



Agro-industrial investments in Cameroon

Large-scale land acquisitions
since 2005

Samuel Nguiffo and Michelle Sonkoue Watio

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Acronyms

ACDIC	Citizens' Association for the Defence of Collective Interests
CAEMC	Central African Economic and Monetary Community
CDC	Cameroon Development Corporation
CED	Centre for the Environment and Development
CNPS	National Social Insurance Fund
CSO	Civil society organisation
EIA	Environmental impact assessment
EITI	Extractive Industries Transparency Initiative
ESIA	Environmental and social impact assessment
CFA	Franc of the African Financial Community (CEMAC zone)
FPIC	Free, prior and informed consent
GICAM	Cameroon Employers' Association
GMG	Golden Millennium Group
INS	Cameroon National Institute of Statistics
MINADER	Ministry of Agriculture and Rural Development
MINDCAF	Ministry of Public Lands, Cadastral and Land Affairs
MINEPAT	Ministry of Economy, Planning and Land Use
NGO	Non-governmental organisation
PHP	Plantations du Haut-Penja
SMIG	Guaranteed minimum wage
SNI	National Investment Corporation
SOSUCAM	Société Sucrière du Cameroun (Sugar Company of Cameroon)
SBM	Société des Bananerais de la M'bomé
UNPH	National Union of Rubber Planters
UNVDA	Upper Noun Valley Development Authority

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Executive summary

The objective of this study is to assess large-scale land acquisitions by the agro-industrial sector in Cameroon between 1 January 2005 and 31 August 2013. Our aim is to provide an overview of large-scale land transactions in the country, showing how this phenomenon has developed, the relevant legislation, and the effect of agro-industrial projects on local and national development. As demand for land from the forestry, mining and agro-industrial sectors intensifies and the government pursues its policy of encouraging foreign investment in the country, there is a risk that local communities will find it increasingly difficult to maintain their customary ways and practices.

One of the drivers behind land allocations in Cameroon is the misconception that vast tracts of land are not used productively, even though various sociological studies have shown that they are in fact under traditional production systems. Customary law has a complex and nuanced notion of ownership that includes spaces and resources that are collectively owned by communities, unlike statutory law, which only recognises local people's right to use land. The recent wave of investment and growing demand for land in Cameroon was largely triggered by the global financial and food crises, and is likely to be intensified by the moratorium on the creation of oil palm plantations in Indonesia, increased use of biofuels by countries in the European Union, and investments by the Cameroonian elite. On the supply side, the Cameroonian government is encouraging large-scale investments in order to achieve its economic development objectives. Another factor that has allowed this phenomenon to develop is a general lack of public information about large-scale land allocations.

Land allocations in Cameroon take many, sometimes surprising, forms. Investors have also become more diverse: in the past they were mainly companies traditionally involved in agro-industry or drawn into it through privatisation, but since the late 2000s major multinationals, foreign national companies and large Cameroonian enterprises have shown a growing interest in acquiring land in Cameroon. The size of the land allocations is also increasing. Companies are now introducing new crops including maize, rubber, jatropha and oil palm, alongside their traditional export crops (coffee, cocoa and cotton). The general trend is to focus on production for direct export before the produce is processed, which will certainly improve the national balance of payments, but does not create any real added value in Cameroon. The prices paid for land concessions vary considerably, as do land rents. Large tracts of land can generally be acquired very cheaply, which is detrimental to small farmers, especially those working in the vicinity of large agro-industrial operations. And while support for small-scale producers is a key component of the country's agricultural policy, incoming agro-industrial enterprises arguably offer local producers hardly any meaningful technical or financial support.

This report gives a detailed presentation of the legal framework for land transactions and investments in the agro-industrial sector in Cameroon. It starts by distinguishing between the different categories of land: state land, private property and national land. Because land is in short supply and agricultural land allocations are driven by investors, the state needs to be very rigorous in the way that it manages land and allocates rights to this resource. Land can be made available in three ways, which are all regulated by very specific conditions: it can be sold, assigned or leased on a temporary or permanent basis. The procedure is more or less tightly regulated depending on whether or not the land is in the public domain. It is usually relatively simple for investors, whose main focus is obtaining access to land and exclusive use rights to the areas they are allocated. However, the process does not necessarily take account of the views and rights of local communities. Although their ownership and use rights are recognised and protected under current legislation, they have little power to defend their rights or oppose land allocations, and have seen their lands greatly diminished. Failure to enforce their rights more scrupulously and actively could lead to localised conflicts and ultimately create instability at the national level.

At the end of the study we try to identify the impacts of this situation. One of the main issues that need to be addressed is the lack of transparency and access to information about the rights that are allocated to companies and their corresponding obligations. Land allocations are theoretically positive in terms of local development, as they create jobs and improve food security, infrastructures and the national balance of payments. In reality, however, cohabitation between agro-industrial enterprises and local communities has proved problematic, and it is debatable whether local people derive any real benefits from it. While contracts state that agro-industrial projects should take account of the environment and respect environmental standards, experience has shown that agro-industries have many negative effects on the environment, causing loss of biodiversity, soil degradation and multiple forms of pollution. And because these land allocation contracts make very little mention of the companies' social responsibilities, local expectations in this respect are rarely fulfilled.

While the current system, or lack of a system, seems to work in favour of these businesses, it also carries risks for them, as it does for the state and local communities. The government needs to put in place an effective, inclusive and transparent system as part of the current land reform, in order to create greater social cohesion and a more stable situation for all the parties concerned.

1. Introduction

1.1 The issue and relevance of this study

Cameroon is proving particularly attractive to investors in the agricultural sector. There are several reasons for this, not least the fact that, according to FAO statistics,¹ it has about 6.2 million hectares of arable land, of which only 1.3 million hectares (just under 20%) are cultivated. Its appeal also lies in its agro-ecological diversity, easy access to the sea and huge opportunities for irrigation (240,000 hectares of land could potentially be irrigated for agriculture, but only 33,000 hectares are irrigated at present).

Demand for arable land has increased at both the global and national levels in recent years. In Cameroon, this trend has manifested itself in two main ways:

- *Growing demand for land for agricultural investments* from both large-scale agro-industries and medium-sized enterprises (mainly controlled by local or national elites seeking anything from tens of hectares to several hundred hectares of land).
- *Pressures on agricultural land from non-agricultural activities.* Large-scale infrastructure projects (such as dams, pipelines, railways and deep water ports), forestry and mining concessions and protected areas² are encroaching upon the land used by communities (or which they might use at some time in the future). The rapid development of this phenomenon is exacerbating land shortages in rural areas, at a time when demographic growth is set to significantly increase the demand for arable land in rural communities.

The argument that there is plenty of available land in Cameroon is based on the assumption that some land is vacant and ownerless. Proponents of this view have had a decisive influence on the management of the country's land and resources since the start of the colonial period. The Land Law and, in a general sense, the law on natural resources are based on this perception, even though it has been sociologically disproven. Cameroonian communities have traditionally claimed rights to all the country's land, which they regard as part of their customary holdings (Alden Wily, 2012). However, the customary regime has a fundamentally different concept of ownership from the statutory law inspired by the colonial regime, which regards land ownership as essentially individual and gives absolute rights over the land (to

1. See <http://landportal.info>

2. Article 22 of Law No 94-01 of 20 January 1994 regarding the regime for forests, wildlife and fishing, states that "[p]ermanent forests should cover at least 30 per cent of the total surface area of the national territory and represent the country's ecological diversity." Permanent forests, which are made up of forestry concessions and protected areas, therefore restrict access to what amounts to a little under one third of the national territory. When other current or potential commercial land uses are taken into account, even allowing for overlaps, there is clearly a huge risk that rights will be frozen in the long term if no national land use plan is put in place.

use, enjoy its produce or alienate it). Under customary law in Cameroon, the notion of ownership is more complex and nuanced: along with the individual ownership seen in statutory law, certain spaces and resources are collectively owned by the community. Its members are allocated individual rights to these shared assets, but this does not mean that they own them. These common spaces constitute a sort of land reserve for the community; a multi-functional space³ governed by well-defined management rules that are implemented by traditional institutions which have the power to exclude anyone from outside the community from using it (Ostrom, 1990).

Land is central to local people's development strategies. Most rural activities in Cameroon involve using local spaces and resources to provide food, shelter and income from agriculture, including rearing livestock, fishing, gathering wood and non-timber forest products, producing charcoal and hunting. And land is not just a productive resource; it also has a cultural value and shapes the identity of the people whose livelihoods depend upon it. It is where they live and work, and home to their sacred and religious sites where ceremonies are held to protect the community and maintain people's links with their ancestors. As such, it is a key element in the community's social cohesion and security. It is interesting to note that the changes communities have been forced to make in the way they manage their spaces and resources have led to their rapid structural acculturation. In its annual report to the League of Nations in 1922, the British colonial administration in Cameroon notes with regard to the Bakweri: "Uprooted from the homes of their forebears, settled willy-nilly on strange soil, deprived of their old-time hunting grounds, and fishing rights, the Bakweri have retained but a small sense of tribal unity or cohesion".⁴

Today, the land supports a wide range of activities, both commercial (such as mining, forestry and land concessions and hunting areas) and non-commercial (such as protected areas and infrastructure projects). Investments in natural resource use and land management in Cameroon are diversifying and intensifying, but it is often hard to determine the exact status of these projects, despite extensive media coverage of land concessions, reports about transactions that have been concluded and announcements regarding the intentions of the companies concerned. These uncertainties not only make it difficult to understand the real nature and scope of large-scale land acquisitions in Cameroon, but could also hamper the introduction of effective measures to regulate land transactions and optimise land and resource use by different, possibly mutually exclusive, interest groups.

1.2 Study objective

The objective of this study is to assess large-scale land acquisitions for the agro-industrial sector in Cameroon between 1 January 2005 and 31 August 2013. In

3. These spaces are used for hunting and gathering non-timber forest products, activities traditionally undertaken on land that is not individually appropriated.

4. Extract from the article *A brief History of the Bakweri Land Problem*; see the Bakweri Lands website at www.blccarchives.org/2006/07/a_brief_history.html#more.

order to contribute to reflections on this issue in the Cameroonian context, it aims to provide an overview of large-scale land acquisitions in the country, showing the general trends in the development of this phenomenon, the relevant legislation currently in place, and the effect of such acquisitions on local and national development. This is not intended to be an exhaustive analysis, but a more modest attempt to use the information we were able to gather on investments in the agro-industrial sector to identify and demonstrate trends in this domain. This report will also provide a reference point for subsequent efforts to update the database and follow up the short analyses generated by the study. The year 2005 was chosen as the starting point for data collection because we wanted to analyse all the transactions in the new wave of large-scale agricultural investments in Cameroon. The 1,000-hectare threshold reflects the difficulty of categorising agricultural investments by their size, and the complexity of the task facing the researchers who collected the data and analysed the phenomenon of large-scale land acquisitions. We chose this threshold because it is generally used in studies on large-scale land acquisitions⁵ and we wanted to be able to compare the situation in Cameroon with other national contexts. That said, we are unlikely to have identified all the large-scale land acquisitions in Cameroon because these transactions do not always comply with the national land laws, especially those regarding the exclusive powers of the Ministry of Public Lands, Cadastral and Land Affairs (MINDCAF) to sign contracts for land concessions. This makes it hard to establish an exhaustive list of all the large-scale land acquisitions that have taken place since 1 January 2005, especially those that were agreed in violation of the national legislation.

1.3 Methodology

This study was conducted in all ten regions of Cameroon, with the main regional towns used as the geographic departure point for data collection in each region. Researchers were deployed across the different departments, paying particular attention to those that seemed to have available arable land. The interviews mainly targeted local administrative authorities and officials, civil society organisations (CSOs) in the broad sense (associations, non-governmental organisations, religious and community organisations) and senior staff in agro-industrial enterprises.

Research team members shared their knowledge at a preparatory workshop held in order to harmonise their perception of the phenomenon they were going to study, and to determine how they would conduct this exercise in the Cameroonian context. What did they want to find out and how were they going to do so? Who were they going to get the information from, and how would they manage information gaps? What level of consensus among respondents would be required for the information to be considered credible? The preparatory workshop also provided an opportunity to present the data collection methodology and prepare researchers for any difficulties they might encounter in the field.

5. Many studies use the threshold of 1,000 hectares, such as Theting and Biekke (2010) and Cotula *et al.* (2009) to name but two.

The study involved interviews with a range of stakeholder groups: administrative and local authorities, communities (where relevant, this category was subdivided into agro-industrial company employees, small-scale farmers, and people whose primary activities were non-agricultural), local CSOs and senior staff in agro-industrial enterprises. Sampling techniques and sample sizes depended on the target data and units of analysis.

The study sample was set up through a snowball effect, whereby each person who was questioned suggested other respondents. The representivity of the sample was achieved through saturation, that is to say, we decided to stop the surveys for each unit of analysis when different respondents gave similar responses to particular themes, even if they contradicted the researcher's other sources.

The administrative and local authorities in this study include sub-prefects and mayors in communes, local officials in (MINDCAF) and the Ministry of Agriculture and Rural Development (MINADER), and village chiefs and dignitaries. The survey covered a total of 40 administrative authorities and 24 local authorities in the ten regions of Cameroon. In addition to this, we had access to one or two resource people in each village, who did not correspond to any of these categories but who had information or advice that could enrich the analysis. Respondents were selected according to the topic and the availability of the administrative and local authorities. We were seeking information about the amounts of land that have been acquired for agricultural investment since January 2005; asking questions about the location of the land, how it was acquired, what crops will be grown on it and the target market for the produce. The team also had access to some of the administrative paperwork relating to land concessions.

Interviews with communities were organised in each of the ten regions. A total of 153 people were interviewed: owners of large agricultural operations, employees on big plantations, small-scale farmers using artisanal methods, and other people involved in non-agricultural activities. Semi-structured interview guides were used to interview individuals, who were chosen at random. The department responsible for land allocations had collected specific information dating back to 2005 regarding the location of the land, the year and mode of allocation, the nature of the rights transferred, agricultural activities undertaken on the land and the target market for its produce. Focus groups of five to eight people were set up in communities that had been affected by at least one large-scale land acquisition for agro-industry by national or foreign investors. A total of 17 focus groups were set up across the country. Members of these groups were selected from each department of every region (five in the southwest, three in the east, two in the central region and seven in the south) in order to gather information about local people's perceptions of the effects and impacts of these investments.

Local CSOs were selected on the basis of their land-related activities and their presence in the research area. They were asked for information about the amounts of land allocated since January 2005, the location of the land, the mode of acquisition,

the crops grown on it and the target market for these crops. Reports were consulted where available.

Most of the senior staff in agro-industrial companies that were contacted worked in agro-industrial plantations created before 1 January 2005, or which had expanded between 2005 and 2012. Here, the data gathered related to the amount of land acquired, its location, mode of acquisition, the crops grown on it and the target market for these crops. Annual reports were also consulted where available and accessible.

The data from secondary sources are presented in comparative tables, while the primary data are presented according to the type of survey. Where possible, the data from interviews were coded before being processed. They were also transcribed and classified so that information from different interviews could be grouped into themes. These data are presented in tables, figures and comments, and in quantitative and qualitative analyses.

Data from the surveys were processed and analysed using SPSS.17 and Microsoft Excel, and grouped into eight themes:

- Identity of the company
- Location
- Details of land use or land transactions
- Agricultural activities envisaged by the enterprise
- Types of jobs created
- Companies' tax regime
- Analysis of the social impact of the operation, and
- Analysis of the environmental impact of the operation.

After the information from the interviews had been examined, it was triangulated to identify and categorise the different viewpoints that emerged from the units of analysis, distinguish the characteristic elements of trends in large-scale investments in the agricultural sector in Cameroon over the last few years, and determine their consequences and impacts.

Table 1 shows the distribution of respondents in each region.

The data from secondary sources came from reports on agricultural land acquisitions dating back to 2005 that were available in the land registry services (national, regional and departmental registers), reports from Cameroon's national library and the Internet. The press was also a useful source of information, although the team was not always able to verify the content of its reports on investments in the field.

1.4 Difficulties encountered and limitations of the study

The surveys conducted by researchers were thematically organised according to the respondents. We used a combination of different data collection and analytical tools,

Table 1. Number of respondents by region and stakeholder type

	Coastal	South	Central	East	West	South-West	Adamaoua	North-West	North	Far-North
Administrative authorities/ administrative staff	6	4	4	4	4	6	5	4	2	1
Local authorities / resource people	4	2	6	2	2	2	2	2	1	1
Members of civil society	6	3	4	1	1	1	1	1	3	3
Managers of industrial plantations	1	1	1	1	1	1	1	1	1	0
Communities (including farmers and agro-industrial workers)	34	21	21	12	7	15	13	12	9	9
Total number of people questioned	51	31	36	20	15	25	22	20	16	14

as respondents could not always answer all the questions planned for the individual surveys depending on their particular background. The team were not able to collect all the data they wanted, partly because some of the managers of the agro-industrial companies that were contacted were not available for the study, and partly because of the difficulty in gaining access to land allocation contracts.

The main difficulties the team encountered are inherent to this type of study and the particular context in which it was undertaken. It is especially hard to gather reliable data on large-scale agricultural investments in Cameroon because there is no government database that centralises all the information on this kind of transaction. There is a national land register, which is overseen by MINDCAF, but it only records transactions that have already been concluded in accordance with the current legislation. There are no records of the numerous transactions that are underway or that were completed in violation of the legislation.

We noticed that the information on transactions available in local and national administrations is very fragmented (even for finalised transactions) and is even more piecemeal among communities living on and around the land in question, whether negotiations are still under way or the contracts have been signed.

In addition to this, the number of transactions reported in the press exceeds those that we were able to verify in the field. This is because many reports are made on the

basis of investors' declared intentions, and remain on the list of planned investments in Cameroon even if they come to nothing.⁶ Similarly, some investments that had been announced in the press ended up involving different amounts of land in different places, but these changes were never reported in the media.

Therefore, this study is a brief assessment of the situation, prepared in a period when there was a marked increase in large-scale land allocations (ongoing or concluded), and in a context where little is known about the phenomenon in Cameroon despite the existence of several studies on the topic.

1.5 Structure of this report

This report starts by examining the different types of demand for land in Cameroon: for forestry, resource extraction and agro-industrial use. The combination of these demands and the government policy of encouraging foreign investment is affecting the capacity of communities to preserve their rights to land and resources and maintain their way of life.

The next section explores the determinants and characteristics of land allocations in Cameroon. There are many determining factors, from the mistaken perception that there are vast swathes of unexploited land, which are actually under traditional production systems, to the global financial and food crises. Demand for land is partly driven by investors and partly by the government's desire to attract large-scale investments in order to achieve its economic objectives. The section on the characteristics of land allocations describes how these fundamental changes are occurring in the Cameroonian context.

This is followed by a detailed presentation of the legal framework for land transactions and investments in the agro-industrial sector in Cameroon. The final section identifies the different, often disappointing, impacts of this situation, especially for local communities, and concludes with some suggestions for the future.

6. For example, an Asian company announced a planned investment in over 800,000 hectares of land in three different sites that never materialised.

2. The challenge of reconciling different uses of land and resources

The current demand for land from agro-industrial operators and the arrival of a modest number of companies involved in large-scale agriculture is one aspect of the rapid development of activities to manage and exploit the spaces and resources in Cameroon.

The new forms of land and resource use that have been introduced since the colonial period are affecting local people's capacity to preserve their ways of life and their relationship with nature. The conservation of flora and fauna and the large-scale allocation of commercial rights to land and resources are both novelties inherited from a colonial regime that still shapes the way land is used across the country. The current distribution of space and allocation of land rights reflect the diversity of land uses in Cameroon.

2.1 The forestry sector

In 1994, Cameroon started to divide forested land into two main categories as part of a radical reform of the political and legal framework of its forestry sector. These categories are permanent forests (with protected areas and forestry concessions) and non-permanent forests (with some areas that can be converted for agricultural use). A large proportion of these spaces have been allocated or assigned for various uses. Table 2 shows the amount of land in each category of forest envisaged by the zoning plan.⁷

2.2 Resource extraction

In addition to forest zoning, land is being divided up in new ways as concessions are granted (in mining, oil and gas) to extract resources. This has added to the growing pressure on land since the early 2000s. A total of 303 mining permits have been issued since the new Mining Law came into force, most of which are still at the exploratory stage (Republic of Cameroon and Extractive Industries Transparency Initiative, 2013). After many years of offshore oil drilling, Cameroon has recently become interested in its land-based oil fields, and is also starting to develop its gas reserves. By 2012 it had issued permits covering a total of just over 10 million hectares of land. However, mining seems incompatible with other modes of land and resource use (such as plantations and forestry in developed forests) as it involves clearing forest lands. The existence of all these mining and drilling permits,

7. The forestry zoning plan for southern Cameroon was created by Prime Ministerial Decree No 95/678/98 of 18 December 1995.

Table 2. Distribution of forest lands in Cameroon, 2012					
Permanent forests	Number	Area (hectares)	Non-permanent forests	Number	Area (hectares)
Forest management unit	111	7,005,550	Community forests	342	1,182,624
● <i>Allocated</i>	100	6,169,360	<i>Community forest reserves</i>	11	31,027
● <i>Abandoned</i>	4	191,953	<i>Community forests under provisional management agreement</i>	34	157,588
● <i>Unallocated</i>	7	644,237	<i>Community forests with a simple management plan</i>	60	166,594
Forest reserves ^a	72	901,803	Community forests under a definitive management agreement	237	821,421
Protected areas	35	4,570,284	Logging permits ^c		132,912
National parks	25	3,607,523			
Wildlife reserves	5	818,852			
Wildlife sanctuaries (flora and fauna)	5	143,909			
Hunting grounds (game areas and community managed game areas) ^b	71	3,333,285			
Communal forests	34	872,857			
Total permanent forest area	100	16,683,779		Total non-permanent forest area	1,315,536
Other allocations of commercial land rights					
Mining permits	171	14,436,008			
Parcels allocated to agro-industrial companies	62	334,308			

Notes: a) Including wilderness reserves, productive forests, protected areas, and forests used for research, education and recreational activities. b) Hunting grounds cover a total area of 5,559,253 hectares. This includes overlaps with other permits and/or concessions. c) Valid and operational.

agro-industrial operations and forestry concessions shows the urgent need for rigorous efforts to rationalise and plan land and resource use in Cameroon.

Overlapping rights to land by mining and forestry permits, protected areas and spaces used by communities are common across Cameroon. (see, for example, WWF *et al.*, 2012; Nguiffo, 2013b).

2.3 Agro-industries

Agricultural investments are adding to the growing pressure on land in Cameroon. After the rapid development of agro-industrial plantations during colonisation, there was a relative slowdown in investment in this sector when the state became the main plantation owner after independence. It then ceded part of its shares in agro-industrial plantations to private, mostly foreign, companies as a result of the structural adjustment programme.

Table 3. Agro-industrial companies in Cameroon before 2005

Company/ agricultural project	Share- holders	Location	Area allocated through signed agreement with the state (hectares)	Crop	Existence of a long- term lease
CDC	Para-statal	Various locations in the southwest	102,000	Oil palm, rubber and banana	Yes
Pamol	Private: 90% State: 10%		41,000	Oil palm	Concession
SOCAPALM	Bolloré: 70%	Various locations on the coast and in the south	58,000	Oil palm	Yes
HEVECAM-Golden Millennium Group (GMG)	Private (GMG): 90%	Ocean Division (South)	41,000	Rubber	Not known
Upper Noun Valley Development Authority (UNVDA)	Not known	Ndop	136,700	Rice	Not known
Société sucrière du Cameroun (SOSUCAM)	Not known	Mbandjock and Nkoteng	12,000	Sugar cane and processing into sugar	Not known

Table 3. continued

Company/ agricultural project	Share- -holders	Location	Area allocated through signed agreement with the state (hectares)	Crop	Existence of a long- term lease
Mont Mbappit rural development project (MINADER)	Not known	Noun	1,200	Rice and market gardening	Not known
SOCAPALM (formerly Ferme Suisse)	Not known	Edéa	3,793	Oil palm and processing into palm oil	Not known
SOCAPALM (formerly SAFACAM)	State and private Camerooni an and foreign actors	Dizangué	4,870	Rubber and oil palm	Not known
Village plantations –Sanaga Maritime	Not known	Sanaga Maritime		Rubber and oil palm	Not known
Ndawara Tea Estate	Private	North west	Not known	Tea	

Source: Adapted from MINEPAT (2013), p. 78.

2.4 A policy of encouraging investment

Like other African countries, Cameroon has adopted an economic policy that aims to attract direct foreign investments in order to drive the nation's growth (Republic of Cameroon, 2009a).⁸ In the land sector, this objective was reflected in a Presidential Instruction intended to encourage large-scale agricultural investments (so-called 'second-generation agriculture'), which would in turn require reforms facilitating investors' access to land. At the agro-pastoral fair in Ebolowa in January 2011, the head of state asked for a land reform to be put in place as a matter of urgency, along with an agricultural bank to provide financial support for new investors in the agricultural sector. Although this bank would not necessarily only be open to large companies, its target clientele is likely to be part of the official agriculture sector. The numerous small-scale producers in Cameroon will probably have difficulty accessing its services due to their lack of recognised land rights, bank accounts or presence on the tax register or social records. The head of state set a deadline for his instruction, asking the Minister of MINDCAF to complete the reform within six months. Although it failed to do so, the desire for prompt action is worth noting.

8. The strategy describes how the 'Vision for 2035' will be implemented. Its objective is to make Cameroon an emerging economy by 2035. One of the central planks of this strategy is the exploitation of natural resources and development of agro-industries.

Since then, Gabon has also initiated a rapid reform of its Land Law, with Order No 00000005/PR/2012 of 13 February 2012 setting out the land ownership regime in the Republic of Gabon. Here too, the main objective was to facilitate access to land by agro-industrial enterprises. In Gabon, the order signed by the president of the Republic was not endorsed by the parliament, and the opposition of the legislative power possibly reflects the fact that such a position is very controversial in African societies, and that a Parliamentary vote on the issue would not necessarily deliver the desired swift action.

The urgency and orientation of the Cameroonian reform can be explained by the strong demand for arable land, which had risen suddenly at the time of the Ebolowa fair in 2011. The first contracts in the new wave of large-scale agricultural investments date back to 2008-09, although some of these transactions were not made public until later. In addition to the transactions that have already been concluded, there are a large number of ongoing negotiations over areas ranging from 1.5 million to 2 million hectares. Anticipating the demand for land, and wishing to remove any obstacles that might hamper its rapid allocation, the president of the Republic decided that a land reform was the best course of action.

Since then, Cameroonian employers have followed in the head of state's footsteps and sought to support government policy by encouraging business leaders to invest in the agricultural sector. In 2013, the Cameroonian Employers' Association (GICAM) started using the 'One boss, one plantation' initiative to encourage its members to invest hugely in the agricultural sector and to help make the transition from subsistence farming to modernised agriculture.⁹

Large-scale land acquisitions in Cameroon are very diverse. The players involved on the investment side include large numbers of foreign multinationals and Cameroon's administrative, political and military elites, who will probably soon be joined by Cameroonian employers. Without a systematic and exhaustive study of large-scale land acquisitions in the country, political decision makers and observers will lack an overview that will enable them to better understand the characteristics of this phenomenon and the major challenges for the legislator, investors and local communities. More studies are needed to improve our understanding of this complex issue and help formulate proposals for a more effective legal framework.

The global food crisis caused by the sharp rise in the cost of major food items, increasing production of biofuels and the uncertainties arising from the financial crisis led investors from northern countries and newly industrialised countries in Asia to rush to Africa in search of land to help them safeguard their food, energy and financial security. This crisis also revealed serious shortcomings in the structure of food production and distribution processes at both the national and global levels.

While there is no doubt that investor-led demand for large-scale landholdings in Cameroon's agro-industrial sector is growing, there is very little accurate information

9. The initiative was presented at GICAM's 114th general assembly on 12 December 2012 in Douala. See <http://www.journalducameroun.com/article.php?aid=12954>.

about the companies that have set up shop in the country (for instance, on the amount of land leased, the area planted, the area under production, the number and type of jobs created, land revenues or the redistribution of ground rents). Cameroon does not have a national land-zoning plan that divides the available arable land into spaces for agro-industrial activities and/or for small-scale farmers. Furthermore, the long-term leases negotiated by these agro-industrial enterprises give them more stable and better protected rights than small farmers and indigenous populations, who do not usually hold rights to the land that they occupy. The land that is wanted for large projects, especially agro-industrial initiatives, is mainly located in rural areas. Over 70 per cent of this land is not recorded on the land register, and a large proportion of it is used by rural people who only have use rights. Therefore, it is extremely important to investigate acquisitions and investments in the agro-industrial sector and gauge their possible impact on development in Cameroon. Investors have shown a growing interest in agricultural land in Cameroon since 2005, when the first wave of foreign investors came looking for land for biofuels and projects to grow jatropha, which never materialised. As food prices rose sharply in 2008, certain countries decided that the best way of ensuring their long-term food security was to take control of arable lands in other countries, prompting an upsurge in investments in the agricultural sector that shows little sign of slowing down.

3. Determinants and characteristics of large-scale land acquisitions

3.1 Determinants

Although there is a general perception that plenty of land is available for large-scale agricultural investments in Cameroon, much of this land is actually used by local communities for visible forms of productive use or more extensive activities such as hunting, fishing and gathering forest products. These modes of production, which cause relatively little harm to different species and resources, helped maintain the colonial illusion that these lands were vacant, and still colour the state's perception of how much arable land is available.

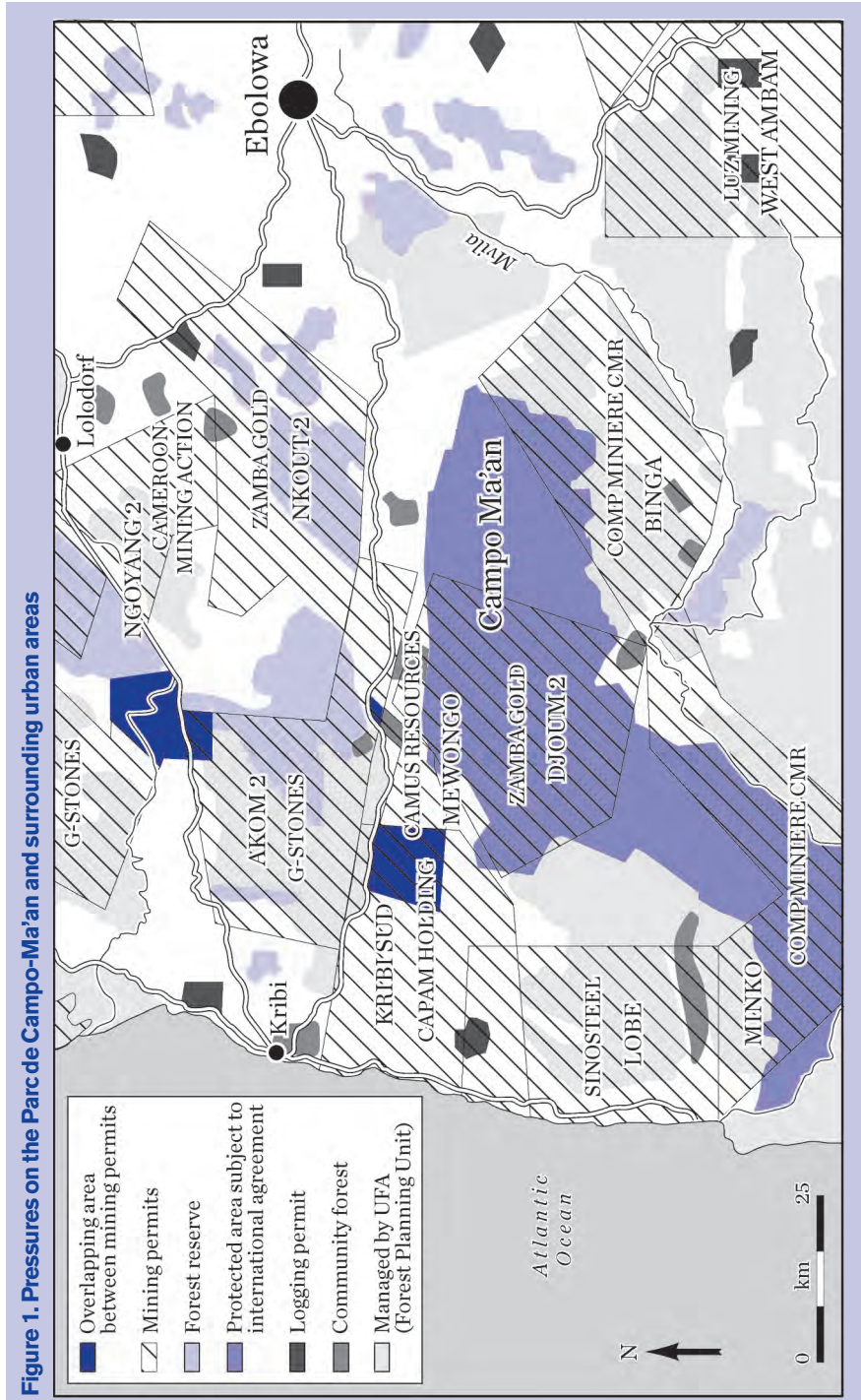
While the most sought after (and allocated) land is usually not being used productively, and is regarded by local communities as not being in use, it is nonetheless an integral part of their land management system. These lands are part of the community's collective property (the 'commons') and are not individually appropriated under customary or statutory law. Colonial law did not acknowledge the existence of the commons, allowing the colonial administration to take control of as much land as it wanted, and the only recognised rights communities have had to these lands since then have been specific, limited use rights: they can only use their produce for personal consumption and are not permitted to sell it.

The illusion that land is readily available also needs to be corrected. In reality, the rapid development of the mining sector (with over 300 exploration permits issued between 1 January 2005 and the end of May 2013), forestry concessions (which are still valid for a minimum of 15 years) and large infrastructure projects is exacerbating land shortages in rural areas. The government policy of creating land reserves as tools to implement its land policy could reinforce this trend by intensifying pressure on rural land.

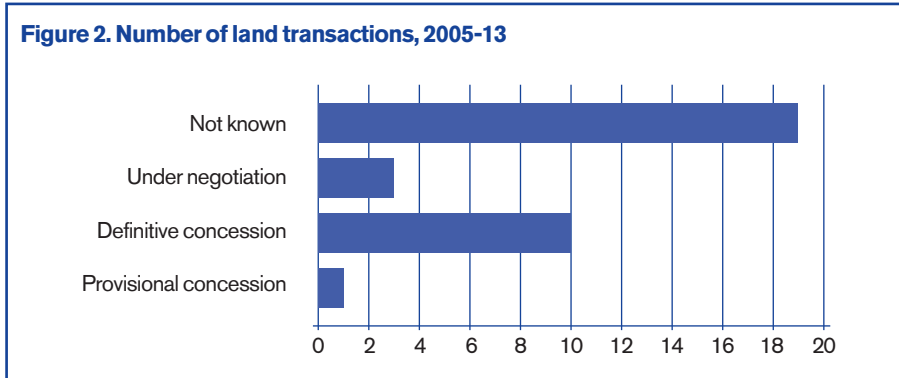
Figure 1 shows the land shortages caused by the multiple demands on land in the districts of Kribi, Nyé'été, and Campo Ma'an, which significantly restricts the land and resources that communities can access for their daily activities.

New investments in the agricultural sector can be explained by several factors. The first, classic factor is the combined effects of the financial and food crises, which have boosted foreign investment in the agricultural sector since the late 2000s. Between 2005 and 2013, about 30 companies claimed rights to holdings of between 1,000 and 500,000 hectares, the status of which is not always known.

We can see that there has been a surge in demand for arable land and a significant increase in the amounts of land requested since 2008. This was particularly marked between 2009 and 2012, at the time of the financial crisis and the sometimes violent



Source: WWF et al. (2012).



Source: Data collected by the authors, 2013.

demonstrations sparked by the global food crisis. Figure 2 shows that more transactions have been reported than were actually concluded (provisionally or definitively). During the study period, a total of 11 transactions (10 definitive and 1 provisional) were listed in the category of land under provisional or definitive concessions, which is just a third of the 33 reported transactions. The situation is further complicated by the fact that activities started on some concessions while negotiations were still under way (such as laying foundations, boundary marking, clearing, setting up nurseries or production). As a result, the figures show that activities are taking place on more concessions than there are plantations on definitive or provisional concessions. These works also often go ahead without consulting local communities, taking account of their rights or compensating them.

The regime for compensation in Cameroon is inappropriate for the production systems in its rural communities, as it is based on productive land use (such as construction or crops)¹⁰ and only relates to the land itself when it is covered by a property title.

Article 8 of the Law of 19 January 1994 setting out the regime for forests, wildlife and fish mentioned the possibility of compensation for land appropriate for reasons of public utility, but gave no further indication of how compensation would be paid (for which resources and how they would be evaluated), and the text that was supposed to provide the details of this was never signed. Most rural communities depend on the land and its resources for their daily survival and remove resources under their rights of use, which are not covered by compensation. As a result, land clearances for agro-industrial projects invariably have an adverse effect on community living spaces and access to resources.

The moratorium on the creation of oil palm plantations in Indonesia has also shaped the new geography of global oil palm production, which is increasingly concentrated on African soils. Some 27 per cent of the prospective or assigned land will be used

10. Decree No 2003/418/PM of 25 February 2003 setting the compensation rates for crops.

for oil palm, and 73 per cent will be under other crops such as maize, rubber, cocoa, coffee, rice, dessert bananas, sugar cane, livestock and soya. The national shortage of palm oil for domestic consumption¹¹ cannot be the only explanation for investors' sudden interest in oil palm in Cameroon. As demand for palm oil has risen markedly in recent years, the demand for land to produce it could also be explained by their desire to invest in a profitable crop that is likely to continue to generate good returns for the foreseeable future. In fact, demand for arable land to grow oil palm is also rising in other African countries whose ecology lends itself to this crop. Another factor could be international leakage, as commitments to reduce carbon emissions in one country result in activities that destroy natural forests and significantly increase emissions in other parts of the planet. Thus, attempts to resolve a problem in Southeast Asia have simply relocated it to other parts of the world, with equally serious consequences for local communities and at the international level.

The European Union objective of using biofuels for 10 per cent of its total fuel consumption has also created an incentive to produce plants that can provide biofuels for the European market. The fact that African countries are closer to Europe than the traditional production sites in Southeast Asia has doubtless increased the number and size of plantations in Cameroon and elsewhere on the African continent. Growing crops for biofuels is still an option for investors, even though it is impossible to tell how much land will ultimately be allocated for this use. One agro-industrial company producing palm oil has already tested the use of palm oil for biofuels in Cameroon.

Cameroonian investments in the sector can be explained by a combination of factors, including the following:

- *Attachment to the land, which is common among most national elites.* The vast majority of Cameroonians come from rural areas. They feel deeply attached to the countryside, and regard land and agriculture as traditions that should be continued. This has led to the creation of plantations in certain regions, and what was dubbed 'agriculture for the elite' in the 1980s: a sort of ceremonial activity that involved considerable human and financial resources but was not necessarily economically profitable. In addition to these investors, a growing number of genuine rural entrepreneurs see agriculture as a source of income. They are particularly active in the southern, central, coastal and southwestern regions of Cameroon, and some have plantations covering hundreds of hectares. A growing number of the elite seem to be trying to obtain holdings by privatising common lands, which is something that requires more detailed analysis.
- *Investing for retirement.* Many senior civil servants and staff in the private sector acquire agricultural land that they use to try to maintain or even improve their standard of living when they have retired. Some of these actors use their relations or position to help them acquire land, preferably in the region (or village) that they or

11. Although Cameroon produced around 250,000 tonnes of palm oil in 2011, it had to import 35,000 tonnes of vegetable fats and oils to make up the shortfall (see MINEPAT, 2013, p. 60).

their spouse originally came from or worked in, or in an area with fertile soils and accessible land. The main areas that fulfil this last criterion are the department of Mounou on the coast; the southwest region; the department of Noun in the west; the departments of Mbam-et-Kim, Mbam-et-Inoubou and Haute-Sanaga in the central region; the south; the region of Adamaoua; and the outskirts of Yaoundé and Douala.

- *Speculative investment linked with urban population growth.* This is more common around major urban centres, where elite groups are acquiring large tracts of land in the expectation that nearby towns will inevitably expand. Yaoundé, for example, is rapidly advancing towards neighbouring towns and gradually absorbing villages in the buffer zones. This process has contributed to a significant increase in land registrations by (or on behalf of) city dwellers in villages around Yaoundé and Mfou, Ngoumou, Soa and Obala, among others. The same phenomenon can be seen in Douala, with the registration of land on all the routes leading from the town to Mounou, Nkam, Sud-Ouest and Sanaga-Maritime.

Large-scale land transactions in Cameroon are not only driven by demand from investors. An important factor on the supply side is the government's desire to make Cameroon an emerging economy by 2035 (MINEPAT, 2009). In order to do this it will have to grow, hence the quest for investors and the efforts to make the country attractive to foreign direct investments. Indeed, the head of state justified the reform of the land law by the need to facilitate access to land for investors in the agricultural sector.¹² During his visit to Turkey in March 2013, he reminded his hosts that Cameroon would welcome investments in the agricultural sector, declaring in his final speech on Turkish soil:

"We offer huge and diverse potential for agro-pastoral activities and fisheries due to the variety of climates and soils in Cameroon. About 85 per cent of our land is cultivable, and only about 20 per cent is currently under cultivation. Our diverse agricultural output includes food and cash crops such as bananas, cotton, coffee, tea, sugar cane, natural rubber, cereals, fruit and vegetables, root crops and many other products. There are certainly growth niches to be developed, not to mention the comparative advantages that the north and north eastern part of the country offers for rearing livestock, especially cattle. Our pivotal position between the huge markets in Nigeria and the Central African Economic and Monetary Community (CAEMC) give us a potential market of 300 million consumers, if one includes the Democratic Republic of Congo and Sudan. Turkish investors would be welcome to bring their expertise to our 360 km of coastline and the 17 million hectares of usable forest that make Cameroon the second largest forested area in Africa. This supports nearly 300 usable species – of which only about 60 are used."¹³

12. In his opening speech at the Ebolowa agro-pastoral fair in January 2011, the president of the Republic listed various challenges that Cameroon urgently needs to address, including "preparing a land reform that will enable us to respond to the demands of second-generation agriculture". See <http://www.cameroon-info.net/stories/0,27933,@,ouverture-du-comice-agro-pastoral-d-ebolowa-le-discours-du-chef-de-l-etat.html>.

13. Closing speech given by Head of State Paul Biya on his official visit to Turkey, 27 March 2013. Since then, it has been noted that Turkish investors have started the process of large-scale land acquisitions in northern Cameroon. There are reports that huge tracts of land are sometimes involved, although it is not currently possible to verify whether this is true.

3.2 Characteristics

a) Lack of public information

There is little or no public information about large-scale land acquisitions in Cameroon, the processes leading to land leases, the size of the allocations, or how the allocations are processed at the local level and by the central administration. There are no public announcements regarding the demand for land and its provisional or definitive allocation, and information on projects is not always available to the general public or local communities. A recent survey by CED on access to information by local communities and authorities around seven agro-industrial plantations (CED, 2013a) revealed that:

“The communities’ level of knowledge about the company is linear, starting with the name of the company, its activities, the managers’ nationality, the destination of the products, the date it was set up, whether or not there are plans for expansion, the amount of land allocated, and the length of the lease. It is relatively easy find out the name of the company and nature of its activities, but virtually impossible to get hold of two pieces of information that are crucial for the communities and the company to have an equal partnership: the amount of land the company has acquired and the duration of its contract.”

This study also shows that local civil servants (including those in charge of land and agricultural matters) are often ill-informed about the situation, and that this lack of knowledge has an impact on the level of information available to the communities that the local authorities are supposed to serve. One of the causes of this information gap is the absence of formal channels of communication between the companies and local stakeholders.

The only information whose availability is regulated by current legislation¹⁴ relates to the process for adopting environmental impact assessments (EIAs). EIAs should be made public during the public consultation phase, with hard copies of the study made available in reading centres in the project area. The obligation to publish EIAs ends when the public consultation phase finishes. Reports on environmental audits and environmental and social impact assessments (ESIAs) are rarely, if ever, published.

Other information, including items of direct interest to the beneficiaries (such as the total amount of ground rents, date of payment, social clauses of the contract and obligations to third parties, especially communities) is not made public, and is consequently inaccessible.

The administration does not have a well-thought or written policy on large-scale land acquisitions. This fact, and the apparently ad hoc nature of current practices, could be prejudicial both to the recognition and respect for communities’ rights and to efficient and effective land use.

14. See, for example, Law No 96/12 of 5 August 1996 regarding the framework law on environmental management, and Decree No 005/0577/PM of 23 February 2005 setting out the procedures for environmental impact assessments.

b) Diversification of investments in the sector

Large-scale land acquisitions in Cameroon take many forms. Immediately after the colonial period, large plantations either belonged to private (natural or legal) individuals holding rights from the colonial period or to the state, which had inherited assets from its predecessors (Etoga Eily, 1971; Nguiffo and Schwartz, 2012; Tchawa, 2012). Investors in Cameroon mainly consisted of French and British nationals associated with the former colonial powers, and a smaller number of companies or individual investors from third countries (such as Unilever from the Netherlands and several plantations belonging to Greek nationals).

French investors became a much stronger presence as the economic crisis prompted the state to disengage from production sectors and move towards privatisation. They were joined by a handful of actors from other countries, such as Indonesia and then the United States. The new land rush at the end of the 2000s marked a huge change in the sector and its diversification in terms of the origin and nature of investors, the size of the concessions, the resources concerned, and the rights recognised to communities.

While investors used to be classic agro-industrial companies or businesses that became involved in agro-industrial activities through privatisation, four new categories of actor started to show a growing interest in acquiring land in Cameroon at the end of the 2000s:

- Leading multinationals involved in the agro-industrial sector from different parts of the world from traditional investors in Cameroon, such as Malaysia, Indonesia, the United States, Russia and India
- Multinationals that were traditionally active in sectors other than agro-industry for whom Cameroon was their first or only venture into this sector
- State-owned companies from other countries (including China), and
- Large Cameroonian companies, including one that occupies over 5,000 hectares of land in the Adamaoua region.

Table 4 shows the diverse origins of the companies seeking land in Cameroon. It also reveals the demand for very large tracts of land – much larger than the areas controlled by existing plantations. It is interesting to note that actual land allocations are smaller than the areas specified in the original applications. Thus, since 2005, the largest concessions allocated covered 45,000 hectares and just under 20,000 hectares. The company that was allocated the latter in 2013 had initially requested 73,000 hectares in 2009.¹⁵

15. June 2013 minutes of the Nguti Division of the Land Consultative Board and the decrees of 25 November 2013 signed by the president of the Republic assigning rights to land in the districts of Nguti, Mundemba and Toko. The reduction in the size of the plantation followed a decision by the Ministry of Forestry and Wildlife to suspend operations by the company. After the suspension was lifted, the company submitted a more modest proposal (see Djoyum, 2013).

Table 4. Amount of land requested or controlled by each company, and its country of origin

Company	Country of origin	Amount of land (hectares)
Hydromine	Brazil	500,000 ¹⁶
Justin Sugar Mills	India	155,000 ¹⁷
CDC	Cameroon	102,000 ¹⁸
Moscow Coffee House	Russia	100,000 ¹⁹
Green Field (Azur)	Cameroon	60,000 ²⁰
HEVECAM-GMG	China	59,974 ²¹
Sud Hévéa	China	45,200 ²²
Pamol	Cameroon	41,000 ²³
Sime Darby Plantation	Malaysia	40,000 ²⁴
Cargill	US	38,000 ²⁵
SNI (National Investment Corporation) pilot farm	Cameroon	26,700 ²⁶
SOCAPALM	France	21,700 ²⁷
West End Farms	Cameroon	More than 20,000 ²⁸
Herakles Farms	USA	20,000 ²⁹
Guta	Russia	20,000 ³⁰
SOSUCAM	France	More than 20,000 ³¹

16. Information available on Hydromine website; see www.hydromine.net/projects-cameroon.htm.

17. <http://economie.jeuneafrique.com/regions/afrique-subsaharienne/12294-cameroun-une-nouvelle-sucrierie-pour-2014.html>.

18. MINEPAT (2013).

19. See https://mail.cameroon-tribune.cm/index.php?option=com_content&view=article&id=69434:la-cooperation-cameroun-russie-comme-elle-va&catid=1:politique&Itemid=3&limitstart=1; see also www.cameroon-tribune.cm/index.php?option=com_content&view=article&id=69434%3Ala-cooperation-cameroun-russie-comme-elle-va&catid=1%3Apolitique&Itemid=3&limitstart=1 and www.presidencecameroun.com/news/?lang=fr&mode=news&details&id=2830.

20. Data collected in the field in 2012 and 2013.

21. <http://economie.jeuneafrique.com/regions/afrique-subsaharienne/16976-cameroun-hevecam-regenerer-ses-plantations.htm>. This includes land acquired in concession contract at the time of privatisation in 1997.

22. See www.agencececofin.com/caoutchouc/2905-11279-sud-hevea-va-etendre-ses-plantations-dans-le-sud-cameroun; see also MINEPAT (2013) and UNESCO (2012).

23. MINEPAT (2013).

24. MINEPAT (2013); see also MINADER (2012) and Brown (2011).

25. See www.palmwatchafrica.org/tag/sime-darby/ and www.news.mboa.info/environnement/fr/societe/rubrique/71804,le-cameroun-cede-973-704-hectares-de-terres-au-nom-du-palmier-a-lhuile.html.

26. Data collected in the field in 2013.

27. See the concession contract between SOCAPALM and the state of Cameroon in 2000 at the time of the privatisation of SOCAPALM.

28. Data collected in the field in 2013.

29. See <http://farmlandgrab.org/post/view/22849-cameroun-pres-de-20-000-hectares-concedes-a-herakles-farms-pour-la-creation-des-palmeraies>.

30. See www.cameroon-tribune.cm/index.php?option=com_content&view=article&id=69434%3Ala-cooperation-cameroun-russie-comme-elle-va&catid=1%3Apolitique&Itemid=3&limitstart=1; www.presidencecameroun.com/news/?lang=fr&mode=news&details&id=2830.

31. See the concession contract signed between the company and the state at the time of privatisation, and the extension acquired in 2006 (www.peuples-solidaires.org/341-cameroun-somdiaa-sucre-les-droits/); see also www.cameroon-info.net/stories/0,53326.

Table 4. continued

Company	Country of origin	Amount of land (hectares)
Sino Cam Iko Agriculture	Chine	6,000 ³²
PHP	France	6,000 ³³
MAISCAM	Cameroon	5,500 ³⁴
Chinese group	Chine	4,000
Biopalm	Singapore	3,348 ³⁵
Sagex	Not known	3,000 ³⁶
Kawtal Demri	Not known	3,000 ³⁷
Ndawara Tea Estate	Cameroon	2,000 ³⁸
Agro Est	N.c.	1,000
Société des Bananeraies de la Mbomé	France	1,000
Tchassem Holding	Cameroon	1,000
Palmist Oil Company	Not known	1,000 ³⁹
Société des Plantations de Mbanga	France	800 ⁴⁰
Goodhope Asia Holdings	Singapore	Not known

32. According to an agreement between the government of Cameroon and the company, Sino Cam Iko Agriculture will receive 6,000 hectares of land in the Upper Sanaga Division (1,000 hectares in Mbanjock for cassava production, 2,000 hectares in Nanga Eboko for rice production, and 3,000 hectares for the production and processing of cassava). See <http://cameroon-info.net/stories/0,27126,@,enquete-sur-la-riziculture-chinoise-a-nanga-eboko.html>.

33. Company operations are said to cover a total area of 4,479 hectares, of which 3,000 hectares are under production (www.agro-pme.net/actualites/70-php-je-gicam); see also http://www.assobacam.com/index.php?option=com_content&view=article&id=3%3Aphp&catid=2%3Astructure&Itemid=2&lang=fr for a reference to the company's plan to acquire an additional 1,500 hectares. This acquisition is ongoing in an area between Kribi and Edea that was visited by CED during data collection in the field in 2012 and 2013.

34. See http://books.google.cm/books?id=roAFNRyCLf4C&pg=PA107&lpg=PA107&dq=maiscam+%2B+surface&source=bl&ots=nJJS1jxv-v&sig=0xXwvodD5qe3Q9VCBvHez1yCO2Q&hl=en&sa=X&ei=xnJFVJHqGsrS_O_GQgLGK&ved=0CB4Q6AEwAA#v=onepage&q=maiscam%20%2B%20surface&f=false.

35. It should be noted that this provisional concession was granted in March 2012, while a decree degazetting 21,552 hectares of permanent forest estate in the same area (Lekoundjé subdivision) was signed eight months later (Decree No 2012/3500/PM of 1 November 2012) designating the area to agricultural production. There is a difference of 18,252 hectares between the size of the provisional concession and the size of the degazetted land.

36. See <http://cm.viadeo.com/fr/profile/gregoire.maguer>.

37. See www.ccdi-group.eu/groupe-agro-industriel/societe-kawtal-n-demri-sa-7.php?langue=1; the company refers to 3,000 hectares, with a possible extension of up to 3,000 hectares.

38. The company controls an area of more than 2,000 hectares, and is planning an expansion; see www.nhtetea.com/plantation.html.

39. Data collected in the field in 2012 and 2013.

40. http://www.assobacam.com/index.php?option=com_content&view=article&id=81%3Agroupespm&catid=11%3Astructure&lang=fr

While we know that state-owned companies are present in several regions of Cameroon and are expanding operations in the southwest and northeast, it was not possible to obtain accurate information on each site or about the status of all the land under their control. It is even harder to obtain information about the amount of land held by private companies owned by Cameroonians, such as one tea estate that has estimated holdings of over 6,000 hectares (4,000 of which are planted and 2,000 for ranching). We understand from interviews conducted during this study that the occupation of land by the company concerned is negotiated with various traditional and local administrative authorities. Along with these actors, two new categories of investor are consolidating their places and roles in the sector: existing, mainly foreign-owned, companies that are already in production and individual Cameroonians.

Existing companies that are already in production are expanding their activities, and represent 29 per cent of the companies that have obtained a Convention of Establishment or another type of agreement with the state. Two fifths of them have lease contracts of over 60 years and expanded their operations between 2010 and 2012. Some did so in order to increase production in the short term, while others are more concerned with securing land for future expansion as a prudent response to the growing demand for arable land in the area. This is one of the perverse consequences of the numerous reports inflating the number and size of these acquisitions: even if some of them come to nothing, the actors already on the ground regard them as done deals and seek more land for themselves in order to deal with the supposed shortages, which then become a reality. This category also includes investors who want to expand their operations in order to take control of new land (whether or not this actually happens), and gradually put unused land in their original concession into production. These are usually companies whose main shareholders are foreign enterprises.

Most Cameroonians do not acquire enough land to feature in studies on large-scale land acquisitions, which set the threshold at 1,000 hectares. Few of the local elites have the capacity to put this much land into productive use, and the largest acquisitions by the growing number of national and local elites with sizeable holdings are around 600 hectares.⁴¹ These holdings, which are usually used for agriculture, are mainly located in the central, southern, coastal, far northern and southwestern regions of Cameroon.

The state is still one of the largest land users, through state companies that directly control agricultural land or encourage farmers to create plantations on the land they occupy. Certain companies are involved in developing specific crops, such as wheat or rice (Nguiffo and Schwartz, 2013b), and some support producers without actually using the land themselves.

Investors' interest in the agro-industrial sector in Cameroon can be explained by several factors: its agro-ecological diversity, access to the sea, existing and planned

41. The average size of plantations belonging to local and national elites is around ten hectares. Estimates are based on data collected in the southern, central, coastal and southwestern regions of Cameroon between December 2012 and May 2013.

transport infrastructures (deep water ports and tarmacked roads) and energy (hydro-electric dams). With its five main agro-ecological zones, Cameroon can offer investors sites for a more varied range of crops than neighbouring countries such as Chad, which has three agro-ecological zones. In addition to this, the minimum wage in Cameroon is 36,270 CFA francs (as of July 2014)⁴², which is relatively low compared to the minimum wage of 150,000 CFA Francs in Gabon.

In an internal document intended for investors, one company clearly uses labour costs as an argument to draw investors into Cameroon's agricultural sector. For example, the daily labour rate in Malaysia is between €5 and €6, which is twice the average daily wage in Cameroon's agricultural sector, and the economic recovery in Malaysia has led to a shortage of manual labourers, obliging companies to bring agricultural labourers in from Indonesia. Companies can make annual savings of US\$300 per hectare on labour costs alone in Cameroon, which (for the company that makes this argument) would amount to a total saving of US\$18 million a year based on their proposed production level.

c) Huge disparity in the size of land concessions

Recent requests for arable land in Cameroon have been far in excess of previous concessions. For example, one company originally asked for 73,000 hectares of land, which is more than the total area currently used for agro-industrial oil palm production in the whole country. According to MINADER (cited in Hoyle and Levang, 2012; MINEPAT, 2013b), this currently stands at 58,860 hectares. Over the last three years, individual applications have risen to a total of 800,000 hectares, and (at the time of writing) the total recorded demand since 2009 is somewhere between 2 and 3 million hectares. While the largest applications and allocations have attracted most media attention, they mask smaller acquisitions by the elite, which are an important aspect of this phenomenon as national elites and their companies are taking control of more and more landholdings.⁴³ Although these acquisitions are usually fairly small, they are closer to villages and also restrict local people's access to resources and certain parts of their territory, as they are usually located in the common areas of the acquirer's original community. In order to satisfy their personal interests, acquirers use two contradictory logics: that of the community, which allows them to access communal areas of village territory, and that of the state, which gives them the right to appropriate the land privately.

d) Diversification of resources

Until the end of the 1990s, the main active agro-industrial plantations in Cameroon produced bananas, rubber, oil palm, pineapples, sugar cane, rice and tea. Recent demand for land confirms this interest in classic crops such as oil palm and rubber,

42. See <http://sinotables.com>

43. One project applied for 20,000 hectares, although applications for this amount of land are unusual. Plantations owned by the elite are generally smaller, but their proliferation means that their combined holdings now cover huge areas of Cameroon. It would be useful to study this phenomenon in order to measure its real scope and dynamics.

but is also more open to new crops such as maize, coffee and cocoa, which used to be grown on small family farms. Rising prices and growing international demand for these products are attracting numerous investors. Table 5 shows the volume of imports of several food items at the national level.

Table 5. Volume of imported basic produce in Cameroon, 2005-11

Basic food items (tonnes)	Year						
	2005	2006	2007	2008	2009	2010	2011
Rice	433,033	429,866	727,266	441,321	476,122	368,827	543,521
Wheat	300,148	356,795	220,054	410,353	394,761	377,511	365,930
Maize	12,782	4,042	1,637	3,404	22,662	14,751	4,705
Fish	106,595	100,956	150,366	155,682	217,073	153,555	217,779
Milk	13,356	12,712	12,908	13,621	15,914	12,043	11,751

Source: Citizens' Association for the Defence of Collective Interests (ACDIC); see <http://www.acdic.net/ACDIC/fr/component/k2/item/101>.

The overall rise in the volume of imported basic food items between 2005 and 2012 shows that national supply is falling short of constantly growing demand. This is confirmed by Cameroon's National Institute of Statistics (INS), which attributes the 2.9 per cent rate of inflation in the first quarter of 2011 to a trade deficit of 596.1 billion CFA francs, largely due to a 3.5 per cent rise in food prices on the national market. Food crops not grown by the agro-industry (plantain, macabo, yam and vegetables) also became more expensive, especially in areas with agro-industrial operations. All the respondents in Nkoteng and Mbanjock (towns an hour and a half from Yaoundé), where sugar plantations are located, reported that food items cost more in these towns than they did in Yaoundé. But despite the supply-side shortage of basic items, most investors that had concluded an agreement or were still negotiating one planned to grow cash crops on a large scale (see Table 6), exacerbating the current imbalance between cash crops and food crops on the land allocated to investors. At the moment, maize is the only food crop that investors plan to grow on areas exceeding 1,000 hectares, and only part of this production will be directly destined for human consumption; the rest will go to meet the high demand for cereals to manufacture animal feed or inputs for the national brewing industry.

In 2011, the three main groups of imported food items in Cameroon were worth over 625 billion CFA francs (MINEPAT, 2013, p. 53).

e) Land in Cameroon creates wealth elsewhere

The general trend among productive agro-industries and those seeking concessions for over 1,000 hectares of land is to produce for the international market. Less than

Table 6. Crops planned by companies seeking or holding land concessions

Company	Crop produced or planned
Hydromine	Crops to produce ethanol and biofuels ⁴⁴
Sime Darby	Oil palm, rubber tree ⁴⁵
Atega Estate SARL	Sunflower, maize for biofuels ⁴⁶
Biopalm	Oil palm ⁴⁷
Moscow Coffee House	Coffee ⁴⁸
Pamol	Oil palm ⁴⁹
Green Fill	Oil palm ⁵⁰
HEVECAM	Rubber ⁵¹
Sud Hévéa	Rubber, oil palm ⁵²
Cargill	Oil palm ⁵³
Forbes Energy	Cassava ⁵⁴
SNI pilot farm	Maize, livestock ⁵⁵
Smart Holding (Indonesia)	Agriculture, livestock ⁵⁶
SOCAPALM	Oil palm ⁵⁷
Guta	Cocoa
West Ends Farms	Maize, livestock ⁵⁸
SOSUCAM	Sugar cane ⁵⁹
Harrisons Group Ltd Malayalam Ltd (India)	Rubber ⁶⁰
Herakles Farms	Oil palm ⁶¹
Justin Sugar Mills	Sugar cane

44. Information available on the Hydromine website; see <http://www.hydromine.net/projects-cameroon.htm>.

45. Hoyle and Levang (2012).

46. Data collected in the field in 2013

47. Hoyle and Levang (2012); see also <http://af.reuters.com/article/investingNews/idAFJOE77N01320110824> and www.biopalmenergy.biz/target.html#target.

48. See www.cameroon-tribune.cm/index.php?option=com_content&view=article&id=69434%3AAla-cooperation-cameroon-russie-comme-elle-va&catid=1%3Apolitique&Itemid=3&limitstart=1 and www.presidencecameroun.com/news/?lang=fr&mode=newsdetails&id=2830

49. Data collected in the field in 2013.

50. See <http://economie.jeuneafrique.com/regions/afrique-subsaharienne/16976-cameroon-hevecam-regenere-ses-plantations.htm>. The surface of land referred to in this link should be added to the land acquired through the original concession contract following the privatisation of the company in 1997.

51. See <http://commodafrica.com>.

52. Hoyle and Levang (2012).

53. Data collected in the field in 2013.

54. Data collected in the field in 2013.

55. Data collected in the field in 2013.

56. Hoyle and Levang (2012).

57. See <http://economie.jeuneafrique.com/regions/afrique-subsaharienne/13480-cameroon-west-end-farms-leve-des-fonds.html>.

58. Field observation during data collection in 2013

59. Data collected in the field in 2013

60. See <http://farmlandgrab.org/post/view/22849-cameroon-pres-de-20-000-hectares-concedes-a-herakles-farms-pour-la-creation-des-palmeries>.

61. MINADER, 2012.

Table 6. continued

Company	Crop produced or planned
Palmist Oil Company	Maize, soya, sunflower ⁶²
Sino Cam Iko Agriculture	Rice ⁶³
PHP	Bananas, fruit ⁶⁴
MAISCAM	Maize ⁶⁵
Ndiawara	Tea ⁶⁶
Sagex	Not known
Kawtal Demri	Maize ⁶⁷
Ndiawara	Livestock ⁶⁸
Agro Est	Not known
SBM	Bananas ⁶⁹
Tchassem Holding	Cocoa ⁷⁰
Chinese Group	Rice, livestock ⁷¹
SPM	Bananas ⁷²
Semry	Rice ⁷³
Goodhope Asia Holdings	Oil palm ⁷⁴
Wilmar Olam	Oil palm

one quarter of investors seem to target both the national and international markets (see Figure 3), while the others are mainly geared to international demand, producing biofuels (oil palm, jatropha), dessert bananas and agricultural raw materials to supply production units overseas (including cocoa, coffee, cassava and rubber).

Although exports of agricultural produce are intended to improve the balance of payments, the actual value added by the investment is low, and only one fifth of productive companies have a secondary processing plant (see Figure 4).

Exports can only diversify if existing agro-industrial companies produce different crops, but the managers of these operations say their choices are limited by the shortage of qualified labour and the lack of infrastructure and basic resources required to set up efficient processing plants (such as energy supplies, water and

62. See <http://economie.jeuneafrique.com/regions/afrique-subsaharienne/12294-cameroun-une-nouvelle-sucrerie-pour-2014.html>.

63. Field observation during data collection in 2013.

64. Field observation during data collection in 2013.

65. Field observation during data collection in 2013.

66. Field observation during data collection in 2013.

67. Field observation during data collection in 2013.

68. Field observation during data collection in 2013.

69. Field observation during data collection in 2013.

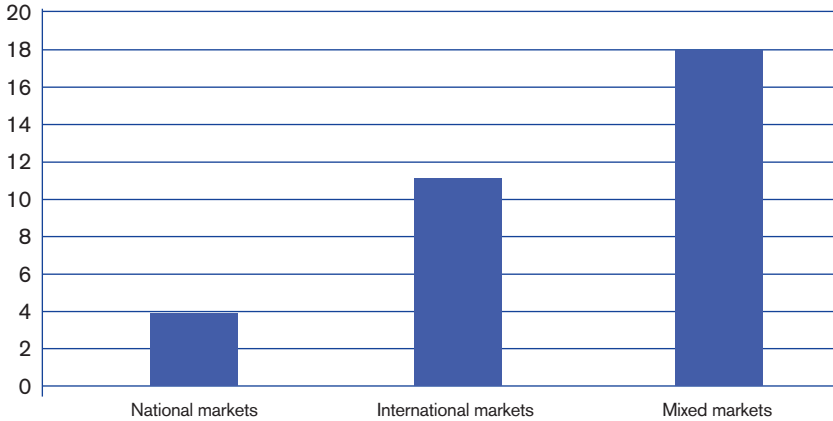
70. Field observation during data collection in 2013; see also MINADER (2012).

71. Field observation during data collection in 2013.

72. Field observation during data collection in 2013.

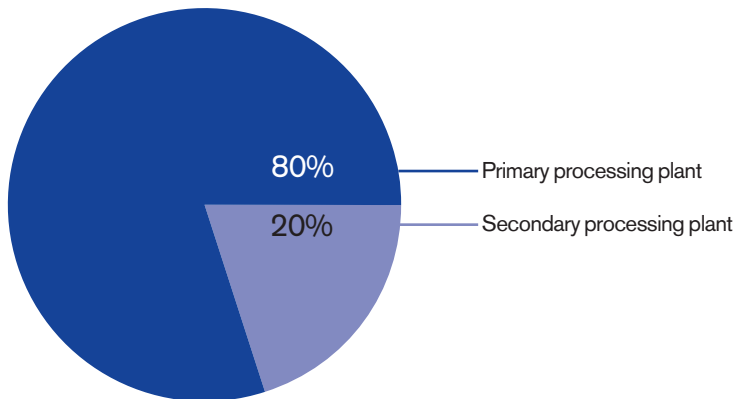
73. See www.bloomberg.com/news/2011-08-09/goodhope-asia-to-start-plantation-for-palm-oil-in-cameroon.html.

Figure 3. Number of investors by target market



Source: Data collected by the authors (2013).

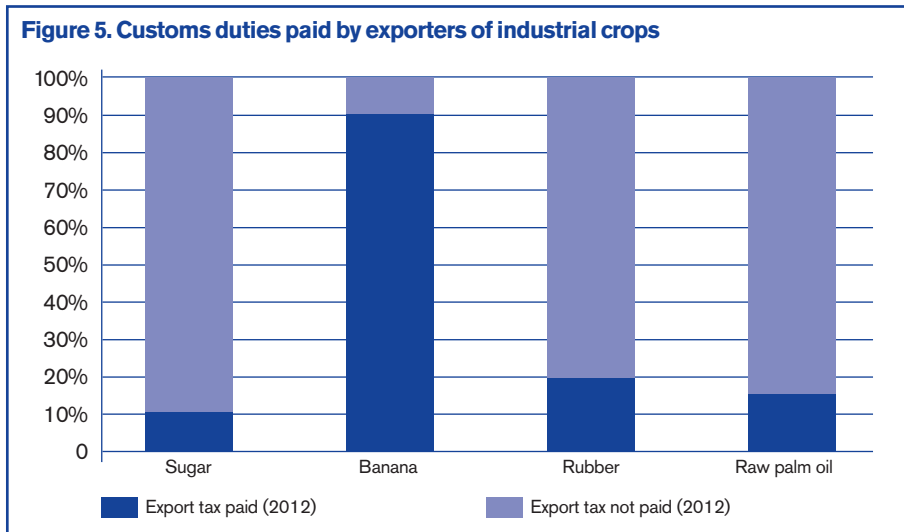
Figure 4. Companies with primary or secondary processing plants in Cameroon



Source: Data collected by the authors (2013).

means of communication). In many cases, these outfits bear little resemblance to agro-industry in the strict sense, and look more like classic planters operating on large tracts of land. As in the colonial era, most of the local jobs they create are junior positions that do not require any specific skills. The expertise is usually needed in countries where the produce is processed after it has been exported. It is hard to justify the tax exemptions these companies enjoy when their investments only occasionally result in the finished products being produced in Cameroon.

According to personal communication with a Cameroonian customs official, most exporters of crops produced on large plantations did not pay tax in 2012, apart from those exporting bananas (see Figure 5).



Source: Import and export statistical data provided by the Customs Department of Cameroon, adapted by the authors (2012).

However, there are some secondary processing giants in the sector. One European investor, which set up a processing plant in Yaoundé in 2006, was looking for land in southwestern Cameroon to develop an agro-industrial project with a system of village plantations similar to the model adopted by a palm oil production company in the 2000s. The Mboa business portal announced that “[f]oreign investors confirm they want to add value to Cameroonian agriculture and help the local growers who will supply them. This new factory is expected to create nearly 250 jobs, in addition to the one in Yaoundé which already employs 200 people.”⁷⁴ But the village plantation system is both complex and ambiguous, as it is a form of sub-contracting that can impoverish local people if the partnerships between producers and investors are not considered very carefully. The Dutch sociologist Piet Konings wrote about this issue after analysing the case of a Cameroonian agribusiness (Konings, 1986, p. 132):

“The [village plantation] project represents a cheaper form of production than the current system [in industrial plantations], because on the one hand producers bear almost all of the production costs (obtaining loans for inputs and agricultural services, which they have to repay with interest after the harvest) and on the other hand, agro-industry escapes the responsibilities associated with full proletarianisation (paying social security, housing, etc. for family members or casual workers employed by the planter).”

74. See www.biz.mboa.info/autres-industries/fr/entreprises/actualite/3809,le-groupe-ferrero-prevoit-une-2e-usine-au-cameroun.html.

f) The need to clarify land values

The cost of leasing land in Cameroon varies considerably from one concession to another, giving the impression that there is a lack of financial logic in the system for allocating land concessions. There is a text dating back to 1994 that sets the minimum sale price for state land. This ranges from 50 to 3,000 CFA francs per square metre, or 500,000 to 30,000,000 CFA francs per hectare, according to the zone. It has to be said that these prices were set for land acquired for housing or small-scale farming; the text did not envisage large-scale land allocations or take account of inflation or the value of land on the housing market. One example taken from this text prices the cheapest land in Mfoundi (Yaoundé and its immediate surroundings) at 2,500 CFA francs per metre,⁷⁵ and serviced land on the housing market in Yaoundé at over 8,000 CFA francs per square metre.

The considerable disparities in the costs of leasing land for large-scale agricultural investments cannot be explained by the location of the site or date of the transaction. For example, two different companies negotiated and agreed contracts relating to oil palm production over roughly the same period (one between 2009 and 2013, and the other between 2009 and 2012). Yet one company was leased land for between 250 and 500 CFA francs per hectare per annum for 99 years under the Convention of Establishment of 2009, and for 3,333 CFA francs per hectare per annum under the terms of the Presidential Decrees of 25 November 2013, while the other company was granted a provisional concession for around 166,000 CFA francs per hectare per annum. The state urgently needs to determine how land prices are calculated, and ensure that this price reflects the importance of land in these multinationals' production processes and that the system includes a mechanism for adjusting prices so that the duration of the contracts covering these land concessions can be taken into account.

We have already noted that one of the main weaknesses in the current system is the way that the cost of land leases is determined. Although the lack of land at the international level and the prospect of greater land shortages in the near future put African countries in a strong position with regard to investors, land rents in Cameroon and other countries on the continent are still influenced by the perception that there is an abundant supply of available land. The classic economic view that nature does not have a market value and is an inexhaustible resource persists to this day. The revenue that the state earns from leasing 'unoccupied' and 'unproductive' land is rental income generated without any effort by the government. Land that was rented out during the colonial period or when public enterprises were privatised was leased before investors became interested in plantations, hence the very low prices. Nowadays, however, land prices should take account of numerous factors, such as:

- The availability and cost of land in countries where the proposed crops are likely to be grown,⁷⁶ and the trajectory of demand for land. It is important to emphasise the

75. Circular 001 of 22 March 1994 setting the minimum sale prices for state land.

76. For example, the land likely to be used for oil palm is located in tropical forest zones, which means that companies focus their demand on these areas. It is important to take account of the fact that land is becoming scarcer as companies acquire large holdings, and that this is making land more expensive. Therefore, there is no need for African countries to rush to assign their land without any advance preparation, as if it were a matter of seizing an unexpected opportunity before it is too late.

fact that the current demand for land will not diminish, and that prices will therefore constantly rise. National governments (including that of Cameroon) should accordingly adopt at least three sets of measures:

- *Revise (increase) land rental prices*: when leasing land, the state should consider the duration of the concession, current land values and their possible trajectory over the life of the plantation.
 - *Implement a national zoning plan* that accurately identifies all actors' land needs in order to prevent future conflicts over land and resources.
 - *Set aside land for agro-industrial purposes*, to be progressively brought into use. This would enable the government to profit from the upward trend in prices, and be more effective in using agro-industries as a tool to promote local and national development and strengthen food security and sovereignty.
- Possible short- and long-term land uses should be compared with the advantages and disadvantages of agro-industrial development and the cost of replacing uses threatened by plantations.⁷⁷ The lack of an updated policy on large-scale land concessions has led to a disparity in land rents (one company paid 500 CFA francs per hectare per annum⁷⁸ for land to grow the same crop that cost another company 166,000 CFA francs per hectare per annum⁷⁹ over the same period). Internal documents from one company reportedly indicate that the value of the land it wanted was somewhere between 2 and 3 million CFA francs per hectare (Greenpeace and Oakland Institute, 2013). Cameroon does not have a tool that would allow it to decide whether it would be most effective to use a given area for agro-industry, forestry, conservation, mining, carbon concessions, environmental compensation, or several of these options. If developed this kind of tool would be able to take account of the economic, ecological and social value of land at the local, national and international levels in the short, medium and long term. Current practices suggest that Cameroon is not making the most of its land resources.

In the meantime, local producers are finding it increasingly difficult to obtain land around agro-industrial zones. Less land is rented out for food crops, and the presence of large companies is intensifying pressure on 'useful' land; the demand for arable land has increased because the workers (and their families) employed by these companies also want land for small-scale production. As a result, it is becoming more and more difficult to find land to rent around some plantation sites. With demographic growth, it is likely that land will soon be in similarly short supply around the plantations sites that are currently being established.

The rents for parcels leased to local people vary greatly, and are higher in areas where agro-industries and local communities co-exist. This is doubtless due to the poor road infrastructures, which prevent isolated areas from being used for agricultural production, and adds to the pressure on land near major road networks.

77. Such as the value of carbon and the volume of carbon dioxide emitted by the plantation.

78. The presidential decrees of 25 November 2013 put land rentals up to 3,333 CFA francs per hectare per year.

79. Presidential Decree No 2012/168 of 28 March 2012 granting a provisional land lease of a total size of 3,348 hectares in Bella, a subdivision of Lokoundje, Ocean Division.

Table 7. Annual rents for agricultural land around five agro-industrial zones

Average size of smallholding/family farm	Land rent paid by local people	Rent paid to the state by companies (per hectare per year)
Less than 1 hectare	50,000 to 100,000 CFA francs/hectare/year depending on the distance from town and soil quality ⁸⁰	7,200 ⁸¹ CFA francs
1 hectare	Rental transactions not seen. The little land that is available is used by its owners. Other modes of land transaction include sharecropping, tenant farming, gifts and purchases ⁸²	3,750 CFA francs
1 hectare; unusually, there are holdings of 5 to 20 hectares (village plantations belonging to elites who live outside the area)	Rental transactions not seen. The little land that is available is used by its owners. Other modes of land transaction include sharecropping, tenant farming, gifts and purchases ⁸³	5,000 ⁸⁴ CFA francs
1 to 2 hectares	Rental transactions not seen. The little land that is available is used by its owners. Other modes of land transaction include sharecropping, tenant farming, gifts and purchases ⁸⁵	6,457 ⁸⁶ CFA francs
1 to 2 hectares	About 40,000 CFA francs/hectare/year (sale price for 1 hectare of land in customary transactions) ⁸⁷	250-500 ⁸⁸ CFA francs under the Convention of Establishment; 3,333 CFA francs following a presidential decree in 2013 granting the company land concessions.

Source: field data (compiled by the authors, 2013) and Host Government Agreement between Cameroon and agro-industrial companies.

80. Data collected during fieldwork in 2012 and 2013.

81. Personal communication from traditional authorities in the region during data collection in 2012.

82. Field observation during data collection in 2012 and 2013.

83. Field observation during data collection in 2012 and 2013.

84. See the concession contract at the time of privatisation in 2000.

85. Field observation during data collection in 2012.

86. See the land lease signed between the Minister of Land Tenure and State Property and the company on 20 April 2006.

87. Data collected during fieldwork in 2012 and 2013.

88. See the Convention of Establishment (17 September 2009) and Presidential Decrees No 2013/418 of 25 November 2013 granting a provisional land lease to SGSOC in Mundemba; No 2013/416 of 25 November 2013 granting a provisional land lease to SGSOC in Nguti; and No 2013/417 granting a provisional land lease to SGSOC in Toko.

g) Disparities in the way that communities' rights are taken into account

Land concessions vary considerably in the extent to which they take account of communities' rights, again showing the vagueness and/or shortcomings of the legal framework in this respect. Those community rights that are recognised are dealt with in two main ways: through precautionary and compensatory measures on the one hand, and positive measures on the other.

In theory, the principles that guide precautionary and compensatory measures seem to be in accordance with the objective of not causing harm. Thus, companies should avoid interfering in any community activities or lands, and if they do cause any damage, they should pay compensation in accordance with the current legislation. In practice, compensation is paid according to the scale put in place for destruction caused by investments in the public interest. This scale is limited in terms of what it covers (only productive land use and not natural resources, even if it is established that local communities use them) and the amounts paid out (a lump sum set by the administrative authority rather than replacement value). The use of this scale is justified by declaring the project to be in the public interest, or by the administrative tendency to refer to the legal scale rather than the general rules on compensation.

With regard to the positive measures, local communities living near agro-industrial projects have a whole range of recognised rights including support for the construction, replacement and provision of social infrastructure (health centres, schools, markets), recruitment processes that prioritise local people, technical support from the company to develop similar crops to those planted by the investor (who then buys the harvest), and improvement of local social infrastructures. These rights are usually set out in the contract or in current legislation. In the latter case they are much more limited, only including the right to compensation for loss of the right to use forest spaces and resources (with modes of compensation yet to be determined nearly 20 years after the Forestry Law came into force), and the right to preserve spaces and resources that are vital to the community, as prescribed by the current land legislation and in the spirit of the ESIA's.

h) Agro-industrial support for small producers (provided by rubber and oil palm companies)

Support for small-scale producers is a key component of the agricultural policy in Cameroon. This is not only delivered through different programmes and projects, but should also come from agro-industrial companies. One of their missions in the early years after independence was to promote the development of local agriculture, and most agro-industrial companies in Cameroon are supposed to provide support for small producers as part of their terms and conditions. This should ensure that local farmers benefit from their presence in the locality, using the technical assistance and outlets the companies offer to develop their own plantations. This support may take different forms, from supplies of good quality seed, fertilisers and phyto-sanitary

products to training and micro-credit, or developing and maintaining road infrastructures so that produce can be taken away from the plantation.

According to local residents, none of the agro-industrial companies have provided technical or financial support for small producers. We did come across a few examples of companies buying produce from planters who operate around the edges of the company holding, but this was the only form of exchange between the two groups of actors. This lack of partnerships does at least mean that local producers are not obliged to sell their produce to these companies, which become one of several clients. In fact, some small oil palm producers prefer to process and sell their produce on the local market, as high demand means that they can get a better price for it there than by selling it to a large company (between 48,000 and 50,000 CFA francs per tonne).

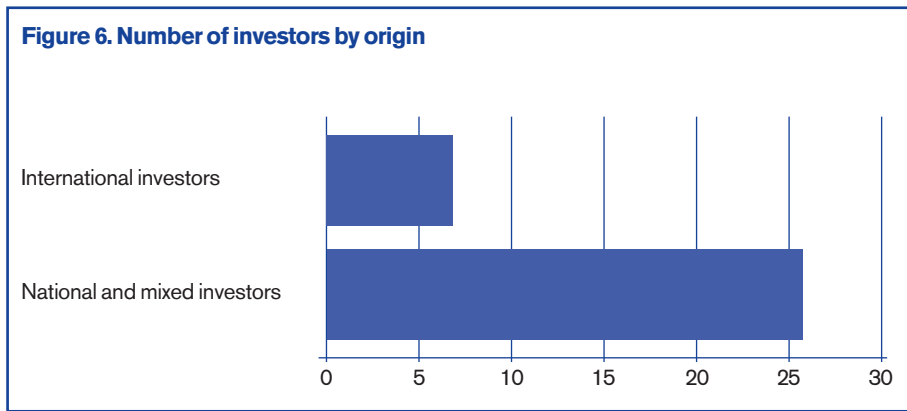
The National Union of Rubber Planters (UNPH) reported that giant rubber producers paid small producers 800 CFA francs per kilo in 2011, which was more than the current rates of 550 to 700 CFA francs per kilo cited by the ACDIC.⁸⁹ Small-scale rubber producers around one plantation prefer to sell their output to buyers from Nigeria as they offer better prices than the local operator (800 CFA francs per kilo, which can sometimes be negotiated upwards). This is about half the price per kilo on the international market (around 1,300 CFA francs), so it is not surprising that some young people do not regard agriculture as a viable livelihood. Furthermore, external buyers often have difficulty getting past the control posts installed by the companies that maintain the roads used for these transactions. It seems that efforts to boost agro-industry are doing very little to help develop local agriculture.

During the course of the study we came across numerous conflicts involving companies that manage large-scale plantations. They can be divided into three main categories:

- Conflicts over land use in cases where the plantation site used to be a community land reserve, and may still be needed for this purpose when land is scarce. In addition to disputes over the total area allocated to investors, there are many disagreements over boundaries or the effects of pollution caused by the plantation on the local resource base;
- Conflicts over the way the benefits generated by the investment are distributed: local people's access to employment, working conditions, social investments (including roads, schools, health centres) and the overall contribution to local development;
- Challenges to the investor's right to be on the land. These conflicts over legitimacy can be the hardest to resolve, as they essentially challenge the way that the State manages the national lands for which it is responsible. Because local communities see themselves as legitimate land owners, they wish to be included in decision making.

89. See www.afriquinfos.com/articles/2011/5/23/brevesdafrique-178522.asp.

Applications for large-scale agricultural investments relate to public and state land. Nearly 40 agro-industrial companies sought and obtained some kind of agreement assigning them rights to public land between 2005 and 2013. These agreements were sometimes concluded with local communities and sometimes with the state, through contracts for leases, provisional concessions or tacit agreements (which are a sort of grey area in terms of their compliance with national land law). Most of the large investments in Cameroon since 2005 have been made by foreign companies working in conjunction with Cameroonian individuals or companies, as shown in Figure 6.



Source: Data collected by the authors, 2013.

4. Legal framework

4.1 Categories of land

The current legislation in Cameroon distinguishes between three categories of land:⁹⁰

- *Public land*, which includes all land that cannot be acquired and which is therefore excluded from large-scale land transactions.
- *Privately owned land*, which is registered in the name of private (natural or legal) persons or legal persons under public law (the state and communes).
 - *Land belonging to private natural or legal persons* is covered by land titles made out in the name of a private person. This usually involves small amounts of land that are of little interest to large-scale agricultural investors.
 - *Land belonging to legal persons under public law*. At the moment, this includes land for which the title is in the name of communes, regions or the state. As the main provider of arable land for large-scale agriculture, the state can put its landholdings to productive use by allocating them to other actors.
- *National land*,⁹¹ which includes all land that is not privately appropriated. This is the default regime for land in Cameroon, and includes far more rural land than any other category. National lands are the lands that communities use, where their villages and plantations are found, and where they hunt, fish and harvest wild produce, for example. They claim these lands as their own, and may have recognised customary rights to them. In Cameroon, national land is a source of many conflicts between users, who see themselves as its owners, and the state, which manages it and has the power to assign commercial rights to parts of it, including the power to allocate ownership rights to itself or to third parties. National land reflects the colonial perception that African countries contain vacant and ownerless land that the State is responsible for managing as a common good.

Although the regime for allocating land concessions in Cameroon is clearly defined under current legislation, field observations revealed significant diversity in the ways that land is acquired and valued, the extent to which communities' rights are recognised, and companies' attitudes to their environmental and social obligations.

4.2 The dynamics of land allocations

Agricultural land allocations are mainly investor driven, apart from cases where state assets have been privatised in agro-industrial companies as a result of the structural

90. Article 2 onwards of Orders No 74-1 of 8 July 1974 setting out the land regime and 74-2 of 6 July 1974 setting out the public land regime.

91. Article 2 onwards of Order No 74-1 of 6 July 1974 setting out the land regime.

adjustment programme. It is investors that determine the location and amount of land to be allocated, and what will be grown on it. This demand-led dynamic has the advantage of being flexible, as the government can decide whether or not to allocate the land requested by companies. It does not necessarily have to agree to all the applications that are submitted, and it can make more effective use of the country's agro-ecological diversity by acceding to requests to grow crops that it had not previously considered producing.

The downside is that investor-led land allocations could jeopardise the state's efforts to develop land use, and interfere with its ability to plan how future plantations will fit into the overall management of spaces and resources, along with forestry and mining concessions, protected areas, hunting grounds, and so on. In a context where land shortages are certainly going to increase, the state needs to be more rigorous in the way it manages land and assigns commercial rights to land and resources.

Under the current land regime, requests for arable land in Cameroon are processed by different ministries depending on the purpose of the land acquisition. Submissions for agricultural investments are dealt with by MINADER, which registers the application, analyses the project's feasibility, formalises the request for land and then submits it to MINDCAF, and possibly to other public administrative entities (such as the Ministry for Environment).

Once the application has been formally lodged at MINDCAF, the three main channels for acquiring agricultural land are as follows:

- *From the state, through a direct request for a concession.* This type of acquisition applies to national and state lands, with variable regimes.
- *From a company that holds land rights.* To date, this has usually meant a majority stake in an existing company involved in agro-industrial activities.
- *From communities,* either as the first step in obtaining a legal contract approved by the state (as with one company in the southwest) or as a single and sufficient procedure for accessing land (as with another company in Haute-Sanaga). Both procedures seem to be legally questionable, as national lands are involved and the only rights to this land that communities can assign are the limited use rights that they enjoy.

4.3 Procedures for making land available

There are three procedures for making state land available: sales, assignment and allocating rights to enjoy the land.

92. The company has signed numerous agreements with communities in the region in which the communities sometimes agree to assign their land, after bilateral meetings not attended by the administration.

a) Sales

The state is free to dispose of, sell, assign or exchange state land as long as the area concerned is not already allocated, or if a previous allocation has been rescinded.⁹³ Provided this is the case, property rights can be transferred from the state to a new proprietor, in accordance with Decree No 76-167 of 27 April 1976, which determines how state land is managed.

Land can be sold to private, natural or legal persons, possibly through an auction initiated by the state⁹⁴ or requested by the potential purchaser.⁹⁵ The conclusion of the sale gives the acquirer the right to obtain a title to the land.

b) Assignment

The Decree of 1976 identifies two type of assignment: (i) to legal persons under public law, and (ii) attributions as part of company capital. Because land can only be assigned to legal persons under public law in order to “allow them to establish a holding”,⁹⁶ foreign investors cannot acquire land in the agricultural sector in this way.

c) Allocating rights to enjoy the land

The Decree of 1976 determining how state land is managed allows it to be rented to natural or legal persons through standard or long-term leases.

- *Standard leases* are assigned to a taker who wants to rent land for a period of up to 18 years. The taker must make productive use of this land and comply with current land and tax legislation and state controls. Government officials are responsible for ensuring that the taker complies with the relevant regulations. In addition to the legal clauses found in common law leases (for example, forbidding tenants from assigning the lease to another party, or allowing the state to pre-empt any development, construction or installation on the land by the tenant), ordinary leases are especially protective of the state. In many ways the state seems to be in a privileged position, as it can terminate leases through an order issued by the minister responsible for state land without having to pay compensation for failing to fulfil its obligations to the taker.⁹⁷
- *Long-term leases* are agreed for a period of between 18 and 99 years. They are defined as “long-term rental of land that should enable the tenant to invest in its productive use” (historically, this kind of lease covered land for afforestation, which implied a long-term arrangement). Some long-term leases stipulate that all or some of the rent is to be paid at its capitalised value when the contract is signed, making them similar to ‘limited-term sales’.⁹⁸

93. Article 5 of Decree No 76-167 of 27 April 1976, which determines how state land is managed.

94. Articles 6 and 7 of Decree No 76-167.

95. Articles 8 to 10 of Decree No 76-167.

96. Article 11 of Decree No 76-167.

97. Article 22 of Decree No 76-167.

98. See Comby (undated).

4.4 Requirements imposed on investors seeking land

The procedure for acquiring land envisaged by the current Land Law is relatively simple for investors, whose main (if not only) interlocutor is the administration, not local communities. The amount of land that is to be assigned is determined by the investor with support from the local administration, which is supposed to participate in meetings with local communities. Where state land is concerned, the state behaves like anyone with an asset to rent, engaging with the investor in a bilateral process. The procedure is more regulated when the land in question is national land, and will vary according to whether the transaction involves a provisional or definitive concession.⁹⁹

a) Provisional concessions

With provisional concessions, the potential investor identifies the land they want and sends their application for a concession to the head of the departmental land service. This triggers the procedure for convening a meeting of the Consultative Committee, which is responsible for assessing applications for unregistered rural land and making recommendations that take account of local needs for agriculture and grazing, which are then passed on to higher-level administrative bodies. Some investors start negotiations with local communities during the identification phase in order to try to preserve local living spaces and prevent possible conflicts, although there is no legal requirement to do this. Practices vary considerably from one site to another as there are no specific mechanisms and directives to help identify the desired objectives in terms of protecting communities' land rights, or to determine which tools should be used to achieve them. For example, in the southwestern region, one company published a land acquisition policy on its website stating that it will undertake participatory mapping and secure the free, prior and informed consent (FPIC) of the communities whose customary lands it wishes to acquire. Yet a study conducted in the same area by the British NGO Forest Peoples Programme suggests that local communities are ill-informed and have not been properly consulted. It concludes that the principle of community FPIC has not been respected in the district of Nguti, where the company is seeking to acquire about 12,000 hectares of land (Nelson and Lomax, 2013). A letter sent to the Presidency by the quarter heads and people of Nguti expressed their objection to the allocation of 2,532 hectares of land to one company for an oil palm plantation. The authors of the letter say they "noted with dismay that 2,532 hectares of [their] forest including farms have been mapped out ... without [their] consent", and complain that "the people of Nguti are not well informed about a project that will affect their lives as well as the lives of their future generations".¹⁰⁰

99. The procedure is specified in Instruction No 000009/Y.18/MINDAF/D300 of 29 December 2005 regarding applications for concessions or leases on national land.

100. Letter from the quarter heads and people of Nguti to His Excellency the Secretary General at the Presidency of the Republic, 28 August 2013.

The Consultative Committee provides its reasoned opinion in the minutes attached to an application, and the head of the departmental land service sends the file to the administrative authority with the power to sign the order granting the concession. Concessions of up to 20 hectares are approved by the governor and signed by the prefect; concessions of 20-50 hectares are approved by the minister responsible for land and signed by the governor; concessions of 50-100 hectares are approved by the President's Office and signed by the minister responsible for land; and concessions exceeding 100 hectares are approved and signed by the president of the Republic.¹⁰¹

b) Long-term concessions

The main formality with long-term concessions consists of demonstrating that the undertakings agreed for the provisional concession have been respected. The competent authorities are the same as those for provisional agreements.

Looking beyond the procedure itself, it seems that many senior officials in the administration think that setting up agro-industrial operations is one of the best options for developing rural areas in Cameroon. We noticed irregularities in many areas where the local administrative authorities were involved in operations to assign land, suggesting that officials sometimes bend the rules in favour of companies.

4.5 The type of rights sought by companies

Land allocation contracts can be divided into two generations, with the first involving companies that were already active in the agricultural sector. The current land regime seems to have been designed with this category of actors in mind, as it only covers the assignment of rights required to run the projected agricultural operations. The companies concerned essentially wanted to ensure that they had secure access to land and that their land rent would be stable, as the profitability of their operations would be jeopardised by large fluctuations in rent.

a) Secure access to land

Companies obtain the right to use a specific piece of land in a particular location for a pre-determined period of between 18 and 50 years (although the law does permit leases of up to 99 years). In certain cases, such as the expansion of one sugar company's operations, the contract obliges the company to mark out the land it has acquired with the parties concerned within six months of the acquisition. This is done

101. However, it is worth noting that certain terms in Circular No 000009/Y.18/MINDAF/D300 of 29 December 2005 contradicts the provisions of Decree No 76-166 of 27 April 1976, which determines how national land is managed. With regard to the allocation of provisional concessions, Article 7 of the Decree of 1976 states: "Concessions of less than 50 hectares are allocated by order of the ministry responsible for land. Those of over 50 hectares are allocated by presidential decree." Therefore, prefects and governors are not officially empowered to allocate provisional concessions, and the largest area that can be allocated by the minister responsible for land is 50 hectares, not 100 hectares as stated in the Circular.

to determine exactly what the concession covers and exclude areas to which actors living around the plantation (communities or others) lay claim.

Some of the rights acquired by companies overlap with those of the communities. Often land is granted under the assumption that it is vacant. But such land is often part of the communities' commons, and forms an integral part of their traditional system of production. Taking this land and clearing it affects community capacity to hunt, fish and gather non-timber forest products. These issues have been a recurring source of complaint in some land allocations (see, for example, Gerber, 2007).

b) Exclusive rights to enjoy the assigned land

Contracts ensure that companies have exclusive rights to the land they have been assigned so that they can plan operations without having to interact with any other actors. In return for these exclusive rights, they have to make productive use of the land within a timeframe agreed with the state (between three and five years), and are not permitted to assign or sub-contract the concession without formal authorisation from the administration. Failure to comply with these conditions will result in the loss of their rights. In addition to the right to use the land for agricultural production, some companies seek rights that are likely to generate additional, non-agricultural revenues. This is a recent trend, mainly observed among companies that do not have a long tradition of agricultural production. These additional rights include:

- *Commercial rights other than those to the land.* In its agreement with the government of Cameroon, one company obtained water rights that extend beyond company use.
- *Rights permitting the company to make savings at the expense of the state and/or communities.* The company can either obtain free of charge benefits that it would have had to pay for, or use goods and services whose market value is not determined but which are used by numerous other actors. In the first case, clauses in the contract may authorise the investor to use natural resources on the site where it operates without having to go through the formalities or make the payments usually required to access these resources under current legislation. For example, the contract for one company contains provisions that allow it to plant, fell and use wood from the land that the investor or one of its affiliated companies deems necessary to construct and maintain amenities, without having to seek any other authorisation or pay any additional expenses. The same arrangements apply to water, stones and rocks, and sand and gravel.
- *Option rights assigned to the company.* One example of this is the agreement to assign 90 per cent of the shares held by the state in one company's capital providing the company a two-year period to allow it to better evaluate the quality of the lands that have been leased, with the option to demand a reduction in the amount of land that it rents and the amount of rent that it pays.
- *Rights intended to protect the investment.* These rights are mainly designed to ensure that the company has exclusive use of the land, to protect it against political

risk and to provide a means of recourse in the event of disagreement with the government of Cameroon. Companies can try to protect themselves against exposure to possible risks caused by the discovery of oil or underground resources on their concession through clauses stipulating that no activities to seek or extract mining resources can take place on the concession if this interferes with their operations, and that the state will pay financial compensation if this should happen.¹⁰² This category also includes all the rights relating to the resolution of disputes, especially recourse to international arbitration.

c) Taking account of communities' rights

Certain community rights are recognised and protected under current legislation relating to land and forests in Cameroon. These rights fall into two types:

- *Property rights to spaces covered by land titles held by individuals or local communities.* This means that individuals and collectives have the right to fair and prior compensation for the destruction of their goods as a result of an agro-industrial plantation being set up on their land. However, the conditions for granting land titles do not allow individuals or communities to dispose of natural forests; productive use has to be proven in order to be able to seek land titles, and in the Cameroonian context, productive use involves the destruction of spaces and resources. As communities have limited capacity to make productive use of land, they can only legally own small amounts of land.
- *The right to use national land and, under more limited conditions, to use state land.* Thus, community members have the right to be compensated for the loss of productive use of national land that has been taken over by an agro-industrial plantation. As a consequence of this right, and because of their lack of property rights to national land, communities also have the right to be consulted over the allocation of land concessions. Decree No 76-166 of 27 April 1976 determining how national lands are managed anticipates the creation of a district-level consultative committee whose members include "the chief and two dignitaries from the village or community where the land is located."¹⁰³ The committee's functions include:¹⁰⁴
 - advising the divisional authority on the distribution of rural land in agricultural or pastoral areas according to local people's needs;
 - identifying land that is essential to village communities, as part of the land allocation process; and
 - giving its reasoned opinion on applications for land concessions.

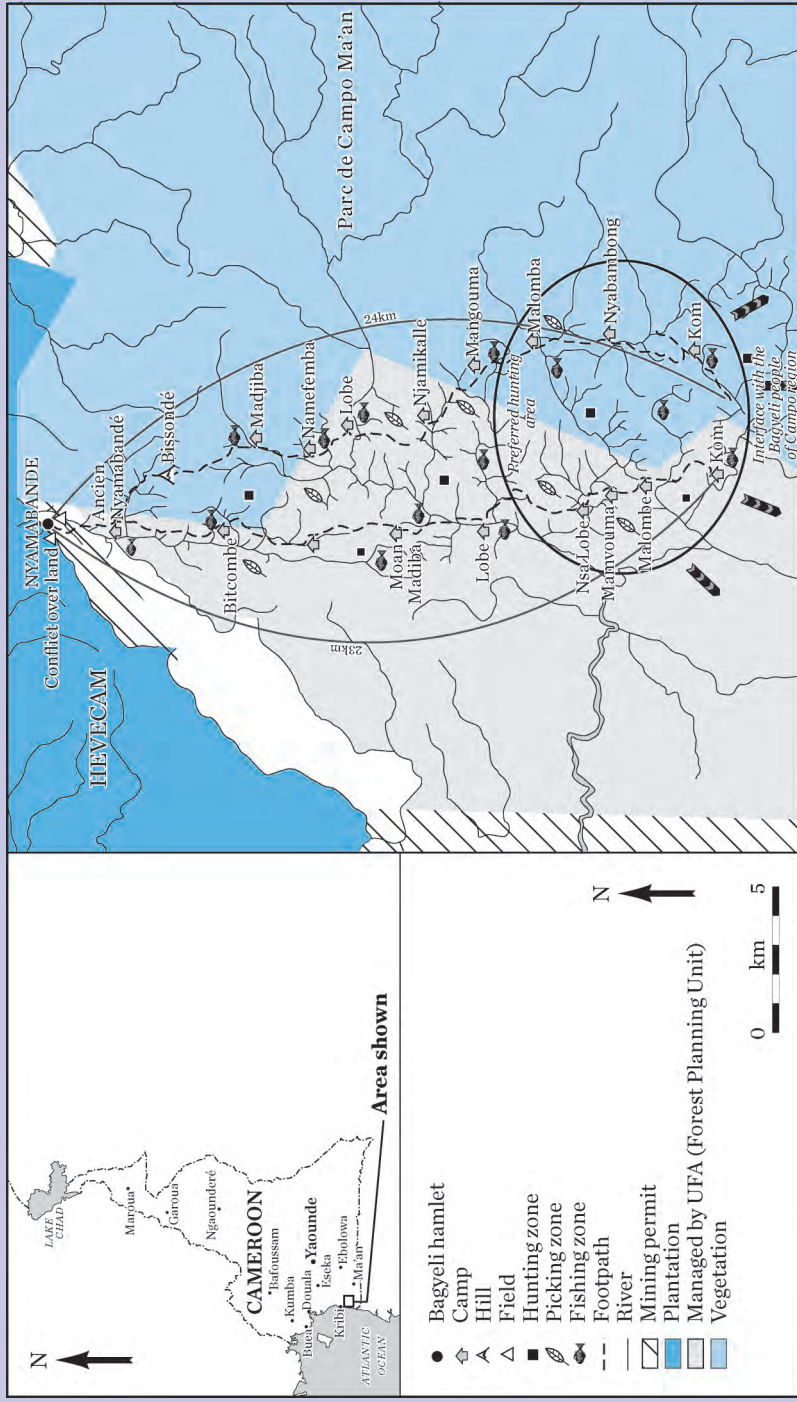
Another consequence of the communities' right to use land is that some of the ground rent paid by the beneficiaries of certain land concessions goes to

102. Article 3.4 of the Convention of Establishment.

103. Article 12 of Decree No 76-166.

104. Article 14 of Decree No 76-166.

Figure 7. Pressures on land around indigenous communities in the locality of Nyamabandé



Source: CED (2013c).

communities and neighbouring communes. Decree No 76-166 specifies how the money generated by alienating parcels of national land should be distributed: “40 per cent to the state, 40 per cent to the commune where the land is found, and 20 per cent to the affected village community for a general interest activity.”¹⁰⁵

However, local communities have limited powers. They cannot influence the boundaries of the area concerned, or oppose land allocations. This means that if the state decides to use classification procedures to transfer land from the national domain into its own estate, for example, the only thing communities can do is to try and keep the land that they need for their livelihoods in the national domain, as described in Article 18 of the Decree of 1995 (531) setting out the forest regime.

The consultative committee is supposed to be involved in one stage of the land allocation process. Members of this committee should be drawn from the communities around the land concerned, and include their chief and two dignitaries. But the committee only plays a consultative role and even if they are represented on the committee, community members are still in a minority and are therefore unable to impose their viewpoint. Some sectors of the community are not represented on the committee at all; there are no indigenous members and in areas where indigenous and Bantu communities live alongside each other, the administration only invited the latter group to participate in the consultative committees' work, and then only sought their advice on their rights and interests. The Bantu are sedentary farmers and have a very different relationship with the land and its resources from their indigenous neighbours, who need much more space to pursue their hunting and gathering activities and to conduct their cultural rituals.

One of the visible consequences of this situation is a substantial reduction in community lands. Figure 7 shows the boundary of an industrial plantation that is less than 300 metres from the centre of a Bagyeli Pygmy village, with the national park just 500 metres away on the other side of the village. The community is literally surrounded by these concessions, which are destroying and/or preventing villagers from accessing the vital resources on which they rely for their livelihoods. The situation is already worrying, but there is a risk that it will worsen because the Bagyeli community of Nyamabandé will soon have to move as the plantation expands towards the Campo-Ma'an national park.

It is also important to note that there is no legal framework for the work done by the consultative committee, especially in terms of taking account of the rights and interests of the local people who are represented on the committee. What happens if community representatives on the committee oppose the land allocation sought by the administration, or if they think that the spaces destined to become land concessions are part of their living space? What happens if community representatives say that the committee has not identified the communities' needs, and that the allocation of a concession would result in unacceptable land shortages for them? These are not hypothetical questions, as this situation has already arisen

105. Article 17 of Decree No 76-166.

with several projects. For example, one concession was allocated despite opposition from numerous communities who stated on several occasions that they did not have land to assign to the company for its oil palm plantation.¹⁰⁶

The fact that the administration is not formally obliged to determine the surrounding communities' primary needs for space creates numerous problems, some of which are due to the duration of the concessions, which can last for up to 99 years (see Table 9). The community shown in Figure 7 could be encircled for 50 years.

Table 8. Duration of contracts for land concessions allocated to the agro-industrial sector

Company	Duration of lease
SGSOC (SG Sustainable Oils Cameroon)	99 years in the Convention of Establishment, and 3 years in the provisional concession agreed in the presidential decrees of 25 November 2013
Sino Cam Iko Agriculture Development	99 years
HEVECAM	99 years
SOSUCAM	90 years
Pamol Plantations PCL	90 years
SOCAPALM	60 years
CDC	60 years
West End Farms	50 years
Tchassem Holding	30 years
Société des plantations du Haut Penja (PHP)	25 years
Sagex	10 years
Kawtal Demri	10 years
Biopalm Energy Ltd	3 years (provisional concession)

Source: Data compiled by CED from concession contracts and information gathered in the field in 2012 and 2013. See Nguiffo and Schwartz, 2013b.

Demographic growth in the areas where these plantations are located is hard to predict, and the arrival of numerous workers and their families further increases pressure on land. This puts these regions at risk of serious localised conflicts that could spread and lead to national instability in the coming years. If the administration were to be scrupulous about respecting the rights and interests of communities, it would ban the allocation of land where villages exist. Yet there are several cases where villages are surrounded by land concessions and can only be accessed by tracks that are maintained and controlled by the company holding the land (see, for example, Gerber, 2007, p. 38).

¹⁰⁶ See the letter from the quarter heads and people of Nguti to His Excellency the Secretary General at the Presidency of the Republic, 28 August 2013.

5. Impacts

5.1 Lack of transparency

Transparency is an issue that needs to be addressed with regard to land concessions in Cameroon, as it is very hard to access information about land allocations. In most cases, snippets of information about ongoing projects appear in the press, but it is impossible to verify the figures that are published or find out what these projects intend to do on their concessions.

Although the administration publishes a list of sites that are likely to be allocated for forest concessions, it does not do this for land concessions. Furthermore, negotiations between investors and the state are not public, and take place without the participation of parliamentary representatives. Contracts are usually hard to access even when they are not covered by a confidentiality clause, and these clauses are becoming much stricter. The parties concerned respect the confidentiality clauses that are in place, and take care to keep their commitments confidential when they are not. Accompanying documents, where they exist, are also confidential, especially site maps and terms and conditions. Obtaining information about the concessionaries' operations is extremely difficult, even when they could have a direct impact on the health of local communities and the surrounding environment through their activities and inputs, for example. Little is known about the companies' tax situations, which vary from one project to another. The fiscal arrangements for land concessions usually differ from the ordinary law, and are covered by special measures agreed when the contracts are negotiated, with the result that there are almost as many fiscal regimes as there are land concessions. Neighbouring communities and communes have an interest in obtaining information about the amounts of taxes and duties paid by these companies, as the law gives them the right to receive some of this money through ground rents when the site concerned is on national land. Finally, it would be useful for neighbouring communities to be informed about the real nature and scope of the rights granted to the concessionaries, and the obligations imposed upon them. This would help ensure peaceful cohabitation and enable these communities to participate in processes to monitor the companies' compliance with their obligations.

5.2 Land concessions and local development

The state has an interest in encouraging land investors as it needs to create jobs, improve food security by guaranteeing regular supplies for the local market, and improve the balance of payments by increasing exports of agricultural raw materials. Government representatives and communities also want to see local development infrastructure put in place (for example, rural roads for plantations and to transport

produce, health centres, school buildings and water points). In some regions where there is virtually no state-sponsored social investment, land concessionaries are one of the very few entities with sufficient resources to finance the infrastructure that communities want. Most companies only put in place the infrastructure they need to run their operations effectively, such as roads within plantations or to connect them to the outside world, health centres and schools for staff and their children, or housing for staff. These companies also use the amenities that are provided by the state (especially roads and bridges), which consequently tend to wear out more quickly than they would if they were used only by the local community.

It could be argued that companies that build roads in their plantations are helping to open up isolated communities, but these are essentially private thoroughfares with limited access; non-residents require authorisation to use them, and residents cannot always use them because the roads are closed at certain times. We also saw cases where people attempted to but were unable to use these roads to get to villages on the other side of the concession.

Some contracts give the concessionary preferential access rights to public infrastructure, or even the right to discharge waste into watercourses used by local communities with impunity.

Relations between these companies and local communities are often tense. The companies accuse local people of stealing produce that could be of value on the local market (such as oil palm nuts), while the communities argue that, they grow the same crops as the companies and the produce found in their possession comes from their family farms, and they do not have the capacity to harvest and transport the volume of goods that the companies claim they have stolen (especially oil palm nuts, which would have to be cut with machetes and carried away on their heads).

It has to be said that the companies' presence does create economic opportunities in these communities, as they provide jobs for local people and various business opportunities for local entrepreneurs (for example, sub-contracting the management of plantations and providing various products for the company).

Nevertheless, it is hard to evaluate what plantations contribute to local development through job creation. Agro-industries do create jobs, mainly for labourers (who make up over 70 per cent of the workforce on plantations) with wages of a maximum 50,000 CFA francs per month in the biggest companies. Some companies in the oil palm sector claim to have a ratio of one employee for every ten hectares, although one might have expected them to create more jobs in Cameroon as studies by Georges Courade (which are slightly dated now) show that industrial oil palm production on a 3,000-hectare site requires about 700 people, or at least two jobs for every ten hectares (Courade, undated). Surveys conducted by CED in 2012 and 2013 (Sonkoue, 2013a) show that this ratio could easily be doubled, especially in small oil palm plantations (see Table 9).

While we do not know what the ratio is in existing agro-industrial plantations, we do know that they create far fewer jobs per hectare than small family plantations. For

example, small family plantations producing oil palm and plantain create far more jobs per hectare with better conditions for workers than those in agro-industrial companies, where labourers outnumber managerial and supervisory staff. Preliminary studies conducted by CED in Cameroon in 2012 and 2013 on worker incomes on family farms and agro-industrial plantations (Sonkoue, 2013b) show that converting one hectare of land to a family farm system generates more income per family, and that the number of jobs per hectare is higher in family farming than in agro-industry. If one considers employment as the product, one could conclude that the land of family farms is more productive than that of industrial plantations. Numerous studies, in particular the one by Berry and Cline (1979), have used data from Brazil, Columbia, India, Malaysia, Pakistan and the Philippines to show the relationship between farm size and productivity. According to these studies, productivity is higher on small farms than on large ones. In other words, productivity falls as farm size increases.

It is important to remember that the best workers' wages, which are set at 50,000 CFA francs per month, here represent the maximum frequently observed in agro-industrial systems for bananas, oil palm and rubber. These figures include productivity bonuses and contributions to the National Social Insurance Fund (CNPS) paid by certain workers in fixed-term contracts. Similarly, analysis of the data

Table 9. Jobs created and income generated by different production systems

	Production system			
	Family oil palm plantations (extensive production system)	Commercial plantations (semi-extensive production system)	Agro-industrial oil palm /banana plantations (intensive production system)	Family plantain plantations
Job/hectare ratio	5 jobs per 10 hectares	5 jobs per 10 hectares	1 job per 10 hectares	10 jobs per 10 hectares
Remuneration and/or salary (CFA francs/hectare/year) ¹⁰⁷	396,000 ¹⁰⁸	715,000 ¹⁰⁹	600,000	2,680,983 ¹¹⁰

107. Remuneration and/or salary per year here refers to income per person depending on the particular operating system. Authors have observed mean individual incomes to be 25,000 to 30,000 CFA francs per month in agro-industrial palm oil, rubber and banana plantations.

108. The farmer's remuneration or net income from the farm corresponds to an average production of 998 litres per hectare per year of crude palm oil, sold to wholesalers at 550 CFA francs per litre. This includes deductions for intermediate consumption and annual depreciation worth 152,900 CFA francs per hectare per year.

109. The farmer's remuneration or the net income from the farm corresponds to an average production of 1900 litres per hectare per year of crude palm oil, sold to wholesalers at 550 CFA francs per litre. This includes deductions for intermediate consumption and annual depreciation worth 330,000 CFA francs per hectare per year.

110. The farmer's remuneration or the net income from the farm corresponds to an annual production of an average 4000 bunches of bananas sold at 750-1000 CFA francs per bunch. This includes deductions for intermediate consumption and annual depreciation worth 925,645 CFA francs per hectare per year.

on family farms should take account of the fact that communities grow a combination of cash crops and food crops (for example, maize, cassava and potatoes), whose value is not factored into the calculated incomes shown in Table 9.

One could also argue about the quality of the jobs. Most agricultural workers are paid the guaranteed minimum wage (SMIG) of 36,270 CFA francs per month for a working day that may exceed the eight hours prescribed by the current legislation in Cameroon. In most cases, payment of this wage depends upon the worker's capacity to accomplish a particular task over the course of the day, which may require many additional hours of unpaid work (there have been cases of employees working for up to 14 hours a day to complete their tasks). It is important to note that five of the six companies with definitive concessions in Cameroon pay most of their workers piece rates, and that these employees work in particularly difficult conditions.¹¹¹ Between the last quarter of 2011 and the end of the first quarter of 2012, workers hired by most of the major agro-industrial enterprises in Cameroon went on strike for better pay or working conditions. At least one of these strikes caused substantial material damage, and one person has died as a result of the unrest.¹¹² Workers' conditions have been a constant source of tension in agro-industrial enterprises in Cameroon, both during the colonial period and since independence (Konings, 1993).

Two companies were affected by social unrest when this report was being written in March 2013: staff were unhappy about the conditions in Mbanga plantations, and local residents were reported to have accused one company there of violating the terms of its agreement, among other things.¹¹³ Some plantations do not fully comply with national employment legislation, as they make payment of the minimum wage conditional upon meeting production targets within the legal working day, thereby prolonging the number of hours worked for wages equivalent to SMIG. These conditions are effectively sanctioned by the state, as the Convention of Establishment signed between one company and the government of Cameroon states that "[c]ompensation paid or provided to employees of the Investor and Operator shall be based on the application of the occupational categories and minimum wage scales fixed on the basis of productivity and efficiency criteria."

This clause allows the company to make payment of SMIG conditional upon productivity criteria, although the Labour Code in Cameroon only allows productivity criteria to be used to improve workers' wages, not to determine their basic pay. The problem is that the company is solely responsible for determining the productivity indicators. Having this kind of clause in the Convention of Establishment might be interpreted as requiring labourers to work longer hours for the very minimum wage. This is a recurrent source of discord.

111. See, for example, de Ravignan (2012), in which the author describes the conditions faced by workers from one company: houses too old and too small, with working days ranging between 11 and 16 hours per day, six days a week.

112. Manedong (2012).

113. Dassie (2013) and Kankeu (2013).

Although the figures in Table 9 show that labourers working 260 days a year earn 715,000 CFA francs per hectare per year (or around 2,750 CFA per day) in a commercial oil palm operation, 396,000 CFA per hectare per year (or around 1,523 CFA per day) on a family plantation, and an average of about 600,000 CFA per hectare per year (or 1,923 francs per day) in agro-industrial plantations, workers may not earn more in agro-industrial enterprises than they do on small farms. These rates of pay take no account of whether the worker is the head of the family, and as an average family (of four to six people) can manage four hectares of oil palm without needing to pay additional workers, their annual income could be higher than Table 9 suggests. In this case, small-scale oil palm or plantain operations in Cameroon seem to comply more closely with regulations and create better financial, technical and employment opportunities for small farms in rural areas than agro-industrial companies.

5.3 Consideration of the environment and social factors by agro-industrial companies

a) Consideration of the environment in contracts

Although the environment features in most contracts agreed after 1996, when Cameroon's framework law on the environment came into force, there are large gaps in the regulations regarding the effects that agro-industrial operations have on the surrounding area. This suggests that the administrations responsible for the environment have yet to develop a clear vision of the nature and level of requirements that need to be imposed on investors in this sector. We were struck by the brevity and vagueness of the environmental arrangements in all the contracts we consulted during the course of this study, which tend to do the following:

- *Focus on a specific aspect of the environment.* For example, in the contract between one sugar company and the government of Cameroon, the company agrees to abide by current and future "soil protection and hygiene rules" and regulations, even though the potential environmental impacts of large-scale sugar cane production extend well beyond these two issues. The Convention of Establishment of 31 August 1998 between the government of Cameroon and another company contains a specific commitment from the company to "put in place additional environmental protection measures before 30 June 1999, mainly consisting of a white water recovery system in the rubber factory."
- *Limit requirements to a general obligation to respect environmental standards.* The long-term lease between the government of Cameroon and one palm oil company states that the company promises to "take account of requirements to protect the environment during operations to expand plantations, and to involve the competent national institutions in relevant studies initiated by the company." Similarly, the Convention of Establishment between the Cameroonian state and another company states that the company is obliged to comply with the relevant

regulations under the current law, including the Framework Law on Environmental Management and the Equator Principles,¹¹⁴ as they apply to a given context.

- *Exempt companies from environmental obligations* through specific clauses that allow them to ignore current environmental legislation. The most surprising example of this is probably the contract between Cameroon and one palm oil company in which the company is given a three-year grace period during which the state promises not to sanction it for failure to comply with current regulations, especially those relating to effluents. Although this obligation could be explained by the need to make preparations that will allow the company to be more environmentally friendly, it is hard to understand a contractual commitment to allow non-compliance with environmental legislation. This could lead to lax standards that the company and the state will find hard to correct once the grace period has elapsed. Onsite observations revealed that relations between the company and local communities are strained. Some local people have repeatedly complained about the discharge of factory waste into a water course, which could lead to the disappearance of the aquatic fauna, and odour pollution is particularly noticeable in this area.¹¹⁵

Agro-industries are expected to comply with current environmental legislation, even if this is not explicitly mentioned in the contract. Companies that set up operations after 2005, when the Prime Ministerial Decree making EIAs a requirement was signed, are expected to produce an EIA and an environmental management plan. Companies whose operations started before 2005 had to follow the procedure for environmental audits, which were supposed to retrospectively evaluate the negative impacts of the company's operations on the environment, and determine possible mitigation measures as part of an environmental management plan. None of these pre-2005 companies developed or implemented a formal environmental policy before conducting their environmental audit. Agro-industries have various negative effects on the environment, apart from the loss of biodiversity caused by converting forests to mono-cropping systems. These include the following:

- *Air pollution.*
- *Pollution of surface water* due to the discharge of factory effluents into watercourses used by local communities. This pollution leads to the destruction of aquatic life and can cause numerous illnesses, even though certain companies continue to claim that such discharges do not damage the environment or people's health.
- *Noise pollution*, mainly caused by factories located in the immediate vicinity of villages.
- *Odour pollution.*

114. The Equator Principles are the minimum social and environmental standards designed to permit the identification, evaluation and management of the risks of projects financed by signatory private international banks.

115. CED, FORCARFE, MISEREOR and SHERPA (2010) and community interviews conducted between 2012 and 2014.

- *Loss of animal biodiversity*, which threatens local communities' food security.
- *Aerial application of chemical products* that pose a risk to human health. Certain plants are becoming increasingly scarce around agro-industrial plantations that use chemical sprays, such as *Colocasia esculenta*, commonly known as 'taro', which used to be one of the highest yielding food crops in Cameroon.
- *Soil degradation* due to the use of pesticides.

The nature of the risks and impacts of agro-industrial production can be seen in large-scale banana plantations. A study to evaluate the effect of pesticide use on the environment and human health in the district of Njombé-Penja¹¹⁶ noted that the volume of pesticides used in industrial dessert banana plantations has increased because parasites have become resistant to certain products, "shifting from 7 sprays per month to 40 sprays per month". This increases local people's exposure to chemicals in an area where there is very little awareness of the risks associated with their use. Increasingly, impoverished soils are also making small producers much more reliant on chemical fertilisers, which pose risks to their health.

The preparation and approval of EIAs could also be improved. We saw one EIA that the government has approved despite a large part of the company's concession containing forests with a high conservation value (due to their location between four actual or planned protected areas). Furthermore, recent studies in the concession area have identified the presence of large mammals that are not mentioned in the EIA, and a new species of fish has even been discovered in the area.¹¹⁷

The main weakness observed in most of the impact assessments produced by the agro-industrial companies is the lack of standards that would make it possible to determine the upper limits of pollution.

In a context where communities rely mainly on natural resources for their subsistence, including non-timber forest products, it is crucial that rigorous environmental impact assessments are undertaken in order to mitigate adverse effects on communities and avoid conflicts between companies and villagers.

b) Consideration of social factors by agro-industrial companies

In addition to environmental issues, the social elements of agro-industrial projects also need taking into account. It is hard to assess the social commitments that these companies have made because it is extremely difficult to access the terms and conditions of their agreements, and the contracts say little about this issue. We saw many misunderstandings between companies and the communities living around their concessions, as local people expect the operations to deliver certain development benefits that the companies regard as unrealistic or excessive. The lack of commitments imposed on these companies mean local people are unable to oblige them to respond to their complaints. Neighbouring communities usually

116. Tchinda and Foka (2011).

117. According to personal communication with the research team dated 31 August 2013.

expect agro-industrial enterprises to provide local social infrastructures (especially roads, bridges, schools and health centres), employ their young men, provide access to land (some communities do not know the exact boundaries of the concessions, or contest them if they think they are too close to their villages and do not leave enough room for them to continue their traditional activities), and pay financial compensation for the company's presence on their land (through ground rent or another form of payment) or reparation for the nuisance caused by the company due to its activities or even its mere presence on the site (such as water and air pollution and noise from factories). The fact that there are conflicts in most agro-industrial areas is an indication of the level of discontent among both workers and local communities, who clearly feel that the social compensation measures taken by these companies do not reflect the effort invested in their operations or the losses sustained as a result of them.

6. Conclusion

Land is a multi-faceted resource: it is vital to local people's survival, but also the basis for diverse investments; it is a commercial resource that can be privately appropriated, but also a public good and common asset; and it is an inalienable ancestral heritage that is handed down from previous to future generations, which also supports agricultural production. Because of its central role in local and national development strategies and the close attachment that communities feel to their living space, it is essential that land is managed prudently in order to avoid the risk of conflict over its use.

Land allocations for large-scale agricultural investments in Cameroon involve long-term transfers of rights and the conversion of natural spaces to monocultures. This has an impact on local people's food security, and therefore requires a specific precautionary approach that works in the interests of communities, investors and the state (guaranteeing public peace for the leading stakeholder in development) in order to ensure that the different activities can co-exist harmoniously.

The current regime for allocating large-scale land concessions was not designed to regulate the kind of vast projects that are emerging in the new wave of demand for arable land, which could well exceed 2 million hectares. It does not address key issues such as how to identify land that is regarded as available for allocation to agro-industrial companies, how to determine the criteria for allocating land to agro-industries, how to take account of the rights of indigenous communities and the use rights of all local populations, how to introduce proper compensation for land and resources that takes account of the replacement value of threatened local uses, and how to protect biodiversity and mitigate the ecological impacts of agro-industrial operations.

Like many other African countries, Cameroon has yet to optimise the comparative advantage it enjoys due to its available land and diverse ecosystems. The huge increase in demand for its arable land and natural resources will lead to constantly rising land rents and greater risk of conflict over land use. Cameroon does not seem to have taken sufficient account of the real value of land in a world that is increasingly exposed to persistent food crises. It needs to take more measures to prevent conflicts over land use, rationalise the use of its land and resources, and carefully reflect on the value of land so that prices do not stay at their current low level.

The current system (or lack of a system) seems to work in favour of agro-industrial companies, allowing them to acquire rights to fertile land under particularly advantageous conditions. While representatives of the administration may be flattered by the sudden interest in Cameroon, they need to be aware that there are more risks than advantages for both investors and the state. The situation bears certain similarities to the Midas myth:

- Companies that expected to benefit from land investments in a country without a coherent or effective system for regulating land concessions are exposed to the risks associated with not recognising local people's land rights. The savings in time and money that companies expect to make from authoritarian operations on traditional community lands will quickly evaporate when these communities resist their advances and start trying to protect their lands. A recent study has shown that investing in areas where communities' rights are not recognised carries huge financial risks (Munden Project, 2012).
- The state had hoped that a massive influx of investors would generate economic growth, but this has so far mainly succeeded in seriously undermining its ability to manage the national territory and find the best balance between different commercial uses, conservation areas and the spaces that communities need to survive. Rather than receiving the handsome income it expected from these investments, it finds itself liable to pay huge sums in financial compensation to companies with overlapping rights to the same land.

The lack of clear mechanisms to protect communities' rights has left local people facing the loss of their land and resources. Freezing rights to large tracts of land for very long periods also runs counter to the dynamic driving the growing number of land and resource management initiatives in Central Africa. It might be advisable for the state to stop making land allocations until it has put in place an effective, inclusive and transparent system that ensures that the rights of all actors – including the weakest (local and indigenous communities) – are identified and protected before any rights are assigned to investors. This is a perfect opportunity for the ongoing land reform in Cameroon to start addressing this crucial issue.

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Agro-industrial investments in Cameroon: Large-scale land acquisitions since 2005

In recent years, Cameroon has been approached by growing numbers of local and international investors wanting to acquire arable land for large-scale agro-industrial operations. This seems to be regarded as a positive phenomenon in the country, as it is encouraged by the government and is expected to boost the nation's balance of payments.

In order to make a realistic assessment of the situation, this study takes a closer look at large-scale land acquisitions by the agroindustrial sector since 2005. Examining the legal framework and the practical implications of these land acquisitions, it shows that there is a risk that these investments will affect the long-term capacity of communities to preserve their traditional way of living. Their territories are being substantially reduced, their ecological environment and social stability are threatened, and the situation is further exacerbated by the lack of transparency in the allocation process. The authors propose several possible solutions that will serve the long-term interests of both local populations and agro-industrial companies.

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