

FROM ABUSE TO POWER ENDING FORTRESS CONSERVATION IN THE DEMOCRATIC REPUBLIC OF CONGO

FREQUENTLY ASKED QUESTIONS – AUGUST 2024

1. What is fortress conservation?

Fortress conservation is a conservation model found around the world aiming to protect biodiversity and ecosystems by preventing human activity and disturbance. A government determines a certain area to be "protected area" which is off limits to people, supposedly to prevent poaching, logging, hunting, mining, and other destructive activities. But livelihood activities such as grazing cattle, collecting wild food and plants, and farming are also banned, often by militarized ecoguards or rangers. With its core aim being the preservation of flora and fauna, fortress conservation often comes at the expense of the Indigenous Peoples and other local communities. Those who have stewarded the land for generations are forcibly expelled – their traditional livelihoods and means of survival upended.

Fortress conservation finds its origins in the Middle Ages when European kings set aside territory for royal hunting. The shift to using fortress conservation to protect nature began in the 19th century when the United States created its national park system, beginning with Yellowstone National Park. It has since expanded to become the dominant form of conservation in the world, particularly in the Global South.

2. What does the history of conservation look like in DRC?

DRC has 41 Protected Areas (PAs) that cover 14 percent of the country's territory and span 32.43 million hectares. DRC's PAs include nine national parks – five of which are listed as UNESCO Heritage Sites – as well as 32 areas of other kinds, such as hunting areas, biospheres, community reserves, and more. If all of DRC's PAs combined were a country, it would be larger than Norway.

From 1885 to 1908, what is today DRC, was ruled by Belgium's King Leopold II as his own personal colony and was under the control of Belgium from 1908 to 1960. The first PA in the country was created by King Albert I, who after visiting Yellowstone National Park was inspired to create Albert National Park in 1925, today known as Virunga National Park. In 1960, the country achieved independence from Belgium, and soon fell under the control of Western-backed dictator Mobutu. Mobutu saw PAs as a way to increase his government's territorial control and to curry favor with Western countries. In the 1960s and 1970s, through a series of laws and presidential decrees, Mobutu established numerous PAs and a national conservation authority, the Institut Congolais pour la Conservation de la Nature (ICCN), to run them.

3. What is the impact of fortress conservation in DRC?

Fortress conservation has decimated Indigenous Peoples in the DRC – expelled from the land used to create PAs, usually with no compensation, no alternative lands or livelihoods. The report provides two examples of this: Salonga National Park and Kahuzi-Biega National Park (PNKB).

Following the creation of Salonga in 1970, hundreds of local communities were evicted. Most of them were removed by force and ordered to establish new villages in the area known as the Monkoto corridor, a 45-kilometer strip of land between the two large blocks of SNP. Until 2006, locals could maintain their subsistence economy and access their traditional territories within the park by paying a tax to the security forces patrolling it. This, however, changed after 2006, when people were not allowed anymore to access their ancestral land. Barred from performing their livelihood and cultural activities, community members started being subjected to violence and horrific abuses perpetrated by security forces against those found in the park.

When PNKB was created in 1970, no consultations with local communities were held, nor was any compensation paid to them. They were simply expelled by force. The creation of the park had profound consequences on the livelihoods, health, social institutions, and cultural practices of the people who were expelled. Indigenous Batwa have depended on the forest for thousands of years, cutting them off from the park deprived them of the food and medicine they need to survive. In the 20 years after the creation of Kahuzi-Biega, half of the evicted Batwa perished. To this day, disease runs rampant in Batwa communities around the park. Taking away their land has left the Batwa incredibly destitute and vulnerable to exploitation by other groups. To survive, they have been enslaved or forced to work with little compensation. Others have become beggars and hawkers. Some have resorted to illegal means to make ends meet –producing charcoal or mining in PAs, or stealing. Batwa girls are often raped.

4. What is the relationship between war, extraction, and conservation in eastern DRC?

It is impossible to separate fortress conservation from war and mining in eastern DRC. Since the 1990s, DRC's neighbors Rwanda and Uganda have been waging war in the country's east, either directly with their own forces, or by funding armed groups to fight on their behalf. The two countries have been fueling the violence by leading the highly lucrative illicit extraction of eastern Congo's minerals including gold and the world's largest reserves of cobalt (used in batteries) and coltan (used in modern technological devices).

In recent years, Rwanda and Uganda have been supporting the rebel group M23, which has taken over much of eastern Congo, captured many mines, and perpetrated egregious human rights abuses. The instability Rwanda and Uganda have wreaked on the region has caused many Congolese locals to form militias to defend themselves. In all there are over 120 armed groups operating in eastern DRC.

Many of the armed groups present in the area mine minerals to fund their operations including in so called protected areas. Large amounts of minerals are then smuggled into Rwanda or Uganda, which then export them into global supply chains.

Extraction and conservation are also extraordinarily tied by the fact that beyond minerals, the park areas are used for charcoal production, logging, and hunting of game that supply mining camps and towns with food and fuel.

5. With the war raging in eastern DRC, isn't fortress conservation the only way to protect parks against the activities of armed groups?

With the war raging in the east, placing armed guards to defend wildlife and local communities might make sense. Unfortunately, it doesn't work out that way. Fortress conservation in DRC is predicated on park guards and the Congolese military stopping people from entering PAs. However, security forces have been known to collaborate with armed groups, either by taking bribes to look the other way, taxing the extractive activities and the transport, or by running their own mining operations. The Congolese military has also been involved in illegal wildlife trafficking and poaching in PAs. In short, the people meant to defend PAs are involved in their destruction. The report details how Indigenous people are targeted and arrested for entering the park or poaching, while other actors are allowed to pursue their extractive activities in the same areas.

At the core of fortress conservation is the removal of its Indigenous inhabitants. Indigenous Peoples have been living in what are today PAs for thousands of years and have maintained a healthy balance between providing for themselves and nurturing and protecting the nature. By

forcibly evicting them, fortress conservation deprives the forest of its guardians, instead creating a vacuum allowing others to come for predation and extraction. Fortress conservation in DRC has failed in large part because its core tenants incentivize the mining and other extractive industries that destroy the PAs in the first place.

6. Have conservation organizations such as WWF and WCS addressed the problematic issues with conservation in DRC?

The measures taken by Conservation NGOs WWF and WCS are far from addressing the concerning issues raised. Despite announcing a change of paradigm towards "community-led" conservation, they have taken window-dressing measures and actually not considered allowing Indigenous people to return to their land. Measures such as training of eco-guards on human rights, grievance mechanisms, or allowing some hand-picked Indigenous representatives to participate in the management structure of the parks does not address the problems of communities having lost their land and their livelihoods and being subjected to continued abuses if they try to enter protected areas. Violent raids by ecoguards and the Congolese military, involving killings of Indigenous people detailed in the report, have continued in 2024. As these recent events and the report show, it is not a matter of training or safeguards but the key issue remains the land dispossession, the exclusion of Indigenous communities from their land, and the violence they continue to face from the conservation apparatus.

The report questions the true commitment of organizations such as WWF and WCS to community-led conservation and human rights as they seem more inclined to preserve their image and funding from donors rather than drastically changing their approach. They continue to publish feel-good reports and statements, drum up narratives of wildlife under attack from poachers, only to be thwarted by heroic park guards. Park officials for their part propagate false narratives of Indigenous "environmental destroyers" that must be stopped by conservation measures. These narratives conveniently ignore how PAs themselves incentivize poaching, the minimal role of Indigenous Peoples in destroying the environment, and other main drivers of deforestation and biodiversity loss such as war and extractive activities.

Western donors supporting conservation in DRC appear satisfied with the window-dressing measures and not ready to change their approach either, despite congressional hearings that have taken place in the US and the mass of evidence provided by human rights organizations and academics. Funding continues to flow in with no change in sight.

7. What is wrong with the measures taken by these conservation organizations such as WWF and WCS?

WWF and WCS have announced a number of "reforms" such as social safeguards, human rights training for park guards, grievance mechanisms (systems for locals to submit complaints), and even a change of paradigm towards community-led conservation. However, their measures do not address the problem.

For example, the concept of training park guards on human rights is built on the flawed assumption that African park guards just don't know right from wrong. In fact, the report documents how park guards are acting on orders from park management, i.e. ICCN, WWF and WCS. The recent hiring of human rights officers participates to the same logic. Another example is the suggestion boxes WCS and park officials have placed around Kahuzi-Biega. While seemingly a good idea, the park requires people filing complaints to include personally identifying information and the park is the one processing the complaints. Given the documented park's history of targeting critics, this "grievance mechanism" bears significant risks for those complaining.

In 2022, WCS announced working on a "new paradigm of community-led conservation" and a new Public-Private Partnership for the management of Kahuzi-Biega, stating it "will initiate a process of dialogue and consultation to set up a board that reflects both the voice and agency of the Batwa and other local groups in the management of the park." However, these positive aspirations do not match the actions. In September 2022, PNKB announced that it will create a council to govern the park comprising of 11 members: Four appointed by WCS, three appointed by ICCN, two members of civil society, one Batwa, and one other community member. With Indigenous communities still excluded from their ancestral land in the park, it is puzzling that community-led conservation can just translate into the appointment of one or two hand-picked community members to a council to be created.

8. The Batwa have been accused of contributing to deforestation by illegally producing charcoal in Protected Areas. Don't they need to be prevented from doing such environmentally harmful practices?

Former Deputy Director for PNKB, Innocent Mburanumwe, is cited in the report as saying: "The whole forest has been burned down by the pygmies. They made a lot of money with the charcoal." FARDC General Mundindo Akili "Mundos", who was appointed for a time to a high-level position in the PNKB administration, used the term "terrorist" to refer to the Batwa who had returned to their ancestral lands in PNKB.

Some Batwa do engage in charcoal production. The park authorities' exclusive focus on the Batwa as environmental destroyers, however, obscures some key features of the larger context for PNKB's charcoal trade. First, the charcoal trade is not the principal driver of deforestation. Key factors are the long-term civil war and the resulting displacement, mining, and logging activities, as well as poaching and illegal wildlife trade by armed militia groups and the military. Furthermore, the charcoal trade involves large numbers of people. As documented in the case of Virunga, it employs thousands in various roles: producers, transporters, traders, armed protectors, taxing agents and financiers. Thus, even though some Batwa may be involved in the trade, they are certainly not alone or leading it.

Furthermore, Batwa who are involved in the illegal charcoal trade do it as a coping strategy to survive. Their land and livelihoods were taken away from them along with their means for survival. They haven't received compensation or land in replacement. The work that does exist for Indigenous Congolese is extremely low paying or outright slavery.

Blaming the Batwa for deforestation is a way for park officials to justify the repression they have continually inflicted on Batwa communities and to deflect responsibility for their own role and the activities of a range of actors in extraction and environmental destruction. Meanwhile, the extractive mining activities inside and outside the parks continue with no mitigation.

9. If Rwanda and Uganda are supporting or giving haven to M23 and other armed groups, how are Western countries responsible for what is going on in the DRC? What can be done to address the situation?

Rwanda and Uganda have been two of the Western world's strongest allies in East Africa for decades and have received significant military aid, military training, and economic assistance from countries such as the United States, the UK, and France, as well as the EU. The military aid Western countries provide directly supports the wars that Rwanda and Uganda have been waging in DRC for three decades. Therefore, Western countries bear substantial responsibility for the current violence and instability in eastern DRC.

Western corporations also bear responsibility since they purchase minerals mined by armed groups in DRC and smuggled to Rwanda and Uganda. Many of these armed groups, such as M23, are directly supported by the two countries. By purchasing the minerals mined in eastern DRC, such as coltan, cobalt, and gold, Corporations actively finance the armed groups that have wrought violence and havoc in the country and which have contributed greatly to environmental destruction in DRC. Since 1996, around six million Congolese have died due to fighting raging in the east.

Western countries must end their support to Rwanda and Uganda and ensure that no minerals mined by or benefiting armed groups in eastern DRC are purchased by Western corporations for use in their products.

10. The report points to the relationship between conservation and extraction and to the ineffective traceability schemes to screen out conflict minerals. What more can be done about this situation?

Governments and international organizations have established laws and initiatives meant to prevent conflict minerals" – minerals mined in war zones – from being used in products sold in global markets. But they don't work for a number of reasons detailed in the report. Laws passed by the US and EU are either not enforced or lack substance to begin with.

Traceability schemes are measures put in place to track conflict minerals at the point they are mined so they aren't used in the supply chain. The International Tin Supply Chain Initiative (ITSCI) is the dominant traceability scheme in DRC and has auditors "tag" minerals as "conflict free" when they are mined, indicating to buyers that they are not conflict minerals. However, due to corruption involving government officials, conflict minerals are often tagged as conflict free, especially in eastern DRC, and likely at PAs since many conflict minerals are mined there by armed groups.

The reality is that there is little incentive for corporations and governments looking out for their interests to have traceability schemes actually work. The ineffectiveness of laws passed by Western governments and the traceability schemes created by international organizations serves interests of the corporations buying the minerals, especially tech giants such as Apple, Tesla, and Intel whose products have included conflict minerals (see Global Witness' <u>report</u>).

Governments and international organizations must pass and enforce laws guaranteeing that conflict minerals mined in DRC and elsewhere are not used in any of their products. That way, corporations are not financing the violence and instability that has killed six million Congolese over the last three decades.