

## Research Article

# Rethinking Rights and Interests of Local Communities in REDD+ Designs: Lessons Learnt from Current Forest Tenure Systems in Cameroon

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It is increasingly becoming clear that reforms based on the claims of local forest communities regarding the right to natural resources will be needed to adequately address issues of sustainable development in Sub-Saharan Africa. The current institutional and policy frameworks of Cameroon and other SSA countries have bestowed exclusive land tenure rights to the State, while curtailing access of local farmers to forest and forest-based resources on which they depend for a living. It is therefore unlikely that successful forest conservation and implementation of REDD+ can be possible without recognition and enforcement of customary tenure. This paper aimed to sense smallholders' perceptions on rights and risks in the current forestry policy arena linked with the climate change debate in Cameroon. Using semistructured questionnaires and focus group discussions about 7 key informants and 66 community forest users were investigated about the current tenure systems and the risks of related conflicts. Findings from the field provide empirical evidence on the sources of conflict. Based on failures and positive elements of community forestry, the lessons learnt could enrich the on-going REDD safeguard debates and serve as guiding milestones towards the effectiveness of this initiative across the country and the continent.

## 1. Introduction

Cameroon is a tropical forest country with about 42% forest cover and hence it is known as an area with high potential to implement the concept of REDD+ (reducing emissions from deforestation and forest degradation plus sustainable management of forests, conservation of forest carbon, and enhancement of carbon stocks). As in many other developing countries, in Cameroon there are few reliable statistics on forest cover loss, but estimates of annual deforestation range from 0.4 to 1.0 percent [1, 2]. Also the causes of deforestation

are uncertain and in Sub-Saharan Africa, those drivers are embedded in socioeconomic relations between the state, the private sector and local people as well as in poor governance within the forestry sector [3]. While smallholder slash and burn agriculture and fuel wood demand are widely believed to be responsible for about 80 percent of deforestation [4], these factors are often secondary effects of tropical timber harvesting that degrades forest cover and contributes to associated declines in biodiversity.

In the light of the climate change debate and the role which deforestation plays to stock and sequester CO<sub>2</sub> from

the atmosphere, the international community came up with a mechanism called REDD (reduced emissions from Deforestation and forest degradation). According to Angelsen et al. [5], it is an incentive-based scheme which started from the discussions held during the 11th Conference of Parties held in Montreal, Canada, in 2005. The mechanism stipulates that countries that choose to reduce their national level of deforestation and loss of carbon stock below an agreed baseline receive post facto performance-based payments [6]. It is actually here that forests were included in the United Nations Framework Convention on Climate Change (UNFCCC) and the initiative went through a series of evolutionary developments from Bali in 2007 to Cancun 2010. REDD had as primarily aim to enhance national and international action concerning climate change mitigation. This includes the consideration of policy approaches and positive incentives to reduce emissions from deforestation and forest degradation in developing countries [6–8]. Cameroon was one of the pioneer countries which supported the REDD idea as a potential incentive mechanism to conserve tropical forests alongside Papua New Guinea, Costa, Rica and seven other countries (Bali Decision 2/CP13). Recently, this policy instrument was upgraded to REDD+ which is tied to measurable and verifiable reduction of emissions beyond just deforestation.

Since the inception of REDD, one of the major challenges has been to develop strategies to maintain social safeguards such as community rights and actors consents within the land use policy. Nevertheless, Galudra et al. [9] have indicated that there could be an interaction between carbon stock related rights and other existing property rights and that this creates additional complexity, because clarity and procedural justice are needed. The same authors explained further that carbon rights come as an addition to the already complex layers of unresolved property rights. Risks of conflicts between the local communities and the management authorities have been reported in many studies across tropical ecosystems when anticipating large scale conservation projects. This was for example the case in India, Cameroon, and Brazil [10–12]. The international governance approaches emerging in the current context of climate change mitigation have therefore opened the eyes of social scientists to consider safeguards which reduce the risks of conflicts over forest resources, when the negotiated mechanisms would be put in place [7, 9, 11, 13]. This poses the challenge of mainstreaming various forms of community rights as one among key social safeguards as well as equity in benefits distribution to enhance other forest-related cobenefits from REDD+. The success of this financial mechanism would be very significant not only in stabilizing global warming 2 degrees below the expected increase but also in terms of expected critical additionalities like (1) enhancing biodiversity, (2) enhancing adaptation to climate change, (3) improving livelihoods and forest governance, and (4) protecting rights and watersheds.

Although at this moment some steps have been made to move from the REDD+ piloting phase to a fast start implementation in the Congo basin countries [14, 15], there is still limited information concerning the perception of local communities on the links between forest tenure rights, existing policy instruments, and the climate change debate

[16]. The following questions still need to be clarified: (1) in which policy area will the upcoming REDD+ process implementation be grafted? (2) in terms of social safeguards, which lessons can be learnt from the current forestry policy framework that could help to make REDD+ succeed in Cameroon?

Many reports on tenure rights in the forestry sector of Cameroon have been produced and there is growing consensus among contemporary scholars that without adequate forest tenure and resource rights of local populations, conservation of biodiversity and sustainable development will seldom be achieved in Cameroon and Africa as a whole [17–25]. However, very few scientific reports have attempted to assess the links between REDD+ and social safeguards such as fairness in forest benefit sharing. Moreover, there has been to date little or no study focussing smallholder perceptions on tenure rights at site level based on the existing policy environment.

In the current context of international debates on climate change, it is therefore important to assess what the population in Cameroon feels about the flaws in the legal instruments concerning forest tenure and property rights; how they appreciate the implementation of these laws and policies; and to map the potential areas of conflicts. It is hypothesised that the flaws in the current community forestry laws of Cameroon have hampered their implementation and have divested local populations from forest resource access rights. This causes latent conflicts which could reduce the effectiveness of the implementation of REDD+. This study aims to fill these knowledge gaps for the context of Southern Cameroon, where there is an apparent confusive local situation of property rights dominated by the coexistence of *de jure* tenure rights and *de facto* state property. The investigation took a deep step from the theory of access [26], to understand the current rights of the forest community using focus group discussions and conflict mapping tools. In this way we sensed smallholders' perceptions on rights and risks in the current forestry policy arena in link with the climate change debate. This will offer us empirical evidence on sources of community forest related conflicts. The lessons learnt could enrich the on-going REDD safeguard framework at local level and serve as guiding milestones towards the improvement of the effectiveness of REDD+ across the country and the tropics.

## 2. Community Forest Management: Ownership, Tenure, and Threats

Community forestry refers to the form of state power devolution for local community to jointly manage forest resources under certain legal dispositions. Community forest management approach (CFM) had been viewed as a strategy by which, through collective action, local people can move beyond deforestation and degradation and achieve sustainable management and livelihoods [3, 7, 27]. Taking the case of Latin America, Larson et al. [7] have found that if lessons are learnt from the existing experiences, CFM may be an equitable means to reduce emissions under the REDD+ initiatives. Tropical forests are often sites of conflicts and competing claims for land and trees and insecure forest tenure rights are believed to be associated with deforestation and degradation [7, 9, 28].

According to the current literature, tenure rights are complex and can be viewed as “bundles of rights.” This includes the ability to access, withdraw, manage, exclude, and alienate a resource. The whole bundle constitutes the property rights which are often governed by policies, laws, and regulations [7, 9, 29]. The theory of access developed by Ribot and Peluso [26] clarifies access as the ability to benefit from resources. It provides the interpretation that the bundle of rights gives effective power based on mechanisms put in place combined with existing social relations.

The issue of tenure is so fundamental that the role it plays in undermining sustainable natural resource management cannot be ignored given the current *status quo* in the country. Tenure rights of rural communities, where recognized by law, have often proven to be a strong incentive for enhancing the conservation of natural resources [30]. Unfortunately, independent governments in Africa have seldom recognized the forest tenure and resource rights of rural communities. In fact the continent scores bad in terms of recognising tenure and access rights of local communities [31]. This is illustrated in Figure 2 where the percentage of state devolution in the management of natural resources in various continents is presented.

With just 2% rate of state devolution in Africa (see Figure 1) [31], local communities are basically denied ownership and resource rights to resources that constitute the source of their livelihood. In Cameroon, forest ownership is regulated by the Land Tenure Code of 1963 that introduced the concept of “national lands” and the Forestry Ordinance of May 22, 1974 that introduced the individual land title registration system. These legal instruments were inspired by the German Decree of 15/6/1896 and the 11/8/1920 Decree that declared all native land, which was not under effective occupation “*terres vacantes et sans maître*” or “*terra nullius*” (Land belonging to no one) [19, 20, 25, 32]. This form of land ownership by the State has impacted negatively on forest tenure and resource rights of local communities as it kept influencing subsequent legal instruments even the 1994 forests and wildlife law (FWL), which was intended to increase the participation of local communities in the management of forest and forest-based resources. The legal divestment of local populations of access rights to forest and forest-based resources has undermined complementary conservation in favour of competition between local communities and State conservation agencies. The result is that the occurrence of horizontal and vertical conflicts (Conflicts between local communities and those between local communities and forestry agents) between these stakeholders has become widespread.

Creating protected areas within the vicinity of local communities without the consent of the local populations does not only undermine their tenure rights but also leads to scarcity of land on which they rely for their survival. This of course engenders conflicts. The creation of the Bayang Mbo Wildlife Sanctuary and the Tinto CF has caused severe farmland scarcity that instigated the Tinto-Mbu and Tinto-Wire communities to fight over the remaining patches of forest outside the boundaries of these protected areas [27].

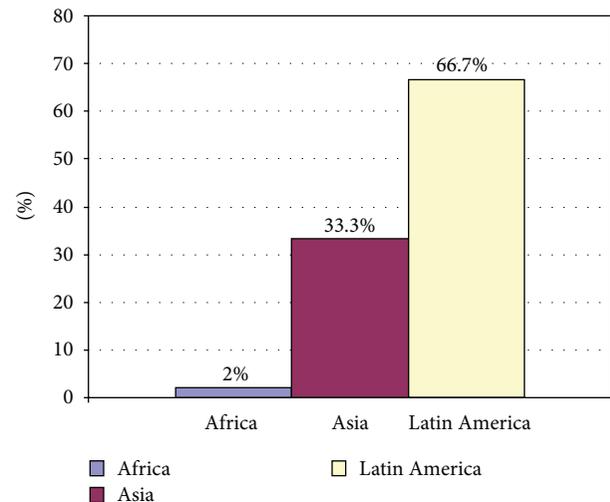


FIGURE 1: Extent of State devolution from the management of natural resources. Source: computed from [31].

It is unlikely that successful forest conservation and the implementation of REDD+ can be possible without the recognition and the enforcement of customary tenure. Written law, though arguably understood to be adequate in matters outside natural resource management [33, 34], is insufficient for and inconsistent with the contemporarily advocated natural resource management approaches. Such approaches encompass withdrawal of States from natural resource management and recognition of customary and collective tenure rights of local peoples. The replication of an ill-adapted German Decree of the 19th century in a country that is intending to use the forestry sector for poverty alleviation shows that there is missing link in the forestry policy of the country.

Cameroon has got hundreds of community forests [27] based on the 1994 forestry law and policy regulations elaborated in the Manual of Procedure for the management of community forests [35]. Unfortunately, the modern legal system, which is foreign to African countries, considers such tenure security as *de facto* state property thereby creating confusion [20]. Part, if not the entire regulatory framework for the conservation of natural resources in developing countries is based on western ideas and concepts that were introduced in the territory by colonial masters [19, 36] to ensure state control of natural resources. This therefore riddles reforms made in the domain. This legacy has permeated the tenure fabric of African States to the extent that even the most recent laws of Cameroon are still oriented towards encouragement of foreign investment in the forestry sector of the country [34].

In Cameroon as in most densely forested central African countries, many legal instruments rather favour foreign investors than addressing the land and resource tenure rights of local populations and forest dwelling communities [32, 33, 36]. State authority also regards communal ownership and property rights as *de facto* rights and no communal land titles are allowed [25]. On the contrary, the forestry Ordinance of May 22, 1973 replicated the provisions of the June 15, 1896 German Decree to proscribe registration of individual land

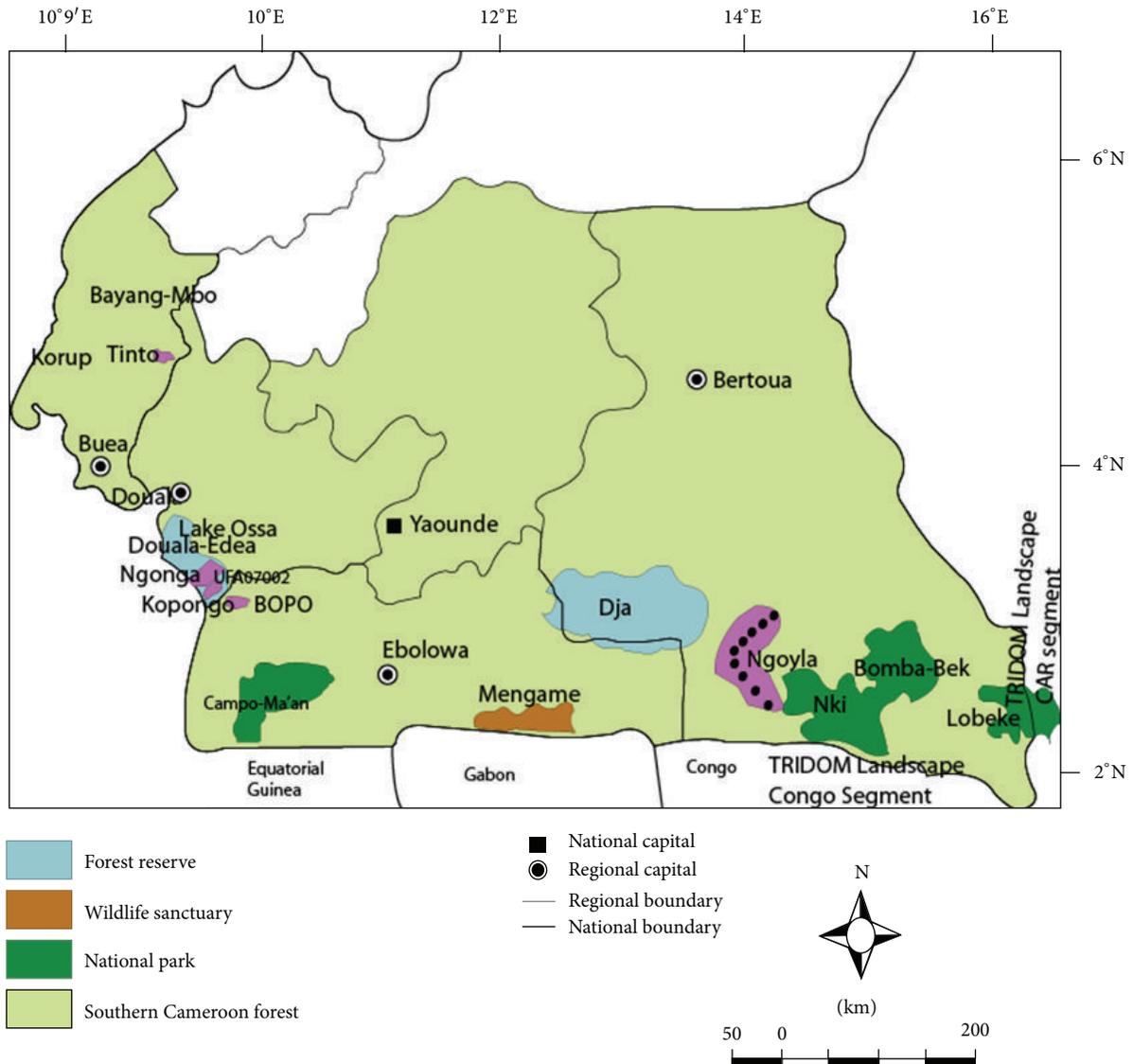


FIGURE 2: Location of the 3 study sites in southern Cameroon Forest Region. Source: adapted from [40].

titles and property rights [19, 20, 37]. It should be noted that at the outset, the government of Cameroon perceived CFs as one way of diverting part of the income from logging to local development [38]. This perception has become a disincentive since it dissuaded local communities in areas without timber exploitation from managing CFs for mainly ecological and environmental reasons such as carbon sequestration.

Land and forest tenure has played an important role in shaping access to natural resources in Cameroon. The legal instruments regulating land and forest tenure have often been drafted in ways to alienate the local people for whom the policies are meant. Such alienation, which stems from the nonconsideration of the customary tenure system and the conspicuous absent of the contributions of local peoples in the legal instruments, has largely accounted for the ineffective implementation of the laws governing forest management and access to resources for poverty alleviation [11, 17]. The conservation policies of Cameroon appear piecemeal and

*ad hoc* rather than forming a coherent whole. The creation of separate ministries for forestry, land tenure, agriculture, mining, and environment has led to compartmentalised policies as each perceives its sphere as an island turning a blind eye to areas of convergence. On the contrary, the national and international policies and laws have a common characteristic in contents associated with tenure insecurity of local communities, divestment of access to forest, and forest-based resources [11, 12, 19]. This has caused continuous abuses and conflicts in the course of their implementation [18, 31].

As Minang et al. [27] noticed, most community forests in Cameroon are a mix of natural and secondary forests. It is clear that these forests actually are the target of the REDD+ initiatives. Hence there is a need for a clear understanding of the successes and failure of community forest management as well as smallholder perceptions on what is viewed as a hot opportunity for forest sector actors [7, 39]. Otherwise, the effectiveness of REDD+ can be questioned even more.

### 3. Material and Methods

*3.1. Overview of the Study Sites.* Three sites located in three different regions were selected for this study. The regions are all part of the humid forest zones of Cameroon and form three levels of deforestation gradient. They also differ by culture, political history, and types of forestry activities carried out. The regions are (1) Tinto in the South West Region, (2) Ngoyla in the East Region, and (3) Ngonga-Kopongo in forest management unit (UFA) no. 07002 Edea in the Littoral Region (see maps below). They fully reflect the bicultural nature of the country. Ngoyla is a sub-division in Upper Nyong Division of the East Region of Cameroon. It is located approximately between 12°40' and 14°18' E and 2°5' and 3°46' N (WWF, 2007). The local population constitutes of Bantu, Baka Pygmies, and a few immigrants. Their dominant livelihood activities are cocoa cultivation, hunting, and gathering, with limited access to land and forest resources due to the conservation influence of the Nki National Park.

UFA 07002 Edea is located in the south-western coastal part of the Sanaga Maritime Division in the Littoral Region of Cameroon. Ngonga and Kopongo are found within the UFA, while BOPO (Boomabong and Pouth-Ndjock) is adjacent to it (Cameroon Ecology, 2008).

UFA 07002 is controlled by a State-owned corporation known as Edea Technopole. The local population in this site constitutes of Bassa and immigrants. Their main livelihood activities are cultivation of cassava, plantains and oil palms, hunting, and gathering. Ngonga and Kopongo have only proposed community forest (CF) as their simple management plans (SMPs) have not been approved. Members of these two forest management institutions (FMIs) and those of BOPO community forest are natives and immigrants. Tinto is the third study site found in Manyu Division of the South West Region of Cameroon. It is located approximately between 9°34' and 9°38' E and 5°32' and 5°37' N (Tinto Community, WHINCONET (Western Highlands Conservation Network.) and Forest Governance Facility, 2009). The local population comprises Bayang and immigrants. Their dominant livelihood activities are cocoa and food crop cultivation, hunting, gathering, and fishing.

*3.2. Research Process and Data Collection.* The data for this study (secondary and primary) were collected in two research runs. Secondary data were derived from a review of documents related to the evolution of the major forestry laws in the country that led to the drafting of the 1994 Forestry and Wildlife Law (1994 FWL), the law itself and its Decree of application and newly emerging publications on REDD+ debates. A greater part of secondary data was assembled from existing literature on forestry laws in the English and French Cameroons, the archives of the various community forests and of the NGOs that facilitated the process of acquisition by local forest communities as well as online resources. Documents consulted provided details on statutory and customary land tenure, ownership and property rights, the devolution of the State from management as well as on the REDD mechanism (reducing emissions from deforestation

and forest degradation). Existing maps and satellite images of the study sites served as secondary sources of data.

Primary data was collected in the first place through a questionnaire. The target population constituted of key informants and common initiative group members living around community forests. They were selected according to a number of criteria such as (i) the proximity to forest reserves, (ii) the involvement in community forestry, and (iii) their knowledge on community rights issues.

During the research design implementation, focus group discussions (FGDs) were held with 9 common initiative groups (CIGs) (These were not legally recognised groups as none registered with the administration. They were simply groups of local populations and indigenous peoples (Pygmies) carrying out common activities.) of crop farmers, hunters, fishermen and gatherers of nontimber forest products (NTFPs), along with interviews with 7 key informants, 3 of whom were conservators working with different conservation NGOs identified with the aid of field guides and community leaders. In total 3 group meetings were held in each of the three study sites (in Zoulabot, Lelene, and Lamson, in the East, with 6, 8, and 5 participants, respectively; in Ngonga, Kopongo, and BOPO in the Littoral with 9, 7, and 6 participants, respectively and in Tinto-Mbu, Tinto-Kerieh and Tinto-Wire in the South West with 8, 7, and 10 participants, respectively). A total of 66 participants (10 women and 56 men) were involved.

Before starting the FGDs, the participants were asked to evaluate the contents of a number of legal instruments and to identify legal lacunas, incomprehensive clauses as well as conflicting provisions. Aspects of the climate change mitigation debate were explained to them along with the role of forests and trees to stock and sequester carbon. As this is an exploratory investigation, focus group discussions were intended to gain additional insights for the analyses of the information derived from the desktop review and to triangulate complementary information or to complement other data from the datasets of partner NGOs. The tools for primary data collection were further designed to elicit information on the extent of devolution of government power over forest management. For this purpose, batteries of legal instruments on forestry were reviewed and information collated as appropriate. In all 11 legislation and policy texts that have relevance to tenure rights and climate change were reviewed during the study. They are (1) the constitution of the Republic of Cameroon, (2) National Biodiversity Strategy and Action Plan, (3) the Forestry, Wildlife and Fisheries Law (Law No. 94-01 of January 20, 1994), (4) the National Environmental Management Plan (1996), and (5) the Community Based Natural Resources Management Act of 1992. This was targeted as it provides the framework for community participation in natural resources through the formation of viable tax-free common initiative groups. Of particular relevance are procedures for ownership of community forests. Other many decrees and ordinances were analyzed amongst which (6) the recently promulgated law No. 2011/008 of May 6, 2011 on orientation for the management and sustainable territorial development of Cameroon, (7) the Land use and Land Tenure Act of 1974 (Law No. 74-1),

(8) the Environmental Management Law No. 96/12 of 1996, (9) decree No. 92/455/PM of 23/11/1992 that provides for articles of associations, (10) Law No. 90/053 of 19/12/1990 on associations, and (11) decree No. 2009/410 of 10-12-2009 creating a National observatory for Climate change in Cameroon.

Other data collected included awareness of the forest dwelling populations on and their familiarity with the 1994 Forestry law. They were asked to evaluate whether there was any significant difference between this recent and previous laws and whether local populations were consulted before drafting the new law, their involvement in the implementation of the law, their opinion on the sizes of their community forests, alternative livelihood activities, benefit sharing from forestry activities, conflicts between the different stakeholders, and perceptions on the links between rights and climate change on-going debates.

Interviews with forestry agents were intended to elicit whether they own copies of the 1994 Forestry law and/or their understanding of it, flaws in the law and ensuing abuses, the level of frank discussions between them and the local communities, the difficulties they encounter in the course of implementing the laws and policies regulating land and forest tenure in the country, the complementary role played by the modern and traditional tenure systems, and issues of alternative livelihood and benefit sharing. On-the-spot observation of conflict sites was carried out. A GPS was used to take 33 way points and to track round some conflict areas in the study sites. Photographs were also taken in the field to show some consequences of conflicts. The information obtained by the field observations, interviews, and focus group discussions enabled us to draw spatially mosaic maps of conflicts in the study sites. Quantitative data were processed into simple noninferential statistics and complemented with qualitative data for analyses.

## 4. Results and Discussions

*4.1. Law Application and Interpretation: Flaws and Benefit Sharing Distortion.* Interviews and focus group discussions (FGDs) revealed that in the three study sites neither the local populations nor the officials enforcing the 1994 Forestry law and its Decree of application were in possession of copies of this legal instrument. During the participatory analysis of the content of the Forestry law in the 3 sites, FGD participants could instantly identify some inherent flaws. For example, the absence of a clear definition of those with rights to own a CF, the nonrecognition of customary rights in terms of forest classification, the legal marginalisation of indigenous peoples, the conflicting legal provisions in SMPs and articles of association (AA). Furthermore, our investigation found that the creation of the “COVAREF” “Committee de Valorisation des Ressources Fauniques”: French acronym for the body managing funds from fauna resources for local development was effective only in 1 out of the 3 study sites, namely, Ngoyla in the East Region. During interviews as well as during group discussion sessions, communities have identified with a high degree of precision and clarity 4 community forest based legal lacunas. The lacunas identified are

(i) the limited lifespan of the community forests (25 years), (ii) the exclusion of potential stakeholders from community forests (Table 1), (iii) the inadequate sizes of community forests (Table 2), and (iv) their divestment of rights to subsoil resources and limitation of use rights to NTFPs. This confirms findings reported by researchers who previously attempted to understand competing claims and policy contestation in the community forestry sector in Cameroon [20, 41, 42]. Nevertheless those assessments discovered that despite legal flaws, the laws contain some appealing clauses, which were poorly implemented (nonrespect of use rights) (Farming, grazing, and hunting in CFs) though clearly devolved.

Our investigation revealed 3 other legal flaws which are situated at a more national level beyond the study sites: (1) the absence of royalties for communities in petroleum production areas, (2) the presence of 10% annual forestry royalties only to those communities where logging activities take place, and (3) the optional reforestation and a three-year period of grace of uncontrolled timber exploitation to logging companies. Respondents cited articles of the 1994 Forestry law, which prohibit individual sale of NTFPs and Article 105 of the 1994 Forestry law and makes no direct allocation of safari funds to local development. They equally alleged that the simple management plan and the articles of association create conflicts at the helm of a community forest and that crop destruction by protected wildlife engenders conflicts. These lacunas and conflicting legal provisions instigate conservation NGOs/forest guards to abuse the rights of and to marginalise local populations, indigenous peoples, and women.

On the other hand, focus group discussions revealed the following positive elements of the 1994 Forestry law: (1) community forests have to a certain extent increased participation of smallholder farmers in the village resources management in the sense that forest group dynamics brought about issues of membership, adhesion, and collective discussions on access and use rights which were simply denied before; (2) some income generating activities and agroforestry initiatives have been initiated by support organizations contributing to livelihoods improvements; (3) information sharing on CFM strategies and capacity building are regularly ensured through village committees and technical support services; (4) the battery of legal instruments enacted by the government entertain the hope of the communities that the poor governance in terms of corruption, power struggle over forest resources, and the opacity in benefits allocation shall be mitigated.

In our study however, participants and interviewees strongly affirmed inappropriateness and ineffectiveness of the channels (print, audio-visual, and intimidating personal discussions) through which conservation NGOs and/or forestry administration personnel have been passing out information to local populations (farmers, hunters, fishermen, the custodians of indigenous knowledge, and women). In an attempt to evolve from the bequeathed colonial tenure system to that of an independent State, the Government of Cameroon enacted a battery of legal instruments (the Land Tenure Code of 1963, the Decree of 1964 that prohibited native communities from registering their titles in land, the Law of 7/7/1966 that abolished prior authentication, the Forestry

TABLE 1: Exclusion of potential stakeholders due to the use of legal entity.

Region	Village community	Number of respondents	Who are members of your FMI?				Is farming practised in your CF?	
			Natives only	%	Both natives and aliens	%	Yes	No
East	Menkouom	14	0	0	14	100	14	0
	Messok-Messok	16	0	0	16	100	16	0
	BaàBa (Zoulabot)	14	0	0	14	100	14	0
	Etekessang	19	0	0	19	100	19	0
	Lelene	14	0	0	14	100	14	0
	Doumzock	12	0	0	12	100	12	0
	Ngoyla Village	25	0	0	25	100	25	0
	Lamson	13	0	0	13	100	13	0
Littoral	Ngonga	39	0	0	39	100	39	0
	Kopongo	50	0	0	50	100	50	0
	BOPO CF	13	0	0	13	100	13	0
South West	Tinto CF	101	101	100	0	0	0	101
Total	12	330	101	30.6	229	69.4	229	101
%	100	100	30.6	30.6	69.4	69.4	69.4	30.6

Source: field work, 2010.

TABLE 2: Influence of surface area and physical environment on unequal access to exploitable tree species.

Community forests	Number of standing trees and those with exploitable diameters			Surface area (ha)
	Total	Below MED	With MED	
Doumzock	872	274	598	550
Lamson	2353	578	1775	650
Messok-Messok	3017	468	2549	1300
Lelene	3904	1153	2751	1400
Zoulabot I	6819	2149	4670	2300
Ngoyla village	4634	1036	3598	2300
Etekessang	9742	2585	7157	2750
Nkondong I	5735	1232	4503	3220
Menkouom	10530	2763	7635	3500
Total	47606	12238	35236	17970

Source: data obtained from CAFT, 2008. MED: minimum exploitable diameter.

Ordinance of May 22, 1974 that introduced the land title registration system, the Forestry and Wildlife Law No. 94/01 of 1994 that provides for community forests acquisition by local communities, Law No. 92/006 of 14/8/92, and Decree No. 92/455/PM of 23/11/1992 that provides for articles of association). These initiatives rather dilute than enforce the endogenous customary tenure.

From the findings, it was noted that after more than 30 years, land tenure insecurity in Cameroon has grown rather than diminished. This confirms a similar conclusion by Ngwasiri in 2001 [19] in his assessment on tenure legacies and legislation in Cameroon. The situation has resulted in growing conflicts and erosion of the community rights

as well as galloping deforestation and forest degradation as noted by Bellassen and Gitz [43]. They argued that in *stricto sensu*, deforestation in Cameroon is taking a high magnitude. It is clear that communities kept their normal trends of shifting cultivation and fuel woods harvesting regardless of the regulations put in place, causing irreversible damage to the integrity and biodiversity of forests. This situation calls for further attention on more concerted local partnership arrangements in forests management strategies most especially in the current context of population growth, which is being exacerbated by the impacts of climate change on traditional land uses options in tropical landscapes.

*4.2. Forest Tenure Based Conflicts and Governance Implications.* It was found that the legal classification of forests in Cameroon into permanent and nonpermanent has omitted customary forests. This engendered severe tenure threats between local communities and State conservation agencies as well as with wildlife. Three types of conflicts were identified during this study (Figure 3): (i) vertical conflicts involving local communities and conservators, (ii) horizontal conflict where one finds CFM leaders versus nonmembers local users (this type was mostly reported in Tinto CF), and finally (iii) verti-horizontal conflicts where there is conflict between humans and wildlife through animal encroachment—(reported around the Tinto wildlife sanctuary). Maps generated from the field data are presented below and provide more accurate details on where current issues stand.

Figure 4 shows the spatial distribution of the conflicts emanating from five domains in and adjacent to the Tinto community forest, while Figure 5 indicates the numerous conflict sites between Edea Technopole and the local communities of Ngonga, Kopongo, and Poutloloma villages.

During field work, the Civil Administrator in Tinto alleged that conflicts erupted between members of Tinto

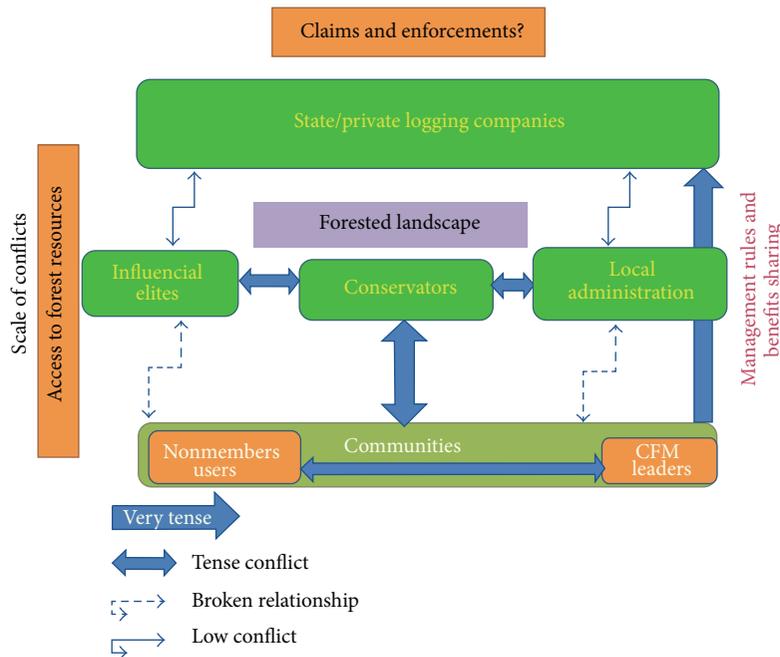


FIGURE 3: Relationships and type of existing conflicts as perceived around community forests.

forest management institution and young people from Tinto-Wire in parts of compartment I when the latter was dragged to court for farming encroachment although their revised SMP devolves such use rights. In content of the simple management plan, it is stated that crop farming, fishing, hunting, NTFPs collection, and other activities are allowed in the community forest. A visit to the community forest showed that farms were allowed only outside the boundary and that any form of encroachment was a source of conflicts. Local fishermen were denied fishing rights in River Manyu in the northern limit of the Community forest. In Ngoyla, on the contrary, it was noted that a large portion of the CFs was under cocoa cultivation as specified in their simple management plans. It was, however, observed that the confiscation of game, hunting, and fishing gears resulted in conflicts and impacted negatively on forest resources and infrastructure.

UFA 07002 (*Unité Forestière d'Amenagement*) which is currently controlled by Edea Technopole (a State-owned corporation) is a recent creation, many years after the forefathers of the communities of Ngonga, Kopongo, and Poutloloma settled in the site. In this UFA, many conflicts have emerged between Edea Technopole and the local communities of Ngonga, Kopongo, and Poutloloma (Figure 5). In the west of the UFA, a powerful political elite member has been allowed to develop an oil palm plantation for commercial purposes while the rest of the local people are denied settlement rights in their ancestral land within the UFA. Communities are rather requested to move and resettle and this had as implication increasing unhealthy relations between local communities and the forest administration. The law has exacerbated the tension as it also prevents smallholder farmers from carrying out livelihood activities in the UFA. In this regards the authority of Edea Technopole quotes the laws in vigour

to prevent local populations from gathering even tree trunks that the corporation felled for firewood. The wood could have solved their fuel wood problems at least for a time and reduce fuel wood pressure on nearby forests within that period.

The Forestry Administration argues that by law these autochthons have lost access rights to the forest, resources, and the land of their ancestors simply because the State, with the complicity of some elite members, carved and put their village communities within a permanent forest. Such an approach to the tenure and resource right issues has led to frustration and free for all open access with the result that poaching of crocodiles in the northeast of Ngonga and other animals along the Kopongo-Ngonga road axis has become rife. Other illegal activities in this UFA include logging along the Kopongo-Ngonga road axis. That notwithstanding, the local people in this area were steadfast that their communities own that land and its resources since several centuries. According to informants claims "as long as we have not been compensated and resettled as Article 26(1) of the 1994 Forestry law stipulates, we will continue to live there and carry out our normal livelihood activities." This is probably the reason why crop farming was common in UFA 07002. Our study noted that local population continues to settle in their current site and to cultivate in UFA 07002, particularly in parts of contested community forests and along the Kopongo-Ngonga road axis, against the 1994 law. The reported situation has as implication tenure difficulties increasingly rampant around the UFA and other communities forest as well as various types of protected areas in Cameroon. Similar situations of latent claims exist in several forest units and are also exacerbated by government agents behaviour deriving from policy incoherencies designed using the top-down approach combined with poor interpretation in practice.

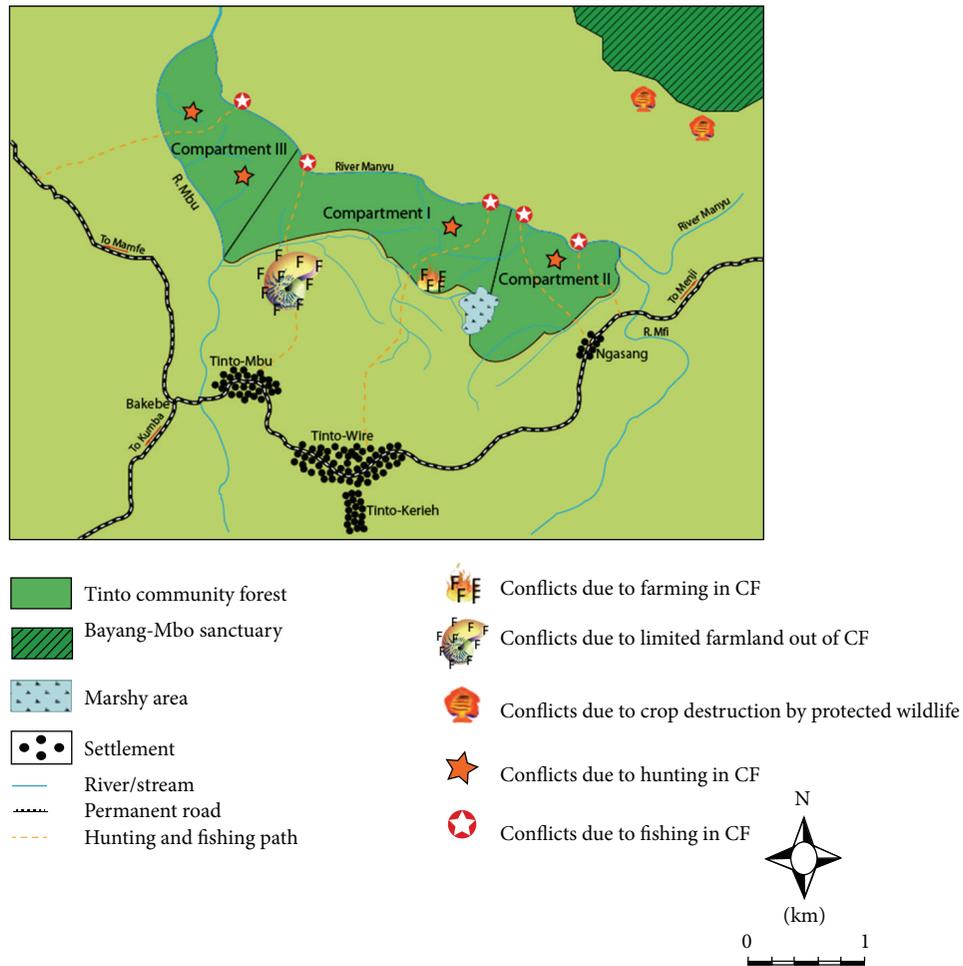


FIGURE 4: Map of Tinto Community Forest showing spatial distribution of conflict areas. Source: adapted from the Participatory map of Tinto Community Forest, 2009 and field work, 2010.

We argue that the implementation of REDD+ may suffer from the current legal systems and suggest to adapt prevailing policy instruments to local community rights and claims. Beyond our suggestion, experience has shown that opportunities from policy reform trends will require on-going vigilance, support, and struggle [11] from the engaged stakeholders to make it work for local people and the target forests of REDD+. New opportunities in Cameroon are the strong political will to fully achieve the call for decentralisation and the current move on human rights. Additionally, there has been a presidential effort to control more powerful actors in the national fight against corruption including that in the forestry sector. It appears that enforced claims and property rights in favour of both communities and state may reduce tenure insecurity perception while increasing community sense of coownership of the REDD+ initiatives.

**4.3. Stakeholders' Perceptions on Law Enforcement and Participation.** Our study found that some park conservators, field staff from the Ministry of forest and fauna and from conservation NGOs such as WWF, GTZ, Birdlife International failed to understand that law enforcement and community participation in conservation are not compatible

within the same communities, and particularly when applied simultaneously. Attempts to combine law enforcement and community participation in conservation in the three study sites rather engendered severe conflicts between local forest dwellers and conservationists and instigated the former to perceive conservation as serving the interest of conservators who are often nonnatives. This perception ties with the view that conservationists in the study sites as well as in other parts of the country use conservation as a mean to alleviating personal poverty. This assertion is corroborated by the fact that nationals who work for projects that provide technical and financial assistance for local communities to acquire community forests always tend to be at the centre of covet arrangements when the projects phase out. When the projects are on-going, these nationals usually earn huge salaries but when the projects phase out and they are given the opportunity to run the acquired community forests with funds generated from community forestry, they propagate clientelism. However, beyond local perceptions, we think that money resources obtained through conservation, for instance from tourism, or direct money in the application of policies such as REDD+, should be welcomed, particularly if local populations are involved in the benefits.

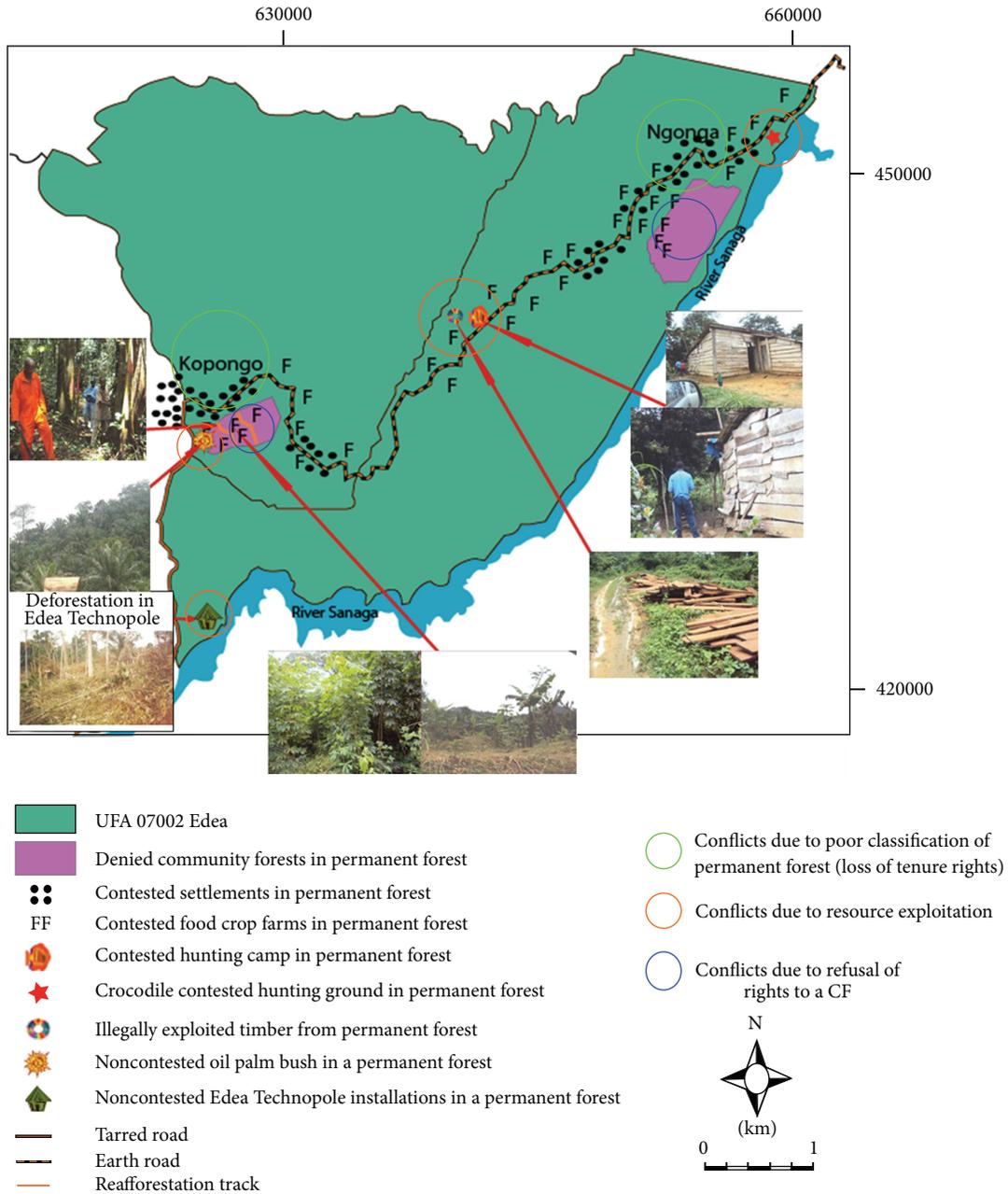


FIGURE 5: Map of UFA 07002 showing spatial distribution of conflict areas. Source: Cameroon Ecology (2008) and field work 14–20 October 2010.

The described situation in this case is compounded by the fact that even conservationists did not own copies of the law and its text of application. Information furnished on the contents of the legal instruments is speculative particularly as the laws are poorly disseminated and contain lacuna, conflicting and incomprehensible clauses. Law enforcers lack an enabling environment for effective implementation and strive first to safeguard personal interest. These limitations explain the suboptimal application of the 1994 Forestry law 18 years after its promulgation as confirmed by numerous abuses suffered by local people, conflicts between stakeholders, worsening poverty among forest dwellers, passive

participation of local populations in conservation, and a continuous and even aggravated depletion of the country's forest ecosystems [34].

Further conflict cycle analysis during the study indicated that forest conservators declared farmers in Tinto study site and all hunters and fishermen in the three study sites *persona non grata*. Farmers are alleged of violating conservation norms and findings on the field showed no room for dialogue between the conservators and the local populations. Even the sensitization programme launched after 1994 aborted with reprisal becoming the language of conservation. Apprehension of local farmers, hunters, graziers, fishermen,

and wood exploiters in the study sites and elsewhere in Cameroon, where community forestry has been introduced constitutes a source of conflicts that shun local communities from participating in conservation. Communication has not been straightforward as compensation/livelihood promises were intended only to bait local population to accept modern conservation. This investigation arguably pointed that pluriform legal instruments [35, 40, 44–46] set up in Cameroon mostly through a top-down approach, their interpretation and application have been partly at the origin of the confusion and conflicts among stakeholders in the conservation domain. Between 1994 and 2009, more than 40 forest management-related texts have been put in force with little change in the policy orientation as it is still strongly maintained that the design of a project or its components and the identification of the desired project results and activities should be done following the existing legal framework. This is, irrespective of the gaps the policies may contain and the ensuing consequences-lapses, delays or slow pace of administrative procedures. Simple management plans require a forest management institution to have an elected forest management officer (FMO) who enters into contract with the Forestry Administration to head a community forest, whereas law No. 92/006 of 14/8/92 and Decree No. 92/455/PM of 23/11/1992 that introduced the notion of delegate of forest management institution warrants an appointed Director of a FMI to boss the FMO. It may be thought that the problem is at the level of interpreting the legal instruments since the SMP talks of a FMO while the article of associations talks of a Director of FMI but in practice the two entities exercise the same functions. Interviewees revealed that FMOs were made to believe that they were mere minute secretaries while DFMIIs were rather at the helm of community forests decision systems. This distorted information may be based on inadequate mastery of the contents of the legal instruments. The argument as to the interpretation of the law may give way to a systemic issue where State authority intends to maintain firm control over resources, thus confirming pseudo-devolution of the State.

At this juncture, one can clearly notice that there are divergences on forest tenure perceptions by local communities, foresters as government and migrants. The same was found in the case of some community forests such as Bimbia Bonadikombo in the South West region of Cameroon [27]. Native populations think that the existing regulatory framework constitutes rather a kind of disincentive to maintain their active involvement in forest conservation especially as those who benefit from the secular resources are outsiders who got government permits as forests users. This indicates that in the upcoming efforts to reduce deforestation and forest degradation (REDD), actors relations trends are not very clear when it concerns fairness and effectiveness at local level. Communities, government, and other involved institutions will need to develop coherent rules and principles on how to design and implement locally adapted mitigation actions (LAMAs) [47]. It seemingly stands as a better governance option in order to achieve fewer emissions from land use changes and increased carbon stocks while ensuring community livelihoods and biodiversity conservation. Additionally,

decision making and participation should be carefully tailored during the REDD+ implementation cycle, implying to always factor in communities needs and priorities.

In the current multistakeholder arena which recognizes the importance of trees and sustainable forests management in climate change mitigation mechanisms, concerns are emerging to rethink rights and interests of local communities in the design of REDD+ [9, 13]. Opportunities exist to integrate smallholder priorities from national and international perspectives. For instance, ideas could derive from the recommendations by various Conferences of Parties syntheses in form of declarations such as the one of Cancun and Durban while waiting for Doha in 2012. Another opportune linkage could be found in the acceptance of people's rights to participate in environmental issues as a human right in the 1998 Aarhus Convention of the United Nations Economic Commission for Europe (UNECE) signed in Denmark (<http://www.unece.org/env/pp/documents/cep43e.pdf>). At national policy level, community rights could connect to the newly developed country policy documents like the R-PP document [48], previous ones like [40, 44–46], and the Forest and Environmental Sector Plan (PSFE). Furthermore, the Forest sector strategy of Cameroon gives priority to poverty reduction as formulated in the poverty Reduction Strategy paper, which in return is linked to the Millennium Development Goals [49].

## 5. Policy Perspectives and Implications

Pseudo-devolution of the State from forest management and the poor implementation of conservation laws in Sub-Sahara Africa has led to a myriad of claims from local populations. In the three study sites in Cameroon, local populations' perceptions have indicated straightforward claims against legal abuses/excesses, lacunas as well as conflicting legal provisions and existing policy instruments. The government will benefit to take into account those profound desiderata if sustainable forests management in the REDD+ context is to be achievable. This would, however, be possible if there is the political will to promulgate adapted tenure and resource right laws and implement effective comanagement approaches to ensure rural livelihoods and environmental resilience. Notwithstanding the claims of these local populations, the most devolved statutory tenure may not serve any purpose if it is not enforced. Cases of nonenforcement of clear and devolved statutory tenure to local communities through access or ownership rights are rife in Cameroon and most of Africa. It should, however, be underscored here that strong tenure at community level has been presumed to impact positively on sociopolitical and economic wellbeing of local communities and environmental resilience [31]. In the study sites similar positive impact could be recorded if their claims are taken into consideration in terms of

- (i) more viable community forest enterprises. For example, Mexico has been making giant strides in this domain and it is an example to emulate;
- (ii) improved livelihoods and wellbeing and poverty alleviation. Under such conditions there will be improved forest management and conservation as claimants

will be reduced as much as possible, there will be investment incentives and conflicts will diminish;

- (iii) stable forest sector investment and economic growth at regional level;
- (iv) effective and efficient REDD schemes for carbon sequestration and biodiversity conservation alongside other cobenefits such as water, suitable lands for sustainable agriculture, and climate regulation;
- (v) enhancement of effective functioning of community forests not only in the study sites but also in the whole country.

## 6. Conclusion

Overall, findings from this exploratory investigation show that negative and positive elements from the current legal frameworks can be mapped based on existing forestry and environmental sector to guide further REDD+ initiatives as performance-based sustainable forest management. Unless social safeguards such as tenure rights of rural communities and benefit sharing between all actors are integrated in the mechanism, efforts of reducing emissions from land uses, which actually are directly linked to forest stewardship, may result into similar failures observed in the on-going community forestry sector in Cameroon. Those conserving their forest lands may continue to receive no forestry royalties while those in areas where the drivers of deforestation and forest degradation are perpetuated will continue to receive forestry royalties.

In many case studies forest tenure rights have proven to be a strong incentive for enhancing the conservation of natural resources. Unfortunately, through the influence of modern legal instruments, independent governments in Africa have tended to promulgate tenure and resource right laws that institutionalise State monopoly in natural resource management while relegating local communities to the background. The implication is that effects of perverse incentives may aggravate under similar institutional arrangements. Local communities may not benefit from REDD funds as they will be misdirected by those with political and economic powers. In this way, drivers of deforestation and forest degradation will be enforced, thereby jeopardizing carbon sequestration and the climate change mitigation effort. Undertaking prior forest tenure reforms is important to ensure that forest benefits under REDD+ schemes will not go only to facilitators or intermediaries and the members of legal entities. This needs greater support from international governance bodies which should pay more attention to adequate application of principles. To this end, a benefit distribution system needs to be developed in Cameroon while the link between REDD+ and community rights needs visibility and clarity in the national policy documents presently under review. Our findings in southern Cameroon strongly suggest that sustainable funding should be provided to integrate perception of all actors and their priorities while mainstreaming key social safeguards in the current REDD+ processes.

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