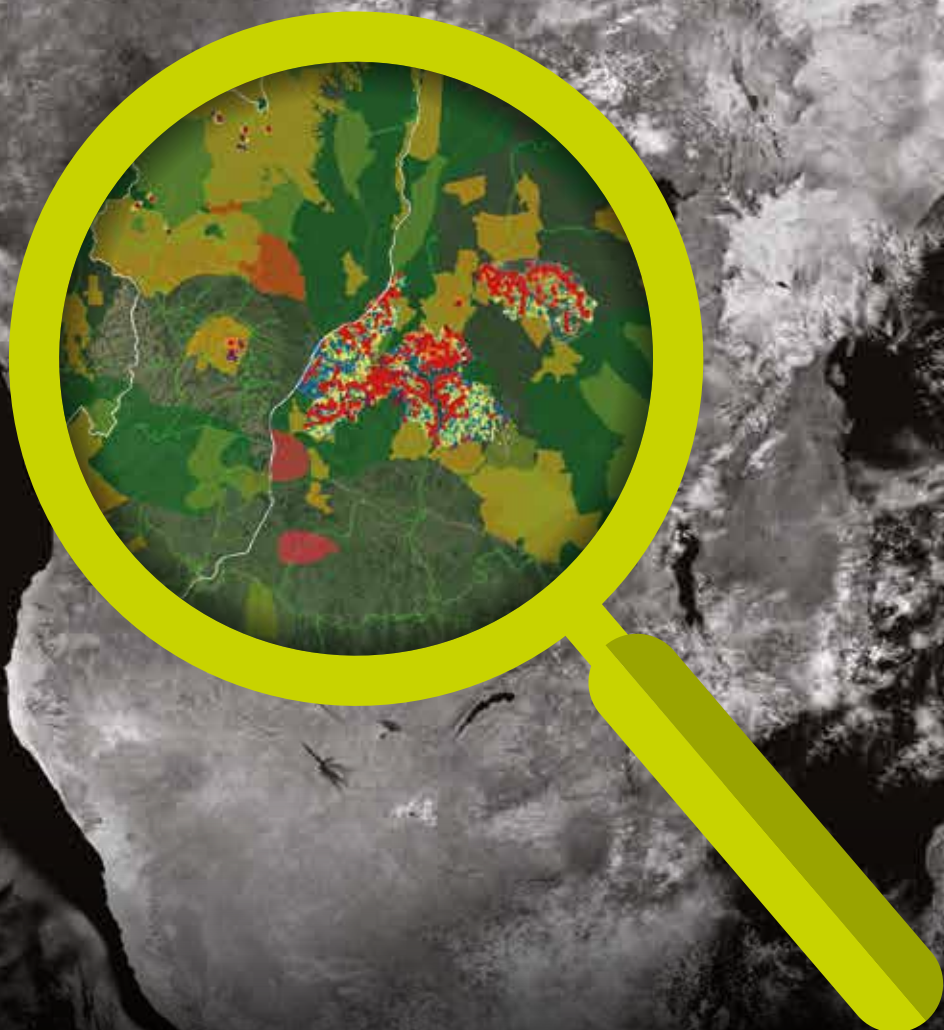


**PROTECTED AREAS  
AND COMMUNITY  
RIGHTS: USING LOCAL  
MAPS TO SUPPORT  
SUSTAINABLE  
CONSERVATION IN THE  
CONGO BASIN**



# 1. SUMMARY

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The best conservation projects start with people. Yet protected areas in the Congo Basin continue to be established and managed with poor consideration for local communities' land and resource rights, fostering conflicts and human rights abuses. A lot of these toxic situations could be avoided if thorough participatory community mapping data, such as collected through [MappingForRights](#), was used at the outset of all planned conservation projects, and integrated into all decisions related to protected area management.

## 2. HOW THE CURRENT CONSERVATION APPROACH FAILS TO TAKE INTO ACCOUNT LOCAL CUSTOMARY TENURE (AND WHY IT MATTERS)

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It is widely recognised that indigenous and local communities must be consulted before conservation areas are set up on their lands and that they should be fully engaged in the management of the natural resources they depend on. Their rights to consultation, free, prior and informed consent (FPIC) and participation are enshrined in a number of international legal instruments and are for a large part reflected in the policies of conservation organisations and their main donors.<sup>1</sup>

However, the reality is that national parks and other conservation areas in the Congo Basin are established and managed largely in disregard of the customary tenure systems already in place, as well as for the historical, cultural or socio-economic realities which have shaped these areas and ecosystems over millennia. Despite them being the traditional rights-holders, and having a vested interest in protecting the natural resources they depend on, communities are very rarely consulted before the establishment of protected areas on their ancestral lands, and largely sidelined in subsequent management decisions.<sup>2</sup>



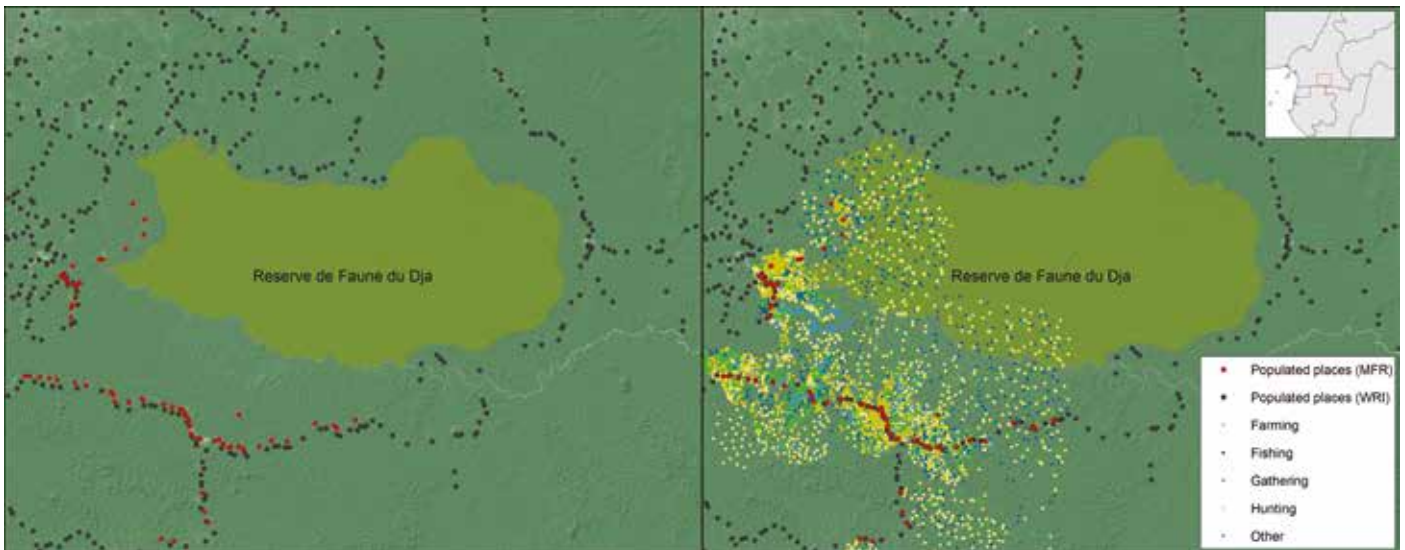
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<sup>1</sup> See obligations under the Convention for Biological Diversity (CBD), as well as the right to FPIC, as stated in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

<sup>2</sup> See RFUK (2016) 'Protected areas in the Congo Basin: Failing both people and biodiversity?' Available at: <https://www.rainforestfoundationuk.org/media/ashx/protected-areas-in-the-congo-basin-failing-both-people-and-diversity-english.pdf>

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## MAP 1 - COMMUNITY MAPPING AROUND THE DJA FAUNAL RESERVE, CAMEROON



*Community mapping around the Dja Faunal Reserve, Cameroon, showing that livelihood activities of indigenous Baka communities extend far beyond the immediate vicinity of the village or “community”. Source: MappingForRights, CED, APIFED, WRI*

Research by the Rainforest Foundation UK (RFUK) and local partners into 34 protected areas across the Congo Basin found no evidence of adequate documentation (such as mapping) of customary tenure taking place prior to, or informing, protected area creation.<sup>3</sup> As a result, protected areas are almost universally superimposed on lands that are customarily owned and used by local indigenous and farming communities. In an overwhelming number of cases, the creation of the protected area has involved some form of displacement of local communities, from physical relocation of

entire villages to economic displacement of people who see their access to land or resources limited or even entirely prohibited, with immense impacts on their economy, culture, livelihood and identity. Severe restrictions on livelihood activities – largely incompatible with the (usually poorly documented) local economies – are put in place and enforced by often abusive “eco-guards”, fuelling conflict and resentment amongst communities. Alienating communities in this way is not only detrimental to human rights but also to the long-term effectiveness of conservation measures.

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<sup>3</sup> In only 12 of the 34 protected areas analysed have local communities been consulted at some stage, and in only two of these cases did consultations take place before the protected area was created, according to publicly available data. Similarly, in only four of the 34 areas surveyed have local communities been reportedly involved in management decisions (although these reports do not come from communities themselves). See RFUK (2016) and [www.rainforestparksandpeople.org](http://www.rainforestparksandpeople.org)

### 3. HOW MappingForRights DATA COULD BE USED TO INFORM CONSERVATION POLICY AND PRACTICE AND UPHOLD COMMUNITY RIGHTS

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Many of these problems could be avoided if sound documentation of customary rights and land use patterns was carried out and used to inform protected area creation and delimitation, as well as management decisions regarding resource access and use (“zoning”).

Current methodologies that are used by conservation managers to document human presence (if it is done at all) are often inadequate. Remote sensing, in particular, has huge limitations. While it can detect different vegetation types and quality, permanent villages and large tracts of land used by sedentary farmers, it cannot capture customary rights and low-impact traditional forest usages under the forest canopy. The impacts can be particularly acute for

semi-nomadic hunter-gatherers but also for Bantu farming communities whose livelihood activities also often take place over large areas located far from the immediate vicinity of the village or “community”.<sup>4</sup>

Any map that merely shows permanent villages therefore only shows one small part of the picture (see Map 1, for example). While some ground mapping may take place, it typically only happens after the protected area has already been established. Such exercises have typically not involved all members of the community and have often been used as a management tool to restrict forest access rather than to secure land rights (see Map 2, for example).



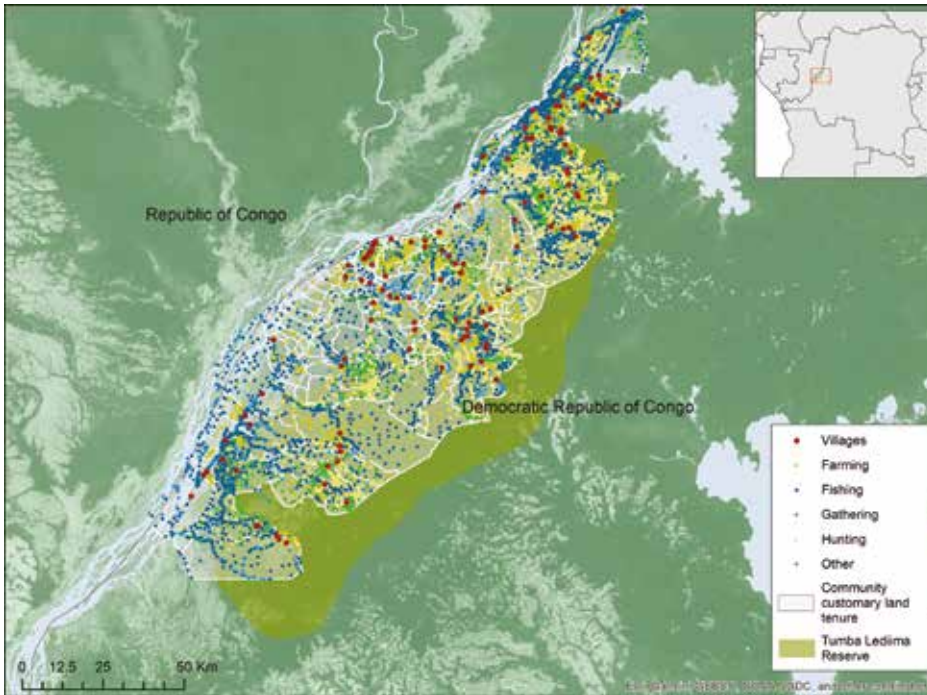
*Photo credit: Kate Eshelby*

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<sup>4</sup> For example, in the cases of Bouma Bek National Park and Nki National Park, in Cameroon, it is only after the two parks were established that the conservation agency which helped set up the parks (WWF) discovered that almost all of the lands covered were used by indigenous peoples (a large part of these lands and resources were mapped by RFUK and its local partners, as can be seen on [www.mappingforrights.org](http://www.mappingforrights.org)).

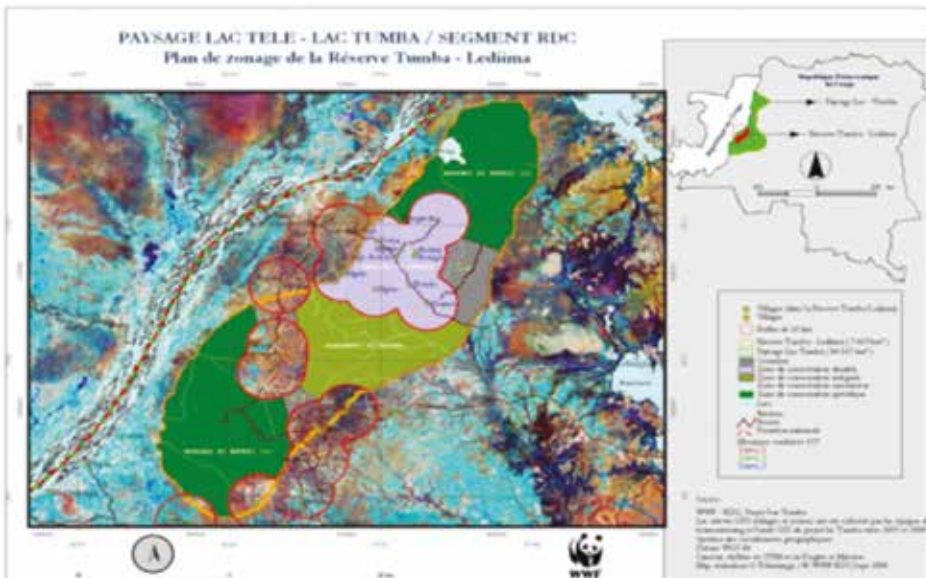
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## MAP 2 - COMMUNITY TENURE AND TRADITIONAL ACTIVITIES IN THE TUMBA LEDIIMA RESERVE, DRC



Participatory community mapping has shown nearly the entire Tumba Lediiima Reserve in DRC, created in 2006, is superimposed over existing customary claims and usages of more than 100,000 people. The protected area is a source of widespread conflict in the area. Similar situations are found across the region's protected area network.

Source: MappingForRights, GASHE, CADEM, RRN.



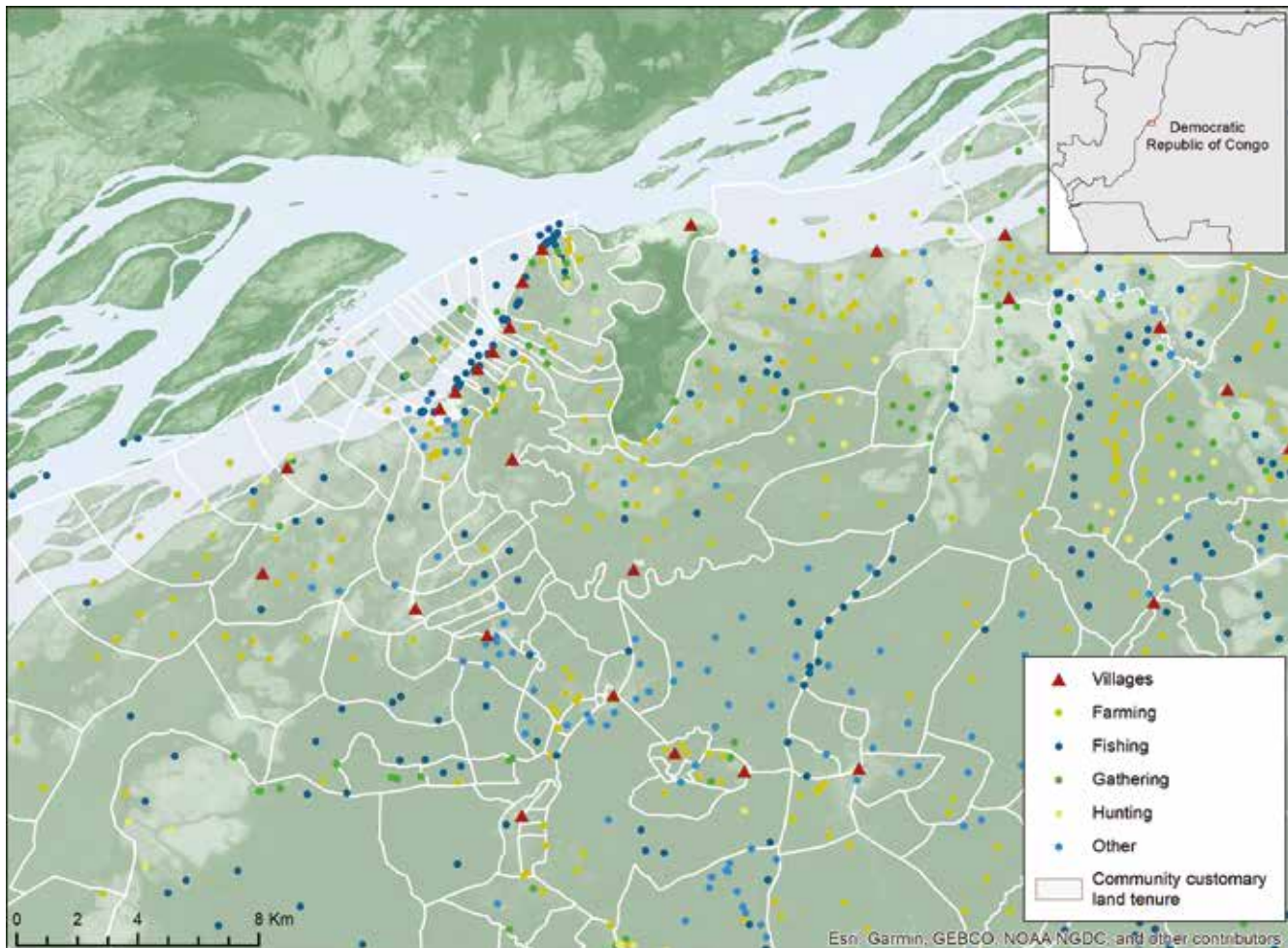
Proposed zoning plan for Tumba Lediiima Reserve. Source: PLACEBCo/WWF, 2015.

Areas in purple show areas of 'sustainable conservation', whereas those in green show strict conservation measures. Entire villages have been omitted and current resource use patterns grossly ignored.

RFUK and its local partners have conducted community mapping in and around 12 protected areas in the Congo Basin to date.<sup>5</sup> The data has been collected by community mappers using a set of approaches and techniques that combine modern cartographic tools with participatory methods (such as semi-structured interviews, diagramming and visualisations). The methodology uses cost-effective, easily transferable technologies and is based on enabling communities themselves to lead the mapping process. The data collected so far provides valuable information on land tenure and resource use, and presents information that is often missing from official maps such as customary land boundaries, traditional and natural resource management practices and sacred areas.<sup>6</sup>

These tools and this wealth of data could be tapped into to inform the delineation of new protected areas as well as, for those protected areas that are already in place, all decisions related to resource management and zoning. It could also serve as a basis for the set-up of community-level natural resource management structures (see Map 3). Indeed there is widespread evidence that forests managed with/by local communities offer better conservation outcomes than exclusionary, top-down protected areas. Conservation organisations and their donors are putting an increasing emphasis on the promotion of “community-based natural resource management” in some areas, but there is a long way to go before this becomes properly embedded in programmes in the Congo Basin.

### MAP 3 - CLAN-BASED COMMUNITY TENURE AND RESOURCE USE SYSTEMS IN EQUATEUR PROVINCE, DRC



The map shows highly intricate, extensive and contiguous system of customary rights and forest management systems, mainly organised around clan-based tenure parcels that are generally very well defined and accepted locally, each with its own rules governing access and use of forest resources. These could form the basis of community-level protected area management. Source: MappingForRights

<sup>5</sup> These protected areas are: Tumba Lediima Reserve in DRC, Odzala- Kokoua National Park in the Republic of Congo, Pongara, Waka, Ivindo and Minkébé national parks in Gabon, Campo Ma’an, Boumba-Bek, Nki and Kom national parks and Dja reserve in Cameroon, and Mbaéré Bodingué National Park in the CAR.

<sup>6</sup> RFUK (2015) ‘The Mapping For Rights Methodology: A new approach to participatory mapping in the Congo Basin’. Available at: <https://www.rainforestfoundationuk.org/media.ashx/2909565-eng-low-res.pdf>

## 4. RECOMMENDATIONS

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As countries pursue the Convention on Biological Diversity's Aichi Targets of having at least 17 per cent of their national territory under protected status by 2020, lessons must quickly be learnt. A paradigm shift is needed whereby forest peoples are treated as playing a central role in protecting and managing the forests they depend on. This starts with giving due consideration to their customary tenure and resource usage patterns, demographics, and traditional conservation knowledge. Participatory mapping, capitalising on initiatives such as [MappingForRights](#), should systematically be used for protected areas' identification, categorisation, delineation and zoning.

Specifically in terms of documentation and treatment of land rights, we recommend that conservation organisations, international donors and Congo Basin governments:

### **Where there are proposals to create new protected areas or extend existing ones:**

- Ensure that thorough documentation and recognition of customary land claims and resource use patterns and FPIC are prerequisites to any proposed project.
- Consider whether the area in question could be better protected through indigenous and/or community-conserved conservation areas (ICCAs) rather than as an exclusionary protected area.

### **For existing protected areas:**

- In the context of an independent review, revise current IUCN categories and management arrangements of protected areas and adapt them to social realities and communities' needs (including easing restrictions, redefining zoning according to customary rights, or others as appropriate).
- Properly document through truly participatory processes the extent of customary land and resource usage rights. These should attempt to represent the situation before the protected area was created. Based on such mapping, bring the relevant communities into the management and planning of protected areas' activities, including the creation of community use/management zones consistent with their livelihoods requirements.
- Provide compensation for communities that have been evicted or displaced or suffered economic damage, including restitution of the ancestral lands that have been taken into protected areas from local and indigenous communities.



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# PARTNERED BY:

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**R RAINFOREST  
FOUNDATION UK**  
SECURING LANDS, SUSTAINING LIVES

2-4 The Atelier, The Old Dairy Court,  
17 Crouch Hill, London, N4 4AP,  
United Kingdom  
+44 (0) 20 7485 0193  
info@rainforestuk.org

Rainforestfoundationuk.org  
twitter.com/RFUK – @RFUK

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