

Question from Rep. Cliff Bentz, OR

1. WWF’s written testimony states: “When allegations of such [human rights] abuses have arisen in the past, in countries such as Cameroon and the Democratic Republic of the Congo, WWF has sought advice and implemented the recommendations it received, including setting up complaint mechanisms and providing human rights training to rangers.” (Hemley Testimony, pg. 5). Do you agree that this is an accurate description of what has occurred?

This answer from WWF is highly misleading. The report of the Independent Panel provides a number of examples of cases in which WWF did not seek advice or implement any recommendations for years, if ever, after hearing allegations of human rights abuses.

Perhaps the most egregious case is with respect to Salonga National Park in the Democratic Republic of the Congo (DRC). In her written testimony, Ginette Hemly stated that “After WWF-International became aware of specific allegations of human rights abuses linked to Salonga, it sought outside help and, in April 2019, developed an Action Plan that contained what the Independent Panel believes ‘would be very positive steps,’ including a ranger code of conduct.” This statement misrepresents what actually happened in almost every possible respect.

As I stated in my own testimony, and as the Panel report describes in detail, in December 2016, a staff member in the WWF office in the DRC reported to the WWF DRC Country Director and Conservation Director that each year, three to five Salonga ecoguards were tried at a military tribunal for abuses committed on missions. The email also identified two specific incidents of alleged abuses by ecoguards.¹ In March 2017, the WWF DRC senior management team decided to investigate the allegations and to study the relationship of the Park with communities more generally. However, the Country Director and the Salonga Park Director decided not to proceed, and the actions were not taken, apparently because of a desire to avoid conflicts with the government conservation agency.²

During this period, WWF International was not providing effective oversight of the DRC office, despite the fact that the DRC program office was (and is) under its authority and nominal control. In 2015, when the DRC office engaged in a risk assessment process before entering into a MOU with the government for co-management of Salonga National Park, WWF International officials were apparently not engaged in or aware of this process.³ The allegations brought to the attention of DRC staff in 2016 were not escalated higher in the WWF system until March 2018, when the WWF DRC Conservation Director went over the head of the Country Director to bring them to the attention of the WWF Regional Office for Africa. The Regional Office still did not escalate the allegations to higher levels of WWF International in Switzerland.⁴

In response to a May 2018 letter from Rainforest Foundation UK (WWF) raising allegations of specific abuses, which was forwarded to officials of WWF International in Switzerland, WWF told RFUK that WWF needed more information to be able to address the allegations. In August 2018, RFUK supported a local investigation, at its own expense, that visited eleven villages near the national park. It found extensive allegations of human rights

¹ Independent Review Panel, *Embedding Human Rights in Nature Conservation: from Intent to Action* (Nov. 2020), p. 73.

² Id. p. 76.

³ Id. p. 75.

⁴ Id. p. 76.

abuses, which it reported to WWF.⁵

WWF's response was to commission another investigation in order to verify the statements made by the individuals to RFUK. This investigation was conducted in February 2019 by investigators from the park authorities and the DRC conservation agency, who found that all of the victims confirmed their allegations. In April 2019, the senior government official in Salonga National Park, the Deputy Director of the Park, allegedly issued threats of violence to two civil society advocates in response to their pursuing investigations concerning ecoguards.⁶

In April 2019, without seeking “outside help,” WWF International decided on a plan of action to prevent further abuses in Salonga, including:

- (a) urging ICCN to approve and implement the draft code of conduct for ecoguards and requiring that all ecoguards sign the code of conduct before each patrol;
- (b) ensuring that each manager of a patrol station and each ecoguard receives human rights training;
- (c) improving measures for monitoring patrol missions, including body cameras, mission control centres, verification of written debriefings after patrols, involvement of the local population as trackers, porters, cooks and/or independent ad hoc observers in consultation with ICCN;
- (d) agreeing with ICCN on standard operational procedures for investigating allegations and imposing disciplinary measures, including suspension of suspects; and
- (e) having an independent NGO carry out a community awareness campaign to inform local residents of their rights, set up a complaint mechanism and investigate the relationship between the national park and the communities.

In addition, in May 2019, the WWF International Director General met with the Director General of ICCN, and they jointly committed to several additional measures, including:

- (f) ending joint patrols between ecoguards and military units;
- (g) providing support to alleged victims seeking judicial remedies; and
- (h) referring specific cases for prosecution, and suspending accused ecoguards until the resolution of the proceedings.⁷

It is this action plan that Ginette Hemley described as containing “what the Independent Panel believes ‘would be very positive steps,’ including a ranger code of conduct.” Her quotation is almost unbelievably misleading. In fact, the Panel stated:

“Many of the items listed in the April 2019 action plan would be very positive steps *if taken . . .* However, as of July 2020, *only two of the eight action items had been implemented.*”⁸

Specifically, the Panel mentioned that among the positive steps, if taken, would be the proposals for monitoring patrol missions, agreeing on operational procedures for investigating allegations and imposing disciplinary measures, establishing a complaint mechanism, and supporting

⁵ Id. p. 74.

⁶ Id. p. 78.

⁷ Id. pp. 78-79.

⁸ Id. p. 85 (emphasis added).

victims. But *none* of those items had been implemented at the time of the Panel report. To the best of my knowledge, none has been implemented to the present day.

The only items on the April 2019 list that had been implemented as of the time of the Panel's report were that ecoguards had ceased joint patrols with army units, which had apparently already ended before the action plan was even adopted, and that in February 2020, ecoguards began to receive more specific human rights training.

In sum: WWF first heard of specific human rights abuses by ecoguards in Salonga in December 2016. It took almost no action until similar allegations were raised publicly by a civil society organization nearly two years later, and then its primary response was to commission further investigations. The great majority of the items on the April 2019 action plan to which Ginette Hemley referred have still not been carried out, nearly five years after allegations of abuse were first brought to WWF's attention.