

EXECUTIVE SUMMARY

SEVENTH NATIONAL FORUM¹: REDD, CARBON MARKETS AND COMMUNITY FORESTS

DATE: 14-15 JANUARY 2010

Participants

The following institutions took part in the 7th National forum: Natural Resources Committee of the National Assembly, legal division of the Environment Ministry (MECNT), Department for Forest Inventory and Management (DIAF)/MECNT, Department for Sustainable Development/MECNT, National Coordination for REDD, Bonobo Conservation Initiative (BCI), Conservation International (CI), Greenpeace, LYNAPICO, Civil Society Working Group on Climate/REDD, CODELT, ODC and OCEAN.

Executive summary of the points of consensus

- Negotiations are underway at international level regarding the establishment of a mechanism that will encourage forested countries to reduce their rates of deforestation and forest degradation (referred to as a REDD mechanism). Within DR Congo, the Forest Code of 2002 (Articles 45 and those following) enshrines the principle of protecting forests “from all forms of degradation or destruction”. However there is as yet no specific legal framework in the DR Congo governing the involvement of communities in the REDD process and carbon markets.
- Climate change affects local communities disproportionately because of their vulnerability, isolation, and strong dependence on forest resources as well as the weakness – or even non-existence – of national structures for the prevention or alleviation of the effects of climate change. For local communities the preservation of their ancestral forests is a priority, more so than for other forest users. In order for local communities to take an active and informed part in the carbon market capacity building will be necessary, and in particular, they will need to have technical knowledge. However, above all, rules of good governance will need to be in place to guarantee that local communities have access to the associate funds.
- The DR Congo has some initial experiences of local communities engaging in the international voluntary carbon market. These include those communities that are members of UGADEC, an organisation based around the Tayna Reserve in North Kivu. With the support of the NGO Conservation International (CI) UGADEC has signed a contract with a foreign investor who will pay the communities to manage and conserve their forests sustainably. The Sankuru Reserve in Kasaï Orientale Province is also engaged in negotiations for a similar contract. These have been initiated by international organisations, and it is they who are leading the negotiations and serving as an interface between local communities and private investors, establishing, for example, the roles and contributions of the different stakeholders and a model for income distribution. Further, both these initiatives are being implemented within nature reserves, which are State-owned forests. Similar initiatives could take place in community forests. However some of the rules that have been

¹ The National Forums are platforms that provide experts, technicians and researchers an opportunity to analyse and reflect on certain notions and concepts related to community forestry.

developed relating to project implementation may need to be adapted.

- The voluntary carbon market and funding mechanisms such as REDD raise, among other things, the question of the legal nature of carbon as an asset or commodity. During the Forum it was concluded that forest carbon as an asset is a forest product like any other. It could, however, be the object of specific regulations, as is the case with some wildlife products. However current practice in the DR Congo suggests that carbon is not considered a “strategic product” or one that can be solely exploited by the State.
- Forest titles will need to be allocated to local communities so that they can become engaged in carbon markets and funds. The difference between “local community forests” and “local community concessions” will give rise to two distinct systems. The “market” approach would be more plausible in those areas of local community forests that have been designated as community concessions, in which the communities in question exercise exclusive commercial exploitation rights. Communities would also need to be given legal status enabling them to interact, negotiate and sign contracts with other rights holders in relation to carbon.
- The area of a local community concession should be flexible in order to accommodate all possible allocations of customarily-owned land and forests within it. This would mean, for example, that a community would have sufficient space for conservation, logging, individual and cultural activities.
- The following questions were raised during the forum: How will local communities be able to quantify the carbon stock sequestered by their forests? What legal, institutional and financial capacities need to be available to communities in order for them to manage this new commodity? What management and negotiation skills are needed within communities for them to effectively engage in REDD mechanisms? How should reference scenarios be determined within community forests and who should determine them?
- It is essential for the REDD national coordination team to put in place a framework to support local communities in managing carbon. For example, the Community Forest Division that is to be created within the Ministry of Environment should engage in existing national REDD platforms; further the country’s Readiness Preparation Proposal (R-PP) for the Forest Carbon Partnership Facility should refer to community forests. Moreover, there is a need to establish mechanisms to monitor and verify activities that target community forests in particular and help to ensure a bottom-up approach. The Clean Development Mechanism (CDM) could also be linked to community forests, as a complement to the REDD mechanism which is still in the preliminary stages.² REDD preparation funds could also be used to establish the first community forests given the crucial role that these communities could play for REDD.
- A national framework for consultation and discussion between local communities involved in carbon mechanisms could also be established to facilitate synergy amongst communities across the country.
- The DR Congo could develop its own social standards for carbon finance. Failing this, or in addition, it could link into existing global initiatives, such as those on “social carbon”, in order to ensure the equity, sustainability and good governance of its national programmes.
- The traditional knowledge of indigenous and local peoples must be taken into consideration within the context of REDD+ as an element of sustainable forest management, for example, rules relating to sacred forests and other traditional practices that help to reduce forest degradation and encourage regeneration. This would entail linking REDD objectives with beneficial traditional practices and these should be inventoried for this purpose.
- “Free, prior and informed consent” (FPIC) was noted as an essential tool for the REDD process and for carbon transactions in the DR Congo as this concept will ensure that local communities are

² The CDM consists of industrialised countries paying for projects that reduce or prevent greenhouse gas emissions in less wealthy countries and being compensated with credits that they can use to achieve their own emissions targets.

consulted and involved. During a previous forum that focused on FPIC (National Forum 5) it was agreed that a National Guide on FPIC should be developed.

- The link between local communities and the carbon market could either be direct or indirect, the latter through an intermediary individual or organisation. To protect local communities from irresponsible speculators, intermediaries, and private agents, a national guide and code of conduct should be developed to promote local community interests in carbon finance and to clarify issues such as the distribution of income and costs. Carbon contracts involving local communities could also be published. In essence what is required is a reflection on the role of the State in those carbon transactions that involve local communities. Further, consideration is needed of the possibility of establishing an independent body mandated to watch over the balance of interests between stakeholders.

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