

**INTEGRATED SAFEGUARDS DATASHEET
APPRAISAL STAGE**

I. Basic Information

Date prepared/updated: 02/03/2009

Report No.: AC3574

1. Basic Project Data

Country: Congo, Democratic Republic of	Project ID: P100620
Project Name: Forest and Environment Sector Project	
Task Team Leader: Giuseppe Topa	
GEF Focal Area: B-Biodiversity	Global Supplemental ID: P111621
Estimated Appraisal Date: January 21, 2009	Estimated Board Date: March 26, 2009
Managing Unit: AFTEN	Lending Instrument: Specific Investment Loan
Sector: Forestry (60%);General agriculture, fishing and forestry sector (40%)	
Theme: Other environment and natural resources management (P);Biodiversity (S);Environmental policies and institutions (S);Indigenous peoples (S)	
IBRD Amount (US\$m.):	0.00
IDA Amount (US\$m.):	64.00
GEF Amount (US\$m.):	6.00
PCF Amount (US\$m.):	0.00
Other financing amounts by source:	
<u>BORROWER/RECIPIENT</u>	17.00
	17.00
Environmental Category: A - Full Assessment	
Simplified Processing	Simple <input type="checkbox"/> Repeater <input type="checkbox"/>
Is this project processed under OP 8.50 (Emergency Recovery) or OP 8.00 (Rapid Response to Crises and Emergencies)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

2. Project Objectives

The Project's Development Objective will be to increase the capacity of the Ministry of Forests and Nature Conservation and the collaboration among government institutions, civil society and other stakeholders to manage forests sustainably and equitably for multiple uses in selected pilot areas of DRC.

3. Project Description

The project supports a broader multi-donor government-led national forest and nature conservation program called PNFOCO. The project will help establish essential capabilities to secure law enforcement in the forest sector and test community-based approaches to manage forests holistically to the benefit of forest and indigenous populations, the local and national economy, and the global environment. Capacity building will be strengthened at the head offices of the Ministry of Environment, Nature Conservation and Tourism (MECNT) and the Congolese Institute for Nature Conservation (ICCN) in Kinshasa and field operations and management approaches will be carried out and tested in 3 pilot Provinces (Bandundu, Equateur, and Orientale), 11

Districts, and 51 Sub-Districts (Territoires). The rehabilitation of the Maiko Park part of which extends from the Orientale province to Maniema and North Kivu, will also be supported by the project.

The scope and size of the project have been deliberately kept below national coverage and limited to activities that are absolutely essential to law enforcement and community support. The vastness of the country and the immense sector's needs exceed both the reach of IDA and GEF resources, and the current absorptive capacity of national institutions. The program may be scaled up once a stronger institutional capacity is established and proposed approaches have yielded positive results.

The Project's provinces, districts and sub-districts feature the highest concentration of forests in the country as well as the widest possible range of issues and challenges related to the forest degradation and deforestation, the management of production and conservation forests, the participation of rural and indigenous communities in resource management decisions and benefit sharing. These areas harbor the vast majority of logging contracts currently being reviewed and offer opportunities to address and help conflicts that may arise between the private companies, the State and local Communities following the review. Finally these areas host a wide range of forest and wildlife management projects, community participation efforts, and participatory zoning initiatives which this project can help improve and consolidate in view of possible scale up to the national level; and afford minimum security conditions to allow operations. The present project does not focus on the dry land and mountain forests of the North East, or the forests of Southern Congo. The different and still very important challenges these forests present would be addressed by other PNFOCO Donors and, possibly, by the Bank in the future

The project is divided into three components:

Component 1: Institutional strengthening of MECNT, (US\$ 37.2 million)

Component 2: Community participation in forest management, (US\$20.8 million)

Component 3: Management of protected areas, (US\$4.1 million)

(the cost of above components does not include US\$ 7.9 million allocated for contingencies and social and environmental safeguard measures.

4. Project Location and salient physical characteristics relevant to the safeguard analysis

This is a pilot project. The geographic coverage of the project includes the head offices of the Ministry of Environment, Nature Conservation and Tourism(MECNT) and the Congolese Institute for Nature Conservation (ICCN) in Kinshasa, selected districts and sub-districts the three Provinces of Bandundu, Equateur, and Orientale and the Maiko national park part of which extends from the Orientale province to Maniema and North Kivu.

5. Environmental and Social Safeguards Specialists

Mr Paul Jonathan Martin (AFTEN)

Mr Mohamed Arbi Ben-Achour (AFTCS)

Mr Robert A. Robelus (AFTWR)

6. Safeguard Policies Triggered	Yes	No
Environmental Assessment (OP/BP 4.01)	X	
Natural Habitats (OP/BP 4.04)	X	
Forests (OP/BP 4.36)	X	
Pest Management (OP 4.09)		X
Physical Cultural Resources (OP/BP 4.11)	X	
Indigenous Peoples (OP/BP 4.10)	X	
Involuntary Resettlement (OP/BP 4.12)	X	
Safety of Dams (OP/BP 4.37)		X
Projects on International Waterways (OP/BP 7.50)		X
Projects in Disputed Areas (OP/BP 7.60)		X

II. Key Safeguard Policy Issues and Their Management

A. Summary of Key Safeguard Issues

1. Describe any safeguard issues and impacts associated with the proposed project. Identify and describe any potential large scale, significant and/or irreversible impacts: Rainforests with a high biodiversity, highlands and protected areas Forests are the natural environment in which the proposed project will be carried out, with a variety of ecosystems. Many of these areas are subject to significant human pressure, such as slash-and-burn agriculture, poaching, legal and illegal logging, charcoal production and mining, with little enforcement of national laws and regulations and little respect from the public for these provisions. Forests provide resources that are critical to the livelihood of local and indigenous populations. Given the project's potential to impact sensitive natural and social environments, a thorough Strategic Environmental Assessment (SEA) was conducted as project design was being developed. The SEA covers the entire PNFOCO and its recommendations apply to the activities covered under this project. The SEA has significantly influenced project design which now incorporates many of the features recommended by the extensive safeguard work and consultations that were conducted.

From a social perspective, the Project is not expected to have any negative impact on the communities. To the contrary, it will initiate important actions that have been missing up to now, and which will help to protect the livelihood of communities living in and around forests, including the Pygmies. These measures, defined on the basis of a wide consultation with various stakeholders, include adequate zoning, compliance with forest and environmental laws, development of forestry-based community income generating activities as well as other development activities.

From an environmental perspective, the project will contribute to better protect the country's resources and improve the ability of the government to appropriately manage natural forests, protect critical natural habitats and preserve biodiversity. In the most unlikely event that involuntary displacement should take place, appropriate mitigation measures have been identified and adequate precautions have been taken to ensure their

implementation as needed, including references to the mitigation plan in the Financing Agreement of the project, and suspension of disbursement in case of non-compliance.

2. Describe any potential indirect and/or long term impacts due to anticipated future activities in the project area:

The SEA analysis revealed that several negative indirect and long term impacts are likely to occur in the non project scenario, (i.e. if the project were not implemented). They include the following among others:

The protected area network may exclude biodiversity important habitats and species which may be lost, in the absence of scientific and regulatory work leading to adjustment and expansion of protected area network

- Local populations would be unable to draw adequate benefits from forest lands and would lack information and capacity to defend their legal rights vis-à-vis stronger or better organized forest users such as industrial forest and mining companies
- Threats to biodiversity would increase due to increasingly easier access to currently remote forest zones and population pressure
- Forest would continue to be subject to illegal, illegitimate and unregulated logging and commercial trade of protected animal species depriving the state and local communities from income and degrading the forest
- Conflicts among local populations, forest industry, mining companies and conservation constituencies claiming use rights to the same forest land would increase

The SEA helped identify these potential negative impacts and propose countering measures that have been integrated into the project.

Negative impacts may nevertheless materialize also in the with-project scenario. These may be caused by inadequate project execution, unexpected developments, and changes in sector policies. While the project is designed in ways that explicitly avoid involuntary resettlement, instances of physical or economic displacement cannot be categorically excluded. The Government may in fact propose restricting access or use of legally protected areas if species or biomes of exceptional value were found and some level of displacement proved essential to secure protection.

3. Describe any project alternatives (if relevant) considered to help avoid or minimize adverse impacts.

As mentioned earlier the SEA considered a no-project alternative. Another alternative considered and then discarded was that the project would support the entire range of functions under responsibility of the Ministry of Environment, Nature Conservation and Tourism (MECNT). In addition to forests, wildlife, and the green environment, the MECNT is responsible for other important areas such as water, the urban and brown environment and tourism, and wished that all its areas of responsibility be covered under

the project. While a support program that goes beyond forestry and nature conservation would have suited the institutional setup of the Ministry, it was felt that a more modest approach was needed to make sure that sufficient attention could be paid to social and environmental impacts in the green environment.

4. Describe measures taken by the borrower to address safeguard policy issues. Provide an assessment of borrower capacity to plan and implement the measures described. The Recipient has undertaken a comprehensive Social and Environmental Assessment and adopted a set of safeguards related documents including an ESMF, an RPF, a PF, an IPPF and CRMF. In addition, The Government is in the process of completing a comprehensive body of forest, environment, and nature protection legislation. Production of regulation is taking place at an accelerated pace. Capacity to enforce and monitor these new instruments is however extremely weak. Specific design features have been introduced to address this weakness at the central and field level. These include: (a) providing environmental TA to a relatively small number of motivated staff with managerial skills and adequate authority level; (b) introducing environmental measures and funding their implementation into delegated management contracts entrusted to consortia of NGOs working under the leadership of reputable international NGOs; and (c) providing training on environmental legislation as well as forests and conservation safeguards to MECNT and ICCN staff.

5. Identify the key stakeholders and describe the mechanisms for consultation and disclosure on safeguard policies, with an emphasis on potentially affected people. This pilot project covers 51 sub-districts located in 11 districts in the provinces of Equateur, Orientale and Bandundu. The rural population of the sub districts totals about 8 million, of whom 2.8 million live within the landscapes where the project's local development activities will concentrate. The main ethnic group is the Bantou. The Pygmies represent a small percentage of the population but are an important target group for this project. Their number is not exactly known: a census of the Pygmy populations living in the project area will be conducted as part of the project. Key sources of living are agriculture, fishing, hunting, gathering, and employment in the forest industry. The project also includes activities for the rehabilitation of the Maiko national park, part of which extends from the Orientale province to Maniema and North Kivu. Population density in this area is very low.

In compliance with OP 4.01, OP 4.10 and OP 4.12a broad and transparent process of public information and consultation was followed during the project preparation phase. Extensive consultation was conducted in languages spoken by the various stakeholders and groups throughout the country (detailed list of dates, sites and number of participants contained in PAD).

Started in Kinshasa on November 22, the disclosure of the social environmental safeguard documentation extended to 17 locations throughout DRC with summaries of the documentation in Lingala, Swahili, Tshiluba and Kikongo, as well as in French and English presented and distributed to local and indigenous populations. National and local

radio stations were also being used for enhanced outreach (detailed information on disclosure is available in an Annex to the PAD).

B. Disclosure Requirements Date

Environmental Assessment/Audit/Management Plan/Other:

Was the document disclosed prior to appraisal?	Yes
Date of receipt by the Bank	08/11/2008
Date of "in-country" disclosure	11/22/2008
Date of submission to InfoShop	12/29/2008
For category A projects, date of distributing the Executive Summary of the EA to the Executive Directors	02/20/2009

Resettlement Action Plan/Framework/Policy Process:

Was the document disclosed prior to appraisal?	Yes
Date of receipt by the Bank	11/03/2008
Date of "in-country" disclosure	11/22/2008
Date of submission to InfoShop	12/29/2008

Indigenous Peoples Plan/Planning Framework:

Was the document disclosed prior to appraisal?	Yes
Date of receipt by the Bank	11/11/2008
Date of "in-country" disclosure	11/22/2008
Date of submission to InfoShop	12/29/2008

Pest Management Plan:

Was the document disclosed prior to appraisal?	
Date of receipt by the Bank	
Date of "in-country" disclosure	
Date of submission to InfoShop	

*** If the project triggers the Pest Management and/or Physical Cultural Resources, the respective issues are to be addressed and disclosed as part of the Environmental Assessment/Audit/or EMP.**

If in-country disclosure of any of the above documents is not expected, please explain why:

na

C. Compliance Monitoring Indicators at the Corporate Level (to be filled in when the ISDS is finalized by the project decision meeting)

OP/BP/GP 4.01 - Environment Assessment

Does the project require a stand-alone EA (including EMP) report?	Yes
If yes, then did the Regional Environment Unit or Sector Manager (SM) review and approve the EA report?	Yes
Are the cost and the accountabilities for the EMP incorporated in the credit/loan?	Yes

OP/BP 4.04 - Natural Habitats

Would the project result in any significant conversion or degradation of critical natural habitats?	Yes
If the project would result in significant conversion or degradation of other (non-critical) natural habitats, does the project include mitigation measures acceptable to the Bank?	Yes
OP/BP 4.11 - Physical Cultural Resources	
Does the EA include adequate measures related to cultural property?	Yes
Does the credit/loan incorporate mechanisms to mitigate the potential adverse impacts on cultural property?	Yes
OP/BP 4.10 - Indigenous Peoples	
Has a separate Indigenous Peoples Plan/Planning Framework (as appropriate) been prepared in consultation with affected Indigenous Peoples?	Yes
If yes, then did the Regional unit responsible for safeguards or Sector Manager review the plan?	Yes
If the whole project is designed to benefit IP, has the design been reviewed and approved by the Regional Social Development Unit or Sector Manager?	N/A
OP/BP 4.12 - Involuntary Resettlement	
Has a resettlement plan/abbreviated plan/policy framework/process framework (as appropriate) been prepared?	Yes
If yes, then did the Regional unit responsible for safeguards or Sector Manager review the plan?	Yes
OP/BP 4.36 - Forests	
Has the sector-wide analysis of policy and institutional issues and constraints been carried out?	Yes
Does the project design include satisfactory measures to overcome these constraints?	Yes
Does the project finance commercial harvesting, and if so, does it include provisions for certification system?	N/A
The World Bank Policy on Disclosure of Information	
Have relevant safeguard policies documents been sent to the World Bank's Infoshop?	Yes
Have relevant documents been disclosed in-country in a public place in a form and language that are understandable and accessible to project-affected groups and local NGOs?	Yes
All Safeguard Policies	
Have satisfactory calendar, budget and clear institutional responsibilities been prepared for the implementation of measures related to safeguard policies?	Yes
Have costs related to safeguard policy measures been included in the project cost?	Yes
Does the Monitoring and Evaluation system of the project include the monitoring of safeguard impacts and measures related to safeguard policies?	Yes
Have satisfactory implementation arrangements been agreed with the borrower and the same been adequately reflected in the project legal documents?	Yes

D. Approvals

<i>Signed and submitted by:</i>	<i>Name</i>	<i>Date</i>
Task Team Leader:	Mr Giuseppe Topa	01/28/2009
Environmental Specialist:	Mr Robert A. Robelus	01/28/2009
Social Development Specialist	Mr Mohamed Arbi Ben-Achour	01/28/2009
Additional Environmental and/or Social Development Specialist(s):	Mr Paul Jonathan Martin	01/28/2009
<i>Approved by:</i>		
Regional Safeguards Coordinator:	Mr Warren Waters	01/29/2009
Comments:		
Sector Manager:	Ms Idah Z. Pswarayi-Riddihough	01/29/2009
Comments:		