

Executive summary

This study has been commissioned by the Ministry of Forest Economy, Fishery, Environment and Conservation of Gabon. It has been carried out by a multidisciplinary team of national and international consultants with a view to the finalisation of the Forestry and Environmental Sector Programme. It constitutes a complementary study to that carried out by the Buursink Company in 2002 and is partly based on it. It has two main objectives: a) to plan strategies to enhance the positive impacts and mitigate the negative impacts when getting operational and b) to outline a strategy for the PSFE to meet international standards. The Ministry of Forest Economy, Fishery, Environment and Conservation has decided to use the social and environmental safeguard policies of the World Bank to meet these standards.

A) Sectoral Impact Assessment relating to a national program

This EA covers the forest, fishing and environment sectors as a whole. It examines the sectoral policy developed by the Government within the framework of the Letter of Policy for the sectors of forest, fishing and aquiculture, protected areas, environment and training, as well as the new PSFE program seen as an instrument of institutional support to the implementation of this policy. It proposes courses of actions and mitigation measures in order to reduce the negative impacts and to optimize the positive impacts of the program.

- ☞ National Geographic Coverage. The PSFE covers the whole of the country, without limiting itself to a particular site. The activities of the program will apply to any site of the country
- ☞ Sectoral Thematic Coverage. As a program intended to support the implementation of the national forest, fishing and environment policy, the PSFE covers all the fields of activity and problems related to the sustainable management of the forest ecosystems (in the broad sense) and of the marine and fresh water ecosystems, with interfaces with rural development, regional planning, economic growth, industrial development poverty reduction, as well as biodiversity conservation.
- ☞ A Long-term Program with annual planning cycles. The PSFE is intended to accompany the implementation of the forest policy over a 5-years period. Not all the particular activities can be known at the beginning of the program and they will be annually defined according to a mechanism of participative programming.
- ☞ Multi-financial banking Program. The PSFE, will be supported by the operations, projects and programs of all donors interested in sustainable forest management, fishing resources and the environment. It will serve as a coherence and synergy framework for all international backings in the sector and will ensure that these supports are compatible with the framework of the national policy.

The present study lies within the scope of the preparation cycle of the World Bank, but can be used as a reference for other donors, or technical or political partners of the country. This study takes into account the characteristics of a sectoral programs approach. It consists of a Sectoral Environmental and Social Assessment (SESA) and thus breaks free from a traditional Environmental Impact Assessment of a "project" where the activities are known with precision in advance and are confined in time and space.

B) State of Reference

The chapter 3 draws up the inventory of features of the forest, fishing resources and environment sectors.

The Letter of Policy for the sectors of forest, fishing and aquiculture, protected areas, environment and training draws up a political and strategic framework of the sustainable management of the forest, fishing resources and environment. This policy is consistent with the international environmental orientations (Rio Summit, the Yaoundé Heads of State Summit 1999, Earth Summit 2002) and falls under the objective of a social development of the country which aims at a reduction of 50% of poverty in 2015 (National Strategy to Fight Poverty - DSRP).

With 85% of the country covered with forest, Gabon roughly accounts for 15% of the moist forests of the Congo Basin. Approximately 20 million ha (out of 22 millions) are regarded as productive forests,

including 1.8 million ha of forest reserves and 30,000 ha of artificial forests (reforestations). At least half of the country is (or was in the past) affected by forest exploitation. Between 8 and 10 million ha of forest would be granted, but under 2 million ha have validated management plans compared to a little more than 5 million ha engaged in the process. Part of the permits allotted by agreement in the past could return to State property before the end of 2005. The rate of industrialization borders 30 % of the barks production. The local capacity of wood processing gradually increased from 1996 to 2003. The situation of the forest taxation is being standardized. The repositioning of the SNBG is the subject of strategic thinking to lift the obstacles which burden the competitiveness of this company.

The main identified constraints of the sector are:

- the weak participation of the national citizens in the forest exploitation and the wood industry,
- the dependence of the forest sector on the external demand and the fluctuations of the international market.

The Government strategy aims at holding 14 million hectares of Permanent State Property Forest (DFPE) including approximately 10 million of production forests and 4 million of protected areas. It also aims at increasing and durably optimising the contribution of the forest sector to the social and economic development of the country, through in particular:

- sustainable forest management,
- reinforcement of the industrialization process,
- implication of the national citizens in the activities of the sector,
- increasing of the value of the natural resources and the biodiversity conservation.

Gabon profits from an advantageous geographical situation with 800 km of coastline, 210,000 km² of Economic Exclusive Area (ZEE), 400,000 km² of continental shelf. The total surface of the continental fisheries is estimated at approximately 10,700 km². The productivity of Gabonese sea water is rather strong to the south of Cape Lopez. The productivity of the large lagoons is generally low, but the river mouths are significant zones of fish and shrimps concentration. The productivity of interior water is rather low. The total national production is estimated at approximately 41,000 T in 2002 but does not meet the needs of the country which imports more than 5,000 T of products. Approximately 5,000 fishermen do small-scale and traditional sea and lagoon fishing of which a majority of citizens of West African countries, the Gabonese accounting for only 20% of the total. Aquiculture is limited to a small scale pisciculture of tilapia in the suburban areas.

The General Directorate of Fishing and Aquiculture (DGPA) is less than 10 years old and has achieved today enormous progress as shown by:

- the creation of a training centre for young fishermen and fish breeders,
- the creation of the " Quality Service and Sanitary Inspection",
- the improvement of the Statistical Monitoring System,
- the creation of a satellite monitoring system (experimentation of Argos positioning beacons aboard ships),
- the creation of a biological rest for, on the one hand shrimp stocks and, on the other hand for the ethmalose,
- the construction of Fishermen Community Centres in Port Gentil, Libreville and Lambaréné.

Nevertheless the sector presents a certain number of constraints for its development:

- insufficient human resources and material means:
- insufficient basic knowledge for the decision-making in the sector as well on the level of the resources as of the fleets;
- absence of an agricultural channel, in particular for the manufacturing of food for fish, to support the development of pisciculture:
- lack of a research centre.

The potential of valorisation of the environmental goods remains unexploited in Gabon. The major obstacles to the development of the sector are:

- For the NWFPs
 - the insufficiency of the methods of control and a confusion between the prerogatives of the concerned administrations,
 - no existence of follow-up system and quota,
 - a lack of public information,

- Regarding the carbon sequestration and greenhouse gases:
 - A lack of knowledge of the potential of Gabon,
 - absence of a carbon measurement system,
 - insufficiency of Gabonese experts in this matter,
 - insufficiency of a legal framework.

Gabon has an unique biological diversity in the world with a mosaic of ecosystems presenting a great number of endemic species, in particular in the vegetable kingdom (20%). The National Strategy and the Action Plan for the Biological Diversity Conservation (SNPADB), adopted by the government on July 27 2000 wants to ensure, by 2025, the conservation of biodiversity and the guarantee of a satisfying division of the socio-economic and ecological advantages resulting from living resources, the awareness of their worth and the development of human and institutional capacities. This policy of biodiversity conservation and sustainable management was concretized in 2002 by the creation of a network of thirteen national parks of more than 3 million ha accounting for approximately 11% of the country.

The objectives of the sector are:

- to continue the extension of the network of national parks and to increase it to 4 million ha,
- to develop the instruments for the management of these protected areas,
- to create the instruments and the infrastructures to develop new forms of tourism, such as eco-tourism, biodiversity friendly tourism, etc., to increase the value of the parks.

C) The Forest Environment Sectoral Program

The PSFE is a national, sectoral and multi-donors program which aims at supporting the Government in implementing its policy of sustainable and participative forest, fisheries and environment management. This policy and the program which supports it, must help improve the living standards of the rural populations and fight against poverty, ensure the durability of the forest ecosystems, the water ecosystems and the biodiversity conservation.

The PSFE is articulated around 5 components, one of which transversal (Institutional Reinforcement) and four thematic ones:

- C-1 Sustainable Forest Management
- C-2 Sustainable Fisheries Management
- C-3 Valorisation of Environmental Goods and Services
- C-4 Valorisation of Protected Areas and Biodiversity
- C-5 Institutional Strengthening

The PSFE gives the priority to the reinforcement of the national institutions in charge of sustainable forest management. It aims at restoring their capacities to implement, on the field, the orientations of the forest policy. It aims at reducing the current difference between the policies, recognized as good quality at the international level, and the low capacity of the national institutions to translate them on the field and to ensure their control.

D) Conformity relating to the OP

Five Safeguard Policies apply to the PSFE, and its associated GEF project: Environmental Assessment (OP 4.01); Natural Habitats (OP 4.04); Indigenous People (OD 4.20, future OP 4.10); Involuntary resettlement (OP 4.12); Forests (OP 4.36).

The program is in conformity with the requirements of these five Policies:

- OP 4.01: A Sectoral Environmental and Social Assessment was carried out before the launching of the PSFE.
- OP 4.04: The program does not include an activity which could involve the conversion of natural habitats or the modification of critical habitats. Concerning tourism activities in the national parks, the GEF recommends the implementation of an EIA before any operation.
- OD 4.20: Taking into account potential social impacts of the PSFE and the GEF project, an Indigenous People Development Plan has been prepared.

- OP 4.12: The PSFE and the GEF project are likely to involve some involuntary restrictions to the access of peoples to national parks. In this context, a Resettlement Policy Framework/Resettlement Procedure Framework has been prepared.
- OP 4.36: The PSFE, and the GEF project, will not finance directly commercial harvesting operations. The PSFE will rather reinforce the capacity of the administration and operators to prepare and implement sustainable management plans.

E) Environmental Impacts

The PSFE and the GEF project will produce a whole series of potential positive environmental impacts like, among the most significant:

- rationalization of land occupation and the reduction of degradations due to uncontrolled agricultural activities,
- rationalization of forestry harvesting and logging within the Permanent State Property Forest,
- reduction of "collateral" degradations due to forestry activities,
- better knowledge of fisheries and marine zones and lagoons,
- improved protection of fragile marine resources through monitoring of the infringements in the weaker zones or during the periods of biological stop,
- improvement of biological diversity conservation and protection of the fragile ecosystems,
- improvement of wetlands conservation.

Nevertheless, the PSFE can generate a certain number of potential negative environmental impacts, which it will be advisable to prevent by the implementation of an Environmental Management Plan. The most significant potential negative environmental impacts are as follow:

- Overexploitation of the NWFPs by the installation of badly controlled channels,
- Increase of the production of solid waste and of liquid effluents resulting from the reinforcement of the wood industry and, consequently, an increase of the pollution of the rivers, aquifers by the chemicals used by large and small-scale industries,
- Uncontrolled forestry logging after the possible return to State property of the permits not regularized by the 31/12/2005 when waiting for the results of the experimental phase of the adjudication system with secondary impacts like losses of incomes for the exploitation's staff, an increase in the poaching to compensate the loss of income, migration of the workers to the cities coming to reinforce the most underprivileged layers, social conflicts with the populations bordering the forestry concessions,
- Reduction of biodiversity (flora and fauna) of fresh water ecosystems, even an extinction of species, by the introduction of exotic and invasive species in aquaculture,
- Uncontrolled increase of the exploitation of some water aquatic species already disaster victims of a badly controlled increase in the number of fishermen benefiting from support to small-scale industries,
- Development of tourist activities incompatible with the objectives of biodiversity conservation by a lack of control of the sector with secondary impacts in chain like disturbance of fauna by overcoming the carrying capacities on certain sites, like pollutions by solid waste and liquid effluents, social deconstruction through "culture shock" between the tourists and the bordering populations of the parks or the indigenous people.

Other impacts (pollution, erosion, poaching, etc.) dependent on extra-sectoral activities could appear and cumulate with some of the potential negative impacts due to the program. They are in particular the extraction activities of the mining and oil sectors, a certain number of permits overlapping the national parks. Another extra-sectoral risk of cumulative impacts originates in the drop, or halt in oil production in the sectors close to the national parks. This drop will involve job losses and income reduction (from this industry and associated activities) and the appearance of risks of poaching, of clearing uncultivated lands (in the national parks), of overfishing, etc., to compensate for this loss of income.

F) Social impacts

It is assumed that the PSFE and the GEF project impact on the rural populations and their livelihoods through: zoning, management plans for forest exploitations, national **parks** and protected areas, enforcement of laws, development of the value added chains of forestry and non-timber forest products as well as fishery and conservation products.

- 1) The overall impacts are analyzed in the social impact assessment of the PSFE.
- 2) The impacts on the population in or near national parks and protected areas are analyzed in the resettlement policy framework/resettlement process framework.
- 3) The impacts on indigenous peoples (the Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi and Akoa – the “pygmies”) are analyzed in the indigenous people development plan.
- 4) The strategic and operational responses of the PSFE are elaborated in the social management plan of the PSFE.

1) The social impact assessment of the PSFE

The majority of the national territory - 27 M ha in total – is inhabited by only 270,000 people. It is assumed that around 10,000 of them are indigenous hunter-gatherers, while the remaining 260,000 are agriculturists. At least 10% of them are immigrants.

The rural populations face a significant level of poverty. It is estimated that the average households in the rural areas – in particular near protected areas and national parks – lives far below the national poverty line (average annual consumption of 165,996 FCFA per capita). It has been suggested that it is this enormous poverty, which forces the rural population in an ever increasing exploitation of natural resources, which has in many areas passed the level of sustainable off takes. The people have to capitalize the only locational advantage they have: their access to bush meat, non-timber-forest-products, fish and timber. Nevertheless, even this increased utilization of natural resources does not provide them with average incomes.

The key issues in the rural and environmental sector are:

Agriculture

- Crop destruction through wild animals
- Loss of access to land in protected areas and national parks

Hunting

- Loss of income opportunities from hunting due to the creation of national parks and protected areas
- Loss of income opportunities even outside protected areas and national parks due to law enforcement
- Loss of income opportunities resulting from the reduced bush meat trade due to law enforcement

Fishery

- Uncertain status of the immigrants working in the fishery sector (around 90% of the fisherfolk)
- Loss of access to traditional fishing grounds and reduced income opportunities from using these grounds due to the establishment of national parks and protected areas

Forestry

Industrial logging

- The majority of the logging companies does not fulfill national standards, but provide jobs to 30,000 people and significant revenues to national investors.
- The implementation of benefit sharing mechanisms of forestry revenues, foreseen in the sector policy (2004) to offset reduced benefits from illegal logging and to enhance rural development, is very slow.
- The low level of rural participation in the development, implementation and monitoring of forest management plans.

Local logging

- Absence of a common vision for the rural forestry areas (8 Mill ha).
- **Loss** of access to forests and revenues from the exploitation of these forests due to the establishment of protected areas and national parks.

Non-Timber-Forest-Products

- The potentials to develop this into an important source of income for rural populations are in absence of regional markets quite low.

Trade

- Loss of income opportunities from reduced trade in bush meat due to the enforcement of the forestry and wildlife laws.
- Uncertain legal status of the immigrants working in the sector.

Capacities

Only 1% of the MEFEPEPN staff and none of the CNPN employees have received training in the social domain. To implement the PSFE successfully the MEFEPEPN and the CNPN will need to enhance their capacities in the areas of participatory management of natural resources, benefit sharing and pro-poor conservation.

Positive Impact potentials

- *Legal recognition and protection of customary rights*
 - Participation of the rural population in the zoning process to identify national and rural areas
 - Legal recognition and protection of traditional user rights and demarcation and protection of traditional land use zones (community forests, etc.)
- *Good governance*
Participation of the rural population in:
 - decision making process on the attribution of forests in the national domain;
 - the elaboration of management plans for forest concessions and national parks and their implementation and enforcement:
 - forest related decision making processes at local, national and regional level.
- *Benefit sharing and poverty reduction*
 - Better knowledge and legal recognition of rural livelihoods, rural peoples' needs and interests especially of the indigenous people and the people being affected by the protected areas
 - Participation of the population in general and the rural populations in particular in the value added chains and commercialization of natural resources
 - Improved social security and long term employment
 - Improved living conditions and poverty reduction

Risks

- Discrimination of immigrant fisherfolk/traders and indigenous people
- Involuntary resettlement (physical and economical) due to the establishment of protected areas and national parks
- Loss of access to natural resource in and outside national parks due to the attribution of forests and law enforcement
- Low level of benefit sharing
- Low level of participation in decision making processes

Structural problems

- Low competence of all stakeholders in the social domain, governance processes and the sustainable management of natural resources:
- Low level of legal recognition and protection of customary and user rights (especially of immigrants and indigenous people);
- Marginalization of the rural populations in general and immigrants and indigenous people in particular in decision making processes, the elaboration and implementation of management plans, the management of forests and the monitoring and evaluation of impacts.

2) Resettlement policy framework/resettlement process framework

The PSFE embodies significant displacement risks. While the details are unknown for now, it is clear that the PSFE and the GEF project will affect the livelihoods of people living near and in protected areas – especially near and in national parks (around 14,000 people) – and reduce their access to resources and might even result in the need to resettle some villages. In situations like that the establishment of a resettlement policy framework/resettlement process frame is recommended by the operational policy on involuntary resettlement (OP 4.12. of the World Bank). Following best practice, the PSFE (and the GEF project) has to address these problems and find mutual and timely solutions before the implementation of the PSFE in general and the management plans of the protected areas and national parks in particular.

The impacts of the PSFE on the lands, rights and livelihoods should be treated according to the procedures foreseen by the Gabonese constitution, the laws of Gabon and the OP 4.12 of the World Bank. In doing so the CNPN/ANPN and the DFC are in charge of restoring the livelihoods of those

people being affected by the project. In general one can identify the following categories of project affected people:

- i. Those people living permanently or temporarily in national parks and protected area;
- ii. Those people living outside national parks and protected areas, but whose livelihood depend nearly entirely (more than 50%) on these resources;
- iii. Those people living outside national parks and protected areas, but whose livelihood depend to a limited degree on these resources;
- iv. Those people who live outside national parks and protected areas, but who have traditional rights to these resources (safety net function of forests);
- v. Indigenous people, who depend partly or entirely on the natural resources of the protected areas and national parks.

The management plans for the national parks and protected areas – to be elaborated in the context of the PSFE and GEF project - will define whether the PSFE will need to compensate the people of **category a** only for their losses of income and access to land and resources or also needs to provide new villages for them. Presently the laws do not permit human activities in national parks and protected areas. But it might be possible to legalize these activities and reduce the impacts of the PSFE and due to that the budget needed for compensation measures for their involuntary resettlement – which should as much as possible be land based. In any case, the PSFE (and the GEF project) is responsible to guarantee that the living conditions of the people in parks are not adversely affected by the national parks and protected areas.

Those people whose livelihood depend nearly entirely on the resources in the national parks and protected areas – **category a & b** - are most probably forced by the national park or protected area to change their livelihoods entirely. Due to that it is the responsibility of the PSFE to insure that their income levels are equal or higher to the time before the establishment of the national parks and protected areas.

To restore the livelihood of people who only depend to a minor degree on the resource of the national parks – **category c** – is much easier. Supporting and increasing their sources of income outside the national parks and protected areas might be sufficient to guarantee that their livelihoods are not adversely affected by the PSFE and the GEF project.

People of the **category d** might even prefer a cash compensation, which together with some technical advice on how to invest these amounts wisely could guarantee their social security over a longer period and replace the social security provided by their traditional access to forests.

Indigenous people – **category e** - depend much more on their access to natural resources and are more vulnerable to changes, while on the same time their utilization of resources it carried with a much lower intensity. Their access to the natural resource of the national parks and protected areas should as much as possible be legalized in the context of the management plans and integrated into the zoning of the park. By allowing them to continue to hunt and gather, the PSFE can put important mitigation measures in place to respect the rights, dignity and culture of indigenous people.

3) indigenous people development plan

The PSFE and the GEF project will impact on the indigenous peoples of Gabon (Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi and Akoa - the so called "pygmies"). In situations like that, best practice – outlined in the OP 4.20 of the World Bank – prescribes the elaboration of an indigenous people development plan. Its objective is to make sure, that the PSFE and the GEF project respect the dignity, rights and culture of the indigenous people in Gabon and provides them equal and culturally appropriate benefits – to be defined in comprehensive consultations with all stakeholders.

From the legal point of view the indigenous people of Gabon (in total between 7,000 and 10,000 in all 9 provinces of the country) are citizens like all other people born in Gabon, but they don't have the same political influence and/or the legal, organizational and technical capacities to defend their rights, interests and culture as others. The changes in the forest areas of Gabon (forest exploitation, biodiversity conservation, etc.) have resulted in the increased marginalization, forced sedentarisation and impoverishment of the Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi and Akoa.

Are their increased dependence on agriculture and their more permanent lifestyle, their access to social services transforming the indigenous people into citizens like all other Gabonese? Certainly not. The Prime Minister made clear, that "the first inhabitants of our country – the pygmies – are remarkable absent from major events. Not because they refuse to play a part, but simply because they don't have the means and they don't have ID-cards" (L'Union 4/6/2004: 2).

It can be expected that the activities of the indigenous people development plan are able to guarantee that the PSFE is implemented in accordance with the OD 4.20. They will address the following 5 major subjects and establish

- equal legal opportunities
- equal technical opportunities
- equal financial opportunities
- equal organizational opportunities
- equal cultural opportunities

ii. Alternatives/Scenario without Program

The absence of PSFE would result in:

- delays in the implementation of sustainable forest management,
- considerable risks of accelerated degradation of the marine resources,
- delays in the actions to protect and to develop the ecosystems and the biological diversity because of the absence of an adapted lawful framework,
- delays on the access to international funds in order to concretize initiatives of carbon sequestration and of reduction of the GHG,
- continuation of precarious living conditions for the rural populations by maintaining them at mercy large companies of forestry development, by reducing their marine resources by overfishing practised by the foreign fleets, by keeping them out of the benefits of the biodiversity and national parks valorization.

An alternative to the program could be supports limited to the sector through small projects, which would go against the will of the Government and of the World Bank which encourage a program and multi-financial approach in order to tackle the problems, in particular the environmental and social ones, as a whole.

iii. Mitigation/Improvement measures - Environmental Management Plan

The attenuation/improvement environmental measures are joined together in an Environmental Management Plan which will be implemented under the coordination of the DGEPN. Principal measurements are as follows:

- As regards investments
 - A consequent reinforcement of the CENAP so that it can ensure its role of controls and analyses all types of pollution
- As regards institutional supports
 - Supports for the implementation of the pilot-tests of adjudication of the forest permits and to avoid an anarchistic exploitation of the forests in the case of a return to the State property to the 31/12/2005 of the permits not having fulfilled their tax obligations,
 - Supports for the reinforcement of the legal and lawful framework: texts of application and sectoral directives, methodological guides (tourism, mines, roads, various industries, etc.) within the framework of the Law on the EIA; in the field of the goods and environmental services: normative framework as regards pollution in the field of the wood and fish processing industries; methods of implementation of the environmental taxation,
- As regards technical capacity strengthening
 - A general technical capacity strengthening of the DGEPN and its provincial services in particular as regards EIA on precise topics (mines, tourism, wood or fish processing industry) and as regards environmental and social monitoring (design of the monitoring, indicators, data collectors, Observatory, etc),
 - A technical capacity strengthening of the CENAP as regards standards, protocols of laboratory, in the same fields as above,
 - The creation of a specific training on the protected areas management at the ENEF, Information, public awareness

- A program intended to the industrialists of the wood sector and of the fish sector as regards management of solid waste and the liquid effluents,
- A program intended for the actors of the fisheries sector to sensitize them with the observance of the regulations,
- A program intended for the "small" forest owners to sensitize them with the needs for forest management,
- Workshops on the technical standards of the forest inventories and other provisions appearing in the future technical guide of forest management.

G) Social Management Plan

1. Competence

- 1.1. Put in place the capacity and structures needed to implement the social management plan in general and the resettlement policy framework/resettlement process framework and the indigenous people development plan in particular.
- 1.2. Establish an independent monitoring and evaluation system to supervise the implementation of these activities and their impacts and to document the commitment of the stakeholders
- 1.3. Enhance research on indigenous people to provide baseline information for a well informed decision making process

2. Rights

2.1. Personal rights

- 2.1.1. Elaborate a national policy on how to address illegal immigrants
- 2.1.2. Provide the indigenous people with ID cards
- 2.1.3. Recognize the settlements of indigenous people as villages equal to all other settlements

2.2. Economic rights

- 2.2.1. Include all stakeholders into the zoning process to identify national and rural forest areas
- 2.2.2. Recognize the user rights of the rural populations and demarcate and protect their land use areas (community forests, rural fishing grounds, etc.)
- 2.2.3. Establish community forests for the indigenous people with at least 1 km² per capita
- 2.2.4. Recognize and protect the land use areas of indigenous people in national parks and protected areas and legalize their access

3. Governance

3.1. General measures

- 3.1.1. Facilitate the participation of the rural population in decision making processes on the attribution of forests in the national domain
- 3.1.2. Facilitate the participation of the rural population in the elaboration and implementation of management plans for forestry concessions, national parks and protected areas
- 3.1.3. Facilitate the participation of the rural population in decision making process on natural resources

3.2. Specific measures for the marginalized and vulnerable populations

- 3.2.1. Establish a national policy for indigenous people
- 3.2.2. Provide the indigenous people with the capacities to participate in the management of natural resources
- 3.2.3. Enhance the capacities of the MEFEPEPN/ANPN staff and all other relevant civil servants in intercultural communication so that they can actively cooperate with the indigenous people
- 3.2.4. Facilitate the participation of indigenous people in all forest related decision making processes
- 3.2.5. Assist the indigenous people to create independent structures to represent and communicate their interests and needs
- 3.2.6. Invite indigenous people to participate in all relevant structures of the PSFE
- 3.2.7. Sensitize the indigenous people on the risks of the development process
- 3.2.8. Support the indigenous people associations in the area of capacity building to protect their traditional knowledge, their culture and their livelihoods
- 3.2.9. Promote the establishment of discussion fora in which indigenous people and their neighbors can discuss relevant issues
- 3.2.10. Provide special assistance to vulnerable and marginalized groups in the context of the resettlement process

4. Benefit sharing and poverty reduction

4.1. Benefit sharing

- 4.1.1. Share the benefits resolving from the exploitation and commercialization of natural resources with the population in general and the rural population in particular
- 4.1.2. Make sure that indigenous people receive a fair share of the redistribution of forest revenues

4.2. Poverty reduction

- 4.2.1. Enhance the recognition of the rights, livelihoods, needs and interests of the population
- 4.2.2. Provide timely compensations at replacement costs for all people being affected by the national parks and protected areas
- 4.2.3. Provide timely compensations at replacement costs for all people being affected by crop destruction from protected animals
- 4.2.4. Increase the social security, the living conditions of rural people and reduce their poverty
- 4.2.5. Offer special conditions for indigenous people to receive employment in jobs' being established in the context of the PSFE
- 4.2.6. **Assist** in the establishment of priority access for indigenous people in view of employments resolving from the PSFE

H) Environmental and Social Management Plan

The PGES will last 5 year, with a total budget of 1.921 million US\$ of which 90,000 US\$ for the capacity reinforcement of the DGEPN.

Executive Summary

In view of reducing revenues from oil-production due to the absence of new oil-fields, Gabon has started a comprehensive reform agenda in the area of natural resource management. To enhance this reform and to coordinate the interventions of the different partners, the Government of Gabon has elaborated a Forest and Environmental Sector Programme (FESP). This programme is an important element of the national poverty reduction strategy as it aims to increase in a sustainable manner the contribution of forestry, fishing and biodiversity conservation to the national economy. For the preparation and implementation of the FESP the Government of Gabon requested technical and financial assistance from the World Bank and from the Global Environmental Facility (GEF). This Resettlement Policy Framework/Resettlement Process Framework has been elaborated in preparation of an evaluation of the PSFE and its impacts by the Government and the World Bank.

It seems unavoidable, that the implementation of the PSFE and the GEF Project will impact on the livelihoods and incomes of those living in or near protected areas in general and those living or near national parks in particular. Their access to resources will most probably be reduced. In cases like that the elaboration of a Resettlement Process Framework is prescribed by the World Bank's OP 4.12. As the detailed impacts can not be determined before the evaluation of the programme, the World Bank's OP 4.12 requests also the elaboration of a Resettlement Policy Framework.

If no major changes are put in place, the project will resettle people from within national parks and other protected areas and reduce the access' to the resources within national parks and protected areas. Following best practice, the PSFE (and the GEF project) has to address these problems and find mutual and timely solutions before the implementation of the PSFE in general and the management plans of the protected areas and national parks in particular.

National Parks and protected areas	Project affected people (PSFE and GEF Project (Estimation)
Akanda	200
Birougou	1417
Ivindo	1568
Loango	400 – 650
Lopé	2 000
Mayumba	350
Minkébé	2 600
Monts de Cristal	400
Moukalaba-Doudou	1 500 – 1 700
Mwagné	400
Plateaux Batéké	89
Waka	400
Situation 2005	11 850
New Parks etc.	3 500
Total	15 350

For now it is not possible to specify exactly how many people will be affected by the FESP and the GEF project in the form of physical and/or economic displacement. These impacts will result from the management plans, which will determine the level of human activities still be allowed in the national parks and the buffer zone. These management plans will be only elaborated within the context of the FESP and GEF project and are not yet available. Due to that detailed mitigation measures will be developed in the context of Resettlement Action Plans for all national parks and protected areas in 2006 and in coordination with the elaboration of the management plans.

In general one can identify the following categories of project affected people:

- a) those living permanently or temporarily in national parks and protected area;
- b) those living outside national parks and protected areas, but whose livelihood depend nearly entirely (more than 50%) on these resources;
- c) those living outside national parks and protected areas, but whose livelihood depend to a certain degree (less than 50%) on these resources;
- d) those living outside national parks and protected areas, but who have traditional rights to these resources (safety net function of forests); and
- e) indigenous people, who depend partly or entirely on the resources of the protected areas and national parks.

It is a global lesson learned that mitigation strategies for one groups are not necessarily the **best** solution for others. Due to that, it is important to address the different groups separately to **assess** their specific needs and interests. Nevertheless, the PSFE and the GEF project are responsible for the full and timely restoration of the livelihoods of all project affected people to a level which is at **least** equal to their living conditions before the establishment of the national parks and protected areas.

In view of **group a**, the question is whether the PSFE has just to compensate – preferable with **land** – the land taken for the national parks and other protected areas, or whether the PSFE also has to restore the villages. This depends entirely on the elaboration of the management plans. For now the laws do not allow human activities (agriculture, logging, hunting, gathering and fishing) in the park, but this might be legalised in view to minimise the impacts of the PSFE and the GEF project and to reduce costs. On the other hand, the villages might prefer the establishment of new villages outside the park as they might in their old location not be able to enjoy certain developments such as roads, electricity and communication and/or the management plan comes to the solution, that in the long run the conservation objectives can not be met with villages which might grow etc. in it. In any case, the PSFE has to guarantee that the living conditions of the people in national parks and protected areas are at least equal to the living conditions prior to the establishment of the national parks/protected areas.

Those people whose livelihood are entirely based on the national parks and protected areas - category **a & b** - will most likely face a situation in which their entire livelihood will have to change due to the intervention of the PSFE. The PSFE will need to provide them with new income opportunities equal or higher to their former standard of living. As the provision of land and/or user rights on land outside the park (logging, hunting, gathering and fishing) as compensation for the land transformed into a national park might also have adverse impacts on the sustainability of the national park/protected area - i.e. does not fit into the management plan -, non-land-based options built around opportunities for employment or self-employment should be provided. In line with the basic principles of pro-poor conservation and the objectives of the PSFE, the national parks and/or protected areas could offer them a permanent employment or provide them with other income opportunities -whatever they prefer. This option will be offered to all affected people of category **a & b** and has to guarantee them at least the incomes they had in the pre-park situation. In case that an individual is unable or unwilling to work, the salary will remain at the minimum salary foreseen for Gabon.

To restore the livelihoods of people of category **c** is a bit easier, as their livelihoods are only partly based on the park. The provision of capacities and infrastructure to increase the marketing of their products might be sufficient to guarantee that their standard of living is not adversely affected by the PSFE. They could for instance receive long term contracts to supply products to tourism facilities and park management structures and or receive grants to facilitate the transport of their products to the next markets. In any case the PSFE is in charge to guarantee that in a reasonable time frame (5-10 years) they face no negative impact from the national parks and protected areas. This includes the establishment and maintenance of protection measures against the growing animal population in the park, which might cross to their plantations and destroy crops. A very effective, sustainable and efficient way could be the establishment of community hunting zones on their land and support in the marketing of these products.

People of category **d** might prefer cash based compensations together with some capacity building to invest this wisely into long term social security.

As the well being of indigenous people (category **e**) dependent very much on their access to their traditional land, while using it mostly not very intense, they should as much as possible be allowed to have free access to national parks and other protected areas and the natural resource in them. To allow them to hunt and gather in the park is a very important contribution to guarantee that the PSFE and the GEF project respect the dignity, rights and culture of the indigenous people. This should include a special right for the Baka to hunt elephants, as this is important for their cultural survival (see also the Indigenous Peoples Development Plan [IPDP] for the PSFE). To reduce the risks of misuse, this should be carried out under the supervision of the park management. Beside of the hunting and gathering for subsistence for cultural reasons, indigenous people are getting more and more involved into commercial hunting to generate cash income needed to finance health care, education, soap, tobacco, etc. As this might not work well with the conservation objectives defined in the management plans, the PSFE and the GEF projects will offer them social services for free in exchange for a ban of commercial hunting on protected species or large scale hunting in the national parks. The IPDP of the PSFE has identified hunting and gathering zones and camps of the indigenous people in the following national parks: Minkébé, Ivindo, Akanda, Pongara, Waka, Birougou, Plateaux Batéké, Lop6 et Moukalaba-Doudou (The last three are supported by the GEF Project).

The impacts of the PSFE on the lands, rights and livelihoods will be treated according to the procedures foreseen by the Gabonese constitution, the laws of Gabon and the OP 4.12 of the World Bank.

The CNPN/ANPN is in charge of restoring the livelihoods of the people affected by national parks, while the DFC is in charge of those living in or near other protected areas. While the responsibility of the implementation of these mitigation strategies remains with the CNPN/ANPN and DFC within the PSFE, it is suggested to share responsibilities in the following manner:

1. The PSFE Coordination Unit in close collaboration with the CNPN/ANPN and the DFC has the overall responsibility (strategy, steering, supervision etc.) for the implementation of the Resettlement Policy Framework and the Resettlement Process Framework;
2. The conservators of national parks and protected areas should have the responsibility for the implementation at the local level, but this will be verified by the detailed resettlement action plans, which will assess their capacities and identify their training needs;
3. The responsibility for external elements (external review, participation and mediation, support for vulnerable populations, etc.) should be outsourced to one or more NGO.

Resettlement policy implementation plan for the of the **PSFE (2005/2006)**

- Finalisation of the RPF (Distribution, National workshops, Publication, etc.)
- Assign staff to the central resettlement unit of the PSFE (CRU)
- Assign staff to the local resettlement units (LRU)
- Capacity building for all stakeholders
- Establish the necessary infrastructure for the CRU and the LRUs for the 13 national parks
- Inform the population in and around the national parks through workshops etc.
- Establish a register for complains
- Establish a mediation committee
- Undertake resettlement action plans for:
 - The 5 national parks supported by the GEF project (pilot phase)
 - The other 8 national parks
 - The other protected areas
- Ensure special support for vulnerable groups
- Establish a monitoring and evaluation system
- Organise supervision and backstopping

The World Bank is not able to support any cash based compensation, but could finance the management of resettlement sites, start up credits for the rural population, backstopping, technical assistance, capacity building, etc.. All cash based compensation measures have to be entirely financed by the Government of Gabon.

Executive Summary

In view of reducing revenues from oil-production due to the absence of new oil-fields, Gabon has put in place a comprehensive reform agenda in the area of natural resource management. To enhance this reform and to coordinate the interventions of the different donors, the government of Gabon has elaborated a Forest and Environmental Sector Programme (FESP). This programme is an important element of the national poverty reduction strategy as it increases in a sustainable manner the contribution of forestry, fishing and biodiversity conservation to the national economy. For the preparation and implementation of the FESP the government of Gabon requested technical and financial assistance from the World Bank and from the Global Environmental Facility (GEF). This Indigenous People Development Plan (IPDP) has been elaborated in this context and in preparation of an evaluation of the PSFE and its impacts by the Government of Gabon and the World Bank.

The FESP consists of five components:

1. Sustainable forest management including wildlife in production landscapes
2. Fisheries and coastal zone management
3. Development of the national parks network
4. Valorisation of other environmental goods and services
5. Institutional strengthening, research and training.

The PSFE and the GEF project, which will support the components 3 & 1 of the FESP, are expected to impact on the rural population and their livelihoods through: zoning, management plans for forest exploitations, national parks and protected areas, enforcement of laws, development of the value added chains of forestry and non-timber forest products as well as fishery and conservation products. The general impacts are analysed in the social and environmental impact assessment of the PSFE. Beside that, the OP 4.20 on Indigenous People of the World Bank prescribes special actions for all investments which affect indigenous peoples, tribes, ethnic minorities or other groups whose social and economic status restricts their capacity to assert their interests and rights in land and other productive resources. The Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi and Akoa – the “pygmies” – were identified as indigenous people of Gabon.

As it is expected that the PSFE and the GEF projects also impact on the indigenous people, the elaboration of an Indigenous People Development Plan (IPDP) is requested by the World Bank's OP 4.20. Its objective is to make sure, that the PSFE and the GEF project respect the dignity, rights and culture of the indigenous people in Gabon and provides them equal and culturally appropriate benefits – to be defined in free prior and informed consultations with all stakeholders. This report elaborates strategies on how this can be achieved.

From the legal point of view the indigenous people of Gabon (in total between 7,000 and 10,000 in all 9 provinces of the country) are citizens like all other people born in Gabon, but they don't have the same political influence and/or the legal, organizational and technical capacities to defend their rights, interests and culture as others.

The present changes in the forest areas of Gabon (forest exploitation, biodiversity conservation*, etc.) have resulted in the increased marginalization, forced sedentarisation and impoverishment of the Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi and Akoa. Due to these activities the indigenous people have less access to forests, but they have never received a compensation for this loss and this despite the fact that they depend more heavily than others on the forest resources (hunting, fishing, gathering generate more than 65% of their livelihoods) and/or taking their traditional user rights into consideration.

Does this increased dependence on agriculture and more permanent lifestyle, the access to social services etc. transform the indigenous people into citizens like all other Gabonese? Certainly not. The Prime Minister made clear, that “the first inhabitants of our country – the pygmies – are remarkable absent from major events. Not because they refuse to play a part, but simply because they don't have the means of doing so and because they don't have ID-cards” (L'Union 4/6/2004: 2). Rough estimates suggest that the cash income of the indigenous people is significant lower than of any other social group in Gabon. They don't even have the means to obtain legal titles for their land use zones and to defend their traditional land against people from other areas.

² Indigenous people are depending on forests and forest resources within the following national parks: Minkebe, Ivindo, Akanda, Pangara, Waka, Birougou, Lopé, Plateau Batéké and Moukalaba-Doudou (the final three will be supported by the GEF project).

The PSFE proposes mechanisms to improve the living conditions of local communities through the sustainable management of forest ecosystems, but at the present state it is most likely, that IP communities will not be able, or enabled, to participate because their settlements are not recognized as 'communities' (independent villages and/or settlement), and therefore they cannot interact legally with government services.

While they are the most dependent on the forest for their subsistence and incomes, they have no legal access to it. Without special steps, the indigenous people will not be able to benefit from the PSFE that is national in scope and in principle and by intention open to everyone. There are several major risks resulting from the PSFE, which have to be mitigated to insure that the les Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi et les Akoa do not

- lose control over the land traditionally utilized by them as source of livelihood and basis for their cultural and social system,
- become even more marginalized in the Gabonese society,
- disintegrate for the decentralized system of administration,
- receive less assistance from governmental services,
- have fewer capacities to defend their legal rights,
- become or remain as dependents of other ethnic groups,
- lose their cultural and social identity.

The PSFE, the GEF project and the government of Gabon has approved 19 activities of the IPDP. It is a mutual understanding that only the full and timely implementation of the IPDP and all its components fulfils the requirements of the OD 4.20, guarantees that the PSFE respects the rights, dignity and culture of the indigenous people, offers them equal or better opportunities to participate in the benefits of the PSFE. To achieve this, the PSFE will undertake the following activities:

Establish equal legal opportunities

- Put in place the capacity and structures needed to implement the indigenous people development plan in accordance with the OP 4.20.
- Provide the indigenous people with ID cards and establish through that equity in the legal domain for the Babongo, Bakoya, Baka, Barimba, Bangama, Bakouyi and Akoa.
- Recognize the settlements of indigenous people as villages equal to all other settlements.
- Establish community forests for the indigenous people with at least 1 km² per capita
- Recognize and protect the land use areas of indigenous people – especially within national parks and protected areas - and legalize access and utilization (subsistence as well as income generating)
- Elaborate a national policy on how to address illegal immigrants

Establish equal technical opportunities

- Provide the indigenous people with the capacities to participate actively in the management of natural resources
- Enhance the capacities of the MEFEPEPN/ANPN staff and all other relevant civil servants in intercultural communication so that they can actively cooperate with the indigenous people
- Enhance research on indigenous people to provide baseline information for a well informed decision making process

Establish equal financial opportunities

- Make sure that indigenous people receive a fair share of the redistribution of forest revenues
- Offer special conditions for indigenous people to receive employment in jobs being established in the context of the PSFE (Eco guides etc.)
- Assist in the establishment of priority access to jobs in the forestry sector for indigenous people

Establish equal organizational opportunities

- Facilitate the participation of indigenous people in all forest related decision making processes
- Assist the indigenous people to create independent structures to represent and communicate their interests and needs
- Invite indigenous people to participate in all relevant structures of the PSFE
- Establish a participatory monitoring and evaluation system for the IPDP o the PSFE

Establish equal cultural opportunities

- Sensitize the indigenous people on the risks of the development process
- Support the indigenous people associations in the area of capacity building to protect their traditional knowledge, their culture and their livelihoods

- Promote the establishment of discussion fora in which indigenous people and their neighbors can discuss relevant issues

The main actors of the IPDP are MEFEPEN, CNPN/ANPN, national and international NGOs working on indigenous peoples issues in Gabon, the associations of the indigenous people and the Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi, and Akoa themselves. For now, none of the stakeholders has the capacities to implement an IPDP in accordance with the OD 4.20. An initial training and the assistance of an international technical advisory body will be necessary to enhance the organisational, technical and financial capacities of the stakeholders. The implementation should be coordinated by an interdisciplinary steering committee, which embodies all stakeholders.

It is assumed that the 19 activities of the IPDP of the PSFE, with a financial volume of US\$ 455,000 (< 0.4 % of the overall PSFE budget for more that 5% of the rural population), are able to guarantee that the PSFE is executed in accordance with the OD 4.20 and that the PSFE

- strengthens traditional systems of governance and natural resource management and embraces the notion of community dialogue and traditional rights for all ethnic groups of Gabon within the process of sustainable development;
- reduces poverty for all ethnic groups and lowers the degradation of natural resources;
- installs an effective management system of the natural habitats, which offers positive impacts to the entire population and the biodiversity (pro poor conservation);
- respects the dignity, rights and culture of the Babongo, Bakoya, Baka, Barimba, Bagama, Bakouyi, and Akoa;
- assures that the IP receive an equal or higher benefit from the PSFE than other ethnic groups;
- assists the IP to increase their legal, political, societal, economical, cultural and psychological situations.