

# Free, prior and informed consent

Implications for Sustainable Forest Management in the Congo Basin

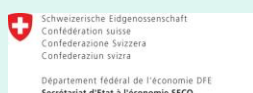
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# What's FPIC for?

- Equitable forest management
- Equitable use of resources

“Free, prior and informed consent recognises indigenous peoples’ **inherent and prior rights** to their **lands** and **resources** and respects their **legitimate authority** to require that **third parties** enter into an **equal** and **respectful** relationship with them, based on the principle of **informed consent.**”

(Commission on Human Rights 2004)

# **FPIC and indigenous rights worldwide**

- International Labour Organisation
- UN Declaration on Rights of Indigenous Peoples
- Convention on Biological Diversity

## **FPIC fundamentals**

- Recognition of land and use rights
- Protection of resources

# FPIC process

- Relevant information
- Thorough consultation
- No pressure or manipulation
- Right to say 'no'





# Our research

- Forest peoples
  - Pygmy hunter-gatherers
  - Bantu & Ubangian farmers
- Companies in Congo Basin
  - with, or seeking, FSC certification





## FSC Principles 2 & 3

- Legal rights to resources recognised
- Control over rights and resources
- Key resources identified and protected
- Resources not threatened or diminished
- Means of resolving disputes
- Compensation for indigenous knowledge

# On the ground

- access to resources
- informing and consulting
  - social structure
  - means and media
- ideas of consent

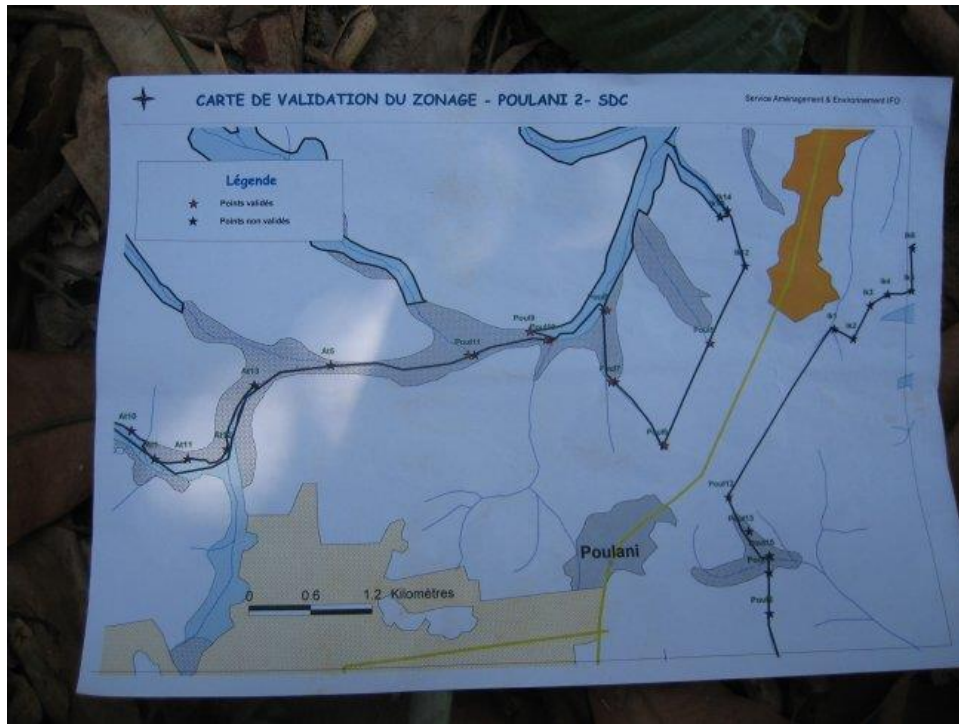
## Access to resources

- Roads and hunting
- Zoning and ecoguards
- Conflicting principles
- Participatory mapping









# Informing and consulting

- Social structure
- Means and media

# Social structure

- Chiefs and commoners
- Men and women
- Bantus and Pygmies









# Means and media

- literacy
- culture of communication
- expertise



# The concept of consent

- What people say
- European vs African consent
- A middle way?

## Ways forward

- Identification of and commitment to customary rights
- Communication and information strategies
- Ongoing negotiations and transactions
- Public commitment

