



# Statement: Protected areas in the Democratic Republic of Congo – a broken system

25<sup>th</sup> January 2021

Peoples and ecosystems in the Democratic Republic of Congo are being failed by the way conservation is practised. Indigenous Peoples and local communities face frequent threats of intimidation, torture, beatings, sexual violence and death at the hands of ecoguards and militias. In parts of eastern Congo, protected area ecoguards face the same at the hands of armed groups. Meanwhile, wildlife and habitats are not being protected, species loss is occurring at an unprecedented rate, and communities who were displaced when their lands were declared protected areas continue to be landless and live in abject poverty, decades later. It is well past time for the adoption of a new model in which the Indigenous Peoples and local communities whose traditional lands are home to Congo's extraordinary biodiversity once again play a central role in nurturing it.

In recent weeks, a number of events have taken place that illustrate how broken the current system is:

- On 30 November 2020, 3 Batwa men were killed and several others injured outside Kahuzi-Biega National Park (PNKB) when a Batwa-led protest was violently suppressed by members of the *Institut Congolais pour la Conservation de la Nature* (ICCN) and the FARDC. A FARDC soldier was also killed during the encounter.
- On 28 December 2020, 5 ecoguards from Salonga National Park were found guilty of severe crimes against four local women (one of rape and four of torture).
- On 31 December 2020, 5 ecoguards from PNKB were found guilty of murder and actual bodily harm against 2 Batwa men.
- On 10 January 2021, at least 6 ecoguards on patrol in Virunga National Park were killed by an armed group.<sup>1</sup>

These four cases are just the most recent examples of grievous human rights abuses connected with protected areas in the DRC, but many more have been well documented.<sup>2</sup> If the current coercive model of conservation does not radically change, these tragedies will only increase in the future.

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<sup>1</sup> While motivations for this violent attack and the many others carried out against Virunga's park rangers are multifold and mired in complex conflict dynamics, local civil society and independent experts are increasingly warning that they are compounded by the current conservation focus on military-style conservation enforcement, which is feeding an entrenched cycle of violence. For more information see: <https://theconversation.com/why-rangers-in-the-congos-virunga-national-park-are-under-attack-153227>

<sup>2</sup> <https://www.rainforestfoundationuk.org/widespread-human-rights-abuses-in-africas-largest-forest-park>  
<https://www.forestpeoples.org/en/lands-forests-territories/news-article/2020/kasula-trial-punishment-without-justice-batwa-dr-congo>  
<https://www.mdpi.com/2073-445X/9/3/65/htm> (section 4.1); TAZ, "Wann bilden Einzelfälle ein System?" (in German), <https://taz.de/Gewalt-in-afrikanischen-Nationalparks!/5671819/>

The current approach to protecting ecosystems and habitats in the DRC is focused heavily on the creation and armed patrolling of strictly protected areas. The land now occupied by those protected areas was all once sustainably occupied, managed, cared for and used, principally by Indigenous Peoples and other local communities. The ‘fortress conservation’ model relies on the colonial ideology that humans are incompatible with nature. Protected areas are established, supposedly to allow Western scientists and tourists to access “pristine landscapes”. Meanwhile, Indigenous Peoples and local communities are violently excluded from these same places. This willfully ignores the growing body of evidence demonstrating that indigenous-owned, governed and managed lands perform better than State-controlled protected areas in fostering biodiversity, reducing deforestation and sequestering carbon.<sup>3</sup>

The system is thus based on expropriation, impoverishment and punitive policing. It is also worth noting that the different “conservation partners”, be they governments or conservation organisations, have consolidated this dysfunctional model by funding it without question and by continuing to support the same activities again and again, even when they are made aware of human rights abuses and the utter inadequacy of this model for securing ecosystems.<sup>4</sup>

Contributing to the problem is the fact that the staff employed in protected areas are poorly vetted, trained, led and compensated.<sup>5</sup> They are then issued with guns and receive messages from their management that Indigenous Peoples are a threat.<sup>6</sup> The militarisation of protected area management and the increasing pressure put on ecoguards to demonstrate progress in combating poaching and illegal resource extraction places both ecoguards and community members at risk of violence.<sup>7</sup>

At the same time, the habitats and wildlife within these protected areas continue to be under threat, both from activities within the parks such as mining, cattle rearing and charcoal production, usually financed by influential and powerful individuals, and from a shrinking land base outside the park due to lack of recognition of land rights and the allocation of customary lands to companies and individuals for timber exploitation, mining or agriculture.

While the human rights impacts of fortress conservation are severe in many parts of the world, the situation in DRC is particularly dire. At the same time, the recent convictions of ecoguards and unprecedented penalties afforded to the victims suggest that a real step change is underway. Conservation actors (national conservation authorities, donors and conservation NGOs) should urgently seize this momentum to implement deep and meaningful reforms. Constructive steps that would lead to better protection of DRC’s ecosystems and peoples include:

- Initiation of a process to radically transform the coercive conservation model in the DRC to a just and equitable one, beginning with a focused dialogue between Indigenous Peoples, local communities, civil society organisations, government, conservation authorities, donors and

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<sup>3</sup> <https://rightsandresources.org/publication/rights-based-conservation/>

<sup>4</sup> <https://minorityrights.org/publications/violent-conservation/>

<sup>5</sup> In December 2020, for example, ecoguards in PNKB protested against their management because they had not been paid for 9 months. <https://www.africanews.com/2020/12/29/drc-access-to-kahuzi-biega-park-blocked-by-rangers-in-a-claim-their-wages/>

<sup>6</sup> <https://www.forestpeoples.org/en/fears-unfounded-accusations-DRC-conservation-authorities-incite-violence>

<sup>7</sup> <https://reader.elsevier.com/reader/sd/pii/S0006320718313454?token=E4630884DD013CD376A3AB96C8F90798B3344446524F1CA68A6AA19A582E463C706848B9C0A8BBD7D5034271B2E10127>

conservation organisations, with a commitment to implement the agreements reached. This will include recognition of Indigenous Peoples' rights to their ancestral lands and natural resources currently occupied by State-managed protected areas, in line with international human rights standards, using methods such as participatory mapping.

- Donors and conservation organisations ensuring that their funding is not contributing to human rights abuses, by implementing the following:
  1. Operationalisation of binding safeguards which match or exceed the protections provided by international human rights standards, supervised by an independent body,
  2. Adequate funding for investigations of human rights allegations, by both Indigenous Peoples and local communities and independent investigators, and ensuring that funding is available for community members to be able to seek redress in the courts in cases of rights violation,<sup>8</sup>
  3. Commitment to work closely with in-country partners to ensure that, across the conservation sector, human rights standards are complied with, mechanisms of redress and reparations are available to victims of human rights abuses, and the judgments in the aforementioned cases are fully implemented, and
  4. Far-reaching review of how conservation staff in DRC are recruited, trained, monitored and supported.

These recommendations are not new: they have been made time and time again to donors, conservation organisations and the Congolese government and its conservation institutions and they have not been acted upon. The recent events highlighted in this statement demonstrate an escalation of violence and human rights abuses across protected areas in DRC that is unacceptable and will only get worse if changes are not made. The onus is now on all these conservation actors to make it clear how and when they are going to take the crisis in conservation seriously and take appropriate steps to address the situation.

**Signed:**

Amnesty International  
Forest Peoples Programme  
Initiative for Equality  
Minority Rights Group  
Rainforest Foundation UK

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<sup>8</sup> The current lack of support to victims of human rights abuses in seeking redress in local courts stands in stark contrast with the amount of funding allocated to armed conservation enforcement and support for prosecution of wildlife crimes.