

Community forestry in Cameroon:

a diagnostic analysis of laws, institutions, actors
and opportunities



Members of the CoNGOs consortium

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Author information:

This report was compiled by Centre for Environment and Development (CED), Fern, Forest Peoples Programme (FPP), International Institute for Environment and Development (IIED) and Association OKANI.

Cover photo: Baka women collecting non-timber forest products in Nomedjoh, Cameroon.
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International Institute for Environment and Development
80-86 Gray's Inn Road, London WC1X 8NH, UK
Tel: +44 (0)20 3463 7399
Fax: +44 (0)20 3514 9055
email: info@iied.org
www.iied.org
[@iied](https://twitter.com/iied)
www.facebook.com/theIIED

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List of Acronyms

ACFN	African Community Forestry Network
ACRN	African Community Rights Network
AFECONET	Africa Forest Enterprises Connect Network
CED	Centre for Environment and Development
CFP	Community and Forests Platform
FCPF	Forest Carbon Partnership Facility
FLEGT	Forest Law Enforcement, Governance and Trade (Action Plan of the European Union)
FPP	Forest Peoples Programme
GFBC	<i>Groupement de la Filière Bois du Cameroun</i>
GIC	<i>Groupe d'intérêt commun</i>
GIE	<i>Groupement d'intérêt économique</i>
IIED	International Institute for Environment and Development
ILC-NES	International Land Coalition National Engagement Strategy
LANDNET	Land Tenure Network
MINADER	<i>Ministère de l'agriculture et du développement rural</i> (Ministry of Agriculture and Rural Development)
MINDCAF	<i>Ministère des domaines, du cadastre et des affaires foncières</i> (Ministry of State Property, Surveys and Land Tenure)
MINEPAT	<i>Ministère de l'économie, de la planification et de l'aménagement du territoire</i> (Ministry of Economy, Planning and Regional Development)
MINFOF	<i>Ministère des forêts et de la faune</i> (Ministry of forest and fauna)
MINMIDT	<i>Ministère des mines, de l'industrie et du développement technologique</i> (Ministry of Mines, Industry and Technological Development)
NTFP	Non-timber forest products
PNDP	<i>Programme National de Développement Participatif</i>
REDD+	Reducing Emissions from Deforestation and Forest Degradation, and fostering conservation, sustainable management of forests and enhancement of forest carbon stocks
RACOPY	<i>Réseau recherches actions concertées pygmées</i>
REFACOF	<i>Réseau des femmes africaines pour la gestion communautaire des forêts</i>

REFOCOD	<i>Réseau de forêts communautaires de Dja</i> – a local community forest network in the Dja region (near to Lomié)
RFC	<i>Réseau de foresterie communautaire</i>
VPA	Voluntary Partnership Agreement (Agreement between Cameroon and the European Union under FLEGT relating to the verification of the legality of timber production)

1. Introduction

This brief study has been produced by the partners of the CoNGOs consortium both to share our different knowledges and experiences, and to set out a joint understanding of the current state of play in relation to community forestry in Cameroon.

This study uses the term “community forestry” in a broad sense, referring not simply (or not only) to community forestry as strictly defined under existing Cameroonian laws, but also a broader conception of community forestry which encompasses the holistic, sustainable and equitable management by a community of its customary forest areas.

The study will:

- consider existing institutional and legal frameworks in Cameroon (and their strengths and limitations);
- set out demographic, cultural and socio-economic factors affecting community forestry;
- identify key actors and institutions (which will include a focus on cooperatives and other producer groups which reflect community utilisation of natural resources (including land for agriculture) in forested areas;
- Analyse the constraints – legal and practical – to effective community forestry in Cameroon; and
- Consider options and strategies which can be adopted (principally within the framework of the CoNGOs project) to enhance the effectiveness and viability of community-based forest management within Cameroon, and the benefits received by communities from it.

This study is not intended to, and will not, involve an exhaustive study of the (extensive) literature on community forestry in Cameroon. The consortium partners between them have a wealth of experience and knowledge in the various areas covered by this study, and each section will reflect a considered synopsis of the critical factors by the partners, with references to key sources from literature and other sources of data.

Community-level work within this project will primarily take place in two regions of Cameroon – the East Region and the South region – and this study will therefore focus particularly on factors which are relevant to those two regions.

2. Executive Summary

Community forestry has been a feature of the formal forest governance system in Cameroon for over 20 years. During that time, a number of community forests have been set up under the forestry law. Unfortunately, despite the high hopes held for it at the outset, community forestry is widely considered a failure in the country: it has not led to widespread forest management by communities living in forested areas (only 1.18% of the surface area of Cameroon is under a community forest regime), and those areas which are included in the regime have on the whole not produced the desired results in terms of improvement of livelihoods and reductions in deforestation.

There are a variety of reasons for the limited success of the community forestry approach in Cameroon. Some of these relates to features of its legislative design, such as the limited size which communities can be granted (maximum of 5,000 hectares), remaining bureaucratic procedures involved for communities in creating and managing community forests in spite of some improvement, limited tenure rights associated with community forests, and the limited provision for any government support to communities to participate in community forestry. Other broader factors have also inhibited its success, including the incoherent, colonial legacy laws relating to land use and allocation; political and economic interests (including corrupt interests) in mostly using land for large-scale rather than community-based development options; a weak accompanying investment in critical public goods such as roads, electricity, education etc; and an ineffective, corrupt judiciary which hinders the development of legitimate business enterprises. Added to these factors are additional challenges related to community level governance: unaccountable and non-participatory decision-making at the community level, weak participation by (in particular) women and indigenous peoples, weak vision by communities in the creation of community forests, low levels of education and corresponding low levels of management capacity, development of community forests without business plans for more efficiency, lack of knowledge of business opportunities (or support in this area) and lack of access to information, low implementation of the forest law by the local authorities; and relatedly, community vulnerability to elite capture of community forest enterprises, which has been a widespread problem. It is also generally acknowledged that the focus has been too much on timber (to the exclusion of non-timber forest products) in the development of community forestry, to the detriment of the substantial existing skills and potential opportunities related to non-timber forest products (NTFP).

This project offers an opportunity to address these different issues in an integrated way, using the skills and experiences of different project partners. It will involve elements of support for community governance as well as development of appropriate business enterprises (and associated capacity building) at the local level, while also contributing to wider advocacy efforts to enable structural reforms that will facilitate a better and more widespread development of (successful) community forest management in the future. Some of the essential elements in building towards this success include (a) developing successful pilots which can gain political support for a new community forestry model; (b) facilitating opportunities for the creation of community and national level networks and mobilisation, in order to create a political constituency for change; and (c) coordinating advocacy efforts (on multiple levels), and providing evidence to support advocacy, in order to generate momentum for the structural reform that the project partners believe is required.

3. Existing legal and institutional framework

As a point of departure for the analysis of objectives and strategies for the CoNGOs project, this section sets out a summary of the existing legal and institutional framework in Cameroon in relation to land allocation broadly and community forestry specifically. As noted in the introduction to this study, our analysis deals both with the (specific, narrow) concept of community forestry as understood under Cameroonian law, as well as a broader idea of community forestry which coalesces around the concept of equitable, livelihood-enhancing community-based management of customary forest lands and resources. In order to distinguish between the two, this study uses the term “community-based forest management” to refer to the broader concept, and the term “statutory community forestry” to refer to the specific form of community forest management envisaged under Cameroonian law.

This section will start with a brief explanation of the way in which land ownership, use and allocation is governed under formal legal provisions in Cameroon (and the key State actors involved in these processes), before turning to a consideration of the position of communities under this system.

3.1 Administrative system in Cameroon

Cameroon has a presidential system with a bicameral parliament (National Assembly and Senate). The head of government is officially the Prime Minister, but the Cameroonian system grants significant power to the President, who is the head of State.

Administratively, Cameroon is divided into 10 regions, which are subdivided into 58 divisions (*départements*). Divisions, in turn, are divided into subdivisions (*arrondissements*), municipalities and chiefdoms (*villages*). Each Region has a governor, each department is headed by a senior divisional officer (*préfet*) (under the authority of the governor), and each subdivision (*arrondissement*) by a divisional officer (*sous-préfet*), all of whom are appointed by the President and act as representatives of Presidential authority within their respective constituencies. The divisional officer is also known as the *chef de terre*, and frequently has a key role in co-ordinating implementation or evaluating projects emanating from different ministries that are proposed to take place within his or her department. Beside the administrative authorities appointed by the president, Cameroon also has mayors who are elected as head of councils.

3.2 Formal land ownership, use and allocation in Cameroon

A consideration of community forestry in Cameroon necessarily starts with a consideration of the land ownership arrangements, because this underpins community rights to own, access and use forest lands and resources.

The system of land ownership, use and allocation in Cameroon is complex, with legal texts from different sectors often presenting contradictory or competing approaches.

Land ownership

Land ownership is governed principally by the Land Ordinance No. 74-I of 1974 (the ‘1974 land law’),¹ which provides that all land is either private land, public land or national lands (Article 14). Private land includes as registered, freehold or concession lands, and can include private land owned by the State/State entities as well as by individuals or third parties.² Public lands include land owned by the

¹ Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure.

² It also includes lands entered in the German colonial register or under the transcription system. The transcription system in Cameroon was operated by the British and French colonial governments, and allowed a form of recognition of customary tenure through issue of “certificates of occupancy” (British Cameroon) or *livrets fonciers* (French Cameroon). These gave use rights to (some) customary owners. For further information see S Nguiffo et al (2009), *Land Rights and the Forest Peoples of Africa: Historical, Legal and Anthropological Perspectives*, No. 2, “Historical and contemporary land laws and their impact on indigenous peoples’ land rights in Cameroon”, Forest Peoples Programme, pp 8-9;

State for very specific public purposes (and includes “natural” public property such as coastal lands, waterways, sub-soil and airspace, and “artificial” public property which is primarily linked to infrastructure such as roads, railways, telecommunications etc).³ The remaining “national” lands – anything which has not been formally registered as public or private – incorporates the vast majority of Cameroon, and is in the formal administration of the State. This includes almost all land under customary ownership and use (see further below). Land ownership and titling is largely the domain of the Ministry of State Property, Surveys and Land Tenure (MINDCAF by its French acronym), where decisions about zoning and broader land use are made by the Ministry of Economy, Planning and Regional Development (MINEPAT).

Superimposed on the system of titles and ownership are the land classifications and authorities of a number of other ministries.

Forest governance

The Ministry of Forests and Fauna (MINFOF) is the authority responsible for all forestry resources, which are governed in accordance with the 1994 Forest Law. Under the 1994 Forest Law, Cameroon's forest areas are divided into the permanent forest estate and the non-permanent forest estate. The permanent forest estate relates to areas that have been allocated to remain permanently as forested areas. They can include a number of different uses, including national parks and wildlife reserves, and “production forests” – i.e. large-scale forest concessions which are intended to be the subject of sustainable management (thereby retaining them in a permanent forest estate).⁴ Notably, statutory community forests do *not* (and cannot) form part of the permanent forest estate, but rather fall into the non-permanent forest estate.

In order to become part of the permanent forest estate, an area of forest must be “classified” by an administrative act, and the act of classification creates a (State) private property right over the area, meaning that it moves from the category of “national lands” to “private lands”. Under the 1994 Forest Law, the State is obliged to maintain at least 30% of its total lands within the permanent forest estate,⁵ and accordingly an area cannot be declassified from the permanent forest estate unless an equivalent area (in both size and quality, and from the same ecological zone) is classified into the permanent forest estate by way of compensation.⁶

The non-permanent forest estate consists of areas that are currently forested, but are not intended to remain forested and can be allocated for other uses. MINFOF is authorised to allocate these areas among other things for sales of standing timber⁷ (short term timber felling licences for single cuts, typically 1000-2500 ha), salvage permits (permits to cut timber when the land has been allocated by another ministry for a purpose that is not compatible with the continuation of the forest areas) and statutory community forests. Critically, none of these authorised uses in non-permanent forest estate (including statutory community forests) creates a property right. The non-permanent forest estate comprises forested lands that are both national lands and private lands (such as those the subject of concession) that have not been allocated to the permanent forest estate – but as classification to the permanent forest estate involves the creation of a new property title, in principle only non-private lands (or lands which are expropriated from private ownership according to State procedures) can be classified to the permanent forest estate.⁸

Javelle, A-G (2013), “Land Registration in Cameroon”, Focus on Land in Africa, available at <http://www.focusonland.com/property-rights-issues/land-registration-in-cameroon>, pp 3-4.

³ Definitions of public property are contained in Ordonnance No. 74-2/1974 du 6 juillet 1974 fixant le régime domaniale.

⁴ A full list of the potential uses of the permanent forest estate can be found in article 24 of Law No. 94-1 of 20 January 1994 to lay down forestry, wildlife and fisheries regulations (“**1994 Forest Law**”).

⁵ Article 22, 1994 Forest Law.

⁶ Article 28, 1994 Forest Law.

⁷ Often called even in English by their French name, *ventes de coupe*.

⁸ Article 27 states that the classification of a forest can only take place after compensation is provided to any person having made investments on the land in question.



Photo 1: Moabi tree. Credits: Indra Van Gisbergen

Allocation of national lands

The use of national lands – the non-allocated lands under the administration of the State – is subject to intervention from a variety of actors. One key form of transforming national lands into private lands is through the grant of a concession, under the 1976 National Lands Decree.⁹ In accordance with that decree, requests for concessions must be submitted to MINEPAT, with either the Minister or, in the case of concessions above 50 hectares, by presidential decree. However, in practice, other ministries (in particular MINADER, the Ministry for Agriculture and Rural Development) are heavily involved in the preparation and proposal of concession areas. As a general rule, concessions can only be granted on national lands (not on private lands, except where an expropriation procedure is followed).

It is also possible for national lands to be transformed into State private lands at the request of a particular ministry. In some cases (in particular for State-based investments or investments with a State participation), this procedure may be used to extract lots from national lands to support economic investments. If a ministry requests lands to be allocated to it but then does not proceed to use them within three years, these lands become “un-allocated” State private lands and can be sold. Agro-industrial investments proceed primarily via the concession route, but may also involve the use of State private land in some circumstances.

Mining

Another key actor in land use in the Ministry of Mines (MINMIDT). Like most mining regimes, there are two key phases in the mining process in Cameroon – reconnaissance permit (which can cover up to 1000 km²) and mining titles (with a maximum size limit depending on the type of permit and on the mineral deposit that has been explored and is to be exploited).

⁹ Décret n° 76/166 du 27 avril 1976 - fixant les modalités de gestion du domaine national.

Mining permits are approved by authority in charge of mining (for non-industrialised mining licence)¹⁰, by the Minister for Mines (for reconnaissance permits¹¹, for exploration permit¹², for semi-mechanised artisanal exploitation¹³ and small-scale mining permit¹⁴) and by the decree of the President of the Republic (for Industrial mining permits).¹⁵

Unintegrated decision-making on land ownership, allocation and use

One significant criticism of the system of decision-making on land allocation and use – apart from its marginal space given to customary land rights, which will be discussed in the following section – is that it creates parallel, unintegrated systems for decision-making on land and natural resource use. For example: MINFOF, in deciding whether to grant a statutory community forest in a given area, need only have regard to whether the land in question is already allocated for another *forestry* use. Provided that the area has not been allocated to the permanent forest estate, or another forestry purpose such as a sale of standing timber (see above), MINFOF may grant a statutory community forest even if the proposed area overlaps with a use allocation by another ministry, such as MINMIDT. Similarly, since statutory community forests do not create full property right, lands subject to a statutory community forest agreement remain in the national estate. Exploratory mining permits can likewise be granted over any lands, even those that have been classified as national parks.

The result has been a maze of overlapping and conflicting titles granted by the government, with none having clear, formal authority over the other. It also presents a clear challenge to statutory community forestry in Cameroon, because of the vulnerability of statutory community forests to inconsistent rights being granted over the same land by other ministries for different uses. The map below (which is likely not to show all relevant titles) shows the scale both of land allocation and of the problem of overlapping titles within Cameroon.

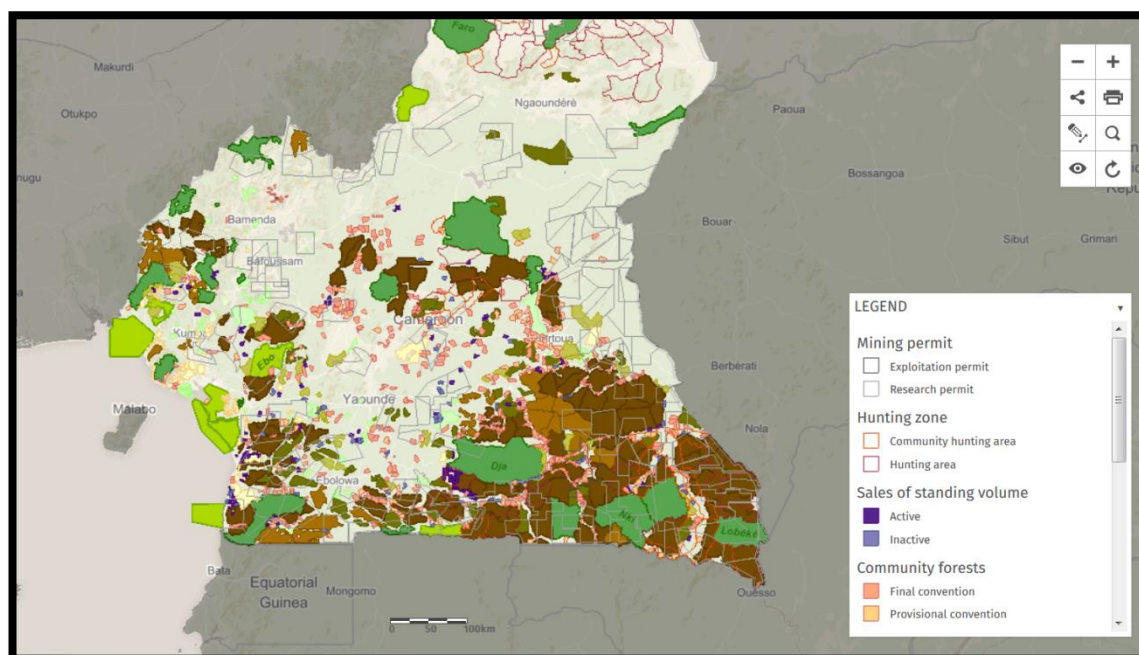


Figure 1. World Resources Institute (WRI) Interactive Forest Atlas of Cameroon.

¹⁰ Article 22 of the law N°2016/017 of the 14 décembre 2016 related to Mining Code.

¹¹ Article 31, law N°2016/017 of the 14 décembre 2016 related to Mining Code ("**Mining Code**").

¹² Article 36 of the 2016 Mining Code

¹³ Article 27 of the 2016 Mining Code

¹⁴ Article 50 of the 2016 Mining Code

¹⁵ Article 55, 2016 Mining Code.

The map in Figure 1 is a screenshot taken on 29 September 2016. The picture shows the complex of overlapping titles – mining research and exploitation permits, conservation areas, forestry concessions, community forests, as well as some agro-industrial concessions (but it is believed not all are shown). The result is a maze of titles in the forested areas of the south and east of Cameroon, where this project will be working.

3.3 Communities' land ownership, use and rights in Cameroon

The section above outlines the formal legal procedures relating to key industries and decision-makers affecting land ownership, allocation and use in Cameroon. This section considers those questions from the perspective of communities. In parallel to the formal legal system, communities in Cameroon have traditionally lived, and continue to live, on lands which they hold under customary laws, albeit customary ownership is under continual and increasing threat because of its restricted recognition in the formal legal system.

According to their traditions – prior to the arrival of colonial powers in Cameroon, and continuing since that time –forest-based communities in Cameroon owned forest land and resources under customary tenure systems. These systems varied to some degree between different groups (in particular between the forest-based Baka, Bagyeli, Bedzang and Bakola indigenous peoples on the one hand and Bantu groups on the other) – but on the whole there was a generally decentralised communal ownership structure (at community level) which was widely recognised and accepted but unwritten.¹⁶

The coming of German (and subsequently French and British) colonisers to Cameroon began the introduction of the formal, written, registration-based system of land titles that survives to this day. Although land laws were reformulated after Cameroon's independence, they retained the key features of colonial property laws (seen in Cameroon and elsewhere): namely, the State claimed ownership of all land, and only gave full recognition to western-style, written property rights. While the continued existence of customary use and possession was tolerated under colonialism and subsequently by the independent Cameroon State – and it remains the dominant form of landholding for communities in rural areas – it is legally insecure and vulnerable to effective extinguishment (usually without adequate compensation) by the State.

Unlike in some other West, East or Southern African countries, constitutional protection for customary land rights is very weak in Cameroon. The 1996 Constitution does not explicitly define land rights principles, nor does it mention customary land interests. The only mention of indigenous people is in the preamble to the Constitution; otherwise the Constitution merely repeats conventional generalities such as the freedom of settlement and the guarantee of the right to use, enjoy and dispose of property in accordance with the law, which offers limited protection.¹⁷

There are some, but very limited, means for customary tenure holders to obtain (individual) title to land. Article 17 of the 1974 land law permits unregistered customary holders to register for land certificates, but with significant conditions:

- Firstly, it only applies to customarily held land that has been 'improved', that is, developed with buildings and/or agricultural areas. This prevents the registration of customarily owned forest areas, which is by definition 'unimproved'. (It also creates perverse incentives in relation to maintenance of forest cover by communities, whose rights can only be "claimed" in relation to cleared areas.)
- Secondly, applications may only be made in respect of customary rights held in 1974 (i.e. lands that had already been developed when the land law was passed, in that year). That means that

¹⁶ Systems of customary tenure rules vary widely in Cameroon between different ethnic groups; systems may be more or less communal in orientation, more or less hierarchical, and some include elements of individual or family-based tenure within the broader communal structure (e.g. based on the "right of the axe"). A discussion of some of these systems of tenure can be found in P R Oyono et al, 2009, *Les Nouvelles Niches de Droits Forestiers Communautaires au Cameroun: Effets Cumulatifs sur les Moyens de Subsistance et les Formes Locales de Vulnérabilité*, CIFOR, 2009, pp. 21ff.

¹⁷ Liz Alden Wily, "Whose land is it? The status of customary land tenure in Cameroon", 2011, p. 50.

new areas cleared for fields by new generations, or cleared in the course of expansion or rotation of agricultural activities in the last 40 years are not covered.

- Thirdly, only individual and not communal title is permitted, which is inconsistent with the way in which many communities hold land (or at least with the restrictions placed on individual ownership under customary arrangements).¹⁸

In addition to these legal restrictions, the process for registration is complex, time-consuming and costly, which creates a practical barrier to its use by customary tenure holders.

Cameroonian forest communities practice a combination of agricultural pursuits (both rotational agriculture, particularly for subsistence crops, and plantation agriculture for sale, particularly of cocoa, coffee and palm oil) and hunting and gathering activities. Traditionally, forest indigenous peoples (Baka, Bagyeli, Bedzang, Bakola) rely more significantly on hunting and gathering, whereas Bantu peoples are more agriculturally focussed, although both Bantu and indigenous peoples rely on both agriculture and hunting and gathering activities for their livelihoods. Because indigenous peoples rely more on hunting and gathering and less on sedentary agricultural activities, they are particularly disadvantaged by the provisions relating to registration of customary tenure, which rely on land being “improved” (i.e. cleared) and therefore precludes the registration of forested lands.

The upshot of these legal provisions is that most members of forest communities in Cameroon have no legal tenure over their customary forest lands (and indeed, for practical and financial reasons most have not been able to register even those lands which are “developed” and which would qualify for registration under the existing legal conditions). The lands remain formally owned by the State, and customary rights and land use remain vulnerable to allocation for other uses, usually with limited or no compensation to affected communities.¹⁹

Despite the fact that communities are universally disenfranchised from full property rights to their customary lands, Cameroon law does offer some recognition of the *existence* of customary ownership and use, and gives some limited protection to customary use rights:

- Article 17(3) of the 1974 Land Law permits communities to continue to exercise customary rights of hunting and gathering on unallocated forested (national) lands – although again these rights remain vulnerable to (generally uncompensated) extinguishment when land is allocated by the State to third parties (or State entities).
- Under the 1994 Forestry Law, the State recognises and permits “customary” or “use” rights of local communities for personal use,²⁰ although these can be suspended for a public purpose and by agreement with the affected communities.²¹ In reality, the implementing decree of the forestry law already places numerous categorical restrictions on local communities’ use rights (prohibiting use rights across the board in certain types of classified forests, and “regulating” them in other permanent forests, including production forests).²²

¹⁸ S Nguiffo et al, 2009, “Historical and contemporary land laws and their impact on indigenous peoples’ land rights in Cameroun”, vol 2 of *Land Rights and the Forest Peoples of Africa: Historical, legal and anthropological perspectives*, FPP, available at: <http://www.forestpeoples.org/sites/fpp/files/publication/2010/05/cameroonlandrightsstudy09eng.pdf>.

¹⁹ The State does not compensate for the loss of unregistered land when customary lands are reallocated for other purposes. There is some limited, but very low, compensation for the loss of agricultural investments, usually restricted only to the loss of harvest in the particular year in which the land is taken.

²⁰ This is understood as the right of local communities to exploit all forest products (including animal and fish), with the exception of protected species, for personal use: Article 8, 1994 Forest Law.

²¹ See 1994 Forest Law, Article 8(2); Article 26(1); Article 36; Article 57. Article 57 includes the right to fell timber for personal use.

²² Article 3 of Décret No. 95/531/PM du 23 août 1995 fixant les modalités d’application du régime des forêts (1995 Forest Decree) indicates outright prohibitions of hunting and gathering in the following classified forests: integrated ecological reserves; protection forests; recreation forests; teaching and research forests; botanic gardens.

- In the non-permanent forest estate, communities have specific rights to collect forest products and to fell timber for construction and fuelwood (for personal use).²³ (In statutory community forest areas, these rights are subject to the provisions of the simple management plan.)
- In addition to customary use rights, the 1994 Forest Law anticipates (and it was previously the case) that communities whose lands were the subject of forestry concessions would be entitled to a percentage of the annual royalties earned by the government. Until recently, 10% of such royalties were reserved for communities (albeit there were a number of very significant problems in practice with community access to these royalties). Since the Finance Law of 1 January 2015 and 2016, however, the 10% of annual royalties destined for communities has been reduced to 6.5%. It was first of all abolished but then, with the 2017 Finance Law, the percentage was reinstituted albeit reduced (despite a civil society campaign for the restoration of the 10%).

Communities are not always aware of these rights (and the restrictions on them) and, despite legal provisions to the contrary, are rarely consulted in practice when new restrictions on their use rights are proposed and implemented. Even when they are aware of their existing legal rights, community members are not always aware of how to enforce them. In addition, community members often have rights under customary laws that are not recognised nationally. For example, in many areas customary rules give individual community members the right to sell timber from their (individual) fallow fields; this is a practice which is widespread and broadly considered by community members as their right (and an important source of income), but is illegal under national laws.

In addition, as mentioned above, most customary lands are national lands and therefore vulnerable to allocation by the government for other purposes. Broadly, this process happens without adequate (if any) consultation of the affected communities. While Cameroonian law envisages an investigative mission by a “consultative board” – which should, in principle, include chiefs of the affected communities – in practice this is rarely participatory, notification is not always given of the visit, little or no information is provided to participants, all relevant chiefs are not always invited (and not all represent their communities effectively), and in some cases no visit to the site is even undertaken. In fact, the consultative board’s primary aim is to assist the State in the precise location and extent of projects (and a view on whether it is desirable in the view of the board), rather than community consultation to determine whether and how a project should proceed, and often the visit is effectively treated as a rubber stamping of a proposed project.

In theory, even if they have not consented to a project, communities should benefit from it through the negotiation of a *cahier de charge* – basically a “social” contract between the company proposing the project and the community – which provides that the company must provide certain social and economic benefits to the community.²⁴ In practice, communities usually have limited negotiating power in discussions over the contents – their lands having already been conceded by the State – and often lack the technical expertise to negotiate sufficiently clear, binding and beneficial clauses. This is often related to a lack of information – frequently, communities “negotiate” for benefits that the company is already intending to or obligated to provide (e.g. the upgrading of an access road that the company will need to improve for its own purposes in any event), that are insufficiently defined (e.g. the construction of a school, but without any funding for maintenance, materials or teachers), or that the company is legally precluded from carrying out (such as work on public roads, which generally can only be carried out by State authorities). It is also, again, in part because of a lack of knowledge of their legal rights, lack of negotiating skills and information (faced with a well-organised company), and a lack of access to independent advice which might ameliorate some of these difficulties.

Both in the lead up to projects and after they have been approved, local communities have significant difficulties obtaining access to information, which is often closely guarded by authorities.²⁵ Cameroon

²³ Article 26, 1995 Forest Decree.

²⁴ The subsequent entry into a *cahier de charges* is usually a condition of the grant of a concession.

²⁵ For a recent case study documenting some of the difficulties communities face in accessing information, see A Perram, 2016, *Behind the Veil: Transparency, Access to Information and Community*

does not have freedom of information laws, local authorities' archival practices are weak, and authorities often have vested interests (corrupt or otherwise) in ensuring that information is not widely available. This has perverse effects both on communities' enjoyment of those rights they are given under national law, and also their ability to monitor and complain about infringements of laws governing other actors (government or companies). The voluntary partnership agreement (VPA) between Cameroon and the EU agreeing that only legally produced timber can be imported into Europe, and in particular its annexe VII, provides some support for increased community access to forestry related information, possibly including social contracts. However, it does not give communities any direct rights to access information, and as yet this instrument has had limited effects in providing access for communities and/or NGOs supporting them.

3.4 Statutory community forestry in Cameroon

Cameroon was the first country in Central Africa to introduce statutory community forestry, in 1994. After a slow start (the first community forest was created in 1997), the creation of community forests advanced steadily until 2011²⁶. However, in 2016²⁷ the speed of creation of definitive community forests became stagnant despite the increasing demand. At the same time, there was an increase in the allocation of provisional community forest agreements. The progression of the number of community forests over time can be seen in the following graph.

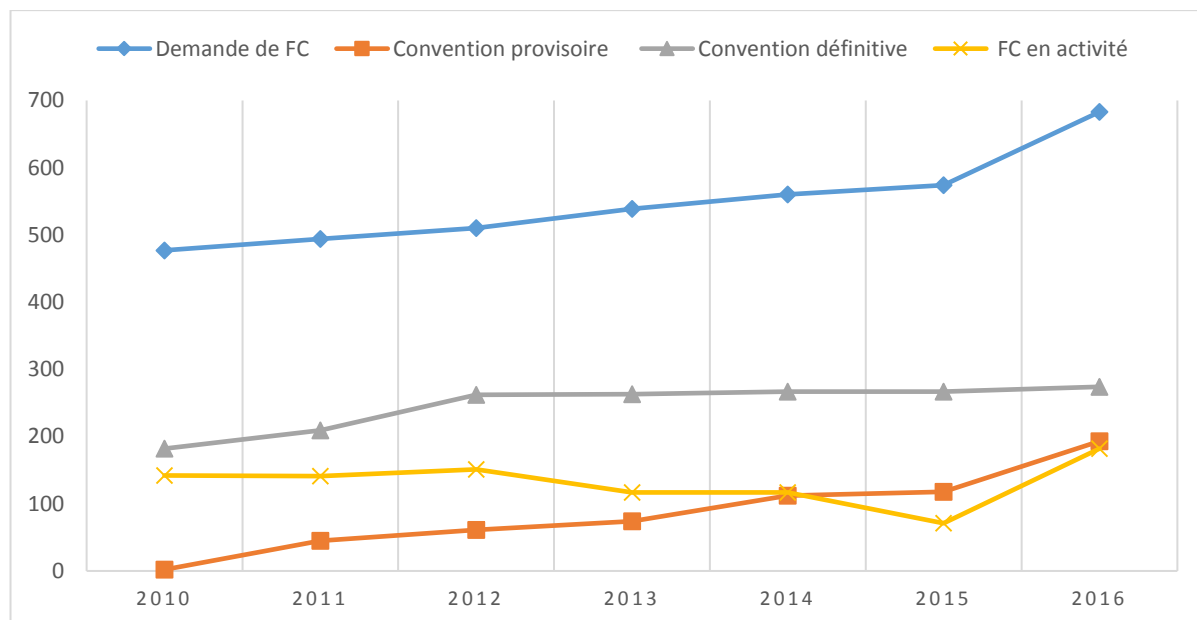


Figure 2. Allocation of community forest agreements up to 2016

From the current available data, we can see that, in 2016, the Ministry of Forest registered 683 requests for the creation of Community Forests. Of these 193 are under provisional agreement (825,524.5 hectares) and 274 are definitive community forest agreements (940,205.9 hectares).

Although there was notable progress for several years in the initial allocation of community forestry rights, maintaining those rights has proved to be challenging. Data from the World Resources Institute (WRI, 2014) community forestry database (based on MINFOF data) indicates that a number of simple management plans are substantially more than 5 years old. This suggests that a number of these “definitive” community forests are no longer being actively managed by the communities in question (possibly due to bureaucratic hurdles in management plan renewal, “asset-stripping” of the most

Rights in Cameroon's Forestry Sector, FPP,

<http://www.forestpeoples.org/sites/fpp/files/publication/2016/06/behind-veil-artwork-english-web-1.pdf>.

²⁶ Cuny, P, 2011, *Etat de lieux de la foresterie communautaire et communale au Cameroun*, Tropenbos International, p vi.

²⁷ SAILD, *Légalité et traçabilité des bois des forêts communautaires du Cameroun : Objectifs difficiles à atteindre dans le département du Haut-Nyong ?* (2017), Rapport

accessible timber in the first plan's cycle, or for other reasons), or alternatively are active but not complying with legal requirements (which require the submission of a new simple management plan every 5 years in order to apply for the relevant exploitation permits).

However, reliable data is difficult to access or verify. Further information is needed to assess if these newer community forests (albeit provisional) are indeed new or a processing of the backlog of earlier community forest applications.

Under the 1994 Forest Law, communities may apply for exclusive rights to manage forest areas within their customary forest areas as (statutory) community forests. Statutory community forests are only permitted in the non-permanent forest domain, and have a maximum size of 5,000 hectares.²⁸

As noted above, the grant of a statutory community forest does not confer ownership rights – the land remains in the non-permanent forest domain – although the creation of a statutory community forest does give the community concerned the exclusive right to harvest products derived from the community forest (as against other communities / individuals).²⁹ A statutory community forest has a life of 25 years – in theory this can be renewed, but as yet no statutory community forest is old enough to have been renewed.

In principle, statutory community forests are intended to grant communities exclusive rights to the delimited area for the life of the project, and for many years a statutory community forest – despite a plethora of other problems, including elite capture – as discussed further in section 5 below – provided de facto property rights protection to communities' use areas, even while no formal property title was conferred. In recent years, it appears that this protection has become less sure, as there has been a recent emergence of statutory community forests being encroached upon by overlapping titles granted for other purposes (such as mining or agribusiness).³⁰

The process for the grant of a statutory community forest remains long and relatively complex, and moreover is not well supported in practice by administrative authorities (many of whom are reported to block, or at least do not facilitate, the creation of statutory community forests)³¹ even if some adjustments on the administrative process have been made. According to the 2009 *Manual of Procedures and for the Creation of and Principles of Management for Community Forests*, there are several stages in the creation of a community forest:

- Information and consultation meetings in the community concerned;
- Creation (by the community concerned) of a legal entity which will govern the statutory community forest;
- A formal consultation/conciliation meeting (*réunion de concertation*), attended by local authorities, aimed at ensuring that all social groups within a community support / have been involved in the community forest process, and that the proposed forest is not contested by neighbouring communities;
- The submission of a dossier, including details of the previous meetings / legal entity, a map showing the area sought (and certification of its size) as well as a description of the objectives and activities proposed in the community forest;
- The agreement of a provisional management agreement between MINFOF and the community concerned;
- The preparation by the communities of a simple management plan, which sets out the proposed management of the statutory community forest area (which must be updated every 5 years). Despite its name, the simple management plan requires a certain technical capacity for its completion, demanding (for example) an inventory of forest products;

²⁸ Article 27(5), 1995 Forest Decree.

²⁹ Article 37, 1994 Forest Law.

³⁰ The legal position in this case – and which should take priority – is not always clear; but in practice, the property rights holder is likely to prevail.

³¹ This is despite the fact that under Article 37(1) of the 1994 Forest Law, MINFOF is obliged to provide free technical assistance to communities wishing to create a statutory community forest. In practice this is rarely or never accorded.

- The signature of a final management agreement for the statutory community forest area.

The process for both creation and management of statutory community forests is relatively technical and few communities are able to negotiate it without external assistance, usually from NGOs (and in fact, many statutory community forests which initially appeared to be obtaining some degree of success fell apart once NGO support was withdrawn). This difficulty is not helped by the very weak support from administrative authorities. In fact, the 1994 Forest Law states that communities have pre-emption rights (priority rights) to create community forests – i.e. they should be notified and given an opportunity to propose a community forest before other types of permits, such as sales of standing timber, are allocated in an area.³² In reality, the rules to ensure communities are given priority are rarely followed, and local authorities have frequently shown little or no interest – and often active resistance – to the creation of statutory community forests.

After a statutory community forest exists, an annual exploitation permit must be allocated for any timber to be exploited from the forest by or on behalf of the community. However, there has been a de facto suspension on such permits being allocated (or being allocated with sufficient time to enable them to be exploited) in the case of community forests. Procedures are highly administrative and slow, and communities have no recourse against either incompetent or unhelpful administrative officials (because of a lack of accountability in the administrative system and both barriers to access to and a lack of effective oversight by the judicial system).

There are broad underlying political and legal factors, factors specific to the model of community forestry adopted under Cameroonian law, as well as factors internal to communities, all of which have affected the (general lack of) success of community forestry in Cameroon. These constraints are discussed in more detail in section 5 below.

4. Communities, community organisations and other stakeholders

4.1 Demography of forest-dependent communities and peoples in Cameroon

The population of Cameroon is just over 23.2 million³³ and changing rapidly. According to the UN, it is growing at rate of 2.5% annually.³⁴ Of this population, just over 50% are estimated to live in urban areas (of which more than 3 million in the capital Yaoundé); the country, however, is becoming increasingly urbanised with an estimated urbanisation population growth rate of 3.6%.³⁵ The population density (according to the UN around 50.6 people per square kilometre³⁶) is substantially above other countries in the region, but in fact the population is not equally distributed and the population density is substantially lower in the southern, forested regions of the country. The 3rd general census (published in 2010 based on data collected in 2005) estimated national population density at 37.5 persons per square kilometre, but this varied between highs of around 124 in the West and Littoral regions, and

³² Section 37(4), 1994 Forest Law, and Arrêté No. 518/MINEF/CAB setting out the process for allocating, in priority, any eligible forest area to neighbouring communities as a community forest.

³³ BUCREP Bureau Central des Recensements et des Etudes de Population) 2017. 3eme recensement general de la population et de l'habitat : projections démographiques, volume 3, p.16

³⁴ World Statistics Pocketbook, Cameroon, United Nations Statistics Division, available at <http://data.un.org/CountryProfile.aspx?crName=cameroon>, accessed 21 September 2016.

³⁵ World Statistics Pocketbook, Cameroon, United Nations Statistics Division, available at <http://data.un.org/CountryProfile.aspx?crName=cameroon>, accessed 21 September 2016.

³⁶ World Statistics Pocketbook, Cameroon, United Nations Statistics Division, available at <http://data.un.org/CountryProfile.aspx?crName=cameroon>, accessed 21 September 2016. The same source puts population density in CAR at 8, Congo at 13.9, DRC at 35.2, Gabon at 6.8 and Equatorial Guinea at 31.

lows of 13.4 and 7.1 in the South and East regions respectively (the latter regions are the focus of work in this project).³⁷

While general information is available about the number of ethnic groups in Cameroon, there is very little reliable demographic information available about these different groups (this is in part because of a deliberate government policy related to fears of ethnic division – for example information on ethnic groups is not collected as part of the census). Most estimates (but with limited sources) appear to put the forest-dependent population of Cameroon at approximately 4 million people. Of that 4 million, a range of estimates (again with few solid sources) suggest that around 50,000 are forest-dependent indigenous peoples (the Baka, the Bagyeli/Bakola, and the Bedzang),³⁸ although there are limited demographic surveys (and none recent) to support these estimates and many local organisations believe the number is higher. The remaining forest-dependent population is believed to be composed of various Bantu ethnic groups including (among others) the Bassa'a, Bakoko, Douala, Ewondo, Bulu, Ndjem and Fang, although again population estimates are scarce. Other salient features to note are a higher female than male population in rural areas of Cameroon and in general a very youthful population.³⁹



Photos 2 and 3: Villagers from the Baka community of Nomedjoh, Eastern Cameroon. Credits: Indra Van Gisbergen

4.2 Social relations and governance of communities

Communities in Cameroon are divided into “villages”, an administrative division. Each “village” has an official chief (known as a “third degree chief”), who is an auxiliary of the State and acknowledged as such by national legislation. A number of villages (usually 6 or 7) are grouped into a “canton”, which is headed by a second-degree chief (the *chef du canton*). A first-degree chief oversees at least two second degree chiefdoms. Villages in the South and East often contain separate (but neighbouring and interacting) Bantu and indigenous (Baka/Bagyeli/Bakola) communities, in which case the dominant community is almost always the Bantu community.

Chiefs are appointed in different manners depending on the customary rules of the village in question – but they are almost exclusively male and Bantu (although there are some isolated examples of female and/or indigenous third-degree chiefs). In some areas the chieftaincy is hereditary, remaining within a

³⁷ BUCREP, *3ème Recensement Générale, Volume II Tome I : Etat et Structures de la Population*, 2010, page vii.

³⁸ See e.g. Nnah Ndobe S et Mantzel K, 2014, *Déforestation, REDD et le parc national de Takamanda au Cameroun – une étude de cas*, FPP, p 9 ; Couillard V et al, 2009, *Land Rights and the Forest Peoples of Africa : Historical, Legal and Anthropological Perspectives*, Overview : Analysis and context, FPP, page 19; CED, 2008, *The Indigenous peoples and protected forest areas in Cameroon: A review of Cameroon's implementation of the CBD Programme of Work on Protected areas*, FPP series on Forest Peoples and Protected areas, page 1; IWGIA, *The Indigenous World 2016*, p 370.

³⁹ BUCREP, *3ème Recensement Générale, Volume II Tome I : Etat et Structures de la Population*, 2010.

particular family; in other areas the chieftaincy may rotate between the main “families” of the village, and will change from generation to generation. Because indigenous peoples do not generally have separate administrative recognition, however – and because in fact forest indigenous peoples do not generally have the same traditions in respect of chiefs – it is rare for indigenous community leaders to have effective representation in the chieftdom structure. A chief will also generally have a number of “notables” who act as advisors – again the manner in which notables are selected differs depending on the area, but generally most or all families of the villages will have a representative among the “notables”. There will usually be one indigenous notable as well; however, because of this structure, they are almost inevitably a minority in any decision-making by the chief and notables, and therefore have difficulty asserting/prevaling in relation to any position specific to the Baka/Bagyeli/Bakola community where this is contrary to the Bantu perspective.

The chief and notables generally occupy a central place in community decision-making and access to information (many laws require that information “for the community” is provided to the chief, and/or that the chief and/or notables participate in meetings with the authorities before decisions are made). Accordingly, the access to this position of local power is often critical to governance in the community. The “culture” of the chief and the accountability which he/she has towards the local community varies significantly between communities, although it must be said that on the whole there is a lack of participatory decision-making, and a lack of accountability, at the community level. Most community decision-making in Cameroon (particularly in relation to land and natural resources) has traditionally been considered the concern of older Bantu men in the community, and it can be particularly difficult for women, youth and indigenous peoples to participate.

Another important element in community governance is the presence of internal and external “elites”. While this is a term of art, broadly it refers to those members of the community who have received higher education (usually university or more). External elites are those who live outside the community; internal elites are those who have remained living within the community (both internal and external elites may also be notables). Because of a widespread lack of information and lack of access to education within communities, elites are generally given a privileged position in decision-making. This can have both good and bad consequences – when elites act benevolently, their assistance can be very helpful for communities in navigating the complexity of the administrative system and in evaluating the potential costs and benefits of proposed projects. However, it is also easy (and not uncommon) for elites to exploit their position of power and trust, and (corruptly or unfairly) capture benefits destined for communities, or lead them to take unfavourable decisions which benefit the particular elite or his/her family alone.

4.3 Social and economic organisation within communities and existing market behaviour

Traditionally, Bantu forest communities practised shifting or rotational agriculture largely on a subsistence basis, with each family growing a range of crops so that it is self-sufficient. A family field is typically 0.3-1.5 hectares, and is cultivated for 2 years before being left fallow for 3 to 10 years (sometimes much more – although these patterns and timeframes vary between regions and are also changing rapidly because of new pressures on communities’ lands and resources). In addition to food crops grown, trapping, fishing and gathering also contribute significantly to the food consumed in the household. On top of this, many Bantu families engage in the growth of cash crops (cacao, coffee, oil palm or other crops) which provide cash income to the household (plantation crops of this nature are not rotated in the way that subsistence crops are).

Forest indigenous peoples – the Baka, Bagyeli, Bakola and Bedzang – did not traditionally engage in agriculture, but were rather hunter-gatherer peoples who lived in and from the forest. Hunting, fishing, and gathering of forest products met their subsistence needs. During the course of the last century, however, under pressure from government policies as well as resource constraints, indigenous communities have become increasingly sedentary, and most indigenous peoples now engage in agricultural activities. In many cases indigenous peoples will be engaged as agricultural labourers in the fields of Bantu neighbours, rather than labouring for their own account; in the majority of cases indigenous peoples still rely more heavily on gathering and hunting activities than on agricultural activities for their own subsistence.

For various reasons, including demographic changes, changes in aspirations, economic opportunities and constraints, and the increase in external pressures on land and forest resources from outsiders, the patterns of land use by communities in Cameroon are changing. Anecdotal evidence suggests that the areas under cultivation by communities are increasing, the periods of rotation decreasing, and the amount of land under permanent plantation cultivation (for cash crops) is growing. There is, however, relatively limited evidence about these changes, the reasons behind them or their scope or extent. In the meantime, the traditional patterns of combined rotational and plantation agriculture – even if they may be changing with time – remain widespread.

Communities in Cameroon have organised internally and informally for economic purposes for a long time. Many livelihoods activities – such as clearing areas for fields, sowing and harvesting – are often undertaken communally, within the family or small groups within the community, on the basis of small informal agreements to work together. In recent years, there has been a move towards slightly more formal social groupings in the community through the use of associations, GICs (*groupes d'intérêt commun*), GIEs (*groupement d'intérêt économique*) and cooperatives. It is reasonably normal (although not universal) that communities have several associations – which may or may not have been formally legalised – including a women's association, a cultivators' association and a youth association. In some communities there are also GIEs and GICs, but these tend to be smaller, family-based enterprises, which do not aim to (and do not) provide social benefits outside those generated for individuals directly engaged in the enterprise. GICs and GIEs, where they exist, are sometimes created, invested in (with money earned externally) and headed by external elites. From a community perspective, they can sometimes (but by no means always) be problematic because the resources invested in the GIC or GIE allow one particular family to capture and exploit communal resources (for example by significantly expanding one family's plantation areas in communal forest areas, in a manner which is strictly consistent with internal customary rules about land use – that what you clear is your land – but which is much larger compared to typical customary use and significantly out of proportion when compared to other families in the community). Achieving a balance between individual and collective benefit when dealing with communally owned resources is always a challenge. In particular when making the transfer from management to income generating activities in the community forest area.

Communities produce for sale a wide number of products based on their activities, including agricultural produce, meat, skins, traditional medical products, fruits (both cultivated and picked wild), honey, cooked meals etc. Indigenous hunter-gatherers are generally recognised by their Bantu neighbours for their knowledge of forest medicinal plants and their abilities as hunters and honey collectors. While cash crops tend to be reasonably well integrated into supply chains (although not necessarily with a high value), most other products are effectively sold in individual local commercial efforts. Communities have limited market opportunities for sale of many of these products, and in many cases transport and logistical considerations leave communities effectively in a monopsony (or buyer's monopoly) position. For example, at certain times of the year many women in communities (particularly indigenous women) harvest wild mangos for sale. Wild mangos fetch very high prices on the market, and are sold not only in local markets in Cameroon but in neighbouring countries such as Gabon and Congo. However, local women do not have direct access to any markets and are therefore obliged to sell to itinerant buyers who travel from regional centres to purchase these mangos during the season (these itinerant buyers, in turn, are often working for 1 or 2 large politically-well-connected businessmen who have an effective monopoly (or duopoly) on the local and export markets, assisted by barriers to entry to the market created by permits / authorisations required for many of these activities). Facing these monopsony arrangements and with a highly perishable product, local women are paid very little for their collection work (we do not have details of the mark-up but by some accounts it may be as high as 100-fold). Indigenous women are frequently paid even less than Bantu women who are selling mangos, purely on discriminatory grounds.

There are some existing (formal and informal) institutions which support community entrepreneurship and aim to increase benefits to communities from their small-scale production. Some villages hold periodic markets (*marchés périodiques*) – weekly markets in which local producers gather to sell products (either in the same village each week or rotating between villages in a local area). These markets can promote increased local commercial exchange, and attract outsiders (including from local towns) to purchase community products. Periodic markets are a local, community level initiative that are not always supported formally by the administration, although on the request of a community the local municipality may be able to provide some initial financial support (such as for the construction of an

open-air covered market area where the periodic market can be held). There are not currently periodic markets in operating in any of the communities where FPP, Okani and CED propose to work in this project.



Photo 4: Community bee-keeping in the Baka community of Nomedjoh and Photo 5: community non-timber forest products (NTFPs) for sale in Lomié, Eastern Cameroon. Credits: Indra Van Gisbergen

The government also provides some support for community livelihoods activities through the organisation of annual national and regional agricultural shows (*comices agro-pastoraux*). These events present opportunities to create trade contacts and to engage in trade, but participation in them is not particularly widespread at the community level.

The government and donor organisations (e.g. SNV, GIZ, WB-GEF) have also provided one-off project support for livelihoods and community-level infrastructure. These have tended to be (often expensive) demonstration activities (e.g. piggeries) but with limited focus on promoting and enabling market access for traditional products, mainly aiming to introduce 'alternative livelihoods'. However, the sustainability of these livelihoods projects has unfortunately proven to be a challenge when donor support and supervision is withdrawn.

At the communal level, the National Participatory Development Programme (PNDP - *Programme National de Développement Participatif*) is a mechanism that the government has used to make up for poor infrastructure by providing direct support for infrastructure through a municipal development plan (*Plan de Développement Communal*), though any investments in livelihood infrastructure (e.g. market) has to compete with other priorities e.g. sanitation, water, schooling, etc.

4.4 National and regional networks and associations

There are a variety of different networks and associations, both in relation to community rights and benefits as well as in relation to specific sectors / industries, which exist in Cameroon. However, and with some exceptions, there is not always direct or regular connection between these networks and communities, who are not generally represented. Some of the relevant networks include:

Community and Forests Platform

The Community and Forests Platform is a civil society platform comprising around 40 civil society organisations who work on issues relating to community rights, forestry and natural resource management generally. It is one of the principal protagonists in national debates on forestry and community rights. In recent years the CFP has focused particularly on the negotiation and implementation of the VPA, and succeeded in increasing space for dialogue on sensitive issues such as illegal logging, corruption, civil society participation and rights. The coalition has also been involved in the REDD+ process as well as in the reform of the forest code and pays a lot of attention to gender. CED is currently in charge of its coordination.

The CFP is the most active civil society network in relation to forest governance. Its members focus on defending the concerns of grassroots communities, and the CFP is a mechanism for joint national advocacy around these issues. Some CFP members have links with local communities, and the platform provides a mechanism for local concerns to be fed into national advocacy (although it remains a continuing challenge to improve and strengthen the up-down feedback between members of the platform and communities). The platform plays an important role in representing communities in national processes: for example, the CFP holds the civil society seat on the VPA national monitoring committee (see further below). In 2015, the CFP advocated in this forum to make community forests exempt from the requirements of environmental impact studies, because they are expensive and therefore inaccessible for communities. As a result, the Ministry of Environment and Sustainable Development accepted that community forests should only be required to provide environmental records (a more limited, less onerous and cheaper type of environmental impact assessment).

Réseau recherches actions concertées pygmées (RACOPY)

RACOPY is a network of 25 organisations working on issues associated with forest indigenous peoples (colloquially called “pygmies”, although this is generally considered pejorative), including community rights and forestry. The network aims to coordinate actions between different civil society actors, including indigenous community based organisations, working on these issues. The network is coordinated by NGO INADES, and is presided over by the president of ASBAK, an indigenous community-based organisation.

African Community Rights Network (ACRN)

The African Community Rights Network is a network of about 40 civil society organisations from more than 10 sub-Saharan African countries, all of whom work on issues of community rights. The platform advocates for a more democratic forest governance and management approach in respect of local community rights. The ACRN undertakes analysis of various processes (including VPA and REDD+ processes) related to the sustainable management of natural resources to understand how they affect the rights of forest-dependent communities. It undertakes a number of initiatives in relation to national, regional and international advocacy, experience sharing and research and information gathering, including in relation to community forestry. A recent initiative is the ACRN land rights index which seeks to document and compare the level of protection community land rights in different countries in Africa, including Cameroon. CED is currently in charge of the coordination of this regional network. ACRN is also linked to the CRN (community rights network), which brings together community rights organisations from other countries to a bi-annual meeting in Brussels, to exchange views and influence EU policymakers.

African Community Forestry Network (ACFN)

ACFN is a network of seventy organisations from 14 African countries which was launched in March 2015, by the UK-based International Tree Foundation (ITF). According to the ITF website this grassroots network would bring together community-led organisations working in agroforestry and forestry across Africa and aims to learn and share best practice: (i) within each country; (ii) within the East and West Africa regions; (iii) and at a pan- African level. ACFN was also created to unite and support local CBOs and NGOs to advocate for local community rights to manage natural resources in a sustainable way and increase awareness of, and support for, the role of community-led forestry and agroforestry in increasing food security, resilience to climate shocks, improving livelihoods and protecting the environment. It is unknown to what extent (and how) this network is functioning within Cameroon, and which organisations are members.

Gbabandi

Gbabandi is a new national platform of forest indigenous peoples created in 2016. It is the first representative platform of forest indigenous peoples both in Cameroon and in Central Africa. While it is still in its infancy, its objectives are to undertake advocacy on behalf of indigenous peoples in relation to key rights issues of concern to them, including (a) land and natural resources (b) health (c) education (d) economic development (e) gender equality and (f) political participation. Because of its newness, Gbabandi is not yet well established and connected with other networks (although many of its participating organisations are already known within civil society circles).

Réseau de foresterie communautaire (RFC)

The RFC is a network of community forestry organisations in Cameroon whose aim is to work on community forestry policy and represent community forests in policy debates. Searches reveal some initial project-related work on community forestry (connected particularly with the elaboration of the new community forest manual of procedures, passed in 2009), but there is little information available on activities since that time and it is unknown whether the network is still active.

CSO platform on REDD+ and climate change

In 2011 a national CSO Platform on REDD and climate change was set up to create space for dialogue space and involve civil society actors in the REDD+ process. This platform composed of about sixty organisations aimed to ensure the representation and visibility of CSOs during REDD+ and climate change negotiations; foster free, prior and informed consent (FPIC) in REDD+ and climate change policy processes; capitalise on experiences and promoting best practices; engage in stakeholder consultations; and raise awareness and improve communication on REDD+. The coalition is currently coordinated by the director of REFACOF (the African Women's Network for Community Management of Forests), the director of MBOSCUA and the coordinator of RFC.

Local community forest networks

As part of projects undertaken by other actors who previously worked significantly on community forestry (including SNV, Nature +, Rainforest Alliance and others), six local "community forest networks", organised by ecological zone, were created. The objective of these networks of nearby (statutory) community forests was the mutual reinforcement of community capacity, the optimisation of timber production and the ability to better respond to market demand for timber. They are intended to empower and support the legal entities behind community forests, and act as an interface between participating community forests and the market. The networks are specifically focussed on timber (rather than NTFP or other community forest production), and were generally set up under the auspices of previous community forestry projects (the demise of which the networks themselves have not always survived). Some such networks do continue to play a role, including REFOCOD (*Réseau de forêts communautaires de Dja*) which holds the community forestry seat on the National Committee Monitoring Implementation of the VPA (see further below). However, on the whole, these groups have not been involved significantly in advocacy for reform in relation to community forestry.

Private sector

There are several private sector groups/actors active in the area of timber production. One relevant institution is the Consortium of Timber Paths of Cameroon (GFBC from its French acronym), a sector body which represents 75% of Cameroon private sector forestry enterprises. Its aim is to represent timber enterprises whenever necessary.

A second institution is STIEPFS (the *Syndicat des exploitants, transformateurs, industriels et exportateurs des produits forestiers spéciaux*), a union of enterprises focused principally on the commercialisation of non-timber forest products, whose aim is to represent its members at national and local levels.

4.5 Existing national processes related to forests and lands

Deforestation in Cameroon

Over 45% of Cameroon is covered with forests. Deforestation rates in Cameroon remain relatively low in Cameroon but are increasing rapidly. Between 1990 and 2005, Cameroon lost 13.4% of its forest cover, or around 3,300,000 hectares. The annual rate of deforestation was just over 1% for the period 2010-15.⁴⁰ The key current and future drivers of deforestation in Cameroon are not well-evidenced; many studies (including Cameroon's recent ER-PIN) cite rotational subsistence agriculture as a key driver (a claim which is contested), whereas others highlight the (increasing) impact of expanding agribusiness, infrastructure, mining and logging.

There are two key national processes underway in Cameroon – both linked to international efforts around reducing deforestation – that offer forest-dependent communities the opportunity to influence public policy in connection with the sustainable management of natural resources. These are the

⁴⁰ FAO, Global Forest Resources Assessment 2015, 2016, Rome.

FLEGT VPA process (see below) and REDD+ (Reducing Emissions from Deforestation and Forest Degradation, and fostering conservation, sustainable management of forests and enhancement of forest carbon stocks). There are also law reform processes (in part but not exclusively linked to the VPA) currently underway in relation to both forestry and land laws, although initial indications are that these processes are not likely to bring any significant positive changes for community rights and/or community forestry. Cameroon is also engaged in the implementation of the FAO Voluntary Guidelines for Responsible Governance of Tenure, and receives significant financial support from donors for the implementation of these guidelines.

Cameroon-European Union voluntary partnership agreement (VPA)

In 2010 Cameroon signed, and in 2011 it ratified, a voluntary partnership agreement (VPA) with the European Union, which aimed at ensuring all timber products produced in Cameroon complied with national laws (i.e. stopping the flow of illegal timber). The objective of the agreement is to create a system whereby timber may be licensed under FLEGT as “legal” (effectively certified under FLEGT), and imported directly to the European Union. Implementation of the agreement envisaged a number of phases and elements including reform of the forestry laws (see further below), increased transparency in relation to key information related to timber production (including allocation of licences and concessions), and increased engagement with civil society.

The implementation of the VPA is advanced through a Joint Implementation Committee (CCS by its French acronym) and overseen by a National Monitoring Committee (CNS by its French acronym). Civil society, indigenous people and community forestry representatives have a formal seat in the CNS, but not on the CCS. In practice, the functioning of the CNS has often been sporadic, and the Cameroonian’s government commitment to engagement with stakeholders has been variable and tense. Nevertheless, civil society have to date succeeded in keeping this dialogue space open (despite government attempts to limit it) and have booked some concrete successes such as some improved transparency and bringing the issue of conversion timber on the table. Significant challenges remain, however, including with the direct engagement of both communities and women in the VPA process.

In fact, after years of some advances (a modest increase in transparency and law enforcement) and improved participation, the VPA process has largely stalled in Cameroon (perhaps, ironically, because the participation of civil society has been strong and has created pressures on the government to take steps which would threaten vested interests). The future of the VPA in Cameroon – considered among the most problematic of those countries currently in the partnership process – remains uncertain.

REDD+

The REDD+ process, still in relatively early/pilot phases in Cameroon, is also a potential opportunity to influence public policy on sustainable management of land and natural resources (but also a potential risk to community natural resource management if community resource use becomes the target of restrictions). Despite concerns expressed by the national and international NGOs, Cameroon’s R-PP was adopted in late 2012. Four years later, the national REDD+ strategy is not finalised and access to REDD+ information is highly problematic.

Aiming to access donor funds from the FCPF, Cameroon developed an ER-PIN which was rejected in November 2015, but was accepted for funding in June 2016, despite similar opposition to the idea note by the CFP and international NGOs. One of the key objections from the CFP to the ER-PIN was the lack of community participation and influence in the design of the proposal (despite the significant potential implications for communities of some of the suggested policies in the proposal).

There are a number of potential (and potentially important) points of entry for influencing policy in relation to the REDD+ process, including engaging with studies (and “official” definition) on drivers of deforestation (which will inform where policies are targeted), helping to refine and improve policies adopted, and promoting equitable and rights-based benefit sharing. REDD+ policy could be a potential support to (positive) reform of community forestry in Cameroon, and provide an opportunity for communities to develop viable community forestry initiatives to improve living conditions. However, as it stands, REDD+ remains as much a potential threat to community rights as an opportunity.

Ongoing reform of forestry and land laws

The Cameroon-EU VPA envisaged, among other things, reform of the national forestry laws to make them clearer and more coherent, and thereby to facilitate the verification of legal timber. In part prompted by this obligation, the Cameroonian government began reviewing the forestry law at some point after 2011. This review process was almost entirely without consultation, leading CED, Okani and FPP to file an urgent action/early warning complaint with the Committee on the Elimination of Racial Discrimination (CERD) in 2012, warning of the risk of the imminent passage of the bill, which would have significant effects on indigenous peoples without any consultation with them.

The bill was never proposed to parliament in 2012 as anticipated, and the government in 2014 announced that it now considered that the scope of law reform needed to be wider, including the 1974 land laws as well as the mining code. These are all now under review and a new mining code has been adopted in December 2016. There has been *some* (relatively limited) consultation on the contents of the law, although primarily with handpicked civil society organisations rather than by a general public process, but from the draft texts provided (usually “leaked”, as the official texts are not generally made available), it appears unlikely that the revisions will offer any significant step forward in relation to community land ownership or natural resource management rights. In other words, the consultations have not accommodated the key asks of civil society and communities.

Two draft texts (forestry and land tenure) are now under consideration by the prime minister’s office (for review and harmonisation), the last stop before they will be introduced to parliament, although the timeframe for these reforms to be introduced is unknown (rumours of their imminent introduction have been circulating for more than a year).

5. Constraints on effective and equitable community-based forest management

The history of community forestry in Cameroon over the past two decades has been chequered. While by 2011 community forestry had grown to include 182 community forests, totalling nearly a million hectares, in fact less than 5% of forests in Cameroon are reserved for communities.⁴¹

Reviews of the benefits of the existing statutory community forestry framework to communities have shown dubious results for economic, social and environmental outcomes, and community forestry is widely considered a failure. While a few outlier studies show positive economic benefits for communities, most have suggested that community forestry has not had any significant impact on communities’ living standards, household revenues or base assets, nor has it reduced household vulnerability. In a broad review of the status of community forestry published in 2011, Cuny identified a number of problems with community forestry implementation, including low levels of community participation, elite capture, lack of representation of women and marginalised groups (such as Baka and Bagyeli people) in decision-making, barriers to access (both financial and technical) and continuing bureaucratic obstacles (such as extremely late delivery of annual cutting quotas).⁴² It seems that in many cases, external actors – forestry enterprises, NGOs, funders, or other elites – have been the real decision-makers driving the creation of community forests, which has limited community ownership of and benefits from the process (and also reduced community’s interest and role in monitoring illegal forestry activities). In addition, the maximum size of community forests – a maximum of 5,000 ha – is widely considered to be too small to develop favourable and competitive forestry enterprises. It is generally considered that there has been too great a focus on timber-based forestry enterprises, as opposed to other types of possible farm and forest activities that can emerge from community forests. A few of these key challenges are discussed further below.

⁴¹ Hubert Ngoumou Mbarga, « La gestion des forêts communautaires face au défi de la pauvreté et du développement rural », 2013.

⁴² P Cuny, 2011, *Etat de lieux de la foresterie communautaire et communale au Cameroun*, Tropenbos International. Some of these issues were also raised by Vermeulen in Vandehaute M., Vermeulen C. et al. (2007) *Séduisante théorie, douloureuse pratique: la foresterie communautaire camerounaise en bute à sa propre législation*, *Parcs et Réserves*, Volume 62, No 2, pp.18-22

5.1 Difficulties with the statutory community forestry model

There are a number of elements of the statutory community forestry model that are widely considered to be defective. The key difficulties include:

Limited size of 5,000 hectares

The maximum size of 5,000 hectares does not usually correspond to the traditional forest lands owned, occupied and used by communities, which can be substantially larger. Faced with the various market and logistical constraints which create barriers to entry in Cameroon (see further below), the small surface area is not considered sufficient to generate a profitable business. This is certainly the case in relation to timber enterprises (which have been overrepresented in community forestry to date), and may be the case in relation to various other business activities which could be undertaken in a community forest area.

Limited security of land tenure and insufficient duration of a statutory community forest

The creation of a community forest does not give rise to full property rights; and moreover, the duration of the community forest is only 25 years, with no guarantee of renewal after this date. Accordingly, long-term investments (which includes, critically, sustainable forestry activities) are risky for communities, who cannot be sure to receive the benefits of their investment (and indeed, investment in reforestation for future timber activities, or even abstaining from deforestation, may well be likely to increase the likelihood that land will later be appropriated by other, more powerful actors). As a result, communities in fact face negative incentives to engage in reforestation or sustainable timber management, and the most rational economic action may often be to exploit as unsustainably as possible in the short term.

Bureaucratic process for creation and management of community forests

Despite proclaimed efforts to make the process simple and accessible and with some improvement, the procedure for the creation of community forests remains complicate for communities to own it themselves. Literacy levels in rural communities are not high – and are often extremely low among indigenous peoples. Even where community members are functionally literate, there are generally relatively few individuals living in communities who have capacity to read, understand and indeed produce the technical documents required for creating and operating a community forest. Even though the community forest process (as set out in the manual of procedures) may not be dissimilar to that seen in some other countries where community forestry has had some degree of success, in the Cameroonian context it is simply not fit for purpose, and more accessible, flexible and innovative mechanisms need to be considered and tried.

The complexity of the procedures is one of the elements which permits and maintains elite capture of community forests (another critical problem), because it privileges certain (more educated) members of the community who are able to navigate the system, while excluding and preventing any oversight by the community as a whole.

Administrative blockages

Communities do not have a “right” to a community forest on their ancestral lands per se. Where a forest area has been slated for allocation for sales of standing timber, communities have a right of pre-emption by which they may request that it be allocated as a community forest instead. However, where land has already been allocated for another forestry purpose, or is allocated to an agricultural or other concession, there is no possibility of even applying for a community forest.

In fact, the procedural obligations that permit the exercise of the right of pre-emption are often skirted by authorities, giving communities no opportunity even to apply for a community forest (and many communities only become aware that their forest has been allocated to sales of standing timber when a company arrives with such a permit to cut down their trees). In other cases, communities may apply for a community forest without having a right of pre-emption, and simply be denied. Moreover, at various stages of the community forest process, it is sometimes a precondition for advancement that MINFOP agree to the proposals of the community (such as the management plan and management agreement), which provides openings for the administration to block community forests.

In practice, in recent years, the allocation of definitive community forest agreements has been stagnant. There is very little communities can do faced with this situation. Even if they have some strict legal

rights to insist on the creation of a community forest in the particular circumstances (which will not always be the case), the judicial system is generally out of reach and is in any event slow, ineffective and widely considered corrupt.

There appear to be a variety of reasons for MINFOF's reluctance to grant further community forests. Firstly, the allocation of sales of standing timber is an excellent opportunity for officials and the politically-connected to obtain corrupt benefits, which the creation of community forests can impede. Secondly, there appears to have been an unofficial policy decision that "enough" has been given to the communities and that the rest needs to be reserved for large enterprises (both for well-intentioned if misguided intentions of promoting "national economic development", as well as for more nefarious reasons, e.g. because many decision-makers are also connected to business enterprises and wish to maintain access to land for use by their businesses).

This pattern has been replicated in the long procedural delays in providing annual exploitation permits for community forests, which are required before timber felling operations can commence. Working on a calendar year basis, these permits are often only issued (if at all) in October or November, leaving limited time for communities to arrange timber felling before the permit expires again, and preventing many from using them. Faced with these challenges to the legal operation of their statutory community forest, many communities resort to illegal operations (by agreement with the many small-scale illegal logging companies operating in Cameroon). These activities are riskier, generally less profitable and more prone to benefit capture by elites.

Weak capacity building and weak support to communities

The laws related to statutory community forests devote limited resources to providing outreach and assistance to communities to operate effectively. Although the 1994 Forest Law in principle requires that MINFOF provide free technical assistance to communities who express an interest in obtaining a community forest, the reality is that MINFOF rarely or never provides such assistance to communities and any limited assistance it might be willing to provide would in practice be subject to the community covering all costs of the officials involved.

While NGOs have filled some of the gaps in relation to capacity building and support, these efforts have not been uniform, widespread or sustainable for sufficient periods of time, nor have these interventions necessarily been equitable or even positive. Moreover, the support provided by NGOs is necessarily limited in scope, and was unable to address systematic issues related to investment in public goods, red tape etc (some of which are discussed further below).

5.2 Challenges related to internal governance

Problems with community forestry do not stem solely from local and national authorities. In many cases, internal factors within the community are also a source of significant difficulty. Communities themselves, while sometimes idealised, are frequently non-participatory, hierarchical and discriminatory. Women, indigenous peoples and youth often have no or limited say in the management of community resources, and limited or no access to such resources. In many cases, a small number of community "elites" (often living outside the community) control community resources (and statutory community forests), and effectively appropriate a large proportion of (or all of) the resources generated by statutory community forests.

There are many reasons for these difficulties. Some stem from traditional community hierarchies which are no longer compatible with a rights-based vision of human development. In some communities, a "community-centred" model may be inconsistent with traditional socio-economic organisation, which is based first and foremost on securing the wellbeing of the clan or family, and the imposition of a community model can create conflicts. However, inequities and hierarchies have been reinforced by various policies, including the (de facto) lack of accessible universal primary and secondary education and changes in the structure of chiefdoms to make them accountable upwards (to the State) rather than downwards to the community.

Another challenge is related to the management capacities of local community members or the legal entity of the community forest. They do not always have the skills to sustainably manage the community forest or the income generated from activities. This sometimes leads to illegal activities or the misuse of income generated from the collectively owned resource.

These difficulties have similarly often hindered effective organisation and collaboration *between* communities to gain increased leverage and market power.

5.3 Market barriers

There are a number of other factors which create market barriers that impede the effective functioning of community forest enterprises:

- Roads – the road network in Cameroon is extremely poor, particularly during the rainy season when untarred roads can become impossible to navigate without a 4-wheel drive. As a result (and taking into account additional high taxes on imported vehicles) transport costs are extremely high. For communities producing perishable products, or other products (such as timber) that are difficult to transport and are not for the local market, these transport costs create a significant and often insurmountable barrier to market access.
- Lack of electricity, telephone connections and other key infrastructure – in many communities in forested areas of Cameroon there is no or very unreliable electricity or telephone networks. This may have a number of effects on communities' ability to market products profitably, for example preventing cold storage of perishable products; ruling out various types of community-level processing; impeding communications with potential buyers (particularly given the state of the roads) and preventing communities from obtaining easy access to market and other important information by telephone.
- Authorisations, permits and taxes – there are often a number of authorisations and permits required to undertake business activities in Cameroon. While this weighs on all businesses, it has a particular impact on small businesses for whom the transaction costs of obtaining these permits are disproportionate in comparison to their profits (sometimes making business unprofitable). There are also a number of taxes which create a significant financial burden for small community operations (and may therefore be evaded in practice).
- Corruption, which can include the need to bribe unaccountable officials in order to be able to proceed with business operations without harassment, and which is often associated with the significant requirements for permits and authorisations, eats into the profitability of engaging in legitimate business enterprises.
- Lack of policy support for marketing of community produce – although there are a small number of institutions which support commerce by communities (such as agricultural fairs or periodic markets), there is generally relatively limited policy support for marketing by small, community-scale enterprises within Cameroon. (There are some agricultural extension services, but again these do not reach all communities.)
- Lack of law enforcement and lack of independence of the judiciary – the judiciary in Cameroon is widely considered to be corrupt and largely dysfunctional. The lack of law enforcement and the ability to insist upon the respect of legal rights creates a situation where communities are operating in an uncertain commercial environment, where they may be subject to extortion and bribery (even when operating legally), and where they have little or no possibility of recourse faced with unlawful expropriations by those with greater power. This situation creates a disincentive to investment, and also limits the willingness of communities to engage in arms-length transactions with third parties (the enforceability of which may be dubious).

Creating effective and workable community forestry in Cameroon requires tackling both micro-level challenges of community capacity, ownership and participation, as well as supporting macro-level changes to improve the legal regime governing tenure rights and forest governance, as well as to tackle implementation issues such as corruption and bureaucratic resistance to devolution. At the same time, it is important that community forestry activities take a human rights-based approach, which respects and promotes recognition of the internationally-recognised customary tenure rights of communities, and creates equitable and participatory processes which involve all members of the community, including in particular traditionally marginalised groups such as women and indigenous peoples.



Photo 6: Drinking natural water and Photo 7: Baka woman collecting wood from Nomedjoh community forest. Credits: Indra Van Gisbergen

6. Options to enhance community-based forest management

Several options that exist to address the considerable constraints to community forestry in Cameroon have received investment in administrative, technical and business issues. Yet there is scope to improve the organisational arrangements for community forest management which we describe below.

Administratively, much emphasis has been placed on helping communities to take advantage of the 1994 Forestry Law and 1995 Decree in order to sign 25 year community forest management conventions. From the first statutory community forest in 1997, some 300 had been established on paper by the end of 2012 although only 80 were thought to be active at that time.⁴³ As early as 2010, almost 500 were in some stage within the threefold application process.⁴⁴

In technical terms, both government authorities and, more consistently, support NGOs have invested in helping communities to develop so-called 'Simple Management Plans' (*plan simple de gestion*) on which statutory community forest rights rest – often with a strong forest conservation emphasis – although this is now more frequently allied to technical support for timber, NTFP and PES market chain development.⁴⁵

In terms of business, government authorities (e.g. MINFOF) and several international organisations have prioritised business support as a means of turning statutory community forest rights into practical community benefits to incentivise sustainable forest management (notably Catholic Relief Services, CIFOR, ICRAF, SNV, WWF, Rainforest Alliance), often working with local NGOs (as many as 46 in one project, but notably OCBB, CAMECO, CEPFIELD and CAFER). At least 14 major projects have had some emphasis on community forestry business development since 1999, including the major new DRYAD initiative steered in-country by ICRAF.⁴⁶

In organisational terms, the fragilities at community level that lead to elite capture, domination by external logging companies and frequently corrupt government partners have been highlighted.⁴⁷ Given

⁴³ Javelle, A-G. (2012) Rights and wrongs in Cameroon's community forests. Brief produced by the 'Focus on Land in Africa' through the World Resources Institute, Washington, USA.

⁴⁴ Beauchamp, E. and Ingram, V. (2011) Impacts of community forests on livelihoods in Cameroon: Lessons from two case studies. *International Forestry Review* 13 (3): 1-15.

⁴⁵ Bakouma, J. and Sève, J. (2012) Forest Management by community forest enterprises. *Private sector and development* 14: 13-15.

⁴⁶ Foundjem-Tita, D., Minang, P., Duguma, L., Chiatoh, M., Alemagi, D. And Tchoundjeu, Z. (2016) Programs and projects on community forestry in Cameroon: Interventions and experiences based on a literature review of selected projects and programmes (Draft). ICRAF, Yaounde, Cameroon.

⁴⁷ See e.g. Cuny, P. (2011) *Etat des lieux de la foresterie communautaire et communale au Cameroun*. Tropenbos International, Wageningen, The Netherlands; Cerutti, P. (2016) *Community forestry and*

the timeframe and spread of resources, it is perhaps in the corresponding efforts to develop organisational structures that generate and distribute benefits within and between communities that this project could make a significant contribution.

6.1 Options to develop shared understanding about how to tackle elite capture in community forestry

The challenge of elite capture of community forestry business within Cameroon – aided and abetted by official corruption - is by no means unique within Africa, or confined to Africa. Nevertheless, in contrast with much more rapid development of community forest business in Asia and Latin America, examples of successful community forestry in Africa are thin on the ground. Analyses of corruption in Africa suggest it to be partly socially embedded in five widespread (and by no means all negative) cultural logics.⁴⁸ The first three concern everyone: the strength of social solidarity networks, the prevalence of negotiation in day-to-day life, and the routine practice of gift-giving. The second two are more to do with those in authority: the right to personal levying, and the expectation of redistributive accumulation – spreading the benefits around. The imperative of finding ways out of poverty and the strong social disapprobation for those not honouring close ties blur the lines between cultural logics and corrupt practices. Strong organisational structures and norms are therefore required at all levels that counter this blurring.

Against this baseline, one option might be to convene a regional conference or workshop geared specifically towards sharing approaches and tactics that had proved successful in overcoming elite capture in community forestry – drawing in experience not only from the region, but also from elsewhere. The workshop might draw on a new network (AFECONET) that was established precisely to promote sustainable and profitable locally controlled forestry – itself emerging from a decade of work to support small and medium forest enterprises within the Forest Connect alliance. The aim of such a meeting would be to develop some form of collective vision for how best support agencies might guide community forest business development in Cameroon. That outcome is important because evidence shows that involvement by an external organization in local forest activities can help to reduce the risk of elite capture, via oversight presence that moderates the tendency toward elite capture in the local forest user group.⁴⁹

6.2 Options to separate out and strengthen first-tier business organisations at community level

As noted above, the customary authority structures in Cameroon lean towards elite decision-making that exacerbates collusion with logging companies and corrupt officials, both in the process of developing simple management plans, and in subsequent applications for annual exploitation certificates (*certificat annuel d'exploitation* - CAE) and waybills (*lettres de voiture*). The problem is acute for high value market chains such as timber – in which purposeful delays in granting CAEs, and trading in waybills is causing the statutory community forestry sector to slide towards something more akin to a criminal cartel.⁵⁰ The problem is reinforced by hasty processes to form associations or GICs in order to establish legal existence, a necessary precursor to establish a statutory community forest given the lack of legal personality of 'communities'. These processes often suffer from inadequate community

artisanal logging: experiences from the Congo basin. Presentation at the CoNGOs Inception Meeting, 21-22 June 2016, Yaounde, Cameroon.

⁴⁸ See Sardan, J.P. (1999) A moral economy of corruption in Africa? *Journal of Modern African Studies*, 37 (1): 25-52.

⁴⁹ Persha, L. and Andersson, K. (2014) Elite capture risk and mitigation in decentralized forest governance regime. *Global Environmental Change* 24:265-276.

⁵⁰ See Independent Observer of Cameroon Forests ("Observateur Indépendant au Contrôle et Suivi des Infractions Forestières"). (2006). "Rapport de l'Observateur Indépendant No. 050 / OI / REM sur les forêts communautaires du Centre et Sud-Ouest." Mission dates: 6 May – 2 June. Yaoundé, Cameroon; Independent Observer of Cameroon Forests ("Observateur Indépendant au Contrôle et Suivi des Infractions Forestières"). (2011). "Rapport Technique n°4 Du 1er juillet au 31 Décembre 2011." Yaoundé, Cameroon.

participation, especially when driven by outside interests, and are not really set up to create functional business organisations.

Against this baseline, there are options to try and develop community business organisations that are separate from, if necessarily overseen by, customary authority structures at community level. Because of the problems associated with breaking into timber market chains (both due to delays in issuing of CAEs and associated rent-seeking during production and transport) it may be more profitable and transformative at this stage to invest in NTFP businesses that develop separately from, but overseen by, the structures put in place to secure a statutory community forest. In many other countries in which community forestry is working, the business entities at community level have a level of managerial independence – but use customary authorities as some form of ‘board of directors’, often with a financial vigilance committee to ensure that any proposed benefit sharing arrangements involving the community are strictly adhered to.⁵¹ In the Market Analysis and Development (MA&D) approach used within this project, community groups are encouraged to research and develop five areas of business (natural resource inputs, market customers, technology, institutional legal issues, social and cultural issues). It is the latter two areas of development that seem particularly challenging in Cameroon and should be the subject of active experimentation and development in this project. There is already some familiarity within Cameroon of MA&D approaches that build internal capacity within community groups for business development – and this can be built on and strengthened.

6.3 Exploring options for and advantages of second-tier regional association and third tier national federation amongst progressive community forest businesses

A lack of inter-community organisation is cited as a major deficiency in Cameroon.⁵² With the exception of the Tri-national Agro-forestry Cooperative (CAFT) there are no regional associations formed to further the interest of community forest businesses in Cameroon. Collective action between community forest businesses offers well-rehearsed advantages: sharing and thereby cutting production costs; sharing investments into value added processing to increase profitability; aggregating and thereby increasing production volumes to improve negotiating power with buyers and thereby increase selling price; pooling expertise to offer services to members that improve production efficiency; speaking more powerfully with one voice to policy and decision-makers.⁵³ For reasons of institutional sustainability, it is often best to ensure that second-tier organisations are commercially viable in their own right, thereby generating sufficient financial revenues to cover their costs. That means that the organisation must be set up either to generate revenue (e.g. processing primary products at some shared production facility) or to offer a service to members (e.g. certification or training) or to pursue grant support (e.g. a development project not open to individual businesses) and preferably all three. For third-tier organisations, usually set up to play a lobbying role with Government, it is usually possible to find financial support from regional second-tier organisations.

Against this baseline, there may be possibilities to explore, at least for one or two regions in the country, the formation of a regional second-tier organisation (e.g. an association of community forest businesses) probably initially based around NTFP processing. The idea might be to develop the business plan for such an organisation and then use links with the DRYAD programme to finance some of the start-up costs – as agreed in meetings between the two projects. At the present moment it would not appear possible to establish a national federation of community forestry businesses, as there would simply be too few to finance the centralised lobbying role that this would entail. However, exchange

⁵¹ Macqueen, D.J., Bolin, A. and Greijmans, M. (eds) (2015) *Democratising forest business – a compendium of successful locally controlled forest business models*. International Institute for Environment and Development, London, UK.

⁵² Merlet, M. and Fraticelli, M. (2016) *Protecting Forests, Improving Livelihoods – Comparing Community Forestry in Cameroon and Guatemala*. FERN, Moreton-in-Marsh, UK.

⁵³ See Macqueen, D., Bose, S., Bukula, S., Kazoora, C., Ousman, S., Porro, N. and Weyerhaeuser, H. (2006) *Working together: forest-linked small and medium enterprise associations and collective action*. IIED Gatekeeper Series No. 125. IIED, London, UK; Macqueen, D.J. and deMarsh, P. (2016) *Enabling investment for locally controlled forestry*. Chapter 7 pp 109-131 in *Forests, Business and Sustainability*; edited by Rajat Panwar, Robert Kozak and Eric Hansen. Earthscan, London, UK.

events to build common interest between different community business groups in different parts of the country would serve an immediate need to share information on best practice and scale up the more promising developments. It might also serve to develop a shared advocacy agenda to present in policy and decision-making processes.

6.4 Options to use the insights from the above to inform policy advocacy strategies

The allocation of rights to forest land often involves overlapping claims, lack of information on those claims, and failures of free prior and informed consent to enable communities to claim prior community forest rights.⁵⁴ In addition to the need to help communities identify and claim appropriate community forest land, there are general bureaucratic barriers to the registration of those rights, and certainly to the emission of annual CAEs. Because of these policy and administrative barriers, there is a need for a continuing strong and clear advocacy messages to government authorities and the donor community including the EU which can push the government from outside. Evidence from past work on policy advocacy suggest that it is not just creating and wielding evidence that yields results – it is also the organisation of constituencies (strength in numbers), mobilisation at grassroots level, provoking of dialogues amongst them, and strategic political engagement that brings results.⁵⁵ Creating safe space for networks of NGOs to develop combined advocacy approaches is also useful and it might be possible to draw on national or regional networks such as the CFP or the ACRN, or revamp networks such as the Community Forestry Network (CFN), Land Tenure Network (LANDNET), or indeed use the CoNGOs own consortium networks.⁵⁶ The political strength in numbers that is created by associations and federation of forest-farm producers is particularly effective at unlocking policy barriers.⁵⁷

Against this background, the CoNGOs project could help to facilitate early thinking from within embryonic groups of community forest businesses about the main advocacy messages they might wish to put to decision-makers. Opportunities to present such views, using the combined weight of the multiple project partners within Cameroon, might prove effective. Developing a longer-term strategy for strengthening the organisations that can present their own case and user their voter numbers to sway Government decision-making should be a key point of departure.

⁵⁴ Perram, A. (2016) Behind the veil: transparency, access to information and community rights in Cameroon's forestry sector. Forest Peoples Programme, Moreton-in-Marsh, UK.

⁵⁵ Mayers, J., Bhattacharya, P., Diaw, C., Kismadi, B., Long, C., Macqueen, D., Morrisson, E., Mosse, M., Opoku, K., Ngubane, S., Sibale, B., Tan, N.G., Twesigye, B. and Vermeulen, S. (2009) Just forest governance: how small learning groups can have big impact. IIED Briefing, London, UK.

⁵⁶ Mandoondo, A. (2003) Snapshot views of international community forestry networks: Cameroon Case Study. CIFOR, Yaounde, Cameroon.

⁵⁷ FAO / Agricord (2012) Strength in numbers – Effective forest producer organisation. FAO, Rome, Italy; FAO / Agricord (2016) Forest and farm producer organisations – operating system for the SDGs: Strength in numbers. FAO, Rome, Italy.

7. Conclusions and recommendations

Statutory community forest in Cameroon is well-established but has achieved very mixed results. There are a number of significant challenges to be addressed if a more effective, equitable and sustainable community forestry process is to emerge. Although not all of the factors are within the control of the project partners, there are a number of elements which this project can bring together with the aim of providing an improved model of community forestry in Cameroon, which creates a genuine and effective alternative for community livelihoods and wellbeing, as well as for the environment.

Some elements this work may need to incorporate include:

- An integrated focus at the community level which combines sustained work on improving participatory, sustainable governance and internal decision-making with specific support to enterprise building and market development. This will be a focus of the community-level work done by FPP, Okani and CED (focusing in particular on governance aspects) in conjunction with IIED and INADES (focusing in particular on enterprise building and market development aspects);
- A focus on the development of non-timber-related community forest enterprises. The benefits and possibilities of developing enterprises based on NTFP will be one of the elements emphasised by IIED, INADES, OKANI and CED, for consideration by communities, as part of the MA&D element of their work;
- Increasing and strengthening alliances between community forest and other producer groups, and creating linkages with existing (and creating new) advocacy channels at the national level. This will be an element developed from the combined efforts of all different partners, including through the development of a joint advocacy plan in country (planned for the first quarter of 2017);
- Focussing on sustainable land management and enterprise development on a broader, practical scale (based on traditional land ownership and use, rather than strict existing community forestry laws), to provide a model of enterprise development based on a rights-based approach to community forestry. This is a key focus of FPP, Okani and CED in their work with communities, which aims not only to allow communities to understand and benefit from existing laws but to consider what other rights they have and should demand from government;
- Building momentum and support, from the grassroots up, for reforms of statutory community forestry. As noted above, organisations working at community level (principally CED, Okani and FPP) will focus on facilitating communities to think through their own needs and rights, and also help to build their capacity to make these known to authorities (including for example through visiting local authorities with community members to enable them to raise concerns and ask questions of government delegates).
- Building alliances between community forest management groups and national CSO coalitions working on forest governance and rights. One element of the work will be the creation of a “working group” of community forestry, the shape of which remains to be discussed and defined but which is proposed to include existing key civil society networks (such as the CFP) as well as project partners, to facilitate contacts between communities engaged in the project and national platforms, and to ensure that experiences and lessons from the project are fed effectively into existing national processes (strengthening them at the same time).

One critical challenge will be linking community level work with a longer-term advocacy strategy aimed at provoking structural changes that will permit wider, secure, rights-based community forest management in Cameroon. This challenge is particularly complex in Cameroon because of the questionable electoral transparency and the lack of any effective or sizeable opposition, and the clientelist nature of politics. Such an advocacy strategy can draw on the strength of existing civil society actors in this space, such as CED and the CFP, but also needs to look at broader strategies which will add political strength and momentum to national civil society advocacy, given the government’s existed lack of interest in making any substantial changes in this area. Meeting these advocacy challenges requires creative strategies and the flexibility to adapt to opportunities as they arise. It will also however require building

more effective participatory alliances, from the grassroots up, to create the political momentum necessary to motivate government action.

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This brief study has been produced by the partners of the CoNGOs consortium to share our different knowledge and experience, and to set out a joint understanding of the current state of play in relation to community forestry in Cameroon.

CoNGOs: NGOs collaborating for equitable and sustainable community livelihoods in Congo Basin forests, is a project managed by an IIED-led consortium, which aims to achieve improved governance and practice in equitable and sustainable community forestry livelihoods in the Congo Basin. The geographical focus of the initiative is Cameroon, Central African Republic, Republic of Congo and Democratic Republic of Congo (DRC), and to a certain extent in Gabon. Dialogue, learning and advocacy activities will be carried out at the regional level.

The CoNGOs consortium members are International Institute for Environment and Development (IIED), ClientEarth, Fern, Forest Peoples Program (FPP), Rainforest Foundation UK (RFUK) and Well Grounded. The consortium/project partners based in Cameroon are Association OKANI, Centre for Environment and Development (CED) and INADES-Formation; Réseau des Populations Autochtones et Locales pour la gestion durable des écosystèmes forestiers de Centrafrique (REPALCA) and Centre pour l'Information Environnementale et le Développement Durable (CIEDD) are based in Central African Republic; Organisation pour le Développement et les Droits Humains au Congo (ODDHC), Forum pour la Gouvernance et les Droits de l'Homme (FGDH) and Comptoir Juridique Junior (CJJ) are based in the Republic of Congo; and Tropenbos International is the partner in the Democratic Republic of the Congo.

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