



Towards a just transition in Africa

Green financing for conservation, nature-based solutions and resilient rural livelihoods

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Ladies and gentlemen,

By speaking in these places, all my thoughts are turned towards the local communities, particularly those who live on the periphery of the protected areas. Between the human/wildlife conflict, the claims of their customary lands and the desire to continue their traditional and subsistence activities, the question of maintaining their way of life has never been so significant. We saw it in March and May 2021 in Mékambo and Mayumba, on the outskirts of the Mwagna and Mayumba national parks. By revolting, these populations launched a cry from the heart in the direction of the authorities. They were in favor of better consideration of their rights and interests in the management of natural resources.

When researchers or leaders of non-governmental organizations talk about the link between conservation, rural resilience and job creation in a theoretical way, Gabonese populations analyze it in the light of their daily lives. They question land tenure, the legality of buffer or peripheral zones as well as the responsibilities of the State regarding them. Concretely, they ask for the right to hunt and fish freely, the right to carry out gathering activities, likely to provide them with income, as well as the right of access to land for their plantations. Land rights, rights of access to resources and the development of income-generating activities are at the heart of their concerns. These demands reflect their desire to take responsibility for themselves and to achieve an improvement in their living conditions.

At Brainforest, we are not insensitive to these claims. We feel challenged because we consider that conservation presupposes social sustainability, intragenerational distribution and intergenerational transmission.

Ladies and gentlemen,

Conservation is not limited to the protection of nature and renewable natural resources. It extends to rational use for the benefit of present and future generations. It requires scientifically objective monitoring and assessment of available stocks to develop sustainable management strategies. The protection of nature and renewable natural resources is based primarily on land use planning and ecological monitoring.

However, by definition, spatial planning is the action of disposing, through space and in a forward-looking vision, people, and their activities as well as infrastructures, considering natural, human and economic constraints. As for ecological monitoring, it is the art of measuring the abundance, distribution, body

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condition and population dynamics of different species. Linking conservation, rural resilience and job creation requires data.

Data on monitoring and management measures: list of indicator species, kilometric indices of abundance, flight distances, traces of anthropogenic activities, observation points, listening points, etc.

- Data resulting from biological inventories: Given the species richness of our ecosystems, these inventories must continue. Better still, their results must be made available to everyone. For the moment, they are confidential and too often subject to caution since many experts believe that they are manipulated for fundraising purposes.
- Data resulting from demo-land surveys, environmental impact studies and socio-economic studies as well as wildlife protection plans carried out as part of the formulation of management plans and/or development plans layout.
- Data specifying the extent as well as the limits of the buffer zones and peripheral zones of the protected areas. As required by the law on national parks, these limits must be recorded in regulatory acts which, themselves, must be published.
- Data on tourist activity to achieve the establishment of a benefit sharing system, in accordance with article 3 of the law on national parks.
- Data on the involvement of populations in tourism activities and support for community tourism initiatives, a source of employment for the populations.
- Data on the methods of organization of populations, on capacity building mechanisms and on land management programs.

Ladies and gentlemen,

If we want to achieve adequate development and sustainable management of natural resources, we must have a good knowledge of the natural environments, the processes that take place there and forecasts of the evolution of the socio-economic environment. Today, as we all know, Gabon has neither a database nor a meta-database that can be consulted by everyone, particularly by local communities. Building such a tool is therefore a top priority. An open database will not only make it possible to achieve more transparent management of the Gabonese forest massif, but also to better involve local communities and increase the accountability of decision-makers. Therefore, we must, all together, reflect on the effectiveness of the rights of local communities, mainly procedural rights as defined by the Aarhus Convention: right of access to information, right to participate in the process decision-making and the right of access to justice.

To date, public information circulates little and badly, its dissemination being subject to the discretionary power of the administration, which too often falls into propaganda or the political instrumentalization of the environmental cause.

Yet provided for in article 290 of the forest law, the annual report on the state of Gabonese forests is never published. Such a report can contribute to the maximum disclosure of technical information essential to a better consideration of the interests of the parties. Among this information, I will cite, pell-mell, the detailed maps of forest permits, the list of forest titles with the identities of the holders, the list of violators of the legislation, the agreements made between the companies and the populations, the geographical and topographical coordinates of the village's signatories of the contractual specifications, etc. Because all this data is either non-existent or confidential, the forestry sector is going from corruption scandal to corruption scandal, as shown by the legal setbacks of the Director General of Forests in office.

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Even if the laws relating to the environment and forests offer local populations some means of collaboration with the administration, their participation in decision-making is limited to the operations of allocation of community forests. Rarely, the administration feels the obligation to collect the opinions of the parties, as demonstrated by the systematic use of orders. However, as we know, not only do ordinances make it possible to bypass Parliament or at least place it before a fait accompli, but their long-term validity is not guaranteed since they must be subject to ratification. Worse still, prescriptions make it possible to avoid technical and scientific debate. Can we achieve sustainable management of natural resources by avoiding technical and scientific debate? I doubt.

Yet considered a very long-term process, climate change is dealt with in Gabon by an ordinance, as if it were an urgent and very short-term issue. Furthermore, the local management advisory committees provided for in the law on national parks have never been enshrined in a regulatory text specifying their composition and functioning. When they exist, CCGLs evolve illegally, informally and arbitrarily, the administration of the park concerned having full latitude to impose its views on stakeholders, particularly local communities.

Because Gabon does not recognize any non-judicial means of settling disputes (mediation, arbitration, conciliation), access to justice there remains uncertain. If they can resort to justice, local communities never engage the responsibility of decision-makers, including when their rights are violated. Quite the contrary. As we have seen in Mekambo or Mayumba, they are either intimidated or corrupted with hard cash, or ignored. All of this distances us from the environmental democracy stemming from principle 10 of the Rio Declaration.

Ladies and gentlemen,

Conservation cannot be done to the detriment of populations or according to backward-looking or even colonial schemes. It must be inspired by the Rio Declaration, in spirit as well as in letter. If we focus on acting in the spirit of Rio, we can reconcile conservation, rural resilience, and job creation. We could, a little bit, get closer to the dream of Omar Bongo Ondimba who, on January 4, 2002 in Johannesburg, said he wanted to make Gabon "The Mecca of nature." By respecting procedural rights, people are allowed to enjoy their substantive rights. By recognizing their substantive rights, they are empowered and better able to contribute to activities. This is the main challenge we face. At Brainforest, we believe that we must go further than customary use rights. We believe that it is necessary to consider making the terms and conditions for marketing the products derived from it more flexible. That the legitimate land rights of communities must be recognized. We also believe in going beyond the financial aspect of profit sharing. We must consider its social and economic dimension. Every day, we work to facilitate people's access to basic infrastructure or the recognition of a right of first refusal on jobs in protected areas, forest concessions and other investments in the forest environment. Let us also work to organize communities into cooperatives, build their capacities and facilitate the development of income-generating activities. Above all, let us work to equip ourselves with a complete, flexible and modern legal corpus. This is how we will guarantee the legality of our actions, how we will ensure the legal protection of environmental defenders. Finally, this is how we will get local communities out of legal uncertainty and create the conditions for their full involvement in the process.

Thank you

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