

Alternate Tenure and Enterprise Models in Cameroon: Community Forests in the Context of Community Rights and Forest Landscapes¹

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KEY FINDINGS

- The policy framework for community forestry created with the 1994 forestry law and subsequent revisions have not provided an adequate framework for community forestry enterprises. There are strong and confusing regulatory barriers that limit enterprise operations and market access, and requirements for enterprise governance are often culturally inappropriate.

- The Permanent Forest Estate; timber concessions, protected areas and reserves overlap use zones of at least 2638 communities without enabling them to expand their livelihoods options or exit poverty. Many of these communities are indigenous peoples.

- The 1994 policy that officially created community forests did not constitute a tenure reform or recognition of customary forest tenure and rights. All areas of customary ownership and use have not been included within community forests. Forest management plans focus too heavily on timber and do not adequately deal with NTFPs and enterprises.

- The local cost of commercialization permits for NTFPs (Non-Timber Forest Products) within current regulatory framework discourages risk taking, limits potential income streams for forest communities and reduces incentives for sustainable management.

- While there have been benefit streams from community forest enterprises through collective social investments and enhanced technical and organizational skills, these enterprises are not making a substantial contribution to household income levels and do not adequately reach women or other racial groups like Pygmies.

- The current administrative capacities and projected funding levels for protected areas are not sufficient to comply with the social and environ-

mental standards set for the management of these areas now or in the future.

Background

Cameroon's forests are estimated to comprise 19,631,000 ha of which 4 percent are reserved for communities and the rest are allocated to reserves or private commercial timber operations.

Within Central Africa, Cameroon is considered a leader in forest and resource-related development policies. It was the first country in Central Africa to allocate concessions through a competitive bidding process, allow communities to request the setting aside of areas as "community forest", create a zoning plan for the dense forests in the Southern parts of the country, and to put substantial taxes on access to resource extraction areas. Cameroon's significant forest zone population lends itself to the development of SMFEs (small and medium forest enterprises) and community enterprises that complement the large-scale, mainly export-oriented, concession forest industry.

Currently, Cameroon is revising its 1994 forestry law and the articles related to community forestry, incorporating lessons learned from the past 15 years of implementing the law and trying to increase forestry's contribution to poverty reduction and conservation. The present study examines how implementation of the 1994 forest law has impacted the emergence of

1. This brief is based on two reports by ICRAF published in April 2008: *Overview of the History of Forest Policy Property Rights Industry and Trade in Cameroon* and *Opportunities, Restraints and Recommendations for Community Forest Enterprise Development in Cameroon*.

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TABLE 1: CURRENT AND PROJECTED (BY END 2009) LAND USE IN FOREST ZONES OF CAMEROON

Forest Land Use	Area (ha)	Percentage
Plantations	57,828.60	0.29
Community Forests	621,245	3.16
Council forests	372,669	1.90
Parks and protection forests	4,072,274	20.74
Forest Management Units and other forest reserves	7,732,452	39.39
Estimated Unclassified forests in the national domain	6,774,531	34.51
Total Estimated Area	19,631,000	100.00

Notes: Terms used are consistent with National zoning plan: new and planned protected forests in the south west, MCNP, Ndongore, and Takamanda are included. Unclassified forests refer to all forested areas not classified into any of these zones. Data is a combination of the Electronic Atlas for Cameroon (2007 v2) and data collected from partners in the field. Community forest data was provided by MINFOF in 2008.

community forestry and its effects on the forest resource base, the forest economy, community-scale enterprises, and rural livelihoods. It reviews the kinds of enterprises that have emerged in response to these policy reforms, their range of products and services, benefit streams, and the role SMFEs play in domestic and export markets and the forest economy.

Forest Tenure in Cameroon

An analysis of forestry's history in Cameroon shows that, despite reforms of the 1990s, there has been no fundamental change in forest tenure and rights. Before Cameroon gained independence, its forests were occupied and exploited by different colonizing countries; and both colonial and post-independence governments have effectively excluded local people from far reaching decisions regarding forest ownership, as well as from clear access rights and governance decisions – irrespective of customary rights and traditional governance institutions in forested areas.

Any form of supremacy imposed on local communities had significant repercussions at the level of resource control, especially forests. Colonial administration actors favored industrial forestry reliant on heavy machinery and controlled all marketing and exportation routes (local markets being considered unimportant). Further, in both colonial and post-colonial periods, the state effectively used laws and

ordinances to maintain hegemony over local customary rights to forest resources. And post-colonial property right regulations regarding forest resources mirror those of colonial regimes.

During the last decade and a half, the exploitation of Cameroon's timber resources has markedly contributed to state revenues. Timber rights are allocated to private companies through concessions to areas of state forest. Most of the concession license holders are foreigners who maintain chains of custody, supplying mainly European, Asian, and North American markets. In 1993/94, concession timber made up 34 percent of total exports – compared to 27 percent in 1992/93 and 23 percent in 1991/92. Prior to the very recent, yet unevaluated emergence of solid mineral, the forestry sector ranked second only to petroleum in contributions to State revenue and represents a potential force for economic transformation and growth especially in forest zones.

The official forest tenure categories include Permanent Forest Estates (PFEs) – the majority of forest area – and Non-Permanent Forest Estates (NPFEs). The PFEs are made up of *forêt domaniales* (state forest), including national parks and reserves, buffer zones, *forêts communales* (council forests) and logging concessions. Logging concessions are “licensed” or “designated” forest management units

(FMUs). The NPFEs comprise *forêts du domaine national* (national forest domains, or all other forest lands for which no licenses are held or which are not under any management plan), *forêts communautaires* (community forests), and *forêts des particuliers* (private forest plantations).

In practice, the government of Cameroon does not officially recognize traditional land tenure arrangements within either the PFEs or NPFEs and most smallholders do not hold legal titles to their traditional lands. Parts of the *forêts du domaine national*, largely made up of old secondary forest without titles but often claimed by individuals, families, and clans, are seen by the state as “available for productive use” and are often leased to agro-industrial plantations. Furthermore, people will continue to lose rights and access to their land as the government is committed to conserving 30% of all forest biomes. Key legislation especially regarding the PFEs hinders effective implantation of most enterprises, although communities have lived there for centuries practicing multiple-use livelihood systems and though new international standards are endorsing community conservation as a desirable alternative.

There is some lack of clarity in Cameroon as to what constitutes strict ‘forest’ lands and what, agricultural or agro forestry lands. In one study carried-out along the central -south gradient; Yaoundé, Mbalmayo, Ebolowa, and Ambam, evidence was documented within these zones considered to be greater than 75% “forests” and thus classified as such. Additional evidence from a remote sensing study (Thenkabail, undated mimeograph) suggests otherwise.

The study covered a total of 1,434,035 hectares. Less than 30% of these met the reflectance requirements for ‘forests’, with approximately 40% being effectively used either as fallow or farmland with another 20% having being converted at least once. Without exception, these populations rely on extensive agro-forestry systems within or around areas zoned as forests under de jure ownership by the State who can leased them out to multinationals.

When examined within the context of current land use and land tenure policies, there seems to be substantial ambiguity about what constitutes strict “forest zones” and therefore State domains (as defined by law) and other lands where communities have asserted their customary and *de factor* rights over time. Frequently therefore, there is little space for community activity in the designated State lands or permanent forest zone categories.

From a customary law perspective, local people have established overlapping rights and uses for these forests. The *droit d’hache* (right of the first occupant) is generally what determines who get’s local acknowledgement as ‘owner’ and controller of customary land in most “forest zones” in Cameroon. Traditional property recognizes overlapping individual and group rights on the same land or its resource according to clan, family, and chieftaincy, etc. While ethnic groups’ rights and uses differ, in all cases NTFPs that are collected from primary or secondary forests remain important sources of income and food for communities’, especially women and minorities. This close relationship between people and forests both for agriculture and forest use remains the most authentic evidence by which local and indigenous communities have been able to retain use rights and seek to recover lost rights to land and forests.

History of the Current Legal Framework

By the mid 1980s, the world economy was in decline, as was Cameroon’s. Under pressure from the Bretton Woods institutions of the World Bank, the Government of Cameroon introduced a Structural Adjustment Program (SAP) in 1988 to reduce its debts and to lay the ground for the recovery. From 1988 to 2005, the policy landscape of Cameroon took on a new direction impacting in important ways on forest livelihoods

The events following the economic decline of the 1980s gave Cameroon’s government “emergency powers” in matters of natural resource control, consolidating Central authority over forest resources

TABLE 2: SUMMARY OF REMOTE SENSING ESTIMATES OF LAND USE/LAND COVER DISTRIBUTION IN THE 4 STUDY BLOCKS AND OVERALL

Land Use Categories	Percentage of Land Use Category in Each Study Location				Average (in %)
	Ambam (High Forest Zone)	Ebolowa (High Forest Zone)	Mbalmayo (Degraded forests)	Yaoundé (Degraded forests)	
Primary forest	58.9	22.0	5.3	3.71	25.7
Secondary forest	10.3	34.8	34.2	21.2	22.9
Cocoa with secondary forest	4.2	10.1	11.5	5.2	8.0
Farmlands	8.5	12.5	19.1	26.6	16.2
Young fallows: Chromolaena	1.8	2.5	6.3	12.8	5.5
Imperata fallows	0.2	0.6	1.5	10.6	2.8
Old fallows	4.5	7.1	8.0	5.0	6.3

Source: Thenkabail, undated mimeograph. Cited by Gockowski, J., Tonye, J., Baker, D., Legg, C., Weise, S., Ndoumbé, M., Tiki-Manga, T. and A. Fouaguégué, 2004, "Characterization and diagnosis of farming systems in the forest margins benchmark of Southern Cameroon," IITA Social Sciences Working Paper No 1, Ibadan, Nigeria.

and Cameroon's intact forests and unwittingly on agro-forests. With all natural forests being the official domain of the state, whatever property rights people of the forest zone had regarding customary control over forest resources, were, at best, usage rights. The state re-conferred on local communities special privileges (not rights) to forest resources or proceeds from them, including forest fees payable to local communities where forest timber was being extracted. The state also conferred on local forest zone communities 'pre-emptive' rights to apply for nearby community forests. But the 1994 forest laws

effectively removed any possibility to clarify current property rights or to reinstate pre-colonial property rights –rather, private property rights are now attainable only through privately planted forests which themselves must be recognized by law. Forestry officials will at times cite this clause to forest communities explaining that, if communities want "rights to forest", they must plant trees in areas where there is no natural forest.

Community Forestry Enterprises Studied in Cameroon

A subset of 20 community forest enterprises from the regions of Ngoyla, Akonolinga, Lomie, Djoum and Mbalmayo in east, central and southern Cameroon was studied. The goal was to evaluate the growth of these enterprises and their potential to enhance local communities' well-being, support conservation efforts, and contribute to the economy. Entities were evaluated on social and economic benefits, i.e. multiple community values, not just profit maximization objectives.

By law, community forest areas cannot exceed 5,000 ha and are allocated from NPFE areas. With undue focus on timber, statutory prescriptions for community forests implementation have so far insufficiently incorporated traditionally appropriate

SOME FOREST POLICY CHANGES IN CAMEROON

- 1988 Review of the 1981 Forestry Law
- 1988 First round of the Structural Adjustment Program
- 1990 Laws on Freedom of Association and Political Pluralism
- 1992 Law on Common Initiative Groups and Cooperatives
- 1994 New Forestry Law passed
- 1995 Implementing Decree of the Forestry Law
- 1996 'Circular letter' on forest fees payable to communities
- 1998 Joint *Arrêté* on Annual Forestry Fees signed
- 1998 First version of the community forests Manual published
- 2000 *Arrêté* on community hunting zones
- 2001 *Arrêté* on the right of pre-emption signed
- 2007/08 Revised version of community forest manual produced
- 2009 First partial review of 1994 forest and wildlife laws

TABLE 3: COMMUNITY FOREST FACTS AND FIGURES (AS AT DECEMBER 2008)

Number of community forest requests received by the Ministry of Forests and Wildlife (MINFOF)	402
Number of simple management plans approved by MINFOF	174
Number of community forests with management conventions signed	135
Number of community forests awaiting signed conventions	39
Forest area demanded for community forests	1,306,707.66 ha
Forest area reserved for community forests	487,313.91 ha
Forest area attributed to community forestry	621, 245.4 ha
Number of villages inside or within 3 km of a community forest	340

land and forest-people relationships. Shifting agricultural systems as well as customary forest uses for non-timber products, bush meat, fishing and customary swidden remain weakly integrated in overall village development plans nested in simple management plans for community forests. Although unintended in the community forest politic *per se* conflicts between social/racial groups, especially between Bantus and Pygmies today, require more urgent solutions. Regardless of size, management plans for community forests are agreed over 25 years with provisions made for 5-year periodic reviews of plans. This raises important ecological challenges requiring critical action research.

Community forests thus have simple management plans, (provisional within the first two years) and renewable at least once every five years. This plan in principle governs all activities within the community forest and though not explicitly stated, implicitly regulates agro-forestry activities (most of which have traditional and cultural roots). Efforts are now being made to restructure laws so they enhance, rather than restrict expanding opportunities for agro forestry products. Some of such efforts aim at reducing transaction costs in community forestry.

For instance, from the 20 community forests surveyed it costs between US\$ 12,000 and US\$ 24,000 to become operational, and even with the State Project RIGC, communities mostly depend on NGOs to assist with the financing of simple management plans. The model also throws up social challenges requiring

innovative approaches. For instance, in view of the sociologically contentious nature of what constitutes 'community', households considered not to strictly belong to the 'community' can be excluded from decision-making in formal village development plans associated with community forests. Community forests remain subject to statutory laws and regulations that govern what products can be harvested, at what intensities, with whom business relationships can be entered into, and what forest infrastructure (e.g., nature of roads) can be developed.

The relatively limited size of community forests often has the undesirable effect of also limiting the customer base. Furthermore, any risk-taking or innovation efforts within such contexts remain challenging. Individually, most community forests are in fact usually too small for the economics of cost and returns to be favorable given the imposed rotational plan and sizes. For instance, by the end of 2007 115 community forests that had simple management plans (SMPs) comprised a surface area of 380,764.5 hectares. The average size of community forests by end 2007 was 3,311 hectares. Thus 91 (79%) of the 115 community forests had areas less than 5000 hectares.³ Contrarily, within the same year surface areas of timber concessions awarded to private companies (most foreign owned) ranged from 10,000 to more than 200,000 hectares.

Communities remain statutorily only 'custodians' of the forests, and not owners. They can thus be subject

3. GFW/WRI/MINEF Electronic Atlas for Cameroon, 2007

to controls by State Ministries, although intended to be reassuring, but with unexpected and undesirable business –related consequences. In 2001, for example, the Ministry declared some community forests to be ‘badly managed’ and suspended all operations, irrespective of the negative impacts and ramifications of this decision on community forests that were well managed. Additionally, until December 2008 all sawn timber was required by law to be extracted manually - by head-loads from community forests. Without any scientific basis, the State argued that this was to prevent overexploitation and protect the environment. As a result, community enterprises incurred extra health care costs, as the enterprise will contribute to medical fees when laborers are admitted for treatment of injuries related to head-loading. Although undesirable, until 2008/2009 this clause (which was a simple Ministerial instruction) had been beyond communities to repeal.

The community forest management options so far present three different models: community associations, common initiative groups, and cooperatives. Under the first two models, community forests are exempt from most taxes except the communal tax imposed by the local council, but at the same time these models cut off the enterprises from other local institutional processes that could strengthen entrepreneurial behavior and learning.

The ‘community’ nature of the enterprise can also be a double edged sword. While it can accelerate social optimization through direct investment of proceeds in social infrastructure, it can constrain communities from borrowing capital from the open market. Hence enterprise managers remain cut-off from knowledge about cost of money (interest rate), inflation, related market chains or market networks through which to establish business relationships or raise operating capital through innovative business arrangements.

For instance, our survey identified communities that have found it too difficult to go through the process of completing a management plans; resulting in some members ‘selling’ wood illegally. In some reported

cases, third parties obtain annual exploitation certificates on behalf of the communities in return for good timber deals. One reason for instituting the State sponsored ‘Projet RIGC’ is to counter this malaise of financial weakness on the part of communities. In these cases, enterprises will sell wood opportunistically – to local elite or other types of collaborators (including in some cases NGOs) who resell in a nearby town, to buyers willing to acquire annual exploitation certificates for the village, or to market intermediaries. Often timber products are simply abandoned when such complicated transactions fall-through.

Unlike in the concession model, the community forest enterprise managers do not make decisions only in terms of private benefits, linked exclusively to their “production” functions. They always also consider social benefits of their operations and accept additional costs that traditional businesses would not. For instance, during its first five years in operation, the *Gbopaba* community forests (east Cameroon) reported transformation and commercialization of approximately 1,280 m³ of timber comprising *Moabi*, *Doussie*, *Sipo*, *Iroko* and *Sapelli*, all marketed at different prices. Total revenue within that period was 34,000,000 FCFA (over US \$80,000). Over 22 million FCFA (approximately US\$ 54,000) of these were invested in roofing materials, family homes and church infrastructure, water supply maintenance, training, health, and student school fees. Contrarily, where profit-maximizing timber concession companies attempt to internalize social costs, it quickly becomes ‘toxic’ as it pushes up their marginal operating costs with no corresponding marginal revenue. So while social optimization is a positive externality for small forest enterprises, it can be a costly inconvenience to timber concession companies.

When they work well community forest enterprises offer a number of social benefits to local communities. They provide employment opportunities, assist with road maintenance, and help with construction of houses and community buildings such as churches,

schools etc. In addition, they help to raise people's self-esteem and encourage leadership development. The location of these enterprises in local communities is building organizational capital and experience through the establishment of esteemed positions like President, Secretary, Treasurer, Auditor, Manager, Technical Adviser, Financial Secretary, and Chief of Operations. The existence of such enterprises also encourages community members to collaborate and promote community investments which, in turn, directly benefits the local population materially and psychologically.

However, in many cases the leadership of community forest enterprises may also come into conflict with official authorities in the villages, especially when the new leadership enters into financial decision-making capacities, roles that are not often available to traditional institutions. Also, in most cases studied, the new structures were costly, without providing good technical oversight. Except for a few community enterprises that had external technical support, such as CFB5 de MEDJOH in the Lomie area, financial and other project management skills and record keeping systems are rare.

Without modern communications skills and technology, networking between community forests as well as with market participants and decision-makers will be limited. Projects and research organizations can link enterprises to markets and to training and investment opportunities; NGOs such as the CED, WWF, CIAD, OCBB and CAFT can offer additional networking. These organizations have helped the communities obtain permits, prepare management plans, channel equipment grants – such as for chain saws or Global Positioning Systems – and attend money management training. However, such relationships are one-sided and communities will have to rely on the outside parties to initiate contact.

Non-Timber Forest Products

As mentioned, NTFPs that are collected from primary and secondary forests remain an important source of

income and food for communities, especially women and Pygmies. However, commercialization of NTFPs without official permits is illegal. So far the operations catchment for these permits, have not been sufficiently differentiated to facilitate within-region trade and transportation of forest products critical for local livelihoods, without confusing these with large exporting syndicates. Transaction costs in obtaining these permits remain onerous, to the main, poor user groups and currently, work in favour of the city-based NTFPs syndicates. Communities have limited incentives to develop NTFPs harvesting into full blown enterprise, particularly as NTFPs are seasonal, processing technology pitifully undeveloped and the forest areas allocated to them small, often in remote locations. This is unfortunate given the potential of a large number of NTFPs in Cameroon's forests that could supply growing domestic and regional export markets.

A few farmer-enterprise development initiatives are on-going around the country. By and large, potential customers for different NTFPs range from casual passers-by to intermediary traders. Unfortunately, at times potentially high-value NTFPs will degrade and become unmarketable because of weak or non-existent supplier-customer relationships. In addition, trade is inhibited because potential customers don't know enough about volumes of products or regularity of supply, or because community suppliers are unable to rate and appropriately price and grade their products. Numerous group sales trials (led by ICRAF) are on-going in the forest zones which are beginning to improve this situation and it is hoped that additional knowledge gained in ongoing research covering ecological, social and economic dynamics will help improve the sector.

Conclusion

Cameroon's forests would be better managed and could contribute more effectively and dynamically to poverty reduction and the national economy if tenure rights of local people were officially clarified, where necessary recognized; and if policies and

regulatory frameworks were adjusted so that forest management can yield multiple benefits, both for traditional livelihoods and in the market place. For instance one way to accelerate economic and social progress at local levels is to encourage community forest enterprises to partner with private sector ones. Community enterprises have higher motivation than timber concessions to provide social services. By increasing the capital base (size of community forests) their social optimization capacity will be increased. This absolves timber concessions of cost social optimization (which they perform badly anyway), reducing their operations costs and leveling the playing field (strengthening community entities in the process) for better collaborative relationship with community forests.

Thus one of such changes needed include the facilitation of partnerships between community enterprises and the private forest industry where appropriate. For greater effectiveness community forests and forestry networks under development nationally can be supported so they can negotiate on more equal terms and be better informed of value chains.

Also, laws pertaining to community forestry should be revised in order to expand the area that can be

managed by communities (beyond an arbitrary 5000-ha limit), recognize underlying customary rights, and ensure that social benefits exceed costs. The recently revised regulatory framework that allows for 'manageable' road tracks into community forests has been welcome. Still, community representatives argued that the revision process needs to be less top-down so that useful community view-points would be incorporated.

Finally, legal reforms should address the customary rights of forest communities and enable community owned and managed enterprises to fully realize their comparative advantage, play a much stronger role in the economy and together with the private and industrial sector be a part of a growing partnership in the forestry industry.

LEARN MORE

This is part of Rights and Resources Initiative's work on Alternative Tenure and Enterprise Models (ATEMs) program, which aims to identify and promote alternative models to forest ownership and management that alleviate poverty among forest peoples in Central and West Africa. More information is available at www.rightsandresources.org.

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The Rights and Resources Initiative is a global coalition to advance forest tenure, policy, and market reforms. RRI is composed of international, regional, and community organizations engaged in conservation, research, and development. For more information, visit www.rightsandresources.org.

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