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Violent Conservation: WWF's Failure to Prevent, Respond to and Remedy Human Rights Abuses Committed on its Watch

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Cover image: A WWF sign in a nature reserve. *Credit: Luxio / Alamy*

Introduction

This briefing provides an alternative executive summary of the Report of the Independent Panel of Experts (the Panel) of the Independent Review of allegations raised in the media regarding human rights violations in the context of the World Wide Fund For Nature (WWF)'s conservation work (the Report).¹ The Panel's executive summary and accompanying press releases from both the Panel and WWF have obscured the scope and nature of the Panel's findings with respect to WWF's failure to uphold its human rights commitments. Under the heading 'What were the findings of the independent review', WWF has claimed that:

*The Independent Review found no evidence that WWF staff directed, participated in or encouraged in [sic] human rights abuse of any kind. The Panel recognized WWF was one of the first conservation organizations to embrace human rights principles; that WWF's commitments often set higher standards than the laws and practices of the states in which we work; and that WWF took many steps to support communities. The Panel also identified shortcomings and called for more rigour in how we implement our policies, listen and respond to communities and advocate for governments to protect human rights.*²

To counter this mischaracterization of the Report, the alternative executive summary contained in this briefing elucidates and clarifies the Report's salient findings based on a thorough review of what the Panel actually determined through the course of its independent investigation, namely that:

- WWF had knowledge of alleged human rights abuses in every protected area under review and failed to investigate credible allegations of abuse in half of those protected areas;
- Where WWF conducted internal investigations into allegations of abuse it did so several years after those allegations came to light and only following pressure from the media and/or civil society organizations (CSOs);
- WWF consistently failed to take adequate steps to prevent, respond to and remedy alleged human rights abuses in and around protected areas it supports. In particular, WWF continued to provide funding and material support to ecoguards alleged to have committed human rights abuses despite knowledge of



The Baka are being driven from their land by the persecution of park rangers, and excluded from the forests they rely on for food and medicine.
Credit: Fiore Longo/Survival International

those allegations and without operationalizing its own human rights protocols or the safeguards identified to mitigate the human rights risks uncovered by its internal investigations;
and

- In the protected areas in which WWF supported their creation or proposed creation, it failed to ensure the effective participation of affected indigenous peoples and local communities (IPLCs), and obtain the free, prior and informed consent (FPIC) of those indigenous peoples in accordance with international human rights norms or its own policies.

Accordingly, the following alternative executive summary provides a counter-narrative to some of the immediate reactions to the Report, which erroneously interpreted the Panel as clearing WWF of wrongdoing. This is based strictly on the findings of the Panel, as detailed in the 160-page Report. This briefing ends with the authors' analysis of the Panel's findings and their implications for WWF's conservation work (as well as that of other large conservation NGOs working in protected areas and the donors that fund them). In so doing, it points to some of the deeper structural reforms necessary to address the flaws in the coercive conservation model that lies at the root of the allegations subject to the Panel's investigation.

Alternative Executive Summary of the Independent Panel’s Report Regarding Human Rights Violations in WWF’s Conservation Work

In April 2019, WWF appointed an Independent Panel of Experts consisting of Judge Navi Pillay (Chair), Professor John H. Knox and Dr. Kathy MacKinnon to conduct an Independent Review into WWF’s role in connection with alleged human rights abuses in and around protected areas supported by WWF in Cameroon (Boumba Bek, Nki and Lobéké National Parks), the Central African Republic (CAR) (Dzanga Sangha Protected Area), the Democratic Republic of Congo (DRC) (Salonga National Park), the Republic of Congo (Messok Dja), Nepal (Chitwan and Bardiya National Parks) and India (Kaziranga National Park and the Pench Tiger Reserve).³ The alleged abuses included multiple instances of murder, rape, torture, physical beatings, unlawful arrest and detention, invasion of homes, and destruction and theft of personal property committed by ecoguards whose activities WWF helped fund and support and which were described in a series of articles published in BuzzFeed News and the Kathmandu Post in March and April 2019.⁴

The Panel’s mandate was to (i) review, examine and assess WWF’s role in connection with the allegations; (ii) propose to WWF suitable measures, procedures and processes to prevent similar allegations and occurrences in

the future, including a review and examination of the presence and effectiveness of WWF’s broader policies and procedures, project governance, and assurance and risk management processes in the context of the allegations; and (iii) advise on future approaches to spatial conservation, based on the Panel’s recognised collective expertise in human rights, development and conservation.⁵

The Panel underscored that the focus of the inquiry was on the allegations against WWF (rather than on whether ecoguards and other law-enforcement agents had committed the specific alleged abuses). Allegations against WWF included: (i) WWF knew about the alleged abuses by ecoguards and other agents but continued to support and collaborate with them, (ii) WWF failed to take effective steps to prevent, respond to and remedy the alleged abuses, and (iii) WWF was not respecting the rights of indigenous peoples in its activities in support of existing and proposed protected areas.⁶

Overall, the Panel found that:

- In *every* protected area under review, WWF had knowledge of alleged human rights abuses;



Mising women have spoken out about the harassment of the forest guards and the threat of eviction from their ancestral land. Kaziranga National Park. Credit: Fiore Longo/Survival International

- In every protected area under review, WWF provided financial, technical and material support to ecoguards despite knowledge of alleged human rights abuses;
- In 7 of the 10 protected areas under review (in Cameroon, DRC, Republic of Congo, and Nepal), WWF failed to take adequate steps to prevent, respond to and remedy allegations of human rights abuses committed by ecoguards it funded and supported; and
- In 7 of the 10 protected areas under review (in Cameroon, the DRC, Republic of Congo, and Nepal), WWF failed to uphold the rights of IPLCs.

Despite these findings, the Report does not address whether WWF's role in alleged human rights abuses amounts to negligence or complicity.⁷ Instead of naming WWF's conduct, the Panel's statement on the presentation of its Report,⁸ the Report's executive summary and, to some extent, the Report itself, downplay WWF's responsibility for human rights abuses alleged to have been committed in the protected areas it funds, supports and co-manages. While the Report presents the facts, it does so in a way that obscures relevant information in its 160 pages without linking material facts to make express findings of wrongdoing. Instead it avoids asserting conclusions on the severity of WWF's conduct and the consequences of its failure to meet its human rights commitments. This stunning omission allowed WWF to publish a highly deceptive statement regarding the Panel's findings⁹ and appears to have misled some readers as to the severity of the conduct uncovered by the Report.¹⁰ It comes despite the Panel's own factual findings, which show that WWF was not only grossly negligent vis-à-vis its human rights commitments, but also, based on WWF's knowledge of allegations of abuse and continued financial and material support, that the organization was complicit in those abuses.¹¹

For these reasons, a factual account of the Panel's findings of WWF's conduct in connection with the alleged human rights abuses is set out below. This alternative executive summary does not attempt to address flaws in the Panel's investigation, nor comment on how its scope limited the Panel's ability to investigate the full breadth of problems in the protected areas under review or at WWF more broadly.¹² Nor does it contain an exhaustive account of WWF's wrongdoing as identified by the Panel; rather, the examples culled are illustrative of the Report's findings with respect to WWF's failure to meet its human rights obligations. Cross-references to the relevant pages of the Report where this conduct is documented are provided in the endnotes. Where inferences are made on the basis of the information uncovered by the Panel's investigation that are not explicitly reflected in the Report's conclusions, the authors have so indicated.

WWF had knowledge of alleged human rights abuses

The Panel's inquiry uncovered that WWF had knowledge of allegations of human rights abuses in every protected area subject to the investigation.¹³ In at least five of these protected areas (in Cameroon, the DRC and the Republic of Congo), WWF's knowledge of alleged human rights abuses significantly pre-dated any meaningful actions taken by WWF to respond to them.¹⁴ In the two protected areas in Nepal, no meaningful actions were taken whatsoever.¹⁵

Allegations of human rights abuses in the protected areas subject to the Panel's investigation include: multiple instances of rape, murder, beatings, torture, arbitrary arrest, village raids and looting; failure to obtain the free, prior and informed consent of indigenous peoples in connection with the creation of protected areas and related conservation programmes taking place on their lands; and adverse impacts on the livelihoods of IPLCs, including loss of culture and malnutrition, stemming from restrictions on access to their traditional territories, which were violently enforced by ecoguards that WWF funds and supports.¹⁶ Other allegations against ecoguards include theft, corruption and complicity in poaching.¹⁷

In Cameroon, WWF was aware of allegations of human rights abuses in the protected areas it co-manages at the latest by 2008 but failed to commission an internal investigation into those allegations until it came under pressure to do so by CSOs and the media in 2015.¹⁸

In the DRC, WWF became aware of allegations of abuses in Salonga in 2016 but failed to take action until CSOs brought additional allegations to light in 2018.¹⁹

Similarly, in Messok Dja, Republic of Congo, WWF was apprised of allegations of serious human rights abuses committed by ecoguards as early as 2016 but failed to take any remedial action until 2018.²⁰

WWF Nepal had knowledge of alleged human rights abuses committed by park rangers and army personnel in the Chitwan and Bardiya National Parks, but never raised concerns with WWF US (the Home Office for WWF Nepal), the park administration or the government.²¹ The Panel was unable to determine any action taken by WWF Nepal after it had been made aware of these alleged abuses.²²

WWF supported ecoguards despite knowledge of human rights abuses

In every protected area the Panel investigated, WWF was shown to have funded and/or provided technical, material and logistical support to ecoguards despite knowledge of credible allegations of abuses committed on

their patrols.²³ Except in Nepal, WWF entered into co-management agreements in the protected areas subject to these allegations. In the four protected areas where WWF commissioned an internal investigation into alleged abuses by ecoguards, funding continued even after these investigations corroborated allegations.²⁴ Incredibly, following these investigations, WWF has continued funding ecoguards even when recommendations and action plans adopted to safeguard IPLCs from further ecoguard abuse have yet to be made fully operational.²⁵

Despite knowledge of allegations of beatings and physical violence by ecoguards in the national parks of south-eastern Cameroon since at least 2008, WWF continued to fund, support and collaborate with ecoguards by providing equipment and material support, paying bonuses exceeding ecoguard salaries,²⁶ deciding whether to authorize particular patrols, reviewing plans and resourcing for patrols, including ‘raids’ (so-called *coups de poing*) that were supported with WWF funds. WWF Cameroon staff occasionally supervised patrols from a distance and occasionally participated in patrols themselves. Many patrols included units of the Cameroon army, with these benefitting from material support from WWF.²⁷

Because WWF Cameroon controls disbursement of funds, the Panel concluded that it ‘effectively has had the power to decide whether or not to approve proposals for funded operations, including ecoguard patrols’.²⁸ The Panel found that without external financial support, ‘MINFOF [the Ministry of Forests and Fauna with oversight of Cameroon’s national parks] would not have had the budget to conduct anti-poaching patrols in protected areas, at least not to the same extent’.²⁹ And yet, between 2014 and 2018, WWF Cameroon supported at least 63 ‘raids’ involving ecoguards of which 32 involved army units.³⁰ These operations took place (i) despite knowledge of alleged human rights abuses committed by ecoguards since at least 2008 and two internal investigations in 2015 and 2017 corroborating allegations of abuse, and (ii) without having operationalized critical safeguards needed to prevent ecoguards from committing further abuses in the field.³¹

In the DRC, the Panel found that ‘before and since learning of the allegations of human rights abuses’ WWF provided financial, technical and material support to Salonga National Park ‘for its general operations, including infrastructure and equipment such as vehicles, radios and GPS devices for the ecoguards’.³² WWF began paying ecoguard bonuses ‘no later than December 2016’,³³ by which point it had knowledge of allegations of serious human rights abuses committed by ecoguards.³⁴ While the Panel found that the *Institut Congolais pour la Conservation de la Nature* (ICCN, the government agency with responsibility over national parks in the DRC) was nominally responsible for base salaries of ecoguards, ‘a 2018 self-evaluation of the national park . . . stated that bonuses were the sole source of revenue for the ecoguards’.³⁵

Despite knowledge of allegations of human rights abuses corroborated by at least three different internal investigations (June 2018, February 2019 and October–December 2019) and a report produced by two CSOs in October 2018, subsequently updated with further allegations in November 2018,³⁶ WWF International did not suspend payment of bonuses to Salonga ecoguards until 11 December 2019. It did so ‘in response to the discovery of the body of a fisherman inside the national park. WWF announced on 7 February 2020 that it was lifting the suspension because the case had been referred to the Boende Military Tribunal’.³⁷ This is troubling, not least because, elsewhere in the Report, the Panel underscored how ineffective the Boende Military Tribunal has been at holding alleged perpetrators accountable by investigating and prosecuting reported cases of ecoguard abuse.³⁸ At the time WWF decided to reinstate ecoguard funding, none of the underlying issues that had resulted in multiple, well-documented allegations of rape, torture and murder by ecoguards in Salonga had been resolved.³⁹ Unlike in Cameroon, the Panel did not make an express finding on the extent to which ecoguard patrols could have continued without WWF’s funding.

In the CAR, WWF continued providing various levels of financial and material support to ecoguards, even though they were alleged to have perpetrated human rights abuses in the Dzanga Sangha Protected Area (DSPA).⁴⁰ This included continued paramilitary training, provided by a private security company, but facilitated and funded by WWF.⁴¹ It also solicited the support of the CAR army to conduct highly militarized operations, including the use of military aircraft, in support of anti-poaching activities in the DSPA.⁴²

WWF failed to prevent and respond to human rights abuses

The Panel’s investigation revealed that WWF consistently failed to take adequate steps to prevent, respond to and remedy alleged human rights abuses in and around protected areas it supports. In seven protected areas, the Panel determined that WWF did not fulfill its human rights obligations.⁴³

Lack of due diligence and implementation of WWF’s human rights commitments

WWF failed to exercise adequate due diligence regarding human rights violations before entering into memorandums of understanding (MOUs) and other co-management agreements with relevant government authorities.⁴⁴

In Messok Dja, the Panel found that ‘WWF should have carefully considered and addressed human rights issues, including through local consultation’ and that doing

so ‘would have enabled WWF to include provisions in the agreement making clear its standards on human rights, including the expected standards for ecoguards and the consequences for failure to comply with those standards.’⁴⁵

In Cameroon, prior to the action plan WWF adopted in 2016, WWF

*had not incorporated its human rights commitments into its agreement with MINFOF, operationalised the commitments in its work, ensured that it had the necessary capacity to implement the commitments, or established processes to monitor and ensure compliance with them. It did not have a due diligence process to assess the human rights impacts of supporting ecoguard and army patrols, or to address any potential or actual impacts identified.*⁴⁶

The agreement WWF re-negotiated with MINFOF to address some of these concerns in 2018 has not been signed by MINFOF (and, therefore, any improvements vis-à-vis the earlier agreement are, presumably, not in effect).⁴⁷

In Salonga National Park, a risk assessment four months before WWF signed an MOU with ICCN flagged the possibility WWF might be associated with human rights abuses committed by ecoguards, including against local communities. In response, WWF recommended hiring a park director capable of minimizing the risk of ecoguard misconduct. However, since the MOU ‘did not provide the Park Director with authority to hire, discipline or fire ecoguards’ it is unclear how any WWF-appointed park director, however qualified, could have mitigated the risks involved.⁴⁸

This is one of the many reasons the Panel concluded that WWF DRC’s risk assessment and mitigation plan was insufficient, including because WWF

*did not evaluate the risks in detail or develop an effective plan to prevent or respond to abuses. WWF did not consult with representatives of the communities around the national park to identify the potential impacts of taking on the co-management role; it did not clearly identify or inform others of the human rights commitments in its social policies that would be relevant to its co-management of Salonga National Park; it did not identify or inform others of any “red lines” that, if crossed, would cause it to limit or withdraw support; and it did not establish, or partner with others to establish a mechanism to hear complaints from local communities.*⁴⁹

The Panel underscored that WWF DRC’s failure ‘to anticipate and adopt measures to protect the rights of local residents and prevent potential abuses was due in large part to the fact that WWF International did not operationalise the policies and procedures necessary to ensure that WWF DRC could implement its human rights commitments’

and that ‘these omissions were the responsibility not just of WWF DRC, but of the WWF Network as a whole.’⁵⁰

The Panel came to similar conclusions concerning the systemic way in which WWF as an organization was ill-equipped to implement its human rights commitments, adequately respond to and investigate allegations of abuses, or otherwise have systems in place to effectively mitigate risks of human rights abuses.⁵¹ Overall the Panel concluded that ‘neither WWF International and WWF US as Home Offices nor the WWF Network as a whole provided clear guidance to Programme Offices on how they should implement WWF’s human rights commitments.’⁵²

FPIC obligations and the human rights of IPLCs

The Panel did not identify a single agreement between WWF and respective government authorities that committed park administrators, including WWF and its employees, to uphold the rights of indigenous peoples or human rights more generally.⁵³

In four of the protected areas subject to review (in Cameroon and Republic of Congo respectively), WWF collaborated directly with authorities and relevant stakeholders in their creation or proposed creation. The Panel found that stakeholders involved in the process (including WWF) failed to consult adequately with affected IPLCs and obtain the FPIC of impacted indigenous communities.⁵⁴ Beyond mere knowledge, the Panel’s findings indicate that WWF was directly involved in violating indigenous peoples’ FPIC rights.⁵⁵

In the Republic of Congo, the Panel found that the consultation process implemented by WWF ‘did not comply with international human rights norms or WWF’s own commitments’.⁵⁶ When WWF commissioned Forest Peoples Programme (FPP) to assess the FPIC process in Messok Dja, FPP found ‘fundamental flaws’ with WWF’s approach to FPIC, ultimately concluding ‘that under these circumstances no remedial action would be able to render the FPIC process compliant with WWF’s social policies and international human rights norms.’⁵⁷ WWF rejected FPP’s recommendation to abandon the protected area or redefine the proposed protected area to exclude all lands that overlap with community lands.⁵⁸

Moreover, WWF failed to incorporate provisions in MOUs and/or co-management agreements to ensure IPLCs were adequately consulted and their rights otherwise upheld.⁵⁹ Although not expressly covered in the Panel’s Report, in at least four protected areas in the DRC, the CAR and India, the failure of respective governments to obtain indigenous communities’ FPIC did not stop WWF from entering into MOUs and/or co-management agreements with government actors after the fact.⁶⁰

In Cameroon, despite efforts to draft a new MOU with MINFOF in 2018 ‘which would improve on the existing

agreement in some important respects’, including an appendix that provides that MINFOF will ensure that its field staff comply with a ‘Code of Conduct in the implementation of anti-poaching activities and take all necessary disciplinary measures in cases of non-compliance’, the new draft ‘still falls short of including commitments by MINFOF to comply with the rights of indigenous peoples and local communities’.⁶¹ Even so, MINFOF has yet to sign the MOU⁶² and an action plan providing the indigenous Baka community with access rights ‘has still not been developed.’⁶³

In the DRC, the MOU WWF entered into with ICCN does not appear to have included provisions ensuring the rights of IPLCs in and around the park were upheld. The Panel criticized the April 2019 action plan WWF adopted in response to its internal investigations into alleged human rights abuses because it did ‘not address the prohibition on access and resource use in the national park, even for subsistence hunting and fishing in accordance with customary rights of local communities, something that is a human rights issue in itself and also an important driver of conflicts between ecoguards and local communities’.⁶⁴

Measures taken to respond to and remedy allegations of abuse

In seven protected areas under review, WWF failed to take adequate measures to respond to and remedy allegations of abuse.⁶⁵ The Panel uncovered that WWF failed to promptly respond to and investigate serious allegations of human rights abuses in protected areas in Cameroon, the DRC and the Republic of Congo.⁶⁶ In Nepal, it failed to investigate or adequately apprise itself of allegations of human rights abuses or take any other remedial actions whatsoever.⁶⁷

In six protected areas in the CAR, Republic of Congo, India and Nepal, despite having knowledge of allegations of human rights abuses by ecoguards, WWF did not undertake any internal investigations into those allegations.

In the four protected areas where WWF conducted internal investigations into allegations, WWF has yet to implement many of the critical recommendations identified by the experts who conducted those investigations to correct the flaws their investigations uncovered.⁶⁸

In Cameroon, WWF conducted two investigations almost three years apart, in 2015 and 2017 respectively. The second external evaluation ‘reached very similar conclusions [to the first] . . . reflecting the lack of progress that had been made up to that point.’⁶⁹ Since then, despite some progress in recent years, critical recommendations from the action plans adopted following these investigations have yet to be implemented. Beyond an action plan granting Baka forest access and use rights that has yet to be developed, several key recommendations to ensure oversight of ecoguards and accountability for abuses have failed to materialize. While a code of conduct for

ecoguards has been adopted in Lobéké National Park, MINFOF has not done so in Boumba Bek or Nki National Parks ‘and WWF Cameroon has not pressed it to do so’.⁷⁰ Moreover, the code of conduct adopted in Lobéké falls short of providing a procedure through which ecoguards who are found to have committed serious human rights abuses can be terminated; as civil servants, only the President of Cameroon has the authority to do so.⁷¹ The recommendation that WWF Cameroon and MINFOF develop a rapid response structure for responding to incidents and dealing with allegations has similarly not been implemented.⁷²

In the DRC, the Panel found that WWF failed to effectively respond to allegations of human rights abuses by ecoguards to whom it was providing financial support and that it had an obligation to do so ‘even with respect to abuses alleged to have occurred before WWF assumed co-management of the national park.’⁷³ In this respect, WWF had an obligation ‘to take the necessary steps to understand the nature of the allegations – in particular, whether they were isolated incidents that were being properly investigated, punished and remediated, or they were evidence of a more systemic problem – and to use its leverage to prevent and mitigate the harm.’ And it had an obligation to do so ‘as quickly as possible after the allegations arose. It is highly troubling, therefore, that the decision by the WWF DRC [senior management team] in March 2017 to investigate the allegations, and to initiate a study with a national NGO to investigate the relationship of the national park with the local communities, was never implemented.’⁷⁴

Critically, the Panel concluded that the reasons WWF gave for not inquiring further into allegations of human rights abuses in Salonga ‘do not stand up to scrutiny’ and that ‘[t]he actual reason for not examining this issue more closely seems to have been a desire to avoid conflicts with ICCN, which senior officials at WWF DRC and WWF ROA [WWF’s regional office in Africa] believed would react negatively to any efforts to look into allegations of past human rights abuses’.⁷⁵ The Panel underscored that the ultimate responsibility for these omissions was with WWF International and the WWF Network as a whole.⁷⁶

As for the April 2019 action plan committed to by WWF International and the Director General of the ICCN in response to allegations of abuse, the Panel concluded that while many of the listed items would be very positive if taken, as of July 2020, ‘only two of the eight action items had been implemented: ecoguards had ceased joint patrols with army units (which had apparently already ended after 2018), and more specific human rights training had begun to be provided in February 2020.’⁷⁷

In the Republic of Congo, the Panel concluded that

WWF should not have waited until 2018 to begin to take effective steps to prevent abuses by ecoguards. After that point, WWF ROC introduced safeguards almost entirely on its own initiative, without clear guidance on

*how to comply with WWF's social policies and human rights commitments from either WWF International or the WWF National Offices that were engaged in the ROC. WWF International did not fulfil its responsibility to ensure that WWF ROC effectively fulfilled WWF's human rights commitments. This responsibility was particularly acute because of the small number of staff in WWF ROC.*⁷⁸

Redress and accountability for reported human rights abuses

None of the alleged victims have obtained adequate redress or reparation for the alleged human rights abuses they have experienced. Moreover, the Panel concluded that some of the redress mechanisms WWF implemented in response to allegations of abuse were inadequate.

In Cameroon, the Panel found that poor oversight, guidance and support on how to address specific complaints of abuse by WWF International led to confusion on the part of WWF Cameroon on how to address allegations of human rights abuses.⁷⁹ The decision to refer allegations of ecoguard abuse to MINFOF without ensuring adequate safeguards to protect alleged human rights victims 'carried the risk of putting the alleged victims at additional risk from reprisals.'⁸⁰ The Panel found that although a complaint mechanism established for Baka communities in December 2016 represented an improvement, shortcomings remained, including: that the office of the CSO administering the complaint mechanism 'in Yokadouma was too far from the Baka communities in south-eastern Cameroon; that the exclusive focus on indigenous people excluded other marginalised people; that the mechanism was too closely associated with WWF; and that it lacked long-term secure funding.'⁸¹ By February 2020, a series of changes had been adopted in response to the review that had identified these shortcomings.⁸² While it is too early to assess the effectiveness of the revised mechanism, the Panel underscored a major flaw: it does not cover allegations of abuses committed in Nki National Park.⁸³

In the Republic of Congo, WWF first instituted a complaint procedure in 2018. However, under this new mechanism, WWF personnel are essentially tasked with investigating themselves, with no independence from the joint conservation programme, posing a significant risk of conflict of interest.⁸⁴

In Nepal, the Panel found that WWF failed to put any process in place to become aware of alleged human rights abuses committed during anti-poaching missions.⁸⁵ As a result, WWF Nepal was often unable to 'make informed decisions, conduct enquiries and take action in relation to its support for protected areas.'⁸⁶ The Report made clear that WWF Nepal failed to take the appropriate actions to ensure that allegations of human rights abuses were adequately addressed.⁸⁷

In the DRC, a report published by the WWF Network's Internal Audit Team in March 2019 stated that in Salonga National Park due to a 'lack of evidence of training and sensitisation of all stakeholders; lack of a complaint mechanism; and lack of a consolidated record to track complaints', the WWF DRC senior management team 'was not in a position to have strong oversight and good management of risks related to social policies'.⁸⁸ As of July 2020, WWF had still not established a complaint mechanism in Salonga, although it was in the process of recruiting a local NGO to design a complaint mechanism in consultation with the local communities.⁸⁹

Even so, the park administration co-managed by WWF and ICCN has not provided support to the alleged victims 'on the grounds that since it is an interested party, doing so would constitute a conflict of interest.' CSOs have proposed that WWF or the park administration it co-manages with ICCN 'establish an independent fund to support alleged victims, in the context of the complaint mechanism. This has not occurred.'⁹⁰ Most of the multiple cases of rape, murder, and torture documented in the internal investigations undertaken by WWF and referred to the military auditor have not been taken up for prosecution by the military tribunal with jurisdiction over ecoguard abuses.⁹¹

Lack of transparency and public disclosure

WWF failed to disclose the findings of its independent investigations to the public and it is unclear from the Report to what extent WWF may have done so with donors.⁹²

In the Republic of Congo, WWF made a funding application to the EU with incomplete information regarding local attitudes towards WWF and the proposed protected area.⁹³ The language used by WWF misled the EU to believe that the project had a greater degree of support from local communities, while omitting crucial information such as the fact that 'indigenous people would hide at the approach of WWF vehicles'.⁹⁴

In Cameroon, WWF refused to publish the reports produced by the two independent experts it had commissioned in 2015 and 2017 over concerns of adverse publicity.⁹⁵ The Panel found that 'WWF offices tended to minimise, to internal as well as external audiences, the full extent of the problem and the difficulties WWF faced in addressing it'.⁹⁶

In the DRC, WWF has similarly refused to publish any of the reports produced by the internal investigations it commissioned in June 2018, February 2019 and October–December 2019, citing concerns of victim confidentiality.⁹⁷ Presumably, if that was genuinely the concern, WWF could have redacted victim-identifying information while still making the rest of the reports public.

Authors' Assessment Based on the Panel's Findings

Even though WWF had knowledge of alleged human rights abuses in every protected area subject to the Panel's investigation, it has only conducted internal investigations in half of them (in Cameroon, the DRC and Republic of Congo). Most of these investigations were limited in scope and failed to unearth the full scale of allegations. In Messok Dja, the internal investigation focused on the FPIC process and did not cover known allegations of ecoguard abuses. While WWF commissioned internal investigations into allegations of ecoguard abuses in Cameroon and the DRC, it only did so following pressure from CSOs and/or the media. In the DRC, the Panel underscored that the villages visited during the course of internal investigations represented 'under two per cent of all the villages around the national park. There is no reason to think that the communities visited were unusually likely to be subjected to human rights abuses' and that, as a result, reports 'almost certainly described only a small fraction of the problem'.⁹⁸

Importantly, no internal investigations took place in Nepal, India and the CAR despite knowledge of credible allegations of ecoguard abuses in the parks it supports there. In Nepal, without expressly stating that WWF failed to meet its human rights commitments, the Panel concluded WWF had an obligation to apprise itself of what

was 'happening on the ground where it works in order to fulfill the obligations flowing from its own Conservation and Human Rights Framework (2009)' and that there was no formal mechanism in place for WWF to do so.⁹⁹ In India and the CAR, it is astounding the Panel could have concluded WWF lived up to its human rights commitments when it failed to commission any internal investigations into known allegations of abuse. It begs the question: would the Panel have reached the same conclusions regarding WWF's conduct if it had had access to evaluations by independent experts, the way it did in the DRC, Cameroon and the Republic of Congo?

This points to a practice of willful blindness by WWF, its board and senior management teams. Instead of investigating the full scale of human rights abuses reported, it averted its gaze, sidestepped difficult conversations with the government agencies it partners with on the ground and avoided scrutiny from donors about the coercive conservation model it has promoted. WWF has continued funding ecoguards even when critical safeguards (including its own human rights policies) have not been fully operationalized to secure the rights of IPLCs in the protected areas subject to the Panel's investigation. Because WWF did not adequately mitigate the known human



A Chepang family stand in the remains of their house after it was burnt down by officials of Chitwan National Park, Nepal, during the monsoon.
Credit: Raju Chaudhary/Survival International

rights risks the Panel's investigation uncovered, WWF is complicit in alleged human rights abuses in the protected areas the Panel found WWF funds and supports.

The findings point to a systemic rather than episodic problem across the organization. Deficiencies over lack of accountability, guidance, oversight and implementation of human rights protocols are directly attributable to WWF International and the WWF Network.¹⁰⁰ As the Panel asserts, WWF's human rights commitments 'have not been adequately and consistently followed through'¹⁰¹ with no consistency over how to address human rights abuses.¹⁰² As a result, many country offices were ill-equipped and therefore failed to ensure that WWF complied with its human rights obligations. Despite WWF's negligence in operationalizing critical safeguards to mitigate the risk of human rights violations in parks where it had knowledge of credible allegations of ecoguard abuse, WWF has not apologized to any of the alleged victims, nor has it provided adequate victim support, reparation or measures of redress for the alleged violations that have been facilitated by its financial, technical and material support.

With the review comprising just a fraction of WWF-managed and supported protected areas, the Panel's findings may well represent the tip of the iceberg. To fully ensure a human rights-abiding approach to protected area management, WWF and its donors must take additional steps to redress violations of human rights abuses in the protected areas it supports. Donors have a responsibility to commission independent reviews led by indigenous peoples in each protected area where violations have been alleged. WWF and its donors must also send a clear message that they have zero tolerance for the conduct that contributed to the findings in the Panel's report. Donors should suspend funding conservation projects in protected areas with unresolved human rights allegations and should not

reinstate funding until these allegations have been independently investigated, and necessary safeguards, supervised externally, have been fully operationalized, and reparations are provided to any victims. Individuals at the organization, from staff members in country offices to members of WWF International's senior management team and board, must be held accountable for WWF's egregious failings and, in particular, the decisions and organizational culture that led WWF not to take any meaningful measures to address serious allegations of human rights abuses, often for several years after they came to light.

The Panel's report highlights the endemic nature of human rights abuses inflicted on IPLCs living in and around protected areas in Asia and Africa. While the Panel made a series of recommendations to improve WWF's conduct, these recommendations do not go far enough. Nor do they address the pressing need to radically transform coercive conservation models that lie at the root of those abuses. This militarized approach to conservation, designed by members of the conservation establishment like WWF and funded by large statutory donors as well as many thousands of individual givers, shows little concern for the devastating consequences inflicted on IPLCs. The irony of using such an approach on indigenous communities, which are the globe's most effective environmental custodians, merely emphasizes the myopia and the colonial style arrogance that drives it. Urgent redesign of conservation models is needed to place IPLCs at the centre and secure their customary tenure rights. Doing so is not only required as a matter of international human rights law, it is also the most effective way to conserve the environment.¹⁰³ Following the Panel's findings to their logical conclusion, as this briefing has done, reveals that curbing such practices and ensuring accountability is an environmental and human rights imperative.

Notes

- 1 The Report is available on WWF's website: *Embedding Human Rights in Forest Conservation: From Intent to Action – Report of the Independent Panel of Experts of the Independent Review of allegations raised in the media regarding human rights violations in the context of WWF's conservation work* (henceforth 'WWF Panel Report'), 17 November 2020. https://wwfint.awsassets.panda.org/downloads/independent_review_independent_panel_of_experts_final_report_24_nov_2020.pdf
- 2 WFF website, 'Embedding human rights in conservation', November 2020. https://wwf.panda.org/wwf_news/wwf_independent_review/
- 3 The chapter headings in the Panel's report only list eight protected areas, omitting Bardiya National Park in Nepal and Pench Tiger Reserve in India. However, these two protected areas were also subject to the Panel's review.
- 4 Warren, T. and Baker, K., 'WWF's secret war,' *BuzzFeed News*, 4 March 2019, <https://www.buzzfeednews.com/article/tom-warren/wwf-world-wide-fund-nature-parks-torture-death>; 'Shock, anger and calls for investigation in the UK and the US after reports on World Wide Fund for Nature,' *Katmandu Post*, 5 March 2019. <https://kathmandupost.com/national/2019/03/05/shock-anger-and-calls-for-probe-after-reports-on-world-wide-fund-for-nature> See also WWF Panel Report, pp.1, 20.
- 5 Several CSOs raised concerns regarding the Panel's Terms of Reference and the way the investigation was being undertaken, criticizing, in particular, its limited scope as flawed. See, e.g., Letter from Rainforest UK and other CSOs (Mr. Counsell) to WWF International (Mr. Lambertini), 9 April 2019; Letter from Rainforest Foundation UK and Survival International (Mr. Counsell and Mr. Corry) to the Independent Review Panel on WWF (Ms. Pillay), 3 September 2019, www.rainforestfoundationuk.org/media.ashx/wwfletter.pdf; Letter from Survival International (Mr. Corry) to the Independent Review Panel on WWF (Mr. Splinter), 6 September 2019; Letter from Minority Rights Group International (Mr. Castellino and Ms. Castello) to the Independent Review Panel on WWF (Ms. Pillay), 4 October 2019.
- 6 WWF Panel Report, p.1.
- 7 The Panel is careful not to state whether WWF was in fact complicit in human rights abuses or negligent vis-à-vis its activities on the basis of the report's findings. The report mentions complicity in passing on only two occasions in the 160-page report: once to describe allegations of WWF complicity in human rights abuses purportedly examined by WWF's Audit Committee; the second to describe rumors of alleged ecoguard complicity in poaching in Salonga National Park. WWF Report, pp.73, 136.
- 8 'Statement of the Independent Panel of Experts on the presentation of its report for the WWF Independent Review', 24 November 2020. https://wwfint.awsassets.panda.org/downloads/2_ir_independent_panel_statement.pdf
- 9 WWF, 'WWF Statement: Embedding human rights in conservation', 24 November 2020. https://wwfint.awsassets.panda.org/downloads/1_ir_wwf_statement.pdf
- 10 So much so, that a recent Guardian article announced that the Panel had cleared WWF of complicity in violent abuses by ecoguards. Peter Beaumont, 'Report clears WWF of Complicity in violent abuses by conservation rangers', *The Guardian*, 25 November 2020. <https://www.theguardian.com/environment/2020/nov/25/report-clears-wwf-of-complicity-in-violent-abuses-by-conservation-rangers>
- 11 Complicity is generally made up of two elements: (i) 'An act or omission by a company, or individual representing a company, that "helps" (facilitates, legitimizes, assists, encourages, etc.) another, in some way, to carry out a human rights abuse' and (ii) 'The knowledge by the company that its act or omission could provide such help'. UN Global Compact, Principle 2. <https://www.unglobalcompact.org/what-is-gc/mission/principles/principle-2>
- 12 In particular, in India and the Central African Republic (CAR), despite having uncovered serious problems with the way that WWF operated in those parks and treated and responded to allegations of human rights abuses committed by ecoguards, the Panel appears to absolve WWF of responsibility for failing to uphold its human rights commitments.
- 13 WWF Report, pp.46, 62 (Cameroon); pp.73, 83 (DRC); p.98 (Republic of Congo), p.114 (Nepal), p.125 (India). While WWF had knowledge of general allegations of human rights abuses in the Central African Republic (CAR), the Panel did not make an express finding on whether WWF had knowledge of specific allegations of human rights abuse which were not identified in media reports and thus fell outside of the scope of the Panel's investigation. WWF Panel Report, p.7. However, the Panel's investigation did reveal that an independent complaint mechanism at the Dzanga Sangha Protected Area (DSPA) funded by WWF Germany had recorded 40 specific allegations of human rights abuses between April 2016 and December 2019 and all relevant complaints are reported to WWF CAR, and sometimes directly to WWF Germany. WWF Panel Report, p.93.
- 14 *Ibid.*, pp.46, 62-63 (Cameroon); pp.82-85 (DRC); pp.98-99 (Republic of Congo).
- 15 *Ibid.*, pp.117-118.
- 16 See generally *Ibid.*, pp.46-49, 51, 62 (Cameroon); pp.72-79 (DRC); pp.114-16, 120 (Nepal); pp.125-26 (India); pp.100-101 (Republic of Congo).
- 17 *Ibid.*, pp.72-79.
- 18 *Ibid.*, pp.46, 62-63.
- 19 *Ibid.*, pp.72-76, 82-85.
- 20 *Ibid.*, pp.98-99.
- 21 *Ibid.*, p.117.
- 22 *Ibid.*, p.117.
- 23 *Ibid.*, pp.49-50 (Cameroon); p.75 (DRC) pp.89-90 (CAR); p.99 (Republic of Congo); pp.112, 116 (Nepal); p.127 (India).
- 24 *Ibid.*, pp.62-63 (Cameroon); p.75 (DRC).
- 25 This has been the case in Cameroon and the DRC. See endnotes 27, 32-34 and accompanying text.
- 26 In Cameroon, although ecoguards are Ministry of Forests and Fauna (MINFOF) employees and their salaries are paid by the ministry, WWF Cameroon pays ecoguard 'bonuses' which often exceed their salaries. WWF Panel Report, pp.49-50.
- 27 *Ibid.*, pp.50, 62.
- 28 *Ibid.*, p.50.
- 29 *Ibid.*, p.50.
- 30 *Ibid.*, p.50.
- 31 Following the first internal investigation confirming allegations of serious human rights abuses in 2015, WWF Cameroon adopted an action plan in February 2016 to mitigate the risk such abuses would take place in the future. It failed to implement any of the remedial measures set out in the action plan until September 2017. A follow up investigation, conducted in 2017, confirmed many of the first report's findings, suggesting little had changed in the intervening period. Since then, many critical reforms, in particular, recommendations with respect to oversight of ecoguards and the MOU WWF signed with MINFOF to ensure its staff comply with a code of conduct during field operations have failed to materialize (even at the time of publication of the Panel's

- report). While a code of conduct for ecoguards has been adopted in Lobéké National Park, MINFOF has not done so in Boumba Bek or Nki National Parks and, critically, 'WWF Cameroon has not pressed it to do so'. WWF Panel Report, p.63.
- 32 *Ibid.*, p.75.
- 33 *Ibid.*, p.75.
- 34 'Within a year after WWF DRC assumed co-management of Salonga National Park, it began to hear rumours of abuses committed by ecoguards, which culminated in a report of allegations in December 2016 from one of its own staff members'. *Ibid.*, p.83.
- 35 *Ibid.*, p.75.
- 36 *Ibid.*, pp.74-75, 77-90.
- 37 *Ibid.*, p.75.
- 38 *Ibid.*, pp.81-82 (noting, *inter alia* that 'As of July 2020, the Panel has been informed that the Boende Military Auditor has not taken to the Military Court any of the other multiple cases of rape, murder and torture referred to it by the CODHOD investigation. Among other possible reasons, the Military Auditor may not have sufficient resources to conduct further investigations.').
- 39 As for the April 2019 action plan committed to by WWF International and the Director General of the ICCN in response to allegations of abuse, the Panel concluded that while many of the listed items would be very positive if taken, as of July 2020, 'only two of the eight action items had been implemented: ecoguards had ceased joint patrols with army units (which had apparently already ended after 2018), and more specific human rights training had begun to be provided in February 2020. WWF Panel Report, p.85.
- 40 *Ibid.*, p.93.
- 41 *Ibid.*, p.91.
- 42 *Ibid.*, p.90.
- 43 *Ibid.*, p.66 (Cameroon); p.85 (DRC); pp.107-09 (Republic of Congo); p.117-21 (Nepal). Although the Panel found WWF's conduct in Nepal less egregious than protected areas in Cameroon, DRC and the Republic of Congo, it concluded that WWF did not comply with its own human rights safeguards by failing to take necessary actions to apprise itself of human rights violations. WWF Panel Report, p. 118.
- 44 *Ibid.*, p.62 (Cameroon); p.75, 82-83 (DRC); pp.107-09 (Republic of Congo), p.8. In Nepal, where WWF did not have an MOU in place, the Panel found that WWF failed to exercise proper due diligence or conduct necessary background checks when it hired a park official in 2014 who had been arrested and charged in connection with the detention, torture and subsequent death of Shikharam Chaudhary while in custody in Chitwan in June 2006. The case had been known to WWF at the time. WWF Panel Report, pp.115, 119.
- 45 *Ibid.*, p.8.
- 46 *Ibid.*, p.62.
- 47 See endnotes 61-62 below and accompanying text.
- 48 WWF Panel Report, p.75.
- 49 *Ibid.*, p.82.
- 50 *Ibid.*, pp.82-83.
- 51 *Ibid.*, pp. 10-12.
- 52 *Ibid.*, p.11.
- 53 See *Ibid.*, p.71 (DRC); pp.62-63, 65 (Cameroon); p.88 (CAR); p.97 (ROC); p.124 (India). In India and the CAR the Panel did not elaborate on whether the applicable agreements contained human rights safeguards. With respect to agreements between WWF International and partner countries where the national legislation fell below the standards embodied in WWF's own internal policies, the Panel concluded that '[n]one of the agreements and MOUs established in the period covered by this report contain provisions relating to the state agencies' responsibilities in relation to human rights or the rights of indigenous people, or to WWF's own human rights commitments.' WWF Panel Report, p.11.
- 54 *Ibid.*, pp.44-45, 62 (Cameroon); pp.8, 103-06 (Republic of Congo).
- 55 While the Panel concluded that WWF was only peripherally involved in the consultation of local communities in Cameroon and was therefore less responsible than other stakeholders, in the Republic of Congo, the Panel found that the consultation process implemented by WWF misunderstood 'basic aspects of indigenous rights and the FPIC process'. It also found that WWF had 'supported the proposal for a national park or protected area in Messok Dja since at least 2011, but it did not start to engage with the affected communities until June 2017', emphasizing that '[t]he FPIC process should have begun as soon as the proposal for a protected area was first raised'. WWF Panel Report, pp.8, 103-106 (ROC). See also pp.44-45, 62 (Cameroon).
- 56 *Ibid.*, pp.8, 103-105.
- 57 *Ibid.*, p.105.
- 58 *Ibid.*, pp.105-06.
- 59 *Ibid.*, p.71 (DRC); pp.62-63, 65 (Cameroon); p.88 (CAR); p.97 (ROC); p.124 (India).
- 60 *Ibid.*, pp.71-72 (DRC); p.88 (CAR) p.124 (India).
- 61 *Ibid.*, p.63.
- 62 *Ibid.*, p.63.
- 63 *Ibid.*, p.61. See also pp.59-61.
- 64 *Ibid.*, p.85.
- 65 *Ibid.*, p.62 (Cameroon); pp.82-85 (DRC); pp.107 (Republic of Congo); pp.117-19 (Nepal).
- 66 *Ibid.*, pp.63 (Cameroon); pp.78, 83 (DRC); p. 107 (Republic of Congo).
- 67 *Ibid.*, p.117.
- 68 *Ibid.*, p. 62 (Cameroon); pp. 82-83 (DRC).
- 69 *Ibid.*, p.63.
- 70 *Ibid.*, p.63.
- 71 *Ibid.*, p.64.
- 72 *Ibid.*, p.63.
- 73 *Ibid.*, p.83.
- 74 *Ibid.*, p.83.
- 75 *Ibid.*, pp.83-84.
- 76 *Ibid.*, p.84.
- 77 *Ibid.*, p.85.
- 78 *Ibid.*, p.107.
- 79 *Ibid.*, p.64.
- 80 *Ibid.*, p.64.
- 81 *Ibid.*, p.58.
- 82 *Ibid.*, p.58.
- 83 *Ibid.*, p.64.
- 84 *Ibid.*, p.108.
- 85 *Ibid.*, pp.117-18.
- 86 *Ibid.*, p.118.
- 87 *Ibid.*, p.9.
- 88 *Ibid.*, p.78.
- 89 *Ibid.*, p.81.
- 90 *Ibid.*, p.81.
- 91 *Ibid.*, p.82.
- 92 *Ibid.*, pp.65-66 (Cameroon); pp.104, 109 (Republic of Congo).
- 93 *Ibid.*, p.104.
- 94 *Ibid.*, p.109.
- 95 *Ibid.*, p.66.
- 96 *Ibid.*, p.66.
- 97 *Ibid.*, p. 80.

- 98 *Ibid.*, pp. 84-85.
- 99 *Ibid.*, pp.118-119.
- 100 WWF Panel Report, p.11.
- 101 *Ibid.*, p.148.
- 102 *Ibid.*, p.148.
- 103 Rights and Resources Initiative, *Rights-Based Conservation: The Path to Preserving Earth's Biological and Cultural Diversity*, November 2020. https://rightsandresources.org/wp-content/uploads/2020/12/Final_Rights_Conservation_RRI_12-7.pdf . See also Tauli-Corpuz, V. *et al.*, 'Cornered by PAs: Adopting rights-based approaches to enable cost-effective conservation and climate action,' *World Development* 130, 2020, p.10.

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Violent Conservation:

WWF's Failure to Prevent, Respond to and Remedy Human Rights Abuses Committed on its Watch

In April 2019, WWF appointed an Independent Panel of Experts to assess its role in connection with alleged human rights violations in and around protected areas supported by WWF in Cameroon, the Central African Republic (CAR), the Democratic Republic of Congo (DRC), the Republic of Congo, Nepal, and India. The alleged abuses included multiple instances of murder, rape, torture, physical beatings, unlawful arrest and detention, invasion of homes, and destruction and theft of personal property committed by ecoguards whose activities WWF helped fund and support.

The Panel's report, published in November 2020, found that in all the protected areas under review, WWF had knowledge of the alleged abuses. In half of these protected areas WWF failed to conduct investigations and in the remaining protected areas it only commissioned investigations several years after the alleged incidents were first reported. The Panel's findings confirm that, over many years and in multiple countries, WWF consistently failed to take adequate steps to prevent, respond to and remedy alleged human rights abuses in and around protected areas it supports.

Despite these clear findings, the Panel's executive summary and accompanying press releases from both the Panel and WWF have obscured the scope and nature of the Panel's findings with respect to WWF's failure to uphold its human rights commitments. To counter this mischaracterization of the Report, the alternative executive summary contained in this briefing elucidates and clarifies the Report's salient findings, based on a thorough review of what the Panel actually determined through the course of its investigation. In so doing, it points to some of the deeper structural reforms necessary to address the flaws in the coercive conservation model that lies at the root of the allegations subject to the Panel's investigation.

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Minority Rights Group International (MRG) is a non-governmental organization (NGO) working to secure the rights of ethnic, religious and linguistic minorities worldwide, and to promote cooperation and understanding between communities. MRG has consultative status with the UN Economic and Social Council (ECOSOC), and observer status with the African Commission on Human and Peoples' Rights. MRG is registered as a charity, no. 282305, and a company limited by guarantee in the UK, no. 1544957.

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The text does not necessarily represent in every detail the collective view of MRG or its partners. Copies of this study are available online at www.minorityrights.org

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