

FOREST ECHOES

Editorial

Breaking away from the inevitable!

Dear Friends, Colleagues and Partners!

Welcome to the first issue of *Echoes*; a newsletter that we believe will not only remind us about the beauty of the world's second largest rainforested area after the Amazon, the Congo Forest, but also inspire us to protect, to act and to raise our voices in defending what is known as the lungs of Africa. *Echoes* is about working together to stop the plunder of one of Africa's richest resources.

Echoes, which will be published twice a year, brings together voices from all rungs of society in the Democratic Republic of Congo (DRC). Through this newsletter you will hear from a family that is affected by the loss of its culture, history and its livelihood. People, perceptions, positions and perspectives will form the basis for our discussions in the subsequent newsletters. We invite you to join us, to critique the sections and provide your angles on how – together – we can make sure that sustainable management becomes not just a “catch-word”, but a reality for the Congo Basin and millions of people that depend on the forest for their food, medicine and livelihoods.

Through this, and subsequent issues, we hope you can join us on a journey through the lush forests to the provincial capitals, and on to the corridors of power in DRC's capital Kinshasa; and even beyond to other shores such as Europe, the Americas and Asia. In this first issue of the newsletter, we take a look back at 2013.

The forestry sector of DRC is in a state of organised chaos. Despite some attempts of law enforcement, several irregularities both at home and abroad were reported. A Greenpeace Africa report “Cut it Out” published in March 2013 exposed these wrongdoings as

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did the temporarily seizure of Afromosia timber shipments from the “Tala Tina”¹ company in Belgium.

In March 2013, the European Union Timber Regulation (EUTR) was rolled out but member states still seem to struggle as shown in the Belgian case. Germany’s confiscation of Wenge timber from Bakri Bois Corporation obtained from illegal sources in the DRC was a strong signal for the EU and DRC timber sector. In the article *The EUTR hits home for the first time*, Greenpeace's Danielle van Oijen urges EU member states to enforce the regulation.

Moving back to the DRC, despite their promises that they would investigate the said cases of seizure, investigations by the Department of Environment, Nature, Conservation and Tourism (MECNT) in Gombe stalled. It seems that other departments do not even know that MECNT instituted this case. Three organisations, namely Global Witness, Reseau Ressources Naturelle sent a joint letter to MECNT. A response followed, but to date, none of the promises have reached fruition.

In the article *Industrial logging: The way to violence in the DRC*, we are vividly reminded of the continued deliberate attempt to silence communities that are living around the forest concessions. The most recent story of the Sicobois case simply reinforces the message that “industrial logging often goes hand in hand with violence against communities”.

Sustainability, transparency and good governance remain buzzwords, but are they being implemented? In our newsletter we urge the DRC government and its funding partners to prioritise projects that value the right of life of people who depend directly on the Congo Forest Basin. The onus is on donors to determine which lever to use to urge DRC’s government to act immediately.

Alphonse Joseph and Maindo Bolongo of Tropenbos International DRC highlight the need to go beyond thinking of here-and-now towards looking at the medium and long-term implications of artisanal logging. They dispel the myth around artisanal logging as a major contributor to deforestation. Their recommendation? “Let us look at how much industrial logging actually contributes to family incomes compared to those who rely on artisanal logging”.

Enjoy Echoes and we welcome your feedback. Should you be interested in contributing to the newsletter, please do not hesitate to contact us. Together we can protect not only one of the world’s remaining rainforests, but also our planet for our children and their children. What will your legacy be?



Raoul Monsembula
Country Coordinator, DRC
Greenpeace Africa

¹ Import of timber from the DRC: high risk business for Europe. A case study in the port of Antwerp: the blocking, investigation and subsequent release of illegal Afromosia wood for Belgian timber traders. Greenpeace Belgium, June 2013

Industrial logging:

Raoul Monsembula, Country Coordinator, DRC

Social conflicts in industrial logging concessions are a well-known feature of the forest sector in the DRC. One of the worst such conflicts in recent years, the 2011 Yalisika atrocities that include severe human rights violations in the Bumba region linked to industrial logging company Siforco, are currently the subject of a legal complaint filed at a German Court² in 2013. In recent times, several other tense situations have erupted in violence, including arbitrary arrests, rape, beatings and worse. This article takes a brief look at a few instances of this violence, and how the current logging concession model is a recipe for social conflicts.



the way to violence in the DRC

Compagnie des Bois holds a concession contract in the Oshwe territory in Bandundu province. Réseau Ressources Naturelles (RRN) informed the Congolese Ministry of Environment in September about alleged beatings and the arbitrary arrests of members of the local management and monitoring committee in Bayeria village. The violence seemed to originate from a conflict over the social contract with the logging company and the role of a second company that works under *Compagnie des Bois*. Local communities told members from a local NGO that when they erected a blockade in an attempt to stop the logging, the police were sent in, and started looting their property. Sheer fear then propelled several members of the community to flee into the forests where they were still in hiding in the second week of November when a local NGO visited the site. This NGO noted similar events in the Maheu village and was told by the community that prior to sending in the police, authorities tried to convince them to accept the logging by offering two bags of salt, health care products, cigarettes and matches. The villagers refused the 'gifts' and violence followed.

A second company, Sicobois, is currently logging in the Lisala territory in Equateur province. In early December, accompanied by local NGOs GAJEN and RRN, Greenpeace undertook a mission in the area of Mondunga. Through interviews and in viewing of medical and other official documents, we were able to reconstruct the drama that began on 17 October. That day, a young woman returning from church choir practice and a young man who had just visited his fiancé, were forced by Sicobois employees into their dump truck, where they were beaten, and the woman according to her medical file, was raped. The two then spent the night in jail in Lisala. The next morning, as an act of revenge, the villagers hauled away equipment from the Sicobois work site. This led to the arbitrary arrests of six people by police and military intervention. These six remained in jail between three to eleven days, and are now out on bail. Only three received official bail documents, including charges. Sicobois partially paid the medical care of the woman but she still suffers greatly from the incident. A legal complaint was filed with the Prosecutor in Lisala against the Sicobois employees.

Continues on page 4...



When did this all start? The answer is a simple one: when Sicobois started logging in the area. When asked, the communities could not think of a single agreement that Sicobois has honoured, and the use of violence is not new in the area. Greenpeace International documented similar events in 2007³. During negotiations on social contracts, communities are left with no choice but to sign and Sicobois does not want to meet or hear the concerns of the local civil society, resulting in a vicious cycle of conflict and violence.

Elsewhere in Equateur, Siforco/Sedaf is logging in the Bongandanga area. In the first week of December, they also called in the police to ‘protect their goods’ near the village of Yakata, where protest had started. The root of the conflict seem to be a toxic mix of internal power struggles in the community and local people that do not see the social obligations of the logging company fulfilled. The police were dispatched to the scene and according to interviews with the local community, three local people got arrested. The following week, Réseau Ressources Naturelles (RRN) reported several human rights abuses to the authorities.

Another company, Cotrefor, also has a logging title in Equateur province in the Mongala district of Bumba territory. Local NGOs reported that after communities protested against the logging operations, three people were arrested arbitrarily and jailed from 25 February to 15 March. According to a recent mission by GAJEN, Cotrefor has now left the area in order to start logging operations

in Ingende area, far away in the south of Equateur province. Communities in Mongala said they were not well informed in advance of the move and have been left with nothing but demolished company buildings, half-built roads, and unfulfilled obligations that were set out in the social contracts.

Donor countries and the World Bank have spent billions of dollars over the years to fund the industrial logging sector in the Congo Basin. The well-worn argument is that this investment leads to local development and income for the State. In its recent report⁴ Global Witness outlined why such an argument is a totally false one when it comes to the DRC. The manner in which Cotrefor left Bumba illustrates how logging companies often come into an area, pillage the forest and then leave. The local people are then the ones left behind, poorer and worse off than before.

The list of conflicts here is far from a complete one. Many conflicts occur in remote areas of the country that NGOs are simply unable to access. This situation has existed for decades now and is a central feature of the industrial logging sector in the DRC. This concession model has to end. We now need to roll out alternative models for timber production, where the forests are managed in a responsible manner, and communities benefit from the process, instead of being the victims. □

² www.ecchr.de/index.php/danzer-en.html

³ *Carving up the Congo*. Greenpeace International, 2007

⁴ *The cut-price sale of DRC's forests*. Global Witness. October 2013



The EUTR hits home for the first time!

Danielle van Oijen, forest campaigner at Greenpeace Netherlands

March 3 2013 marked the first day that the *European Union Timber Regulation* (EUTR) was officially in effect. Under this law, it is prohibited to place illegal timber and products derived from such timber on the European Union market. Operators are required to exercise due diligence to ensure this cannot happen.

Yet, despite this new legislation, illegal timber harvested in the DRC continued and continues to find its way onto the European market. Greenpeace Belgium detected a shipment of hundreds cubic of meters of illegal wengé wood from the Congolese industrial logger *Bakri Bois Corporation* (BBC) that was originally transported and unloaded in the Antwerp port in April by the Swiss-based timber company *Bois d'Afrique Mondiale* (BAM). Months later, we found some of the very same logs stacked at the premises of Danzer Bohemia Dýhárna in the Czech republic and others at a German timber company in the city of Güterslo.

The facts surrounding the wood are crystal clear. According to reports approved by the government from *Resource Extraction Monitoring* (REM) the Independent Observer for Forestry, BBC possesses an illegal concession contract⁵. As if that were not enough, Greenpeace Africa discovered further irregularities, during a field mission with Global Witness and local NGOs, BBC had engaged in logging and trade under an illegally-issued artisanal permit from Forest Pro⁶ and had not been fulfilling its social obligations. Greenpeace immediately alerted the competent authorities in Belgium and then in the Czech Republic and Germany. All started investigations.

In Germany, an article in the magazine *Der Spiegel* on 13 August⁷ suggested that Holz-Schnettler Soest (HSS) is the operator and therefore bears responsibility for the wood under the terms of the EUTR. The Czech Ministry of Agriculture wrote to Greenpeace Czech Republic that FURNIERHANDEL WINSSEN in Germany owns the wood in Czech Republic. And lastly Dreier-Holz was identified as operator by the German government. In November we also learned that one batch of the illegal BBC wood had been sent to Italy but, a clear enforcement failure, the authorities there claimed they were unable to follow up on these reports.

Events finally came to a head in November when the German authorities officially confiscated the BBC wood from two companies that both seem to have appealed. Authorities have not yet determined what to do with the wood still in the Czech

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Republic. The confiscated timber may be sold at market price, in which case the revenues would flow back to the State treasury.

The seizure is a strong signal to Congolese loggers and their buyers that they have to keep their distance from “dodgy” business unless they want to incur large financial losses and reputational damage. According to the German authorities, the details surrounding the case involve forgery of official documents⁶. The phytosanitary certificate and certificate of origin sent by BAM to the German government were allegedly fakes and a letter from the Ministère de l’Environnement, Conservation de la Nature et Tourisme (MECNT) cabinet director claiming legality of the BBC wood was also allegedly a forgery. The German authorities concluded⁶ an EU based operator cannot rely on government documents alone to prove the legality of wood when it is derived from a country or region where corruption is rife. A conclusion that any timber importer from the Congo Basin should take very seriously.

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Greenpeace Africa, Global Witness, Réseaux Ressources Naturelles and Gashe have jointly written to MECNT demanding that the recommendation from the REM reports to cancel BBC’s illegal concession contract is taken up and that the illegal logging and trade by Forest Pro in cooperation with BBC is halted and investigated. The minister, Bavon N’sa Mputu Elimé, replied in a letter dated 16 August, saying that he intended to establish a commission of experts, headed by the Secretary General of MECNT, to look into all the facts we raised. This commission has still not been created and at the end of November, the Secretary General told Greenpeace that he knew nothing of its purported existence nor of our original letter. Yet another example of the organized chaos that is the DRC’s forestry sector.

We will continue to work on these cases and want to see the EUTR utilized to its full potential. All companies involved in the BBC scandal should be prosecuted, including Swiss-based BAM. It would also be helpful if ways were found to use any fines or profits relating to the sold timber for the benefit of Congo’s forest communities who bear the brunt of the ill-effects of large-scale illegal logging. First and foremost, however, it is the responsibility of governments to prevent illegal logging and its related trade. ☐

⁵ Rapport de mission de terrain n° 4, Resource Extraction Monitoring (REM), www.observationrdc.info/documents/Rapport_Rem_004_OIFLEG_RDC.pdf

⁶ Importing timber from the Democratic Republic of Congo: A high-risk business for Europe. Case study II: The first confiscation of illegal timber under the EU Timber Regulation. Updated February 4, 2014

⁷ www.spiegel.de/wirtschaft/wie-illegales-tropenholz-auf-den-deutschen-markt-kommt-a-915804.html

"Sustainable" artisanal logging in the Democratic Republic of Congo: to each his piece of the pie and responsibility

Alphonse Joseph & Maindo Bolongo, Tropenbos International DRC

Artisanal logging is experiencing unprecedented development in the DRC, a country still emerging from years of war and armed conflict. The gradual and inconsistent return to peace means immense reconstruction needs. Consequently there is an ever-growing demand for timber to satisfy the domestic furniture and construction market. Roads and tracks impassable for a long time have been repaved and reopened meaning logging can take place in areas where there was previously no access. Due to the high costs involved, industrial logging is almost exclusively aimed at the

international market, meaning artisanal logging has considerably developed in order to meet increasing national and local demand. Besides the ability to reduce operating costs, various small arrangements are increasing the earnings of artisanal loggers and also allowing many public and private players to benefit as well. Local communities are not left out either, particularly because artisanal logging is mainly undertaken in their forests. The law recognizes local communities' customary rights over forests and land, a prerequisite for artisanal logging. 4



Many villagers in Lokutu make furniture, made from timber cut in the surrounding forests, as a means of income.

All four photos © Greenpeace / Jan-Joseph Stok. Furniture Maker in Congo. 2006

Small local arrangements for all stakeholders

Obtaining a formal permit to log artisanally that complies with all existing regulations can be a difficult process, strewn with administrative obstacles. Small local arrangements are commonplace in this industry and everyone stands to gain, such as central and local government, local authorities, local communities, artisanal loggers, consumers and even the State. In order to operate, an artisanal logger must negotiate with the forestry or agricultural authorities in order to obtain a timber or felling permit. It is possible to obtain a permit from a person not eligible for signing it. Land administrators, sector heads, traditional rulers, environmental coordinators, the military or the police are among the officials who are able to abuse their official authority in this regard should they choose. According to a study we published in August 2012⁸, no artisanal logger possesses all the official documents required to operate legally, but each one has at least one official document authorizing him to operate.

Logging in any community forest is subject to the payment of a customary charge to the owner of that forest. This payment, often pocketed directly by traditional leaders⁹, generally consists of tangible goods (steel sheets, foodstuff, etc.) and money.

Negotiations with communities are often lengthy, laborious and expensive. The customary charge once paid is then often poorly used by community leaders. Instead many artisans and community members prefer negotiating at the foot of the tree to maximize their profits. Showing a lot of imagination, other budding entrepreneurs acquire agricultural concessions where they then log. By reducing their production costs, artisanal loggers can increase their profit margins while providing timber to domestic consumers, which is less expensive than industrial loggers. The consumer therefore stands to benefit from artisanal logging. Last, but not least, the State is not left out despite the fact that a lot of revenue already heads into the pockets of individuals as it can take comfort in the knowledge that local societies are harmonious. Given that the formal employment market is very limited, there is some value in the statement “letting things happen” to limit social tensions due to the lack of jobs and income for thousands of households. ☐

⁸ Le bois à l'ordre du jour.

⁹ Except in a few collector sectors where the community members were able to enforce governance on the customary charge, especially in the Isangi territory in the Eastern Province. In fact, the sector head is accountable to the community. Tropenbos International, 2012 www.tropenbos.org/publications/wood+on+the+agenda:+artisanal+logging+in+dr+congo

Beyond survival concerns, time to think long-term

Short term benefits for various players must not obstruct the fact that in the long term everyone loses, starting with local communities who are largely dependant on the forest for their livelihoods. No one is responsible for the sustainability of forest resources.

This system of survival, without a development plan nor even a simple management of resources, does not in any way guarantee sustainability for forests and its benefits. This is evidenced by the emergence of a new player, the so-called semi-industrial loggers, often with foreign funds, who operate in the artisanal sector with industrial equipment and produce for the international market.

Within the context of sustainable community forest management and the FLEGT-Voluntary Partnership Agreements process into which the DRC has integrated artisanal logging, it is imperative

that there is a complete rethinking of the sector. This needs to take into account, on the one hand, the local practices and interaction of the various participants that allows existing forestry regulations to be enforced properly or adapted to the current situation on the ground. On the other hand it needs to ensure everyone involved finally assumes their role in the sustainable management of forest resources. So ultimately everyone gets not only their piece of the pie but also their share of responsibility.

As well as the benefits, artisanal logging is also often accused of contributing to forest destruction and degradation. It would therefore be interesting to study the contribution of industrial logging to rural household revenues compared with those generated by artisanal logging. This would allow an accurate assessment of the true value that one type of logging provides over the other and in turn help inform policy recommendations. ☐



Children swimming in the waters near their village.

Photo © Greenpeace / Philip Reynaers. Children Swimming in Congo. 2006

The best opportunity to secure a sustainable

Simon Counsell, Rainforest Foundation UK, December 2013

By the time DRC's post-civil war transitional government had been established in 2003, at least 40 million hectares of the country's rainforests had been handed out to logging companies. Some of these were cancelled, but another 15 million hectares of new logging permits were then issued to dozens of companies and speculators in the years to 2006, all in contravention of an official moratorium on the issuing of new logging titles.

Remarkably, the handing out of up to half of the country's entire high forest had been done in the complete absence of any form of forest spatial plan, and through mostly opaque allocation processes. The location of many of them was only known through hand-drawn maps, roughly coloured with pencil. In addition, there exists a patchwork of around 15 million hectares of protected areas, most dating back to colonial times and early independence.

In practice, the majority of the country's forests remain much as they have done for hundreds if not thousands of years: not officially designated or allocated for any specific purpose, but extensively occupied by both farming (Bantu) and hunting-gathering ('Pygmy') peoples, who eke out a subsistence living from the forest. The State claims ownership over all forest land, so can arbitrarily allocate areas for logging, palm oil plantations or other uses, regardless of whether there are forest-dependent people already there.

The outcome of this absence of geospatial planning in DRC's forests is likely to be the unnecessary destruction of highly valuable forest, inefficient conservation programmes and widespread conflict between different forest users. What is needed is a national forest zoning plan, which would set out clearly which areas of the forest are best used for which



future for the rainforest and forest communities

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purposes. There have been faltering efforts to develop such a plan for several years, but only now is work getting under way in three 'pilot' provinces (Maniema, South Kivu and Katanga), funded by the German International Cooperation agency, GIZ.

However, the zoning process itself holds significant risks, depending on how it is done. Such previous exercises, for example in Cameroon, have relied heavily on the use of satellite images and 'top down' designation of large areas of rich and intact forests for industrial logging or national parks. The long-held but 'invisible' customary rights of local communities have largely been ignored. The potential for innovative means of conserving the forest, such as through sustainable community forestry, has been much reduced by squeezing it into impractically small areas. Such a process in the DRC could result in tens of millions of hectares being zoned for 'production' and eventually allocated to industrial logging companies.

The Rainforest Foundation's programme in DRC, which works with members of the local Natural Resources Network, assists forest communities in mapping their local environment. It has shown not only how extensive local peoples' traditional claims over the forest are, but also that it is possible to map this on the ground accurately, quickly and inexpensively (www.MappingForRights.org). The valuable information generated by such efforts can and should be built into the forest zoning process. National plans and maps for DRC's forests should be built from the bottom up, thus recognising existing claims and livelihoods, and seeking carefully to reconcile these with other potential users.

If this is not done, the forest zoning process in DRC could miss the biggest single opportunity available – anywhere on the planet – to secure a truly sustainable future for both rainforest and the people who live in it. □



A woman bends down next to a pile of oil palm fruit that is being burned, during the production of oil.

Photo © Greenpeace / Jan-Joseph Stok. Worker at Palm Oil Plantation in Congo. 2006

Dear readers

Thank you for taking the time to read our newsletter. For us Echoes is the voice of the voiceless, especially local communities, the cry of the rainforest threatened by human activities, the means to ensure that the call of NGOs and other stakeholders involved in forest protection in the Congo Basin is heard. Through this newsletter, we hope to see the contributions of all partners and other people who want to forward their voices to policy makers and share their experiences and knowledge.

Please feel free to send any of your suggestions and ideas for the next newsletter. Visit our website (www.greenpeace.org/africa), join us on facebook or follow us on twitter. I really look forward to enlightening interactions with each of you.



Najia BOUNAIM
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WHAT IS GREENPEACE ALL ABOUT?

Greenpeace is an independent global campaigning organization that acts to change attitudes and behaviour, to protect and conserve the environment and to promote peace. Greenpeace has been working in Africa to end environmental destruction and fighting for the rights of Africans to a healthy environment since early 1990s with the Africa office being established in 2008.

In Africa, Greenpeace Africa focuses on 4 main issues:

1. **Energy:** to advocate for the significant reduction in our dependency on dirty fossil fuels such as coal, and promote renewables as the alternative for all South Africans.
2. **Preventing the Degradation of Marine Eco-systems:** to end illegal, unreported and unregulated fishing and the elimination of destructive fishing practices to ensure sustainable levels of marine life as well as sustainable fishing while providing food security.
3. **Protecting Ancient Forests:** to ensure zero deforestation in the world's intact tropical forests, the destruction of the international

market for illegal timber and to get local communities involved in protecting their forests.

4. **Promoting ecological farming and sustainable agriculture:** to ensure a greater support for ecological farming and halting support for chemical intensive corporate agriculture.

In the Congo Basin

Over 40 million people depend on the Congo Basin rainforest. As a key Congolese activist said "They are fed by it, housed by it, clothed by it, and even healed by it." The rain forest is also home to 270 species of mammals, including the endangered gorilla, the chimpanzee and the bonobo. Destructive logging is one of the biggest threats to the Congo Basin rainforest. Greenpeace seeks to expose these logging scandals in the DRC and to halt the expansion of large-scale palm oil projects until environmental and social safeguards are in place in Cameroon, as well as increase pressure on decision makers to ensure strong environmental and social safeguards are integrated in national forest policies.

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