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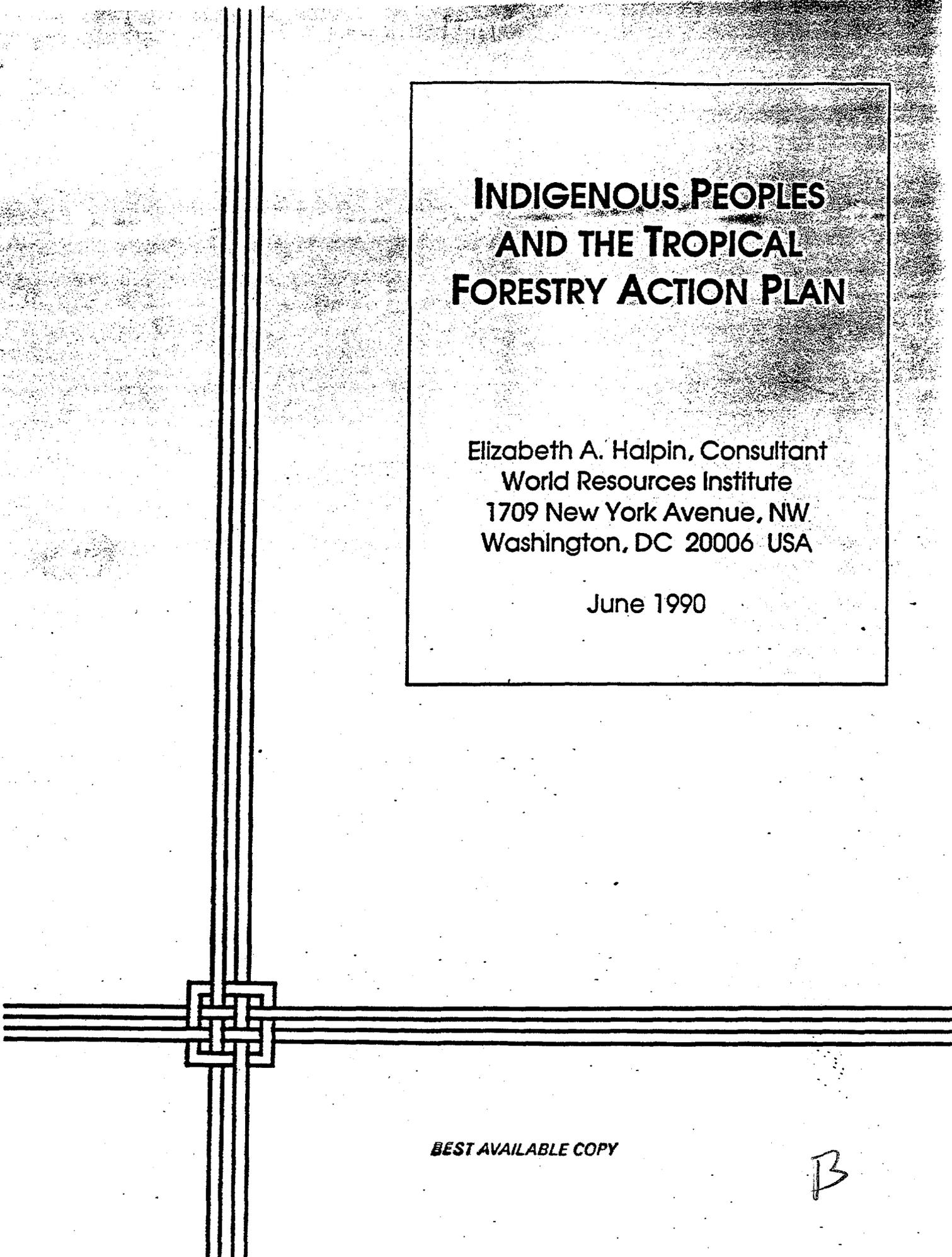
Indigenous Peoples and the Tropical Forestry Action Plan

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CONTENTS

I. Introduction.....	1
II. TFAP Framework: Guidelines and Limitations	3
1. Chronology of development of TFAP language related to indigenous peoples	3
2. Limitations inherent in TFAP framework.....	4
III. Implementation: Analysis of Three Case Studies	6
1. Issues Addressed in the Analysis of each Case Study	8
2. Case Study 1: Cameroon.....	9
3. Case Study 2: Philippines	15
4. Case Study 3: Ecuador	20
IV. Discussion of Major Issues in Case Studies	28
V. Conclusions	32
Recommendations	35
NOTES	37
REFERENCES	40
FIGURES	
Figure 1. FAO's Process for Preparing a National Forestry Action Plan.....	7
Figure 2. Location of Indigenous Ethnic Groups of Ecuador.....	21
Figure 3. Population and Location of Indigenous Peoples of Ecuador of the Amazon and Coastal Forest Regions	22

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"Without immediate action to resolve the tropical forest crisis, by the year 2000, Indigenous peoples who have inhabited the forests for thousands of years, will be displaced and, in some cases, their cultures will disappear." (page 5, Tropical Forestry Action Plan, 1987)

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I.

INTRODUCTION

As the extent and integrity of tropical forests throughout the world decline, so too does the diversity of indigenous human populations whose existence and evolution has been intricately linked to these forests for thousands of years. With increasing encroachment into the forest zone, indigenous peoples are often displaced from their traditional lands to make way for industrial activities, national parks, or migrant landless farmers in search of new areas to cultivate.

In 1985, the Tropical Forestry Action Plan (TFAP) was initiated as a framework for coordinating actions among developing countries and international development assistance agencies to arrest tropical deforestation.¹ This paper analyzes the responsiveness of the TFAP to the fundamental concerns of indigenous peoples inhabiting the tropical forests.² Specifically, has the TFAP contributed substantially toward the recognition and safeguarding of lands traditionally occupied by indigenous forest-dwellers? Have indigenous peoples been effectively represented in the formulation of forestry plans and policies? Do national TFAP strategies and proposals provide forest-dwelling indigenous peoples with opportunities to exercise control over their resources and their own socio-economic development?

It is estimated that 300–500 million people inhabit the tropical forests worldwide (Myers,

1989). Indigenous peoples and the growing population of landless immigrants (who have arrived in the tropical forests in the comparatively recent past) comprise the majority.

These two groups share a common dependence on forest resources for their livelihood, and lack of political leverage to influence forest policy owing to their geographic isolation, low socio-economic status, and insecure land tenure. They differ in the length of time they and their descendants have occupied territories within the tropical forests, their cultural and socio-economic orientation, their legal standing with respect to land and resource rights, and the fundamental nature of solutions needed to address their concerns. Indeed, in many instances, the needs of indigenous peoples and those of the migrant populations are in direct conflict.

In light of these differences, and the need to narrow the scope of this paper to a manageable size, its focus is on indigenous forest-dwellers, with only occasional, and not systematic, references to other forest inhabitants.

Defining “indigenous peoples” has proven problematical in that no single definition can be applied globally and in all contexts.³ In identifying those peoples likely to be most directly and profoundly affected by tropical forest policies and strategies, the following elements

comprise a working definition of forest-dwelling indigenous peoples which is used in this paper:

- long-term occupancy of forest lands;
- direct dependence on forests for physical, and cultural well-being;
- political isolation from State decision-making processes;
- cultural differences from the country's dominant population; and
- vulnerability because of lack of legally-recognized land rights or nomadic lifestyle.

Combined, these elements define a diverse group of peoples relying on the forests for hunting-and-gathering, agriculture, and small-scale enterprise. A few examples from Asia include the Penan of Malaysia, the Dayak of Indonesia, and the Igorots and Lumads of the Philippines. Examples from the Amazonian basin of Latin America include the Yanomami, Kayapo, Quichua, and Huarani Indians. All of these peoples combine forest hunting, fishing, and gathering with swidden agriculture. The Baka, Bakola, Aka, Mbuti, and Babinga of central and western Africa, by contrast, are predominantly hunters-and-gatherers relying on their harvests for subsistence and trade with neighboring cultivators. These groups are but a few examples of indigenous peoples inhabiting the tropical forests worldwide.

As a result of long-term occupancy of traditional territories, forest-dwelling indigenous peoples have developed cultures and identities that are strongly rooted in their relationship to the land. Their dependence on the forests for physical survival has resulted in the development and fine-tuning of strategies to effectively exploit forest resources while ensuring their continued

availability. Under such conditions, indigenous peoples have subsisted on their traditional land base for extended periods, indeed often thousands of years. Recognition of ancestral lands and incorporation of indigenous perspectives into national forest planning and management, therefore, are not only questions of ethical consideration, but may also serve critical functions in the sustainable management and conservation of tropical forests.

This analysis is divided into four parts:

- 1) discussion of the TFAP guidelines as related to indigenous peoples, and inherent limitations in the overall framework;
- 2) analysis of the implementation of the TFAP at the country level through presentation of case studies on Cameroon, Philippines, and Ecuador;
- 3) discussion of major issues raised within the case studies; and
- 4) conclusions and recommendations.

Documentation includes TFAP concept papers, official TFAP country documents, and other written materials, as well as consultation with individuals and organizations in the United States. No direct consultation occurred in the field.

This very preliminary assessment is based on a small sample of case studies and is by no means intended to be a definitive study. Similar analyses are in progress, or have been recently completed, such as that by the World Rainforest Movement (Colchester and Lohmann, 1990). It is hoped that these analyses will stimulate further interest in indigenous peoples and other rural peoples dependent upon the tropical forests, and will generate greater support for their concerns.

II.

TFAP FRAMEWORK: GUIDELINES AND LIMITATIONS

A major stated objective of the TFAP, rural socio-economic development through sustainable use of forest resources, would appear to provide a suitable framework within which the interests of forest-dwelling indigenous peoples could be addressed. However, given inherent problems associated with their geographic and political isolation, and in some cases, direct conflicts between their needs and those of other rural populations and national governments, concerns of forest-dwelling indigenous peoples are often overlooked or intentionally ignored by policy-makers. Within this setting, language in the TFAP guidelines specifically addressing indigenous peoples and their involvement in national forest management planning may serve as a valuable lever for political change.

REFERENCE TO INDIGENOUS PEOPLES IN TFAP DOCUMENTS—A CHRONOLOGY

In 1985, the World Resources Institute and the FAO separately released reports on the status of the world's tropical forests, and a plan for their sustained use and conservation.⁴ These documents constitute the conceptual framework underlying the development of the TFAP. Both reports directly or indirectly address the need for consideration of indigenous forest-dwellers by recommending:

- local participation in forest planning processes;
- identification of prevailing uses of forests by local residents and the integration of local needs into plans for socio-economic forest development; and
- sensitivity to the indigenous occupants of the tropical forests in the development of conservation areas, as well as promotion of the role of forest-dwellers in the management of natural forests.⁵

In 1987, the first description of the TFAP and general guidelines was published, entitled "The Tropical Forestry Action Plan."⁶ The document makes only one specific reference to indigenous peoples in its introduction, stating that such groups will be displaced and their cultures will disappear if actions are not taken to resolve the "tropical forest crisis." Issues of potential concern to indigenous peoples are addressed only generically in sections outlining some of TFAP's priority areas,⁷ such as conservation of forest ecosystems, and the role of local institutions in forest policy making.

In response to the lack of specific language regarding indigenous peoples in the 1987 publication, WRI, in consultation with other

non-governmental groups concerned with indigenous peoples' issues,⁸ drafted additional guidelines for consideration by the TFAP Forestry Advisors Group at their May 1988 meeting in Rome (WRI et al., 1988). These guidelines focused specifically on the potential impacts on and role of indigenous peoples in national TFAP exercises. They were presented as a subsection within a broader document focusing on ecosystem conservation. The language pertaining to indigenous peoples, however, was *not* adopted by the TFAP Advisors Group, although the section on ecosystem conservation was adopted in full. Instead, recommendations related to indigenous peoples were separated from the document and partially integrated into the set of operational guidelines published in 1989, as described below:

Representatives of indigenous organizations, of government ministries or other agencies responsible for their welfare should be involved in national TFAP exercises. The natural resource management practices and traditional ecological knowledge of indigenous peoples should be documented or their study encouraged where unknown⁹.

TFAP missions should include analysis of...

...land tenure and land use rights of different groups and by gender like indigenous people, women and landless rural people and the implications of present land ownership system to forestry; and

...impacts of existing forest policies and regulations on the livelihood of indigenous forest people.¹⁰

Recommendations *not* adopted were those related to delineation and titling of "indigenous areas," national and international laws that address protection of indigenous peoples, and measures for safeguarding against introduction of human diseases.

In summary, current TFAP guidelines suggest that national governments address indigenous peoples through:

- involving them directly in TFAP country-level planning;

- involving government agencies responsible for their welfare;
- addressing their land tenure and land use rights;
- analyzing impacts of existing forest policies and regulations on indigenous peoples; and
- analyzing their traditional resource management practices.

LIMITATIONS IN THE OVERALL TFAP FRAMEWORK

Some of the major shortcomings of the TFAP framework as a tool for addressing the needs of indigenous forest-dwellers are given below. These limitations are the result of inadequate attention given to certain issues, and/or basic TFAP goals and objectives that run counter to indigenous peoples interests.

1. Major "Holes" in the TFAP Guidelines.

Several key issues of concern to indigenous peoples were overlooked or intentionally avoided in the development of the TFAP, such as those related to the delineation and titling of "indigenous lands." Measures to collect baseline information on the forest-dwelling indigenous peoples, analysis of impacts, and subsequent monitoring of TFAP projects are also inadequate or absent.

For example, in the terms of reference for conducting a forestry mission, nowhere is there a recommendation for basic demographic studies to identify forest-dwelling indigenous peoples and describe their location. Nor is there mention of the need to document the uses and value of forest resources to indigenous peoples, or to identify political organizations representing them. These would be important and logical first steps in the TFAP planning process if the interests of indigenous peoples are to be seriously considered.

The TFAP document also fails to give adequate pragmatic guidance to

governments regarding mechanisms to consider and facilitate indigenous peoples' participation in the TFAP process.

2. **Language Pertaining to Indigenous Peoples "Lost" In TFAP Guidelines.** The strongest language in TFAP documents for addressing potential concerns of indigenous peoples is in the recommendation calling for their participation in TFAP country plans, and the recommendation for forestry sector review missions to address existing forest policies and issues of land tenure as they relate to indigenous peoples. However, this language, along with other scattered references to indigenous peoples, tends to get lost in the body of the documents or masked by general references to rural peoples as a whole.
3. **Inherent Conflict Between Rural Peoples' Needs and Indigenous Peoples Needs.** As mentioned, fundamental differences between indigenous peoples and other forest-dependent rural peoples—such as migrant farmers, miners, etc.—necessitate fundamentally different approaches to their needs. These differences are not adequately reflected in the TFAP guidelines. Rather, indigenous peoples issues appear to be subsumed within the discussion of rural peoples as a whole. As a result, pursuit of certain strategies to address rural needs may, in some cases, *adversely* affect indigenous peoples.
4. **TFAP as Guidelines, not Requirements.** Actual effectiveness of the TFAP language

related to indigenous peoples can only be measured by the willingness of host country governments and participating donors to comply with it. Compliance will depend on their awareness and comprehension of the guidelines, consistency of the guidelines with other government mandates, incentives and/or pressures to implement them, and availability of practical mechanisms and expertise. Even under the best of circumstances, indigenous peoples remain only "consultants" under the TFAP guidelines, with no guarantees that their interests will be taken into account. Given that indigenous peoples are generally the most politically marginalized of groups, and often considered obstacles to economic development, it seems unrealistic to expect national governments to accommodate their concerns in absence of requirements that they do so.

5. **Contradiction Between TFAP Goals of Broad-based Public Participation and Conventional Means for Negotiating Development Assistance.** A major objective of the TFAP is increasing the attention given to the forestry sector, primarily by increasing international and national investment through the development assistance process. Yet, traditional means for negotiation of development assistance loans or grants are usually characterized by high level government and aid agency interactions, without significant local or non-governmental involvement.

III.

IMPLEMENTATION: Analysis of Three Case Studies

National-level TFAP planning exercises are currently under way in 67 countries. Three of the eight country-level planning exercises already or nearly completed are reviewed here. Analysis focuses only on the *planning* of the national level TFAPs, from the initial request by a government to the TFAP Coordinating Unit (within FAO), through the Final Roundtable III meeting when a list of projects is presented to donors for potential funding (Figure 1). The project implementation phase of country-level TFAPs is just getting under way in a few countries, and therefore is not analyzed in this paper.

Selection of the case studies was made on the basis of three criteria: presence of indigenous peoples and relative importance of indigenous people's issues in forest planning; geographic area (i.e. one from Africa, Asia, and Latin America); and availability of official TFAP documents. These case studies are not necessarily intended to represent other TFAP exercises in the region; rather, they illustrate the variety of physical and political environments within which indigenous peoples live, and the diversity of governmental responses to their needs.

Reliance on official TFAP documentation imposed several constraints to this analysis. First, most TFAP documents are hard to obtain.¹¹ For

example, Malaysia was originally selected as a case study, but owing to the inability to obtain copies of TFAP documents, the Philippines was substituted. This has biased the selection of case studies in favor of those countries in which World Resources Institute (WRI) has been involved (i.e., two of the three countries selected).

A second constraint is the limited scope of TFAP documents, which generally includes only a background discussion of the forestry sector and descriptions of proposed TFAP investment projects. Little description of the *process* by which the plans were developed is given, making it difficult to assess the participation of indigenous peoples, non-governmental organizations, and various government agencies.

A third constraint is the difficulty in predicting the actual implications for indigenous peoples of country-level TFAPs since much of what is contained in the documents is of a conceptual, rather than tangible nature. Even the list of specific investment projects generated by TFAPs is vague, and does not contain the detail necessary to predict the likely "on the ground" consequences of such proposals. In-country consultation and subsequent monitoring of TFAP implementation are necessary to more completely

Figure 1

FAO'S PROCESS FOR PREPARING A NATIONAL FORESTRY ACTION PLAN

(source: Annex 2 "Basic Checklist and Schedule of Activities for the Preparation and Execution of TFAP Sector Review Mission" from *Guidelines for Implementation of the TFAP at the Country Level*, FAO 1989)

Preparatory Phase

- Request to FAO from national government
- Identification of lead donor agency
- Preliminary mission of international team leader to country to work with national team leader
- International and national team leaders prepare Issues Paper on basis of existing information
- Government reviews draft Issues Paper; Issues Paper circulated as widely as possible
- Issues Paper finalized and circulated to all parties involved
- Identification of sectors of intervention; terms of reference for consultants identified, securing participation of NGOs & local people in process; program and schedule for mission
- National counterpart consultants and other participating donor agencies confirmed
- Seminar or workshop (type I roundtable) organized to bring together all interested national partners

Execution Phase

- Donor-sponsored consultants carry out field missions
- Principal conclusions presented for discussion with government
- Preparation of draft mission report and submitted to government
- Draft report circulated within government and participating agencies; revisions made based on comments received
- Report finalized and adopted by government
- National roundtable (type II) to obtain political involvement and support from all parties
(note: type II roundtable may come before finalization of draft report, with provisions for incorporating the seminar's comments into final report)
- International roundtable (type III) government and participating donors discuss effective implementation of the National Forestry Action Plan

Follow Up Phase

- Follow up project identification and preparation missions by FAO or by participating donor agencies; assist government in preparing more detailed project proposals
- Project appraisal, funding and implementation
- Periodic review with FAO/TFAP secretariat to review progress of implementation

analyze the effects of national-level forestry plans on indigenous peoples.

Issues that were explored in the analysis are listed below. All are derived from *existing* TFAP language or general principles intended to guide the development of national-level exercises (described in section II of this report).

1. **Consultation:** Have those involved with the TFAP planning process consulted indigenous forest-dwellers and effectively involved them in the development of national TFAPs?
2. **Inter-sectoral Coordination:** Has there been effective participation of government ministries charged with indigenous peoples affairs, or other ministries charged with related responsibilities?
3. **Baseline Demographic and Land Use Analysis:** Has a baseline assessment been conducted to identify indigenous forest-dwelling populations, their location, population size, land and resource use, and other demographic and ethnographic information necessary to involve and consider the interests of those indigenous peoples affected by forestry planning?
4. **Ancestral Lands/Land Tenure:** Do the national TFAP reports include a discussion of land tenure and land policy as it relates to indigenous forest-dwellers and its implications for TFAP strategies?
5. **Analysis of Forest Policies:** Does the Forestry Sector Review or other TFAP-related reports include a review of existing forest policies and their implications for indigenous forest-dwellers? Of proposed TFAP projects and policies?
6. **Thrust of TFAP Strategies and Investments:** Are general TFAP strategies and proposed investment projects sensitive to needs of indigenous peoples? Are there projects with likely negative impacts to indigenous peoples?
7. **Policy Reform:** Are policy reforms that have an effect (either positive or negative) on indigenous peoples identified?
8. **Indigenous Involvement in National TFAP Implementation:** Is there an expressed intent to involve indigenous peoples in the implementation of TFAP projects?

Case Study 1: CAMEROON

BACKGROUND

Indigenous Forest-Dwelling Peoples of Cameroon

Cameroon has a population of approximately eleven million people (in 1987), comprising more than 200 separate ethnic groups. The country's physical environment is also diverse, ranging from dry savanna in the north, high altitude moist savanna in the central upland region, to closed moist forest in the south. No estimate could be found for the number of people who currently live within the forest zone. It is known that among those relying most directly on forest resources are the Baka and Bakola "Pygmies,"¹² who are considered to be among the oldest ethnic groups.

The Baka live within the forests of the South and East Provinces and are estimated to number 20,000–35,000 (Agland, 1988). They are semi-nomadic hunters-and-gatherers, many living in small settlements scattered throughout a vast area of dense forest. Village sites are frequently situated near a village of cultivators, such as those of the Bantu tribes. The Baka have a long history of coexistence and active trade with the Bantu, exchanging meat and other wild forest products for agricultural produce. Currently, many Baka work seasonally as laborers on Bantu plantations. Nearly all Baka groups spend several months traveling nomadically in the forests during the rainy season when forest produce is most abundant. They rely on a wide variety of fish, game, and plants that they collect from the forests according to a seasonal harvesting cycle (Agland, 1988).

The Bakola (or Bagieli) live within or near the remaining closed forests of the southwestern region of the southern province, and are estimated to number 3,500. There exists also a third, very small group of indigenous forest-dwellers (population ~100) in central Cameroon, known as the Tikar "Pygmies" (Philippart de Foy, 1984).

They inhabit the few remaining "islands" of forests on the Tikar plains, north of Yaounde. There are scattered settlements of other tribes living within the closed forests, such as the Bantu mentioned above, who maintain plantations within the forests.

At least two organizations are known to be in contact with forest-dwellers in Cameroon: the Ministry of Health in association with the French organization ORSTUM (Organisation Recherche Scientifique Territoire Outre Mer), and the Netherlands Assistance to Development Programs (SNV). The Ministry of Health conducts nutritional studies of the Baka,¹³ while the Dutch aid agency acts as an intermediary between the Baka and the Ministry of Social Affairs and Women on legal issues, and provides technical training and funding for small-scale rural development projects.¹⁴ It has also been suggested that there are church-affiliated organizations in contact with the Baka and Bakola peoples.¹⁵

Overview of TFAP Process

The Tropical Forestry Action Plan for Cameroon is the result of two concurrent undertakings. In 1986, UNDP provided core funding for a Forestry Sector Review Mission for a Cameroon TFAP, with FAO as the lead executing agency, and the Cameroon Ministry of Agriculture as the lead host government agency. Several other aid agencies participated in the Forestry Sector Review by providing specialist consultants. Nineteen expatriate consultants and their Cameroonian counterparts conducted short-term missions on 17 theme areas identified by the team leader (FAO) and the Government of Cameroon. Most of the consultant reports were completed by June 1987, and a synthesis report in three volumes was prepared by the team leader and submitted to the Government in October 1987. The synthesis report reviews major

problems and proposed solutions in three areas: forest production, forest protection, and institutional needs. The documents also outline strategies and recommended investments within the TFAP framework. The draft report and supporting documents prepared by the multi-donor team were reviewed during the national TFAP seminar (roundtable II) in January 1988. A donors roundtable meeting (type III) occurred in April 1989 where investment strategies and priorities were discussed.

Several months prior to the initiation of the FAO/UNDP effort, a forest policy review was launched by the International Institute of Environment and Development (IIED) and the Government of Cameroon with assistance of the Canadian International Development Agency (CIDA) (IIED, 1987). Reconnaissance work for the forest policy review involved consultation by an IIED advisor with the Ministry of Agriculture and Ministry of Planning, and a number of other agencies, development organizations, and individuals involved in development of Cameroon's forest lands. The findings were discussed in an issues paper prepared by IIED and widely circulated. Representatives of a broad range of government agencies presented their analysis of major issues related to sustainable development of Cameroon's forest lands in a national seminar convened in September 1987. Recommendations covered land use planning, community participation, and improved coordination for forest resources management and other legislative reforms. Although not directly incorporated into the FAO/UNDP reports, the IIED policy review and seminar proceedings may have influenced Cameroon's TFAP through participation of government agencies and individuals who were involved in both efforts.

ANALYSIS OF INDIGENOUS PEOPLES ISSUES IN THE TFAP PROCESS

Involvement in the TFAP

There is no mention of the Baka or Bakola or of any other predominantly forest-dwelling peoples in TFAP documents, and they had no participation in the TFAP process. A small

number of international NGOs were invited to participate in the final roundtable meeting, but none represented forest-dwellers' interests. Rather, participation was limited to the major economic "actors"—aid agencies, logging companies and the government of Cameroon.¹⁶

Likewise, the IIED Forest Policy Review did not include consultation with any representatives of forest-dwellers—or organizations in contact with them. Reasons given were that such organizations were not known to exist among those conducting the review and the resistance of the Government of Cameroon to focus attention on indigenous peoples' groups.¹⁷

Inter-Sectoral Coordination

The Government of Cameroon views the Baka and Bakola as vulnerable and marginalized peoples isolated from the mainstream of Cameroon's social and economic life. The Office of the President is currently proposing a five-year experimental project for the socio-economic integration of the Baka and Bakola peoples of Cameroon, to be implemented by the Ministry of Social Affairs and Women.¹⁸ The long-term objective of the program is to encourage a transition from the current semi-nomadic way of life to a sedentary one through the integration of Baka and Bakola into the Bantu agricultural communities. The project calls for a coordinated approach by various government agencies, private sector, and NGOs in implementing the program.

Aside from the critical question of whether such a program is in the best interests of and desired by the Baka and Bakola, it has obvious relevance to a national-level forestry planning exercise such as the TFAP. There is no evidence in the TFAP documents that the Ministry of Social Affairs was formally involved in the Forestry Sector Review or the formulation of TFAP strategies. The process was dominated by the Ministry of Agriculture's Department of Forestry, with some participation by the Ministries of Higher Education and Research, Tourism, National Parks, and Wildlife Reserves. A representative of the Ministry of Social Affairs did appear at the final roundtable meeting to

introduce the TFAP and to mention the important role of women in forestry activities. That ministry had no prior involvement in the TFAP process, however, and appears to have had no substantive role in, nor influence over, the formulation of the national forestry plan.

Baseline Information on Forest-Dwelling Peoples

Judging from the contents of the national TFAP documents, it appears that no attempt was made to conduct a demographic study of forest inhabitants or to describe their customary uses of the forests. Within the very brief section on population in the forestry sector review report (Vol. II), there is no discussion or recognition of the population that currently dwells within the forests and relies upon them. Instead, the discussion focuses on broad trends in country-wide population growth within the urban and agricultural sectors.

Review of Forest Policies with Respect to Forest-Dwellers

Nowhere in the TFAP documents are the effects of existing forest policies on forest-dwellers discussed. The IIED Forest Policy Review did address this topic in stating:

There are populations of indigenous peoples in both Dja and Kribi. It appears that no special arrangements have been made to record or safeguard the right of forest-dwelling people in areas which are under concessions for timber extraction. In particular, we recommend that this issue be considered in any concession agreements to be negotiated or renewed in the future, and that indigenous peoples' rights to territories and customary uses should be defined. (IIED, 1987, Annex 4)

This observation and recommendation were not, however, reflected in subsequent TFAP documents.

Land Tenure

The TFAP proposes delineation of forested lands into management units for timber production and conservation areas (e.g. wildlife

reserves, parks). The document states that the divisions will be made on the basis of a forest resource inventory, implying that the unit boundaries will be largely determined on types and amounts of timber resources in an area, as well as other flora and fauna. No mention was made of the relevance of customary land rights or existing land-use patterns.

To create incentives among groups of shifting agriculturalists and pastoralists to remain sedentary and promote their stewardship over the lands, the TFAP proposes designating some of the management units as community forest reserves. Communities thus designated would be given official title to the forest produce (timber, wildlife, and plants) and would receive all revenues from its sale. Ownership of the land (including, presumably, subsurface rights) would remain with the state.

"Under current Cameroonian law, recognition of land and resource rights is only given where there is evidence of 'actual occupation' — narrowly defined as land which has been cleared. Using this interpretation, those who derive their livelihood from the forests without cutting them down, such as the Baka and Bakola peoples, have no officially recognized land rights."

The TFAP remains vague on how much land it intends to designate as community forests in comparison with state forests and parks, what criteria will be used in establishing these community reserves, who in addition to the Forest Department will delineate boundaries, and whether forest-dwellers will be granted community reserves. Under current Cameroonian law, recognition of land and resource rights is only given where there is evidence of "actual occupation"—narrowly defined as land which has been cleared.¹⁹ Using this interpretation, those who derive their livelihood from the forests without cutting them down, such as the Baka and

Bakola peoples, have no officially recognized land rights. Under these circumstances, it seems unlikely that the government of Cameroon intends to designate forests specifically for the Baka and Bakola. Indeed, designation of *any* community reserves will probably be resisted by the Government since it entails loss of political power and potential income.²⁰

Proposed TFAP Development Strategy and Investment Projects

The plan proposes management strategies in the five major TFAP theme areas,²¹ although the emphasis is clearly on development of forest-based industries. The TFAP states: "Cameroon could become the most important African producer and exporter of forestry-based products from the start of the 21st century" and that "Opening up the forests in the south and southeast of the country is essential if the Cameroon is going to be able to meet the demand of the international market" (pages 1 and 12, TFAP Executive Summary).

The government views timber production as a major new source of foreign exchange to help compensate for steady declines in oil exports and revenues in recent years. The TFAP strategy proposes an increase in the volume of industrial wood produced from two to four million cubic meters by the year 2000, and to 5.5 million by the year 2010. The TFAP does emphasize the importance of gaining support of the "rural world," and proposes specific mechanisms to enable rural people to benefit from sustainable forest exploitation. The plan makes no mention of the forest-dwellers most directly dependent on the harvest of forest resources, however, referring only to agriculturalists and pastoralists.

Proposed forestry activities and investments for the closed forests of the southern and eastern provinces are of primary concern since most forest-dwelling peoples reside there. The TFAP proposes the division of all closed forest areas or abandoned logging sites into Forest Management Units (FMUs). The boundaries of these units would be determined by the Department of

Forestry based on results of a forest inventory. Each FMU will then be designated as

- 1) a National Park or Sanctuary,
- 2) a State Forest for the benefit of the State,
- 3) a State Forest for the benefit of one or several local communities, or
- 4) a National Forest Estate.

National, state, and community forests would be put into sustained-yield management for timber on 20-year rotations, at a proposed rate of 200,000 hectares per year. Parks and sanctuaries would be created to protect rare and endemic plants and wildlife. Tourism would be the major economic use of the parks.

In forest reserves designated to be for the benefit of local communities, it is proposed that ownership of forest produce be officially transferred to them, though surface title would remain with the state. Income derived from logging would go to the communities, as well as some permanent jobs in tree thinning and other stand-improvement activities. It appears that the community or State (the plan is vague on this) would handle contractual arrangements for logging companies to carry out the harvest. This plan is intended to promote greater stewardship among rural peoples toward the forests and to stabilize transitional communities whose current livelihoods rely on shifting cultivation or pastoralism. Again, there is no specific discussion of hunting-gathering populations such as the Baka and Bakola.

The FMU management scheme raises many questions regarding its implications for forest-dwellers. In general, the proposed commercial exploitation of the remaining closed forests, and the associated development of transport systems, potentially including the construction of a major new road across the southern forest zone,²² will greatly affect their currently isolated existence. Introduction of predominantly cash economies and the likely influx of workers and settlers will have major impacts on their economy and culture, and result in direct competition for lands and resources.

Under the proposed scheme for delineation of forest reserves, for example, large tracts of closed forests would be carved into units owned by the state and communities and commercially exploited. This newly formed mosaic of landowners and commercial operators may not allow for the continuation of a semi-nomadic hunting-and-gathering way of life, which requires a large land area. Logging, even under the best of circumstances, may upset the current ecological balance in a way that affects the customary hunting, fishing, and gathering activities of forest-dwellers. Harvest of wildlife and plants would be allowed according to state conservation regulations, and would occur on a "rotational" basis, much like the harvest of timber, which may not be consistent with traditional methods and timing of harvest. Game resources, upon which Baka and Bakola economies are based, may be greatly strained as a result of new hunting pressure and demand for meat by incoming workers and settlers.

It is doubtful that the government plans to develop community forests specifically for the benefit of indigenous forest-dwellers since it does not currently recognize land rights of predominantly hunter-gatherer groups. Even if the Baka and Bakola were included, such schemes could prove harmful if they are not given adequate time to gain experience in handling and controlling the dramatic social and economic changes that would surely follow.

In areas designated as sanctuaries, no harvest of forest resources would be allowed, and it appears unlikely that local harvest for subsistence and trade would be permitted in areas designated as parks. Current law, and proposed revisions, do not allow people to live within park boundaries; they also ban all hunting. No exceptions are made for the Baka and Bakola (Gartlan, in progress). In the proposed Korup National Park, for example, approximately 1,000 people living within its boundaries would be resettled by 1994.²³ Such impacts may be partially reduced if consideration is given to integrating forest-dwellers' needs into the design of conservation units. Such a project is currently suggested for the Campo and Douala Edea wildlife reserves in the south province as

part of TFAP-derived World Bank funded Forestry and Environment Project. Although such projects would likely propose use within certain areas of these refuges by forest-dwellers, the legality of their residence within refuge boundaries remains an issue (Dyson, in progress).

Several projects that are proposed by the TFAP give attention to issues of potential relevance to forest-dwellers, including a survey of food uses and technology based on natural plant species and studies of the potential contribution of forest resources in the development of medicinal products. Government concern for non-timber resources, however, appears to be for the purpose of developing new markets, and not for protecting existing subsistence uses. This is evident in the following statement:

We must very quickly move on from a harvest which is random and hard to monitor, and which will sooner or later result in a regression of the resource, to the real cultivation of these species that can be planned economically and commercially. (UNDP/FAO, 1988, page 101, Vol II)

In an attempt to make forestry activities more responsive to regional and local needs, projects are proposed to promote decentralized management of Cameroon's forests. These include the strengthening of forest service regional and local offices, and the creation of a socio-economic study and planning unit within the Department of Forestry.

Policy Reform Proposed

The TFAP states as one proposed strategy, "To promote, through forestry policy, the systematic participation of rural communities in the running of and use of forest resources, which should result in more jobs in the rural environment; and develop self-managed forestry operations in the farming world" (page 7, Volume 1). Policy changes that were *not* explicitly addressed include changes to current wildlife and protected areas legislation to recognize the customary land rights of indigenous peoples within these areas and to accommodate customary subsistence uses (i.e.,

hunting, fishing, gathering, and trade) of these lands.

*Intent to Involve Forest-Dwelling
Indigenous Peoples in TFAP Projects
Implementation*

The Government of Cameroon states its intent to involve local communities in some levels of TFAP implementation, but makes no direct reference to forest-dwellers such as the Baka or Bakola.

SUMMARY

The major emphasis of Cameroon's TFAP is on timber production throughout the country's remaining closed forests in the south and east provinces. The plan stresses the involvement of the "rural world" in this commercial development, and proposes several mechanisms for allowing rural communities to benefit from such development. In the absence of any demographic information concerning who lives within and adjacent to the forests, however, it is difficult to know who the term "rural world" covers. The TFAP's discussion of the rural population focuses on agriculturalists and pastoralists and overlooks the special circumstances and needs of such forest-dwellers as the Baka and Bakola.

The plan fails to address the role of customary land rights and resource tenure in forest development. The impacts of the proposed logging program on forest-dwelling peoples

whose present economy and cultural life revolve around mostly pristine, mature forests are not considered.

The proposed subdivision of the remaining area of closed forest into units for commercial logging and the development of associated transport corridors could have severe impacts on the Baka and Bakola of southern and eastern provinces of Cameroon. The consequences of such proposed development could range from total displacement from the forests to disruption of their current patterns of forest use and of their cultural and economic life. Similarly, without a change in national legislation the creation of parks and sanctuaries will displace the Baka and Bakola from lands they currently occupy and ban their harvest and trade of forest produce in these areas.

The TFAP for Cameroon was developed with little or no participation from non-forestry agencies, non-government organizations, and rural communities. Indigenous peoples or representative organizations were not involved in any stage of the process.

Many of the proposed investment projects are described so generally that it makes it very difficult to predict their likely outcomes and their potential consequences for specific groups of people in specific regions. However, given the TFAP's overall emphasis on timber development within the southern closed forests, the homeland of the Baka and Bakola, impacts on these groups are likely to be profound.

Case Study 2: PHILIPPINES

BACKGROUND

Forest-Dwelling Indigenous Peoples of the Philippines

An estimated 62 million people currently inhabit the Philippines (World Bank, 1989). A relatively small proportion of them still live within their ancestral domains, and are referred to as ethnic or cultural minorities. Unlike the majority of Philippine peoples, the ancestors of those belonging to the ethnic minorities avoided living under Spanish rule during the 300-year Spanish occupation of the Philippines. The 1987 Philippine Constitution refers to the un-hispanicized peoples as "indigenous cultural communities." These peoples occupy the predominantly forested upland regions of Mindanao, northern Luzon, Mindoro, Palawan, Samar, and elsewhere. They comprise many different ethno-linguistic groups, including a large number of Muslim peoples occupying the uplands of western Mindanao and the Sulu Archipelago. Indigenous upland dwellers rely on the forests in a variety of ways, often combining sedentary wet and dry farming, or traditional swidden agriculture, with forest hunting, fishing, and gathering.

In addition to indigenous forest occupants, there is a large, and growing population of lowland migrants who have arrived in the forest zone within the last 30 years. These peoples are predominantly farmers who were unable to secure land use rights in the lowlands, and so have sought lands to cultivate within the forest zone. They are referred to as "kaingineros," from the Filipino (Tagalog) word meaning "shifting or swidden agriculturalists."

Estimates of the number of peoples living in the forest zone vary greatly, depending on the source. For example, the official estimate of forest zone inhabitants by the Philippine Department of Environment and Natural Resources (DENR) was

1.3 million in 1986. This estimate includes both indigenous peoples and more recent migrants. The Forestry Master Plan currently estimates 6–8 million forest zone inhabitants, of which approximately 3.5 million belong to indigenous cultural communities. Independent researchers from the University of the Philippines, using official 1980 census statistics by contrast, estimated the number of forest zone inhabitants to be approximately 11 million. At a 2.5 percent growth rate, this population is estimated at 14.3 million in 1990, of which approximately 5–6 million belong to indigenous cultural groups.²⁴ Critics of official Philippine forest policies claim that the government purposely underestimates the number of forest-zone dwellers to promote the impression that the forested lands are sparsely populated and still available for exploitation by private enterprises or lowland migrants.

By terms of the Regalian Doctrine, based on an 1894 Spanish decree, it has been interpreted that all lands, except those covered by official title certificates, are presumed to be owned by the state. Since members of the indigenous cultural communities have not been recognized as owners of their ancestral domains, however, they are seen officially as squatters on public land. The government has stated that the constitution recognizes the legal rights of indigenous cultural communities to ancestral lands and natural resources (Factoran, 1989), but no progress has been made to date to delineate these territories and to title these lands.²⁵ The Philippine Inter-Agency Committee on Agrarian Reform, nonetheless, estimated that ancestral lands comprise approximately 6 million hectares, or 20 percent of the country's land base (*Manila Chronicle*, 1988). Another estimate ranges between 4–8 million hectares of ancestral lands, or approximately 25–50 percent of the forest zone (Lynch and Talbott, 1988).

Lacking legal title, many lands within ancestral domains have been awarded to logging, mining, and agribusiness enterprises in the form of concessions. In addition to destruction caused by these activities, the associated construction of roads and bridges have led to encroachment of lowland migrants onto ancestral lands. In many cases, indigenous peoples are being displaced from their homelands, often being pushed to higher elevations where conditions for cultivating are poor. Military counter-insurgency activities conducted in the uplands have also led to the displacement of many people from their ancestral domains (Fay, 1987).

Overview of Planning Process

The Philippines Forestry Master Plan is a ten-year plan for managing virgin and logged-over dipterocarp forests (tropical hardwoods), which constitute the majority of the country's remaining forests. In 1988, a joint proposal was formulated by the Philippine government's DENR, the Asian Development Bank, and the Finnish International Development Agency (FINNIDA) to prepare a Forestry Master Plan.²⁶ A planning team was subsequently formed, consisting of DENR staff, Mandela Agricultural Development Corporation (MADECOR; a private Philippine consulting firm), and Jaako Poyvry Oy, a Finnish consulting firm. The team began work in December 1988, compiling the three volumes that constitute the plan: 1) background, issues, options, and recommendations; 2) sustainable forest management plan; and 3) various appendices. Between May and July 1989, four meetings were held to seek input into the planning documents: one with logging concessionaires; one with a DENR policy team; one with forestry academicians, several NGOs, and the National Museum to discuss a policy paper on protected areas; and one with NGOs to discuss the draft plan.

In June 1989 a "Working Team" was established to help consultants prepare the reports. The team included members of the Philippine Wood Industry Association, senior staff of the congressional and senate natural resources

committees, and a representative of an environmental NGO—the Haribon Foundation to Conserve Natural Resources. The team held five sessions to comment on the preparation of the plan.

ANALYSIS OF THE INDIGENOUS PEOPLES ISSUES IN THE PLANNING PROCESS

Involvement in the Planning Process

Several NGOs were reportedly involved in the review of a background paper on protected areas, as well as the review of the draft Master Plan. The plan stated that as a result of NGO review, the discussion of ethnic cultural communities was modified considerably, but does not indicate the nature of these modifications. Forest-zone indigenous peoples' representatives or organizations were not directly or formally consulted.²⁷

Inter-Sectoral Coordination

Three government agencies connected to the Office of the President, Office of Northern Cultural Communities (ONC), Office of Southern Cultural Communities (SNC), and Office of Muslim Affairs (OMA) assist the President on matters of indigenous peoples affairs. There is no evidence that any of these agencies were involved in the Master Plan development. Development of the plan appears to have been dominated largely by the Department of Environment and Natural Resources (DENR).

Baseline Information on Forest-Dwelling Peoples

The Master Plan includes a profile of ethnic cultural communities in the Philippines. The profile designates three major groups of cultural communities totalling approximately 3.5 million people, and gives a brief description of each: the Kaigorotan of the Cordillera, the Lumads of Mindanao, and the scattered tribes of southern-central Luzon. The profile also includes a list of 46 ethnic groups, their location, population size, and mode of subsistence.

In describing all forest-zone occupants, the Master Plan refers to the presence of 6–8 million people who belong to one of two categories: ethnic cultural communities or rural landless laborers. The document describes the traditional agricultural practices of the cultural communities as well-adapted to preserving the forests, in contrast to the environmentally destructive practices of the more recent migrants. According to the plan, even the agricultural practices of the cultural communities are today destructive because these peoples have been forced off traditional lands by incoming migrants, into less fertile lands not conducive to sustainable agriculture.

Review of Forest Policies With Respect to Forest-Dwellers

The Master Plan makes several references to the legal rights of indigenous cultural communities to their ancestral lands. It also cites the Regalian Doctrine which decreed that uninhabited and unutilized areas belong to the state, but notes that the doctrine was not intended to “steal” land and resources from the indigenous groups. It cites Presidential Decree 389, which states that lands occupied, possessed, or claimed by national cultural communities should not be allocated for timber harvesting, and the 1987 Constitution guaranteeing prior rights of ethnic cultural communities to ancestral lands (page 6, Part 2). The plan states that a mechanism should be worked out for expediting the settlement of such claims, and when they have been established, the government should help these peoples develop their forests. In the meantime, it recommends that these cultural communities be involved in proposed forest management activities (page 41, Part 1). The Master Plan also suggests that “DENR should consider suspending timber concession agreements (TLAs) or other outsider activities on lands seriously claimed by ethnic cultural communities” (page 12, Part 2).

Land Tenure

As just stated, the Master Plan makes reference to the provisions in national law and the 1987 Constitution for recognizing indigenous cultural

communities’ rights to their ancestral lands, and it attempts to integrate the concept of ancestral land rights into proposed forestry development strategies and programs. Recognizing that existing mechanisms for settling these claims are inadequate, the plan calls for the development of a strategy to “ensure prior rights” of ethnic cultural communities (page 22, 23, part 2). The strategy proposed calls for:

- 1) consultative dialogue to resolve claims and incorporate environmental and ecological constraints to use of the lands;
- 2) a survey to review existing land claims and assist cultural communities in delineating their claims;
- 3) allocation of funds to assist cultural communities in demarcating their lands;
- 4) extension activities and scholarships directed toward improving the knowledge base of ethnic cultural communities;
- 5) use of ethno-knowledge and provision of legal services to ensure propriety of indigenous peoples to such knowledge; and
- 6) provision of logistical support to initiate community-based industry and marketing.

Given this stated recognition of ancestral lands, how does the plan integrate this notion into proposed activities on the three types of forests: remaining virgin forests; logged-over forests still within concessions; and logged-over forests for which concessions have expired?

Within virgin forests, logging will be allowed to continue through the year 1990, and parcels within logged-over areas less than 100 hectares from 1991–1993. Since demarcation and formal titling of indigenous claims will not begin before 1990, unchecked logging will continue on ancestral lands for some time.

According to the plan, previously allocated logging concessions within logged-over areas, many of which occur within lands claimed by indigenous communities, remain valid. The plan does state, however, that “the DENR should consider suspending logging concession

agreements or other outsider activities operating on lands *seriously* claimed by ethnic cultural communities" (emphasis added) (page 12, part 2).

Distribution of previously *unallocated* logged-over forests (including those for which expired concession agreements have not been renewed) will be to "a variety of groups, ranging from government-owned corporations, to local communities and tribal groups, with emphasis on the latter" (page 16, part 2). Local communities, as used in this context, refer to non-indigenous communities in the uplands, primarily the farmer migrants. It is the intent of the plan to put the logged-over forests into sustainable timber development, termed "production forests." The plan proposes the development of "Regional Resource Management Councils" to ensure local participation in the allocation, management, and sharing of benefits to be derived from these production forests. Councils are to include representatives of upland dwellers, small fishermen, ethnic cultural communities, as well as elected officials and representatives of government (page 16, part 2).

The plan states that "local communities should be encouraged to request local forest areas be allocated to them" but also states that "special care shall be taken to ensure the prior rights of ethnic cultural communities will be respected and any areas claimed shall not be allocated until the legal status is clarified" (page 12, part 2). In recognition that the official process of delineating ancestral domain boundaries could take some time, the plan states that, in the meantime, forest management should include participation by and benefits to indigenous communities.

As described above, the plan addresses tenure issues concerning the upland migrant farmer population by recommending allocation to them of some of the logged-over forests for timber production. It appears that the government would continue to own the lands, contracting local communities to manage the forests for timber (see page 9, part 2). The plan also proposes the "stabilization" of shifting agricultural practices by introducing techniques and assistance necessary for sedentary farming.

Proposed Master Plan Development Strategy And Investment Projects

The primary goal of the Master Plan is to phase out logging of virgin forests and begin a program of sustained-yield management of timber within logged-over or second-growth forests without unnecessarily disrupting the log supply to existing industry (page 8, part 2). As just described, the plan proposes the establishment of a permanent forest estate for "production forests," consisting of all logged over forests. These forests will be managed on a 60-year cutting cycle. Logging company activity will be extended within existing concessions, though shifting from virgin forests to previously logged areas. Logged-over forests outside current concessions will be allocated (i.e., contracted) to a broad range of institutions, private organizations, and local community organizations for timber management. Remaining old growth forests will be preserved by incorporation into the national protected areas system.

"Respect of ancestral lands in delineating areas for timber production or protected areas will depend on the actual and expeditious implementation of a program to recognize and protect the boundaries of these areas from competing interests. The plan implies that this task is to be assigned to DENR. Yet, there is serious reason to doubt the Department's capacity or commitment to delineate ancestral domain perimeters."

Based on the provisions for local community involvement for indigenous peoples and migrants, the actual extent of control local peoples will have over their lands and livelihood remains questionable. Respect of ancestral lands in delineating areas for timber production or protected areas will depend on the actual and expeditious implementation of a program to recognize and protect the boundaries of these

areas from competing interests. The plan implies that this task is to be assigned to DENR. Yet, there is serious reason to doubt the Department's capacity or commitment to delineate ancestral domain perimeters. Indeed, DENR appears to have vastly underestimated the number of public forest-zone inhabitants and has done nothing to date to identify ancestral lands despite a legal and constitutional mandate to do so. Even if the delineation process is initiated, it is unlikely that it can be accomplished quickly enough to avert designation of many of these lands for other purposes. As for existing concessions on ancestral lands, the plan suggests only that DENR cancel these agreements where claims are "serious."

Policy Reform Proposed

As previously stated, the plan recommends policy changes that will allow for the allocation of second-growth forests to various organizations and to local communities. The plan also recommends the delineation of ancestral lands to indigenous cultural communities.

Intent to Involve Forest-dwelling Indigenous Peoples in Master Plan Projects Implementation

The plan states its intent to involve local communities in timber development through "Regional Resource Management Councils" which will include representatives of local communities (indigenous and migrants). Although good in theory, the effectiveness of local involvement will depend on measures taken to assure that local interests are not dominated by other council members. As envisioned by the plan, much of the local involvement will take the form of employment within the production forests. Control over the type of uses of the forests appears to remain primarily within DENR.

SUMMARY

The Philippines Master Plan provides an excellent *theoretical* basis for addressing its indigenous forest-dwelling peoples—through the recognition and delineation of ancestral domain. Actual responsiveness of this plan to indigenous peoples, however, hinges on

- 1) genuine commitment of the Philippine Government to delineate and formally title ancestral lands,
- 2) development of a realistic mechanism for accomplishing this task before lands are allocated to other uses, and
- 3) subsequent protection of ancestral lands from outside interests.

Given the history of DENR's policies regarding ethnic communities and the political power of the commercial forestry sector, skepticism about the plan's potential for resolving issues of critical importance to indigenous peoples is in order. In addition, under the timetable given in the plan, it is unrealistic to believe that all matters related to the delineation of ancestral domains will be settled before forests are allocated for timber or conservation.

The concept of "Regional Resource Management Councils," which include representatives of indigenous ethnic minorities, is potentially sound. Fair and effective representation of these peoples' needs and concerns, however, will depend largely on the power structure within these councils and on potential ties of certain representatives to business interests. Proposals to allocate some forests to local communities for timber management and to provide associated employment opportunities are positive insofar as these individuals will gain some benefits from timber development in their region. These plans fall short, however, of empowering local communities to manage their customary lands as *they* feel appropriate.

Case Study 3: ECUADOR

BACKGROUND

Forest-Dwelling Indigenous Peoples of Ecuador

The indigenous peoples of Ecuador constitute approximately 20 percent of the country's current population (Burger, 1987). Nine major groups are recognized, populating the coastal lowlands of the northwest, the Andean highlands, and the Amazonian lowlands of the eastern half of the country (Figures 2 and 3). Some of these groups depend more directly on the forests than others, such as the Huaronis, Sionas-Secoyas, Cofan, Achuar, and the "lowland" Quichuas of the Amazon lowland forests, and the Awa and Chachis of the northwest coastal forests. Similarly, there is variation in forest use among these groups. The Huaroni, for example, rely nearly entirely on forest hunting and gathering, while the lowland Quichuas combine agriculture with the harvest of wild forest resources. The Shuaras, Tsachi, and the "Sierra" Quichuas, by contrast, are predominantly agriculturalists, relying indirectly on forests to support their agriculturally based livelihoods.

Petroleum exploration and drilling, hard rock mining, uncontrolled logging, agribusiness ventures (e.g., African Oil Palm plantations), and spontaneous colonization are among the biggest threats to forest-dwelling indigenous groups in Ecuador. Several indigenous ethnic groups (such as the Awa in the northeast, and the Siona-Secoya in the Amazon basin) have succeeded in gaining recognition of their territories as conservation areas or "ethnic reserves." However, even within the bounds of these areas, oil and mineral development and intrusion by landless colonists continues to be a threat, as in much of the Amazon basin, due to the difficulty of "guarding" the boundaries, and the power and influence enjoyed by the oil and mining industries with the national government.

Beginning with the establishment of the Shuar Federation in 1964, native populations have been organizing into regional and local federations to reaffirm native culture, and ensure state recognition and protection of native land rights (CONAIE, 1989). There exists now a well established network of over thirty organizations officially representing indigenous peoples at the national, regional, and local levels.

Overview of TFAP Process

The TFAP process was initiated in December 1987 when core funding was provided by the Netherlands, with the National Forestry Directorate (DINAF) acting as the lead host government agency. The Colonization Institute (IERAC) also participated in the TFAP process, as did several other Ministry of Agriculture agencies. The International Institute for Environment and Development (IIED) was contracted to provide technical assistance to DINAF, and from January through April 1988 it worked with participating agencies to prepare a background document on the forestry sector. The "Forestry Sector Diagnostic" was intended to serve as a baseline study and as background for a subsequent forestry sector review.

A roundtable type I meeting was held in April 1988, at which time the government decided to skip the roundtable type II and proceed directly with the preparation for a type III donors roundtable. This "rush" to get to the donors roundtable probably reflects the desire of the administration in power at that time to secure funding for certain projects before national elections. The type III was scheduled for July 1988, just prior to the national elections in August. The government decided to prepare investment project profiles, despite the lack of support for a multi-donor sector review mission, because it felt that it could rely on the forestry diagnostic in its place. FAO provided short-term

Figure 2.

LOCATION OF INDIGENOUS ETHNIC GROUPS OF ECUADOR

Source: Cabarle, et al. 1989. *An Assessment of Biological Diversity and Tropical Forests for Ecuador*. World Resources Institute, Washington, D.C.

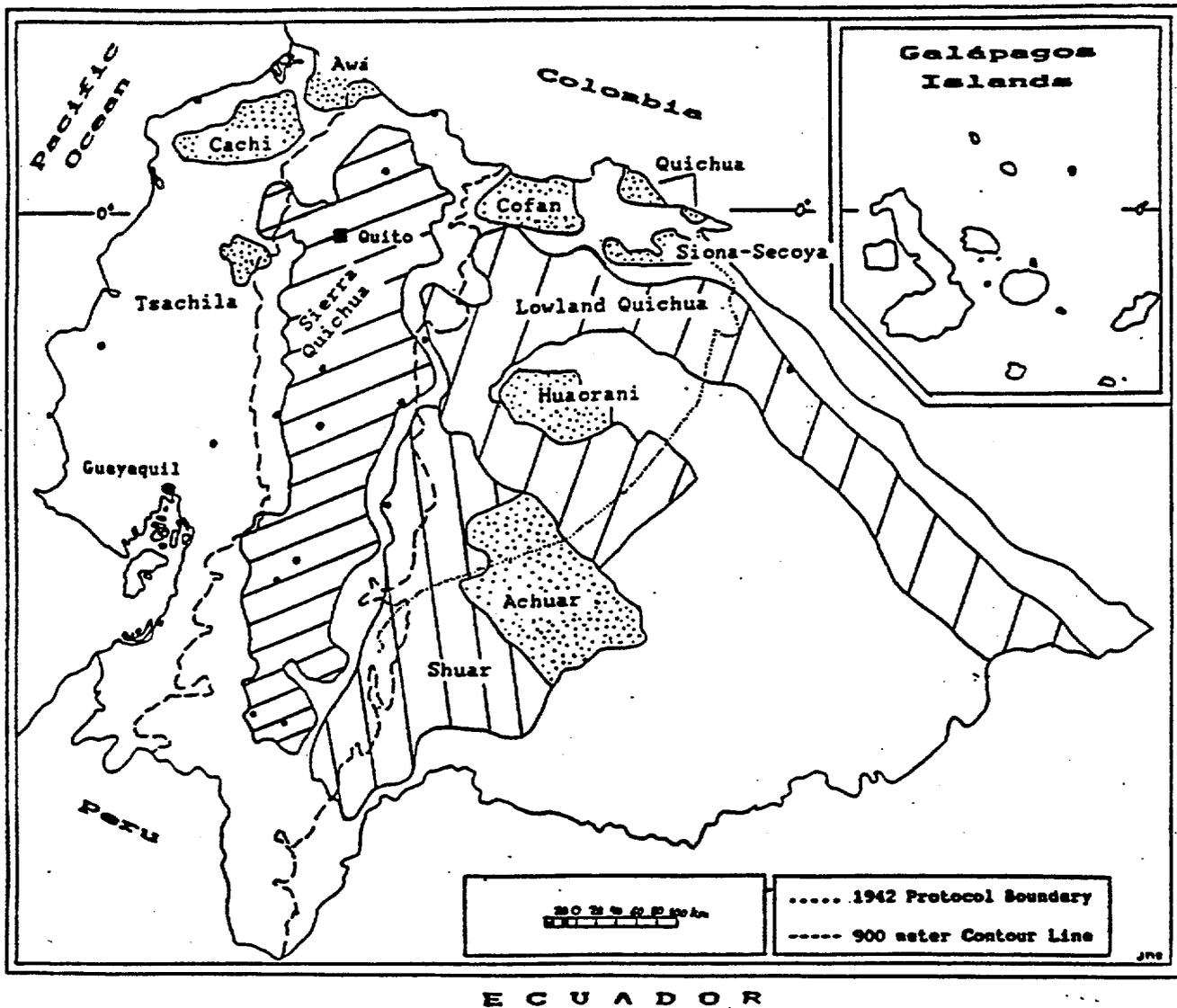


Figure 3.

POPULATION AND LOCATION OF INDIGENOUS PEOPLES OF ECUADOR OF THE
AMAZON AND COASTAL FOREST REGIONS

Approx. Name	Province(s):	Population:
AMAZON REGION		
Sionas & Secoyas	Pastaza, Napo-Sucumbios	600
Quichuas	Pastaza, Napo-Sucumbios	60,000
Cofanes	Pastaza, Napo-Sucumbios	460
Huaronis	Pastaza, Napo	600
Shuaras	Morona-Santiago, Pastaza, Zamora-Chinchi	40,000
Achuaras	Morona-Santiago, Pastaza, Zamora-Chinchi	2,400
		Subtotal: 104,060
COASTAL FORESTED REGIONS		
Awa	Carchi, Imbabura, Esmeraldas	3,500
Chachis	Esmeraldas	7,000
Tsachi	Pichincha	1,400
		Subtotal: 11,900
		TOTAL: 115,960

*Source: *Las Nacionalidades Indigenas En El Ecuador*. 1989. Confederacion De Organizaciones Indigenas Del Ecuador (CONAIE), Quito, Ecuador.

assistance to develop the project profiles, and to revise and expand the forestry sector diagnostic. Owing to a national strike, however, the roundtable III was never held. Subsequent national elections resulted in a new administration and in a temporary lapse in the government's involvement in the TFAP process.

In the meantime, World Resources Institute (WRI, which had merged with the former North American office of IED) initiated a "Small Grants" program to address issues that surfaced in the forestry diagnostic and in the roundtable I meeting—namely, the general lack of community perspective in the TFAP process to date. The program focused on the rural poor who had not been well represented in previous TFAP planning

exercises—including highland agriculturalists, coastal fishermen, and the Amazonian Indians. WRI provided funding to several Ecuadorian NGOs to conduct workshops and studies with these groups, the results of which were made available to the national government for consideration in the TFAP planning process.

Ecuador's new administration reactivated the TFAP process in April 1989, with technical assistance from FAO, U.S. Agency for International Development (USAID), and Overseas Development Administration-UK (ODA). DINAF continued in the role of coordinator, and held seven regional workshops to discuss and revise the draft forestry diagnostic. A TFAP national steering committee, including two

NGOs—*Fundacion Natura* and Forest Industries Association—was formed in October 1989 to oversee the TFAP's development. A revision of the forestry diagnostic, based on information gathered at the regional workshops and contributions by various technical assistants, was published in February 1990. The national type II roundtable was held in late February 1990. The final donors roundtable is scheduled for July 1990.

ANALYSIS OF INDIGENOUS PEOPLES ISSUES IN THE TFAP PROCESS

Involvement in the TFAP

Two indigenous peoples organizations, the National Confederation of Indigenous Peoples (CONAIE) and the Confederation of Indigenous Peoples of the Ecuadorian Amazon (CONFENIAE) were invited to the initial TFAP roundtable I meeting in April 1988. Neither group attended, protesting what they perceived as the "last minute" nature of their invitations, and venting their frustration with previous government-dominated planning processes.²⁸

WRI's small grants program allowed rural groups to develop specific project proposals for involvement in the development and implementation of the TFAP. Requests for proposals were circulated to NGOs, including the two indigenous organizations CONAIE and CONFENIAE. However, no proposals were submitted by either of the two groups at that time.

A WRI grant did enable a rural development organization in Ecuador, Community Development and Research Systems (COMUNIDEC), to conduct village-level workshops in the Andean Highlands, the Amazonian lowlands, and the mangrove and coastal forests region of the northwest. The workshops provided a forum for communities to express their views on forestry activities in its region so these perspectives could be summarized and integrated into TFAP country planning. Workshops were held between November 1988 and 1989. Results from each of the workshops were published locally, in the form of comments, recommendations, and strategies, and made

available to the national government, TFAP donors, and local NGOs (COMUNIDEC, et al., 1989 and FCUNAE and COMUNIDEC, 1989).

Support was also provided by WRI to the NGO "Tierra Viva" to document the successful efforts of a small community in the Andean Highlands to organize itself politically to protect its local forests from commercial logging interests through development of "resource management plans" as provided under the current Forestry Law. The report was published locally and is intended to serve as a useful reference to other communities wishing to develop forest management plans as a means to conserve forest resources and obtain more local control over forest lands.

COMUNIDEC, with a second grant from WRI, formed teams of national specialists to work with participants of the regional workshops to develop project profiles. These profiles were endorsed by the national government and included in the proposed list of TFAP investments. Tierra Viva has also received additional support from WRI to evaluate the preliminary TFAP strategy and policies in light of local perspectives articulated in the socio-economic study. This analysis will be presented to the NGO community before the document is submitted to the national government.

Indigenous organizations were not invited to participate in any of the seven government-organized TFAP regional workshops held from April to September 1989. However, in January 1990, CONFENIAE was added to the TFAP National Steering Committee, potentially opening up the TFAP process to other indigenous organizations of the Amazon. In addition, in February 1990, a formal Memorandum of Understanding was signed by the Government of Ecuador, COMUNIDEC, and WRI that formally validates the role of community-level participation in the TFAP planning exercises, and recognizes CONFENIAE as the spokes-organization for indigenous peoples. The agreement provides mechanisms to facilitate indigenous peoples' participation through technical assistance provided by COMUNIDEC and WRI.

CONFENIAE, FCUNAE, and Federation Shuar participated in the national roundtable type II meeting held in February 1990 to discuss the revised Forestry Diagnostic. Both groups stressed the need to address land tenure and increased local control over timber and petroleum concessions within their traditional lands. The Shuars proposed that a conservation unit be established in their region and managed by indigenous peoples. They also requested a seat on the national TFAP steering committee.

Baseline Information on Forest-Dwelling Peoples

Within the Forestry Diagnostic, there is a very brief discussion of Ecuador's population, including a paragraph that lists the different indigenous ethnic groups and the provinces in which they live (page 10, part 1). No population figures are given. There is an additional, but brief discussion specifically focused on forest occupants, including a section on indigenous peoples and patterns of land use (pages 15, 16, Part 1). The Diagnostic contains no analysis of existing and potential conflicts concerning indigenous peoples; nor does it address their potential role within TFAP strategies.

Inter-Sectoral Coordination

The TFAP process has been dominated by the Ministry of Agriculture's Forestry Directorate (DINAF), with some participation by the Ministry of Agriculture's Colonization Institute (IERAC) and other branches of the Ministry of Agriculture. The Ministry of Social Welfare, which houses the Office of Indigenous Affairs, was not significantly involved in the TFAP process. The National Bank and the National Development Council, which together handle fiscal incentive programs and development planning, have not been meaningfully involved in the TFAP to date. Similarly, the powerful Ministry of Mines and Energy, despite its ultimate control of the forests through leasing and management of subsurface resources (petroleum, hard-rock minerals), was involved only superficially in the development of the TFAP (Cabarle, personal communication). Indeed, at present, national and international oil

companies are exploring for oil within traditionally occupied Amazonian lands of the Huaroni peoples, forcing their relocation to other areas (Survival International, 1990).

Land Tenure

A major problem faced by indigenous peoples in Ecuador, as in other parts of the world, is gaining official recognition, title, and protection of native lands. IERAC and DINAF, under the Agrarian Reform Law and Law of Colonization of the Amazon Region, are mandated to set aside and title lands to communal ownership of indigenous groups. To date, however, only a small percentage of lands currently claimed by indigenous peoples in Ecuador have been officially titled. In the Amazon region, for example, land titling to indigenous peoples lags far behind those titled to new colonists and private industry. Roughly 33 percent of the Amazonian lands have been titled to colonists, while only 3 percent has been titled to indigenous peoples, despite indigenous claims to ancestral lands throughout most of the Amazon region (World Bank, 1989).

Most of the non-titled lands occupied and claimed by indigenous groups fall within two classifications: legally recognized public forests ("Forest Estate") or "unoccupied" or "empty" lands. "Forest Estate" refers to approximately half of the country's forest lands (49 percent or 6.1 million hectares) administered under the National Forestry Law. Of these, the Government (DINAF, primarily) "manages" three million hectares as national parks and reserves. The remaining 3.1 million hectares are leased through commercial concessions or managed by local communities under government-approved management plans. At the recent FCUNAE workshop, it was discovered that the traditional lands of 14 communities are located within an area designated by the government as "forest estate." These lands were not known to or registered by DINAF, and as such were subject to leasing for other purposes (FCUNAE and COMUNIDEC, 1989).

Most forest lands (54 percent or 6.9 million hectares) fall outside the Forest Estate and are considered "open" lands. They are administered

by IERAC under the Agrarian Reform Act. These lands are subject to colonization and development, even though they may be occupied and under long-standing management systems developed by local, native communities. Under Ecuadorian law, title to these lands is available to new settlers who clear at least 80 percent of the forest and replace it with crops or pasture.

"Some native Amazonian communities have been waiting for more than 15 years for their requests for title to be processed. In the meantime, lands claimed by indigenous peoples continue to be titled to colonists and designated for other types of economic exploitation."

Indigenous communities may receive communal title to their lands, if they are first surveyed by IERAC technicians.²⁹ Very few such technicians have been made available to indigenous peoples, leading to prolonged delays in titling of native lands. In response, indigenous peoples began to survey their own lands. While DINAF has agreed to accept the self-surveyed lands, IERAC has not. Some native Amazonian communities have been waiting for more than 15 years for their requests for title to be processed.³⁰ In the meantime, lands claimed by indigenous peoples continue to be titled to colonists and designated for other types of economic exploitation.

The Forestry Diagnostic claims that IERAC currently gives priority to the titling of indigenous lands—an assertion contradicted by indigenous peoples' claims that the process is of very low priority to IERAC, and ineffective to date. None of the proposed strategies address the issue of processing indigenous lands, or of titling lands to colonists before indigenous land rights have been recognized.

Review of Forest Policies And Recommended Policy Reform

The Amazon region is viewed as a natural frontier that is empty and therefore capable of absorbing new settlers—a type of "escape valve" for socio-economic imbalances in other regions (World Bank 1989). Current laws and policies on colonization reinforce this view by categorizing over half of the remaining forests as "open lands," encouraging colonization and timber clearing, petroleum and mining development, and tourism.

The implications of such policies for resident indigenous forest-dwellers are severe. Not only are settlers now being encouraged to move into the forest zone where they will be in direct competition for traditionally occupied lands and resources; they are also clearing large areas of the remaining forests upon which indigenous groups depend. The Forestry Diagnostic partially addresses this critical issue by outlining strategies to prevent further out-migration of peasants from the highlands into the Amazon region (i.e., stabilizing existing agricultural systems in the densely populated highlands, and restricting the rate of colonization into the forest zone) and strategies for stabilizing agricultural practices within the newly colonized areas of the lowlands. It is not known whether concurrent changes to existing forest and colonization policies that provide incentives for colonization and forest clearing are contemplated, since such changes were not explicitly mentioned in the Diagnostic.

Proposed TFAP Development Strategies

The Forestry Diagnostic concludes with a list of "Strategies and Policies for Forest Development,"³¹ which can be condensed into three major objectives:

- Decrease dependence on oil exports by increasing exploitation and exports of other natural resources (presumably timber, gold, and agricultural products) in an environmentally sound and sustainable fashion;
- Through the "modernization" of the rural economy, progressively integrate the "marginalized" population, estimated at 55

percent of the total population, so that by the end of the century, it is reduced to only 25 percent of the total; and

- Elevate productive capacity and efficiency, increase domestic savings, and achieve greater economic equity and harmony between different regions of the country.

Ecuador's TFAP indicates the country's increasing interest in the development of forest lands, particularly the vast areas of forests in the Amazonian lowlands, where much of the indigenous population resides. Taken together with another plan objective, the integration of the "marginalized population" into Ecuador's mainstream economy, the plan appears to visualize the concurrent and interactive *development* of forests and rural peoples. This could conceivably lead to assimilation of the rural population into forest development plans conceived and controlled by government ministries rather than by the rural inhabitants themselves.

In nearly all cases, the Government retains title to the subsurface and above-surface resources, and can develop these resources at any time, regardless of whether legal title has been granted to forest-dwellers. The plan does state its intent to "encourage and support active participation by indigenous peoples in managing *their* resources, and strengthening their role in decision-making and implementation" (page 4, "Estrategias"). The plan also states, however, that "rational management" techniques to "improve indigenous systems of forest management" and to "ensure maintenance of forest cover" will be introduced (page 4).

The Diagnostic proposes delineation of natural protected areas, within which the "active and direct participation of communities living in these protected areas will be promoted" and local communities will "receive benefits" from its management. There is no elaboration on these points. The Diagnostic also contemplates creation of "buffer zones" to incorporate local community needs and ensure the long-term protection of park areas. It proposes designation of state and private forests as "protected forests," the use of which

will be determined by "competent forestry authorities." The plan does not address the issue of existing native land claims within any of these areas.

Since no list of proposed TFAP investment projects has yet been released, it is difficult to anticipate the specific impacts of the proposed strategies on indigenous peoples. It is encouraging to note, however, that the Government of Ecuador has recently accepted proposals developed by the indigenous organizations—FCUNAE and Federation Shuar. These proposals will be presented at the donors roundtable meeting in July 1990. A FCUNAE proposal addresses measures to expedite delineation and formal titling of indigenous lands by increasing local community efforts and securing a commitment from the government to speed up the process. It proposes the formation of a FCUNAE technical office to assist local communities in land surveying, agroforestry, ecotourism, legal advice, accounting and administration of local cooperatives. Federation Shuar submitted a separate proposal for the creation of a locally managed conservation unit.

Intent to Include Indigenous Peoples in Implementation of TFAP

According to the concluding "strategies" section of the Diagnostic (page 3), the philosophy of the government will be to "support the participation of indigenous communities in the management of their resources, by strengthening their capacity for decision-making, and taking initiative in implementing natural resource management." Recent events, such as the signing of a Memorandum of Understanding (described above), and the creation of the Awa Ethnic Reserve and Cerro Sumaco Forest Reserve for lowland Quichuas, indicate that the Government of Ecuador is willing to include indigenous peoples in national forest planning and strategies.

SUMMARY

Ecuador's TFAP is still evolving. In the absence of a proposed list of investments, it is impossible to know what project strategies will be

given priority and which mechanisms will be used to implement them. Recent agreements between indigenous peoples' organizations and the Government of Ecuador, however, may enable indigenous peoples to exert some influence over the future evolution of the TFAP.

If the Ecuador TFAP is to address the needs of indigenous forest population, it must respond effectively to the most pressing issue: recognition of indigenous peoples living in the forests and their traditional land rights. The national government must speed up the process for delineating and titling indigenous lands, while postponing the designation of lands for other purposes until these lands are titled. The concept of "title" should be expanded to include rights to above and below-surface resources, allowing local indigenous groups to use and benefit economically from their traditional lands. Although the Forestry Diagnostic has not addressed these concerns comprehensively, recent government actions indicate a willingness to consider some proposals by indigenous organizations.

The TFAP goal of integrating the marginalized population into Ecuador's mainstream economy is troublesome considering the government's apparent view that indigenous systems are irrational, unproductive, and in need of improvement. It appears likely that such a program of integration would be driven

externally, based on national economic goals and values. The national government must recognize the value of existing modes of production and uses of the forest by indigenous groups and follow through on its stated objective to support initiatives by indigenous forest-dwellers to manage and sustain the forests. Present policies that require clearing and cultivation to gain land title should be re-assessed and changed to reflect existing patterns of land use by indigenous peoples.

The failure of the TFAP to date to effectively involve the government ministries with overriding authorities for oil and minerals development on all forest lands is a serious one. Without coordination and support from these ministries, many of the proposed forest strategies will be ineffective.

In contrast, the Forestry Sector Diagnostic's recommendations to address circumstances responsible for landlessness and out-migration of peasants from the highlands and coastal areas into the lowland forests are encouraging. If implemented, such measures could serve as an instructive example to other countries trying to address the root causes of forest destruction. Also encouraging are the proposed methods for integrating rural community needs into the designation of conservation areas, if such programs are formulated with the active participation by local indigenous groups.

IV.

DISCUSSION

Several recurring themes, summarized below, are apparent throughout the analysis of the three case studies. These themes hold relevance for other countries where TFAP planning is under way or proposed, and they serve as useful points of departure for discussion of fundamental problems inherent in the overall TFAP framework.

ABSENCE OF BASELINE DEMOGRAPHIC, LAND USE, AND IMPACT ASSESSMENT

Basic documentation of who lives in tropical forests, where they live, and how they depend on forest resources is not addressed at all in the Cameroon TFAP, and is treated only superficially in the Ecuador TFAP and Philippines Forestry Master Plan. Official population figures given for both Ecuador and the Philippines have been disputed by independent sources, who claim that the government vastly underestimates the true population of forest-dwellers. Without adequate and accurate baseline information, there can be little understanding of the economic, cultural, and ecological values of existing forest land use systems. Nor can indigenous peoples' needs be incorporated effectively into forest planning, or the impacts of proposed activities on their culture and livelihood assessed meaningfully. This is a critical omission and an obstacle to any serious consideration of forest-dwellers in TFAP planning.

NO REPRESENTATION OR "TOKEN" REPRESENTATION IN THE TFAP

Indigenous peoples were not involved in any stage of the planning process in Cameroon or the Philippines. By contrast, some indigenous organizations in Ecuador have become involved in TFAP, though not in its initial stages, through their own workshops, participation on the national TFAP steering committee, and proposals submitted for funding consideration.

Ecuador's indigenous population is well organized and constitutes a large segment of the national population, in contrast to the Pygmies of Cameroon, who constitute only a small fraction of the national population and appear to have no national- or regional-level political organizations. The size of the indigenous population and the extent of their political network, would seem important factors in determining the likelihood of their involvement in the TFAP process. It is known, however, that indigenous peoples in Peru and Panama, despite their relatively large numbers and political savvy, were not consulted in country-level TFAP planning.³² Perhaps more important is the relative "openness" of the planning process, which, in spite of explicit TFAP principles, has not characterized most TFAP country exercises. The inability of even WRI (a TFAP founder) to obtain many of the planning documents, much less a politically marginalized

population such as indigenous forest-dwellers, emphasizes the critical nature of this problem.

"Some indigenous groups in Ecuador remain reluctant to participate in the TFAP process, skeptical that such opportunities represent only a token effort on the Government's part to include indigenous peoples, rather than a true commitment to incorporating their perspectives."

The Ecuador TFAP is encouraging in that through locally conducted workshops and some consultation with the Government, indigenous groups are comparatively well informed about national forest planning efforts and better positioned to contribute to the TFAP process. However, this has occurred only after considerable intervention by and pressure from international NGOs. It is also far too early to judge the effectiveness of their involvement in the TFAP process. Some indigenous groups in Ecuador remain reluctant to participate in the TFAP process, skeptical that such opportunities represent only a token effort on the Government's part to include indigenous peoples, rather than a true commitment to incorporating their perspectives. As evidence, they point out that indigenous participation in the two-year long TFAP planning process leading up to the roundtable II did not occur until the last two weeks. This emphasizes the point that if it is to be effective, consultation must be an *ongoing* process that is a *means to an end*, and not an end in itself.

INADEQUATE ATTENTION TO ISSUES OF LAND TENURE

In all three case studies, lands traditionally occupied by indigenous peoples are threatened by industrial activities, and colonization by landless migrants. Characterization of forest lands as "empty" despite the presence of indigenous communities, and the failure of governments to

recognize and delineate ancestral lands, have encouraged emigration into the forest zone—both by migrant farmers and entrepreneurs. Regulations that require forest clearing to obtain official land title not only promote deforestation, but discriminate against indigenous peoples who rely on forest hunting-and-gathering as a means of livelihood. In the absence of official land title, indigenous peoples are often displaced by concessionaires and/or incoming colonists who lack the knowledge and incentives to conserve resources. Insecurity of tenure may also contribute to the undermining of conservation values within indigenous communities themselves (Lynch, 1990).

The Philippines Master Plan partially addresses this critical issue by proposing a mechanism for expediting the delineation of indigenous lands. It fails, however, to reconcile the time required for accomplishing this task with logging activities under way or proposed in these same areas. By contrast, the Ecuador TFAP fails to address seriously the issue of delineation of native lands, but does propose review of policies that influence emigration into the forest zone. It also proposes development of measures to stabilize agricultural practices outside the forest zone and among migrants within the forest zone, potentially reducing competition for lands with indigenous forest-dwellers.

The Cameroon TFAP fails to address the role of customary land rights in the proposed development of the remaining closed forests. It proposes instead the concept of "community reserves"—a mechanism by which local communities might receive employment and revenues from sustainable logging operations. The plan remains vague as to the number of reserves that would be created, and whether forest-dwellers such as the Baka and Bakola peoples (who are not mentioned in the plan) are intended beneficiaries.

If the goals of the TFAP are to be realized, reform must be made in two general areas. First, policies within and outside of the forest zone that promote spontaneous colonization and environmentally unsound commercial industries

must be changed. Second, national governments must seek to delineate ancestral lands prior to designing and implementing plans to exploit resources on those lands. These actions are important not only for ethical reasons; as illustrated by the Philippines and Ecuador case studies, they are also essential to the continued stewardship and sustainable use of natural resources by forest-dwellers.

Since the TFAP coordinating agency (FAO) has been reluctant to appear to be impinging on a country's sovereignty in the formulation of national forest plans, confronting issues such as indigenous land rights when they are not recognized by a particular government is awkward and likely to be avoided. This underscores the importance of providing a forum for expression of indigenous peoples' concerns so that such politically sensitive issues will surface. This problem also attests to the need to develop certain conditions that must be complied with if a plan is to be considered a TFAP.

ASSIMILATION OF INDIGENOUS PEOPLES INTO COMMERCIAL FORESTRY SECTOR

Little acknowledgement is given in any of the case studies to the economic and ecological values of non-timber forest uses that currently support indigenous livelihoods. Rather, emphasis is placed on benefits derived from continuing or expanding activities within the commercial forestry sector and the integration of forest-dwellers into this sector. Statements such as "we need to move on from the random harvest to the real cultivation and commercialization of these species" (Cameroon), and [we need to] "modernize and integrate the marginalized population" (Ecuador) are illustrative of a bias against (and/or ignorance of) traditional modes of forest hunting and gathering. In the context of proposed major increases in timber production and other forest-based commercial activities, these statements indicate an intent to assimilate forest-dwellers into this sector, thereby forcing potentially dramatic and unwelcome cultural changes on these peoples.

Integration strategies take a variety of forms in the three countries. In Cameroon, the Baka Pygmies are likely to find themselves displaced through logging concessions. Under the best of circumstances, they may live within an area designated as a "community reserve" and find employment thinning trees, and perhaps even reap a small percentage of revenues from logging sales. In the Philippines, while waiting for recognition of ancestral land rights, indigenous peoples may find themselves on state-owned "production forests" that are managed for timber on a 60-year cutting cycle. Ecuadorian indigenous peoples are likely to be pressured to modify existing forest uses in favor of uses and techniques that will allow for greater participation in the market economy.

"Even if well-intentioned, such strategies to involve indigenous peoples in commercial forestry activities do not consider the host of complex social and cultural implications they present for these peoples. Rather, they address only potential economic needs, based on the perceptions of the national governments, and not those of indigenous peoples themselves."

In all three case studies, strategies for the integration of forest-dwellers have been conceived primarily by forestry agencies, without the involvement of indigenous peoples or agencies responsible for indigenous affairs. The potential benefits of commercial forest development are presented to indigenous peoples on the forestry sectors' own terms. Even if well-intentioned, such strategies to involve indigenous peoples in commercial forestry activities do not consider the host of complex social and cultural implications they present for these peoples. Rather, they address only potential economic needs, based on the perceptions of the national governments, and not those of indigenous peoples themselves. Under such conditions, instead of being the *focus* of development

proposals that address their range of needs, indigenous peoples are used more as vehicles for achieving national economic development goals.

CONVENTIONAL APPROACH TO ECOSYSTEM CONSERVATION: "PARKS WITHOUT PEOPLE"

Both the Cameroon TFAP and Philippines Master Plan describe national parks and sanctuaries as restricted areas for the protection of wildlife and plant species and the development of tourism. Although these areas currently constitute the resource base and homelands of certain indigenous groups, there is no indication in the Cameroon TFAP that efforts will be made to avoid designation of these areas as parks (which exclude current inhabitants), or, at a minimum, to incorporate local needs into their design. Indeed, since Cameroonian law does not allow occupation within national parks, without a change in the legislation indigenous peoples living within these areas will probably be displaced. The Philippines Master Plan states that "prior rights of indigenous communities" will be respected. However, for political and administrative reasons, it appears unlikely that delineation of most ancestral lands will occur prior to the proposed designation of remaining old-growth forests as protected areas.

The concept of national conservation areas presented in the Ecuador Forestry Diagnostic may prove to be somewhat more progressive in that it proposes "buffer zone management" to incorporate local community needs and ensure the long-term protection of park areas. However, the plan does not address the issue of existing native land claims within these areas. It proposes designation of state and private forests as "protected forests," the use of which will be determined by "competent forestry authorities." Since Ecuador has not yet developed specific TFAP projects, the actual approach contemplated for the designation of protected areas remains to be seen.

Success of parks and reserves in conserving resident flora and fauna will depend largely on the extent to which innovative approaches are used to gain and sustain the support of local peoples. This requires not only commitment and resourcefulness of the national governments and donor agencies involved, but also changes in legislation that unduly restricts occupation and use of conservation areas. Legislative and policy review to address conflicts with forest-dwellers, as well as to identify potentially compatible uses, is the type of exercise contemplated by the TFAP. No such review, however, occurred within these country-level exercises.

LACK OF MULTI-SECTORAL PARTICIPATION AND POLICY REFORM

Forestry Departments or their equivalents dominated the formulation of TFAPs in all three case studies, to the exclusion of planning departments and agencies charged with responsibility for indigenous affairs. In the case of Ecuador, there has been little involvement to date of the government ministry charged with leasing and regulating oil production and hard rock mining activities, despite proposed emphasis on these activities in the TFAP, and the Ministry's powerful position with regard to forest land use.

Domination by forestry agencies in the formulation of national TFAPs has contributed to the failure of TFAPs to address some of the fundamental causes of problems experienced by indigenous peoples because these problems lie outside the forestry sector. Examples include the full range of issues affecting land tenure and equity of land distribution both in and outside the forest zone, agricultural policies and reform, and policies affecting petroleum and other minerals extraction. In addition, forestry agencies are unlikely to have the technical expertise and sensitivity to address the unique cultural and social needs of indigenous forest-dwellers.

V.

CONCLUSIONS AND RECOMMENDATIONS

In light of the three national TFAPs analyzed, reconsider the three questions posed in the introduction of this paper:

Has the TFAP contributed to the recognition and safeguarding of lands traditionally occupied by indigenous peoples?

Cameroon makes no mention of indigenous forest-dwellers land rights, indeed no mention of these peoples at all. Rather, it proposes major increases in timber production and associated transport systems that will probably displace many indigenous peoples from their lands. By contrast, the other two plans (for Ecuador and the Philippines) show some intention on the part of the national government to address issues of indigenous land rights. The Philippines Master Plan provides a theoretically good framework for delineating ancestral lands, while the Ecuador TFAP suggests review of the policies outside the forestry sector that cause competition for ancestral lands. Neither of the two plans, however, gives adequate consideration to the mechanisms and timetables needed to delineate these lands *prior* to their designation and use for other purposes.

Have indigenous peoples been effectively represented in the formulation of forestry plans and policies affecting them?

In Cameroon and the Philippines, indigenous peoples had no involvement in the formulation of national TFAPs whatsoever, even though implementation of some proposals could have major impacts on their way of life. An encouraging exception is Ecuador, where politically well-organized indigenous groups have been involved in the TFAP process and have been given an opportunity to contribute to its implementation. Although their direct involvement in the TFAP process did not occur until late in the planning stages, these groups were able to use the TFAP as leverage to gain access to government ministries with which they had little previous contact. It is too early at this point, however, to judge their actual effectiveness in the process.

Do national TFAP strategies and proposals allow forest-dwelling indigenous peoples to exercise more control over their resources and their own development?

While all three TFAPs propose projects that could provide economic benefits to rural peoples, all neglect the unique social and cultural needs of indigenous groups. Projects to "benefit" forest-dwellers generally presume their integration into the commercial forestry sector. Most such projects appear to have been developed

by forestry agencies without the involvement of social affairs or planning agencies and without the involvement of indigenous peoples themselves. There appears to be little consideration of the wishes of indigenous peoples as regards their own economic development and the social and cultural implications of such programs. Again, there are exceptions in Ecuador, where indigenous groups have submitted their own proposals for funding of TFAP projects to address issues related to delineation of native lands and community forest use and management.

"Indeed, without major revisions, the plan that was intended to provide solutions to the disturbing observation that 'indigenous peoples...will be displaced and, in some cases, their cultures will disappear,' may contribute to cultural destruction."

Despite the presence of some encouraging efforts, the TFAP falls far short of meeting its own goals of broad-based public participation and of serving as an effective framework for addressing indigenous peoples' issues in the context of tropical forest planning. Indeed, without major revisions, the plan that was intended to provide solutions to the disturbing observation that "indigenous peoples...will be displaced and, in some cases, their cultures will disappear,"³³ may contribute to cultural destruction.

Reasons for these shortcomings appear to be very deeply rooted. Many can be traced to inherent flaws in the TFAP framework, which may be attributed largely to the lack of involvement by indigenous peoples or organizations concerned with indigenous rights in the early stages of its formulation. As a result, key issues and concerns of the peoples relying most directly on the forests were overlooked. These include the need for baseline demographic and land-use information, adequate country guidelines

and mechanisms, and analyses to assess impacts of proposed TFAP projects on indigenous peoples. Others stem from deeper structural flaws in the organization of TFAP country-level planning that have resulted in a closed and centralized process, characterized more by the development of investment projects than by critically needed policy review and institutional reform.³⁴

Perhaps equally important, deficiencies in national plans appear to be manifestations of an attitude which, in varying degrees, penetrates all of the TFAPs analyzed—that indigenous peoples are "backward," less productive members of society, and as such are obstacles to "progress" as defined by national economic goals and international market forces. In the absence of information revealing the nutritional, ecological, and cultural values associated with indigenous peoples existing mode of livelihood, such attitudes are allowed to perpetuate. Sincere attempts to consider and reflect indigenous perspectives in forest planning are rare, and, where consideration is given, it is generally through measures aimed at "improving" indigenous resource use systems and absorbing indigenous peoples into the commercial forestry sector.

"Perhaps equally important, deficiencies in national plans appear to be manifestations of an attitude which, in varying degrees, penetrates all of the TFAPs analyzed—that indigenous peoples are 'backward,' less productive members of society, and as such are obstacles to 'progress' as defined by national economic goals and international market forces."

In the worst case, such programs to "benefit" local populations may simply be a strategy to proceed with forestry development activities on lands currently used by indigenous peoples for other purposes. Where implemented,

forest-dwellers who previously constituted obstacles to development may serve as a convenient source of labor. In the best case, national governments are sincere in their commitment to benefitting local populations, but fail to include them in the planning of projects that may transform their existing way of life. Thus, while forest-dwellers' economic needs may be addressed, their unique social and cultural needs are ignored. Such externally imposed programs are likely to fail because they prove unacceptable to indigenous peoples, or, if implemented, are likely to come at very high social and cultural costs to these peoples.

The broader underlying issue is one of balancing so called "national interests" (i.e., macroeconomic concerns for generating foreign exchange, boosting export production, decreasing national debt, etc.) with conflicting local interests and needs. The ability of national governments and donors to give adequate weight to local needs is questionable, not only because national

economic needs are pressing, but also because of powerful special interests which oppose changes in control and access to forest resources.³⁵ Lacking a formal mechanism for mediation between local and national interests, it is unrealistic to expect effective representation of the needs of politically-weak groups, as are most indigenous peoples.

Recent events in Ecuador, though they must be viewed with guarded optimism, may prove instructive to other countries in addressing the concerns of forest-dwellers. Rather than trying to absorb indigenous peoples into the national mainstream, forest development plans must seek to empower forest-dwellers by recognizing their ancestral lands and resources, and by allowing them to exercise control over the nature and rate of forest development in their region. If not, TFAPs could undermine rather than promote the very cultural traditions, resource knowledge, and economic incentives that have for centuries fostered local conservation of forests.

RECOMMENDATIONS FOR IMPROVING TFAP COUNTRY PLANS

1. Develop Requirements for Country-level TFAP Exercises Which Assure Consideration of Indigenous Peoples Issues.

Translate existing principles and discussion of indigenous peoples issues in the TFAP framework into a set of minimum conditions for which compliance will be required if the planning exercise is to be considered a TFAP. These include:

- a. Provisions for broad distribution of TFAP country planning documents (beginning with issue papers preceeding TFAP missions) to non-governmental organizations, including those representing indigenous peoples, and translation of these documents into local languages.
- b. Baseline assessment of forest-dwelling indigenous peoples to identify indigenous peoples located within or adjacent to forests, population sizes, location, land ownership/rights, traditional use areas, resources used, and indigenous organizations or NGOs representing them.
- c. Mechanisms for consultation to achieve effective representation of indigenous forest-dwellers in the development and implementation of the TFAP. Such a mechanism should be established and implemented at the earliest possible stage of the TFAP development.
- d. Recognition and demarcation of lands traditionally occupied by indigenous forest-dwellers *prior* to formulation of forest policies and development scenarios to ensure that proposed activities do not overlap or impinge on ancestral lands.
- e. A formal mechanism for mediation of conflicting interests of indigenous forest-dwellers and national governments, including competing claims to lands and resources. Such a process should be presided over and facilitated by a third, neutral party. Negotiations should occur at the initiation of a TFAP national exercise, and prior to any government commitment to lease and/or develop resources on lands claimed by indigenous peoples.
- f. Review of existing and proposed forest policies with respect to Indigenous Peoples/Tribal Legislation. (Identify inconsistencies and propose policy changes to address these contradictions, and create measures to rid the system of prior, outdated policies across sectors.)
- g. Impact assessment, mitigation measures, and monitoring to ensure that project-specific impacts to forest-dwelling peoples are analyzed before a TFAP project is funded (or initiated), destructive projects are not implemented, mitigation measures are specified, and project implementation is monitored by an independent entity.

2. Provide Financial and Technical Assistance to Indigenous Peoples' Organizations.

National governments, TFAP advisors, donors, and international NGOs should support and encourage indigenous peoples' efforts to speak for themselves in regards to tropical forestry policies and issues, and promote the articulation of alternative perspectives on forest use and management. Support should take the form of financial and technical assistance to local and

regional indigenous peoples' cooperatives and organizations of all kinds.

3. Develop Pragmatic Guidelines and Mechanisms for Helping to Assist Governments Address Indigenous Peoples' Issues as They Implement TFAPS.

Consider existing models—such as those from Alaska, Canada, the Kuna in Panama and COICA of Peru (Coordinating Body for the Indigenous Peoples' Organizations of the Amazon Basin)—that provide participatory mechanisms, incorporate indigenous peoples' needs into land-use planning, and protect their subsistence

uses of forest resources in a way that safeguards against resource depletion.

4. Ensure That Indigenous Peoples Are Well Represented in the National Formulation of Other International Development and Environment Programs That Affect Them.

Major programs and strategies other than the TFAP that are likely to affect indigenous peoples and their lands and resources include, for example, natural and international development programs, and environmental strategies addressing global warming and climate change, and biodiversity.

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NOTES

1. The TFAP was initiated through the cooperative efforts of the Food and Agriculture Organization of the United Nations, United Nations Development Programme, the World Bank, and the World Resources Institute. Current participating agencies include a wide range of multilateral and bilateral aid agencies, other donors, and UN agencies. The FAO currently administers and coordinates participation of developing countries in the formulation of TFAP country plans. For a detailed discussion of its origin and major objectives, see Winterbottom, 1990. *Taking Stock: The Tropical Forestry Action Plan After Five Years*. World Resources Institute, Washington, D.C.

2. Major aspirations and rights claimed by indigenous peoples' groups worldwide are summarized in such documents as the United Nations Working Group on Indigenous Populations (Document: W/CN.4/SUB.2/1986/7) and the International Labor Organization Conventions 107 and 169. Three major claims are rights of communal ownership to ancestral lands, legal recognition of indigenous organizations, and rights to self-determination.

3. Definitions of the term "indigenous peoples" have been proposed within the United Nations Working Group on Indigenous Populations Document E/CN.4/SUB.2/1986/7, and the International Labor Organization Convention 169.

4. *Tropical Forests: A Call for Action*. 1985. Part 1, The Plan. Report of an International Task Force convened by the World Resources Institute, The World Bank, and the United Nations Development Programme, Washington, D.C. and *Tropical Forestry Action Plan*. 1985. Food and Agricultural Organization of the United Nations, Rome.

5. Pages 15, 24, 36 in *Tropical Forests: A Call for Action*, Part 1, 1985. Pages 41, 75 in *Tropical Forestry Action Plan*, 1985.

6. *The Tropical Forestry Action Plan*. 1987. Food and Agricultural Organization of the United Nations, Rome.

7. The five TFAP priorities areas are: 1) forestry in land use, 2) forest-based industrial development, 3) fuelwood and energy, 4) conservation of tropical forest ecosystems, and 5) institutions.

8. Survival International participated extensively in the drafting of these guidelines. Other organizations or individuals consulted include Institute for Development Anthropology, Cultural Survival, University of Idaho (Department of Anthropology), and an anthropologist with the World Bank.

9. *Guidelines for Implementation of the Tropical Forestry Action Plan at Country Level*. 1989. Food and Agriculture Organization of the United Nations, Rome, page 4.

10. See Annex 3, *Guidelines for Implementation of the Tropical Forestry Action Plan at Country Level*. 1989. Food and Agriculture Organization of the United Nations, Rome.

11. The TFAP process has been constrained by rules of confidentiality that have often been invoked when development assistance is negotiated. As a result, TFAP documents are not made available to the "public" in many cases. For a more detailed discussion of this topic, see Winterbottom, 1990. *Taking Stock: The Tropical Forestry Action Plan After Five Years*.

12. "Pygmy" is an outsiders term, now considered pejorative, that refers to all short-statured hunters-and-gatherers living in the forests of central and western Africa.

13. Personal communication with Raymond Noronha, World Bank. May 1990.

14. Personal communication with Judith Collins, Country Director, CARE Cameroon. March 1990.

15. Personal communication with Robert Winterbottom, World Resources Institute. March 1990.

16. Personal communication with Steve Gartlan, former consultant with World Bank/FAO, Cameroon Forestry Reserves and Parks Project. Currently with World Wide Fund for Nature in Cameroon. May 1990.

17. Personal communication with Robert Winterbottom, World Resources Institute.

18. Personal communication with Steve Gartlan. See also: Ministry of Planning and Land Management. 1986. *VI Plan Quinquennal De Developpement Economique Social et Culturel: 1986-1991*. Yaounde, Republic of Cameroon.

19. Personal communication with Raymond Noronha.

20. Personal communication with Steve Gartlan.

21. See endnote #7.

22. To support the development of the closed forests in the south of Cameroon, the TFAP refers to construction of a major road which will provide a direct corridor from Yokadouma across the eastern and southern provinces, through a large expanse of currently inaccessible dense forest. The road will terminate at the coast near Kribi, the site of a proposed major seaport. This construction project has been approved by the Government of Cameroon, but was rejected as a TFAP project at the donors roundtable meeting (type III). The Government is currently seeking sources of funding outside of the TFAP process.

23. Personal communication with Steve Gartlan.

24. Cruz, M.C. 1986. "Integrated Summary Report: Population Pressure and Migration: Implications for Upland Development 3," 12-13. Los Banos Center for Policy Development Studies Working Paper No. 87-06; Personal

communication with Owen Lynch, former visiting professor, University of Philippines School of Law and Ma. Concepcion Cruz of the Institute for Environmental Science and Management of the University of the Philippines at Los Banos.

25. Personal communication with Owen Lynch.

26. Forestry Master Plans are prepared according to guidelines developed by the Asian Development Bank. Since these guidelines are similar to those of the Tropical Forestry Action Plan, FAO includes them in their lists of national TFAP exercises. These plans do not appear to be known as a "TFAP" within the country in which they are developed, however, and do not always conform to FAO guidelines.

27. Personal communication with Haribon Foundation to Conserve Natural Resources, Manila, Philippines. April 1990.

28. Personal communication with Bruce Cabarle, World Resources Institute, Center for International Development and the Environment, Forestry and Land Use Program. March 1990. See also Cabarle November 1989 and February 1990 Ecuador Trip Reports.

29. Under this law, native communities receive only "surface" title to lands. "Surface" in this context, literally means rights to the surface only, and does not include above-ground resources, such as the trees, or below-ground resources, such as minerals. There is a provision within the Forest Patrimony Law (Title 1, Chapter I, articles 86-103) which enables landowners to acquire the above-ground resource rights if they establish a "forest management plan". It appears that this clause was aimed more at industrial uses of forests, since it requires plans for timber production, and has not been familiar to or utilized by indigenous groups until very recently. However, with technical assistance from NGOs, several indigenous groups (e.g. the Awas and lowland Quichuas) have recently developed these management plans for acquiring title to above-ground forest resources, to help safeguard their lands from timber concessionaires and others.

30. Personal communication with Bruce Cabarle.

31. This section is limited to a discussion of the general *strategies* listed in the Forestry Diagnostic, since no list of TFAP investment projects has yet been released.

32. Colchester, M. and L. Lohmann. 1990. *The Tropical Forestry Action Plan: What Progress?* World Rainforest Movement, Penang, Malaysia; Personal communication with Mac Chapin, Cultural Survival.

33. Quoted from "Tropical Forestry Action Plan," June, 1987, page 5 and 6.

34. See also: Winterbottom, 1990. *Taking Stock: The Tropical Forestry Action Plan After Five Years.*

35. See Winterbottom, 1990. *Taking Stock: The Tropical Forestry Action Plan After Five Years.*

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