

Conversations about conservation

Reflections on conservation, natural resources and territory from 16 Baka and Bakwele communities in the vicinity of the proposed Messok Dja protected area, Sangha Department, Republic of Congo



Executive Summary

This paper summarises the perspectives of Baka (indigenous) and Bakwele (Bantu) communities living in the Messok Dja forest block on conservation and natural resource use, as well as highlighting key issues of concern for these communities related to their customary lands and forests. These views were canvassed by Forest Peoples Programme with 16 communities (and more than 600 people) through multiple field trips in 2021 and 2022.

For both Baka and Bakwele communities in the Messok Dja forest block, their land and forests remain of critical importance for both their livelihoods and their culture. Despite difficulties caused by loss of access to some areas, communities show a strong interest in sustainably managing their own lands – and women, often sidelined in decision-making about land, are increasingly asserting their right to participate.

Communities are unhappy with mining and logging activities

Communities are concerned by industrial activities (forestry and mining) in their customary areas and wish to protect their forests from these uses. Forestry is associated with destruction of valued trees and restrictions on access to forest areas. Mining exploration in turn has polluted water sources, displaced traditional artisanal goldminers, and led to the creation – and abandonment – of dangerous mining pits.

Front cover: Baka women of Bethel. Credit: Dalton Aweleka

Below: A community meeting in Adial. Credit: Dalton Aweleka

Communities are also very concerned by restrictions imposed by conservation activities

While communities want to protect their lands and forests against exploitation, they are also concerned by negative impacts linked to the restrictions of their own access to lands and use of resources imposed in the name of conservation. These restrictions have caused significant issues for both Bakwele and Baka communities, including:

- Severe impacts on cultural and livelihood activities, including hunting, cultural rituals, honey gathering, use of forest medicinal products, etc. These impacts have been particularly strongly felt by the Baka.
- Continued issues with harassment and abuses by ecoguards (cited by 10 out of 16 communities). While there may be some early indications that harassment by ecoguards is reducing, many communities are still concerned with ecoguard behaviour. Baka communities have a particularly strong fear of ecoguards.
- Human-wildlife conflict, involving uncompensated and often repeated destruction of crops by animals (cited by 12 out of 16 communities). It is one of the most significant community concerns, particularly for Bakwele communities.

The creation of the Messok Dja protected area is an important opportunity to show that conservation can be done differently in the Congo Basin – in a way that recognises the contribution of communities and respects their rights. As this report shows, the communities of Messok Dja are ready and willing to actively participate as key actors to support conservation of their traditional lands and forests. It is now for the Congolese State to listen, and take the lead in ushering in a new era of community-based conservation in the Congo Basin.



Introduction

Too often in decision-making and planning by States, companies and conservation actors, the perspectives of indigenous peoples and local communities are not fully understood or considered, and their potential positive contributions to conservation are underestimated. In the Messok Dja forest, both Baka and Bakwele communities continue to have very strong attachments to their customary territories, which they have a desire to protect and use sustainably. They are concerned by the industrial forestry and mining activities that are described as “ransacking” their forests, but also by the significant restrictions on their access and use of their customary territories. In the context of imminent conservation proposals for Messok Dja, it is critical that key stakeholders – above all the State, but also conservation actors and funders, as well as private companies – understand and genuinely accommodate community perspectives, and promote an approach that strengthens and reinforces communities’ ownership, control and sustainable management of their lands – thereby also supporting effective conservation.



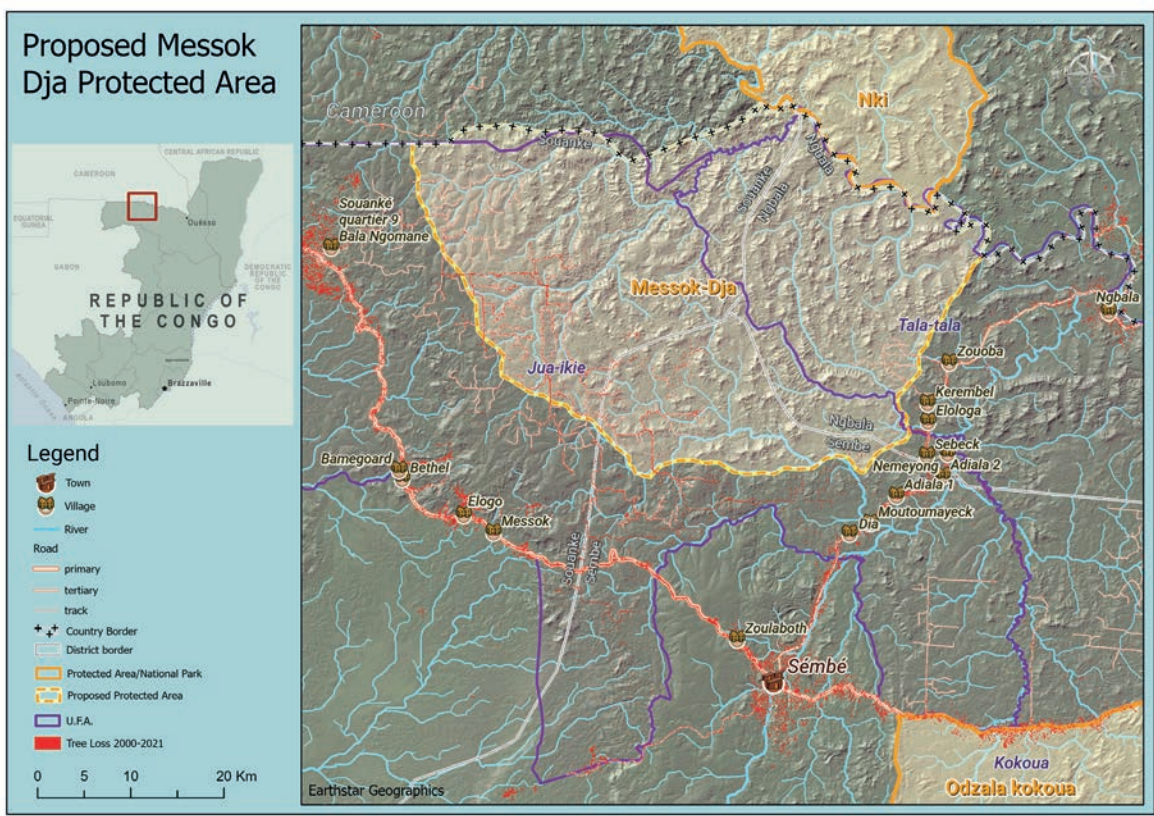
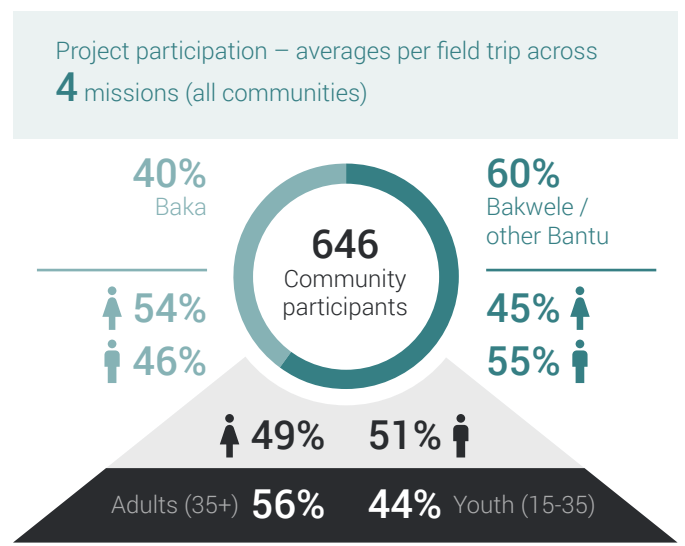
Baka men at Ngomane
Credit: Dalton Aweleka

Background and context

The Messok Dja forest block is located in the Sangha Department in the north of Congo neighbouring Cameroon and Gabon, and forms part of the Trinational Dja-Odzala-Minkébé (TRIDOM) landscape which extends between the three national parks of those names in Cameroon, Congo and Gabon respectively. It is a priority landscape for great apes, notably the Western Gorilla (*Gorilla gorilla*) and the chimpanzee (*Pan troglodytes*), as well as for forest elephants. It is also home to a number of traditional peoples, predominantly the Bakwele (a Bantu people with a traditional focus on agriculture and, in some areas, small-scale goldmining, but with strong links to and dependence on the forest), and the Baka (indigenous hunter-gatherers). A new protected area of 1,456 km² (145,600 hectares) is now proposed in the area.

The proposed Messok Dja protected area overlaps with three districts - Souanké, Sembe et Ngbala – and overlaps two existing forestry concessions – Jua-Ikié, concessioned in 2015 to Chinese-owned forestry company SEFYD, and Tala Tala, concessioned in 2005 to Lebanese-owned forestry company SIFCO. Legally, areas of each of these concessions would need to be handed back to the government in order for a protected area to be gazetted. The proposed area is located inside a triangle enclosed by roads on two sides and the Congolese-Cameroonian border on its third side. At three corners of this triangle are the small towns of Souanké to the north-west (from where the road extends west before crossing the Cameroonian border), Sembe to the south, and Ngbala to the north-east. FPP is working with 16 communities living on the two roads either side of the proposed protected area: it includes 6 communities on the Souanké-Sembe road, and a further 10 on the road between Sembe and Ngbala.

This paper summarises community perspectives on conservation and natural resource use, and more broadly highlights key issues raised by communities during the first 18 months of FPP’s project. Project missions have engaged with 16 communities and participation in each mission is generally more than 600 people. Approximately 40% of participants are Baka, although this has shown some variation; the remaining 60% are almost entirely Bakwele, although these numbers also include a small number of people from other Bantu groups (mostly Djem; occasionally also some migrants from other areas of Congo or from other countries). Close to 50% of participants in meetings have been women – participation runs at slightly higher than 50% women amongst Baka participants, and slightly lower than 50% amongst Bakwele.



Communities remain very attached to their lands and forests

Both Baka and Bakwele communities in the Messok Dja forest block retain very strong attachments to their land and forests. The forest remains central not only to their survival but more broadly to their lives: they use it to hunt, fish, collect forest products, it is a source of traditional medicinal products (which remains a key source of medical care in communities), and their banana and cocoa fields are located within the forest. They also have strong spiritual and cultural ties with the forest which they use for rituals and traditional ceremonies.

Both Baka and Bakwele communities engage in both agriculture and in hunting and gathering activities, although there are generally differences of emphasis between them. Baka communities are predominantly hunter-gatherers who engage in some agriculture on the side, often as labourers (in part because of a lack of their own fields, but also because of cultural preferences). More and more Baka are being obliged to work as agricultural labourers as their access to forest products diminishes. Some products the Baka collect from the forest – such as wild yams – are also cultivable. Instead of cultivating these, the Baka engage in a form of “natural agriculture”: when harvesting they do not fully deplete sites, which allows them to regrow, and they then rotate between different sites over several years. Traditionally Baka communities are semi-nomadic and construct huts in the forest (known as Mougoulou) where they rest or stay during prolonged forest visits.

Bakwele communities also have strong ties to the forest and also engage in both hunting and gathering activities. However, Bakwele communities are generally more heavily engaged in agriculture than the Baka, which is usually their primary means of subsistence (alongside artisanal mining in some communities, as described below). Communities in this area grow both plantation cash crops (particularly cacao), as well

as annual and subsistence crops, such as plantain, yams and manioc. Agriculture is practised by all Bakwele communities with which we engage, however several Bakwele villages on the Sembe-Souanké road also have another important traditional livelihood activity for men, notably small-scale gold mining. Traditional gold mining is carried out by hand, without chemicals, and involves the creation of small “canals” dug off the river, which prevents these activities from contaminating the main river water. It therefore has minimal environmental impacts in comparison to the semi-industrial and industrial mining activities which have subsequently arrived in the area (see further below).

I live from the forest, that's where we find non-timber forest products.

We depend on the forest for our food. Our ancestors made traps to catch animals in order to feed us, as well as selling part to earn money; this is what they did to make us grow strong. All our life depends on the forest. There, we find forest products such as different types of yam (Sapa, Bah, Souma, Ndongdo, Kèkè ...). We also fish in the forest, we use different types of bark as medicine to heal ourselves when we are sick. All our food is found in the forest, it's what we feed our children.

Odette Ndassi, Baka woman from Moutoumayeck

Men and women in both Baka and Bakwele communities traditionally undertake different activities, although there are overlaps: men are more likely to hunt as well as clear fields for agriculture (much of which is rotational agriculture); women are more likely to be involved in sowing, maintaining and harvesting crops from fields, the gathering of forest products, as well as (for Baka women in particular) constructing forest huts.



Baka community
of Bala Ngomane
Credit: Dalton Aweleka

The Messok Dja protected area

Since 2010, discussions have been underway in Congo for the creation of a new protected area within the Messok Dja forest. In addition to the Congolese government, these discussions have involved technical or financial input from a number of other stakeholders, including WWF, the European Union, UNDP, USAID and others. In 2017, staff of WWF based in Congo commenced a dialogue process with communities around the proposed protected area with a view to obtaining their free, prior and informed consent. However, after critical evaluations of both the FPIC process and the wider approach to the creation of the protected area¹, the project was suspended. Both those critical evaluations recommended that the government consider more community-led conservation options – which have been demonstrated to be the most effective for both conservation and social outcomes.² However, the existing Congolese legal framework for conservation – which rests fundamentally on protected areas – provides limited scope for community-led initiatives. The current protected area legislation is, however, currently under review.

In late 2021, new consultations with communities were commenced for the proposed Messok Dja protected area. These were carried out by the government, with the technical support of a consortium of three organisations and funding from the European Union. As at December 2021, all but one of the 28 communities consulted have formally given their in-principle consent to the proposed protected area, under a variety of conditions but in all cases on the understanding that a participatory mapping to identify their traditional lands, territories and resources will be undertaken as part of the process, which (according to our discussions with communities) communities understand as a promise that their lands will be excluded from the protected area and/or their access to these areas will be assured.

Encouragingly, in less formal discussions between our field team and communities in January 2022, most communities maintain their positions on the protected area (whether in favour or against) as formally communicated by village chiefs to the authorities, suggesting the process has recorded freely-given views of the whole community. However, we note one Baka community within a mixed Baka-Bakwele village maintained that they had said no to the Messok Dja protected area, but that their dissent had been miscommunicated or misrecorded, and that instead only the position of the Bakwele community (who were in favour of the proposal) was recorded.



A meeting with people of Zouoba
Credit: Dalton Aweleka

Communities consider their activities have (already) been significantly restricted

All communities consider that their use of forest areas has been significantly restricted by the arrival of third parties to undertake economic activities, as well as the imposition of conservation rules by the State. Baka communities in particular strongly emphasise the reduction or total loss of their traditions, culture and heritage – which they describe as “at risk of extinction” – as a result of these developments. Both Baka and Bakwele communities have multiple and distinct cultural practices and rituals that are linked to the forest. Several communities report that they had lost access to sacred sites and/or stopped or reduced forest rituals (*Elli, Edjengui, Mokunu, Edio, Beka, Ngui, Goda, Goal, Embuambua, Mbomba, Ebouma, Muaru, Elimbo, Djoboko, Monguelebo* were all mentioned³) as a result of access restrictions. Some of these rituals are carried out at sacred places remote from villages (one mentioned was over 25 km distant).

Hunting of some species is still carried out, but has been significantly limited by rules in place by the State. Many communities consider that the rules are unduly strict and unfair, preventing their cultural practices. The tradition of *Mâka* or *Sendo Hayâ* (the “great hunt”, usually for elephants) among both Baka and Bakwele has almost completely disappeared as a result of restrictions. One community (which we will not name) admits to continuing this tradition very discreetly and in a limited way, to avoid problems with ecoguards, but said that they no longer feel free to hunt as they did before. Others said it was “nearly impossible” to hunt elephants, although they did not categorically deny doing so. Many other communities said they had ceased hunting elephants along with many other species because of the restrictions in place. From language used by communities – including for example reference by communities to “bans on trade in elephant in the international market”, the kind of information that could only have come from external actors in these remote areas where even radio does not reach – it is evident a lot of effort has been directed towards ensuring communities are aware of and obey these restrictions.

Restrictions cited by communities relate not only to hunting, but also to gathering activities, in particular the collection of mushrooms (*gnetum*), honey, nuts and caterpillars, as well as fishing. Those who are skilled in traditional medicine describe difficulty in accessing key (rare) resources which are often in more distant forest locations which they can no longer easily access (*Mendi*, a tree similar to Sapelli, was cited as one example). For Baka communities, another traditional activity which has been substantially reduced because of the constraints on access is harvesting of wild honey. Communities report that this important cultural practice – also an important food source and a currency for exchange with Bakwele communities – has significantly diminished and almost entirely stopped in some communities because of difficulties entering the forest.

Communities support sustainable use

All communities express themselves in favour of the sustainable use of resources and are supportive of conservation in that sense. Indeed, multiple communities express very strong concerns about forestry and mining companies in their territories who are described by several as “ransacking” the forest. Many note that some traditional resources had become scarce because of logging activities and unbridled hunting by outsiders (described as “elites”), including various species of trees and other products used as a source of food and other uses. Several are cited, including Mabe, Mendi, Mokulungo, wild mangos and caterpillars (which often live in the vicinity of the oldest and largest Moabi trees targeted by forestry activities).

Communities do not consider that “sustainable use” should or needs to involve the level of restrictions that are in place. Several comment that while conservation is important, constraints on access and use need to be reduced or communities will “die from want next to all these resources”. Communities traditionally have many rules in place which regulate their own practices. Some of these are common to communities – such as protecting trees such as Moabi, not hunting female or young animals – whereas others are unique to communities or clans (such as totem species which are never hunted by that clan), other animals which communities choose not to hunt. Communities consider that their traditional practices and management of their forest lands has been sustainable, and all 16 communities express the view that their traditional management was better and more effective than the forms of management used today.

Our ancestors used to guard the forest with their traditional knowledge. Now, the youth have been dominated by modernism, which means they don't approach the elders to learn traditional knowledge. To give an example, my uncle showed me a way to harvest honey, to hunt animals and to harvest non-timber forest products in ways that support sustainable management of resources. In short, the youth lack traditional knowledge, which leads to the disappearance of certain resources in the forest.

Albert Bissakob, Baka of Ngbala

Relationships with ecoguards are mixed but overall, still tense

The question of relations between communities and ecoguards receives mixed responses. During our visits, ten out of 16 communities mentioned specific incidents of arrests or mistreatment by ecoguards, generally occurring between 2018 and 2020. Other communities mentioned repression or threats. One Baka community (which appears also to be involved closely with conservation actors in biomonitoring) said it had not had any issues with ecoguards; another said that it used to have many problems with them but that this was no longer the case. As discussed further below, however, for those Baka communities who did cite problems with ecoguards, fear of ecoguards appeared more acute and mistreatment more generalised and higher than in Bakwele communities.

In many cases cited by communities, the issue involved arrest for having an unlicensed firearm (i.e. not connected with any specific instance of poaching); in several others, arrests for poaching were made and the arrested were subsequently released by the court for want of proof. Communities also report having experienced harassment for having hunted species they are legally entitled to hunt. Communities broadly consider all these types of cases are harassment rather than justified enforcement of the law. There seems to be some indication, although not yet systematic evidence, that abuses by ecoguards have been reducing in recent months. This is plausible given current international attention to and pressure on this issue, and indeed the field team was informed by the National ETIC coordinator in October that the issue of abuse by ecoguards is at present a dominant concern of the platform coordinating the complaints mechanism, for which the President of the Sangha Departmental Council is responsible.

Relations with ecoguards

10 out of 16 communities mention specific incidents of arrests or mistreatment by ecoguards. There is some indication this is decreasing, although further monitoring is needed.

Human-wildlife conflict is a serious, and as yet unaddressed, problem

One of the most strongly felt concerns among communities is the intractable issue of human wildlife conflict. This concern is shared by Bakwele and Baka communities but is particularly acute amongst Bakwele communities who have stronger agricultural traditions than the Baka. In information gathered during our April 2021 fieldtrip, elephants were the most broadly cited problem, reported in 9 out of 16 villages; two communities also reported problems with gorillas, and one with wild boars. Only four communities have not expressed concerns with human wildlife conflict. Further instances of crop destruction by elephants were reported by communities at Zouoba, Adiala 2 and Moutoumayeck in subsequent field trips. This is a highly sensitive topic and communities can generally cite one or multiple specific incidents in detail (including when it occurred, the animal involved, the surface area destroyed and the person or people whose fields were destroyed). In multiple cases, the people affected have made formal requests for compensation to authorities: in almost all cases, no compensation was provided (despite in some cases years having elapsed since the request). It is broadly evident that there is no functional State-led system for compensation.

Human wildlife conflict

Human wildlife conflict is a major source of concern among communities, particularly Bakwele communities which have a stronger agricultural tradition. 12 out of 16 communities reported serious human-wildlife conflict as a concern. Several communities have experienced multiple instances of crop destruction during the course of the project.



Crop destruction
caused by elephants
Credit: Dalton Aweleka

Several communities commented on the lack of “insurance” for their field. This relates to a trial crop insurance scheme piloted by WWF in two localities in Sembe (which has, WWF itself accepts, not had a great deal of success, in part because it does not have sustainable financing).⁴ There is some confusion about this scheme both in communities where it was trialled, where communities consider it is too expensive and has not provided the promised benefits, and where it was not, where some communities said compensation was not forthcoming because they had not insured their crops, despite the scheme not being available in their area. There are not yet effective State systems in place to provide compensation, nor have alternative methods to address these problems been successful to date.

Communities consider that human-wildlife conflict has increased and intensified. While some consider this reflects an increase in wildlife populations, most believe the increased conflict is due to economic activities in the forest or the wider region – i.e. logging and mining – that have displaced elephant and gorilla populations from more remote forest areas towards villages.

While FPP cannot comprehensively analyse the causes, there is some apparent geographical correlation between forestry activities in the Jua-Ikié concession, which between 2017 and 2020 were in the south of the concession between 2017 and 2020, and the communities most strongly affected by human-wildlife conflict (such as Adiala 2 and Moutoumayeck).

We are struggling with the presence of elephants that destroy our agriculture – our banana tree, even now our cocoa trees which before were not something that the elephants ate. Today, even that is part of what the elephants destroy without any compensation from the State. This situation drives us mad and makes us vulnerable. We already suffer from pressure from the elephants without the protected area existing. But once the act creating the protected area is signed, the population of elephants will increase, which will mean we risk to not be able to live peacefully because of the human-wildlife conflict. That’s the reason we said no to the creation of the protected area.

Raymond Biengoye, Zouoba Village Chief

We are not against conservation, what causes problems is the human-wildlife conflict. For example, since my birth, I have never bought a plantain elsewhere to feed myself in my own village, but today because of the elephants, I buy them. That’s why we said to ourselves before the State comes and creates the protected area, it must first push back the elephants far away from our fields, to avoid the destruction of our crops.

Célestin Aniaba, Kerembel Village Chief

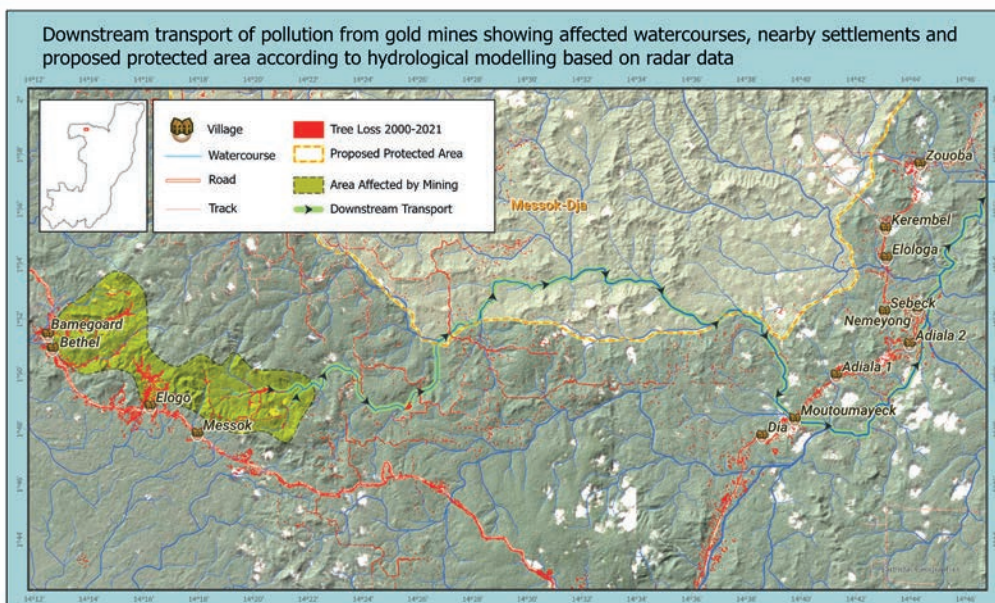
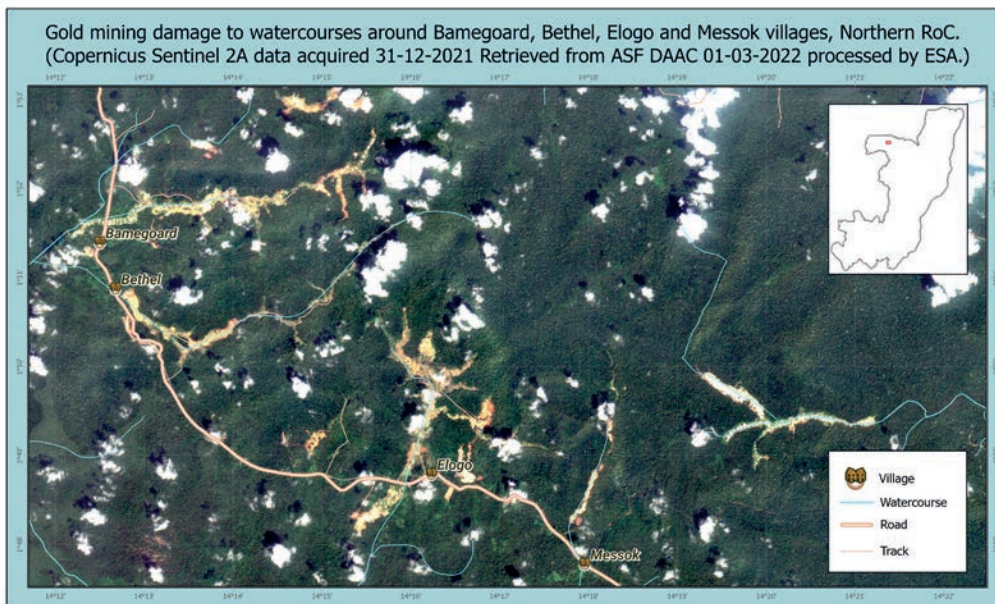
Mining activities are a major concern in some areas

For several communities we are engaging with on the Sembé-Souanké axis, one of their highest priority concerns is the impacts from mining exploration activities that are being carried out in the vicinity of their forests by a Chinese subcontractor to MAC Congo SARL (who holds a mining exploration permit to search for gold, and potentially other minerals). The effects of these activities since 2015, and their vicinity to several communities – notably Bamegoar, Bethel, Elogo and Messok, as can be seen in the following aerial images (colours yellow, orange and red show areas deforested between 2015 and 2020, and the shape indicates a typical pattern seen in mining exploration).

Several communities have concerns with serious pollution of their water sources during these activities, both from soil disturbance and the use of chemicals. In fact, although the use of mercury in mining activities is in principle prohibited under national law,⁵ communities are concerned that chemicals are being used. Laboratory analysis in other communities affected by mining in the same department has found evidence of

mercury in water sources at levels that go beyond World Health Organisation recommendations.⁶ Pollution of waters affects not only communities on the Sembé-Souanké road (shown here) but communities on the Sembé-Ngbala road, who live downstream on the same rivers (notably Moutoumayek and Dia).

In addition to pollution of waters, communities report that mining activities create other problems. Firstly, they displace traditional artisanal goldminers from the community, who are stopped from carrying out their economic activities (indeed, prospectors often seek out specifically the zones where communities undertake artisanal mining). Secondly, they do not always backfill, or backfill adequately, holes that have been dug in exploratory activities, creating deep holes that fill with stagnant water, attracting mosquitos and more concerningly creating very serious risks for children in the community. The community of Bamegoar reports that in the last few years, 2 children have died after falling into these holes. There has certainly been no environmental rehabilitation.⁷





Polluted water at Moutoumayeck
Credit: Dalton Aweleka

Some communities also report their fields and crops have been destroyed without compensation; and communities say they feel intimidated by the Chinese mining company actors. Communities also feel unhappy that they are not able to freely access sands that are dug up (and left behind) as part of the mining excavation process to search for any trace amounts of gold that companies may leave behind – one of the few benefits that mining exploration activities offer them, given there is no legislative requirement for mining companies to support other social or developmental activities.

What I don't like are the Chinese. We are intimidated by the Chinese. Firstly, the river is polluted. Secondly, the Chinese are digging holes but they don't close them again. We have children, some of them go fishing, in Bamegoar we already have two cases of children who have died in those holes. Thirdly, we are intimidated by the Chinese because we are [traditionally] goldminers, we want to work, but the Chinese tell us to go away, saying no. Fourthly, we're intimidated by the State actors such as the army. If we want to re-pan the sands [removed by the mining exploration for leftover small pieces of gold], we have to pay 10,000 francs, they ask us to give them 10,000. But to us, that comes from our village. Fifthly, the river, where our ancestors used to rely on that water to live, now that water is polluted. We call the Chinese miners to come and fix our borehole, the Chinese don't want to. It's always promises, promises, promises. We call MAC Congo, it's MAC Congo that sold [subcontracted] the permit the Chinese. It hurts to see my village suffering. We are in a water crisis.

Youth, Bamegoar

Access to clean water – a perennial concern

Access to clean water is a serious problem for many communities in this zone, particularly in light of the pollution to water sources that has been caused by mining activities. Even without the pollution, in the dry season water may become stagnant and unclean, and collecting water for the family from rivers – particularly during the dry season, when water sources may be further away – is an arduous task. It is also a task that falls almost exclusively on women and girls.

For these reasons, an important public objective – and a key concern of communities – is provision of boreholes within villages, which can provide clean water year-round in proximity to houses. Yet while boreholes have been drilled in many of the villages in our zone of work, a regular concern raised by communities is that these are broken – often for months or years – and access to water becomes tenuous again.

There are several reasons for the seemingly constant, long breakdowns of boreholes in villages. The first is that the boreholes are often constructed using medium or high-tech equipment (such as solar panels) which – when they break down - it is not possible for communities themselves to repair. Low-tech manual borehole pumps are easier to maintain and repair and more durable faced with the rigours of community life.

Secondly, when boreholes are installed, there is no training for communities on how to conduct minor repairs. This means that minor problems may sometimes leave a borehole out of service for months, since it is both expensive and difficult to seek someone to conduct repairs in these remote areas. Instead of focussing solely on installation, it is important for companies installing boreholes to equip communities with skills and tools needed to conduct minor repairs by themselves.

Thirdly, boreholes in communities are public works, which means that the contract to install a borehole is awarded by the government. Communities believe that in some instances, tender processes are affected by corruption, and the companies that install the boreholes are chosen not on the basis of appropriate criteria – including their qualifications, previous record, and ability to offer ongoing maintenance or training, etc – but rather on the basis of patronage. This is a problem which is difficult both to clearly identify and to address – while one workaround may be installation of private boreholes (which is possible), in the longer term this requires equipping communities with better skills to hold representatives of the administration who are engaging in these types of practices to account.

Baka communities experience discrimination and marginalisation in many domains

There is evidence of the marginalisation of Baka communities and various acts of discrimination against them in a range of scenarios. In some mixed communities, Baka complain that they are not allowed to choose their own representatives to attend meetings and other events, but rather the Bakwele select who will attend. Baka in Ngbala have repeatedly raised concerns about their lack of access to health services in the town, saying they are turned away because of an inability to pay sums demanded by the clinic, despite having a right to access all social and health services without discrimination and at no cost⁹. Where Baka communities have reported experiencing issues with ecoguards, their level of fear and mistreatment appeared considerably higher (one community said that ecoguards “terrorised” them; another described burning of their forest camps, displacement and arrest).

There are also more general indices of marginalisation of the Baka. Baka communities are less likely to have benefitted from microprojects from the Local Development Fund (*Fond*

des Développement Local or FDL) – royalties paid by forestry companies, administered by local authorities, for which affected communities are entitled to apply. Baka are less likely to have access to their own fields for agriculture, even when they wish to do so. Many Baka are therefore farm labourers, and many accept wages which are less than those of a Bantu doing the same job. Levels of formal education in Baka communities are generally lower than those in Bakwele communities, and relatedly, literacy rates are lower in Baka communities.

Other evidence comes from the experience of the field team. For example, during a field mission in October, no Baka from the mixed village of Moutoumayeck were available to attend meetings because it was the period of cocoa harvest and they were tending to the cocoa fields owned by the Bantu. During the same time, Bantu participation from Moutoumayeck increased relative to the July mission.

The field team also reports that Baka remain reluctant to speak in front of Bantu (for this reason, in most cases the team seeks to organise separate meetings with the Baka, although this is not always possible). Baka-only villages remain generally poorer and more marginalised, with very low levels of schooling or literacy (even lower among women). There is only one formally recognised Baka chief amongst the communities we are working with: all other Baka communities are considered as “adjuncts” to a neighbouring Bakwele chiefdom, which means their administrative representation is mediated through the Bakwele (it also means the Baka are always a minority in communal decisions).

Women are not very involved in decision-making – but want to be more involved

Discussions and consultations with communities in the scope of this project has included some separate discussions with women, to ensure their perspectives – which can sometimes be hidden in whole community meeting dominated by men – are heard. According to their own assessments, women, and in particular Baka women, are frequently illiterate and largely dependent on men. They rarely speak in front of companies or local authorities. Interviews with women to date have highlighted that they do not generally feel fully represented or consulted in community decision-making particularly as regards external projects in their lands, and that they would like to evolve towards a more active role. Women have also

noted that they have not traditionally been formal leaders in the community – traditional chiefdoms, or Kukuma, have traditionally been held by men. However, women have their own forms of leadership, for example the women who organise groups of women to undertake communal activities such as fishing or gathering forest products.

This is by no means only an internal or cultural issue, however. Communities have been structured for administrative purposes under a chief, also called the “traditional authority” (in fact, this is an exercise in disingenuity, because chiefs of this nature were created by colonial administration, and were not “traditional” to the culture).⁹ The traditional authority is almost always (and sometimes considered to be by right) a man. Laws and practices which require or involve notifying (only) chiefs, in relation to issues affecting communities as a whole, weaken transparency and accountability and incentivise top-down decision-making by men in communities.

Women want to play a more active role in community decision-making about their lands

Women – whether Baka or Bakwele – do not feel they have been fully represented or consulted in community decision-making related to external projects on their lands. They would like to take a more active role in the future.



Final words

The Messok Dja protected area project presents an opportunity to shift conservation approaches in Congo towards a more rights-based, community-oriented approach. The perspectives documented in this report show communities value their lands, forests and biodiversity, and are ready and willing to contribute positively to conservation. They ask the State and other conservation actors to listen, and to accommodate their perspectives. In the words of Albert Yeyou, Baka de Ngomane:

For a long time, we have lived only from the forest. That is where all our activities take place – fishing, subsistence hunting, collecting, medicine and traditional practices. Personally, I hope that now that we have given our consent to the proposed Messok Dja protected area, the State will think about a community reserve model instead of a national park, to allow us to exercise our use rights. If ever the State puts in place a national park, that would not fully guarantee our rights of use.

Endnotes

- 1 These include an evaluation of the FPIC process carried out by FPP (Forest Peoples Programme (2019), *FPIC in Messok Dja: A report and assessment by FPP for WWF on the free, prior and informed consent process undertaken in respect of the proposed Messok Dja protected area in the Republic of Congo*, available at: https://www.wwf-congobasin.org/where_we_work/tridom__tri_national_dja_odzala_minkebe/), but also a much more substantial investigation carried out by the UNDP's Social and Environmental Compliance Unit following a complaint that UNDP standards had been breached (see UNDP Social and Environmental Compliance Unit, *Final Investigation Report: Investigating allegations of non-compliance with UNDP social and environmental commitments relating to the following activities: Integrated and Transboundary Conservation of Biodiversity in the Basins of the Republic of Congo, TRIDOM II. Case No. SECU0009, 4 June 2020.* <https://info.undp.org/sites/registry/secu/SECUPages/CaseFile.aspx?ItemID=27>).
- 2 Dawson, N. M., B. Coolsaet, E. J. Sterling, R. Loveridge, N. D. Gross-Camp, S. Wongbusarakum, K. K. Sangha, L. M. Scherl, H. Phuong Phan, N. Zafra-Calvo, W. G. Lavey, P. Byakagaba, C. J. Idrobo, A. Chenet, N. J. Bennett, S. Mansourian, and F. J. Rosado-May. 2021. The role of Indigenous peoples and local communities in effective and equitable conservation. *Ecology and Society* 26(3):19. <https://doi.org/10.5751/ES-12625-260319>; Cooney, R., Roe, D., Dublin, H. and Booker, F. (2018) *Wild life, Wild Livelihoods: Involving Communities in Sustainable Wildlife Management and Combatting the Illegal Wildlife Trade*. United Nations Environment Programme, Nairobi, Kenya.
- 3 These reflect a mix of Baka and Bakwele traditions.
- 4 Personal communication, WWF, 2021.
- 5 Law No. 003/91 of 23 April 1991 on the protection of the environment, particularly Title 5 on the protection of waters.
- 6 Personal communication, WWF, 2021. A similar study conducted in a different area of the Sembe district where mining was being conducted in 2019 also found mercury in 10 of 16 test sites analysed: see B N Gandzika Taty (2019), *Etat des lieux de l'exploitation semi-industrielle et artisanale de l'or dans la zone ETIC (massif forestier de Djoua-Ivindo)*, Republic of Congo / WWF ETIC.
- 7 Mining issues affecting these communities were also explored in a news article published in 2020: see M Nzikou-Massala and M Ngeunga, "République du Congo: L'exploitation de l'or, la Sangha au bord du désastre écologique", 12 May 2020, available at: <https://infocongo.org/fr/republique-du-congo-lexploitation-de-lor-la-sangha-au-bord-du-desastre-ecologique/>
- 8 Law n° 5 - 2011 of 25 February 2011 on the promotion and protection of the rights of indigenous populations, article 22 and Decree no 2019-202 of 2 July 2019 specifying special measures to facilitate the access of indigenous population to health and social services and to protect their medicines (*Décret n°2019-202 du 02 juillet 2019 précisant les mesures spéciales visant à faciliter l'accès des populations autochtones aux services sociaux et de santé et à protéger leur pharmacopée*), article 11.
- 9 See Republic of Congo (1960), *Les Coutumes*, Cahier du conseil coutumier africain, Fascicule 2 « Les Biens – La Chefferie », p 36.

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