Development and adoption of regulations to implement the Forest Code.* On the legal side, 35 implementing decrees, “arrêtés” and regulations out of a total of 49 necessary for applying the Forest Law have been adopted, some of which required a lengthy consultation process and adoption through the Cabinet and signing by the Prime Minister. The remaining legal texts will be completed with the assistance of bilateral donors and of the Bank’s Forest and Nature Conservation Project. The MECNT has also prepared a new Framework Law on Nature Conservation and a new Environmental Law. Adoption by parliament of these is expected to take place in mid-2011 and December 2011, respectively.

#### ***Agreement on key benchmarks and policy instruments***

3.14. A fruitful dialogue on policies and benchmarks, conducted with the then Ministry in charge of Forests, culminated in a 14-point list of the next steps in forest sector reform. This list was announced to the public at a press conference held on October 6, 2008 to which relevant Government Departments, the ambassadors of countries represented in DRC, bilateral and multilateral development agencies, national and international NGOs and civil society groups as well as the national and international press had been invited (see box below).

#### **Next steps in the forest sector reform process announced on October 6, 2008**

- Cancel noncompliant contracts immediately after the appeal stage;
- Sign new concession contracts with compliant companies, provided that they receive approval from local and/or Pygmy populations for the social and environmental responsibility contract (*cahier des charges*), which is an essential component of the new concession contract;
- Sign the regulation specifically defining how noncompliant concessions will be cancelled on the ground;
- Support and monitor the process through which local and indigenous communities negotiate social and environmental responsibility contracts with the forest industry;
- Maintain the moratorium on new forestry concessions set forth in Presidential Decree 05/116;
- Establish effective control of forest operations with the support of international third parties;
- Transfer 40 percent of area tax revenues to the provinces and territories (sub districts) where commercial forest operations take place.
- Secure the preparation and implementation of sustainable forest management plans for all forest concessions;
- Implement participatory, multipurpose forest zoning in close consultation with local populations;
- Support small, family-based enterprises in forest areas;
- Expand rehabilitation activities in protected areas;
- Implement institutional reform in the Ministry of Forests, Nature Conservation, and the Environment, including reorganization of the institutions under its responsibility: the Congolese Institute for Nature Conservation (ICCN), the Kinshasa Botanical Garden, and the Zoo;
- Scale up efforts to disseminate the Forest Code and foster the adoption of regulations not yet

adopted;

- Start the national multidonor program for Forest and Nature Conservation (Programme National Forêt et Conservation, PNFoCo).

3.15. Significant progress has been made since October 6, 2008 when the above agenda was announced to the public: the appeal stage of the review was completed successfully. The final results of the Review (including appeals) were announced in a public event held on January 19, 2009 with participation of the Donor Community, national and international NGOs, civil society groups as well as the national and international press. The regulation defining how the decision to cancel logging permits will be implemented on the ground including provisions to effectively halt logging in cancelled permits was signed on January 30, 2009. The preparation of the Forest and Nature Conservation Program National (PNFoCo) was completed. PNFoCo is based on a comprehensive strategic environmental assessment and a set of safeguard related instruments including i) Environmental and Social Management Framework, ii) Resettlement Policy Framework, iii) Indigenous People Policy Framework; iv) Process Framework; and v) Cultural Resources Management Framework. The US\$70.0 million IDA-GEF project that supports this national program was appraised by the Bank and became effective in September 2009.

#### ***Measures related to Bank financed forest operations and forest management***

3.16. Bank-financed and/or assisted operations in DRC demonstrate the Bank's strong commitment to the sustainable forest management and to strengthening the contribution that forests make to poverty alleviation. Bank support has also been adopted by the Government as the backbone of a broader, multi-donor national forest and nature conservation program (PNFoCo). Other important donors to this program include the European Union, the African Development Bank, the UK, France, Belgium, and Germany. The Bank-managed operations include:

3.17. Forest and Nature Conservation Project (IDA/GEF, US\$ 70 million). The objective of the project is to increase the capacity of the Ministry of Forests, Nature Conservation and Tourism (MECNT) and improve collaboration among government institutions, civil society, local communities and other stakeholders to manage forests sustainably and equitably for multiple uses in selected pilot areas of DRC (see also Para 2.13 above). The Forest and Nature Conservation Project (FNCP) became effective in September 2009. Under this project, the Bank is providing US\$64 million of grant financing for the reconstruction of the infrastructure of forest sector institutions, long term capacity building, and community support in three important forested provinces of DRC (Bandundu, Equateur and Orientale provinces). It also includes US\$6 million for improving the management of Maiko National Park and strengthening the Congolese Institute for Nature Conservation, ICCN. The FNCP grant will contribute to strengthening government law enforcement capacity, for example rehabilitation and construction of operational bases in 3 provinces, 12 districts and 53 territories, and equipping these bases with vehicles and other logistics support. Training and retraining of staff is another large expenditure category. Given that the project has only just become effective in September 2009, these institutional strengthening activities are still in start-up

phase. Under the FNCP, the Bank will support land use planning in the pilot zones, according to the method described in the Operational Forest Zoning Guidelines that were recently adopted by the Government and that mandate the engagement of a diversity of stakeholders, including local communities, in the process, through appropriate tools such as participatory mapping. In addition, the monitoring of the implementation of forest management plans (including their social clauses) is an integral part of the FNCP.

3.18. *Rehabilitation of National Parks Network (GEF, US\$ 7 million)*. The objective of the project is to improve management of selected protected areas and strengthen the capacity of the Congolese Institute for Nature (ICCN). This project became effective on September 25<sup>th</sup>, 2009. It is being implemented by the Congolese institution in charge of conservation (ICCN) and closely supervised by the Bank's TTL based in DRC.

3.19. *Multi-donor Trust Fund for Forest Governance (EU, Belgium, UK, Luxembourg, Netherlands, Germany, and France, US\$ 7.0 Million<sup>8</sup>, closed 28 February 2010)*. The objective of the Trust Fund was to strengthen forest sector governance. It funded enactment and oversight of new legal instruments (including twenty-five inspection missions of non-converted concessions, all of which fielded at least one civil society observer, part of the log tracking contract the DRC government concluded with the consortium of SGS and Helvetas, and helped put in place enabling measures to assist forest communities to take advantage of the new provisions of the Forest Code. A good example of the latter are the guidelines for the preparation of "Cahiers de Charges", specifically aiming to assist local communities in their negotiations with concession holders on social infrastructure and services to be provided. These guidelines were developed by WWF and the Congolese NGO CODELT and were recently provided to the Minister of Environment, Nature Conservation and Tourism. The MDTF also funded institutional strengthening efforts and helped the Ministry prepare for the debate on Reduced Emissions from Deforestation and Degradation (REDD) held at the Climate COP in Copenhagen in December 2009.

3.20. *Carbon Sink Project (Ibi-Bateke)*. (Bio Carbon Fund US\$ 2 million). The objective of the project is to produce both environmental services (through carbon sequestration) and social benefits by rehabilitating 4200 ha of degraded lands. This is done through an agro-forestry system, intercropping nitrogen fixing trees with food crops. The wood produced by the nitrogen-fixing trees is turned into charcoal for the Kinshasa market. It is hoped that this sustainably produced charcoal will take pressure off the few remaining natural forests on the Bateke Plateau.

3.21 *Readiness Plan for Reducing Emissions from Deforestation (REDD) Plan*. Support is structured in two stages. The first (US\$ 200,000) enabled the DRC to prepare its readiness plan. The second (US\$ 3.4 million which was approved following acceptance of the readiness plan by the Forest Carbon Partnership Facility Participants' Committee at its March 2010 meeting held in Gabon) will finance the implementation of the plan including capacity building; technical assistance for forest cover monitoring and

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<sup>8</sup> Dollar value is being reduced due to variation of exchange rate against the Euro and UK Pound.

the building a legal framework to regulate REDD activities in the country. As part of REDD Readiness activities, DRC will be designing and implementing a Strategic Environmental and Social Assessment (SESA) for REDD+, with the goal of: a) ensuring that the national REDD+ Strategy duly takes into account social and environmental considerations when prioritizing the programs and projects aimed to reduce deforestation; b) identifying the potential negative social and environmental impacts from policies aiming at reducing deforestation and degradation and corresponding mitigation measures; c) assessing Government's capacity to implement safeguards measures when implementing REDD policies and proposing capacity enhancement measures; d) preparing Safeguards Frameworks to be applied at the REDD+ Strategy implementation phase. The FCPF is supporting: a) capacity building efforts on the use of the SESA tool to Government officials and members of the civil society; b) analytical studies underpinning the SESA; c) consultation activities related to the SESA.

### ***Promotion of Alternative Forest Uses and Innovative Management Models.***

3.22. The Bank facilitated DRC's access to the new Forest Carbon Partnership Facility, which was formally granted in July 2008. The Bank will also pilot alternative uses of forests including conservation concessions through the proposed Forest and Nature Conservation project, which allocated US\$ 4 million for this purpose.

### **Framing Expectations in the Forest Sector**

3.23 The above operations are expected to create the minimum conditions for principled access to and use of forest resources — that benefits local populations, respects both modern and traditional rights of forest dwellers and indigenous people, benefits the environment locally and globally, and forestalls the large-scale misappropriation or misuse of forests. With the exception of the log tracking and other control and enforcement activities funded under the Forest and Nature Conservation Project, the impact of these operations will not be felt instantly. They are part of a broader and longer-term agenda aimed at counteracting poverty, insecurity, and civil conflict, which are the major drivers of forest degradation in DRC. In this sense, sustainable forest management and improved wellbeing of forest populations cannot be achieved in isolation from a number of more general development aims, including widespread peace and civil security, better infrastructure and communications, a strengthened democracy, and wider community participation.

3.24. While the Inspection Panel and the Management Report drew attention to the risks of commercial forestry as a cause of deforestation and forest degradation, it is worth noting that DRC's deforestation (and CO<sub>2</sub> emissions) is driven primarily by subsistence-related small-scale farming. The national average deforestation rate has remained relatively low (*0.27% per year*)<sup>9</sup> in DRC in recent years, particularly in the forest rich regions, but it can escalate rapidly as political stability and improved transport will open the door to markets, investments and migration. Deforestation has occurred and is

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<sup>9</sup> Source: "Reducing CO<sub>2</sub> Emissions from Deforestation and Degradation in the Democratic Republic Of Congo: A First Look". Nadine Laporte et Al., 2007

projected to continue primarily in more heavily populated areas and in the mountain forest zone, driven by population pressure and expansion of slash and burn subsistence agriculture. Therefore, alternatives and solutions to deforestation must be sought not only within but also and perhaps primarily outside the forest sector, by helping the country's rural population to increase its productivity and find alternative sources of income. In the short term, the Forest and Nature Conservation Project is supporting a coalition of international conservation and local development NGOs to help local communities and indigenous peoples develop innovative income-generating activities in forest landscapes in the Equateur, Orientale and Bandundu Provinces. Once the policies and institutions that are necessary for funds for REDD to flow into the country have been put into place, those alternative income generating activities that are proven to reduce deforestation and improve local people's well-being can be scaled up.

## Section 4: Outreach

Continue to implement the Congo/Forest communication strategy, with media, civil society and donors, in-country and internationally. Mainstream forests in Bank's core communication and high-level events (AFREX/AFTEN). In particular:

- Disseminate the multi-author 'Forests in Post-Conflict DRC'
- Implement a strengthened outreach strategy, and update annually
- Conduct targeted meetings with Pygmy communities and their representatives to discuss forest issues.

### *Information Dissemination*

4.1. Over 200 copies of the report, "Forests in Post-Conflict Democratic Republic of Congo: Analysis of a Priority Agenda," were distributed in 2009 to various stakeholders in DRC, and additional copies were distributed to other interested parties outside the country. English and French version of the report were made available online (World Bank and Center for International Forestry Research (CIFOR) websites) for easy downloads.

4.2. The Board-approved Management Action Plan was translated into Swahili and Lingala and shared with NGOs and local pygmy groups. In addition, with the Government's approval, a number of World Bank forestry missions fielded since January 2008, shared their aide memoires with development partners present in DRC.

### *Outreach through the Media*

#### 4.3. *Media Outreach*

- A 45 minute television broadcast, interviews with the press, meetings with Parliamentarians involved in forest and environmental matters, meeting with NGOs representing Pygmy communities and other NGOs, and meetings many other civil society representatives were held in DRC during the appraisal mission for the IDA and GEF supported Forest and Nature Conservation Project (January 19- February 13, 2009);
- National television, radio and print media covered the Forest and Nature Conservation Project (FNCP) launch workshop held in September 2009;
- Further media outreach activities are included in MECNT's new communications strategy which is being developed with FNCP funding and which will be launched shortly. Preliminary proposals include a series of dedicated radio programs aimed specifically at local communities and indigenous peoples.
- Opportunities have also been leveraged for online media outreach about DRC's forests, including the blog posts "Think Africa, Think Mitigation" (Apr 25, 2010) and "What Forests Can Do for Africa" (Dec 17, 2010).

#### 4.4 *Direct outreach*

- A project launch workshop was held for the Forest and Nature Conservation Project in Kinshasa in September 2009. This attracted the participation of over one hundred (100) representatives from the government and civil society as well as the private sector.
- Representatives of civil society and indigenous peoples participated in twenty-five inspection missions organized by MECNT between December 2009 and March 2010, which covered all the non-converted logging concessions and which met with local communities around all the concessions visited.
- The Ministry of the Environment held a press conference on January 26<sup>th</sup>, 2011, to announce the final decisions the government had taken regarding the conversion of 16 concession permits that were the subject of special observations by the Interministerial Commission that carried out the legal review. At this press conference, the Ministry also launched an ambitious effort to complete the negotiation of all Social Responsibility Contracts between forest concessionaires on the one hand and local communities and Indigenous Peoples on the other, before July 31<sup>st</sup>, 2011.
- The Ministry of the Environment is using part of the Forest and Nature Conservation Project grant to develop a communications plan, including a website that will make basic information on forest management available and that will be regularly updated.
- The process of conversion of concessions makes provision for direct consultation with local communities through the process of developing social contracts and forest management plans. The communities will thus have access to all relevant information even if they cannot access the internet. The Consultative Councils at National and Provincial level, established respectively in 2006 and 2008, will also be an important conduit for information-sharing with citizens that do not have access to the internet.
- The National REDD Coordination, which is financed by the World Bank and other donors, has a full time staff member responsible for "Information, Education and Communication". He is responsible for ensuring that basic information on REDD+ is shared with stakeholders at the national, provincial and local level. The staff member works in close collaboration with civil society to prepare adequate communication tools, including innovative media such as theater and music. A series of national and provincial workshops to share knowledge on REDD is ongoing in the country, regrouping various stakeholders on the ground to discuss REDD-related issues. The FCPF has also been working directly with the Working Group on Climate and REDD ("Groupe de Travail Climat REDD"), supporting their outreach to and capacity building efforts with local communities.
- Bank staff also continued to reach out to local communities directly during field visits that are part of supervision missions. The last such visits took place in May and September 2010 in Eastern Province (see also paragraph 3.8 above).

### **Section 5: Conclusions and Next Steps**

5.1 Substantial progress has been made on all four of areas of the Action Plan endorsed by the Board. Management remains committed to continue supporting and

following up the implementation of the Inspection Panel's recommendations. There are two areas, in particular, which require sustained attention. These include strengthening the safeguards work, as "upscaling" will take time to yield results; and the implementation of Indigenous People Plans where the logistical difficulties of working in remote areas of the DRC are considerable.

5.2 Over the coming year Management will continue monitoring the portfolio across the region for compliance with safeguards. It will work on strengthening the capacity of its borrowers to mainstream sound environment and social assessment into program design and implementation, as part of the sustainable development and poverty reduction, growth and governance agenda. Management will also work with country stakeholders to ensure that the rights of Indigenous Peoples and marginalized groups are better respected, though it must be recognized that issues of social exclusion and marginalization are deep-rooted in many societies and will take decades to overcome. Management will continue to support a broad based approach to sustainable forest management in the Congo Basin, with a focus on ensuring that local people benefit from forests. Moving forward, the Bank will work to support Congo Basin governments in their communication, consultation and accountability strategies. Finally, communication and outreach will continue to be strengthened in the Bank's own work.

5.3 Management will prepare another progress report in twelve months' time on the progress in the implementation of the Action Plan.