



Republic of Congo - Sustainable Land Use Program (PUDT)
Adopted electronically on May 2, 2022

EB.2022.05

Considering:

- a) Decision [EB.2020.15](#) of October 5, 2020 on the selection of implementing agencies for the development of the program portfolio, including the French Development Agency (AFD) for the preparation of a Land Use Planning program document;
- b) The Program Framework and Terms of Reference of the Land Use Planning Program;
- c) Decision [EB.2020.23](#) on the "Project Presentation Idea Note" developed after the launching mission held with the national focal points from 14 to 23 October, 2020, the timetable for submission of the project document scheduled for April 2021;
- d) The first version of the program document submitted on July 25, 2021 and the three subsequent independent evaluations finalized on August 27, 2021;
- e) The second version of the program document submitted on December 20, 2021 and the two independent evaluations finalized on February 3, 2022;
- f) The latest amended program document and comment response matrix submitted on March 3, 2022;

The Executive Board:

1. Thanks AFD for its revised program document and the significant improvements identified by the independent evaluators;
2. Requests AFD to revise its program document and submit a final version to CAFI for review by the CAFI Executive Board and the CAFI-Republic of Congo Partnership Steering Committee, and highlights the need to review the following elements:

On the Theory of Change:

- 2.1. Review the contextual part and the objectives of the program in order to **explain the problematic in accordance with the Theory of Change** (outputs, outcomes and impacts sought). Land use planning, the status of its implementation in the Republic of Congo and its challenges should introduce this section in relation to the objectives of the Letter of Intent for rural land management and, in particular, High Carbon Stocks/High Conservation Value (HCS/HCV) forests. The issue and the scope of intervention - geographic, thematic and sectoral (restricted in relation to the expectations of the 2014 law in accordance with its ambition and the means allocated) - should be clearly presented to justify the program's interventions. **The structuring sectors such as mining, hydrocarbons, energy and infrastructure and the needs relating to the spatial planning of their development should be presented in the same way as the forestry and agricultural sectors;**
- 2.2. Clarify the **link between the identification of HCS/HCV and the inclusion of forests into the Permanent Forest Domain** limited to the current Forest Management Units. The strategy for achieving the objectives of the Letter of Intent, i.e., commitments to non-conversion of HCS/HCV forests and limited deforestation of non-HCS/HCV forests, should be clarified;
- 2.3. Highlight the strategies proposed to ensure **national ownership** of the various outputs beyond the dialogue planned at the level of consultation and decision-making bodies. Indeed, the proposed program relies heavily on external expertise, and it is important that the activities be carried out in close collaboration with the bodies in charge of their integration into national strategies and operational plans;

On the National Land Use Planning Process outputs (Outputs A, E, F):

- 2.4. Restructure these three outputs to avoid overlap and facilitate understanding of the process in accordance with the theory of change with, **on one hand, a result on the structuring of the decision-making, consultation and participation process** that remains to be defined **and, on the other hand, a result on the spatial planning activities of the national and sectoral strategies influencing decisions on land use in rural areas** (including the sectors of mining, hydrocarbons, energy, infrastructure and special economic zones). This will include support to key sectors to develop their sectoral plans and support to decision making bodies to ensure consistency between sectoral plans;
- 2.5. Examine the possibility of integrating into the PUDT **specific support to the Ministry of Mining Industries and Geology** and its partners for (i) the mapping of existing permits in accordance with the classification of the mining code in force (ii) the spatialization of its development strategy;
- 2.6. Do not restrict **the composition of the Working Group on Land-Use Planning (GACAT)**, in order to promote a flexible consultation mechanism. GACAT should be able to bring together key actors from the different spatial planning themes according to the needs and progress of the work. It must also allow the different institutions to present and discuss their visions and spatialization results, involving different representatives according to the objectives of the consultations and their mandates. All budgets related to the facilitation of GACAT thematic meetings should be compiled under the activity "GACAT facilitation";
- 2.7. Integrate the expectations of **Milestone 1.9 on pilot collaborative frameworks** into the proposed strategy for Overlapping Land-Use Case Management product;

On the output related to production sharing:

- 2.8. Justify the proposed activities with respect to the **timetable for the adoption of the law**. AFD, in concertation with the Ministry of Forest Economy, could examine the possibility of setting up an iterative process with facilitation and technical assistance to the ministry and working groups to analyze the economic, social and environmental impacts (risks and opportunities) of the different options structuring the implementation of production sharing in order to provide decision-makers with decision support tools for structuring the regulatory framework. In addition, it is requested to specify the articulation between the working groups and the Multi-Stakeholder Working Group (MSWG) on this issue and to create the appropriate synergies for an efficient process, avoiding duplication of expertise;

On the output related to the implementing texts of the forestry code:

- 2.9. To take into consideration **the work already done and in progress** (the study of the identification of the application texts was carried out in 2021 and 11 first texts were produced in February 2022) and to adjust the corresponding activities and budget. In addition, it is requested to clarify the articulation between the working groups and the WGMA on this issue and create the appropriate synergies for an efficient process, avoiding duplication of competences;

On the peatland output:

- 2.10. Remove the \$100,000 budget line from the Operationalization of the **National Monitoring, Reporting and Verification System (SYNA-MNV) project** which is a separate program already funded by the CAFI Fund;

On the outcome related to pilot departments:

- 2.11. Ensure **ownership and decision making on Department Land-Use Schemes (SDATs), Department Land-Use Plans (PDATs) as well as energy supply master plans of the institutions with the mandate in** accordance with the Land Use Planning Act of 2014 and the mandates of the deconcentrated and decentralized authorities;
- 2.12. Clarify the strategy for making the National Land-Use Scheme (SNAT) consistent with the SDATs/PDATs in accordance with the law on land use planning and justify that the lower geographic levels (terroirs, villages, etc.) whose participatory mapping work will be effectively taken into account in the PUOT Investment Program (PI-PUOT);

On the format of the program document:

- 2.13. Insert an **executive summary and lexicon of** definitions of concepts used in the program document, particularly for the following concepts: zero deforestation and climate-smart agriculture and their differences; agricultural domain, land reserve, SNAT/PNAT/SDAT/PDAT, land allocation, land use and land tenure;
- 2.14. Include **a diagram of the bodies, working groups and platforms supported by the program in** order to understand the roles, mandates and interactions between them and to examine the possibilities of pooling work within the same platforms for efficiency reasons. Some platforms, such as specific commodity chain platforms, should only be created if their sustainability, outside of program funding, can be guaranteed. In terms of budget, all the budgets provided for the

facilitation of the work of each of these groups could be included in a single budget line in order to facilitate understanding and avoid duplication;

- 2.15. Remove from the program results and activities, the activities related to **safeguards and monitoring and evaluation** specific to the PUDT and PI-PUDT programs and integrate them into the sections of the program document related to each. The significant budget for **these activities should be justified, compiled** and included in Section B of the budget (program management costs);
- 2.16. **Review the budget** in accordance with the program document (the activities described in the program document must all be included in the budget), the CAFI budget format, the Multi-Partner Trust Fund (MPTF) requirements and the CAFI operations manual (final destination of project equipment, information on procurement contracts worth more than US\$100,000, etc.). Vehicles and equipment provided to service providers over the life of the project should be included in program management costs and indirect management costs included in indirect support costs. At the end of the program, the equipment should be transferred to the government;
- 2.17. Complete the section on **consistency with existing and future programs** (programs supported by CAFI and International Initiative for Climate - IKI, etc.) and identify potential synergies that will be explored within the framework of the implementation of the PUDT (participation of partners in COPIL or GACAT, etc.);
3. Acknowledges that the amount allocated through the CAFI fund may exceed US\$15 million up to a maximum of US\$18 million, given that the Coordination Unit and the Program Management Units as well as the safeguards will be mobilized for the PUDT and the PI-PUDT being developed, provided that:
 - 3.1. AFD submits a first draft of the PI-PUDT program document with the latest version of the revised PUDT program document;
 - 3.2. The overall amount allocated by the CAFI fund for the two programs does not exceed 35 M USD in accordance with decision [EB.2020.15](#) of October 5, 2020 and that the total amount of the management costs of the programs cumulated does not exceed 18% of the total amount of the results of the two programs;
4. Requests that the total amount be disbursed in two tranches corresponding to the two proposed phases of 2 and 3 years respectively and, consequently, requests AFD to propose a list of conditions including deliverables for the disbursement of the second tranche as well as a budget broken down over these 2 phases;
5. Requests CAFI Secretariat to share with the decision a technical memo to accompany the decision;
6. Requests AFD to submit the revised Program Document and budget, validated by the beneficiary Ministries, a response matrix to the Board's comments, and a first draft of the PI-PUDT by May 13, 2022;
7. Requests the CAFI Secretariat to produce a technical assessment justifying that the above-mentioned modifications are satisfactory to inform CAFI Executive Board and Partnership Steering Committee of the content of the decision on the approval status of the program;
8. Requests AFD to propose a deployment schedule for the first year of program implementation.