

**Memorandum of the People of Ikela
addressed to the presidents of the interministerial commission
responsible for the alteration and allocation of forestry rights
regarding the unlawful consent to the deforestation of 250,000 hectares
in the rainforest area of Ikela in the province of Equateur
through the LEDYA S.P.R.L. corporation**

We would like to direct your attention to the following points concerning the constitution and the designation of law nr. 011/2002 on the 29th of August 2002 with reference to the forestry laws of the Democratic Republic of the Congo:

1. On the 16th of September 2005, the LEDYA S.P.R.L. corporation was granted the license to the deforestation in the area of Ikela in the midst of a moratorium on awarding contracts concerning forestry laws. This moratorium was permitted and confirmed first through by-law nr. CAB/MIN/AF.F-E.T/194/MAS/02 of the Ministry of the Environment from the 14th of May 2002, and then through presidential decree nr. 05/116 from the 24th of October 2005. At this point in time, both laws were authorized.

2. The LEDYA S.P.R.L. corporation has acquired the legal title to forest areas which have not been examined by the *Service Permanent des Inventaires et Aménagement Forestier* (SPIAF). This examination is, however, necessary to determine endangered species that are unique to the region as well as to the precise and clear classification of the coveted rainforest area.

3. The document provided by the petitioning corporation consists of two distinct maps, the newer of which is much more comprehensive and accounts for nearly twice the amount of the same area of 250,000 hectares. The matter in question is, quite simply, a case of falsification, which provides sufficient evidence that the officially filed and allotted 250,000 hectares were arbitrarily expanded to encompass a much larger area.

4. The LEDYA S.P.R.L. corporation failed to consult local authorities regarding property questions that concern the community. No chief, village elder, or legitimate civil society representative was contacted who would have been commissioned by the populace to discuss questions with the corporation. Rather, the protocols of the alleged encounter with the populace state, irrelevantly, the names of some people who do not originate from the region.

5. Whereas the whole world endeavours to protect endangered species wherever they occur, it is astonishing to see that the rainforest of Ikela, which contains unique territory that is home to the bonobo (pygmy chimpanzee), the congolian peacock, the dwarf elephant, the bongo antelope, the red ape, the cape buffalo, the okapi, many medicinal plants, and the afromosia tree, which today is entrusted, in the absence of protective measures, almost exclusively to commercial exploitation. What is worse, the signed contract between LEDYA S.P.R.L. and the Democratic Republic of the Congo gives top priority to the utilization of the afromosia tree on the scale of 18,000 hectares annually for a period of 25 years.

6. A portion of the same rainforest has been declared by the authorities to be a “wildlife sanctuary.” This area of the rainforest lies in the border region of Lomela, which extends into the district of Sankuru in the Kasai Oriental region. Paradoxically, the rainforest on the Ikela side has been consigned to 25 years of constant exploitation during a time of moratorium and in breach of legal procedure, although this area of rainforest is the habitat of the same endangered species that allowed the Sankuru region to attain its new protected status.

7. The areas where deforestation is permitted are home to communities of native inhabitants (pygmies) who live from and with the forest, and who feel destabilized and insecure.

8. In the Ikela region are holy forest areas, the trespassing of which is forbidden according to local customs. Until recently, these areas were visited only for the purpose of initiation rituals called Ikumbo, Lilwa, and Botshuku. As you can see, even today these areas have a cultural and societal importance that in no way tolerates the usage of machines for large scale deforestation.

The above-mentioned points have the following results:

a. The legal title possessed by the LEDYA S.P.R.L. corporation regarding the deforestation of the Ikela rainforest is illegal because it was issued during a time of moratorium and was obtained in breach of prescribed legal processes.

b. The biased alteration of the map by LEDYA S.P.R.L. and the expansion of the allotted areas is a case of fraud and self-explanatorily proves the will to irrational exploitation, which harms the local community, the Congolian state, and humanity as a whole.

c. The before-mentioned deforestation takes place in an area whose status has not yet been confirmed, which disregards the absolute necessity of the *Service Permanent des Inventaires et Aménagement Forestier* examinations that are defined by forest law.

d. The legal title of the corporation in question was acquired in breach of international environmental protection standards, most notably because it allows deforestation in areas that are the habitat of rare species that live under protection there. This is the case, for example, with the American NGO “Bonobo Conservation Institute” (B.C.I.), which is situated in Ilungu in the Tshuapa sector in order to protect the bonobos.

e. The alleged consultation with the local community through LEDYA S.P.R.L fails to portray reality because it was implemented with persons who were not recognized contacts, but rather on-site administrators. Civil society was not even involved.

The information stated above yields the following requests:

1) Inform the LEDYA S.P.R.L. corporation of the above-mentioned irregularities and violations and revoke without restriction the alleged deeds.

2) As soon as possible, recommend an examination of the whole area of Ikela by the *Service Permanent des Inventaires et Aménagement Forestier* with the goal of confirming the actual state of the rainforest.

3) Following the examination by the SPIAF, suggest the creation of a wildlife sanctuary in the Ikela rainforest according to the example of Sankuru.

In the names of the members of the various communities in the area of Ikela who are committed to defending the country and the rainforest given to them by their ancestors, and who have appointed us to speak in their place at the general assembly, we remain, dear sir or madam, yours respectfully...

For the initiative committee:

Roger Enykea, president of the committee (appointee of the Bokungu Diocese for Development and Charity)

Josef Aicher, priest in Yaloya, Bokungu/Ikela (missionary from Bavaria)