



Increasing the effectiveness of the Virunga National Park: mixing oil exploitation and sustainability?

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STRUCTURE

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1. PRESENTATION OF THE VIRUNGA National PARK

a. A short introduction of the Virunga National Park

b. Biodiversity

c. Management of the Virunga National Park

1. PRESENTATION OF THE VIRUNGA National PARK

a. A short introduction of the Virunga National Park

- Area : 790, 000 ha
- Location : Albertine Rift Valley, East part of the DR Congo (North and South Kivu Provinces)
- Extended in three States : **DR Congo** (The Virunga National Park: 790,000ha), **Uganda** (the Sanctuary of Gorillas : 2,900 ha)and **Rwanda** (the Volcano National Park: 23,000 ha)
- Royal Decree of the April 21, 1925 under the denomination Albert Park (**First Protected areas in Africa**)
- Enlisted as **UNESCO World Heritage Site** since 1979 and **RAMSAR Site of international importance** since January 18,1996.

1. PRESENTATION OF THE VIRUNGA National PARK

b. Biodiversity

- Unique with its active chain of volcanoes (Nyiragongo, Nyamulagiri, most active in Africa) and rich diversity of habitats that surpass those of any other African Park (the top African National Park for biological diversity) (UNESCO)
- Flora : 2,077 plant species (264 tree species and 230 plants endemic to the Albertine Rift)
- Fauna : 196 mammals (27% of Africa) , 706 bird species (43% of Africa), 109 reptiles and 65 amphibians (2012) with endemic species : Mountain gorilla, African bush elephants, hippopotamus, Okapi, several migrated bird species from Siberia
- Lake Edward, wetland and grasslands
- Ecosystem Services: provisioning(food, water), regulating (climate), recreational or cultural (tourism)and sustaining

1. PRESENTATION OF THE VIRUNGA National PARK

c. Management of the Virunga National Park

- 3 management sites: Rwindi (Centre), Rumangabo (South) and Mutsora (North)
- Before managed by “the Congo Belgian National Parks Institute”. Now, managed by “the **Congolese Institute for Nature Conservation (ICCN)**” Director : Emmanuel de Merode (with conservation agents and guardians, called “ecogardes”) and **partners** : the Virunga Alliance (several international donors, mainly : EU, Howard Buffet Foundation)
- **Management Problems:**
 - ❑ Poaching, deforestation, pressure on the fishery resources(done by rebels groups), security
 - ❑ Management through a scientific basis with a management plan (with clear delineation of zones, establishment of buffer zones)
 - ❑ Straightening staff, improvement of administrative and surveillance infrastructures
 - ❑ Trust Fund (to guarantee long term protection)
 - ❑ **Mining (Oil exploitation)**

Virunga National Park

OPEN



2. OIL EXPLOITATION IN THE VIRUNGA NATIONAL PARK

a. Context

b. Perceptions of different actors : Pro or against the oil exploitation

Gorillas' habitat threatened as oil exploration puts Congo's Virunga Park at risk



2. OIL EXPLOITATION IN THE VIRUNGA NATIONAL PARK

a. Context

- June 2010: Joseph Kabila, former president, signed a presidential ordinance which authorizes the British International company SOCO to explore and produce oil in the bloc 5 of the Albertine Rift (85% of the Park, 7500 km square).
- Dominion petroleum, another British company and Cohydro have received the authorization of exploring the oil in the Park by the Government (in respect with the 2015 hydrocarbon law). Total was also interested, but after stopped and notified to the UNESCO
- January to September 2011: The Congolese Government suspended the oil exploitation (pressure of international community) and allowed SOCO to explore the oil in September.
- April to June 2014: SOCO have done seismic test inside of the Park to assess the impact of the oil exploitation on the environment and accepted to do not drill in June.

2. OIL EXPLOITATION IN THE VIRUNGA NATIONAL PARK

a. Context

- 2015 : Global Witness and WWF reveal that SOCO is using corruption (37 500 euros , Major Barimba Feruzi) and violence. One of SOCO investors, the Anglican Church announces his disengagement. Others investors : Chemsal Ltd, EFG Private Bank, BlackRock Investment, Morgan Stanley and Credit Suisse
- June 2018: The Congolese Government has decided to declassify the Virunga Park (172,075 ha, 21,5 %) and the Salonga National Park. A bill on the ratification of the agreement on cooperation for the exploration of hydrocarbons between Uganda and DRC was presented.
- January to May 2019: New President Felix Antoine Tshisekedi has been elected in January. The Prime Minister Sylvestre Ilunga Ilunkamba is nominated by the end of May. The other members of the Government are not yet nominated. The new President and Prime Minister are silent on the oil exploitation in the Virunga Park.
- April 2019: Uganda Government announced that 1200 Km square of the Park is available for oil exploitation and permits will be delivered to facilitate it.
- Economic Value: 6758 billions of barrel of oil could add **7 billions of dollars** to the DR Congo budget (almost the double of current DRC budget)

2. OIL EXPLOITATION IN THE VIRUNGA NATIONAL PARK

b. Perceptions of different actors : Pro or against the oil exploitation

- Pro: the ancient Congolese Government and the party of the former President (FCC) which seems to have a dominant position till now (Parliament, Governors, probably Government). Discourse: **Economic benefit (additional value in the DRC Budget)**
- Against: Civil Society (Local and national NGOs, Catholic Church, Scientists, International NGOs (Global Witness, WWF), States (Switzerland, Belgium, EU, Canada, USA) Discourse: **Degradation of the biodiversity, the ecosystem services and the adverse impacts on the population**
- Unclear position : New President and his collaborators

3. INTERNATIONAL WILDLIFE LAW AND DOMESTIC LAWS

a. International Wildlife Law

b. Domestic laws

3. INTERNATIONAL WILDLIFE LAW AND DOMESTIC LAWS

a. International Wildlife Law

- **UNESCO CONVENTION**

- Articles 2, 4, 5 (a,c,d), 6- 7, 11 and 20

- **RAMSAR CONVENTION**

- Articles 2, 4,8

- **CDB**

- Articles 3,8, 10-11 and 14

- **Aichi Targets**

Objectives 5-6,11-14

- **CCNUCC, Paris Agreement**

- **SDG**

SDGs 13(Climate Action), 15 (Life on land)



CONVENTION ON WETLANDS
CONVENTION SUR LES ZONES HUMIDES
CONVENCIÓN SOBRE LOS HUMEDALES
(Ramsar, Iran, 1971)



United Nations
Educational, Scientific and
Cultural Organization



World
Heritage
Convention

3. INTERNATIONAL WILDLIFE LAW AND DOMESTIC LAWS

• a. International Wildlife Law

- ‘Each State Party to this Convention **recognizes that the duty of ensuring the identification, protection, conservation, preservation and transmission to future generations of the cultural and natural heritage** referred in Articles 1 and 2 **situated on its territory** belongs primarily to the State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation..’. (article 4 UNESCO Convention)

- ‘To ensure that effective and active measures are taken for the protection, conservation and preservation of the cultural and natural heritage situated on its territory, each State Party to this Convention shall endeavour...: a/ to adopt a **general policy** ... c/to **develop scientific and technical studies and research** and to work out such operating methods as will make the State capable of counteracting the dangers that threaten the cultural or natural heritage’ (article 5 a , c UNESCO Convention)

- “Any Contracting Party shall have the right ...to delete or restrict the boundaries of wetlands already included by it in the List and shall, at the earliest possible time, **inform the organization or government responsible** for the continuing bureau duties..” (art.2 (5) RAMSAR Convention)

- “Where a Contracting Party in its urgent national interest, deletes or restricts the boundaries of a wetland included in the List, it should as far as possible **compensate for any loss of wetland resources**, and in particular it **should create additional nature reserves** for waterfowl and for the protection, either in the same area, of an adequate portion of the original habitat” (art 4(2) RAMSAR Convention)

3.INTERNATIONAL WILDLIFE LAW AND DOMESTIC LAWS

b. Domestic laws

➤ **The Law of 2014 on Nature Conservation**

Articles 1, 4, 11,22,24-25, **29-30,35**, 44,71,73-74,84

➤ The Law of 2011 on Environment

➤ **The Law of 2015 on the general regime of hydrocarbons**

Articles 1, 15-16,22, 33, 56, **155-157**, 162, 182

➤ The Law of 2018 on the Mining Code

➤ The Law of 2012 on the Forest Code

➤ The Law of 1973 on land tenure

➤ Decrees on REDD+



4. Conclusion

- General policy
- Political will (new government should make a clear decision on the oil exploitation in the Park)
- Scientific evidence (impact of the oil exploitation on the biodiversity of the Park)
- Enforcement of international wildlife law and domestic laws
- More support from the International Community
- Encouraging the Civil Society and Scientists who defend the protection of the biodiversity

GRACIAS, THANK YOU, MERCI

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