

# Central African Republic

## Securing indigenous peoples' rights in conservation: Review of policy and implementation in the Dzanga-Sangha Protected Area Complex



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**Securing indigenous peoples' rights in conservation:  
Review of policy and implementation in the  
Dzanga-Sangha Protected Area Complex,  
Central African Republic**

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Cover photograph: Grandmother and child, Dzanga Reserve  
Photo: John Nelson

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## Acronyms and definitions

CBD	Convention on Biological Diversity (of the United Nations)
DPAC	Dzanga-Sangha Protected Area Complex (includes the reserve and core protected areas)
DSP	Dzanga-Sangha Project (refers to the government project which manages the protected area, supported by WWF and GTZ)
EU project	A three-year project beginning in 2008 which aims to address the needs of local and indigenous peoples living in the reserve part of the DSP, with European Union funding
FPIC	Free, prior and informed consent
FPP	Forest Peoples Programme
GTZ	German Technical Cooperation
ICDP	Integrated Conservation and Development Project (A type of conservation project which aims to address both the conservation of biodiversity and local livelihoods, often through the creation of multiple-use zones – in which natural resources can be used – and community development projects)
ILO	International Labour Organization
IUCN	International Union for Conservation of Nature
NGO	Non-governmental organisation
PoW-PA	Programme of Work on Protected Areas (of the CBD)
TNS	Sangha Tri-National reserve
UCB	Union des Communautés BaAka
UN Declaration	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
WCC	World Conservation Congress
WPC	World Parks Congress
WWF	World Wildlife Fund

## Executive summary

This review documents the extent to which international agreements relating to indigenous peoples in conservation are being applied in the Central African Republic, particularly in the case of the Dzanga-Sangha Protected Area Complex in the south-west of the country. The protected area, gazetted in 1990, is managed by a WWF- and GTZ-supported CAR Government Integrated Conservation and Development Project, the Dzanga-Sangha Project. The protected area comprises a national park – where all access is prohibited except for research and eco-tourism – and a large reserve in which local people are allowed to extract natural resources in accordance with the law. This includes the traditional hunting methods of the BaAka ‘Pygmies’,<sup>1</sup> including hunting with nets, dogs and spears. Unregistered guns and cable snares, however, are illegal.

The report examines the application of international conservation standards in seven key areas, exploring how national law and conservation agency policy reflect international standards and then to what extent these principles are applied in the case of the Dzanga-Sangha Reserve. The review of each key area concludes with recommendations for the project, generated in conjunction with BaAka participants.

The report finds that the conservation project is not meeting many of its obligations specified in the international conservation policy reviewed here, nor in WWF policy on indigenous peoples. For example, participation in decision-making processes is low; although some BaAka are employed by the project, few other benefits arising from conservation or eco-tourism are shared equitably with communities; there are no mechanisms to ensure that principles of free, prior and informed consent are adhered to; and customary use has not informed park/reserve design, leaving many communities unable to access sufficient natural resources for subsistence purposes.

In order to address many of these issues WWF secured EU funding in conjunction with FPP for a three-year project, which began in May 2008, aimed at engaging with local communities to document their problems and work towards solutions in a participatory manner. A year into the EU project there are many promising aspects. People have seen improvements in areas of health and adult education, for example, and participatory exercises have documented the views of community members, including BaAka. However, modifications to some aspects of the EU project are suggested to improve its impact. For example, the EU project should ensure that initiatives involve all communities throughout the reserve as those furthest from project headquarters feel they are excluded from benefits arising from the Dzanga-Sangha Project. The EU project should also address a number of other problems for the BaAka, particularly discrimination within the Dzanga-Sangha Project. Furthermore, there are still no mechanisms in place to ensure the free, prior and informed consent of local and indigenous peoples.

Of the recommendations generated for this report with input from BaAka participants, three emerged as particularly important. First, the EU project must focus on sustaining dialogue with the BaAka to ensure their continued participation within the Dzanga-Sangha Project. Second, park limits must be changed in the northern sector to allow some communities, particularly Massapoula, Babongo and Yondo, enough land to subsist on. Third, illegal gun hunting throughout the reserve must be reduced because the large amount of game hunted illegally is making it impossible for BaAka to hunt successfully using traditional (legal) methods.

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<sup>1</sup> Throughout this report the term 'Pygmy' is used as a widely understood term to refer to the indigenous hunter-gatherer or former hunter-gatherer peoples of Central Africa. It is sometimes used in a pejorative manner, which is not the intention here. Where possible, this report uses the local term 'BaAka'.

## Introduction

The Congo Basin contains the second largest area of tropical rainforest in the world after the Amazon Basin, and is home to several charismatic species of high conservation value – gorillas, chimpanzees and forest elephants, particularly. Currently 450,000 sq km of Central Africa<sup>2</sup> is categorised as protected under the IUCN classifications I–VI, nearly 11% of the total land area,<sup>3</sup> and the total area targeted by conservation agencies is almost three times this amount.<sup>4</sup> Half of these areas are designated as core protected areas where all human activity is generally banned. Globally, as many as 85% of protected areas are inhabited by indigenous peoples,<sup>5</sup> and many of the Central African protected areas overlap with the traditional territories of the 500,000 indigenous Pygmy peoples of this region as well as other local people dependant on the forests.<sup>6</sup>

Previous conservation policies viewed local people as inherently destructive of their environment, justifying, therefore, their removal from their lands. Over the last few decades this view has been changing, both because indigenous peoples and their supporters have opposed such policies and a realisation within conservation organisations that local support is imperative to the success of conservation aims. The 'new paradigm' of conservation aims to reconcile the protection of biodiversity with the needs and rights of local people.

Of particular importance in realising this 'new paradigm' have been the decisions made at the World Parks Congress and the World Conservation Congress and to the Convention on Biological Diversity. These international conservation standards provide a yardstick with which to assess conservation projects across the world in terms of their relationship with indigenous peoples. This review does just that for one protected area in the Central African Republic, the Dzanga-Sangha Protected Area Complex, home to the BaAka Pygmies and other local people.

This review is based primarily on a series of interviews and community consultations conducted in April and May 2009 in Bangui and the Dzanga-Sangha Reserve. Interviews took place with the following institutions: Haut Commissariat aux Droits de l'Homme et à la Bonne Gouvernance; Ministère de l'Environnement, des Eaux, Forêts, Chasses et Pêches; Ministère du Culture; UNESCO; WWF (Bangui and Bayanga). Community consultations were conducted throughout the reserve, primarily with BaAka residents. A follow-up meeting attended by representatives from all communities took place to discuss the initial results and finalise recommendations.

This review is divided into two parts. The first describes the legal context, the conservation project and the BaAka people who live within its borders. The second section analyses the application of international conservation standards in seven key areas. Each area explores how

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<sup>2</sup> Central Africa is defined as Cameroon, Gabon, Republic of Congo, Democratic Republic of Congo, Central African Republic, Uganda, Rwanda and Burundi in this analysis.

<sup>3</sup> Jackson, Dorothy (2004) *Implementation of international commitments on traditional forest-related knowledge: indigenous peoples' experiences in Central Africa*. Report for the International Alliance of Indigenous and Tribal Peoples of the Tropical Forests.

<sup>4</sup> Lewis, Jerome and John Nelson (2006) 'Logging in the Congo Basin: what hope for indigenous peoples' resources, and their environments?', in *Indigenous Affairs*, 4/06.

<sup>5</sup> Alcorn, J (2000) in: R Weber, J Butler and L Patty (eds.) *Indigenous peoples and conservation organisations: experiences in collaboration*, WWF-US, Ford Foundation and BSP, Washington, DC, p v.

<sup>6</sup> Jackson, Dorothy (2004) *op. cit.*

national law and conservation agency policy reflect international standards, and then to what extent these principles are applied in the case of the Dzanga-Sangha Reserve. Each key area concludes by offering key recommendations for the project, generated in conjunction with BaAka participants.



Research assistant Ngongo Joseph (middle) asks the BaAka of Yondo about their history

## **Part I Background**

### **1.1 Legal and policy context**

This report assesses the progress made by CAR towards the implementation of international agreements that relate to conservation and indigenous peoples. The international agreements, national situation, and relevant conservation agencies are discussed below.

#### **1.1.1 International instruments**

The Vth IUCN World Parks Congress on Protected Areas in 2003 generated the Durban Accord and Action Plan which laid out the targets and action required to make the new paradigm for conservation a reality.

The Convention on Biological Diversity (CBD) was signed by CAR in 1992, and ratified in 1995. At the VIIth Conference of the Parties in 2004 a Programme of Work on Protected Areas (PoW-PA) was adopted that drew heavily on the Durban Action Plan. The PoW-PA is composed of four programme elements, the second of which concerns 'governance, participation, equity and benefit sharing'.

The IUCN World Conservation Congress (WCC) in Bangkok in 2004 adopted the Durban Accord. In October 2008 the WCC met again in Barcelona and adopted new resolutions<sup>7</sup> calling for the effective implementation of the Durban Action Plan and other actions related to indigenous peoples' rights and participation.

Of relevance for this review is, in addition, the Dana Declaration which deals specifically with mobile indigenous peoples in a conservation context.

In addition to these conservation standards, the United Nations General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples in September 2007 (hereafter UN Declaration). As a result, the CDB COP9 (in May 2008) took note of the UN Declaration as a minimum standard on indigenous peoples' rights in the implementation of the PoW-PA. Similarly, the UN Declaration was endorsed by the IVth WCC.

In addition to these international agreements, CAR has also ratified a number of international instruments relating to human rights including the Universal Declaration on Human Rights, the African Charter on Human and Peoples' Rights, and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression, among others.<sup>8</sup> Progress is also being made towards ratifying the International Labour Organization (ILO) Convention 169.

The 'key areas' reviewed in section II are important both because they are prominent in these international instruments and because they emerged as areas of concern during consultations with BaAka residents of the reserve. Relevant extracts of the texts of these international instruments can be found in the related key areas of section II.

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<sup>7</sup> See [http://www.iucn.org/congress\\_o8/assembly/policy/](http://www.iucn.org/congress_o8/assembly/policy/)

<sup>8</sup> See CAR's 2009 national report to the UN human rights council '*Rapport sur les droits de l'homme en République Centrafricaine*', February 2009.

### 1.1.2 Conservation agencies

With growing recognition of the rights of indigenous peoples by these international conservation standards, conservation agencies are modifying their approach towards indigenous peoples and local communities. Particularly relevant is WWF, who manage the protected area under review here. In light of the international agreements mentioned above, WWF embarked on a review process of their experiences with indigenous peoples that led, in 2008, to the release of a new position paper<sup>9</sup> detailing WWF's revised policy towards indigenous peoples in line with the UN Declaration and other international agreements. In this document, WWF 'fully endorses' the UN Declaration, as well as the CBD and other international instruments such as the ILO Convention 169.

### 1.1.3 National situation

Before last year CAR offered little legal protection to indigenous peoples. The CAR constitution of 2004, for example, does not use the term 'indigenous', instead categorising the BaAka as 'vulnerable' or a 'minority'. However, CAR is in the process of improving the situation through the adoption of new legislation on forests and human rights, including a component on indigenous peoples' rights.

A new forest code was signed in October 2008 marking considerable improvement to the legal recognition of the rights of indigenous peoples. It is, for example, the first legislation in CAR that specifically refers to 'indigenous peoples'. In particular it strengthens rights to customary use and to free, prior and informed consent. Although this goes some way to protecting indigenous peoples' rights to land, CAR still has no specific code dealing with land rights, a situation which is detrimental to the BaAka. There are, also, a number of ambiguities and contradictions which are discussed under the relevant sections in this review.<sup>10</sup> However, the application texts – which specify how particular areas of law are to be applied – are currently being drafted and will hopefully clarify and improve key points to strengthen the rights of indigenous peoples in the forest code.

A new human rights code is currently being drafted and will include a component specifically on 'the promotion and protection of indigenous peoples'. At present, the draft falls short of fully protecting the rights of indigenous peoples as laid out in the UN Declaration in several key areas. But it must be emphasised that it is in draft form only, and civil society organisations, as well as the High Commission on Human Rights and Good Governance, are taking this opportunity to contribute to this process by consulting with local communities and legal experts to generate recommendations.<sup>11</sup>

There are two groups nationally recognised as indigenous in CAR: the Mbororo in the north and the Pygmies in the southern rainforest districts of Ombella-M'Poko, Lobaye, Mambere-Kadei and Sangha-Mbaere. The Pygmies are collectively referred to as Aka, or BaAka, although this encompasses a wide variety of groups, many of whom do not call themselves Aka. This report

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<sup>9</sup> WWF International (2008) *Indigenous Peoples and Conservation: WWF Statement of Principles*, Gland, Switzerland.

<sup>10</sup> For more detail see : *Code Forestier de la République Centrafricaine : Contribution de la Fondation Rainforest* (2008) Rainforest Foundation, UK, June 2008.

<sup>11</sup> Toumabia, Eloi, Simplicie-Fabien Kouaranga and Jean-Jacques Urbain Mathamale (2009) *Rapport de mission No.2 : Campagne de sensibilisation et collecte des données auprès des communautés Akas de la Sangha Mbaere sur l'avant projet de loi relative a la promotion et la protection des droits des peuples autochtones en RCA*, March 2009.

focuses on the BaAka (also sometimes known as BaMbandzele<sup>12</sup>) who live in the Dzanga-Sangha Protected Area Complex. Elsewhere in CAR the BaAka continue to lose large parts of their ancestral lands to commercial forest exploitation.<sup>13</sup>

## 1.2 The Dzanga-Sangha Protected Area Complex

This review focuses on the Dzanga-Sangha Protected Area Complex (DPAC) in the very south-western tip of CAR. Here CAR borders Congo and Cameroon, forming a trinational conservation region containing continuous protected areas (Figure 1). The Sangha watershed is characterised by dense forest broken by broad clearings, including the famous tourist attraction, Dzanga Bai, situated in the protected area, which boasts the highest concentration of forest elephants in Central Africa.

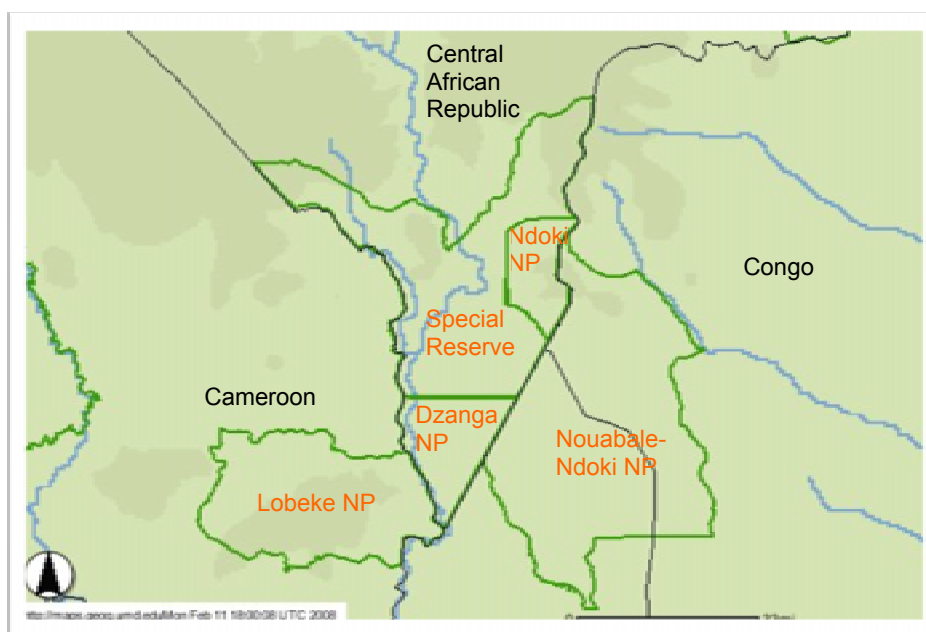


Figure 1  
Map showing the national parks of the trinational conservation area. The Special Reserve, the Ndoki National Park and the Dzanga National Park collectively make up the Dzanga-Sangha Protected Area Complex. Sourced from CARPE Mapper at [http://carpe.umd.edu/how-carpe-works/carp\\_mapper](http://carpe.umd.edu/how-carpe-works/carp_mapper). With modifications.

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<sup>12</sup> The contributing authors have asked to be called 'BaAka' in this report.

<sup>13</sup> For an overview of the national situation see Mathamale, Jean-Jacques, Saint-Jérôme Sitamon, Eloi Tournabia (2009) *The situation of the forest peoples of the Central African Republic*, Rainforest Foundation UK.

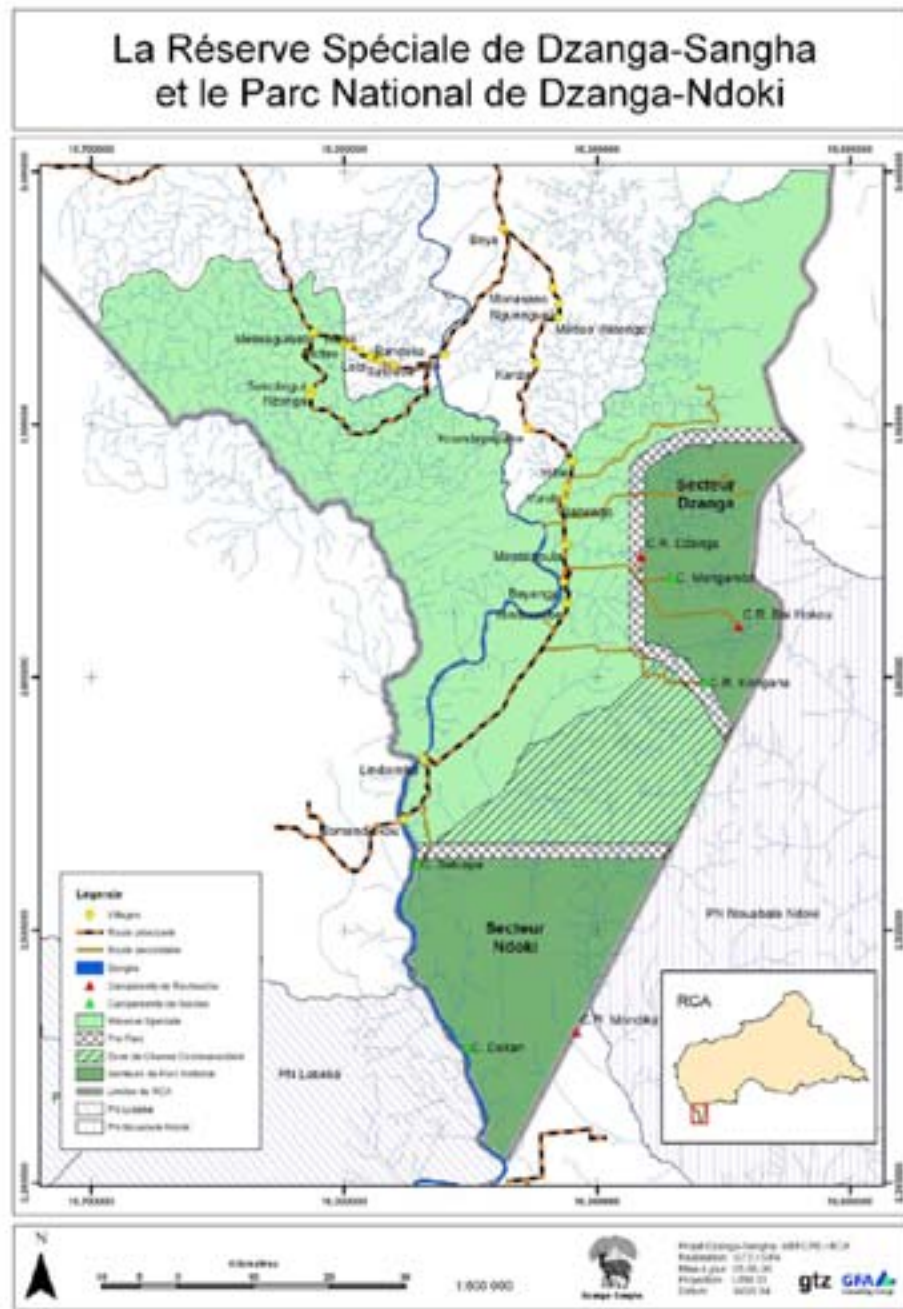


Figure 2  
 Dzanga-Sangha Protected Area Complex showing both national park sectors and the reserve including the community hunting zone. The main river is the Sangha. The communities within the DPAC are situated along the road which runs next to the river: Lindjombou and Bomandjokou to the south bordering Cameroon; Yandoumbe and Massapoula either side of Bayanga; and Babongo, Yondo and Yobe to the north. Source: Moaza and Sindemo (2006) *Enquête sur la chasse communautaire dans la réserve spéciale de Dzanga-Sangha : le cas des villages de Lindjombou et Bomandjokou Rapport de consultation, Bayanga : Projet Dzanga-Sangha.*

The DPAC is managed by a WWF- and GTZ-supported CAR Government Integrated Conservation and Development Project (ICDP), the Dzanga Sangha Project (DSP). The DPAC was gazetted in 1990 and comprises a national park and a reserve. The Dzanga-Ndoki National Park (1,220 km<sup>2</sup>) is split into two parts, the Dzanga and Ndoki sectors, while the Dzanga-Sangha Dense Forest Special Reserve (3,159 km<sup>2</sup>, hereafter 'the reserve') comprises a variety of overlapping multiple-use zones (Figure 2). All access and use is strictly prohibited within the national park, with the exception of research and ecotourism. Throughout the reserve local people are permitted to extract natural resources for consumption, but not commercial trade, using restricted hunting methods which exclude cable snares and night hunting, and require that all firearms be registered. The reserve also contains three logging concessions, none of which are currently open,<sup>14</sup> an agricultural zone, safari hunting concessions, and a community hunting zone open to all local residents. An ecotourism component offers wildlife viewing, particularly gorilla and elephant, as well as 'the opportunity to catch a glimpse of the rapidly disappearing traditional lifestyle of the BaAka'.<sup>15</sup> Attractions include joining in a net hunt, hut building and watching BaAka perform music and dance.

### 1.3 The EU project

In the last few years WWF has paid increasing attention to the integration of the BaAka into the DSP. A joint field trip in 2006 between the FPP and WWF highlighted some issues regarding the participation of the BaAka in the DSP.<sup>16</sup> They found that participation in decision-making processes was 'very low' and that there were no formal mechanisms for resolving conflict between communities and the project. It further acknowledged that customary-use activities and rights had 'not generally informed park/reserve land use planning and management, resulting in uneven forest access for basic needs among different communities within the reserve' (p 2). A number of initiatives were suggested, including the establishment of a participatory structure to facilitate BaAka dialogue with the project. To this end, WWF secured funding from the EU in conjunction with FPP to establish an Indigenous Peoples Programme within the DSP (hereafter 'the EU project'). This three-year project began in May 2008 and aims to work closely with the BaAka and other local residents in a participatory manner in four main areas: health, education, access to natural resources, and facilitating BaAka representation within development processes.

### 1.4 The BaAka

The BaAka Pygmy people live between the Sangha and Oubangui rivers in south-west CAR and north Republic of Congo (hereafter 'Congo'). Calculating the BaAka population is problematic, but it is probably somewhere between 15,000 and 20,000.<sup>17</sup> They are considered, both by themselves and neighbouring ethnic groups (collectively termed 'Bilo'<sup>18</sup> in the BaAka language),

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<sup>14</sup> One of these concessions may re-open in the near future.

<sup>15</sup> Blom, Allard (2000) 'The monetary impact of tourism on protected area management and the local economy in Dzanga-Sangha (Central African Republic)', in *Journal of Sustainable Tourism*, 8(3), p 179.

<sup>16</sup> Springer, Jenny and John Nelson (2006) 'Trip report: ensuring respect for indigenous peoples' rights in the Dzanga-Sangha Project Area', Unpublished report.

<sup>17</sup> Jerome Sitamon (2006) *Les Ba'Aka de la reserve de Dzanga-Sangha: situation actuelle (démographie, contraintes, recommandations) Rapport de Consultation*, Bayanga: Projet Dzanga-Sangha.

<sup>18</sup> I follow the BaAka in referring to all non-BaAka Africans in the reserve by the term 'Bilo'. In no way is this meant as a derogatory term.

to be the first inhabitants of these forested regions, and the CAR government recognises the BaAka as indigenous.

The BaAka who live in the reserve originally came to this region with the Sangha-Sangha fisher people probably about 200 years ago, fleeing war in north Congo. They speak a distinct Bantu language, Yaaka (or Aka), which differs from that of neighbouring populations, while most also speak Sango, the national language, and a few speak French, the official language, as well as other local languages. As well as the BaAka and Sangha-Sangha, there are many other ethnic groups in this region, most of whom migrated within the last two generations for employment opportunities created as a result of logging and mining.

There are eight main villages located in the reserve, the largest of which is Bayanga with approximately 3,000 inhabitants. Few BaAka live in Bayanga, but they make up the majority of the population throughout the rest of the reserve. Most villages are inhabited by both Bilo and BaAka, with the exception of Yandoumbe where Bilo were officially banned from living by the BaAka with the help of Louis Sarno, an American who has lived with the Yandoumbe BaAka for 23 years. Although the BaAka have permanent dwellings in the village, they are highly mobile, establishing temporary forest camps where they spend days, weeks or months at a time. The BaAka have adopted a variety of livelihood strategies, including employment by logging companies or the conservation project; agricultural labour for Bilo; cultivation of their own fields, most commonly of manioc; and hunting and gathering in the forest. For the majority of BaAka, hunting and gathering represents the most important contribution to subsistence needs, and forest products are also traded with the Bilo for food crops and consumer items. There is, however, considerable diversity between communities regarding livelihood strategies, mobility, and relationships with Bilo. Those communities near Bayanga, for example, are more involved in wage labour, including employment by the conservation project, than those further away.

## Part II Analysis

### 2.1 Participation in conservation management

One of the biggest areas of contention for the BaAka relates to their participation in the decisions related to conservation that affect their lives. By participation they mean being able to meaningfully influence negotiations over land use and development activities in the forests and villages in which they live. An important component of the participation process is to ensure sufficient representation within appropriate institutions, allowing the voices of marginalised groups to be heard. The principle of participation is also a major consideration of the conservation standards reviewed here.

#### Extracts from international agreements

- **WPC Action Plan Outcome 5 Main target 9:** The management of all relevant protected areas involves representatives chosen by indigenous peoples, including mobile indigenous peoples, and local communities proportionate to their rights and interests, by the time of the next IUCN World Parks Congress.
- **CBD PoW-PA Element 2 Goal 2:** To enhance and secure involvement of indigenous and local communities and relevant stakeholders.

*Target:* Full and effective participation by 2008, of indigenous and local communities, in full respect of their rights and recognition of their responsibilities, consistent with national law and applicable international obligations, and the participation of relevant stakeholders, in the management of existing, and the establishment and management of new, protected areas.

Reflecting these principles, WWF guidelines include the language of 'participation' in their Statement of Principles,<sup>19</sup> such as:

**Principle 7:** WWF recognizes indigenous peoples as rightful architects of and partners for conservation and development strategies that affect their territories.

and:

**Principle 24:** When WWF conservation activities impinge on areas where historic claims and/or current exercise of customary resource rights of indigenous peoples are present, WWF will assume an obligation to:

- identify, seek out, and consult with legitimate representatives of relevant indigenous peoples' organizations at the earliest stages of development; and
- provide fora for consultation between WWF and affected peoples, so that information can be shared on an ongoing basis, and problems, grievances, and disputes related to the partnership can be resolved in a timely manner.

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<sup>19</sup> WWF International (2008) *Indigenous Peoples and Conservation: WWF Statement of Principles*, Gland, Switzerland.

### **National situation**

Both the forest code and draft law on indigenous peoples' rights emphasise the need to consult with local and indigenous communities prior to the approval of any project affecting them. Interviews suggest that among government and NGO workers at the national level, principles of participation are not always well understood.<sup>20</sup> It may, therefore, help to clarify what participation means, and to be explicit about the types of participation that should be used.

The forest code also stipulates that indigenous populations are involved in the participatory management of forests. Participatory management will be supervised by a committee, composed of representatives from interested parties, including indigenous peoples. It goes on to define the structure of the supervisory committee and lists the parties to be represented, however, here indigenous peoples are not mentioned. The application texts – which define how each area of the law will be applied – are currently being drafted and will, hopefully, clarify that indigenous peoples are to be represented on the supervisory committee.

In terms of political representation the government has plans to involve indigenous communities as 'parliament deputies'. These individuals will be selected from their communities in accordance with their own procedures to represent their interests in the national government. This is in accordance with the draft law on indigenous peoples' rights, which requires that the state include indigenous peoples in decision-making processes using 'leaders' chosen by themselves.

### **Local situation**

The Dzanga-Sangha Project is an integrated conservation and development project, meaning that there should be particular attention paid to local participation. Indeed, WWF claim that 'the Dzanga-Sangha Protected Area complex ... serves as a model protected area in the participatory approach to the integration of conservation and development'<sup>21</sup>. This statement is a far cry from the experiences of the BaAka.

Until recently, local people have had almost no influence on the management of the project. Although consultation processes have occurred in all communities of the reserve, particularly by GTZ, participation has mostly focused on Yandoumbe and Massapoula (see Figure 2). Other communities, particularly those in the north, feel completely excluded. In Yobe and Babongo, for example, the BaAka chiefs reported that only the Bilo chiefs were invited to meetings held in Bayanga. Even for Yandoumbe and Massapoula, however, few BaAka generally attend meetings they are invited to, and those who do, do not speak up once there. One of the reasons given is that such meetings are dominated by Bilo, and the BaAka do not feel confident expressing their opinion in front of people who discriminate against them. For these reasons, then, the BaAka have been very poorly represented in the limited existing mechanisms of participation. Where they have expressed their views and explained conflicts, BaAka complain that nothing has ever changed, leading to a widespread perception that they are unable to influence project decisions. The absence of local participation in project management has directly led to widespread resentment of the project.

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<sup>20</sup> Many other individuals working in NGO participatory projects have considerable experience and skill in implementing participatory methodologies.

<sup>21</sup> WWF website

[http://www.panda.org/about\\_wwf/where\\_we\\_work/project/projects/index.cfm?uProjectID=CF0005](http://www.panda.org/about_wwf/where_we_work/project/projects/index.cfm?uProjectID=CF0005) accessed on 28/10/08

In recognition of this the EU project has begun a consultation process, paying particular attention to BaAka, to document conflict between local people and the project. A team of BaAka and Bilo are currently collecting data on livelihoods, forest access, and conflicts, among other things. Following this, solutions will be devised in a participatory manner. This process includes all the communities in the reserve, but excludes those further north, past Yobe up to Monnassou. Although these communities are not in the reserve, much of the surrounding land is incorporated in the reserve and they consequently suffer from some of the same problems. While logistical and financial constraints necessarily limit the extent of project involvement in these communities, attention should still be paid to conflict that emerges between community members and the project due to the proximity of the reserve. Despite these issues, the project has taken positive steps to include the BaAka in management processes. It is now essential that real change follows both to support the livelihoods of local residents and improve the conservation of this region.

This process opens dialogue between BaAka and the project; a crucial next step will be to sustain this dialogue by developing mechanisms for continued communication. As it stands, there is still no channel of communication between the project and local people that is used effectively by the BaAka for dealing with conflicts. One potential mechanism is through the Union des Communautés BaAka (UCB), which was created by the BaAka with the help of FPP as a BaAka institution to represent their views in negotiations with the project. Still in its infancy, it remains to be seen whether the UCB will fulfil this role.

A long time ago I went to a meeting in Bayanga and told them these problems but nothing happened. The UCB is good because it can help the BaAka solve problems.  
(Yondo village chief)

### **Governance types**

The UN Declaration, as well as several of the international conservation standards, emphasise the right of indigenous peoples to choose their own representatives and encourages the use of indigenous decision-making institutions in negotiations with conservation or government agencies.

#### **Extract from international agreement**

**UN Declaration Article 18:** Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

This issue emerges at the national level in the new forest code. The representatives who will sit on the supervisory committee overseeing participatory management (see above) are to be selected from their communities by vote-based election, rather than 'in accordance with their own procedures' (see box above). Each representative will have the power to make decisions on behalf of his or her community. This style of democratic system is in contradiction to BaAka forms of political representation. Although BaAka may ask particular people to speak on their behalf, decision-making is typically left to the individual. BaAka may be very uncomfortable with making decisions on behalf of their community, and where they do, such decisions may not be accepted by community members as legitimate. Although an important step in the right direction, these new laws should allow for flexibility in their application to accommodate a range of governance types.



The EU project conducts a participatory exercise with BaAka women at Yondo

Mechanisms for engagement between the BaAka and the DSP must also take account of BaAka governance systems. The authors of this report, for example, suggest that regular meetings could be held between BaAka chiefs of each village and project staff, without Bilo chiefs present. It is essential that mechanisms of engagement be developed and continually adapted in a participatory manner with BaAka communities, considering different perspectives and taking account of BaAka political systems.

### **Recommendations**

- Facilitate the development of a mechanism for continued dialogue between project staff and BaAka.
- Consider holding separate meetings for BaAka and Bilo.
- Investigate any conflicts between the project and communities outside the DPAC who depend on land incorporated in the reserve.

## **2.2 Benefit sharing**

Much emphasis has been placed on the sharing of benefits that arise from protected areas in the conservation agreements reviewed here.

### **Extracts from international agreements**

**CBD PoW-PA Programme element 2, goal 2.1, target 1:** Establish by 2008 mechanisms for the equitable sharing of both costs and benefits arising from the establishment and management of protected areas.

**Suggested activity 2.1.4:** Use social and economic benefits generated by protected areas for poverty reduction, consistent with protected-area management objectives.

### **Local situation**

Benefit sharing is often achieved through the creation of economic opportunities, and development projects financed by tourism. The DSP explicitly aims to integrate conservation and development, but success in this regard has been limited for most of the BaAka.

**Tourism** WWF have been developing tourism in the protected area with the hope that it can finance conservation and aid communities by providing jobs and money for community development. Tourists generally come to the area on organised tours to see gorillas, elephants and BaAka. The BaAka consulted for this report express a number of concerns. In general, BaAka feel they have never been adequately consulted on any aspect of the tourism programme and thus have no control over tourist activities even where they are the main attraction. For example, tourists are always accompanied by a Bilo guide which can sometimes cause problems, including underpaying BaAka and stealing their tips, as well as more subtle forms of discrimination. Communities outside Yandoumbe and Massapoula are not involved in tourist activities, which include net hunting, hut building and dancing. It is important to create opportunities to spread benefits across all communities, even if some communities do not wish to actually receive tourists. Although tourist numbers are low, other communities could still be involved in other ways: for example, by making crafts. Some women at Yondo already do this, as do many BaAka in Yandoumbe and Massapoula. A common complaint, however, is that Bilo buy these crafts at low prices, then sell them on to tourists for a profit. Steps should be taken to develop a system where BaAka from all communities are able to sell crafts to tourists, through, for example, a BaAka-run organisation that could coordinate the craft sales.

Almost all the revenue generated from tourism remains within the reserve. Only 10% goes to national level agencies, while 40% should be set aside for community development.<sup>22</sup> A series of local organisations were initially responsible for the distribution of this money. The BaAka saw very few benefits from the resulting projects, and conflict and transparency issues led to all these local organisations ultimately closing. From 2007 until 2008 a committee was made responsible for administering this money. Nearly half the committee members were local residents, but not one of them BaAka. Currently, however, this money remains with central government after conflict within the committee resulted in its dissolution, and there are no plans as yet to form a new mechanism for its distribution. Thus, BaAka communities have not benefited from revenue generated by tourism. A new system must be developed where local residents, including BaAka, manage the distribution of this fund.

**Jobs** The project employs BaAka largely as trackers on research projects, on eco-guard patrols or with tourists, jobs which are highly valued by BaAka especially since the closure of the logging company means that project work is one of the few ways to earn a good salary. A major complaint from the BaAka, however, is that these are some of the lowest paid jobs and most do not have contracts, providing poor job security and reduced benefits. In response to this, the project will begin a pilot scheme offering permanent contracts to BaAka staff that incorporates flexible work schedules. The trackers work with tourists and on research programmes and are, arguably, the most important people keeping these aspects of the project running. The BaAka perceive their jobs to be highly skilled and dangerous, particularly the gorilla work, and feel under-valued by the project.

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<sup>22</sup> Carroll, Richard (2003) 'World Wildlife Fund (WWF-US) Organizational Overview: Dzanga-Sangha Reserve, Central African Republic', Sangha River Region, in *Yale F&ES Bulletin* 102, pp 198–207.

BaAka from outside Yandoumbe and Massapoula complain that they are not considered for work. Those not employed by the project currently have extremely limited access to cash. Not only is cash essential for medicines and other necessities, it is highly desired in the changing economic climate in which subsistence activities offer very poor returns for BaAka. Almost all other opportunities involve exploitative transactions with Bilo, such as working in fields or as a porter for a hunter, or selling meat or koko leaves. BaAka in Yondo, for example, can expect 200 Central African francs (about 30p) for a day's labour in a Bilo field – nowhere near enough to feed a family for a day – while BaAka in Lindjombo may only receive a bowl of manioc for the same work.

The BaAka would like, in particular, to work as eco-guards to help protect their forests. There is a strong sense that the forest is theirs to protect, and that they are the people who know the forest best and can therefore do the best job. There is currently only one BaAka eco-guard, while porters/trackers who are in training to be eco-guards complain that they are constantly blocked from progressing to this position. Furthermore, all complain of serious discrimination when on patrol with some Bilo guards.

The Bilo block us from becoming eco-guards because they say 'you do not know how to read and write or how to use computers, so you cannot be eco-guards' .... The pay for BaAka trackers has been cut, while for Bilo [in the same job] it remains as it was .... When we are on patrol with them they say 'wash our clothes', so we wash their clothes and their shoes, even though this is not our job. They call us animals.

(BaAka tracker for eco-guards)

The BaAka feel unable to raise these concerns with the project for fear of repercussions. Currently there is no mechanism for dealing with discrimination within the project, nor is the EU project addressing this serious issue. While some human rights training is planned for eco-guards and BaAka, it should be extended to all project employees. Discrimination must be dealt with by the project as a matter of priority. A mechanism should be put in place that BaAka feel comfortable using to deal with discrimination.

There have been almost no BaAka women employed by the project, despite the fact that they would like work and feel they are as able and knowledgeable in the forest as men. The lack of employment opportunities for women is having a negative impact on gender relations because of the status these jobs afford. In a positive step the EU project is currently training three women as birth assistants.

**Development** Communities have seen very little development over the years, despite this being an ICDP. Health and education programmes have intermittently benefited the BaAka, but all of these schemes have been problematic. For example, few BaAka children currently go to school, in part because of discrimination from Bilo children or teachers.

Bilo children fight our children in school so they are afraid to go. We want BaAka teachers, this would be much better.

(Man from Babongo)

Some communities have no hospital close by, and those that do often have no money to access them. The project is currently building or improving health clinics, but BaAka are concerned that they cannot find money to buy medicine, which can be expensive. In other cases, aid intended for the BaAka, such as farming equipment, is reported to have been given to Bilo instead, or ended up in Bilo hands. A few BaAka individuals have, in the past, received training in areas such as health and administration, but this has never been followed with long-term employment. This is, at least in part, a result of poor attendance at work. Similar schemes to that of the permanent contracts being piloted for employment with the project, which take

account of BaAka semi-nomadic ways of life, could be used to secure employment in other sectors. But it is also important to identify other reasons for the failure of these schemes in order to improve on future programmes. Training programmes are especially important given that most BaAka have difficulty accessing cash.

The project is currently addressing the poor development record, largely in areas of health and education. Adult literacy classes have begun and are being attended in high numbers, and health projects aim at improving nutrition and sanitation practices through participatory education processes. Regarding primary education, however, the EU project does not include any objectives at this stage that are likely to significantly increase attendance, because it does not address the issues that result in poor attendance. As stressed here, discrimination by both teachers and pupils leaves BaAka children unwilling to go to school. Furthermore, these development projects are again unevenly distributed between communities in the reserve. In addition, more needs to be done to improve employment opportunities for BaAka through training programmes. This could include, for example, BaAka health assistants who monitor and aid those on medication in their villages.

### **Recommendations**

- Improve BaAka aspects of the tourism programme through consultation with communities.
- Consider a system where BaAka from all communities are able to sell crafts to tourists, through, for example, a BaAka-run organisation that could coordinate the craft sales.
- Include BaAka representatives in developing a new system to manage and distribute the revenue from tourism .
- Introduce vocational training schemes for BaAka in areas such as health, targeting women as well as men.
- Train BaAka as eco-guards.
- Extend benefits in the form of employment (including tourism) and development activities to all communities in the reserve beyond Yandoumbe and Massapoula.
- Review all aspects of BaAka employment to assess what improvements can be made to ensure equitable pay and working conditions, and the eradication of discrimination.
- Extend human rights training to include all project employees.
- Develop a mechanism which can effectively deal with reports of discrimination and which the BaAka feel confident in using.

## **2.3 Indigenous knowledge**

### **Extracts from international agreements**

**CBD Article 8(j) requires states to:** Subject to national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge innovations and practices.

### **Local situation**

The application of indigenous knowledge in various aspects of the project follows the recognition that the BaAka are extremely experienced and knowledgeable about the forest. It is, however, questionable whether the benefits arising from the utilisation of this knowledge are being equitably shared, given that the BaAka are sometimes paid comparably lower than other workers. This issue has improved in recent years after complaints from the BaAka. Even so, BaAka often say they are treated 'like slaves' by the project because they feel their superior forest knowledge is used without just compensation.

It is the BaAka who know the forest. Do the Bilo? No! We do the work in the forest well. We taught the white people all about the forest. We are the owners of the forest. But the project gives us nothing, nothing! (Man from Yandoumbe)

Such knowledge has also been essential in the development of the tourism programme. In particular, BaAka knowledge – including names and uses of medicinal plants – has been used in project literature to attract and inform tourists. To our knowledge, consent was never sought for the use of this knowledge, nor have the BaAka been adequately consulted in the development of any aspect of the tourism programme where their knowledge and skills are in some way used.

GTZ have documented local knowledge in the form of community maps, and the EU project has continued this process. This is in line with the CBD PoW-PA Element 4: activity 4.4.4 which states:

Encourage collaborative research between scientists and indigenous and local communities in accordance with Article 8(j) in connection with the establishment the effective management of protected areas.

It is now essential that maps and other documents generated from this collaboration go on to inform park management.

### **Recommendations**

- A mechanism needs to be developed with BaAka through which consent can be sought for the use of their knowledge in project literature aimed at tourism or any other incidence in which their knowledge is used. Such a representative body could also distribute any funds resulting from the agreement of the use of this knowledge. The UCB may be able to fill this role.
- In cases where knowledge is being documented, such as community mapping, the purposes and use of resulting maps should be discussed with communities first.
- Participatory mapping and other documents resulting from the EU project and others should go on to inform park management.

## **2.4 Accessing land: free, prior and informed consent**

### **National situation**

The principle of free, prior and informed consent (FPIC) is used in the new forest code in relation to protected areas where people must be relocated as an 'exceptional measure'. The term 'exceptional measure', however, is not clarified. At present, the principle of FPIC is not applied in the draft law on indigenous peoples. In Article 31, for example, any project affecting

indigenous peoples is only required to 'consult' with local communities 'in good faith' prior to the start of the project.

**Extracts from international agreements**

**WWF Statement of principles on indigenous peoples, article 12:** WWF recognizes that indigenous peoples have the right to determine priorities and strategies for the development or use of their lands, territories, and other resources, including the right to require that States obtain their free and informed consent prior to the approval of any project affecting those lands, territories and resources.

**Local situation**

The BaAka state clearly that no consent was sought from them prior to the start of the conservation project, and, moreover, that it has never since been sought for any aspect of the project.

We showed [WWF] all the places in the forest, we showed them all the animals – gorilla, elephant, all of them ... then [WWF] took the forest.

(Man from Yandoumbe)

The conservation agreements reviewed here were not in place in the late 1980s when the management plan for the DPAC was being drawn up and when consent should have been sought. However, the DSP should now take the opportunity to review and amend park boundaries according to traditional ownership and following consent processes outlined in these international agreements and WWF policy.

**Recommendations**

- Put in place mechanisms to ensure that the principles of free, prior and informed consent are used in any new measures that affect the BaAka.
- Consider amending park boundaries to reflect customary ownership of these areas.

**2.5 Accessing land: customary use**

All the conservation agreements reviewed here strongly encourage the recognition of rights to the customary use of natural resources, as does the UN Declaration.

As well as endorsing the UN Declaration, WWF state in their principles on indigenous peoples that they are:

committed to make special efforts to respect, promote, and comply with [indigenous peoples] collective and individual rights, including customary as well as resource rights, in the context of conservation initiatives. (Article 5, 2008)

#### **Extracts from international agreements**

**UN Declaration Article 26.2:** Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

**CBD Article 10(c):** Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements.

#### **National situation**

Currently, national laws referring to land rights offer no practical protection to BaAka customary rights, all land ultimately belonging to the state. The absence of a '*code foncier*' (land code) is supposed to reflect the reality that customary practices are prevalent and vary throughout the country, theoretically allowing traditional land tenure systems to be freely practised without violation of the law. However, while common customary practices such as the 'law of the axe' – which states that clearing land denotes ownership – are widely recognised and accepted, the BaAka do not typically clear land and are thus not considered by local Bantu or state agencies to own any of the forested lands which they have traditionally occupied or used. This is accentuated by BaAka concepts of property rights in which the forest is not typically 'owned' by any person or group of people, but rather exists for BaAka to use according to socially ascribed rules. In laying claim to the forest, the BaAka typically say 'it is the BaAka who *know* the forest well', or 'the forest is our mother'. In fact, very little is known about BaAka land tenure systems and the assumption that the semi-nomadic nature of BaAka life means they have no social rules governing forest access is common. Such attitudes have contributed to the perception that nomadic BaAka could easily move away from an area of forest claimed by Bantu or the state for conservation or logging purposes, and that they have no real connection to any particular area of forest. However, as BaAka become increasingly sedentary, and the forest available to them shrinks, there is growing acceptance from government officials that BaAka have a stake in the future of local forests, and that therefore their customary rights should be respected.

The new forest code does not alter the situation on land rights, but does offer some protection for customary use rights. It is somewhat restricting, however, that these rights are limited to 'subsistence' use only. Moreover, these rights can be suspended or removed by the state in the interest of 'public utility' (which is not defined), on *consultation* with indigenous peoples but without gaining their *consent*. Importantly, indigenous peoples cannot be expelled from their lands for the purpose of creating protected areas without their free, prior and informed consent.

#### **Local situation**

The DPAC includes a large reserve area where local people can access natural resources in accordance with national laws. Customary BaAka hunting methods such as hunting with nets, dogs, spears, or snares made of natural fibres are protected; whereas 'modern' methods including guns and cable snares are restricted. In theory, this favours the BaAka, and may have the potential to work well in some communities. Other communities, however, are situated near one of the two core protected areas which severely restricts their access to enough land for hunting to be successful. This is particularly the case for Massapoula, Babongo and Yondo, who

are flanked by the river on one side, and the park on the other.<sup>23</sup> Almost all the traditional areas customarily used by these communities are now located in the national park.

I was born here in Yondo. My father left all this land to me, from Babongo up to Monassau – this land was for the BaAka. Then the project shut the forest.

(Old man from Yondo)

BaAka from all these communities, and Bilo interviewed from Babongo, complained of violence at the hands of eco-guards, who sometimes beat them and confiscated their belongings. This leads to fear of entering far into the forest.

If the guards find us in the forest they take our things by force and we have no money to replace them.

(Woman from Yondo)

For many people, this is how they distinguish where the limits of the park actually are: they assume that areas they are afraid to enter are the park. BaAka from Babongo had no idea whether the forest they hunt in was park or reserve, they only knew that they were afraid to go very far or stay very long.

Even for those who have access to large areas of the reserve as well as the community hunting zone for hunting and gathering, particularly Yandoumbe and Lindjombo, illegal hunting is depleting game to such an extent that BaAka report they are unable to hunt enough for the subsistence of their families.<sup>24</sup> This has other detrimental economic and social effects. BaAka used to trade or sell game to Bilo but can no longer compete with Bilo hunters who use guns, often at night, yielding large amounts of game. This income loss is also associated with a decline in status now that the BaAka no longer supply the bulk of bushmeat to Bilo. Instead they are frequently hired as hunters by Bilo and often paid extremely low wages. Economically, it now often makes more sense for the BaAka to accept this work than to hunt in accordance with the law, despite the low pay. Thus, current levels of illegal hunting may be having the detrimental effect of further marginalising the BaAka. This is because Bilo – who find it easier to obtain guns and snares illegally – increasingly use new technologies of exploitation, relegating the BaAka to more traditional forms of hunting techniques. For Bilo, there may be little alternative to hunting especially since the logging company left leaving high unemployment. Data are needed to assess the economic changes that are taking place and to devise solutions to these problems.<sup>25</sup>

Everybody interviewed as part of this study, and all related reports that were consulted, stressed the importance of access to natural resources for the well-being of the BaAka and recognised many problems with the current situation. Amending the regulations of the reserve was mentioned frequently as part of the solution. The EU project is currently documenting these kinds of conflicts, and in 2009 will begin the process of devising solutions in a participatory manner. The BaAka consulted here have stressed that they want conservation to protect their forests, but that a change in the limits of the park is necessary to allow them to practise traditional hunting and gathering. They would like to see consequences for Bilo gun hunters, but

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<sup>23</sup> The strip of forest before the park here is reported to be extremely degraded due to excessive gun hunting and thus provides very little meat for BaAka hunting with nets or spears.

<sup>24</sup> There is a paucity of data on the current scale of the bushmeat trade around Bayanga, or of its ecological consequences. However, local residents report that the level of hunting is the highest ever seen.

<sup>25</sup> Some economic research along these lines has been carried out by GTZ, and the EU project are incorporating livelihood data in the current research phase of the project. See: Moaza, Aime Mathurin and Sindemo Gerard Carlos (2006) *Enquête sur la Chasse Communautaire dans la Reserve Spéciale de Dzanga-Sangha : le cas des villages de Lidjombo et Bomandjokou*, GTZ.

suggest that the rules could be changed to allow six months of gun hunting a year, as happens in Congo.

### **Recommendations**

- Review the current zoning regulations such as the limits of the agricultural zone in light of economic research.
- Consider alternative livelihood programmes or other strategies, particularly for non-BaAka, to ease the hunting pressure around Bayanga.
- Consider changing the park limits to allow BaAka from all communities to access land. For example, areas currently in the park could be reclassified as areas in which no guns or cable snares are allowed, thus allowing BaAka to hunt in traditional ways.
- Ensure the effective implementation of the CBD Article 10(c) to respect and support customary use rights.

## **2.6 Accessing land: mobile peoples**

Mobile peoples are specifically mentioned in several of the conservation standards reviewed here. In addition, the *Dana Declaration on Mobile Peoples and Conservation*, which deals specifically with mobile peoples, was endorsed at the 2008 WCC in Barcelona. Many of the principles embodied in the Dana Declaration and other guidelines mirror the standards set in guidelines relating to indigenous peoples. There are, however, some additional considerations for mobile peoples, particularly stressed in the Durban Action Plan.

The BaAka now live in permanent roadside villages but continue to spend up to several months a year in temporary forest camps. They travel frequently between villages and forest camps for a variety of reasons, including for employment opportunities; subsistence hunting and gathering; visiting friends and relatives; and accessing health facilities. Within the reserve this movement poses no problem. But the BaAka are also connected to wider networks across the region spreading into Cameroon and Congo. Villages and close relatives can be separated by large tracts of forest that were previously traversed along known paths if, for example, a relative was rumoured to be sick. Now these same areas of forest are national parks, effectively cutting off connected groups of people and restricting the flow of people and information. Thus, while the BaAka are free to move around local areas of forest, their mobility across larger areas has not been considered.

My child is in Congo with her grandmother. This Bilo has just come from her village, he says my daughter is very ill. We think she is dead, but we have no way of knowing because we can't go there. (Man from Yandoumbe)

The paths from a long time ago are there, but using them is now prohibited. We want these paths to open to visit our family in Congo. (Man from Yandoumbe)

The establishment in 2000 of the Sangha Tri-National (TNS) conservation area encompassing national parks in Congo and Cameroon has not improved this situation for the BaAka, nor for their hunter-gatherer neighbours, the Baka of Cameroon and BaMbendjelle of Congo, with whom they have many ties. Although the creation of the TNS included an agreement between the three countries to facilitate trans-border movement over the TNS landscape, in practice it has made little difference. Travelling by road requires either identity papers or bribe money, neither of which the BaAka typically have.

**Extracts from international agreements**

**WPC Action Plan Outcome 5 International action:** Promote policies to facilitate cross-border mobility and trade in transboundary protected areas by mobile indigenous peoples who have traditionally lived in, and used those areas.

**WPC Action Plan Outcome 5 National and local action:** Adopt and promote adaptive management approaches that recognize the dependence of mobile indigenous peoples on common property resources, and build on their mobility and different lifestyles, livelihoods, resource rights and tenure, customary laws and dynamic scales of land use.

Preserve and restore the integrity of mobile indigenous peoples' traditional lands, including migration routes.

***Recommendations***

- Identify key corridors of movement through consultation with all BaAka communities.
- Revise regulations concerning access to national parks in order to allow movement across the key corridors identified.
- Carry out this analysis in conjunction with similar studies in Congo and Cameroon so that cross-border movement across the whole region can be made possible.

**2.7 Accessing land: Restitution**

***National situation***

The forest code does not contain the principle of compensation or restitution in cases where indigenous peoples have been removed from their lands. The draft law on indigenous peoples' rights states that restitution of lands or just compensation should be given where lands were taken by the government for 'public utility', presumably including protected areas, although no definition of public utility is given.

**Extracts from international agreements**

**WPC Outcome 5 Main target 10:** Participatory mechanisms for the restitution of indigenous peoples' traditional lands and territories that were incorporated in protected areas without their free and informed consent are established and implemented by the time of the next IUCN World Parks Congress.

***Local situation***

Although the current zoning may be reviewed following the outcome of the research phase of the EU project, as yet there are no plans to consider restitution. As stressed in this report, revising the limits of the national parks is essential to allow some communities, particularly Massapoula,

Babongo and Yondo, access to enough land for subsistence. This is especially important in the context of restitution given that, for these communities, almost all the land customarily occupied or used by them was incorporated into the national park.

## **2.8 Conclusion**

The government has begun, in the past few years, to amend the law in key areas to protect the rights of indigenous peoples. While this reflects progress towards the implementation of international agreements in conservation and human rights, there is room for improvement, and it remains to be seen how these new laws will be interpreted and applied.

The DPAC represents an attempt to couple conservation with development, and thus an experiment in the 'new paradigm' of conservation. Although a large reserve area was set aside to allow local residents to access natural resources, BaAka customary land ownership appears not to have informed park/reserve design. As a result, access to land is today a key problem for all BaAka communities. Participation within the project has been minimal, with no channel of communication between the BaAka and the project. The project, however, currently recognises many of these shortcomings and is working to improve the situation through the EU project, among other avenues.

Of the recommendations generated for this report, three emerged as particularly important. First, mechanisms must be developed to ensure a sustained dialogue between the BaAka and the Dzanga-Sangha Project. Second, park limits must be changed in the northern sector to allow some communities, particularly Massapoula, Babongo and Yondo, access to enough land to subsist on. Third, illegal gun hunting throughout the reserve must be reduced because the large amount of game hunted illegally is making it impossible for BaAka to hunt successfully using traditional (legal) methods.

The authors of this report hope that the project can continue to work towards the implementation of international agreements in conservation and human rights both to protect the forest and benefit local populations. They ask that local and indigenous peoples be recognised as full and legitimate partners in this endeavour.



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