



Report on the Review of Security, Human Rights, and Social Management at Salonga National Park



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MFC Social & Environmental Performance Ltd. is an independent consulting company whose teams work globally with enterprises to research and develop insights into building social and environmental acceptance, aligning company business objectives with community values and preparing communities for complex change.

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Cover photos were taken by staff members of MFC while deployed in the DRC.



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ACRONYMS AND ABBREVIATIONS USED IN THIS REPORT

AGRECO	Consortium of consultants undertaking socio-economic data collection on Salonga National Park on behalf of ICCN, WWF, ISCO, OXFAM, and the EU
APEM	<i>Actions pour la Promotion et la Protection des Peuples et Espèces Menacés</i>
CLD	<i>Comité local de développement</i>
CODHOD	<i>Comité des Droits de l'Homme et Développement</i>
CorPPN	<i>Corps en Charge de la sécurisation des Parcs Nationaux</i>
DRC	Democratic Republic of the Congo
ESSF	Environmental and Social Safeguards Framework
EU	European Union
ICCN	<i>Institut Congolais pour la Conservation de la Nature</i>
IFC	International Finance Corporation
IIT	Internal Investigation Team
KfW	Germany's state-owned development bank, based in Frankfurt
MFC	MFC Social and Environmental Performance Ltd.
MGPR	<i>Mécanisme de gestion des plaintes et recours</i>
MoU	Memorandum of Understanding
RFUK	Rainforest Foundation UK
SNP	Salonga National Park
UGPNS	<i>Unité de Gestion du Parc National de la Salonga is the management unit of the park which consists of WWF and ICCN staff</i>
VPSHR	Voluntary Principles on Security and Human Rights
WWF	World Wide Fund for Nature (World Wildlife Fund)



Executive Summary

Following recent allegations of human rights violations perpetrated by eco-guards at Salonga National Park, KfW engaged MFC Social and Environmental Performance Ltd. (MFC) in 2019 to assess the security, human rights, and social management practices at the Park.

General Conclusion

Based on its experience in the DRC and other high-risk countries around the world, MFC believes that the alleged human rights violations occurring at Salonga are the result of an ineffective government rather than an oppressive government.¹

MFC also acknowledges the progress made by Salonga managers, partners, and frontline staff since 2015, given the multiple challenges of the operating context, the relative newness of the Park's current management structure, and the cumulative expectations of a wide range of lenders, partners, and local stakeholders. In addition to its success in protecting essential wildlife from poachers and other threats, Salonga has begun developing many of the elements required for gaining the social acceptance of local communities.

Key Findings

Regarding the investigation process for human rights violations:

- The process and form of investigations into alleged human rights violations undertaken by Park management with participation from WWF, the Congolese conservation authority (ICCN), and environmental justice organization, APEM, conforms to good practice.
- The process and form of investigations into allegations of human rights violations commissioned by WWF International and undertaken by the Congolese human rights organization, CODHAD, conforms to good practice.

Regarding security management:

- Salonga National Park is co-managed by WWF and the DRC government. While WWF aims to manage Salonga according to international standards and good practice, the DRC government focuses on compliance with Congolese legislation. The two sets of priorities do not always align.
- Eco-guard provisionment, including staff numbers and equipment, is not substantiated by a security risk assessment or threat analysis, and is not managed and resourced through a system of security management plans.

Regarding social management:

- While the Park has elements for successful management of community relations and social sustainability, it doesn't have the policies and plans recommended by international standards for managing social impacts and risks to the Park and the people who live there.

Initial Recommendations

- Update and refine the MoU between WWF and ICCN to clarify responsibilities and the Park's commitment to human rights.
- Create, communicate, and implement a policy that defines the social and human rights objectives and principles that will guide the Park's activities.
- Undertake a security risk assessment that is aligned with international standards and good practice to underpin the development of a security management plan.

¹ Ineffective government: acknowledges and respects human rights but is unable or unwilling to fully secure them. Oppressive government: endorses and commits human rights violations through its laws and practices. *Source: Danish Institute for Human Rights.*



- Develop a security management plan to manage and reduce the security risks identified in the risk assessment.
- Professionalize the eco-guard program through recruitment, training, and investment in equipment.
- Expand the Park's baseline socio-economic study (due to be updated in 2020) to include the identification and assessment of social impacts and risks.
- Create and embed a social management system that would allow the Park to consistently plan, implement, and measure social activities and demonstrate progress to investors/partners.
- Develop management plans in alignment with international standards and the WWF Environmental and Social Safeguards Framework (ESSF).

1 INTRODUCTION

1.1 About this Document

This report provides an overview of findings and recommendations regarding Park security, human rights, and social management. It is not an in-depth, due-diligence social assessment; rather, a focused assessment of gaps in light of recent allegations of human rights violations. This report includes:

- An examination of investigations into the allegations;
- The findings and assessment of the social operation and management in place at the Park;
- The findings and assessment of the security operation and management in place at the Park; and
- Initial recommendations to bring the Park's social, security, and human rights management systems in line with international standards.

The assessment involved three components of work:

1. **A desktop study and review of Park documents:** This included plans, studies, meeting minutes, stakeholder correspondence, reports, publicly available information, and the draft investigation report. The desktop review was limited to the documents available at the time of the assessment.
2. **Two site visits to Salonga National Park:** The first site visit in October 2019, focused on security-related information and processes. The second visit in February 2020 focused on social and human rights information and processes. Due to logistical limitations, these site visits did not allow time for a comprehensive tour of all the Park's operations, particularly given the size of the Park.
3. **Guidance and planning material:** In 2020, MFC will develop material to help the Park implement some of the improvement measures outlined in the report in close collaboration with the Park and in alignment with WWF's new Environmental and Social Safeguards Framework (launched in August 2019).

Reference Framework

MFC assessed the Park management systems and practice against international standards for security, human rights, and social management:

- World Bank Environmental and Social Safeguard Standards (ESS);
- World Bank IFC Social Performance Standards (IFC PS);
- UN Guiding Principles on Human Rights (UNGPs);
- International Covenant on Civil and Political Rights (ICCPR);
- International Covenant on Economic, Social and Cultural Rights (ICESCR); and
- The Voluntary Principles on Security and Human Rights (VPSHR).



All research and document reviews were completed in February 2020. Any ongoing or upcoming action of WWF and ICCN to implement best practice in environmental and social sustainability, security, and human rights is outside the scope of this report.

1.2 Background

Salonga National Park in the Democratic Republic of the Congo (DRC) is co-managed by the non-profit organisation WWF and the Congolese conservation authority *Institut Congolais pour la Conservation de la Nature* (ICCN) with funding from the European Union, the German Financial Cooperation, KfW (international development financiers), and USAID. The joint entity responsible for the day-to-day management of the Park is the *Unité de Gestion du Parc National de la Salonga* (UGPNS).

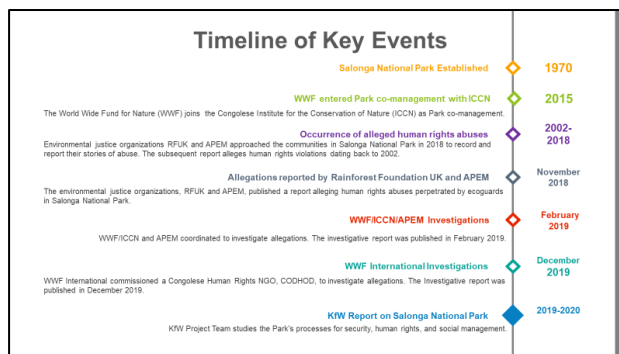
Salonga National Park is Africa's largest tropical rainforest reserve and home to 5,000 people living amongst many endemic endangered wildlife species. The Park spans 3,600,000 hectares and is accessible only by air or water. The 788 villages in and around the Park consist of remote communities subsisting mainly on agriculture and are traditionally dependent on the forest for hunting/gathering and fishing. Some are Indigenous peoples (Yaelima) or residents who were born and raised in the area, with deep-rooted traditional and spiritual ties to the land, and whose ancestors have inhabited it since time immemorial.

Experience elsewhere in the DRC suggests that some individuals may reside in the Park illegally in the hopes of sharing in some of its economic benefits, such as jobs, improved infrastructure, development projects, and small-scale-supplier business opportunities. Others may sporadically enter the Park to carry out illicit activities such as money-lending, drug-dealing, prostitution (which tends to follow larger workforces), wildlife poaching, illegal logging, wood harvesting for charcoal production, and artisanal mining. These illicit activities, specifically poaching and wildlife trafficking, have led the ICCN to hire a team of eco-guards to protect the Park.

MFC's experience in other parks and projects in the DRC suggests that illegal activities are often made possible by law enforcement agents who are meant to guard against them, particularly when those agents are underpaid and ill-equipped to do their job. In these cases, armed agents engage in illegal activities themselves and allow civilians to do so in exchange for protection payments. It is possible that a part of the population living in and around Salonga collaborate with armed groups for their livelihood.

1.3 Current Issues

Eco-guards have been associated with a series of alleged human rights abuses that include extrajudicial killings, sexual violence, and torture. These allegations were announced in a report issued by the non-profit organization Rainforest Foundation UK (RFUK). At the time of publication of this report, the allegations were under investigation. Regardless of the outcome of the investigations, KfW has committed to protect human rights at Salonga. This includes building a better understanding of the Park's processes for managing risks of this nature, and supporting the Park with improvements for preventing, mitigating, and managing those risks in alignment with international standards and good practice.





1.4 Conflict and Human Rights Context

The DRC has a long history of armed conflicts involving foreign troops, rival local non-state armed troops and governmental forces. Conflicting factions and the aftermath of two major civil wars still contribute to insecurity in the country. Current armed conflicts in the country's eastern and northern border regions started in 2004 in the provinces of Kivu and involve government forces and non-state armed troops from several ethnic backgrounds and countries.

Sporadic outbreaks of violence continue throughout North and South Kivu, Haut Lomami, Tanganyika, Ituri, Bas-Uele, and Haut-Uele provinces. One local commentator said that it is easier and cheaper to buy a Kalashnikov rifle than a goat in the eastern part of the country. The observation points to the proliferation of cheap, accessible firearms resulting from protracted periods of conflict.

These ongoing armed conflicts currently have no direct impact on Salonga National Park. However, their impact on the nation as a whole – fragile social structures, increasing political uncertainties, high rates of unemployment and poverty, and a propensity for resorting to physical violence to resolve social conflicts – increase the materiality of the threats of civil unrest and the breakdown of civil order.

Armed conflicts with government forces and armed opponent factions are not the only security concerns in the DRC. Street crime and robbery are common. Most incidents are crimes of opportunity for financial gain. The most reported crimes are pickpocketing, theft (from persons, vehicles, and residences), and robbery. The most recent US State Department advisory indicates a high frequency of opportunistic crime targeting motorists and vehicle passengers. Armed groups often engage in criminal activities that result in injuries. Crimes of sexual and gender-based violence (SGBV) are a serious threat throughout the entire country and are commonly committed by armed troops in conflict.

1.5 Salonga National Park Management

WWF and ICCN co-manage the Salonga National Park with funding from the European Union, the German Financial Cooperation and KfW (international development financiers), and USAID. This co-management structure allows for both WWF and ICCN to bring their differing expertise to the Park, but introduces coordination challenges when approaches are not aligned. WWF and Park funders express commitment to manage the Park according to international standards and good practice while the ICCN is not compelled to go beyond compliance with Congolese legislation, which generally falls short of international standards. Experience shows that applying international standards requires time, financial resources, and specific competencies that the ICCN currently does not have. While WWF and ICCN share a commitment to biodiversity and conservation, WWF has primarily an advisory and capacity strengthening role on ICCN's security function.

The Park owner and governing authority is the Congolese government, via the ICCN and eco-guards. The joint entity responsible for the day-to-day management of the Park is the *Unité de Gestion du Parc National de la Salonga* (UGPNS). According to official literature, this joint body comprises approximately 30 qualified staff and is committed to the 'ecological integrity' of the Park. At the time of this report, about 280 eco-guards were operationally deployable.



2 INVESTIGATIONS

MFC reviewed reports released in response to the original RFUK and APEM allegations. In February 2019, UGPNS (WWF/ICCN/APEM) produced and published a report of their investigations. The WWF International commissioned the second investigative report from a Congolese Human Rights NGO, CODHOD. This report was published in December 2019.

MFC assessed both reports for their professional process and form, but did not do an additional investigation into the allegations.

2.1 Assessment Criteria

Based on previous experience and good practice, particularly where allegations of severe human rights abuse are involved, MFC examined the efficacy of investigations using three criteria:

1. The governance supporting the Internal Investigation Team (IIT),
 2. The structure and process of the investigation itself, and
 3. The evaluation method.
-
1. Governance requirements:
 - An internal investigation team (IIT) that is independent of high-risk functions within the parent organization. Any scenario in which an IIT member is investigating a departmental colleague potentially represents a conflict of interest.
 - IIT members selected for strong personal probity and intuitive skills and trained on how to evaluate information and human sources, conduct interviews, and write accurate assessments.
 - An IIT working within an investigations policy available to all staff and that is the prime source of guidance on company investigations.
 - Senior-level supervision of the IIT to ensure accountability and compliance with national laws. Typically, there would be resilient working relationships with relevant third-party experts and official agencies such as judiciary, prosecution services, and law enforcement.
 2. Structure and process requirements:
 - Investigators review the broadest range of material and evidence available. This will include interviews with affected individuals and those who are the subject of investigation.
 - Interviews conform to strict procedures, including observers whose role is to ensure compliance with due process, accurate records, and secure storage of information.
 - Investigators classify the report according to its sensitivity and appropriately control access.
 3. Evaluation requirements:
 - Credible interviews assume nothing and verify everything.
 - Give careful focus to an individuals' motivation and self-interest and how it may sway judgement and distort recollection.
 - Grade information in line with its credibility.
 - The report's balance and final assessments reflect the range of sources examined.
 - The investigation must distinguish between what happened versus what has been alleged.
 - The root cause of the incident is identified and mitigations to prevent recurrence are advised.

Note: An internal investigation is not a substitute for a criminal inquiry.



2.2 UGPNS Report

According to best practice criteria, the UGPNS report released in February 2019 represents an acceptable investigation. The inclusion of APEM, ICCN, and WWF authors makes the work representative. WWF and APEM contributors queried each other's professionalism, which helped maintain checks and balances and points to a shared commitment to impartiality. Overall, the report takes a meticulous approach to the allegations. That said, best practice is for investigators to share analysis of the individuals interviewed. This would include comments regarding their trustworthiness as witnesses or sources and the reliability of the information given. Nonetheless, the overall tone and substance of the report are of a good standard.

2.3 WWF International (CODHOD)

The WWF International report released in December 2019 represents a high-grade investigation that is aligned with international best practice. It releases details on numerous additional allegations not disclosed by the RFUK/APEM document. On all three of the assessment criteria, the CODHOD investigation demonstrates high levels of performance. The acumen of the investigators, their inclusion of official inquiries into the body of the report and the comprehensive application of local, regional, and national law illustrates excellent governance. The investigation includes a broad range of informants and sources. The information gleaned from these was through a technical interview process, carefully secured and verified against fixed data points. This makes for assessments that are based on a robust system of evaluation. The concluding section offers recommendations to both ICCN and WWF/UGPNS to reduce community/park conflict and its recurrence by increasing opportunities for substitute livelihoods for people originally displaced from the Park.

3 SECURITY AND HUMAN RIGHTS KEY FINDINGS

This report does not include reviews of ongoing efforts to develop training exercises, assessments, procedures, and management plans.

3.1 Security Risk Assessment

Neither the desktop review nor the site visits yielded documentation that resembled a fit-for-purpose security risk assessment. This is a human rights risk because an accurate risk assessment is the foundation for a security management plan that addresses security risks in a way that supports professionalism, accountability, and respect for human rights.

3.2 Eco-guards

Some eco-guards are currently armed with AK-47 assault rifles. Currently, no security risk assessment or security threat analysis justifies this level of firepower. Weapon carriage may signal mistrust and the expectation of trouble to local communities. These factors make meaningful community engagement more difficult and may imbue guards with a disproportionate level of authority that without clear guidance and leadership is open to abuse.

Eco-guards patrol in difficult operating conditions with inconsistent equipment and in sometimes hostile situations. They are expected to make snap decisions on using potentially lethal force, to arrest and restrain



suspected armed poachers, and to respond to local unrest.

Following the site visit, an organization was brought in to provide anti-poaching training to eco-guards, but they were not vetted as part of the assessment for this work.

3.3 Weapon Governance and Security

Eco-guards routinely carry loaded assault rifles. The weapons cleaning and maintenance regimes are poor, apparently because of limited resources (e.g., oil, individual cleaning kits and spare parts.) Similarly, there appears to be little in the way of regular marksmanship training or range work.

3.4 International Committee of the Red Cross

KfW continues a wider discussion with ICRC (International Committee of the Red Cross) about supporting human rights and security issues to national parks in the DRC. The ICRC brings deep knowledge and experience in training of security forces in human rights, addressing sexual violence, building respect for the rule of law, and many other issues that must be addressed in conflict-affected countries such as the DRC. This would be a longer-term initiative, as it would take time to establish an appropriate relationship and set mutual objectives.

4 SOCIAL MANAGEMENT KEY FINDINGS

Experience and international good practice have shown that the more deeply and effectively an organisation connects with local people, the more those people will support the organization's activities. Community acceptance, consent, and a sense of shared ownership of the Park with WWF and ICCN could increase the motivation to protect the Park and wildlife and provide information about poachers that could help to lead to their arrest. Successful conservation efforts rely upon community acceptance and participation.

Social acceptance leads to a relationship of openness and trust in which communities feel comfortable enough to share information about activities or incidents that Park personnel might not otherwise know. From a security perspective, improved local relations would likely further reduce the need to arm Park security forces and improve the grievance mechanism.

Achieving the acceptance of local populations requires an operating culture that embraces strategic and systematic dialogue as a park-wide responsibility. This cohesion can only happen with ongoing information sharing and collaboration across all the organizational departments and functions that have an influence on relationships with local communities. From a human rights perspective, in a fragile context where public services are mostly absent, good stakeholder relations are an essential element in establishing accountability between populations and the park management.

The Park's current approach to gaining social acceptance is conservation-centric and transactional: relationship-building, and it revolves around environmental goals, with a focus on facilitating rural community development. While community development is an important element of social management, it is not enough to manage all of the Park's social impacts, risks and opportunities (i.e., the elements underpinning the Park's ability to achieve social acceptance and ensure its sustainability).



4.1 Community Perceptions, Complaints, and Expectations

MFC collected the following insights from documents (particularly correspondence between communities and RFUK/APEM), and from site visit interviews:

1. A group of affected Indigenous elders said that the Park introduced improved healthcare and education services but hadn't addressed the lack of alternative employment, particularly for men. They said they felt employment opportunities with the Eco-Guards were limited, and that investments in farming, as an economic activity, have been inadequate to date.
2. Community members said that the Park has shut them off from accessing the natural resources they traditionally used and they have not received adequate or commensurate access to benefits to mitigate this loss. This includes displacement from ancestral lands when the Park was originally created in 1970, loss of forest-related income from hunting and fishing, and lack of access to bushmeat (a traditional food source).
3. There is a perception among interview subjects that the Park commissions studies that don't lead to action or change.
4. Community members said they want to see more infrastructure improvements, including further investment in the road between Boende and Monkoto, large-scale crop production, and stockbreeding programs designed to boost employment, as well as greater participation in the regional economy.
5. Community members said Salonga has not distributed funds they believe exist to help meet the population's needs. They say they want improved consultation and involvement in the Park's management strategy, in part as a way of securing benefits they believe are being withheld.
6. Interviewed community members, including Indigenous communities, said they do not understand the Park's hiring process and feel eco-guard positions as well as other jobs (cleaning, cooking, etc.) are inaccessible. They said eco-guard positions are coveted jobs and elevate a person's status in the community, including for women and Indigenous peoples.
7. Communities seem to understand the broader conservation purpose of the Park and its importance for the country and the international community. However, they do not appear to understand the benefits of conservation for communities themselves.
8. Local populations express resentment of conservation parks in general. They believe westerners care more about the wellbeing of animals and trees than they do about people.

4.2 Current Structure and Approach

MFC reviewed the Park's approach to community relations in three documents:

1. A conservation awareness-building strategy, *Stratégie d'éducation et sensibilisation environnementale pour le paysage Salonga*;
2. A community conservation strategy, *Stratégie de conservation communautaire - CoCo PNS*; and
3. A WWF-DRC community development guidance, *Document d'orientation pour le développement rural intégré des paysages prioritaires de WWF et de ses partenaires*.

WWF-DRC designed the community development guidance for parks in general and it is not specific to Salonga. The other Park documents mentioned above are specific to Salonga, but only apply to those specific initiatives. They contain strong and useful elements, but do not fully align with international standards and good practice.



Community Liaisons

Uniformed eco-guards patrolling with AK-47 assault rifles make up a large part of the Park's frontline community interface. The Park's community relations staff consists primarily of eco-guards doubling as community liaisons (in the six areas where there are eco-guard stations throughout the Park), with one overall coordinator based in Monkoto who is responsible for a number of other administrative tasks as well. The current approach to community relations has been reactive: liaising with villagers and other stakeholders (local authorities, civil society, etc.) in response to events or incidents, or whenever there is a need to enlist community participation for environmental activities. There is no coordinated system in place – management plans, human resources, budget, implementation tools, policies, procedures or guidance – for developing and implementing community relations activities based on the Park's impacts and risks, as recommended by international standards. Social management activities are largely ad-hoc and dictated by operational and environmental priorities.

Grievance Mechanism

In light of recent events, the Park has made special efforts to develop a grievance and redress mechanism (*Mécanisme de gestion des plaintes et recours – MGPR*) and an internal whistleblowing mechanism, and to log complaints and incidents reported by local communities and workers. While these mechanisms have strengths, they do not comply with international standards and good practice and leave the Park vulnerable to additional challenges and risks. A Park-wide grievance mechanism is a significant undertaking for an organization like SNP, where the vastness of the Park and the lack of staff and financial resources would make it difficult to implement. The Park is also part of a consortium of NGOs that are looking to Salonga's pilot mechanism with a view of replicating it in their own areas. This puts added pressure on SNP to develop a successful mechanism that conforms to international standards and is logistically and financially feasible.

Community Conservation Strategy

The Park commissioned the development of a Community Conservation Strategy (*CoCo PNS*) in 2018 and has begun implementing several pilot projects. The primary basis for project selection, design, and implementation is a network of existing community structures called *Comités locaux de développement* (CLD). Community members elect CLD steering committee members. Based on information gathered during MFC's second site visit, traditional community authorities (village chiefs, elders, educated elite) seem to govern the CLDs. Site visit informants told MFC that women and other vulnerable groups have equal representation in principle as part of the CLD terms of reference. However, it appears that they have limited decision-making power in practice. MFC did not see any specific terms of reference or management plans that would enable a deeper assessment of the CLD structure and the efficacy of the *CoCo PNS* strategy.

Social Management Systems

WWF International

WWF International recently published its Environmental and Social Safeguards Framework (ESSF) and is developing additional social management initiatives, including management plan frameworks, social management guidance material and impact/risk protocols, for its priority landscapes. This could constitute an institutional shift toward balance between social and environmental priorities more closely aligned with World Bank standards on environmental and social sustainability.

WWF International has created a new position, Director of Environmental and Social Safeguards, to oversee its Environmental & Social Safeguards Framework (ESSF), and says that the organization is committed to creating an Ombudsman process to provide an avenue for independent conformance assessment and dispute resolution as needed.



Salonga National Park

MFC had limited information on the Park's approach for managing priority landscapes. If SNP applies and adapts the upcoming WWF International guidelines to the creation of a Park-specific social management system, it would take a key step toward conformance to international standards and improved community relations.

Current Community Development Projects

In MFC's desktop review and site visit, there were references to community development projects around education and healthcare; however, it was unclear whether, or when, the projects are being implemented, how, and by whom (no details on timelines, activities, monitoring, funding, etc.).

The second site visit noted some clear commitments from Park management to increase focus on social sustainability, including a Park-wide socio-economic baseline study, pilot farming projects providing livelihood alternatives, and a pilot community forest initiative for Indigenous communities.

4.3 Equilibrium Between Environmental and Social Objectives

Until now, the Park's primary objectives, strategies, and activities have focused on conservation priorities, and the role of local inhabitants in relation to those priorities. While nature conservation is the Park's core business, experience (and recent events at Salonga) shows that achieving long-term conservation goals is not possible without the social acceptance of local communities. At present, the Park's primary strategy for integrating communities into conservation goals is to facilitate community development programs. While the programs are much needed for rural development, a community development program does not in itself constitute social management and is insufficient for acquiring and maintaining the social acceptance of local communities. Gaining social acceptance and building genuine relationships with stakeholders (i.e., providing a sense of shared ownership of the Park) requires a variety of elements including, at minimum, the management of social impacts and risks and strategic stakeholder engagement.

The Park does not yet have a social management system that conforms to international standards. As mentioned above, WWF International is developing a unified system to manage its priority landscapes, along with new risk and quality assurance protocols and guidance material for park managers. WWF has not said when it will complete the system design or when it will roll it out at Salonga. In order to mitigate risks in the meantime, Salonga has some existing elements that it can organize into a system (in alignment with international standards and the WWF ESSF) and that would constitute a first step in helping acquire social acceptance.

4.4 Conservation Good Practice and Policy

When the Park was established in 1970, several communities were involuntarily displaced physically, economically, and culturally without mitigation or compensation as would be provided by today's standards. It is likely that this displacement had a negative impact on the communities' overall quality of life. Conservation organisations are beginning to recognize these impacts and address them with tools such as the Whakatane Mechanism, which recognizes the rights of Indigenous cultures and supports partnership in natural resource management.

Based on MFC's review, the studies and strategies that the Park has undertaken to date lag behind current conservation practices. For example, although the displacement occurred long before the Park's current co-



management structure with WWF, the impacts and risks of that displacement still pose challenges to the Park's ability to gain social acceptance², and will likely continue to be problematic for the Park until the displacement issue is addressed (note: 'addressing' does not necessarily mean 'compensating' or 'restoring'). This is one of the main reasons that international standards and commonly accepted good practice, such as World Bank ESS 5 and 7, refer to a project's responsibility to manage displacement impacts and risks for communities that have used traditional lands "within living memory".

WWF International is developing new guidance material for its priority landscape managers on several topics, including Free Prior and Informed Consent (FPIC) and land access restriction, which constitutes an important advancement in managing displacement impacts in the conservation sector. MFC did not review this guidance material.

5 INITIAL RECOMMENDATIONS

5.1 Policy

SNP has no formal policies that outline its position, principles, and objectives on security, human rights, and social performance management.

Recommendation: Create, communicate, and implement a policy that defines the social performance and human rights objectives and principles that will guide the Park's activities. It would include policy language for its social, security, and human rights assessment and management systems.

5.2 Security Risk Assessment Process

SNP has no security risk assessment.

Recommendation: The UGPNS undertake a rigorous security risk assessment. This would take the form of a living document based on multi-source, detailed threat analysis covering activity, geography ('secteur'/local/regional), stakeholder group, and season (wet/dry). Grade security risks according to impact and probability. This assessment would draw from key actors, including UGPNS, eco-guards, and host communities.

5.3 Security Risk Management Plan

SNP has no security management plan.

Recommendation: Develop a security management plan based upon the security risk assessment. This plan will aim to manage and reduce the risks identified in the risk assessment through operational activity. The plan includes procedures for identifying training needs and auditing materials, ensuring the inclusion of human rights-based materials and scenarios within the training. The plan allocates

² Displacement was a recurrent complaint during MFC's meetings with communities on the second site visit. Land appropriation, cultural erosion, and loss of traditional livelihoods from restricted access to forest resources are also common criticisms of the Park (and conservation parks in general) from international media and activist NGOs. Land acquisition, resource access and livelihoods are also recurring themes in the grievances that the Park has on file.



resources, prioritizes actions, and defines responsibility. The Park would continue to enhance this plan according to WWF International's new guidance on rangers and law enforcement, currently in development.

5.4 Internal Investigation Team

SNP currently lacks capacity for internal investigations and allegation response.

Recommendation: Form and train an internal investigations team drawn from multiple disciplines within UGPNS such as human resources, conservation, logistics, administration, and ICCN. Once effective, it would represent a first line of inquiry to investigate all incidents, including those that fall outside of the 'Security and Human Rights' category.

5.5 Recruiting

Current levels of eco-guard staffing are inadequate for the size of the Park.

Recommendation: Expand eco-guard numbers as a means of improving patrol quality and coverage. The recruitment process should screen both applicants and current guards for any history of human rights abuse and issues with poor discipline, and should include background checks with references.

5.6 Eco-guard Equipment and Uniforms

The quality of patrol equipment and uniforms is poor.

Recommendation: Conduct a full review of equipment holdings to ensure correct distribution of uniforms. Field-based eco-guards have prioritized access to boots and clothing. Pilot satellite phone use.

5.7 Eco-guard Training

The ICCN has limited resources to effectively train eco-guards.

Recommendation: Run a 'train the trainer' package for the eco-guard units with scenario-based exercises designed to hone judgement and decision making. The package would include basic instruction on good-practice community relations and engagement and emphasize junior leadership responsible for patrol conduct on the ground. The package extends to routine refresher training to prevent skill fade.

5.8 Use of Lethal Arms for Park Security

There is no security risk assessment or threat analysis justifying firepower and the level at which Eco-Guards are currently armed.

Recommendation: Undertake a security risk assessment that justifies the availability of lethal force as a proportionate mitigation to a persistent and clearly identifiable armed poacher threat. MFC



recommends that, where possible, the Park reduce eco-guard weapon carriage in line with a security risk assessment and threat analysis. Consider introducing another tier of unarmed eco-guards, sourced from the Park communities, to provide a local monitoring function.

5.9 Grievance Management (Redress and Whistle Blowing)

While the MGPR (currently at the pilot stage) has many strengths, the model does not fully conform to international standards and good practice and leaves the Park vulnerable to additional social risks and sizable challenges with feasibility.

Recommendation: Enlist the support of consultants or WWF International staff with extensive knowledge of international standards and good practice in relation to stakeholder engagement and grievance management to help monitor and enhance the MGPR pilot program.

KfW social consultant advice would be to delay the rollout of the MGPR pilot to analyze potential risks, plan implementation in more detail, develop guidance material and tools for program implementation participants (internal and external), and develop messaging and tools for awareness building of the mechanism. However, it appears that the Park has already decided to move ahead with the pilot rollout in early-mid 2020.

5.10 Social Management Systems

SNP has elements of good-practice social performance and security management systems but does not have a comprehensive system to coordinate these elements; conform with international standards and to clearly demonstrate progress to investors, partners, and critics.

Recommendation: Create and embed a Park social management system to plan, implement, and measure social activities more consistently, and demonstrate progress to investors/partners more efficiently. This would include developing plans and processes for activity planning, implementation, monitoring, evaluation, and reporting. WWF International is currently developing a unified system to manage its priority landscapes. However, the implementation timeline is unknown. To mitigate risks in the meantime, SNP could begin to organize its existing elements into a system that aligns with international standards and WWF's ESS Framework.

5.11 Social Impact and Risk Assessment Process

SNP has no fact-based social impact and risk identification and assessment.

Recommendation: The Park expand its baseline socio-economic study (due for update in 2020) to include the identification and assessment of social impacts and risks. Someone with extensive knowledge of international standards and good practice to work in close collaboration with park managers and with WWF International to review the terms of reference and scope of work to ensure that all key areas are covered (e.g., vulnerable groups, Indigenous people, cultural heritage, displacement). Salonga could continue to build on this process when WWF International rolls out its enhanced risk and assurance protocols.



5.12 Social Impact and Risk Management Plans

SNP has no social management plans that are actionable (with implementation details) and strategic (linked to impacts and risks).

Recommendation: The Park develop a series of actionable social management plans to deal with its known impacts and risks. WWF International is currently working on several initiatives for its priority landscapes following the recent launch of its new ESS Framework; however, it is not known when the general guidance material will be complete or when it will be rolled out at Salonga. To mitigate risks in the meantime, SNP could begin to develop basic management plans in alignment with international standards and the new WWF ESSF.

Based on MFC's understanding of the Park's current challenges, initial plans would include:

1. A stakeholder engagement plan (including components on grievance management, human rights, vulnerable groups including Indigenous people and artisanal miners, labour management and local hiring);
2. An historical displacement management plan, including strategies for enhancing livelihoods and managing the impacts and risks of historical displacement;
3. An Indigenous peoples' management plan (including elements on the community forest pilot project and the protection of cultural heritage); and
4. Enhancement of the *Coco PNS* community development strategy to align it more closely with the Park's other management plans (e.g., prioritizing win-win projects that respond to community needs and that manage the Park's impacts/risks at the same time).

As the Park deepens its analysis of social impacts, risks, and opportunities, and as the WWF International guidance material becomes available, SNP would update and enhance these plans.

Note: SNP does not need to wait for the completion of an impact and risk assessment to begin the plan development and implementation process. All plans would build on elements that already exist at SNP (i.e., not starting from scratch, but rather, giving a structure to the elements that already exist and laying a solid foundation to build upon), and embed the protection of human rights throughout.

5.13 Organizational Capacity and Competency

The UGPNS does not currently have an adequate understanding of social management or the sufficient staff resources to undertake the range of initiatives required for gaining social acceptance.

Recommendation: In the medium to long-term, establish a team dedicated specifically to social management and embed it as a core UGPNS function. In the meantime, undertake a two-pronged approach for developing and implementing a social management system while simultaneously building the capacity of existing Park staff. This would include:

- Enlisting the support of consultants or international WWF staff to develop Park-specific management plans, processes, and procedures in close collaboration with Park managers and staff.
- Delivering a training program on social management specifically for SNP, for managers as well as implementing staff, to include general information on good practice as well as guidance tailored to Salonga's context.



CONCLUSION

The report recommendations for Salonga National Park highlight a number of basic security, social, and human rights risk management initiatives that can apply to all parks in the DRC. Those strategies, combined with cohesive efforts on the part of investors and the international community, can support the required changes for protecting the Park's wildlife and people.