

Briefing

Biodiversity; Land acquisition and rights

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Policy pointers

To secure local livelihoods and conserve the habitats of great apes, the government of Cameroon should use its ongoing land law reforms to improve how large-scale land-based investments are governed.

The concession allocation process should begin with an Environmental and Social Impact Assessment, to help prevent any major or irreversible threats to key biodiversity areas, endangered wildlife and flora, or local livelihoods.

Government reforms should give Cameroon's Land Consultative Board (LCB) a stronger mandate, with a key role in voicing local concerns and recommending how concessions are allocated. The LCB should include representatives of ministries in charge of natural resource management and local communities.

Reforms should include national coordination measures for land-use planning. Participatory mapping would help identify rights holders in proposed land concessions and pinpoint areas with high conservation value or that are vital to local and indigenous livelihoods.

Apes, crops and communities: land concessions and conservation in Cameroon

Cameroon's current land law appears to have two conflicting objectives: to attract investors through large-scale land concessions while simultaneously protecting biodiversity, defending local people's rights and promoting rural development. But the legislation governing large-scale land-based investments is outdated and sometimes incoherent. The land allocation process is investor driven and does not appropriately balance economic, social or environmental considerations. For example, overlaps between the habitats of great apes, community lands and recently established agro-industries pose a threat to conservation efforts and community livelihoods. Based on recent research, this policy briefing suggests land law reforms that the government of Cameroon could implement to effectively address these issues. These include revising the concession allocation process so that relevant public authorities and local communities are involved, and using Environmental and Social Impact Assessments to better inform decisions.

Why Cameroon's land laws need reform

In Cameroon, the government sees agro-industrial plantations as a way to generate jobs in remote areas while providing much-needed local infrastructure.¹ Many investors are offered significant incentives to acquire large concessions. But contracts are often granted in landscapes with high conservation value and to large international and domestic companies whose management measures in establishing plantations are not compatible with conservation. Legislation governing large-scale land allocation does not provide for any 'no-go zones' for plantations, except inside protected areas. Corridors between protected areas and proposed protected areas

are often allocated as concessions. A recent example is the buffer zone of a major protected area (the Dja Faunal Reserve) allocated to a rubber plantation owned by the Chinese company Sud Cameroun Hévéa (Sudcam).

To assess the impacts of land concessions, the 'Promoting Biodiversity Conservation in the Context of Industrial Agriculture in Cameroon' project, funded by the Arcus Foundation and implemented by the International Institute for Environment and Development (IIED) in the UK and the Centre for Environment and Development (CED) in Cameroon, conducted research between 2017 and 2019 in the Dja Faunal Reserve in southeast Cameroon. The reserve is a UNESCO World Heritage Site and a protected area. Our research also included

There is little concerted governance by the ministries involved in large-scale land allocation processes

Ndogbangué (Nkam Division), an area near the Dibamba River and Ebo Forest at the southwest edge of the Dja Faunal Reserve. It has been proposed as a protected area due to its

extraordinarily high levels of biodiversity.² We aimed to analyse the impacts of large-scale agro-industrial plantations on local livelihoods and endangered wildlife (two concessions granted to Chinese company Sudcam operating in the

Dja Faunal Reserve and one granted to Cameroonian company Azur operating in Ndogbangué). Our objective was to provide evidence-based inputs to the ongoing land law reform on this specific issue.

Findings: threats to ape habitats and local livelihoods

The Dja Faunal Reserve covers about 1,475,000 hectares. It has three main parts:

- Core conservation area (primary conservation zone)
- Buffer zone (where only human activities compatible with conservation are allowed), and
- Transition zone (where human activities like subsistence livelihoods and income generation are allowed, with due consideration for environmental protection).³

Figure 1 illustrates the uses of spaces in the reserve.

In Ndogbangué, the reserve shares its southwestern boundary with Azur's agro-industrial rubber plantation in the corridor between several national parks. Great apes have their habitats here, such as the western lowland gorilla and the Central African chimpanzees. As critical 'flagship' species, great apes are classified as 'fully protected'.⁴ Endangering their habitat would destroy the biological wealth and interrelation between the core conservation, buffer and transition zones of the Dja Faunal Reserve.

Our findings suggest considerable overlaps between great apes' habitats and agro-industrial concessions in the south and southwestern transition and buffer zones around the Dja Faunal Reserve. Our wildlife inventories identified 85 traces of animals that are either partially or fully protected belonging to nine different fauna species on land around the reserve attributed to Sudcam in 2008.

We also found an overlap between community lands and plantations west of the Dja Faunal

Reserve. We observed human activities 4 kilometres from village lands within and near two Sudcam rubber concessions. According to local people, households use land as far as 8km from their homes for farming, fishing and hunting. Local communities had requested a band of 7–8km between the villages and Sudcam's concessions. However, the company has placed its demarcation points only 4.5km from the villages.

Within and near the Sudcam concessions in the reserve, local community activities appear to support wildlife conservation. Great apes live alongside cocoa farms, mixed farms, fish ponds, camps and sacred sites (see Figure 2). We also identified four Baka (forest indigenous peoples) camps inside and outside the forest. Indigenous people are important conservation agents locally. A recent study found that 71% of villagers around the Dja Faunal Reserve believe that indigenous knowledge sustains wildlife conservation, through:

- Totems (protecting animals considered sacred and bearing powers)
- Prohibitions in consumption and hunting (especially apes thought to be ancestors)
- Chiefs granting authorisations to hunt, and
- The perception that animals contribute to forest health by spreading seeds.⁵

Local people and wildlife coexist together. But these traditional wildlife management systems — indeed the Baka way of life — depend on the forest. These customs are at risk once forest clearing for planting rubber begins.

Why the land allocation process is flawed

The overlap between concessions, community lands and great apes' habitats in the Dja Faunal Reserve demonstrate that there is little concerted governance by the ministries involved in large-scale land allocation processes. The rules governing concessions were designed in the 1970s when neither environmental issues nor land-based investments were prominent.⁶ How land is allocated currently favours company needs over social and environmental concerns. The company applying plays a key role in selecting the location of its proposed plantation — regardless of local concerns or the potential environmental and socioeconomic impacts.

Issues related to the Land Consultative Board. In Cameroon, the Ministry of Lands makes land allocation decisions. It is advised by the national Land Consultative Board (LCB), whose mandate is to 'make the choice of land use essential to the needs of village communities' and therefore key to voicing local concerns. However,

the Ministry of Lands is not obliged to follow the LCB's recommendations. And the LCB is currently unable to assess a proposed concession's impact on biodiversity or community livelihoods. There are several issues:

- The ministries responsible for natural resource management and environmental protection (including the Ministry of Forestry and Wildlife and the Ministry of Environment, Nature Protection and Sustainable Development) are not represented on the LCB. Consequently, sensitive issues concerning biodiversity impacts are rarely raised.⁷
- Community representatives form a minority of LCB board members, despite representing local interests.⁸
- Environmental and Social Impact Assessments (ESIAs) are key to evaluating the impacts of a proposed concession. But unless current regulations are reformed, the LCB cannot use ESIAs to make recommendations, as ESIAs are only requested once the land allocation process is complete and the concession granted, while the LCB is only involved at the earliest stage of the land allocation process.

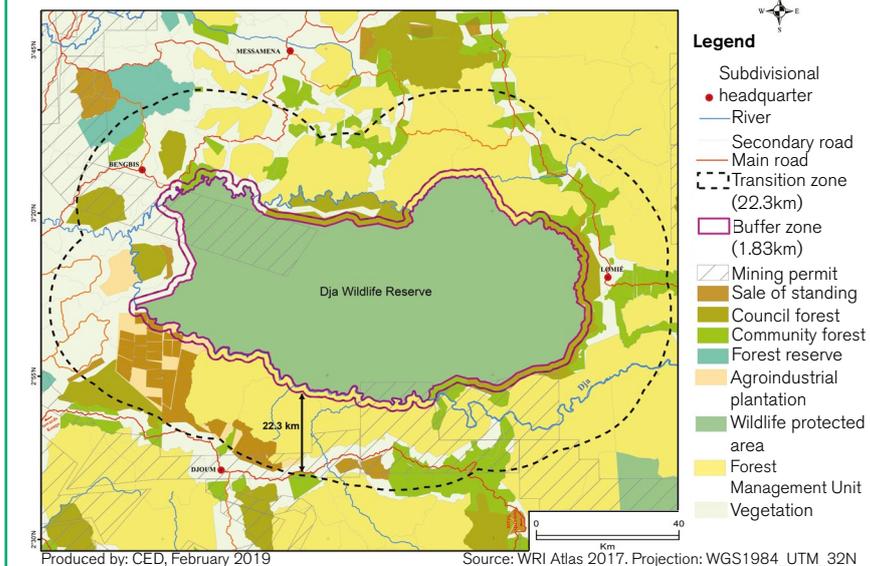
Inconsistencies with the Convention on Biodiversity. The international Convention on Biodiversity (CBD) aims to conserve biological diversity, and some of its mechanisms and tools are particularly well suited to the protection of great apes, such as in situ conservation (creating protected areas)⁹ and using impact assessments to reduce adverse effects. But despite being a signatory to the CBD, Cameroon's current legislation is not geared towards tackling environmental concerns — including protecting great apes' habitats. Its laws governing large-scale land concessions remain unspecific on this issue with no linkages between different sectoral laws.

Instead, Cameroon's current environmental regulations create a perverse situation. Economic considerations come before environmental commitments. Not wishing to discourage potential investors, the government only requires that impact assessments take place *after* a concession is granted. Therefore, ESIAs have no bearing on where — or if — a plantation is established and decision makers are limited in their ability to take environmental issues into account.

Recommendations for reform

In Cameroon, large-scale commercial investments in agriculture and extractive industries will only continue to increase. Cameroon must reform its land laws to ensure that rural development is not achieved at the

Figure 1. Key uses of space in the Dja biosphere reserve in Cameroon

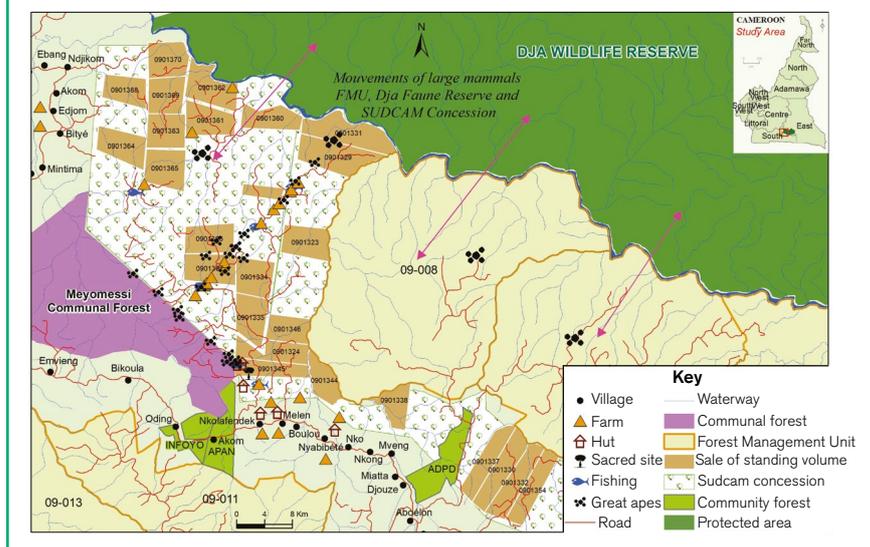


expense of biodiversity and traditional ways of life. The Cameroonian government should consider the following recommendations:

Revise the concession allocation process. Land law reforms should develop a methodical concession allocation process. It should involve relevant public authorities responsible for managing natural spaces and resources and include rigorous rules to protect biodiversity and communities' livelihoods. Investors must also demonstrate that the proposed concession does not involve major or irreversible risks to key biodiversity areas, endangered wildlife and flora, or communities' livelihoods.

Revise the ESIA process. The concession allocation process should start with an ESIA and costs should be covered by the investor. The results should then inform the LCB's

Figure 2. Biodiversity and great apes habitats lost in long term around Sudcam



recommendations. The process should also enable interested parties to challenge a company's compliance with social and ecological requirements, and all requests from citizens should be assessed prior to the final allocation of the concession.

Develop national land-use planning. The development of guidance (such as zoning plans and land-use planning processes) is currently ongoing in Cameroon. But it must be sped up. This will improve national coordination of the different administrations granting concessions. It will also help prevent concessions being granted in inappropriate locations and avoid irreversible social and ecological impacts. The process should accurately identify areas with high conservation value and 'vital space' where local and indigenous livelihoods will be guaranteed.

Cameroon recently adopted a common methodology for participatory mapping. If appropriately used, this could better inform land-use planning decisions. In the interim, the government could make it mandatory, in accordance with the Food and Agriculture Organization of the United Nations (FAO) voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context

of national food security (VGGT), that all rights holders in proposed land concessions are identified. This would ensure either their protection or appropriate compensation.

Include all relevant stakeholders and reform the LCB. The concession allocation process should involve all relevant public administrations. Proposed concessions should be recorded in one single registry, preferably under the Ministry of Economic and Land Use Planning (MINEPAT). Before any final allocation is made, MINEPAT should ensure that objections are addressed and disagreements managed.

The LCB should be reformed to include the Ministry of Forestry and Wildlife and the Ministry of Environment, Nature Protection and Sustainable Development. More community representatives should also be included. This would give the LCB a stronger mandate, particularly when combined with more efficient tools such as ESAs and participatory mapping.

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Knowledge Products

The International Institute for Environment and Development (IIED) promotes sustainable development, linking local priorities to global challenges.

The Centre pour l'Environnement et le Développement (CED) protects the rights, culture and aspirations of local communities in Central Africa, in the frame of land and natural resources management.

LandCam works on securing land and resource rights and improving governance in Cameroon. LandCam is implemented by CED, RELUFA and IIED.

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Notes

¹ Nguiffo, S and Sonkoue Watio, M (2015) Investissements dans le secteur agro-industriel au Cameroun: acquisitions de terres à grande échelle depuis 2005. IIED, London. pubs.iied.org/17571FIIED / ² Morgan, B, Adeleke, A, Basse, T, Bergl, R, Dunn, A, Fotso, R, Gadsby, E, Gonder, K, Greengrass, E, Koulagna, DK, Mbah, G, Nicholas, A, Oates, J, Omeni, F, Saidu, Y, Sommer, V, Sunderland-Groves, J, Tiebou, J and Williamson, E (2011) Regional action plan for the conservation of the Nigeria-Cameroon chimpanzee (*Pan troglodytes ellioti*). IUCN/SSC Primate Specialist Group and Zoological Society of San Diego. <http://bit.ly/2MCsf9E> / ³ World Heritage Patrimoine Mondial (2012) Rapport de mission de suivi réactif de la réserve de faune du Dja. <http://whc.unesco.org/en/documents/117236> / ⁴ According to Law No. 94/01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations and Order No. 0648/MINFOF of 18 December 2006 (Articles 2, 3 and 4), category 'A' (including great apes) is fully protected and categories 'B' and 'C' are partially protected. / ⁵ Tabue Mbobda, RB, Cédric, CD, Phanuella, DS, d'Estaing, NA, Valery, NN, Nfornkah, BN, Funwi, BP, Banoho, K, Roger, LP, Christian, ZJ, Jean-Paul, AN, Frank, WP, Roger, NL, Louis, Z (2018) Indigenous knowledge as a tool for wildlife conservation in the Dja Biosphere Reserve, Cameroon. *International Journal of Social Science and Humanities Research* 6(4): 148–156. <http://bit.ly/2l59sPP> / ⁶ Ordinance No. 74/2 of 6 July 1974 laying down the state system and Decree No. 76/166 of 27 April 1976 laying down management arrangements for the national domain. / ⁷ These ministries were created after the reform of the mid-1970s. Forestry was a department under the Ministry of Agriculture, and environment was a department under the Ministry of Economy and Land Use Planning. / ⁸ Article 12 of the Decree No. 76/166 of 27 April 1976. / ⁹ Article 8 of the Convention on Biological Diversity.