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# Large-Scale Land Acquisition and its Implications for Women's Land Rights in Cameroon

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## List of Abbreviations

CDC	Cameroon Development Corporation
COGES	Comité de Gestion Environnementale et Sociale
DO	Divisional Officer
ESIA	Environmental Social-Economic Impact Assessment
LCB	Land Consultative Board
LSLA	Large Scale Land Acquisition
MINEPAT	Ministry of Economy, Planning and Territorial Development
MOUs	Memorandum of Understanding
NGOs	Non- Governmental Organisations
NTFPs	Non-Timber Forest Products
OCB	Organisation Camerounaise Banane
PAMOL	Plantation Pamol du Cameroun
PHP	Plantation de Haut Penja
PM	Prime Minister
PRECASEM	Project to Strengthen Mining Sector Capacity
RRI	Rights and Resources Initiative
RSPO	Roundtable on Sustainable Palm Oils
SBM	Société des Bananes du Mungo
SDO	Senior Divisional Officer
SEFE	Struggle to Economise Future Generation
SG-SOC	Sithe Global Sustainable Oil Cameroon
SG-SOC PAV	SG-SOC Project for Affected Villages
SOCAPALM	Société Camerounaise de <i>Palmeriaies</i>
SODECOTTON	Société de Développement du Coton
SOSUCAM	Société Sucrière du Cameroun
SPNP	Société des Plantations de Njombé Penja
UNVDA	Upper Noun Valley Development Authority
WADA	Wum Area Development Authority

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## Executive Summary

Recent global financial and food crises together with the drive for cleaner energy created new dynamics of land rush associated with large-scale land acquisitions (LSLAs) on the continent (OXFAM, 2011; Polack, et al. 2012). The lack of proper mechanisms defining the land rights of women and other vulnerable groups particularly in sub-Saharan Africa creates situations in which communities are unable to negotiate and protect local interests, livelihoods and welfare (Obbo, 2012) in land deals. Land is the life wire for Cameroonian rural women. However, because their land rights are generally not protected either by statutes or by customs, LSLAs could have broad effects on them especially if they are not mainstreamed into the process. This study thus examines how and under what conditions women can be empowered to effectively engage with processes of LSLAs to ensure that the legal and policy frameworks foster better accountability and legitimacy in land governance.

The study sought to achieve the following specific objectives: 1) explore the formal and informal rules and mechanisms employed by actors involved in LSLAs and interrogate the extent to which policy frameworks promote accountability and legitimacy in land governance in Cameroon, 2) generate gender-sensitive, evidence-based knowledge that can be used by women, communities, non-state, and public actors to enhance women's rights, accountability and legitimacy in LSLA processes in Cameroon, and 3) propose gender-inclusive strategies for formal and informal institutions that will respect, promote and protect women's rights in LSLA processes.

Three purposefully selected divisions (Ndian and Kupe Manengouba in the South West and Mungo in the Littoral Regions) with a rich history of plantation agriculture and LSLAs were considered for the study. A number of agro-companies operate in these localities, among which the following were chosen: Sithe Global Sustainable Oil Cameroon [SG-SOC] operating in Ndian and Kupe Manengouba, PAMOL in Ndian, *Société des Plantations du Haut Penja* (PHP) and Cameroon Development Corporation (CDC) in Mungo. Different sets of interview guides were prepared and administered to 1) public and elected officials, 2) Chiefs, 3) women and local communities, 4) investors, and 5) NGOs during data

collection. Each of these groups play a distinct role in the process of LSLAs. Although each interview guide was specific to a group, they complemented each other, addressing issues relating to land tenure, consultation, accountability, gender representation, compensation, and community response to LSLAs. The interviews were conducted between 2014 and 2016 by a team of 4 researchers and 12 research assistants in French and English depending on the preferred language of the respondent. Data and field reports collected have been analyzed thematically and reported qualitatively.

Land in Cameroon is governed by three Ordinances passed in 1974, followed by three subsequent decrees in 1976. These Ordinances converted all lands except state and private titled lands into national land as per Sections 14 and 15 of Ordinance No 74-1 of 6<sup>th</sup> July 1974. Section 1(1) of Decree No. 76/165/76 makes the land certificate the only evidence of ownership. The 1974 and 1976 land reforms have had little impact on land ownership in the country as less than 20% of land is titled. Consequently, most lands today that are untitled are national land held under customary tenancy without security. Ironically, customary communities though without land titles continue to claim ownership of national land on the basis of customary ties and acquisition through first settlement or conquest. This legal illiteracy of the communities in landownership makes them vulnerable to some unscrupulous investors who with the complicity of some elites have acquired and taken control of what was hitherto considered communal land. In terms of management, national land is jointly governed by the state and customary communities through the Land Consultative Board (LCB). The board is chaired by the local administrative officer and customary communities are represented by the chief and his two notables. The LCB demonstrates a significant shift of the value of land from a deity to a commodity, and the control over land from communities to administrative authorities, some of whom have undermined community interest for their selfish economic interests. Some investors have exploited the weaknesses including the naivety of some local communities, to acquire land with the complicity of some state officials, elites, and local chiefs.

Large-scale land acquisitions in Cameroon take place in the three different types of land (private, State, and national land). In principle, investors have applied formal, informal or both processes to acquire land. Formal processes include acquisition through land lease, government tender or purchase. Informal acquisitions involve negotiations with community leaders and the signing of Memorandums of Understanding (MoUs). Since Global Sustainable Oil Cameroon (SG-SOC) and PAMOL plc have acquired thousands of hectares of land in Ndiang and Kupe Manenguba Divisions through temporal and long term leases granted by Presidential Decrees on the recommendation of the LCB. *Plantation de Haut Penja* (PHP) bought over State owned OCB (*Organisation Camerounaise Banane*) by government tender in Mungo Division via the Site Board Commission (SBC). PHP, SG-SOC and other agro-investors and mining companies have also purchased through private contracts additional land from private individuals with land titles.

Field evidence suggests that most of the land has been acquired on national land without due process. The processes are non-transparent and neglect the free prior informed consent of customary communities who (although without security of tenure) depend solely on the land for livelihood, pushing these communities therefore to resist some of the deals. To appease and get affected communities on board, investors and government (as the case may be) enter into informal negotiations with chiefs, elites and community leaders whose land has been taken, and in the process entice these communities to cede their land by signing very vague and sometimes elusive MoUs that do not compel the investors to carry out any concrete development beneficial to the affected communities. The MoUs often contain white elephant projects or empty promises to provide roads, electricity, potable water, schools, hospitals, etc., without clear dates for their realization. Many communities refused to sign such MoUs for lack of faith in them. A few elites and/or chiefs who signed MoUs committing their villages did so for selfish interests, without prior consultation of the population. Some of the MoUs are negotiated through coercion, intimidation or outright bribery of local chiefs and elites. In the end, community interests, particularly those of women whose livelihoods rest solely on the land and landed resources, are neglected partly because women are

excluded from the process. This has sparked up legal suits, protests, petitions, and other forms of resistance against LSLAs from disgruntled villagers mostly in Ndian and Kupe Manenguba in the South West Region of Cameroon.

The process leading to granting land to investors in Cameroon undermines the participation of women in that the society is patriarchal and the actors and institutions involved (SBC and LCB) are not gendered. In the communities studied, negotiations on land deals involve different actors including the investors, the state (Mayors, District Officers, and Senior Divisional Officers), and some sections of the community represented by chiefs, male elites and youths. Investors and frontline actors are generally not minded to include the voices and interests of women in the final outcome of land deals. Where women have been involved in informative meetings, their participation has been passive. The poor participation of women in the process has been aided by factors like customary beliefs and the land tenure system which often discriminate against them. Given existing power relations, women are traditionally not part of decision-making and negotiation processes regarding how resources, especially land, are shared and owned. This places them at a disadvantaged position compared to men in land matters. It is in this light that one interviewed official of the Divisional Delegation of Land Tenure in Mungo did not only confirm the discrimination of women but also saw nothing wrong with it. He averred that "I have never seen where women are consulted or intervene in land matters. Personally, I think that women should not be part of these deals." But where women are consulted as reported in Fabe, the opportunity is hijacked by a few elitist women who do not represent poor women, or by men. As one female respondent complained, "...we speak and are always consulted but we are often betrayed by men."

LSLAs have ramifications on crop producers, particularly rural women who depend solely on food crop cultivation for their livelihood. Although some local state officials, chiefs and elites claim that there were no population displacements, field evidence points to the fact that farmers, hunters, gatherers, fishermen and others were displaced from their livelihood activities. In terms of direct compensation, very little is done to promote, protect and respect the land rights of women as those who

farm the land, harvest non-timber forest products, firewood, and use water from the concession area. Where compensations exist, as in Njombe, they are paid only to men and at times to widows. Where job opportunities are created, they are mostly taken up by skilled migrants. Low wages and job instability for unskilled laborers cannot compensate for livelihood loss and high cost of food and living in these localities resulting from the influx of migrants as in Penja and Njombe. Individual compensation is not commensurate to the land lost as those on the land were supposed to depend on it for the rest of their lives. Even promises made by investors to provide social amenities to enhance the lives of affected communities are rarely realized. However, some investors like PHP and CDC have provided a few community schools, health units, and maintained roads in Mungo although their primary target is their workers.

In most rural communities in Cameroon, women provide for household subsistence and survival through their role in and contribution to food security as small holder-agricultural producers and subsistence farmers. The study illustrates that small holders, particularly women, are increasingly losing farmland, and so questions the social development impact of LSLAs in terms of better living standards and reduction of poverty. Women's triple roles are directly linked to landed resources. Displacement from land in Ndian, Mungo and Kupe deprives women of sources for collecting water, fuel, fruits and medicinal plants needed to support their families. In some communities in Mungo and Ndian, land scarcity resulting from expansion in agro-plantations has led to rural-urban migration among youths in search of alternative livelihoods. As men migrate, women become temporary heads of household, increasing their workload and stress as they assume tasks such as clearing and hunting, hitherto carried out by men.

The socio-economic changes brought about by LSLAs that have not radically improved the lives of rural dwellers have made Cameroon one of the countries where LSLA investments have registered a high rate of resistance and scandals. New plantation ventures from SOCAPALM and SG-SOC for example have attracted lots of social and environmental criticism. SG-SOC initially, through a Convention with the Ministry of

Economy, Planning and Territorial Development obtained 73,086 hectares of forest and farmland, home to about 14,000 people, mostly small farmers. The said land is also within five important protected areas, including the Korup National Park. A good deal of opposition and apprehension to this has been led by youths in affected areas, national and foreign NGOs who are all worried about the legality and environmental and social merits of the investment. Investors' activities are sometimes carried out without consultation or the involvement of women, and often in disregard of local complaints, local laws, environmental norms and adequate compensation of the population.

Arrogance from some investors has prompted local populations and NGOs such as the Struggle to Economise Future Environment (SEFE), Nature Cameroon, Green Peace and others to ask the hard question as to why investors neglect due process and community and population concerns in the acquisition of land. These questions appear in the different forms of resistance mounted by the women, youths and communities against LSLAs. Even though women may not necessarily be the ones leading the anti-LSLAs strikes, demonstrations, meetings, petitions, and legal suits recorded, their participation in them has far-reaching impact on the outcome. The community-led resistances that include women have scored some positive results. For example, it led 1) government to reduce the quantities of land (from 73,086 hectares to 19,843 hectares) and duration from long-term to three years granted to one of the investors, 2) some women whose farms were destroyed or taken over by agro-companies have to be re-evaluated and better compensated, 3) some of the land that was about to be taken has been rescued by court orders, 4) some level of consultation has been instituted for new land acquisitions and expansions, among others. Some of these achievements have however not been sustained because of the absence of a strong women's movement or women's agency, and the lack of a common purpose by all segments of affected communities.

The study has brought to the fore important gender and development issues for policy reflections. It:

1. Highlights the unequal power relations between women and men, and government and investors in LSLAs;
2. Indicates that patriarchy excludes most women from land matters and silences them in LSLA negotiations even when they are invited. Unfortunately, the belief that men (husband, father, or other male relatives) will protect women's rights is not always true.
3. Highlights the fact that in the face of hostile male/government hegemonic dominance, few actions of women proved effective. In fact, there is little evidence of the successes of women's actions in the area that motivate women to act or advocate for their rights.

The above emerging gender issues have broader policy implications on representation and legitimacy of LSLAs, food security, women and environmental justice and the need to mainstream gender in the entire process. These issues arise from the conclusion that both formal and informal processes of LSLAs in Cameroon neglect women in general although rural women are the principal victims of LSLAs in affected areas. They have lost not only access to farm land, water, fuel wood, but also the exploitation of non-timber forest products (NFTPs) which has been an important source of income for generations. Women, (in Mungo for example) walk long distances to search for alternative farms for survival. Although some off-farm employments have been created by the companies, these jobs are not only few and temporal but wages they generate are too little to sustain their families. In fact, non-respect of women's rights, environmental justice, and development promises by investors and government have provided fertile ground for the current wave of protests and resistance from affected population and NGOs.

The solution to the challenges identified by the study is not to send away plantation companies because LSLAs have development potentials in poor countries if well implemented. To make the process a win-win in Cameroon, laws should provide for the direct inclusion of women as statutory members in institutions (LCB, SBC, traditional council, etc.) managing land in Cameroon. Although women's participation will not automatically change their fortune, their voices are

nonetheless critical in negotiating the choices of compensation and alternative livelihood strategy to land. The State should insist on due process which allows for real consultation to obtain local consent and only endorse land deals that promote women's empowerment, food security, social inclusion and environmental protection. There should be land use planning in rural areas to enable farmland for women to be set aside before selling land to plantation companies. Communities and women who depend solely on land should equally enjoy regular benefits for as long as the plantation is on their land. While there should be a law requesting companies to provide rural women with prior job-related training so that they can benefit from jobs created by large-scale investment, the state should ban MoUs between chiefs and investors as these have no legal standing.

## Résumé

Les crises financière et nutritionnelle récentes dans le monde, ajoutées à la course effrénée pour l'énergie propre ont entraîné une nouvelle dynamique d'accaparement des terres sur le continent (OXFAM, 2011; Polack, et al. 2012). L'absence en Afrique sub-saharienne de mécanismes appropriés en matière de droits des femmes et autres catégories vulnérables à la terre fait que des communautés entières n'arrivent pas à engranger, encore moins à protéger des avantages, des moyens de subsistance et le bien être (Obbo, 2012) dans les transactions foncières. La terre constitue pour la femme rurale camerounaise la principale source de vie. Toutefois, étant donné que leurs droits fonciers ne sont généralement pas garantis ni par les statuts ni par les coutumes, l'acquisition à grande échelle des terres peut avoir des conséquences fâcheuses pour elles, surtout si elles ne prennent pas une part active dans les transactions. Ce travail se penche sur les voies et moyens pouvant permettre aux femmes de s'assurer que les cadres juridiques et politiques en matière de gouvernance foncière privilégient plus de légitimité et de responsabilité.

Le travail vise les objectifs suivants: 1) examiner les règles et mécanismes formels et informels utilisés par les acteurs dans l'acquisition des terres à grande échelle, à la lumière des exigences en termes de responsabilité et de légitimité, 2) générer des connaissances tirées des réalités et soucieuses des intérêts de la gente féminine et pouvant être utilisées par les différents acteurs, femmes, communautés et autres, pour une meilleure prise en compte des intérêts des femmes, de la responsabilité et de la légitimité en matière d'acquisition des terres à grande échelle au Cameroun, 3) proposer des stratégies inclusives à l'adresse des institutions formelles et informelles pour le respect, la promotion et la protection des droits des femmes en matière d'acquisition des terres à grande échelle.

Trois départements pilotes ont été choisis; à savoir, le Ndian et le Kupé Manengouba dans la Région du Sud-Ouest, et le Mounjo dans le Littoral, et ceci pour leur tradition agraire et domaniale. Un certain nombre de sociétés agraires opèrent dans ces départements, telles le Sithe Global Sustainable Oil Cameroon [SG-SOC dans le Ndian et le

Kupé Manengouba, la PAMOL dans le Ndian, la Société des Plantations du Haut Penja (PHP) et la Cameroon Development Corporation (CDC) dans le Moungo, le Sithe Global Sustainable Oil Cameroon [SG-SOC] dans le Ndian et le Kupe Manengouba, la PAMOL dans le Ndian, la Société des Plantations du Haut Penja (PHP) et la Cameroon Development Corporation (CDC) dans le Moungo, toutes retenues dans le cadre de la présente étude. Différents guides d'entretiens furent élaborés et administrés lors de la collecte des données ainsi qu'il suit: 1) les officiels nommés et élus, 2) les chefs traditionnels, 3) les femmes et les communautés locales, 4) les investisseurs, et 5) les ONG. Chacun de ces groupes joue un rôle spécifique dans les transactions domaniales. Les guides d'entretiens étaient ciblés en fonction de chaque groupe, mais se complétaient et abordaient des sujets tels le régime foncier, les consultations, la responsabilité, la représentativité féminine, la compensation et la réaction communautaire aux transactions foncières. Les entretiens furent menés entre 2014 et 2016 par une équipe de 4 chercheurs et 12 chercheurs assistants en anglais et en français selon le choix linguistique de chaque intervenant. Les données et les rapports d'enquête collectés ont été analysés thématiquement et présentés d'après un schéma qualitatif.

Au Cameroun, les affaires foncières sont régies par trois ordonnances prises en 1974 et trois décrets qui datent de 1976. Ces ordonnances ont converti toutes les terres sauf les domaines de l'état et ceux bénéficiant d'un titre foncier, en domaines nationaux et ceci aux termes des sections 14 et 15 de l'Ordonnance no. 74-1 du 6 juillet 1974. La section 1(1) du Décret No. 76/165/76 fait du titre foncier la seule preuve de propriété. Les réformes domaniales de 1974 et 1976 ont eu très peu d'effets sur les droits de propriété, étant donné que moins de 2% des terres sont titrées. En conséquence, la plupart des terres non-titrées tombent dans le domaine de l'état et ne comportent aucun garanti pour ceux qui les occupent. Paradoxalement, les communautés traditionnelles sans titre foncier aucun persistent dans leur droit de propriété sur la base de liens coutumiers, de conquête et d'occupation pionnière. L'ignorance juridique des communautés en matière de propriété foncière les expose aux investisseurs véreux qui se lient avec les élites locaux pour spolier des domaines jadis communautaires. En

ce qui concerne la gestion, le domaine national est géré conjointement par l'état et les communautés traditionnelles à travers la Commission Consultative de Bornage présidé par le Préfet, la communauté pour sa part étant représentée par son chef et deux de ses notables. La Commission Consultative de Bornage démontre un changement significatif dans le statut de la terre qui est passée d'une déesse à une valeur marchande, et sa gestion qui passe de l'autorité communale à l'autorité administrative. Certains investisseurs ont profité de la faiblesse et de la naïveté de quelques communautés pour acquérir des terres avec la complicité des chefs, des élites et des administrateurs.

Au Cameroun, l'acquisition des terres à grande échelle concerne trois types de terre: privée, domaine de l'état, et domaine national. En principe, les investisseurs utilisent les moyens formels, informels et parfois les deux pour acquérir les terres. Les moyens formels comprennent le bail, l'appel d'offre gouvernemental, et l'achat. Acquisition informelle serait par des transactions douteuses avec des leaders locaux et par la signature de Mémoires avec ceux-ci. Sithe Global Sustainable Oil Cameroon (SG-SOC) et PAMOL ont acquis des milliers d'hectares de terre dans le Ndiang et le Kupé Manengouba grâce à des baux temporaires accordés par décret présidentiel sur proposition de la Commission Consultative de Bornage. La Plantation de Haut Penja a acheté l'Organisation Camerounaise de Banane dans le Moundou grâce à l'appel d'offre du gouvernement et d'autres investisseurs dans l'agronomie et les compagnies minières ont également acheté auprès des privés, des terres additionnelles avec titre foncier par le truchement de contrats privés.

La situation sur le terrain tend à prouver que la plupart des terres ainsi achetées relevaient du domaine national et la transaction n'était pas réglementaire. Ces procédés sont pour l'essentiel flous et ne prennent guère compte de l'opinion des communautés concernées et qui, bien que n'ayant pas de titre sur les terres en question, en dépendent entièrement pour leur survie. En guise d'apaisement, et afin d'impliquer les communautés, les investisseurs et le gouvernement négocient de manière informelle avec les chefs, les élites et les leaders communautaires dont les terres ont été saisies. En ce faisant, ils

séduisent ces communautés à céder leurs terres en signant des mémorandums qui ne stipulent nullement les contreparties en termes de projets de développement des communautés concernées. Ces accords comportent souvent des éléphants blancs ou des promesses creuses visant à approvisionner les communautés en routes, eau potable, écoles, hôpitaux, etc., mais sans échéancier. La plupart des communautés ont tourné le dos à ces propositions en qui elles n'avaient pas confiance. Quelques élites et chefs qui ont signé les accords au nom du village l'ont fait pour des raisons personnelles et sans consultations ni l'accord des populations. Certains de ces accords résultent de pression, d'intimidation, où de corruption des chefs et autres élites locaux. A l'arrivée, les intérêts de la communauté, et en particulier ceux des femmes, ne sont pas pris en compte. Le résultat, ce sont des poursuites judiciaires, des protestations, des pétitions et autres formes de résistance contre les transactions foncières à grande échelle par des villageois mécontents dans le Ndian et le Koupé Manengouba dans la Région du Sud-Ouest du Cameroun.

Au Cameroun, le processus d'octroi des terres aux investisseurs ne tient pas compte de la participation des femmes en ce sens que la société est patriarcale et les acteurs et les institutions en présence n'embrassent pas les deux sexes. Dans les communautés étudiées ici, les transactions foncières sont menées par des acteurs tels les investisseurs, l'état, et des pans de la communauté représentés par les chefs, les élites masculins et les jeunes. Les investisseurs et les acteurs principaux ne se soucient guère des intérêts des femmes dans les transactions foncières. Même quand les femmes sont présentes, leur participation reste passive. Leur pauvre participation est aidée par des facteurs tels les croyances coutumières et le régime foncier discriminatoire. Etant donné les rapports de forces en présence, les femmes ne font souvent pas partie de la prise des décisions et des processus de négociation en matière foncière, ce qui les place dans une situation désavantageuse par rapport aux hommes. C'est dans ce contexte qu'un officiel de la délégation départementale chargée des affaires foncières dans le Moungo que nous avons interviewé ne s'est pas limité à reconnaître l'existence de cette discrimination; il l'a trouvée tout à fait normale. Il a précisé que "je n'ai jamais vu où les femmes

sont consultées ou interviennent dans les affaires foncières. Personnellement, je pense que les femmes ne devraient pas figurer dans ces choses.» Même quand elles sont consultées, l'opportunité est monopolisée par des femmes élitistes qui souvent ne représentent qu'elles-mêmes. Une intervenante s'est plainte de ce que « nous parlons et sont souvent consultées mais sont souvent aussi trahies par les hommes ».

L'acquisition des terres à grande échelle ont des ramifications sur la production vivrières, surtout chez les femmes qui dépendent près qu'exclusivement de la culture vivrière pour leur subsistance. Selon les officiels locaux, les chefs et les élites, les populations n'ont pas été déplacées, mais la situation sur le terrain démontre que cultivateurs, chasseurs, pêcheurs et autres ont été déplacés loin de leurs sources de revenus. En terme de compensation directe, très peu est fait dans le sens de la promotion, la protection et le respect des droits fonciers des femmes qui cultivent la terre, exploitent les forêts et utilisent l'eau des terres cédées. Là où les opportunités d'emploi s'offrent, celles-ci profitent souvent à une main-d'œuvre qualifiée importée. Les bas salaires et l'instabilité de l'emploi pour les ouvriers non-qualifiés sont autant de facteurs de découragement, comme les sont aussi la cherté de la vie et l'arrivée massive de main-d'œuvre, comme c'est le cas à Penja et à Njombé. La compensation n'est souvent rien par rapport aux terres perdues, surtout lorsque l'on sait que la communauté dépend exclusivement de ces dernières. Même les promesses faites par les investisseurs en matière d'aménagement sont rarement tenues. Toutefois, certains investisseurs, tels la PHP et la CDC ont livré des écoles et des centres de santé, et ont réfectionné quelques routes dans le Moungo même si tout ceci est destiné d'abord à leurs employés.

Dans la plupart des communautés au Cameroun, ce sont les femmes qui assurent la suffisance alimentaire des foyers et ceci grâce à leur rôle et contribution dans la sécurité alimentaire en tant que petites fermières. La présente étude démontrent que les petits fermiers, surtout les femmes, perdent de plus en plus de terres et s'interrogent donc sur le développement social prôné par ceux qui s'arrachent les grandes étendues de terre. En définitive, le triple rôle des femmes est

intimement lié aux ressources de la terre. Déplacer les femmes de la terre comme ils l'ont fait à Ndian et au Kupé Manengouba, c'est les priver des sources d'eau, de bois de chauffage, des fruits et des plantes médicinales dont les familles ont besoin. Dans certaines communautés dans le Moungo et à Ndian, la rareté des terres provoquée par l'expansion aveugle des plantations agraires pousse à l'exode rural des jeunes à la recherche de sources alternatives de vie. Au fur et à mesure que les hommes partent, les femmes se retrouvent chefs de familles, ce qui augmente leur volume de travail et de stress.

Les transformations socio-économiques opérées par ces acquisitions des terres à grande échelle ont apporté très peu d'amélioration dans la vie des ruraux. C'est pour cette raison que le Cameroun figure parmi les pays où ce type de transaction foncière a connu un des plus grand taux de résistance et de scandale. Les tentatives de création de nouvelles plantations par la SOCAPALM et la SG-SOC par exemple ont rencontré beaucoup de critiques à caractère sociale et environnementale. Grâce à une convention avec le Ministère de l'Economie, du Plan et de l'Aménagement du Territoire, la SG-SOC était entré en possession d'un domaine d'une superficie de 73.086 hectares fait de forêts et de champs et abritant une population de 14.000 personnes, de petits fermiers pour la plupart. Le domaine en question était non loin de cinq aires protégées, dont le Parc National de Korup. Le projet a suscité beaucoup de résistance et d'appréhensions de la part notamment des jeunes dans les communautés concernées et des ONG étrangers qui doutent de la légalité et des mérites sociaux et environnementaux de l'initiative. Les investisseurs mènent souvent leurs activités sans consultations et sans l'apport des femmes, et au mépris des plaintes des populations locales, des lois en vigueur, des normes environnementales et des nécessités de compensation des populations.

L'arrogance affichée par certains investisseurs a amené les populations locales et des ONG tels Struggle to Economise Future Environment (SEFE), Nature Cameroon, Green Peace et autres à se demander pourquoi ces investisseurs foulent ainsi aux pieds la procédure et les intérêts des populations lors des transactions foncières d'envergure.

Ces questions sont à la base des résistances opposées à ces transactions foncières par les femmes, les jeunes et les communautés. Même si les femmes ne se placent pas en tête des grèves et autres manifestations, pétitions, réunions et poursuites judiciaires, leur participation reste déterminantes. A titre d'exemple, grâce à ces actions, 1) le gouvernement a été contraint de réduire la superficie de terre accordée à un investisseur, de 73.086 hectares à 20.000 hectares, et le bail d'une durée indéterminée à une durée de trois ans, 2) des femmes dont les champs avaient été détruits ou saisis tout simplement par des gros investisseurs ont été mieux récompensées, 3) la justice a pu sauver des terres menacées de saisi, 4) les consultations sont maintenant de mise dans toute transaction foncière à grande échelle, entre autres. Certains de ces acquits sont tombés dans l'oubli du fait du manque de suivi par des mouvements de femmes et de l'absence d'actions concertées de la part des communautés concernées.

L'étude a mis en exergue des sujets pouvant nourrir les réflexions en matière de politique de développement et de rapports entre hommes et femmes dans la société. En particulier, elle :

1. souligne le déséquilibre entre les hommes et les femmes, et entre le gouvernement et les investisseurs dans les transactions foncières à grande échelle;
2. démontre que la partriarchie exclu les femmes des affaires foncières et tait leur voix même lorsqu'elles sont présentes dans les négociations. Malheureusement, il ne s'avère pas toujours vrai que les hommes (maris, pères, autres relations mâles) sont les défenseurs des droits des femmes.
3. souligne le fait que peu d'actions de la part des femmes ont pu contenir l'hostile hégémonisme des hommes et du gouvernement. A vraie dire, les femmes se sont donné très peu de raisons de croire qu'elles ont des droits et les revendiquent.

Ces sujets qui concernent surtout les femmes posent de manière concrète la question de la représentation et de la légitimité en matière d'acquisition des terres à grande échelle, de la sécurité alimentaire, des femmes, de la justice environnementale, et de la nécessité de placer la femme au centre de tout processus d'acquisition des terres à grande

échelle. Ces problématiques résultent de la conclusion que le processus formel et informel d'acquisition de terres à grande échelle au Cameroun néglige la femme, même comme elle en est la première victime. Elle perd l'accès aux champs, à l'eau, aux bois de chauffage, et aux autres ressources forestières dont elle dépend. Dans le Moungo par exemple, les femmes couvrent de longues distances à la recherche de champs à cultiver. Même les quelques emplois créés par les sociétés sont trop peu et trop mal rémunérés pour pouvoir soutenir les familles entières. Le non-respect par les investisseurs et le gouvernement, des droits des femmes, de la justice environnementale et des engagements en matière de développement constitue un terrain fertile pour la vague actuelle de protestations et de résistance par les populations affectées.

Les solutions aux défis relevés par cette étude ne consistent pas à chasser les sociétés qui gèrent les plantations, puisque celles-ci ont de réelles potentialités de développement dans les pays pauvres, à condition d'être bien gérées. Pour faire de ces activités des initiatives gagnant-gagnant, les lois foncières devraient d'office inclure les femmes dans toutes les structures de gestion des affaires foncières au Cameroun, telles la Commission Consultative de Bornage, le conseil traditionnel, etc. Même si la participation des femmes dans ces structures ne change pas automatiquement leur condition, leur voix reste prépondérante dans la recherche des voies alternatives de sortie de la pauvreté. L'état devrait insister sur le respect des procédés afin d'obtenir l'adhésion des populations locales. Ainsi, les transactions foncières ne seront approuvées que si elles garantissent la participation de la femme, la sécurité alimentaire, l'inclusion sociale et la protection de l'environnement. La gestion de la terre devrait être planifiée pour permettre que les terres soient réservées pour culture par les femmes avant toute transaction foncière à des fins industrielles. Des communautés et des femmes qui dépendent exclusivement de la terre devraient jouir de bénéfices réguliers aussi longtemps que leurs terres sont exploitées à des fins industrielles. Une loi devrait être prévue qui octroi aux femmes rurales des possibilités de formation pour leur permettre d'occuper des fonctions dans l'agro-industrie. Parallèlement, l'état devrait mettre fin aux accords entre investisseurs et chefs traditionnels puisque ceux-ci n'ont aucun fondement légal.

# Chapter 1

## **General introduction**

There is a new dynamic in developing countries where land previously used by customary communities is being taken over by foreign companies, governments, and sometimes local elites for mining and agro-transformation. OXFAM estimates that within the last 10 years, governments and foreign companies alone have acquired 227 million hectares of land in developing countries (AWID, 2013). The phenomenon has been described variously as large-scale land acquisitions (LSLAs), land rush or land grabbing. It is driven by the rush for minerals, bio-fuel, agriculture, food and land speculation (Borras et al., 2011) or it is propelled purely by profit (Grain, 2012). Large-scale land acquisitions involve the accumulation of landholdings over a hundred hectares, sometimes without due process, for agricultural, mining and other commercial purposes.

Large-scale land acquisition is contentious. According to Oxfam, international LSLAs per se are not a problem; they become one only when whole communities or individuals are dispossessed of their land for the sake of 'development', leading to low food production. Alternatively, where the customary rights of local land users are ignored, the problem becomes more a function of land legislation that does not recognize these rights rather than of illegal allocation or acquisition. IDRC (2012) believes that LSLAs could produce landless peasants and agricultural wage laborers who may not be able to provide themselves and families with food. Others, like governments in affected countries,

see no evil in LSLAs but rather a win-win situation which satisfies the investor at the same time as it provides employment, development and industrialization and greater food security amongst others (World Bank 2010).

In the case of land acquired for agriculture, proponents of LSLAs will argue that agricultural transformation increases land productivity and improves the living standards of rural dwellers. The pertinent question to pose is, what is the reality on the ground? Literature reveals that although many communities in developing countries, particularly in sub-Saharan Africa, are continually losing thousands and thousands of hectares of their land every year, there seems to be no clear evidence of improvements in the standards of living of the population in affected communities. Rather, more and more people are trapped in poverty, without means of subsistence. They no longer have easy access to basic human needs such as food, water and fuel wood, and thus cannot enjoy their fundamental human rights. This phenomenon places rural women especially who rarely enjoy security of tenure in very precarious positions. In fact, any pressure on land resulting from high demand affects women's situation as users. Most large-scale land leases in Cameroon are on national land, which, though administered by state institutions, neglect the rights of customary communities who are regarded as tenants.

Studies by Fonjong et al. (2012) and Yanou et al. (2013) have shown that the absence of a good legal land ownership framework that protects the rights of women, small farmers, the poor and other vulnerable groups is partly responsible for the limited access to arable land for the over 60% of the population involved in agriculture. The 2008 global food crisis reinforces the centrality of the agricultural sector in general and traditional agriculture in particular in promoting food security and reducing poverty. Linked to the significant role of small-scale agriculture is the contribution of rural women. Food crop production and water management is the principal reserve of the rural women. Women in Cameroon for instance, are responsible for about 90% of food crops in the country (Amin et al., 2000; Krieger, 2000; Endeley, 2001; Fonjong, 2004, 2002; Fonchingong, 1999, 2005).

While men migrate to urban areas and mines and other countries of Southern Africa, women who are compelled to be heads of households rely on subsistence food crop production for household survival (Budlender & Alma, 2011).

Despite the predominant role of women in food crop production, they have limited access to land through inheritance. This increasing limitation of women's access to and control over land is exacerbated by the growth of LSLAs which, in addition to population growth, rapid urbanization, political liberalization, land individualization and nationalization, has increased land scarcity in Cameroon. The social construction of women that assigns them traditional roles within the family as house-keepers only deprives them of access to and control over community land and makes them more vulnerable to the effects of land grabbing (Lappin, 2012; Gobena, 2010).

On the whole, there seems to be nothing wrong with transnational and national economic actors (corporations, national governments and private equity funds) investing in cleaner energy or exploiting mineral resources or better still converting less productive land in Africa into more productive ventures. In fact, some of the actors involved in this new agricultural revolution are Africans and a new south-south dynamic is being nurtured. Apparently, what seems to be the issue is how the process is being carried out, who benefits, and who suffers. This raises the question of the legal framework used in attributing these lands to investors and how the interests of local communities and other vulnerable groups are accommodated in the process.

### **1.1. The research problem**

The right to land of local communities and the extent to which they can benefit from land deals can only go as far as the law permits. Large-scale land deals will always neglect or contest the interests of communities living on the land where the laws do not recognize customary tenure and define customary communities as tenants rather than owners of the land. It will also exasperate the situation in customary communities where the process of obtaining land titles is

cumbersome for the poor and where the definition of the notion of 'vacant land' by the law is vague. This study provides an opportunity to revisit the land regimes in Cameroon, the legality of some of the land deals and the extent to which these land deals protect women's land rights. Hausermann (1998, 56) also calls this the fundamental human rights of affected communities and women that ensures survival and dignified living and hence can promote human dignity, creativity and intellectual and spiritual development.

These issues bring to the fore the problem of accountability and legitimacy of both the process and its outcomes, particularly when one considers the many instances of resistance mustered by affected communities in countries like Ethiopia, Kenya and Sudan, just to name a few. If we construe accountability in the light of Polack, Cotula, and Cote (2012), it is important to investigate the mechanisms through which public actions in the negotiation of large-scale land deals respect the substantive right of citizens, particularly vulnerable groups such as women and youths. Equally important is interrogating the processes that exist to make transnational corporations, local and traditional councils and public authorities answerable for their actions. This means focusing more on the relationship between women and affected communities with the state and plantation companies in the preparation and execution of land deals. It also means evaluating the extent to which basic needs (water and food) occupy central stage within this tripartite relationship of local communities, states and agro-companies in the conclusion of land deals.

Increasing individualization of land that was previously communally owned through privatization and land registration has not only polarized the society into the rich land owners and the landless poor but has also exposed the failure of land registration in protecting women and other vulnerable groups. It creates opportunities for the minority rich to grab most of the land and transforming the poor into landless wage laborers. The ensuing circumstances further affirm that land reforms in most of sub-Saharan Africa have so far not really addressed the two main types of inequalities over land ownership (inequalities between men and women, and between the rich and the poor) created by custom and

colonization. As a result, many duly concluded land deals may not only lack legitimacy but can also be potential sources of conflict and hostility between the masses and their states/investors, caused mainly by food and water scarcity. Such hostilities have been witnessed between local communities and the Gabonese government over the OLAM palm oil project in Woleu-Ntem approved for a Singaporean agro-business firm (FERN, 2012). Similar examples abound; for example, the Lom Pangar power project carried out by the Chinese in Cameroon; the 100,000hectares of land attributed to the Chinese ZTE agro company in DRC in 2008 (Reuter, 2013); and the 80,000 hectares attributed to the South African agro group in Congo-Brazzaville (GRAIN, 2012) .

In most of these crises-ridden land deals, the participation of women in the negotiations and attribution of land has been near absent. They are either not included in their negotiation teams by chiefs because they (the women) customarily do not own land, or are not invited by government and investors who prefer to deal exclusively with the right owners. Even where some level of consultation exists, information gathered during these meetings on vacant land or on the type of compensation demanded may still be inaccurate because women who are on the land are excluded from the consultation . While these exclusions are not new as they existed during colonization, what is new is the fact that gender relations at home are challenging, with women playing more determinant roles in the management of the homes. LSLAs today are taking place against the backdrop of land scarcity created by other dynamics (population growth for example). This requires gender inclusiveness and careful planning in proposing alternative options or compensation for women who are legitimately or illegally occupying the land so that the process is beneficial to all.

The need for public accountability in the current land rush has become increasingly central in discussing not only harmful investments but how the local populace wronged by land LSLAs can seek justice. More research is needed to explain among others whether the large land deals concluded take into consideration the interests of women and local communities; how the activities on these lands are compatible

with women, community and national needs; what women and affected communities are doing to demand accountability, and how these communities, particularly women - the life wires of rural areas - can be made to play a significant and more effective role in the present dispensation.

It is from the above premise that the study examines women's participation in the current process of large-scale land acquisitions and the conditions under which women and affected communities can be mainstreamed in the process so that LSLAs take into account the interests of women, affected masses and the investors. In more specific terms, the study:

1. explores the formal and informal rules and mechanisms employed by actors involved in LSLAs in the study areas in Cameroon;
2. generates gender-sensitive, evidence-based knowledge that can be used by women, local communities, non-state actors and public authorities to promote women's involvement in LSLAs and enhance accountability and legitimacy in processes of LSLAs in Cameroon;
3. develops evidence that demonstrates the ways in which women, men, communities, states and international actors can better respect and promote women's rights during LSLAs processes; and
4. proposes gender-inclusive strategies for formal and informal institutions that will respect, promote, and protect women's rights in the process of LSLAs.

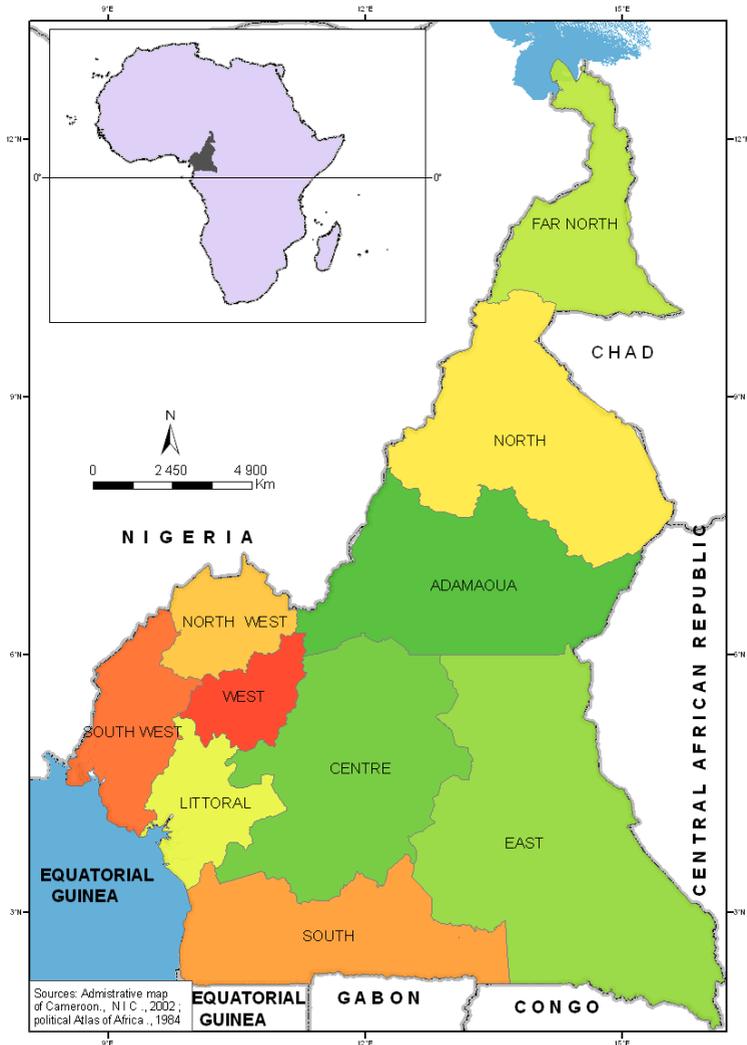
# Chapter 2

## Methodology

Cameroon is divided into ten administrative regions (Map 1). These regions are further divided into divisions, and into sub-divisions. At independence in 1960/1961, Cameroon inherited a dual colonial past in which 4/5 of the territory was ruled by the French and 1/5 by the British, giving rise to the present-day Francophone and Anglophone Cameroon. Fieldwork took place in two political regions: the Littoral Region in Francophone Cameroon, and the South West Region in Anglophone Cameroon. The Mungo Division was chosen in the Littoral, and Ndian and Kupe Manenguba Divisions in the South West (Map 3), although some allusion is made to Fako Division. The two regions and associated divisions were purposefully selected based on four key considerations:

- a) both have important histories of plantation agriculture,
- b) they are among the regions considered as the food basket of Cameroon,
- c) in addition to hosting the largest national agro-company (the Cameroon Development Corporation-CDC), operating and expanding in both regions, other companies, both old and new, are acquiring and expanding plantation land in the regions,

- d) they both represent the linguistic/cultural diversities of Cameroon (English and French<sup>1</sup>) inherited from European colonization, with two different legal systems, and
- e) geographically, they are neighbours.



**Map 1: Administrative regions of Cameroon**

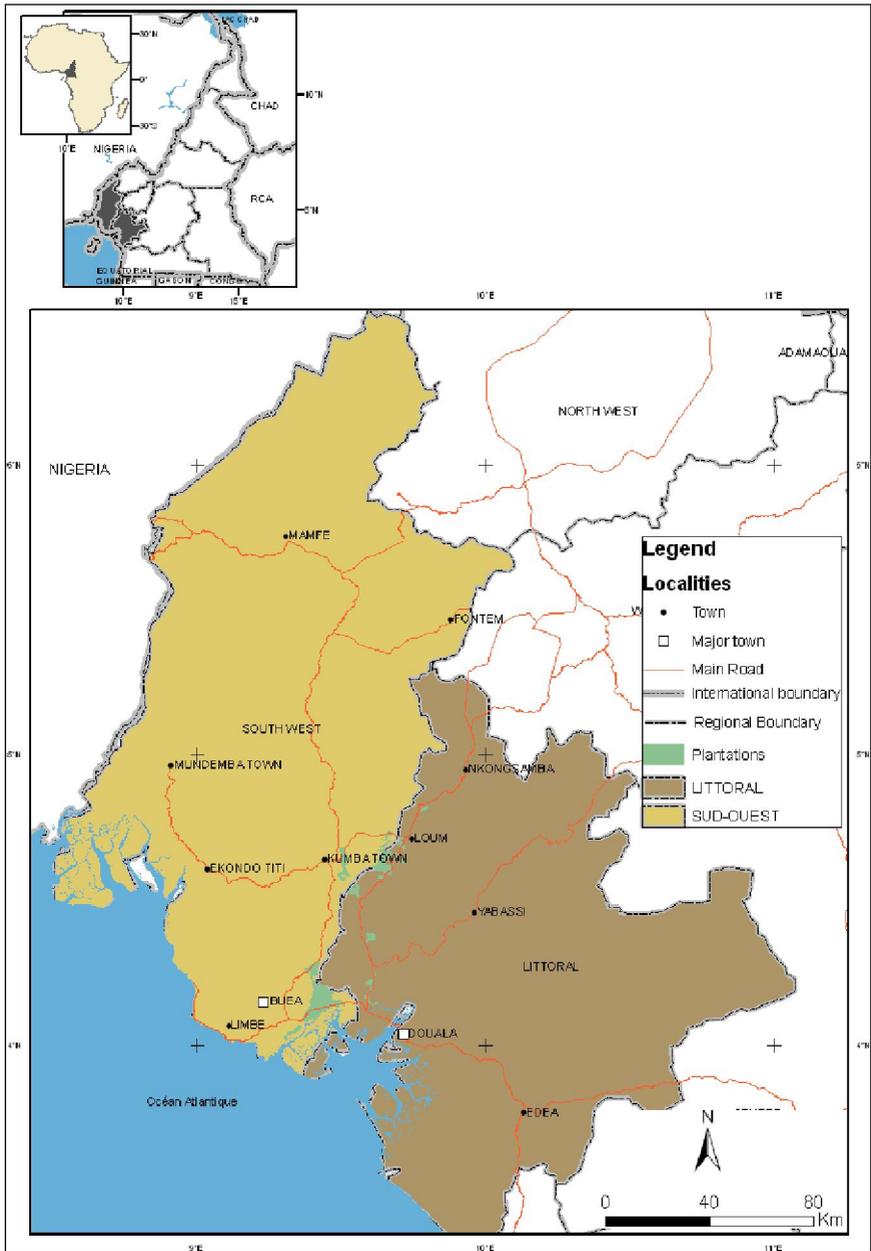
1 Cameroon is a bilingual country of Anglophones and Francophones, with English and French as the official languages. The South West Region is found in the English speaking part of the country and Littoral in the French.

There are four main agro-companies operating in the three divisions under study (Table 1). These companies were purposefully chosen to reflect their different histories, activities, methods of land acquisition, and amounts of land acquired (see Chapter 4).

**Table 1: Companies and localities considered in the study**

	<b>Company</b>	<b>Country of origin</b>	<b>Location of study</b>	
			<b>Region</b>	<b>Divisions</b>
1	Sithe Global Sustainable Oil Cameroon (SG-SOC)	United States	South West	Ndian Kupe Manenguba
2	PAMOL	Cameroon	South West	Ndian
3	Société des Plantations du Haut Penja (PHP)	France	Littoral	Mungo
4	Cameroon Development Corporation (CDC)	Cameroon	South West  Littoral	Fako Ndian Mungo

Fieldwork, 2015



Map 2: Location of the two regions of the study

## 2.1. Population studied and sampling

Five different groups of respondents were interviewed. They are categorized based on their specificities as relates to their activities on land and their role in the process of land acquisition. The five different groups identified were: administrative authorities, chiefs, affected population, women, investors, and NGOs.

### a) *Administrative Authorities*

These consist of local public officials (appointed and elected) and officials from technical ministries dealing directly with land and women's issues, and include Senior Divisional Officers (SDOs) in charge of administrative divisions, Divisional Officers (DOs) for Sub-Divisions, Mayors, Members of Parliament, and representatives of ministries in charge of Land Tenure, Economy, Planning and Regional Development, Agriculture, Women's Empowerment and the Family, and Forestry. Each of these officials, excepting representatives of Women's Empowerment, is directly or indirectly involved in land governance and in the process of large-scale land acquisitions (LSLAs). The SDOs are those who chair the Site Board Commissions (SBC) that manage state lands, the DOs chair the Land Consultative Board (LCB) for national lands; the Ministry of Land is the Secretary of land commissions and also the local land revenue collector; the Ministry of Agriculture assesses crops that are destroyed on land for compensation; and the Ministry of Forestry is concerned with the trees that are felled on the land. Elected parliamentarians make the laws regulating access, acquisition and ownership of land, and are expected to represent local interests just as Mayors are local politicians capable of influencing the sale and purchase of land in their municipalities. Officials of the Ministry of Women's Empowerment work with women and women groups and are expected to be promoting women's concerns through government action.

### b) *Chiefs or traditional leaders*

Chiefs or traditional leaders are dominantly male and play both customary and statutory roles in land matters in Cameroon. As head of the village, they customarily manage all village lands. Statutorily, the

1974 Land Ordinance defines chiefs as custodians of national land. Chiefs and notables are members of the Land Consultative Board, an organ that examines applications and recommends for land certification and grants.

*c) Women and local communities*

Women in local affected communities are the target population in the study. Their livelihoods depend on the land and are therefore the direct victims or beneficiaries of large-scale land transaction. Since women are the focus of the study, one focus group workshop was organized for women from Ndian and Kupe Manenguba Divisions to provide further insights into their local experiences with LSLAs.

*d) Investors/companies*

These are companies and individuals who have acquired or are in the process of acquiring land for agro-plantations in the study area. They may be national, foreign, or multinational companies working with communities in different areas of their socio-economic life and in the protection of the environment.

*e) NGOs* for their part are the non-governmental organizations operating in the study areas and whose activities are related to land or resources on land. They are local, national or foreign organizations.

**Table 2:** Summary situation of interviewees

SN	Category of interviewees	Number interviewed
1	Female respondents	38
2	Female chiefs	01
3	Male Chiefs	13
4	Male respondents	36
5	Government officials	16
6	Investors	04
7	NGOs and civil society organizations	08
8	Female focus group discussion	01

## 2.2. Research instruments

The main method used for data collection is in-depth interview using interview guides. A workshop to design the interview guide was held in Cameroon by the enlarged team of researchers from Ghana, Uganda and the host country. At the end five interview guides were developed and made to adapt to the local realities of each country. For example, the guides for Cameroon were translated into French. The interview guides were designed to accommodate the specificities of each group while at the same time complimenting each other. The five sets of interview guides, each addressed to the different groups of respondents, were prepared and administered to community members, women, investors, administrative authorities, traditional authorities, and NGOs. On the whole, the interview guide generally contained questions on how the land was acquired, who was consulted, the compensation plan put in place by the companies if any, reasons for community/women resistance, economic costs of the resistance, and efforts made by all stakeholders to establish confidence between investors and local communities.

The guide directed to women and communities, for example, focused on the importance and use of land in the community, the availability of land, their level of consultation and participation in the process of LSLAs, benefits from LSLAs, local resistance against LSLAs, and outcomes. Interview guides for chiefs mostly dwelt on their knowledge of the land statutes and extent of village land, choice and type of contract with investors, ability to negotiate and benefits from the sale of land, and level of transparency and consultation with other community members. We also probed the involvement of women in the consultation process, their relationship with public authorities on land matters, and attitudes towards local resistance, among others. The guide for investors sought to know the quantity of land each occupied in the country, how they had acquired land, what compensation was paid, the types of crops and activities these companies are involved in, their relationship with government, chiefs, women's groups (if any), NGOs and affected communities, opportunities created for women, and evaluation of their contribution to local development. Questions contained in the interview guide for administrators delve into the status and procedures

for allocating land to investors, respect of the laws and community interests in the process, the question of consultation, compensation, local resistance, and their relationship with investors, chiefs, and communities in the process of LSLAs. NGOs were interviewed on issues related to their activities concerning land, community consultations, resistances and the protection of women and other displaced vulnerable groups in the process of LSLAs.

### **2.3. Data collection procedure**

Preliminary literature review on LSLAs in Cameroon provided information on the extent and geographical scope of the problem. This information was useful in choosing the study area (both the administrative regions and the divisions studied). Pre-tests involving all team members were carried out in a few villages in the study area prior to the actual interviews. The field interviews were conducted by a research team of fourteen (consisting of four researchers and ten trained research assistants) intermittently (from February 2014 to March 2016). A few of these interviews, particularly those with senior government officials and traditional leaders, were more in the form of discussions and sometimes lasted longer than 90 minutes, but on the whole, the average duration of the interviews was about 45-60 minutes. Some of these interviews were recorded alongside the field notes.

Reconnaissance field visits were made to Mungo, Ndian and Kupe Muanenguba Divisions where some of the early communities and respondents were identified and contacts created. During these trips telephone numbers and other vital information on potential informants were collected. These trips were followed by a project inception work organized at the University of Buea bringing together members and representatives of the administration, investors, affected communities, chiefs, and NGOs from all the divisions under study. Although well attended, just one company was represented. During this workshop, the objectives of the study and researchers involved were presented to participants. The inception workshop achieved three things. It

- a) helped in the identification of would-be respondents and created contacts with them,

- b) dismissed to an extent the spell, fear and suspicion among would-be respondents on the subject which some communities considered sensitive, and
- c) provided a serene atmosphere for confidence building among researchers and would-be respondents.

Based on the information on localities and respondents obtained from the preliminary literature review, the reconnaissance field visits and the inception workshop, a working plan for the villages, chiefs, local administrators, technical services, investors and NGOs was established. The list included all the three SDOs, selected DOs, all local officials from the Ministries of Land Tenure, Agriculture, Women's Empowerment and the Family, Forestry, Wild Life, local chiefs, companies, NGOs, Mayors, MPs, and others. All service heads at divisional and sub-divisional levels, because of their knowledge of the role of their services in land deals were automatically considered for the study. All these public officials were male, except one official of the Ministry of Women's Empowerment, one female MP and one Mayor. Dates and locations for interviews were pre-arranged by telephone to guard against the visits conflicting with other commitments of public officials. All interviews with this category of respondents as in the case of investors and NGOs were done uniquely by the researchers and not by research assistants. At the end of each interview an interview report was prepared highlighting the main discussions, constraints and anomalies.

Primary data from interviews were complimented with content analysis of field reports collected from each of the categories of respondents interviewed. These reports included annual reports from companies and government departments, conventions and memorandum of understanding signed between the government or communities with investors to lease out land, decrees, petition letters, legal cases and rulings, and other related reports.

#### **2.4. Data analysis**

Data from the study were mostly qualitative in nature although some quantitative data were deduced and reported from qualitative data after

coding. The primary method of data analysis was therefore qualitative and thematic, and was carried out through a number of delineated stages.

*Stage I: Data cleaning.* This involves going through all the field notes and reports that accompanied individual interviews and discarding some of the interviews that were not properly administered or those in areas like Bima and Siyam where activities of LSLAs had not actually gone operational and thus made it difficult for the respondents to answer most of the questions.

*Stage II: Transcription of interviews:* This process took more than two months. During this process, all the audio tapes were transcribed and edited. Again the field reports and notes that accompanied each field interview were very useful in filling the gaps or understanding some of the complications and mismatches noticed during the process. Each transcript was coded, dated and given a location name.

*Stage III: Data analysis workshops:* Two workshops were held prior to the thematic analysis. The first workshop took place at the University of Ghana-Legon with participants from the two other country teams from Ghana and Uganda. During the workshop, the structure of data reporting was framed and agreed and some of the pre-existing themes and codes that cut across the three countries' case studies were identified. The second workshop, a follow-up to the Ghana workshop, but limited this time to the Cameroon team, lasted for three days followed by weeks of actual data coding. It was animated by experts in qualitative analysis and attended by the local researchers and research assistants. The workshop dwelled on the nature of thematic analysis, the process of coding, and building themes from transcripts of interviews.

*Stage IV: Data coding*

Thematic analysis used both the inductive and the *a priori* approaches to identify themes. First the research objectives were outlined and variables identified and cited. The transcripts were regrouped into the five categories of interviewees; namely, administrators, chiefs, women, NGOs and investors. Codes describing variables were picked out from

the transcripts. Lower level codes were eventually merged to form new themes or consolidate pre-existing ones. Other codes were derived from content analysis of investors' and government sectorial reports relating to their activities regarding land acquisition and management. The frequencies of some of the codes were of interest and computed to form part of the quantitative data reported in the study.

## **2.5. Ethical considerations**

Administrative clearance was obtained from the Ministry of Higher Education and from the divisional administrative authorities of Mungo, Ndian and Kupe Muanenguba Divisions. These administrative clearances authorizing the study in the various localities in all the three divisions were issued following assurance of the scientific and academic nature of the study. By extension, verbal and written consents were obtained respectively from respondents who could not read and those literate after explaining the objectives of the study. Clear commitments were taken to ensure the confidentiality and anonymity of respondents at all stages of the research. However, administrative and traditional officials had no problem with being identified; e.g., the SDO of... instead of Mr. John, or Chief of Village X rather than Chief Peter. Participants were free to withdraw from the study at any moment if they no longer felt comfortable, and were not constrained to answer all the questions.

No matter how clear the data collection process was, following it remained challenging. For one thing, respondents had to work in one of three languages (English, French or Pidgin). Besides, some of them were not literate and required additional help. Although the public was generally apprehensive discussing LSLAs which was regarded as a sensitive issue, women were also not comfortable with certain questions. This concerned particularly those questions dealing with the transparency of the process of LSLAs. The translation of the instruments into French, while solving the language problem, created another. More time was required to translate the transcript of their responses back into English. The women-only focus group workshop enabled a few more women to express their views more freely.

# Chapter 3

## Context and Framing of the Study

This Chapter places the study within its theoretical context. It discusses the role of women in agriculture and by extension the notions of rights and accountability as implicated in the concept of participation. Participation is the principal concept used to frame the study and to elucidate the demand for accountability by women in LSLAs.

### **3.1. Women, agriculture and LSLAs**

Agriculture is an engine of growth and poverty reduction in agrarian countries where it is the main source of livelihood for the poor (World Bank, 2007). However, the agricultural sector in many developing countries is underperforming, partly because of the quality and how factors of production and other productive resources with the sector are combined. Rural women play a key role in agriculture in developing countries. Not only do these women produce and process agricultural products but they are also responsible for much of the trade and play an important role as rural information sources and providers of food to urban areas (Prakash, 2003). FAO (2011a) believes that national governments and the international community need women in their efforts to achieve their goals for agricultural development, economic growth and food security.

While many people in poor countries do not have secure property rights and access to adequate resources; women have less access to land than men do (FAO, 2011b). Rural women in particular are at the

strategic center of reducing hunger, malnutrition, and poverty as they play a central role in household food security, dietary diversity, and children's health. In many cases, socio-cultural factors limit women's access to and rights over resources (FAO, 2011a; Doss, 2013). Women in developing countries are consistently less likely to own land; they have fewer rights to land, and the land they own or have access to, is of lower quality in comparison to those owned by men (FAO, 2011a). To Kongolo (2012), land is an important resource for the survival of rural women and to give women land is to empower them to fight food insecurity and poverty. Improving women's access to and control over economic resources, particularly land, has a positive effect on a range of development goals including poverty reduction and economic growth (FAO, 2011b).

Women make essential contributions to the agricultural and rural economies in all developing countries. They constitute the majority of smallholder farmers, providing most of the labor and managing a large part of the farming activities on a daily basis (Saiko et al., 1994). As men migrate out of rural areas, women become de facto farm managers. In such households, women's autonomy and authority vary over time (World Bank, 2006). Women's activities typically include producing agricultural crops, tending animals, processing and preparing food, working for wages in agricultural or other rural enterprises, collecting fuel and water, engaging in trade and marketing, caring for family members and maintaining their homes. Many of these life essential activities are not defined as "economically active employment" in national accounts (FAO, 2011a). Even with extremely limited access to resources, studies have claimed that women produce 60 to 80 percent of food in most developing countries and half of the world's food supply (Momsen, 1991; Mehra and Rojas, 2008). In Cameroon alone, they provide more than 75% of agricultural labor yet own just 10% of land (Mason and Carlsson, 2004).

Women in sub-Saharan Africa where their land tenure is uncertain operate under particularly disadvantaged conditions compared to men. Even with some improvements in land legislations that grant them basic land rights, they are still held back by customary discriminations against

their ownership and inheritance rights. Closing the gender gap in agriculture, according to the FAO (2011a), would generate significant gains for the agricultural sector and for society. FAO argues that women could increase yields on their farms by 20-30% if they had the same access to productive resources as men. This could raise total agricultural output in developing countries by 2.5-4%, which could in turn reduce the number of hungry people in the world by 12-17%.

Although women face multiple and varied challenges such as less access to information, technology, land, inputs and credit in agriculture, the effect of gender discrimination in rights have more far reaching impact on their productivity than any other. Land is not only a productive asset, it is also important as collateral for securing finance and credit. Lack of security in land tenure reduces incentives for long term investments or to invest in improving the land, resulting in lower productivity. The introduction of private property tenure systems and the growth of land markets sustained by post-independence governments have triggered changes in customary tenure regimes (FAO, 2007). The largest impact has been on the social networks that existed in earlier customary systems. Women's access to land that was once protected by the clan and patrilineage, social safety nets are now highly individualized and less certain (Flintan, 2010). As part of the state's efforts to modernize agriculture, land has been made available to politically and economically powerful individuals and entities. Businessmen and high-ranking bureaucrats have obtained private property rights to rangelands, pastures and farmlands (GOC Land Law 74-1, 1974). All these, including the current land rush for large-scale investments in agriculture and mining, have made land scarce, with far-reaching implications on women's land rights and livelihood options.

### **3.2. Theoretical frameworks**

The study of women's land rights in the context of LSLAs is framed around the concept of rights, accountability, and participation. Rights are derived from human rights. It is the responsibility of any government to ensure that the rights of the most vulnerable, discriminated and socially excluded groups, including the poor, are effectively protected against public authorities and private actors (UN, 2003).

### 3.2.1. The concept of accountability

As Black (2008) notes, accountability deals with the relationships between a decision-making authority and agents of accountability or those working to hold that authority to account. The question thus becomes who should be accountable to whom, against what standard, and how (Black, 2008). Agents of accountability can better act only where channels to influence and control the conduct of authority exist and that authority is exercised under clear standards established by law at all levels.

Recent discourses on LSLAs revolve around the twin notions of accountability (IDRC, 2013), from the standpoint of rights and powers. As rights, accountability is interpreted as the substantive right and processes to make the state, local and traditional structures and their executives answerable (Pollack, 2012) to the rural population for actions that interfere with their right to livelihood, clean environment and participation in the decision-making processes on their land. Cotula (2011) observes that accountability as a right has been almost non-existent in LSLAs. He examines the contractual issues for which public scrutiny is most needed and realises that little or no consultation is done by the investors with the local population, especially women who are the most affected. The problem stems from the fact that formal land ownership is rare in the sub-Saharan region (Sparks, 2012) as most of the land is owned by the state. Where customary tenures are functional, local resource users tend to think they have sufficient tenure security and so do not see the need to seek formal titles (Cotula, 2011). Customary rights are, however, not legally recognised in Cameroon. The state alone has the legal authority to enter into land deals, especially on national land considered “empty and/or underutilised” (Fischer et al., 2002); and this without consulting existing local users. That is how local communities are side-lined by both the state and investors in the LSLA process and their environment raped. In essence, they are considered as people without legal rights over land, no matter for how long they have lived on and utilized it.

As power, accountability denotes mechanisms, skills, capacities to claim power or avenues to challenge failures or breaches of obligation (Pollack et al., 2012: 6; Argawal et al., 2011:16). It thus follows firstly that the ignorance and the absence of relevant skills render most rural women powerless and without ability to challenge existing land laws and unfair practices of investors. Moreover, affected communities and women are ill-equipped to challenge the intransigence of the institutions and officials who hold office for the state, and who would rather bend the rules to save the system than render account to the population, state institutions and laws that they are supposed to be serving.

Pollack et al. (2012; 13) argue that efforts by some civil society organizations to make the state and local governments answerable to citizens have been unsuccessful because sanctions and incentives to force compliance remain weak, and the citizenry scarcely gets redress. It is within this context of rights and powers that the study examines the extent to which women in affected areas have been able to gain knowledge and organize themselves into functional groups and agencies that enable them to believe in their land rights on the one hand, and, on the other, equip themselves with capacities and abilities to accompany these rights to demand just and fair treatment from both government and investors whenever they are dispossessed of their land.

### **3.2.2. The Concept of participation**

The United Nations Research Institute for Social Development (UNRISD) describes participation as “the organized effort to increase control over resources and regulative institutions on the parts of groups and movements hitherto excluded from such control (Acland, 2003). The purpose of participation is to achieve change in relation to the purpose identified (Involve, 2005). Participation takes place at different levels: public and/or individual, although both overlap. At the public level, individuals are able to take part in the various structures and institutions of democracy otherwise referred to as participatory governance (Brodie et al., 2009). Voting in local or national elections, assuming an elected office, taking part in government consultation, etc. are some examples of public participation. Individual participation

represents the choices and actions that individuals make as part of their daily life in defining the kind of society they aspire for (Ginsborg, 2005; Melucci, 1996). Some examples of this type of participation highlighted by these authors include boycotting of specific products; donating money to charities; or signing petitions. Individuals may be involved in collective action otherwise referred to as social or community participation. It refers to collective activities that individuals may be involved in as part of their everyday lives (Brodie et al., 2009). Those involved in collective participation, according to Jochum et al. (2005), are motivated by their faith or values, and also by their sense of community, among other reasons.

Sidaway (2005) postulates that for participation to be fair, it should be based on four principles: how the process is initiated, how inclusive it is, if relevant information is freely available to all stakeholders, and whether the deliberations have genuine influence over the final decision. Involve (2005) in the same vein, outlines the following features of participation: It is voluntary, not compulsory; inclusive and accessible; transparent in terms of purpose and those who can be involved; possesses the power and adequate resource to carry the objective through; is accountable to members; and seeks to promote learning and development among all those involved. In examining or interrogating women's involvement in the process of LSLAs in Cameroon, Involve's (2005) characterization of participation enables one to examine the extent to which the process is transparent, inclusive, accessible or accountable to women and other vulnerable members in affected communities. Accountability is crucial in the sense that defining the characteristics and roles of participants in any participatory process is imperative for participation to be accountable (Involve, 2005).

Involve (2005) postulates a checklist which is helpful in evaluating the level of women and community participation in LSLAs. The following selected key questions from the Involve (2005) checklist are useful in framing the present study:

**Table 3: Framework for understanding women’s participation in LSLAs**

Increasing the level of public participation					
	<b>Inform</b>	<b>Consult</b>	<b>Involve</b>	<b>Collaborate</b>	<b>Empower</b>
Targeted public participation Goal in LSLAs	To provide balanced and objective information that assists the public in understanding the LSLAs: its opportunities, challenges and alternatives.	To analyze feedback from the public, and make decisions based on alternatives.	To work directly with the public throughout the process to ensure that their land rights, and livelihood concerns are consistently understood and mainstreamed	To partner with the public with each aspect of the decision including the development of alternatives and identification of preferred solutions based on trust	To place final decision-making in the hands of the public
<b>Actual situation for women</b>					
Promises to the Public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and desires and provide feedback on how they have influenced our decisions.	We will work with you to ensure that your concerns and aspirations are directly reflected in all final decisions and provide feedback.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations in the decisions to the maximum extent possible.	We will implement what you decided
<b>Actual realization for women</b>					

Source: Adapted from Brodie et al., 2009:17

- Who are directly responsible for the decisions on land during LSLAs?
- Who are those influential in the area or affected communities?
- Who (in terms of gender) will be affected by any decisions on LSLAs?
- Who can obstruct a decision on LSLAs if not involved?
- Who has not been involved in land issues in the past, but should have been?

These key questions are important in understanding the gender dynamics and women's participation in LSLAs and thus pave the way to analyzing the spectrum of participation. This is because participation is influenced and shaped by a range of societal and contextual factors (Brodie et al., 2009). While Involve (2005) raises questions of involvement and managing the process of participation, Brodie et al.(2009) highlight the content of each level of participation. At what level of the Brodie et al. (2009) framework are women involved in the process of LSLAs? Or in involving women in the process, what goal is the state and/or other stakeholders trying to meet? Whatever the case, participation should be carried out in such a manner that it is able to avoid or eliminate unfair deals which may ultimately result in long-term open conflicts to the detriment of all parties involved (Haselip, 2011), as is the case with the various resistances against LSLAs.

The literature on participation reveals that the absence of resources, discrimination, prejudices, among others poses serious barriers to participation. Musick and Wilson (2008) will argue that education creates room for more extensive and heterogenous social networks, which increases opportunities to participate and vice-versa. Financial poverty constrains people's ability to participate in charitable causes (Low et al., 2007), and the cost of travel to participate in a demonstration, or deliver a petition, or for local counselors in rural parishes has been identified as an obstacle (Haberis and Prendergrast, 2007). The psychological barrier identified in the literature has to do with confidence and security on the issues at stake. This is the case when people are less confident and insecure about their knowledge of formal politics, and difficult voting procedures (Power Inquiry, 2006). It

also applies to land and the knowledge of land law and the confidence of rural people called upon to negotiate with big companies and their lawyers during LSLAs. Such lack of confidence and knowledge can lead to the discrimination of certain groups, particularly women. Blakey et al. (2006) note that such groups could face high levels of stigma from within their own communities, or from the wider population, that can discourage individuals' involvement. Rai (2008) also found that women often experience gender, race and/or faith discrimination which can deter them from participating politically.

The accountability and participation frameworks provide indicators to understand how the exclusion of women and the absence of procedural and distributive justice in the process of LSLAs have caused women to suffer from the effects of LSLAs more than any other groups in affected communities. This is particularly because, although customs and land statutes regulating land are respectively gender-biased and gender-neutral, they are operating in a patriarchal context.

# Chapter 4

## Historical context of land governance and large-scale land acquisitions in Cameroon

Large-scale land acquisitions in Cameroon are carried out mostly by large multi-national and a few national corporations with the blessing of the government. This contemporary phenomenon has gained grounds nationally although we focus particularly on examples in the South West and Littoral Regions. Just like in other regions of the country (Centre, North West, and South), activities of LSLAs take place mostly on what is known today as national land. Rural women are predominantly those exploiting national land for food and income.

Historically, LSLAs can be grouped into four time periods:

- 1) pre-colonial
- 2) colonial (1884-1960),
- 3) post-colonial before liberalization (1960-late 80s), and
- 4) liberalization (1990- present).

Although the dynamics and repercussions on agricultural communities, especially women, the environment and the economy over these periods might be different, the legal context has largely been dictated by colonial laws and the 1974 and 1976 Land Ordinances. Both colonial and post-colonial land laws emphasized the importance of land registration.

## 4.1. Historical Evolution of Land Tenure Laws and Early Signs of LSLAs

The evolution of the land tenure laws in Cameroon have been shaped by the different colonial powers that ruled Cameroon. The Cameroonian land tenure system and laws evolved as Cameroon moved from a purely traditional society, to an independent modern state, passing through the colonial periods of the German, British and French.

### 4.1.1 Pre-colonial era

Before colonization, land was regarded by the indigenes as an element of nature, just like water air and fire, incapable of ownership since in African jurisprudence, ownership is exercisable over objects made by man. To the native, land was not only a deity, but an identity and an ancestral gift to the community as a whole. That is why individual ownership of land is foreign. This land which was acquired through conquest or first settlement (Fonjong et al., 2011) belonged to a community as a village or a family just like a corporate entity. This is aptly described in the Privy Council Decision of Viscount Haldane in *Amodu Tijani v. Secretary of Southern Nigeria*<sup>2</sup>thus:

“...the notion of individual ownership is quite foreign to native ideas. Land belongs to the community, the village or the family, never to the individual. All members of the community, village or family have an equal right to the land, but in every case the chief or headman of the community or village, or head of the family has charge of the land and in loose mode of speech is sometimes called the owner. He is to some extent in the position of a trustee, and as such holds the land for use of the community or family. He has control of it, and any member who wants a piece of it to cultivate or build upon, goes to him for it. But the land so given remains the property of the community or family. He cannot make any important disposition of the land without consulting the elders of the community or family and their consent must in all cases be given before a grant can be made to a stranger. This is pure native custom ... and wherever we find...individual owners, this is again due to the introduction

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<sup>2</sup>See also Rayner C.J.'s *Report on Land Tenure in West Africa* (1898). See generally on this Elias, T.O: *Nigerian Land Law*, 4<sup>th</sup> Edition, London, Sweet & Maxwell; R.W. James, *Modern Land Law of Nigeria*, University of Ife Press

of English ideas...except where land has been bought by the present owner there are very few natives who are individual owners of land<sup>3</sup>.”

This *locus classicus* aptly depicts land tenure ownership in customary jurisprudence as it was before the colonial arrival and still obtains today (Joko, 2006; Fombad, 2009). Such allocation of land was mainly to men and not to women who could only come onto the land through their male matrikins or patrikins. It can be deduced from the Decision above on customary land ownership that:

- i) individual ownership is alien as land is owned by the community;
- ii) land is not inalienable but could be transferred only after due consultation of the family or community elders; and
- iii) the chiefs/family heads were mere custodians of these customary lands.

This was the land tenure system that the colonial powers met.

#### 4.1.2. Colonial rule and early signs of large-scale land acquisitions

German rule (1884-1914) in Cameroon began with the Treaty of Annexation (Protectorate Treaty) on 12<sup>th</sup> July 1884 that was signed by King Akwa on behalf of Kings and Chiefs of Douala and Adolf Woerman on behalf of German firms. The chiefs by this treaty agreed to abandon all their rights relating to sovereignty, legislation and administration of the territory to the Germans. In return, the Germans were to respect the customary laws of the natives. The Germans pursued a policy of land appropriation from the natives for little or no consideration (Ardener, 1968) for their use for plantation agriculture. Subsequently, the German Imperial Government enacted the German *Kronland* Act of 15 July 1896 which provided that all lands which were not effectively occupied by the natives were *herrenloss* land (*terra nullius*) and so assimilated as part of German overseas dominions and therefore the property of the German Imperial Government. By this Act, the Germans neglected the fact that although the natives were not effectively using the land by

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<sup>3</sup> [1921] A.C. 399 at p. 404

their definition, at no time were such lands not claimed by them. Effective occupation ignored land on fallow (a scenario common to shifting cultivation which was a normal practice), hunting ground, and land for harvesting non forest timber products or community reserves. The natives did not 'effectively' occupy any significant quantity of land at the time; as a result, most native land became the property of the German imperialists except land effectively occupied by the chiefs or those which the Germans had given as freehold interests. Very fertile land was taken over for plantation agriculture at the foot of Mount Fako and others carted into *reservaats* or reserves (Clarence-Smith, 1989). By the time the First World War that ousted the Germans from Cameroon broke out in 1914, German plantations had grown to 300.000 Ha or approximately 58 estates (ibid). These appropriated lands form part of the Cameroon Development Corporation (CDC), which is part of this study. Plantation agriculture deprived the indigenes of their ancestral land and converted the natives into wage laborers. To legalize their hold on the land, the Germans went further to introduce a land register (*Grundbuch*) for land registration against a fee; an act that guaranteed land titles for German companies and individuals who had bought appropriated land<sup>4</sup>.

After World War I, Cameroon was partitioned between the British and French and ruled as mandated territories of the League of Nations and subsequently as Trust territories of the United Nations after WWII. In the British Cameroons, the lands were placed under the control of the governor and the natives were given only rights of occupancy over native lands. The Mandate Agreement in Art 9 gave powers to Britain to administer Southern Cameroons as an integral part of Britain but taking into consideration native laws and customs and safeguard the interests of the indigenes. No native land was to be transferred except between natives and with the consent of the competent authority as required by Art 8. Section 3 of the British Cameroons Administration (Amendment) Ordinance No. 1927, the principal land tenure law at the time provided that all lands except the estates registered and recognized by the

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<sup>4</sup> Some natives like the Mokebas, Rhoom and Manga Williams around Victoria (now Limbe) took advantage of this to register their title as freehold lands. This gave the Mokebas opportunity to open up plantations in the periphery of CDC plantations.

British were native lands put under the control of the Prime Minister (PM) who shall hold and administer the land for the natives. No use of native land was valid without the PM's consent.

Ordinance No. 1927 thus converted indigenes' rights of ownership over ancestral land into customary rights of occupancy with mere use and occupation as per Art. 2. Non-natives who had acquired land in disrespect of the 1927 Ordinance and Mandate Agreement were given certificates of occupancy over the lands they acquired illegally. Even though this document was a lease of 99 years during which the holder paid rents to the government, it was regarded by economic operators as documents of title (Fisiy, 1992). The colonial governor was able to use his powers over land to legitimately grant land concession to planters as was seen with the creation of PAMOL Ndiain in 1920, a subsidiary of UNILEVER, and the creation of CDC in 1946/47 after the Ex-enemy Lands (Cameroon Ordinance) by 1946 incorporated German plantations into the Commonwealth Development Corporation (Cameroon Ordinance No. 38 of 1946)<sup>5</sup>.

The story was not very different in French Cameroun from 1914-1960. French colonial administration issued in 1932 a Décret giving large land concessions to industrialists who needed land for a particular purpose and a right to register such with the authorisation of the district land board (the forerunner of today's Land Consultative Board). They also issued another Decree on 12<sup>th</sup> January 1938 converting all native lands as *terre vacante et sans maître appartenant au territoire*<sup>6</sup>. These became *domanine* lands formalising the French grants of such lands to planters especially around Njombe and Penja, with the creation of SPNP (*Société des Plantations de Njombe Penja*) and SBM (*Société des Banannes de Mbome*) that subsequently through government tender became the property of PHP.

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<sup>5</sup> Cameroon Ordinance No. 38 of 1946 vested all the lands acquired from German planters as Enemy Property in the hands of the Governor of Nigeria who was to declare them native lands.

<sup>6</sup> Land without masters belonging to the colonial authority

### 4.1.3. Post-colonial period

At independence, three land tenure laws tailored after the German *Kronland* Act of 1896 and French 1921 Land tenure laws, (Ordinance No. 74-1 of 6<sup>th</sup> July 1974,<sup>7</sup> Ordinance No. 74-2 of 6<sup>th</sup> July 1974<sup>8</sup> and Ordinance No. 74-3 of 6<sup>th</sup> July 1974<sup>9</sup>, supplemented in 1976 with three decrees of application)<sup>10</sup> were passed. They form the basic laws on land tenure in Cameroon. The justifications for these laws are rooted in the:

- i) third Five-Year Development Plan (1971-76) that intended to create *bourgeois planteur*, and the Operation Green Revolution in 1973;
- ii) desire to harmonise several land laws, with the intention to free the lands from archaic patriarchal tenure laws, and
- iii) need to maximize land use through a more rational system of allocation; all in accordance with the spirit of article 22 of the Federal Constitution 1972 of Cameroon<sup>11</sup>.

Cameroon Land Ordinances recognise three different types of land which are regulated differently. These are national<sup>12</sup>, state<sup>13</sup> and private

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<sup>7</sup> To Establish Rules Governing Land Tenure

<sup>8</sup> To Establish Rules Governing State Lands

<sup>9</sup> To Establish procedure Governing expropriation of lands for public purpose, that has been repealed by Law No. 85/09 of 4/7/1985 to lay down the procedure governing expropriation for public purpose and the conditions for compensation.

<sup>10</sup> Decree No. 76/165 of 27<sup>th</sup> April 1976 to establish conditions for obtaining land certificates as amended by Decree No. 2005/048 of 18<sup>th</sup> December 2005; Decree No. 76/166 of 27<sup>th</sup> April 1976 to establish the terms and conditions of management of national lands and Decree No. 76/167 of 27<sup>th</sup> April 1976 to establish conditions of management of private property of the State.

<sup>11</sup> Article 22

<sup>12</sup> All lands not classified as public or private property of the State and lands not under private property rights (section 14 Ord. No 74-1/74); it includes all lands that have failed to meet requirements of sections 4,5 and 6 of Ord. No. 74-1/74 and so have been incorporated as national lands; all lands under customary tenure with or without effective occupation-(section 15 Ord. No 74-1/74).

<sup>13</sup> All lands not held under private land title and that is not national land. This is divided into private real property of the State (see sections 10 and 11 of Ordinance No. 74-2/74) and all public property of the State which are property which by nature or intended purpose is set apart either for the direct use of the public or private services. This can be natural (section 3 Ord. No 74-2/74) or artificial (sections 4 and 5 Ord. No. 74-2/74).

lands<sup>14</sup>. Customary communities however classify land differently, regrouping it mostly into village and family land. Whatever the case, and by law, all Cameroonian customary communities living on national land, no matter how long they have lived on and exploited the land without formal titles, have no secured tenure. They are vulnerable to both internal and external dynamics of LSLAs. When these users are evicted or displaced, they can only be compensated for the developments on the land and not for the land itself<sup>15</sup>. Long use, as Schneider (2011:4) observed, does not attribute ownership to users and in Cameroon the rights of these users over such land lapsed 10 or 15 years after 1974 land laws were passed (section 14 (3) Ordinance No. 74-1/74) and so they are now tenants at sufferance<sup>16</sup>.

Most lands in Cameroon are untitled land held under customary tenure and controlled by traditional authorities. It is this land that has been converted into national land by sections 14 and 15 of Ordinance No. 74-1 of 6<sup>th</sup> July 1974 and placed under the control of the Land Consultative Boards (LCB) at each sub-division. The LCBs are presided over by Divisional Officers (DOs) and customary communities are represented by the chiefs (as mere members) who prior to the 1974 laws were former controllers and managers<sup>17</sup>. The coming of the 1974 land laws actually eroded rather than protected community land rights. The 1974 Land Ordinances recognized the State as guardian of all unregistered land with sweeping powers to administer land in the best way possible to advance its political and socio-economic agenda<sup>18</sup>. Local chiefs and community members all lost their control and rights over land with the introduction of the government-issued land certificate backed by law as the sole evidence of land ownership<sup>19</sup>.

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<sup>14</sup> All private titled land; that is land with land certificates which are equivalent to freehold lands. (see section 2 of Ord. No.74-1/74)

<sup>15</sup> Interviewed on 19/11/14 and also interview of Sub- Divisional Officer MINAGRI 29/10/14

<sup>16</sup> This is because their rights over these lands have lapsed so they are users of these lands only because government largesse so allows them

<sup>17</sup> See Section 16 Ordinance No. 74-1/74 and sections 12 and 13 Decree no. 76/166/76).

<sup>18</sup> See Section 1(2) of Ordinance No. 74-1/74

<sup>19</sup> See Art 1(1) Decree No. 76/165/76)

Most national land is untitled and held under the conflicting jurisdiction of customary communities and local administration, as also observed in the localities under study. The notion of national land allows the government to use its executive powers to acquire whatever chunk of land it so desires and may decide to lease the land to whomsoever, including itself or its agency, without being held to account (Schneider, 2011:3; Mope 2011) by affected communities.

The liberalization period falls within the period after independence. Its uniqueness stemmed from the fact that it is driven by economic liberation that opens the country to many foreign investors beyond those from its former colonial powers of Germany, Britain and France. New investors from the United States, China and other Asian countries emerged in plantation agriculture. This avalanche of capitalist interests can also be attributed to major global developments such as globalization, climate change and clean energy, and economic and global food crises, particularly in poor countries. The characteristic of this period is that it raised the tempo and competition for land more than ever before, with obvious consequences on women's security on the land.

#### **4.2. The evolution of women's land rights in Cameroon**

The current double-edged burden of women's land rights is tied to the history of women's land rights. As discussed in other sections of this work, the evolution of land ownership in Cameroon has shaped the State's construction of land ownership, rights over land, and the different processes of land allocation, acquisition and access. In simple terms, land moved from being a deity and communal property in the pre-colonial times to a post-colonial commodity with possibilities of individual purchase and ownership.

With the 1974 Ordinances and 1976 Decrees of application, Cameroonian authorities effectively completed the land commodification process initiated by the Germans. At the same time, through Decree No. 76/165/76 the State ensured that the 'ability-to-pay' became the sole determinant of access to land in the country. With this process of registration, the situation of the rural woman became

more complicated as many of them who depended on village or family land became landless and dispossessed of the farming spaces. The commons was no longer available for all to exploit according to their needs. Most land under the women's control are untitled and under customary tenancy (national land). Long use without a land certificate does not attribute them ownership even if they can prove occupation through a long history and ancestry. While this may be also true for men, their livelihood is not tied to land to the same degree as women.

The Cameroonian state's actions in this regard were mainly ideological and had nothing to do with making access to land more equitable for all, especially women. Njoh (1996, 417) highlights the ideological rationale for the land reforms in the following words: "the reforms constitute an ideological buttress designed to perpetuate the historical legacy which links private property to the private ownership of the means of production characteristic of capitalism...". Implementation and compliance with the country's land law however have been slow as until now, only few land titles have been issued since the law was enacted. Yanou et al. (2012) that noted from 1980 to 2010, just 11.7% of the 12,224 applicants for land certificates in Anglophone Cameroon were women. Those who were actually awarded land certificates were 11,796 with 9.6% being women. Women, therefore, remain the least capable of complying with the law. Their inability to comply results from several factors, including the fact that they face more time, financial and other resource constraints than men (Njoh, 2012).

The individualization, commoditization and titling of land places the rural women in a dire situation, especially with competition for land from cash crops, graziers (Fissiy, 1992) and corporate plantations. The many land deals which in this regard are done without effective participation of rural women has brought in changes in the political economy of their households (Goheen 1976, 73). The result is new land ownership pattern that has forced women to renegotiate their land access with not only their husbands and male kins as it was hitherto

done but with the private corporations and governments, as is the case with PHP<sup>20</sup> and other villages.

### 4.3. Women, land ownership and LSLAs in Cameroon

The question of who is the primary owner of land in Cameroon is contentious (Fonjong et al., 2012) as the land statutes do not expressly provide that the State is the owner of all lands in Cameroon. However, it has been implied by virtue of section 1(2) of Ordinance No. 74-1 of 6<sup>th</sup> July 1974 (to establish rules governing land tenure) that: "...the State shall be the guardian of all lands..." without more. It is this provision that has prompted many, especially civil administrators, to believe that all lands in Cameroon belong to the State<sup>21</sup>. In the customary set-up, land is collectively owned by the community or family although individuals are allowed to use lands allocated to them according to their needs in perpetuity (Fonjong et al., 2013). This notwithstanding, Sections 14 and 15 of Ordinance No. 74-1 of 6<sup>th</sup> July 1974 stipulate that all lands under customary tenure without land certificate are national lands, no matter the investment and length of time that one might have put on it. This is especially so as the sole document to prove ownership of land by any legal person is the land certificate.

Recent studies (Yanou, 2012 and Fonjong et al., 2013) have shown that less than 15 % of Cameroonians possess land certificates on the land which they live on or exploit. This is also the case in the three administrative areas under investigation. As such, all land rights on national land are derived from the State and so all who want to use it must make a formal request to the State which sees itself as the legitimate owner of these lands<sup>22</sup>. It implies that customary communities, including women who are in the majority, have only user rights over the land which they might have been using for decades. The situation is more complicated for women who unlike men are further

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<sup>20</sup>Interviews with MINPROFF Mungo and the Director of PHP.

<sup>21</sup>Views expressed by the Senior Civil Administrator for Ndiari in an interview conducted on 4<sup>th</sup> April 2014 and the local administrator for Njombe-Penja interviewed on October 29<sup>th</sup> 2014.

<sup>22</sup> These views were also expressed by the Divisional Delegate for Agriculture Mungo interviewed 19/11/14) and Divisional officer, Njombe-Penja, and Divisional Delegate for Land tenure and State Property interviewed 19/11/14.

denied customary rights over land. The women as part of the customary community have only user rights. Most of the women in Mungo, Ndian and Kupe Manenguba Divisions fall within this vulnerable category. They like all community members without private ownership of land certificate are vulnerable because the State at any one moment could request this land occupied by women and other community members under Section 1(2) Ordinance No. 74-1 6<sup>th</sup> April 1974) for its socio-economic-political agenda. In this case, women and other community members on the land can only ask and receive compensation for crops on the land. This is exactly what happened when the State created the *Organisation Camerounaise de Banane* (OCB) plantation which was later sold to PHP in the Njombe-Penja area of the Mungo Division.

In summary, most rural women (and even men) in Cameroon, work on national land without security of tenure. The difference is that women more than men suffer double jeopardy. They are protected neither by statutes nor custom and can only claim compensation for crops on such land when displaced. The issue here is that rural women and communities affected by LSLAs do not see themselves as mere users of the land. They believe that village land belongs to the entire community to be managed by the chief and not government. Chiefs also see their powers over land compromised by administrative officials seen by the law as land managers of national land. It is this conflict of interest between chiefs, local administrators on the one hand, and customary and statutory law on the other that creates opportunities for conflicts of interest and the lack of transparency in LSLAs.

#### **4.3.1. Women, LSLAs and plantation agriculture in Cameroon**

The introduction of plantation agriculture during the colonial period in Africa had significant consequences for gender roles and relations both within and without the capitalist milieu. Plantation labor has offered women and even men freedom from existing patriarchal control in their community and home and to build autonomous existence. On the other hand, it also created a new form of patriarchal control with female plantation workers becoming subordinated to male dominated managerial controls in the labor force (Konings, 2012).

Plantation agriculture like other capitalist enterprises in the colonial period recruited male labor almost exclusively for a length of time (Konings, 2012). This, they explained, was because the colonial gender discourse tended to describe paid labor outside the home as being masculine and instituted the men as the breadwinners and women as dependent housewives (Konings, 2012). As a result, colonial officials and employers tended to support male resistance to female migration and wage employment because it was likely to undermine the men's control over women's vital productive and reproductive labor (Obbo, 1980; Moore, 1988; Gordon, 1996; Konings, 2012).

Despite this resistance, there has been a demand for female labor on plantation agriculture throughout the world (Kurian, 1982), even during the colonial rule. The rationale behind this was the managerial belief that, compared to men, women are naturally more suited to performing certain tasks since they have nimble fingers, are docile, and cheaper (Elson and Parson, 1984; Konings, 2012). Women are employed mostly in packing houses as de flowerers, de-handers, cauterizers, weighers, pluckers, labelers and packers. Plantation agriculture as Konings (2012) notes, enables women to escape from the control of male elders in their local communities and build up a relatively autonomous existence. However, it subordinates them to a new form of patriarchal control; supervisory and management positions are mostly given to men. This is based on the socialization phenomenon that employees will see male authority as vital for supervision (Anker & Hein, 1986; Ong, 1987). It also offers the women relatively low rewards for their hard labor. This tedious work demands less skill and is seasonal, with little prospect of training (Ong, 1987; Enloe, 1981), leaving women with fewer training and promotion possibilities.

Plantation agriculture is not labor intensive and due to competition for jobs, especially good jobs; women are less likely than men to be employed. In instances where they gain employment, their ability to negotiate fair wages is limited (Oxfam, 2013; Nkoli et al., 2004). In other cases, the physical nature of the work excludes women altogether; for example, sugar cane plantations in Africa may employ

women only for planting, weeding and on rare occasions to drive tractors (Nkoli et al., 2004).

Female workers in plantation agriculture are usually inclined to identify themselves as “mothers”, wives and daughters rather than workers (Konings, 2012) though it cannot be denied that their domestic responsibilities and family attachment may form an obstacle to their participation. Mostly young and unmarried women are employed into the plantations to avoid the cost of maintaining services for married and older women such as maternity, child care and family commitments, which will certainly affect productivity and profitability (Enloe, 1989; Sticher, 1990; Nkoli et al., 2004).

The case of the Tole Tea Estate, however, is different. A majority of Tole female tea pluckers do not have husbands and are heads of households; and most are dependent on their income from wage work (Konings, 2012). Even married female pluckers cannot depend on their husbands’ wage income because male workers rarely make any substantial contribution to the family’s upkeep though considered breadwinners. Female workers in this plantation are relatively old (60% are above 35 years old). Many are unmarried (68%), with a minority married (Konings, 2012). However, unlike what Enloe and Sticher (1989 and 1990) believe about plantation employment and married women, Tole Tea Estate protects the interest of married women and nursing mothers.

Female pluckers in this estate have been accustomed to defending their occupational interests independently when they perceive that their trade union is unresponsive to their demands (Ibid). These women have been engaged in numerous collective and informal actions to challenge their control and exploitation from management (Ibid). Though they might not have achieved their objectives, their efforts should not be judged solely in terms of pay and conditions of work but conceived as important opportunities for raising women’s capacities for self-organization and self-confidence.

The historical overview of LSLAs suggests that the evolution of land legislation in Cameroon has produced land laws that deprive indigenous communities from playing a decisive role in the management of their land. This has produced a new form of land-people relationship where companies own the land and the natives, particularly women, have become the wage laborers. The post-colonial dispensation has not done much to impact on women's exclusion from land management as was the case in the colonial days. This has put women in a vulnerable situation, particularly with the advent of LSLAs and individualization of land ownership. Changes in land tenure systems have not kept pace with the evolutions in women's triple roles. As a result women have been more heavily affected by LSLAs than men.

# Chapter 5

## Trends and Dynamics in Large-Scale Land Acquisition in Cameroon

Large-scale acquisition of land is not new in Cameroon; it dates as far back as the colonial period. Today, most large-scale lands are acquired for mining, cotton, sugar cane, food/export crops and timber exploitation. The companies involved have been both national and foreign. The main focus of attention in this study has been on the acquisition of land for agricultural production, food and agro fuels.

### **5.1. An overview of the trends and dynamics**

One remarkable event of the post-colonial State in Cameroon's economy has been the promotion of agro-industrial enterprises, more specifically enterprises based on plantation agriculture. This sector became one of the pillars of the government's agricultural policies (Courade, 1983, 1984; Konings, 1993). After independence, Cameroon continued the colonial economic legacy by prioritizing the development of agriculture in its early five-year development plans (Fonjong, 2004, 14). The Germans introduced cocoa and rubber in 1905 and coffee in the South West Region and by 1947 the Cameroon Development Corporation took over the German plantation (Konings, 1998). Konings (1993) reveals that the vast majority of plantation-based agro-industrial enterprises were either wholly or partially owned by the State. According to Ndongko (1975), multinational corporations at the time were apparently quite reluctant to invest in plantation production in spite of the existence of a liberal investment code in Cameroon. Others

(Courade, 1984, 39 and Dessaiane and Verre, 1986, 111) attributed this lack of interest by private investors at the time not to the apparent State monopoly in the sector but more to bureaucratic constraints.

Government investment in the agro-industrial sector in Cameroon however seems to have been seriously threatened by the decrease in the prices of agricultural products and the depreciation of the dollar in the 80s (Korner, 1988). The State also had to turn to high internal borrowing and international assistance to cover the cost of expansion of these agro-industrial sectors. During the sixth Five-Year Development Plan (1986-1991), the government faced a serious economic crisis and decided with influence from international donors to take some austerity measures to overcome the crisis (Korner, 1988). One of these measures was the restructuring in 1987 and the privatization of some State-owned companies geared towards closing non-viable companies and selling the viable ones to foreign and private investors. The *Organisation Camerounaise de la Banane* (OCB) for example, was taken over by two multinationals: *Campagne Fruitière* (FI) and Del Monte. CDC's management in November 1987 entrusted Del Monte with co-managing the development of 1200 hectares of banana plantation in the Tiko plains (Koning, 1993).

The government also promoted a new strategy of agricultural modernization. It encouraged the setting up of private middle-sized plantations called *Exploitation Agricole de Moyenne Importance* (EAMIs) (Konings, 1993) in a bid to capture an intermediate position between peasant farms and plantations. This was again emphasized in 1984 by President Biya during the agro-pastoral show in Bamenda. This EAMI program was facilitated by the government through the supply of sufficient land, free extension services and special credit facilities (Konings, 1993). The liberalization of the plantation sector and the enforcement for more implementation of 1974 Land Ordinance in 1989, as Fisiy (1986) explains enable elites to acquire and register extensive land in rural areas at the expense of the peasantry and women. This thus marked the beginning of the race for large-scale land acquisition in the country, with diverse ramifications on women and other vulnerable groups.

LSLA has also provoked public concern due to the questionable ethics of exporting agricultural commodities from food insecure countries. However, agricultural investments should not be seen in isolation from wider commercial pressures on lands previously seen as “marginal”. The Rights and Resources Initiative (RRI, 2009) has warned that new markets in carbon, such as those proposed under REDD initiatives, are likely to lead to large-scale disenfranchisement of forest-dwellers, driven by private sector and government capture of forests for their carbon sequestration value. Challenges and opportunities in advancing forest tenure reform the wider trend of commoditization of environmental services, giving a market value to standing biomass resources that were not previously subject to rent or profit-seeking behavior. In addition, investors’ interest in land for tourism, mineral extraction and timber are reported by ILC members as significant drivers at the local level of investor interest in land.

Capitalist influence has been very predominant and of great concern especially in Cameroon, in the process of dispossessing ethnic land (Mbembe, 1996). At the beginning of colonial installation in Cameroon, the German administration, by 1886, legally eliminated all the customary legal systems regulating land (Rudin, 1938). This created a situation in coastal areas like Limbe and Kribi where the local communities were irremediably deprived of their historical land rights and, in some cases, evicted from their land (Oyon et al., 2004; Oyono, 2013). Consequently, all of Cameroon’s coastal land was annexed to the German Crown (Mveng, 1985). With the defeat of the Germans during the First World War the imposition of a French-British joint mandate systematically augmented the disappearance of collective property, previously protected by a customary legal system. Huge units of customary land became crown or colonial land (Oyono, 2013). After independence, all the legal instruments relating to land governance simply affirmed the hegemony of the state over land and forest, in a legal unilateralism. The primordial determinant of these changes in land ownership was highly political, intended for occupation and territorial annexation, with legal and total domination as the key driving forces (Oyono, 2005; Oyono, 2013). By distributing African countries among western powers, the Berlin Conference (1884-85) is, arguably,

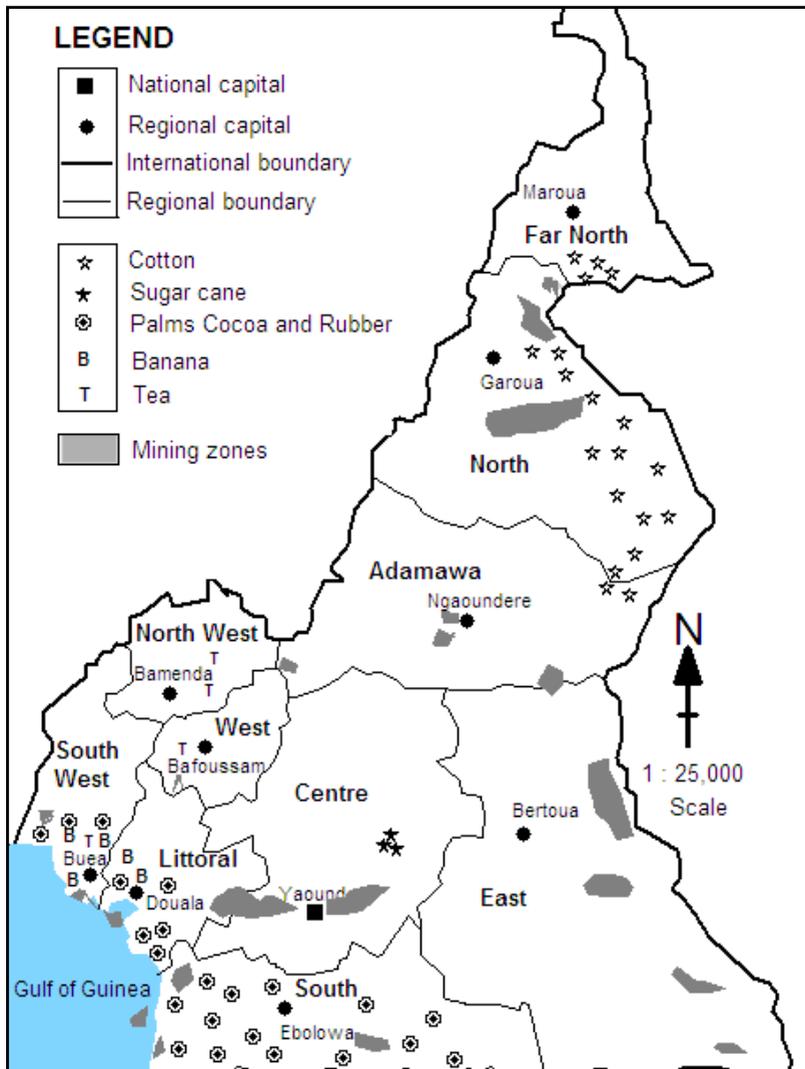
considered as the first founding framework of the dispossession of customary land in the country (Oyono, 2013).

During German presence in Cameroon, a series of decrees was issued legalizing the colonial empire's property claims on customary lands and forests, which according to them were lands without masters (Rudin, 1938; Oyono, 2013). The Decrees were some of the early tools used by the Germans as legal instruments for occupying and controlling land in Cameroon (Oyono, 2013). Oyono (2005) further notes that the primary objective of these decrees was to ensure that there was maximum concentration of land in the hands of the German Crown and European private agro-industrial companies. The three decrees (1893, 1900 and 1913) thus set into motion the historical process of the dispossession of large-scale customary land in coastal Cameroon (Schanz, 1914; Oyono, 2013). The establishment of land concessions for agricultural purposes was an effective way that the German colonial administration used to grab customary lands and forests (Mbembe, 1996; Oyono, 2005; Oyono, 2013). In the 1890s the Germans launched the process of creating large agro-industrial plantations with the creation of West & Sudkamerun Gesellschaft and the Westafrikanische Pflanzungsgesellschaft Victoria, respectively in 1894 and 1896 (Rudin, 1938; Oyono, 2013). Vast plantations of rubber, tea, cocoa, banana and oil palm spread throughout coastal Cameroon, and elsewhere in the hinterland, installed on customary land by the two German companies (Rudin, 1938; Etoga, 1971; Oyono, 2013).

Colonial rule thus ushered in with the cultivation of cocoa, coffee, banana and rubber for export. These were grown on plantations using external inputs and modern farming technology. Export crops thus became the focus of national agricultural production and research even after independence. In 1972, the Cameroon Green Revolution was launched in Buea. The government encouraged mono-cropping and the use of chemical inputs, subsidizing up to 65% and 100% of the cost of fertilizer and pesticides, respectively. With government subsidies and credit, many farmers shifted toward producing export crops and became heavily dependent on external inputs (<http://nature.berkeley.edu/~miguel-alt/sane/monograph/CAMEROON.htm>).

The plantation system which has been in operation in Cameroon for over 130 years is an indication that the system is an important partner in the development endeavors of the country. This explains why the contribution of this socio-economic institution and its spatial influence in the development process of Cameroon in particular is high. Banana, rubber and oil palm grow well only in tropical areas where climate is suitable. The high production explains the sustained interest of wealthy institutions on these lands with the current justification for increased agricultural output against the background of world food crisis. While private financing for plantations in many countries seems to have decreased, multilateral and bilateral financial institutions have become the main sources of investment capital for plantations in Cameroon as illustrated by the various companies operating in the territory.

Since 1884, the Cameroon territory has been an arena of large plantations which after independence have continuously received encouragement from the Cameroon government. Today, the principal agro-industrial companies in the South West Region are PAMOL, a former affiliate of Unilever of London, the largest agro-industrial company in the world, Cameroon Development Corporation (CDC) which inherited German plantations that were relinquished to the British in 1914 and some small, privately-owned indigenous estates and PHP in the Littoral that inherited banana production from the defunct OCB that was managed by Cameroon, SUSUCAM, SOCAPALM in the Centre, and SODECOTON in the Northern Regions (Figure 1). The management of the colonial-based companies is today in the hands of the government while those linked to the current wave of large-scale land deals like tea, palm and banana estates in the North West, South West, West, Littoral and South Regions are privately driven by both national and foreign-based companies.



Map 3: Spatial distribution of large-scale mining and plantation agriculture zones in Cameroon.

Cameroon has mineral deposits like the Mobilong diamond deposit in the East Region. In January 2014, the Project to Strengthen Mining Sector Capacity (PRECASEM), overseen by the Cameroonian Ministry of Mining and co-financed by the State of Cameroon and the World Bank, began an “airborne geophysical survey” operation in six of Cameroon’s

ten regions (North, Adamawa, West, East, South West and Centre) (Business in Cameroon, 2014). Legend Mining announced in 2011 that its 90% subsidiary Camina SA acquired the Tapare Gold Project from Cameroon General Mining SA. The Tapare gold project is located 300km east of the Cameroon capital Yaounde and lies north of the town of Batouri.

The project comprises a single granted exploration permit covering an area of approximately 1,000km<sup>2</sup>. Exploration started in 2006. Other companies are Cameroon Mines Ltd in Betare Oya, Bimbia Ore Mining among others (<http://www.mbendi.com/company/capam-company-ltd-1469297>).

Map 3 illustrates the spatial distribution of mining and plantation agriculture zones in Cameroon. From all indications, the coastal area covered by three administrative regions (South West, Littoral and South) contain the bulk of agro-plantations due to early colonial impact as these regions had access to the exterior through the Gulf of Guinea. More remote plantation zones have been those of recent acquisitions like the Ndawara Tea Estates in the North West and West (Djuttisa) and palms in Ndian and Kupe Muanenguba Divisions of the South West. Cotton, groundnut and sugarcane estates respectively in the North and Centre Regions have been in existence for several decades (Table 1). Studies indicate that older investors such as Pamol, CDC, SOCAPALM and SOSUCAM have been expanding their area of cultivation even against the background of increasing population and land scarcity for local food crop production.

## **5.2. Scale of large-scale land deals**

In 2013, over 50% of verified large-scale land deals in Africa were reported in Ethiopia, Sudan, Madagascar, Tanzania, Mozambique and Cameroon (Grid-Arendal, 2013). The present wave of large-scale land acquisition in the 21<sup>st</sup> Century is unprecedented, with companies searching and acquiring pieces of national lands in the North, East, Littoral, South West, North West, and West Regions. The scale of the concessions is enormous and disquieting given the fact that such deals are contracted by the government in complicity with elites who ignore

communal rights to the lands they consider to be idle. Unfortunately, the rural population's livelihood depends on these very lands for farming, pastoral activity, gathering of NTFPs, and hunting. When these affected people are deprived of what they consider as livelihood sources, the state of the commons and rural sustainability becomes questionable.

**Table 4:** The profile of some land deals in Cameroon

Company	Project Year	Product	Area(ha)/ output tons)	Localities/ Region	Former land use*	Origin of Investor
<b>AGRICULTURE</b>						
SG-SOC	2013	Palms	19,000	South West	Forest, farming, NTFPs, hunting	USA
CARGILL	2012	Cocoa	50,000			USA
Ndawara	2002	Tea	2000	North West	Forest and farmland	Cameroon National
CHINA RUBBER	2008	Rubber	40,000	Ocean Division	Mainly Forest	Chinese
PHP	1983\84	Banana	6,000	Littoral/South West	OCB	France
HEVECAM	1975	Rubber	59,400	South	Forest and fallow	
SODECOTON**	1974, 2013	Cotton	150,000	North		Cameroon
SOCAPALM	1963	Palms, rubber	78,329	Littoral	Mainly forest	*France, Belgium, Singapore
CDC	1947	Palms, Banana, Rubber	42,000	South West	Settlement and forest	Cameroon
<b>MINING***</b>						
IMIC	2014	Iron ore	807 million tons	South Region (Mbalam)		
Cameroon Alumina (CAL)	2012	Bauxite	8.5 million tons	Ngoandal (miniMartarp)		Dubai (UAR)
Legend Mining	2011	Gold	1,000 km <sup>2</sup>	Eastern region		
African Aura	2007	Gold	987 km <sup>2</sup>	Ntem		
C&K Mining Inc	2005	Diamond	416 million carats	East (Yokadouma)		South Korea
Geovic Mining Corporation	1995	Cobalt	0.2 million tons	Eastern Region		Toronto (Canada)

Sources: Bamenjo J, 2013. \*Richard, M., 2013. \*\*Business in Cameroon, 2014.

\*\*\*Cameroon, the Country, 2014 at [www.kpmg.com/mining](http://www.kpmg.com/mining),

\*\*\*\*<http://www.unafas.org.uk/files/Mining%20in%20Cameroon%20source%20book.pdf>, CIFOR at [cifor.org/China-Africa](http://cifor.org/China-Africa)

The scale of land leased as well as the illegitimate arrangements that proceed thereof has been a cause for concern. Between 1.6 and 2 million hectares of land are requested for sugar cane, banana, palm oil, rubber, rice and even for mineral exploitation. According to Bamenjo (2013), large territories that belong to local communities are either earmarked or have been leased as revealed in Table 1. The bewildered rural populations are deprived of their livelihood sources which have been their common property for several generations. In this light, villages like Bagyeli in Kolombo lost their access to the forest because of SOCAPALM in Kienke in the South Region; Fabe lost land for nurseries to SG-SOC in Mundemba South West Region; the population of Nkoteng, Centre Region, was reduced to a 40 hectare land resulting from expanding SOSUCAM plantations while youths in Dibombari and Bonalea were rendered inactive due to expansion by SOCAPALM in the Littoral (Bamenjo, 2013). Figures 2 and 3 illustrate sites of large-scale agriculture in the South West and Littoral Regions of Cameroon which constitute the focus zones in the present study.

After 2005, the dynamics of large-scale land acquisitions have changed. National actors are increasingly involved, the sectors are diversified beyond agriculture to include mining, and all the ten political regions are implicated. Tchinda and Foka (2011) further note that companies that acquired land prior to 2005 were not required to carry out environmental and socio-economic impact assessment (ESIA) as is the case after the 2005 Prime Ministerial Decree that made ESIA mandatory.

From this chapter, one observes that land acquired during LSLAs is put into multiple uses and investments. This is the case with plantation agriculture for agricultural investment, mineral exploitation, and other development projects. No matter the pace and usage for which land is acquired, the process leads to changes in land use which have implications on those already on the land. It is therefore the mechanism and processes of acquisition that lead to gender differential effects, particularly on women.

# Chapter 6

## **Processes, Mechanisms and Women in Large-scale Land Acquisitions**

Both formal and informal processes and mechanisms are employed by actors involved in LSLAs in Cameroon. However, field investigation reveals that both processes and mechanisms do not involve the participation of women although they have historically depended on the land for livelihood.

### **6.1. Formal processes and mechanisms**

These are processes that have been defined by law and other administrative practices. While these processes on face value may be gender and community neutral, they end up marginalizing and neglecting vulnerable communities and women during implementation. Generally, formal processes involve large-scale land grants allocated to investors through leases. The allocation of land is either on the recommendation of the Land Consultative Boards when on national land or Site Board Commissions if on State lands. Other formal processes of acquiring land include government tenders as in the case of *Plantation de Haut Penja* (PHP) or through multiple leases between investors and private individuals (PHP) or outright sales of private lands by private individuals (PHP in Mungo).

### **6.1.1. Short and long term leases**

The most dominant method of acquisition of large-scale land in Cameroon is through land grants, lease or assignment under prescribed conditions. By Sect. 17 (1) of Ordinance No. 74-1/74), any juristic person wishing to carry out development in tandem with the State's socio-economic development must apply to the LCB<sup>23</sup> following the procedure spelled out in Sect. 4-8 of Decree No. 76/166 of 27<sup>th</sup> April 1976 for temporary leases (five years) for exploitation of national lands<sup>24</sup>. Land within 50 hectares or less can be granted by the Minister of Lands on recommendation of the LCB. All grants above 50 hectares require the approval of the President of the Republic. The CDC for example obtained allocation by way of a lease of 2000 hectares of national land north of the Southern Bakundu Forest Reserve for the expansion of its Malende Rubber Estate on 19<sup>th</sup> October 1982.

### **6.1.2. Land concessions**

Concessions are granted over national land upon expiration of the five-year temporary grant. In this case, the temporary grant may be converted into absolute grant or long lease of 99 years in case of a foreigner<sup>25</sup>, on recommendation of the LCB. The LCB does an assessment of the development on the land and draws up a report specifying the level of investment carried out on the land to the Senior Divisional Officer (SDO<sup>26</sup>). The SDO may propose that an absolute grant be awarded based on development so far carried out following the conditions of the grant. The grantee must have applied for the renewal

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<sup>23</sup> The LCB is a quasi-judicial organ that is presided over by the divisional officer at each sub-division.

<sup>24</sup> The applicant is required to apply in triplicates using appropriate form in which is included full bio data, articles of association, a power of attorney if acting through an agent, four copies of sketch map of the land, certified copies of birth and marital certificates, a stage-by-stage development program of the supposed project. This application that is transmitted to the appropriate lands Service shall then be scrutinized by all the concerned government departments for their opinion which shall be forwarded to the LCB which after examination shall make its recommendations to the Minister of lands for allocation of temporary grant below 50 ha or to the Head of State if above 50ha.

<sup>25</sup> Section 10(3) of Decree No. 76/166 of 27<sup>th</sup> April 1976

<sup>26</sup> The SDO is the Administrative head of Division

of the grant six months before its expiry otherwise the grant will lapse<sup>27</sup>. PAMOL has obtained additional 12 hectares of land in Lobe and 1000 hectares in Ekondo Nene and Mosongi Sele<sup>28</sup> following this process.

Local resistance forced SG-SOC to regularize an earlier deal concluded in the 2009 land deal by a Presidential Decree of November 2013. The Decree granted the company temporal grant over about 19,000 hectares<sup>29</sup>, for a period of three years. This means that SG-SOC has been exploiting the land illegally for 3-4 years. Even with the Decree, questions are still being raised as to whether due process preceded this decree as some of the concession falls within conservation areas, or land of villages not mentioned in the decree<sup>30</sup>. There are even conflicting views among NGOs, community leaders and other stakeholders as to whether a prior proper environmental socio-cultural impact assessment was ever carried out as required by law<sup>31</sup>.

### **6.1.3. Allocations of state lands**

The allocations over the private property of the State may be by allotment, leasehold to private individuals or allotment of freeholds to companies. This can be done as *Ordinary leases*. The government may grant ordinary lease of 18 years over private property of the State to interested private juristic persons. This is granted by the Minister in charge of Land as per Sections 16-22 of Decree No. 76/167 of 27<sup>th</sup> April 1976, upon the recommendation of the local SBC. The grantee is expected to pay rents in advance which are subject to revision. On the other hand, *Emphyteutic lease* is granted for durations within 18-99 years to interested applicants in line with Sections 23-26 of Decree No. 76/167 of 27<sup>th</sup> April 1976. The grantee is required to adhere to the terms of the grant. As specified in the grant, such grantees must improve on the property by way of development within a specified

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<sup>27</sup>The procedures are as in sections 9-11 Decree No. 76/166 of 27<sup>th</sup> April 1976.

<sup>28</sup> Interview GM PAMOL 9/3/15

<sup>29</sup> The decree attributed 13,195 hectares in the Nguti Sub Division, in the Division of Kupe-Muanenguba; Decree No. 2013/417 of 25<sup>th</sup> November, 2013 attributes 1,264 hectares in Toko Sub Division, in Ndian Division

<sup>30</sup> Interviews on 12/2/15 with the SDO of Kupe Manenguba

<sup>31</sup> Interviews of General Manager of PAMOL on 9/3/15,; SEFE on 12/2/15 and Chief of Talangaye 25/5/15.

period and may be permitted to mortgage or assign their rights over the State land.

#### **6.1.4. Allotment as contribution to the capital of the companies**

As the State's contributions or expansion of the capital of a company, it can donate part of the private property of the State as per Sect. 12 of Decree No. 76/167 of 27<sup>th</sup> April 1976. Such contribution of fixed asset shall be reincorporated in the private property of the State in case of bankruptcy, winding up or liquidation. A typical example of this is Decree No. 77/456 of 4<sup>th</sup> November 1977 granting 16, 500 hectares of private real property of State land in Kompina in the Mungo Division to CDC for the cultivation of rubber as part of the State's contribution to the capital of CDC. This has subsequently been converted into a land certificate<sup>32</sup> and therefore becomes the freehold land of the CDC.

#### **6.1.5. Assignment to public bodies**

It involves the transfer of private property of the State to a public body through a Decree upon recommendation of the SBC after approval by the town planning officials. Such grants are not available to private juristic persons but only to government organs/departments. This was the mode of land grants to some of the development projects set up in the late 1970s and early 80s to boost the Operation Green Revolution. Such grants include the lands assigned to Upper Noun Valley Development Authority (UNVDA) and Wum Area Development Authority (WADA). The assigned lands must be used for the sole purpose requested by the public body. The assignee is supposed to use the land within three years of grant under pain of it being withdrawn upon recommendation of the Minister in charge of lands<sup>33</sup>.

#### **6.1.6. Land purchase**

This is carried out mostly by elites and business persons for commercial agriculture. Konings 1998, 126-130 provided examples of large-scale land purchases around Nidian Division by individuals (mostly chiefs,

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<sup>32</sup> See land certificate No. 9653 of Mungo Division Volume 45 folio 53

<sup>33</sup> See section 4(2) Decree No. 76/167 of 27<sup>th</sup> April 1976

elites, civil servants and businessmen) of up to 100ha<sup>34</sup>. Such lands become that of the owner upon formal registration<sup>35</sup>. Other examples of land purchase include recent acquisitions by PHP from locals of Njombe–Penja for expansion<sup>36</sup> and cocoa, palm and rubber plantations of migrants, spread across the study area.

### **6.1.7. Statutory companies**

Although not a recognized form of land acquisition by the 1974 tenure laws, history has shown that the largest parastatal in Cameroon was created through statute. For example, the CDC was born out of a lease created as a statutory corporation *sui generis* (it is a mixture of statute, expropriation and lease). Konings (1993, 36-39) observed that the most remarkable effect of German rule in Cameroon (1884-1914) was the establishment of large-scale private agricultural plantations covering some 300,000 acres of 58 estates acquired mainly through appropriation and expropriation. The Nigerian Legislative Council of December 1946 passed the Cameroon Development Corporation Ordinance No. 39 of 1946 actually created CDC out of ex-enemy' property following the defeat of Germany in WWI. About 100,000 hectares of such land were leased to CDC to cultivate rubber, banana, and oil palm and until recently, tea for 60 years renewable, at the corporation's option. The land lease is now contentious (ACHPR Communication 260/02 Bakweri Land Claims Committee) as the natives claim that these lands be returned to them. This is because according to them not only was the method of land acquisition by the Germans faulty (Rudin, 1938; Clarence-Smith, 1989; Fisiy, 1992), but also that the 60 year lease has long expired.

### **6.1.8. Acquisitions through privatization**

Sometimes LSLAs are the result of privatization of state-owned corporation where land also becomes the property of the new acquirers.

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<sup>34</sup> Konings (1998:129) cited the example of two ex-managerial staff of PAMOL from the NWR who bought 50 ha each from local Chiefs in Lipenja and Lobe.

<sup>35</sup> Registration is done following the Decree No. 76/165 of 27<sup>th</sup> April 1976 to establish conditions for obtaining land certificates as amended by Decree No. 2005/048 of 18<sup>th</sup> December 2005.

<sup>36</sup> Interviews with D.O Njombe Penja

A case in point is the acquisition of the tea sector of CDC by Cameroon Tea Estate in 2002<sup>37</sup>. Another related means is through a government tender take-over. As an example, PHP was able to acquire state-owned plantation land formerly run by *Société des Plantations de Njombe Penja* (SPNP) and *Société des Banannes de Moungo* (SBM) created in the early 1930's for banana production and exportation through the creation of domain lands.

### **6.1.9. Acquisitions through expropriation**

This is another process of acquisition by the State as guardian of all of lands whether or not occupied in order to carry out projects which it deems is for public purpose as provided for by Law No. 85/09 of 4/7/1985. This law also lay down the procedure governing expropriation for public purpose and conditions for compensation. The lands which are used here are more often than not untitled lands. Konings (1993: 9) believes that SOCAPALM acquisition of lands in the South Region that was met with stiff peasant resistance<sup>38</sup> was by expropriation.

### **6.1.10. Contract farming scheme**

Contract farming does not actually formally change the property/ownership rights over the land (Díaz and Reca (2010) and Borrás et al 2012:411). In this process, smallholders supply produce to agro-industries with which they have oral or written contracts in return for credits, inputs technical assistance and market outlet (Koning 1998:112). Koning noted that it was introduced in PAMOL in 1960s and later in CDC and SOCAPALM. Most of the contract farmers in PAMOL are small producers, mainly migrant workers who had purchased between 1 to 100ha of land in neighboring villages and upon retirement engage in palm oil production.

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<sup>37</sup>See Convention de cession de la filiere thé de la Cameroon Development Corporation, (CDC) au profit de la Cameroon Tea Estates

<sup>38</sup> According to Eone, the expropriation did not only affect and radically change the lives of close to 450 families but also led to the loss of sacred sites- Eone, T (1974) "L'introduction des Structures Industrielles en Milieu rural: Le cas de la SOCAPALM a Eseka-Badjo," *Memoire de Journalisme*, University of Yaounde: ESIJY in Konings, P. (1993) *Labour Resistance in Cameroon*, African Studies Center, Leiden.

## **6.2. Informal processes of large-scale land acquisition**

Although the Cameroon land tenure laws of Ordinance No. 74/1/74, particularly Sect. 14 and 15, were intended to eclipse the customary land tenure system, this has not been the case. Customary land tenure is still a strong feature of land tenure even if tenure rights of such land holders are not legally recognized. Statutorily, customary rights over land lapsed by virtue of section 14(3) of Ordinance No. 74-1/74. Yet, custom in practice still regulates most land tenure and transactions especially in rural areas.

Customs and statutes classify, regulate, and define women's land rights differently. For example, while statutes classify land into state, private, and national land, customary laws classify land into family, communal, and sometimes palace land (Fonjong et al., 2012). Although the law is clear, these different classifications have bred confusion, leading to rivalry between the chiefs and local public officials or DOs as to who is the owner and overall landlord of national land (Mope, 2011). In customary tenure, this landlord is the chief and family heads, working with their traditional or family councils, who today are malleable as they are increasingly influenced by powerful political and business elites. With statutory laws, it is the civil administrators through the Land Consultative Boards or Site Board Commissions. The procedure for grant of customary tenure is much easier as it is through negotiation, consultation and signing of a memorandum of understanding, which is not the case with statutory laws which require adherence to strict procedure. In all of these, the investors are given priority right to land because the chiefs and traditional elites are always self-seeking as was observed in Ndian Division. The continuous existence of statutory laws alongside customary practices affects the land grant process as the investors tend to choose the one that best favours their interest.

The case of SG-SOC in Ndian and Kupe Muanenguba Divisions is a good example that illustrates the confusion between customary and statutory laws in the process of LSLAs and the neglect of women and sometimes men too. Although due statutory procedures were not followed, SG-SOC signed a Convention on 17<sup>th</sup> September 2009 with the Ministry of Economy, Planning and Regional Development (MINNEPAT), granting

the investor over 73,000 hectares of national land in the two divisions. The process was top-down, without the prior, free, frank informed consent of the communities involved as required by Sect. 1 of the UN Human Rights Council 2009. Both the government and SG-SOC found the implementation of this Convention on the ground difficult as the villagers resisted, claiming their customary right over the said land. Unable to move forward even with support from local elites and administrative officials, the investors were forced to negotiate another agreement with the affected communities following customary laws. These negotiations ended with signed memorandums of understanding between the company and some villages.

### **6.2.1. Negotiation of memorandums of understandings (MoUs)**

Signing MoUs with affected villages is a customary informal process of land acquisition that is not backed by the Land Ordinances. The process is not only gender biased but is not transparent and the provisions of the MoUs are sometimes vague and elusive. Quite often, too, the chiefs and elders negotiating these MoUs have no legal minds and are inexperienced. For example, many of these MoU signed by the chiefs of Ndian and Kupe Muanenguba Divisions do not compel investors to carry out any concrete development that will benefit affected communities. The MoUs<sup>39</sup> often contain white elephant projects or empty promises to provide roads, electricity, potable water, schools, hospitals, etc., without mentioning any specific localities or timeframes within which the said projects are to be realized.

Again, some of the MoUs are negotiated in secrecy, far away from affected areas<sup>40</sup>through coercion, intimidation, bullying<sup>41</sup>, cajoling or outright bribery of local chiefs and other influential community members. In some cases, elites and chiefs who signed these MoUs,

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39 Interview with Chief of Talangaye on 25/5/15; interview Chief of Fabe; interview Chief of Makongo on 12/2/15; interview former Deputy Mayor-Mundemba council 13/2/15; interviews with community woman and farmer of Lipenja village on 21/5/2015. All the Chiefs, administrators, and community members interviewed agreed that the investors made promises in the MoUs they signed.

40 Interview with first Deputy Mayor of Mundemba on 3/4/14, first Deputy Mayor of Toko 3/4/14; Interview CEO Nature Cameroon 26/12/14.

41 RELUFA, 2013; Protest letter from Bima Youths and notables dated 11th April 2011.

committing their villages did so for their selfish interests in exchange for appointments into the board of companies (the case of Lipenja), getting a job for relatives or friends, or financial kickbacks, and without any prior consultation with their people. In the end, community interests, particularly those of women whose livelihoods rest solely on the land and landed resources are ignored. The long-term effect is that when the promises in the MoUs are not forthcoming, some of the chiefs and elites who were signatories complain that they did not know what they were getting themselves into and for that reason are asking for renegotiations<sup>42</sup>. Other communities have learned from the misfortunes of their neighbors and are refusing to enter into new MoUs for lack of faith in them. Interestingly, the local administration is aware of the lapses of these MoUs, but because of other interests allows them to continue.

The absence of accountability from local administrators and political elites means the villagers have nowhere to turn to, leaving investors to have a free ride over the land even if it is only for a while before tension erupts. Hardly have these communities succeeded to push for parliamentary commissions to check some of the illegalities going on in the informality. Local attempts are blocked by the same powerful elites who may be directors, ministers, etc., appointed, and accountable to government and not to the people. Government lost the trust of its citizens during the 1990 re-awakening that led to political instability and social unrest. Elites from almost every locality were appointed to help restore state authority, credibility and support. These appointees know that their power does not come from the masses and so tend to support government action even to the detriment of the locals who by the way cannot hold them accountable.

With this new power, these elites, fons, chiefs, bureaucrats, developed trickery and influence peddling to accumulate as much communal land for themselves as they could (Fisiy, 2004; Mope, 2006; Mope, 2011)in

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42 Some villages like Babensi 1 and Ekita in Nguti sub- Division awakened to their land rights; formally resisted the land deal and have refused to sign individual memorandums of understanding (MoU) with the investors although some did sign the collective MOUs like that with the villages in Ndzian in July 2010.

disrespect of the custom and the weak statutory laws in place. Just like the political elites, the chiefs, many of whom are today more of politicians than custodians of the customs, are also converting large hectares of national land that ought to belong to their villages to their private land and selling to investors<sup>43</sup>. Mope (2011) noted that the then *fon* of Bamunka, Ndop (in the North West Region) coveted large chunks of village land for large-scale rice cultivation. Thus, one sees here that poor land governance is a good recipe for LSLAs as it allows both investors and local powerful forces to grab land at the expense of powerless and vulnerable communities.

### **6.3. Exclusion of women from the process of LSLAs**

From cosmetic consultation to the final phase of LSLAs, women play a very insignificant role in the process, mainly because of the many irregularities noted at all stages of the process. Village representatives invited for consultations and negotiations are usually those in favor of the investing companies' interests and in support of the agenda of traditional rulers. In many instances, women are not even aware of some of the meetings. In the end, the project is hijacked by the chiefs and elites, as was the case with PHP, SG-SOC or PAMOL where there is little evidence that women were included or consulted.

Chiefs and even local administrative authorities rarely invite women to meetings relating to scouting, discussing the land or concluding deals with potential investors. Even in the few meetings the women attend, their participation is limited to signing the attendance sheet; they are not given room to voice their opinion. Only men, chiefs and elites talk. In Fabe village in Ndain Division, for instance, the only woman in the traditional council was not allowed to offer a contrary opinion to that of the men and chiefs who had supported a land deal with an investor. To further avoid contradictory statements from women and villagers, chiefs sometimes make themselves the only contact and spokesperson for their villages when it comes to land negotiations. The chief of Fabe passed a strong order stating that he was the only one to talk to the

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43 This is very common especially around Fako division on the land that CDC has ceded to local communities.

investor and anyone going against this order risked a penalty from the traditional council<sup>44</sup>. In Talangaye, only the chief could talk about the transfer of village land to investors. Women's passive participation in these localities was partly attributed to patriarchy, pivoted by customary laws. Many customs do not give women voices in land issues. But that was in the past when most land was communal and men and women worked on the land with a common purpose as men cleared and women cultivated.

In a few cases it was necessary for women of status (title holder) to take part in the initial negotiation process, as the case of the female chiefs of Bima, Makongo, Toko and Nguti. However, these women with traditional status are not treated any differently from the ordinary women that were passive participants without a voice. Decisions on land transfer or not were exclusively between the chiefs and council members. The presence of women during these meetings did not create any impact as far as their needs and interests were concerned. Women in Ekondo Nene explained that after the initial general meetings where they were observers, they were only later on informed by the investor and chiefs on the quantity and location of land granted by the village to PAMOL. In the end, women had no forum to present their opinions or pose questions to investors or chiefs.

The signing of MoUs between investors and local communities also sidelined women as the meetings are usually labeled as 'male activities'. The management of PAMOL, for example, confirmed that agreements to obtain land from the villages were signed by the chiefs and village council members on behalf of the whole community. About 98% of women who were interviewed in these communities were not even aware of the existence of these MoUs, their content, or the signatories. A case in point is that of Talangaye where the women see their limited or non-statutory involvement in meetings as an attempt by men to confine them in their domestic roles as housewives whose voices are not to be heard in the public sphere.

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<sup>44</sup> Interviews with a female community leader in Fabe

Besides patriarchy and customs that give these women little opportunity to participate, many of them did not have titles to the land they exploit. Together, these situations weaken women's bargaining position against their male counterparts who are protected by customs. Women here as elsewhere in Cameroon rely on use rights to the land/forest they exploit for livelihood. But the land customarily belongs to their husbands, brothers and fathers. This makes them voiceless and without confidence and authority to talk before their husbands, chiefs and government during deals of land transfer to investors. Behrman et al (2011) noted that the power of transfer of land to investors is concentrated in the hands of those who can successfully claim ownership, usually community leaders and male household heads and not rural women who exercise only access and users' rights.

As noted in earlier sections of this work, even the users' rights to customary land exercised by women are derived from their husbands, fathers, brothers or other male relatives. This pre-supposes that women work on the land that is customarily owned by men although these men before the law have no right and security of tenure. Investors tend to negotiate mostly with the rights holders and historically in many customs, majority of women do not belong to this category.

Communities are represented in the government-created Land Consultative Board by chiefs and notables. It indirectly means that women are technically excluded from the board since female traditional chiefs and notables rarely exist or are not accepted in these communities. The lack of gender-sensitive land governance systems in Cameroon gives room for consultations to take place without women. The question of prior informed consent needs to go further to interrogate who is consulted and the form and method of consultations in order to cater for vulnerable groups. The current structural disposition of formal and informal land governance in Cameroon excludes women as stakeholders and their voices as a group whose livelihood is linked to land. Consequently, they are vulnerable and can be severely affected by decisions on land that neglect their voices. We found no woman as a statutory member of the LCB in the three localities studied. No woman was part of the delegations of chiefs and notables that negotiated the

terms of the MoU with SG-SOC in Ndian and Kupe Manenguba Divisions. Could this provide a clue as to why strong women movements are lacking in these areas to question and cry against the current trends of LSLAs? Apparently, since these women are not involved and informed, they cannot act.

Community members (men, women, or youths) did not approve of the majority of the land deals in many of the villages surveyed. To avoid hostilities, some deals as noted in Ndian were concluded out of the localities, with government officials or with some chiefs and elites, far from the reach of the rural women who are severely affected by any loss of land. Rare cases where women participated were in Toko and Nguti where the *nyangereromo* (female chiefs) were represented in preliminary discussions just for protocol and/or window dressing to satisfy international treaty obligations. Other important local institutions like the municipal councils were also left out as recorded in Mundemba, Ndian. Keeping aside an important stakeholder like the council in the process of leasing out land by whosoever is like postponing a problem they are soon to face in the nearest future.

We observed that although women did not take part in the negotiation, the participation of rural women might have seriously impacted the outcome. They have never been empowered to be strong players. They have for long been sidelined and kept out of land matters by patriarchy and statutory land institutions (LCB and SBC). Rural women need to be educated on their land rights and assisted in land registration in order to exercise a stronger bargaining power and play active roles during land negotiations. Oxfam (2011: 23) has pointed out that the governments neither ensured that the rights holder be present at the negotiating table nor did they educate and empower them to be strong bargainers during LSLAs.

#### **6.4. The question of the level of transparency in the land deals**

Large-scale land leasing negotiations in Africa as Sindeyigaya (nd) observes are flawed with secrecy and opacity. The whole process of land acquisition, particularly in Ndian and Kupe Manenguba divisions, is murky at all levels. At the national level, the 2009 lease agreement

between SG-SOC and the Ministry of Economy, Planning and Territorial Development provoked more questions than answers as to the level of transparency that was involved. The lease agreement gave SG-SOC 73,086 hectares of land in the two divisions. This Convention is contrary to Cameroon's land law which requires that a lease concession of this size be approved by a presidential decree. The company could not have violated the law to secure such a large cheap deal from the Ministry, according to PSMNR (2013), without the possibility of money changing hands. Even the SG-SOC-PAV (Project of Affected Villages<sup>45</sup>) which is supposed to be a local institution created with the community to oversee the interest of the communities within the project area lacks both legality and legitimacy. The government administrator who signed the document has no jurisdiction over the people of Ndian and Kupe Manenguba divisions. One wonders why and who transported the representatives of these communities to Fako where it was signed. As observed by a top official from one of the local NGOs operating in the affected area during our interviews,

“... the SG-SOC-PAV as put in place was a Prefectural Order signed by the SDO Fako instead of Kupe Manenguba or better still the Divisional Officer for Nguti Sub-Division which is the place of action. For this reason the SG-SOC-PAV is not an indigenous institution created by the people for the people...”<sup>46</sup>

In this wise, unanswered questions abound: what interest has the said administrator in signing the SG-SOC PAV instead of his local colleagues in Nguti or Ndian? How legitimate was the mission undertaken by those who traveled to Fako, many kilometers away from their villages, to sign this document?

At the local level, most communities have described the process of negotiation embarked upon by the agro-companies as corrupt and non-transparent. They argue that some of the elites, chiefs or people who

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<sup>45</sup>The SG-SOC PAV is a Prefectural Order signed by the SDO of Fako creating a forum to handle issues between companies and communities resulting from the acquisition of land in affected areas. It has been criticized by local NGOs as illegal as it was signed by the SDO of Fako instead of his counterparts of affected divisions, Ndian and Kupe Manenguba.

<sup>46</sup> Interview with Nature, Cameroon, 2014

claimed to be negotiating on behalf of the respective communities do not have the mandate of these communities. Many were bribed and represented only their individual selfish interests. For example, these communities hold that some of the chiefs (for example the chiefs of Ndian and Bassosi) who had earlier signed protest memoranda to the government against the acquisition of their land by agro-companies later on signed contrary documents in favor of the deals when they received bribes. To sustain this line of thought, chiefs were invited and lodged in high standard hotels out of their localities and handed unexplained gifts. Besides, even official meetings and negotiations were carried out in Kumba, Buea and Douala, many kilometers away from the population and localities. These have raised suspicions and doubts within affected populations. The use of bribery and divide and rule tactics has also caused disharmony within the villages as observed in Nguti where the village has been split into two opposing camps; one against and the other in favor of the plantation.

In the hill of constant pressure and accusation of using bribery and corruption to acquire land from the chiefs, SG-SOC acknowledged in a press statement of January 2013 having donated 11 tons of rice and 10 tons of fish to over 8000 individuals in some villages of their targeted area (PRNewswire, 2013). But this act is regarded as another common form of corruption. Field interviews reveal that agro-investors resorted to providing free food (rice, fish, and cow meat) to the population in villages that resisted them in order to 'buy' their consciences. One public official in Nguti for example, remarked that "...food bribery and lobbying could be one of the reasons why some of the opposing villages to LSLAs later changed their minds in favor of the project..." We also found cases where villages went on strike to resist investors because they had offered more food and drinks to a neighboring village or neighborhood than what was offered to them. This is the case of one of the strikes staged by the Nguti women, which according to an informant, stemmed from the fact that a group of women were sidelined in the distribution of food, forcing the neglected group to block the entrance into the company palm nursery until they got their share of the booty. Another community that got the food but still resisted the company, explained that the company had claimed it

was customary for them to distribute food stuff at the end of the year to local communities.

Food donations by SG-SOC to selected communities in the areas targeted for their investment in Ndian and Kupe Muanenguba Divisions in 2012 cannot be considered as the company's habitual social act which is corruption-free. It was not continued in 2013 or 2014. In fact, one Mr. Edimo, a Cameroonian-American, Environmentalist and Human Rights Activist, described the action of SG-SOC in an open letter to Herakles Farms' CEO as unsustainable and without foresight when he asked the CEO:

"...How long will the tens of thousands of people displaced, dehumanized and enslaved by your so-called sustainable development project live off your 11 tons of rice and 10 tons of fish? Are they going to be eating the rice and fish for 99 years as they will have no land to farm after you have seized and destroyed their only treasure and hope for a livelihood? It might have made some sense to a few people if you had instead empowered the people whom you are trying to feed with rice and fish by educating and encouraging them to cultivate rice and start fish farming..." (<http://www.icameroon.com>)

Lack of transparency in LSLA deals has been reported by many studies. Oxfam (2011) observes that the absence of transparency limits both the power and ability of the civil society to negotiate and implement the deals as well as how the local stakeholders respond to the new challenges. This makes it difficult for the local communities to know exactly who is involved and what they are accountable for (Oxfam 2011: 32). This is compounded by the fact that at the international scene, available transparency initiatives are limited only to extractive industries, according to Extractive Industries Transparency Initiatives.

We observe above that although different processes and mechanisms may be used in LSLAs, they all lead to the dispossession of land from village communities. Furthermore, investors may privilege different processes at different times depending on which one serves their interest best. PAMOL, for example, applied both formal and informal

rules. PAMOL had direct negotiations with the villages and the signing of MoUs before concluding the concession for 99 years with the government. Although PAMOL might have followed due procedure as provided by Section 7 of Decree 76/166/76, another investor, SG-SOC may not have initially done so. The company negotiated a Convention with MINEPAT in 2009 to obtain 73,086 hectares of land in Ndian and Kupe-Muanenguba Divisions, without even a presidential approval as required by law. In the course of acquisition, both formal and informal processes neglect women in both representation and voice though rural women depend almost entirely on this land for the livelihood and survival of their families.

This chapter reveals that though the various legal frameworks and institutions governing land in Cameroon may be gender neutral, the processes themselves are not. In addition to excluding women, negotiations leading to large-scale acquisitions are not transparent. The absence of transparency and inclusiveness in the process may be related to the actors and interests involved in LSLAs.

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# Chapter 7

## **Actors of Large-Scale Land Acquisitions**

The political economy theory explains the struggles related to control over land and how it shapes direction of agrarian change. The traditional notion “who owns what” and “who gets what” that explains social relations of property (Scoones, 2009) also defines the actors and their roles in the processes of LSLAs and the various outcomes thereof. In Cameroon, there is a general fallacy that LSLAs take place mostly on land that is ‘vacant’ and without effective occupation or exploitation. This is largely false and a wrong notion. Scott (1998a), Oxfam (2011) and Fonjong, et al. (2011) have demonstrated that land that is not under effective exploitation at any given time does not mean it is vacant or idle. The absence of effective exploitation does not dispossess the natives of their rights to such land because it could be communal forest reserves, virgin forest where women harvest NTFPs, village hunting grounds, land under fallow or sacred forests and sanctuaries. Local communities in Cameroon historically used the land for these purposes until the advent of Decree No. 76/165/76 that instituted land titling as the only proof of land ownership.

There are various actors involved in LSLAs with different interests, with very few principally for women. The key actors identified by the population during the study are investors, government, chiefs, and elites.

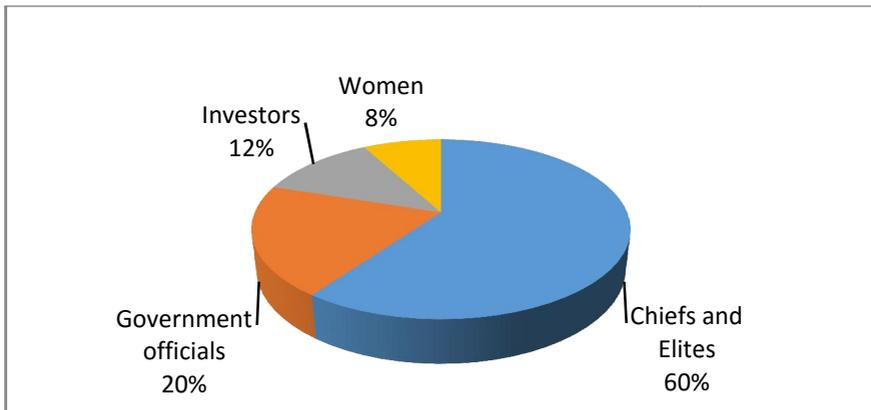


Fig. 1. Respondents' estimation of main actors involved in LSLAs

### 7.1. Investors

They include multinational, foreign, and national companies acquiring land for capital investment. The most visible LSLAs involve foreign and multinational companies. However, these companies often act in partnership with domestic investors. Domestic partners in most cases may lead to the process of speculative accumulation of land. Speculative accumulation of land by local elites, particularly through the privatization of previously commonly-held land, as noted by many ILC is the main driver of land alienation from local land-users. Such speculation by local elites may be in anticipation of possible partnerships with foreign investors or for direct investment by the elites themselves. Land acquisition by domestic investors appears to be a significant contributor to the alienation of land from local land users, while domestic partners are often integral to foreign investment.

In the past, foreign investors were mostly from Cameroon's former colonial powers, particularly France. Today these investors come from all parts of the world including the United States, Arab states, China, Europe and others (see Table 4). The global facet of these investments represents the global scale of the demand for food or bio fuel and liberalization of the economic space in Cameroon which was not the case before the structural adjustment program of the 1990s. Investors thus came along with global capital in search of safe havens, markets and profitability. The fundamental objective of investors is not to

provide social amenities, create employment, fight poverty, or improve the lives of affected population but to make profit. In fact, even the quantities of land acquired shows that there is no agenda for women in view.

### **7.1.2. The size of land requested**

The majority of rural dwellers believe that the large quantity of land requested by investors is absurd and undermines the future of their children and stability in their areas. For example, prior to the new demand for land in Ndian and Kupe Muanenguba Divisions where one of the agro companies was seeking for over 73,086 hectares of land, these localities were already host to PAMOL oil palm plantations and a number of forest reserves and parks, all which have occupied a good quantity of land (see Map. 3). It explains why some of the local chiefs through the Ngolo Chiefs' Conference of 2010 noted that it was no longer possible to grant additional land to whosoever. The chiefs argued that the Rumpi Forest Reserve already occupied 45,675 hectares, the Korup Park 126,000 hectares, PAMOL Plantation Ltd 11,000 hectares, Ndongre Park 2,300 hectares and the Mundemba Council Forest 11,210 hectares (Ngolo Chiefs Conference, 2010). Some of those interviewed (elites, chiefs and women) observed that they had learned from the negative experiences on the indigenous population in Fako Division where CDC plantations had rendered them landless or tenants in their own land. This is partly the origin of local resistance against LSLAs in the area.

### **7.2. The government**

Section 1 of Ordinance No. 74-1 of 5<sup>th</sup> July 1974 stipulates that the State is the guardian of all lands in Cameroon. Land deals are considered legitimate by government if they are in line with its development strategies or political goals. When government categorizes part of national land as vacant and idle, it gives the state opportunity to acquire land through executive powers (Scott, 1998) and lease to whosoever it pleases without being held accountable (Schneider, 2011 and Mope, 2011). As a major player, the activities of the central government are executed by local government officials who ensure that the directives are strictly implemented at local levels as noted by one of

the senior public officials interviewed. Section 1 of Decree No 76/166 of 27<sup>th</sup> April 1976 empowers the DOs to approve temporary grants (Sect. 4-8 of same) and long lease or absolute grants (Sect. 9-11 of same) for development projects in line with the socio-cultural, economic and political policies of the nation under the management of the LCB. With such powers, some of the DOs interviewed held the opinion that government does not need to consult or negotiate with affected communities when these communities are on national land. The following reasons highlight government interests in LSLAs.

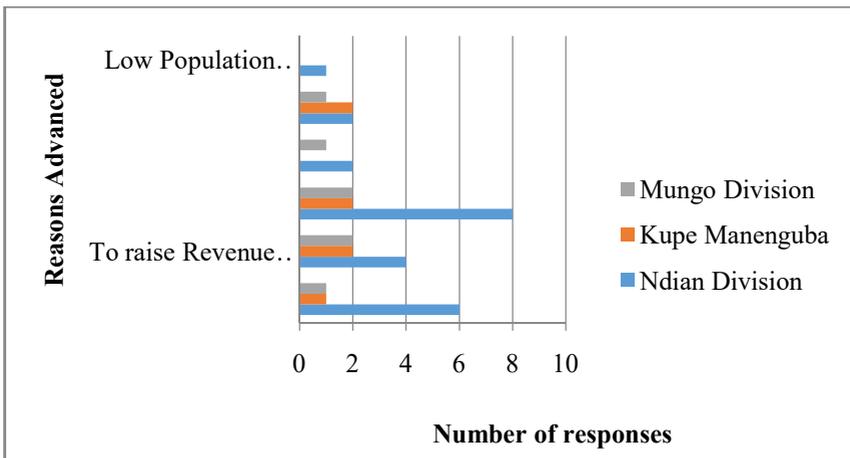


Fig. 2. Why government authorities promote LSLAs in their respective Divisions  
Source: Field Work, 2015

### 7.2.1. Land expropriation for security reasons

This is the case with most early plantations that were created in Mungo to respond to security threats from nationalist movements against the government of President Ahidjo prior to and just after independence in 1960. The arms and other tactics used by these movements created insecurity in that part of the country, considered as their stronghold. The Cameroon government wanted to develop the vast land of the Mungo that served as passage and hide-out in a bid to destabilize the uprisings. The Ahidjo government acquired land within the area and created the *Organisation Camerounaise des Bananes* (OCB) out of national land in 1968 without local consent. The local administration of the Njombe-Penja area believes that the action of the State was both

legal and legitimate since it involved no displacements, and the large plantation provided important security to the population<sup>47</sup>. The State-owned OCB was subsequently privatized and bought by PHP who considers only the State (and not the local population) as its landlord of the over 4,500 hectares of land which the company is currently exploiting<sup>48</sup>. By implication, the indigenous population has never been consulted either by the State or PHP on the land deals.

### **7.2.2. To promote agricultural and rural development**

Agriculture in rural Cameroon is predominantly rudimentary, less productive and depends on very little land at a time. Government sees large-scale plantations as a form of agricultural modernization. Local public officials hold that land is important for development and keeping it 'idle' is waste of resources. It is in this regard that government is allocating large portions of land to big investors within its new policy of Second Generation Agriculture. The Policy of Second Generation Agriculture involves large expanses of land and mechanization in tandem with its Vision 2035 and Emergence of Cameroon<sup>4950</sup>. Land in enclaved areas (Kupe Manenguba and Ndian for example) is given out at relatively low prices as compared to land in the Mungo area. The reason is to attract investors because they are seen as pro-development agents as advocated in the National Growth and Employment Strategy Paper<sup>51</sup>.

### **7.2.3. As a source of government revenue**

Land officials of the Ministry of Economic Planning and Territorial Development and SDOs see in LSLAs opportunities for the government to raise revenue from the sale of land and taxation. Land deals are supposed to generate lots of revenue for the State. In addition to the land itself, timber exploited in the course of preparing the land for agriculture brings in money. However, there is little evidence that local

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<sup>47</sup> Interview with Divisional Officer, Njombe-Penja, October 29<sup>th</sup> 2014

<sup>48</sup> Interview with the Management of PHP, December 16<sup>th</sup> 2014

<sup>49</sup> See generally the Growth and Employment Strategy Paper 2010, the reference framework for Cameroon Government Action over the period 2010-2020.

<sup>50</sup> Interview with Divisional Delegate for Agriculture, Mungo.19/11/14).

<sup>51</sup> Interview with Divisional Delegate of Economy Planning and Regional Development, Ndian date, 05/04/2014

communities and municipalities are benefitting from the anticipated revenue. Investigation at local revenue collectors in Ndian and Kupe Muanenguba whose companies (SG-SOC and PAMOL) have acquired land did not provide any evidence of taxes or royalties received from these companies. One can only expect a change in the situation in the long run.

#### **7.2.4. Promote infrastructural development and the fight against poverty**

With the exception of Mungo, Ndian and Kupe Manenguba Divisions are among the divisions with the worst state of basic infrastructures and opportunities even though they are endowed with enormous natural resources. Ndian, for example, is gifted with timber, biodiversity and hosts the formerly disputed oil-rich Bakassi Peninsula. As a border area to Nigeria, it is an entry point into Cameroon which offers many economic opportunities<sup>52</sup>. These riches notwithstanding, Ndian remains an enclave. It has no single kilometer of paved road, and until recently, the divisional headquarters of Mundemba did not receive radio and television signals from the national stations. It is linked to Meme, the nearest accessible division by seasonal road constructed in the colonial days and used by PAMOL to evacuate its products. Movement within the division is mostly by water and prior to the resolution of the Bakasi crisis, other basic infrastructure like public schools, hospitals, pipe-borne water, electricity, telecommunication facilities were largely lacking. The same situation applies to its neighbor Kupe Muanenguba, equally endowed with vast lands, forests and other natural riches, but also an enclave and with very few social services. Basic public social amenities and road infrastructures are relatively well implanted in the major urban centers of Mungo but villages outside the towns do not enjoy similar facilities. In a village like Mbomegwandang in Njombe Penja where PHP operates, the chief notes that the village was without pipe borne water, electricity and schools for many years, forcing children to travel long distances to attend school out of the village<sup>53</sup>. In Mouataba, another village of the area, for example, there is no school.

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<sup>52</sup>Interview with DO, Ekondo Titi, date 4/8/15

<sup>53</sup> Interview with the Chief of Mbomegwandang, date 30/4/14

The absence of basic social amenities and infrastructures has deprived these areas of meaningful take-off. There is massive rural exodus, even by the chiefs. In Ndian, chiefs have abandoned their villages to live in Mundemba, the divisional headquarters, where they can enjoy some amenities. This state of social and infrastructural deprivation, enclavement and neglect leaves the villagers vulnerable to exploitation by unscrupulous investors. Investors' promises and investments are viewed by both the State and some rural dwellers as a pathway out of the poverty trap. The chief of Talangaye put it in this way:

“We in Talangaye found the coming of SG-SOC [the investor] as a rare event. We had always dreamt of what can bring real development to the area. We saw that our forest, though the source of our livelihood, has not been able to transform our economy from traditional to modern and move our community along with the 2035 agenda of emergence. Talangaye wanted outside projects that could bring it into visibility in line with vision 2035. I was captivated by SG-SOCs vision and I saw in them real partners in development. My forest was in my eye's mind transformed to development<sup>54</sup>”.

The chief saw only positive returns from the loss of land and forest, especially opportunities for development which the village must take advantage of. All pro-LSLAs believed that areas such as Fako Division which are relatively well served with roads, electricity, hospitals facilities, schools and even a university, obtained all these thanks to the early plantations established in the area by the CDC. Similarly, Ekondo Titi has benefitted from a number of amenities and infrastructures within the Ndian Division thanks to the existence of PAMOL. One of the village chiefs excited with the coming of an investor soliciting land from his village explained that he wanted his village to be as developed as Ekondo Titi, adding that “...we have preserved the forest this far and this has not taken the village anywhere...”<sup>55</sup>. The Chief of Fabe, where SG-SOC has an abandoned palm nursery, continued in the same line of thought, insisting that “...conservation over the years has brought no

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<sup>54</sup> Interview with the chief of Talangaye on 25/5/15

<sup>55</sup> Interviewed on 21/5/15

development..." and so sees "...conservation as a waste and retardation for the village..."

Generally and specifically in the study area as noted previously, the state acquires lands through expropriation, privatization, conventions, decrees, and the use of local officials or commissions (LCB and SBC). Although these acquisitions sometimes generate tension, local civil administrators still hold that as guardian of all land, the government is under no obligation to consult affected communities. Others recognize the rights of communities on the land but argue that LSLAs take place on what they call 'vacant or idle lands' belonging to the State<sup>56</sup>.

### 7.3. The role of chiefs

Chiefs in Cameroon are seen as custodians of the land and auxiliaries of the administration in the communities they rule as traditional rulers. Prior to European colonization, chiefs served as the custodians and guardians of the rural communities and the bastions of native laws and customs. This historically dominant role of chiefs in customary land ownership<sup>57</sup> compelled Viscount Haldane in the Privy Council decision in *Amodu Tijani v. Secretary of Southern Nigeria*<sup>58</sup> to describe a chief as:

"... in loose mode of speech the owner. He is to some extent in the position of a trustee, and as such holds the land for use of the community... He has control of it, and any member who wants a piece of it to cultivate or build upon, goes to him for it. But the land so given still remains the property of the community or family. He cannot make any important disposition of the land without consulting the elders of the community..., and their consent must in all cases be given before a grant can be made to a stranger..."

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<sup>56</sup> Interview with SDO Ndian, 4/4/14

<sup>57</sup> See Meek, C.K, *Land Tenure and Land Administration in Nigeria and Cameroon*. London: HMSO, 1957 in Njoh, A.J., "Continuity and Change in Cameroon Land Policy," *Planning Perspectives*, 15 (2000) 241-265 at page 244

<sup>58</sup> [1921] A.C. 399 at p. 404. See also Rayner C.J.'s *Report on Land Tenure in West Africa* (1898). See generally on this Elias, T.O: *Nigerian Land Law*, 4<sup>th</sup> Edition, London, Sweet & Maxwell; R.W. James, *Modern Land Law of Nigeria*, University of Ife Press

In fact, the powers and roles of the chiefs in LSLAs must be seen in the light of the above *Locus classicus*. It was partly in recognition of the powers of the chiefs over customary land that the former British colonial administration adopted the indirect rule through the chiefs in this part of Cameroon that it governed at that time as part of Eastern Nigeria. This power to manage customary lands was however handed to the DOs at the sub-divisional level with the nationalization of land by the 1974 Land Ordinance. Sections 14 and 15 of Ordinance No. 74-1/74 placed the management of land on the LCB presided over by the DOs. Although the new statute made chiefs mere statutory members of the LCB, it is difficult for the appointed DOs to assert full authority over local institutions, especially in land matters. The result is endemic rivalry between the chiefs and the DOs on issues of land tenure.

In formal LSLAs, Sect. 16 (2) Ordinance No. 74-1/74 and Sect. 12 of Decree No. 76/166/76 empowers chiefs and their two notables at any given time to represent their communities on the LCB. As members of the Board, they provide vital information, including information relating to boundaries of their communities and cultural and sacred sites during environmental socio-cultural impact assessment (ESCIA). Where the chief and two notables are absent during board deliberations, any decisions taken are not binding. Such was the case in the *Divisional Officer Ndop v. Batowe Zacheus Yekong*<sup>59</sup> trial. The chiefs and their two notables cannot be dispensed with in land deals by whosoever if such deals are to be legal and legitimate. When it comes to LSLAs the debate is on whether these chiefs represent themselves or community interests, and their ability to effectively participate in the LCB in the face of powerful capitalist interests and state lobby.

Field evidence has been mixed. Although some chiefs (chiefs from Manyemen<sup>60</sup> Lipenja, Fabe and especially Talanlgaye<sup>61</sup>) actively participated in negotiations preceding the concession granted to SG-SOC, some of their peers were marginalized. In the village of Babensi 1, for example, the land was demarcated and pillars planted without the

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<sup>59</sup> (1994) CAJ-CLC Part 1, Appeal No. BCA/2/78 (Unreported)

<sup>60</sup> Interview with two female Chiefs of Manyemen, Kupe Manenguba Division, 19/12/14

<sup>61</sup> Interview with the Chief of Talanlgaye, Kupe Manenguba Division, June 2015

active participation of the chief<sup>62</sup>. The rights of some of those sidelined in the process were usurped by other influential chiefs and political elites for personal gains<sup>63</sup>. Chiefs do not however participate in negotiations if the land in question is state or individual private land.

A number of chiefs who negotiated MoUs to allocate land to agro companies were either coerced or bribed into doing so. Even in this context, not all the chiefs accepted to give out their land. Some villages like Nguti<sup>64</sup> and Ekita<sup>65</sup> opted out because they believed the process unfair and opaque. Others, like Babensi 1, did not think that the village land was enough for populations and plantation companies. These villages have been able to resist bribe from investors and even lobbying from donors-sponsored elites and fellow chiefs. In fact, we observed, as Fissiy (1992) and Mope (2011) also did, that because of illicit gains from the commoditization of land, many chiefs have tended to use their privileged positions to syphon community lands for themselves for private plantations or sale to companies.

### **7.3.1. Chief, accountability and legitimacy in LSLAs**

Many questions have been raised as to the legitimacy of land attributed to companies by chiefs and the extent to which these chiefs are accountable to their subjects. This question arises today partly because chieftaincy, regarded formerly as sacred and people-centered, is losing that image increasingly with the politicization of the position in Cameroon (Fombad, 2004; Mope, 2009). Today, most chiefs are partisan and disconnected from their people. The chiefs selling land are rarely guided by insightful information. For example, but for those of the villages of Talangaye and Fabe (who gave land to SG-SOC), and Ekondo Nene (in the case of PAMOL), the other chiefs in Ndian and Kupe Manenguba did not know the total surface area of their village, and the expanse that could be given out without depriving their people of

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<sup>62</sup> Interview with Regent Babensi 1, Kupe Manenguba Division, 19/12/14)

<sup>63</sup> Interview with community member of Lipenja 11, Ndian Division, 21/5/15

<sup>64</sup> Ebanga and Babensi 1 In Kupe- Maneneguba chiefs of villages like Badun, Betock, Bombe-Konye, New Konye who refused to enter negotiations were intimidated, lured and bullied to sign land deals with SG-SOC. Also see Land grabbing in Cameroon: The Herakles Case by Clara Rowe, April 19<sup>th</sup>, 2013 accessed at

<http://www.youthadvocacynetwork.org/blogland-grabbing-in-cameroon-the-herakles-case>

<sup>65</sup> Interview with Chief of Ekita, Kupe Manenguba Division, 19/12/14.

farmland (Table 5). Some had no clue of the primary transaction between government and investors over their land; others did not possess key documents (Convention and/or Presidential Decree or ESCIA) leasing their land to investors as in the case of SG-SOC in Ndian and Kupe Manenguba Divisions; and some others were even unaware of the duration of the concessions.

**Table 5:** Knowledge of traditional rulers on the situation of land and LSLAs in their villages

SN	Knowledge of the Traditional rulers on:	The situation in Ndian Division		The situation in in Kupe Manenguba Division		The situation in in Mungo	
		Have an idea	Have no idea	Have an idea	Have no idea	Have an idea	Have no idea
1	Total quantity of available village land	6	4	1	4	2	2
2	Amount of land leased out	7	2	2	2	4	2
3	Amount of land left after lease	3	1	2	2	1	2
4	Duration of lease	6	3	2	2	3	2
	<b>Total number of responses</b>	<b>22</b>	<b>10</b>	<b>7</b>	<b>10</b>	<b>10</b>	<b>8</b>
	Percentage of responses	69	31	41	59	55.5	44.5

Source: Fieldwork, 2016

With or without MoUs, most chiefs are unable to hold companies accountable. In Penja and Njombe areas where PHP have their plantations, some chiefs complained that their plea for electricity and water was ignored for over 20 years, during which period the company facilities in the same area had these amenities. Although this example may seem to lend credence to those who see investors as profit seekers and not developers, an interview with PHP management suggests that although these requests were important, they were less so when they were made. In the end, where the populations feel maltreated, they no longer take their problems to the chiefs whom they consider as corrupt. They can only complain to the same companies causing the problem, with no hope of an adequate response; much less a speedy one.

Credible structures put in place for accountability are rare and the few that exist are not readily accessible. Some chiefs complained of the cost to access and/or limited knowledge about them. Only a few chiefs contemplate legal action or popular resistance when aggrieved. Besides, it is an uphill task for small villages to sue financial giants like Herakles Farms or PAMOL Plc to court, let alone to force them to comply with court decisions that run contrary to their investment interests. These villagers need both financial and material assistance in this direction. Local and international NGOs (Nature Cameroon and Green Peace) have been offering training and information to help affected communities in this direction.

As capacity building is making chiefs more aware of their responsibilities and the stakes in these land deals, an increasing number are timidly embracing community interests in their action. They have enlarged their entourage to include youths and women, and are even requesting that some of the land deals already concluded with investors be renegotiated to take better care of mainstream community interests. One of the chiefs, (chief of Makongo, Ndian), like his peers in the division, has risen against the earlier collective MoU signed between the chiefs of Ndian and SG-SOC. They are asking for annulment and that MoUs should be renegotiated with individual villages. Yet, there are other chiefs who still support investors in exchange for gifts and cheap positions, and see nothing wrong with the status quo.

### **7.3.2. Chiefs and the question of women's land rights in the process of LSLAs**

Women as already seen constitute the majority of those who work on the land, harvesting NTFPs and fetching water and fuel wood among other activities from the forest in Mungo, Ndian and Kupe Muanenguba Divisions. It thus follows that any decision on the land directly or indirectly affects both their rights as users and their livelihood<sup>66</sup>. Yet, in almost all the affected communities surveyed, women were rarely

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<sup>66</sup> According to the President of Women's Forum Mundemba, women's predominant activity is farming for sustainable livelihood. For that reason they will feel the impact because their source of livelihood has been withdrawn; interviewed on 22/5/15. Another female interviewee (21/5/15) explained that in the long run the women will suffer as they will forever lose the right to harvest NTFP for their sustainable livelihoods.

represented formally or informally in the process of LSLAs. In this respect, Ebanga and Manyemen are exceptions as they are ruled by female chiefs. Many of the chiefs deliberately exclude women from their delegations. A few of these chiefs argued that the women were reluctant to participate, although this could not be confirmed by women. Some women (the case of the villages of Makongo and Bima<sup>67</sup>) rather held that they were advised by their chiefs to wait for the outcome of the negotiations while those that were not invited for such negotiations in Ekondo Nene simply noted that the men did not consider the voices of women important<sup>68</sup>.

In occasions where women's representation was considered mandatory, most of those who represented them were passive, except where they were represented by female political elites<sup>69</sup>. We found such passive female participation in Bima Makongo where the *nyanga Mboka* (female chiefs) are old, tired, and are no longer assertive. There was no evidence of the impact of their presence in land negotiations on women's needs and concerns. Some of these female chiefs could not actually confirm whether or not any MoU was signed during meetings they attended. Nevertheless, while the chiefs held that women were generally passive in meetings, the women complained that they were never given the opportunity to talk. What is evidently clear is that very few women are involved in the process<sup>70</sup> and in the end their voices go unheard.

The absence of women's voices in the process in the three divisions studied was evident in the outcome of the negotiations and situation of women today. Even where there were community concerns, they

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<sup>67</sup> Interview with a female community member, 21/5/15

<sup>68</sup> Interview with the Divisional president Ndian Women's Forum; president WCPDM, 22/5/15

<sup>69</sup>The woman chosen to represent Lipenja II was chosen because she is an assertive and patriotic person who can defend the interest of the village. She was also part of a meeting that held at Chariot Hotel in Buea in 2009, more than 100 km from Mundemba. Yet, she has not heard of nor seen the 2013 presidential decree leasing the land for which she is supposed to be defending women's interest in these meetings. This only goes to show that the presence of women at such deals is mere window dressing.

<sup>70</sup> Interview with Assistant Divisional Officer Ekondo-Titi on 3<sup>rd</sup> August 2015.

neglected women's issues and dealt with those of general interest. As a result, women suffer from scarcity of farmland, or travel long distances to farm where they cannot evacuate their produce to the market because of no roads, as in Njombe. Food stuff is relatively scarce in the market and food prices are rising. The scarcity and high prices of food are also linked to the fact that some women abandoned farming to take up unskilled jobs in the plantations. This same scenario has created hunger in communities like Fabe where the women were employed in the palm nursery. Incomes earned could not feed the home and where women have been laid off they find it difficult to return to their farms which have been abandoned for long or taken over by plantations.

Women lost their user rights over land, with minimal compensation only for the crops found on the land. They can no longer enjoy their rights to the commons. They have even lost the jobs promised by investors, without compensation. Advocates (local administrators, chiefs and investors) of LSLAs argue that these losses, if truly they exist, cannot measure up to the anticipated development that these areas will soon experience. They argue that women will get off-farm employment; but how many women compared to the number that lost their rights to the commons and their ancestral land eternally? While these rights and crops were lost forever, compensation is momentary. In fact, there were no women-specific clauses in the MoUs that were signed. No immediate skilled development for women necessary for agricultural transformation was included in the development plan agreed with investors in the MoUs. Affected communities came out the greatest losers because the whole process of land leasing was skewed to sideline women whose role in transforming the land for the sustenance of these communities cannot be measured.

#### **7.4. The role of the elites**

Political elites in affected communities play an important role in promoting LSLAs for themselves and in solidarity with government. They are largely unaccountable for their action and support large land concessions. They are also pushed by speculative reasons to acquire patches of land which, when put together, make a significant chunk.

To legalize their illegitimate actions, they forged through poorly-framed MoUs signed by chiefs who were coerced, cajoled or outright bribed. This explains why activities of these self-serving elites are resisted by the population as recorded in Nguti, Mundemba, Fabe, and Bima. The people have questioned the legitimacy of these elites in representing popular interests in some of the MoUs. While most of the elites are self-seeking, a few working with local NGOs continue to work with communities to make them rights-aware and empowered to be better negotiators. These activities are bearing fruits as villages like Babensi 11, Ebanga, Nguti, Sikam and Ngolo are resisting some of the land deals because they are now rights-aware. Even few women have pressed and obtained better individual compensation.

It is difficult to establish from the forgoing discussion that LSLAs are community-driven. Field investigations reveal that most chiefs and elites represent mostly their selfish interests in the process. They are intimidated, coerced, lobbied or bribed by investors to mortgage the future of whole communities. The involvement of chiefs in active party politics with the reintroduction of multi-party politics in the 1990s in Cameroon has significantly destroyed their hitherto sacred role as guarantors of community interest. They function as part of the administration, forfeiting community interests for political appointments, power, and financial favors in exchange for partisan support. As Mope (2009) has also observed, this system of political support and clientelism has fuelled LSLAs as states and investors use elites to bring pressure to bear on chiefs to cooperate in the sale of national land. The interchange of favors and support between the government and chiefs has created a new type of chief whose pursuit of wealth and political power has relegated the respect of customs and community interest to third place. The chiefs thus condone the dispossession of villagers of their ancestral land without due process of consultation and accountability.

Key actors involved in LSLAs have different interests that supersede those of affected communities, especially women. The inability to mainstream women's interests and those of other vulnerable community members provides some glimpse as to why women have been more disproportionately affected by the phenomenon.

# Chapter 8

## **Socio-Economic Effects of LSLAs on Women**

Land deals have differential effects on both men and women in the community. This is because men and women have different social roles, rights and opportunities (Behrman et al, 2011). Taking away land from women through long-term transfer negatively affects their welfare. More importantly, it affects the wellbeing of the family as a whole even if some husbands earn income from the investing companies. Cousins and Scoones (2010) explain that in rural economies, land is seen as a basic livelihood asset and the principal form of natural capital which provides food, income and a range of natural resources harvested, and a core strategy for rural livelihoods. This is especially so in Cameroon where 80-85% of rural women depend on land for livelihood (Fombe et al., 2013).

### **8.1 Positive Impact of LSLAs on Women**

Although LSLAs have registered lots of criticism because of their negative effects on the livelihood of women and the affected communities, there are some positive effects reported by both the investors and affected communities. Fig. 3 shows the perception of both men and women in all the three study areas on how positive LSLAs have been to women. There were no significant differences in the responses from men and women. However, the creation of rural employment for women and the provision of social infrastructure were seen to be the principal areas where women have benefitted.

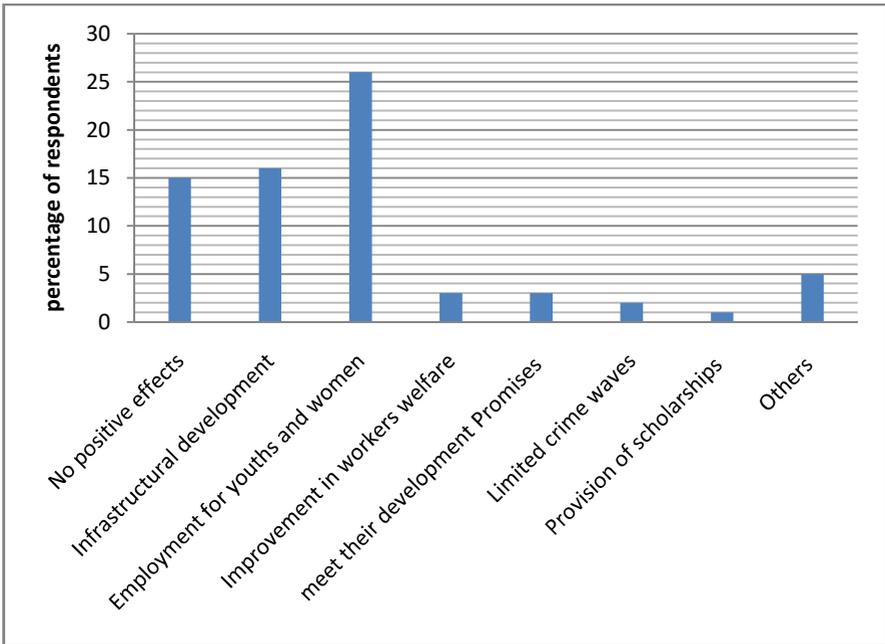


Fig. 3. Respondents' perceptions of the positive effects of LSLAs on women and affected communities

### 8.1.1. Creation of rural employments

LSLAs investments have generated some local employment opportunities; but it remains to be seen whether women have benefitted or not from them. From the gender distribution of CDC workers at the Malende Rubber Estates, over 60% of the women gained employment only as unskilled laborers doing mostly the lowly paid precarious jobs (weeders, harvesters) while men dominate in managerial positions such as foremen and field supervisors.

Although the management of PHP indicated that equal opportunity is given to both men and women in recruitments, their records show gender disparity in the level of managerial staff. In Kupe and Ndian, a few of the natives acknowledged that some women gained employment with SG-SOC. Some of these rural women earning wage income for the first time experienced some levels of economic independence, which is an important pathway to women's empowerment. Economic

independence is fundamental to strengthening women's rights and enabling them to have control over their lives and by so doing exert influence in society (OECD, 2012). In this context, plantation employment for women meant they could use their earnings to sustain families and meet other needs without having to depend on their husbands. While employment may have provided an opportunity for women to improve on their lives and the wellbeing of their family, it also led to misunderstanding and excesses. In Talangaye (Kupe Manenguba) for example, divorces were recorded among women who got paid employment for the first time.



Fig. 4. Women employed as unskilled laborers in one of the plantation farms of agro-companies

### **8.1.2. Provision of social amenities to affected communities**

Agro-companies have provided a number of social amenities in the communities where they operate, the primary target population being plantation workers and not the surrounding villages. A good number of these companies, like CDC, PHP and PAMOL, have created health clinics that provide basic standard health services to both their workers and community members. Services provided at most CDC clinics are free of charge to all workers and their children below 18 upon payment of a token consultation fee of 300 FCFA (less than 1 USD).

Education is another important domain where agro-companies are investing in the people. The CDC employs and pays teachers to teach in government-owned schools in villages around their concessions, where teachers are lacking. In Penja-Njombe, PHP constructed schools and assisted in the construction and maintenance of classrooms and libraries in local public and private schools. The private school (*Les Tisserins*) that runs from kindergarten through 12 grades initially meant for children of its staff now accepts kids from surrounding communities. The school had an enrolment of 400 pupils in 2012 and operated a free school bus service within 25km radius. PHP also created the Family Farm School (FFS) at Njombe in 2008. This school provides vocational training targeting workers' children aged 16-19 who have left school and need to integrate the labor market. It offers part-time training programs of three years on agricultural jobs, livestock, farming, arts and crafts. It also provides land for the students to carry out practical work. At the end they are encouraged by PHP to start their own businesses.

SG-SOC granted university scholarships to over sixteen children from the Ndian area where it operates palm nurseries. The villagers however complained that the scheme was discontinued even before the beneficiaries could complete the first degree, leaving the families of these students to either carry the burden or the children to drop out of school. PHP allocated multi-million grants to local councils in 2012 for the improvement of communal school infrastructures.

Efforts are also made to improve the welfare and working conditions in the communities. PHP allocated 484 million FCFA in 2012 for the maintenance and/or refurbishment of drainage works and rural roads in Njombe-Penja sub-division. Some special attention is given to women as reported by CDC and PHP managements. Single mothers have a two days' additional paid leave for each child below 6. In PHP in particular, pregnant women are moved away from work stations considered high risk zones (handling of agrochemical products for instance) to other more conducive activities. Within the CDC, women in the early stages of pregnancy are expected to work in their normal stations but are eventually redeployed as from the seventh to eighth month to do light

work within the industrial complex or offices without reduction in their salaries even though they do not put in the same hours at work<sup>71</sup>.

The fact that CDC and PHP were able to provide social amenities like schools for the children, free health care for entire families, water, electricity and housing means the investors facilitate the reproductive role of women in their camps. A few women in these camps therefore could easily get involved in other tasks that could be empowering.

### **8.1.3. Provision of farming land to landless women**

While it is true that LSLAs dispossess affected communities of their land, women and other vulnerable groups have also been able to gain access to cultivatable land thanks to plantation companies. It was observed in Mungo Division that PHP periodically allocates temporal farmland to over 1500 women organized in groups of 30. At the time of this study, about 2500 plots of land that were not currently in use were shared to these women for the cultivation of vegetable, groundnuts, maize, bean, cassava and other staple food crops of the areas. The same situation obtains within the CDC plantations in Fako, Mungo and other areas where villagers are cultivating seasonal crops in between palms or on land banks and within buffer zones. These women confirmed that they would not have had access to these plots if the land was owned by individuals.

Although women are not very happy that the companies dictate the duration of occupation and the types of crops that can be planted, or charge a token fee (as is the case with CDC)<sup>72</sup>, there is general unanimity among the women interviewed that access to the land has been very beneficial in providing both food and income. The President and Vice of *Société Cooperative des Femmes Dynamiques* in Mungo, beneficiaries of the PHP farm plots for example, expressed their satisfaction with this initiative by PHP, asserting that “PHP is really helping us because most of the women working on these lands are

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<sup>71</sup>Interview with the Estate Manager of Pendamboko, 3/11/2015

<sup>72</sup>The Assistant CDC Estate Manager in Malende indicated that portions of CDC land are allocated to both the company's workers and community members to cultivate food crops upon payment of a token fee of 2000FCFA to justify their presence.

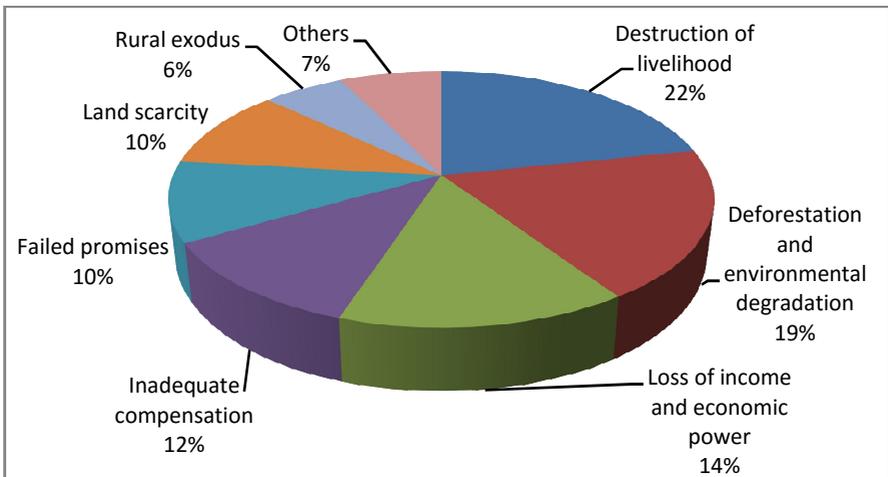
landless widows and orphans ...We sell part of what we cultivate to meet with our needs,...this serves as a great motivation to others who see us grow to join our group.” One of the merits of plantation shared farms is that they are very accessible and enable women to evacuate their produce easily.

In a nutshell, LSLAs have negative effects on women and consequently on their empowerment. These women have lost land, the only source of their livelihood and the only means to sustain their families. The burden of their triple role has been increased because they now spend more time to get fuel wood, water than before. Water they fetch is unsafe because of pollution from the plantations. In addition to these, they have been sidelined in the whole process of LSLAs, especially the part that deals with compensation. One would have expected that, as the prime users of land, rural women would play a pivotal role in LSLA transactions in order to lend them more legitimacy, acceptability and sustainability. Investors may have taken advantage of the loopholes in the Cameroonian Constitution, land law, customary and administrative practices to undermine due processes and aggravate the situation of rural women. But the same investors are facing an unhealthy and tendentious business climate that reminds them that LSLAs are far from being a win-win and something still needs to be done to right the wrongs of the process as it is.

Like many other studies (Meinzen-Dick, 2009; HLPE, 2011; and Fonjong & Fokum, 2015) have revealed, terming large-scale plantation agriculture as development and referring to the local communities as key beneficiaries is just window dressing which hides the real issues behind LSLAs. LSLAs, for example, do not really contribute to food security as most of the products are not for local markets but for export. Large-scale land acquisition leads to the displacement of indigenous populations, damages livelihoods, and provides very little employment. The frequent ploughing and excessive irrigation often associated with plantation agriculture pollute fresh water systems. In fact, a great number of deals are done without due respect to entitlements of local land users through proper consultation, consent or adequate compensation for the loss of livelihood.

## 8.2. Negative Effects of LSLAs on Women's Livelihood

Before the acquisition of land by SG-SOC, CDC, PHP and PAMOL in Kupe Muanengouba, Ndian, Mungo and Fako Divisions, women in these areas carried out various activities on the land. In Ndian and Kupe Manengouba Divisions in particular, both men and women reported that the collection of NTFPs was the main livelihood activity carried out on the land acquired for SG-SOC plantations. The harvesting and marketing of local products such as *bush mango*, *eru*, *ngabi oil*, *njansang*, *cashew*, etc., was a major source of income. In addition to collection and marketing of NTFPs, women and men cultivated food and traditional cash crops. Cocoa was commonly grown on the land prior to acquisition in Mungo, Kupe, and to a lesser extent in Ndian. Fuel wood collection which constitutes part of women's reproductive role was collected in the forest. Fig. 5 indicates that more respondents are concerned with the negative effects of LSLAs on livelihood, environment, and compensation than on other aspects of women's life.



**Fig. 5.** Respondents' views of the negative effects of LSLAs on women in their communities

### 8.2.1. Loss of livelihood

As earlier observed, land is a basic livelihood asset and the principal form of natural capital which provides food, income and a range of natural resources to rural communities. The loss of land to capitalists/investors presents a major socio-economic constraint to

affected communities and women. Almost all those sampled painted a dark picture of their situation after the loss of their land. The president of Ndian Women's Forum observed that "...the women are not happy at all... our land has been taken.....we no longer have farmland to grow food to feed our children... Women now travel long distances to cultivate in areas that do not have roads...Food is scarce today and the women are very worried ...” To the Deputy Mayor of Mundemba, “...the people of Ndian are very displeased with the fact that they no longer have enough farmland..... Ndian has been hemmed by parks and plantations.... the population is growing and children are growing but there is no land to accommodate them ....” Similar and more negative effects on income and food security were highlighted in other areas.

In Pendamboko, most natives complained that they could barely have land to grow any crop as CDC plantations have taken over most lands. The Chief of Pendamboko affirmed the problem of land scarcity pointing out that there is no land left to farm, build, and expand or even to bury their dead. Everywhere is covered with rubber trees and only the swampy areas are left for the women to cultivate. Generally, the marginal land left for women did not prove to be sufficient in sustaining their families and communities, forcing some villagers in Talangaye to abandon the villages because of landlessness and poverty. Hundreds of natives in Malende-Fako have also been forced to illegally occupy CDC land in their quest for farmland. Unfortunately, they are always driven out by the CDC surveillance Committee fighting against illegal occupation of CDC land.

### **8.2.2. Over-dependence on rented land**

Many displaced women rent farmland from the company who instructs them on the types of crops to cultivate. PHP provided groups of local women with farm plots. Close to 2500 plots (about 60 hectares) of cultivable land was distributed to 1500 women who are organized in groups. Women do not have a choice regarding the types of crops they should grow. In Penja, they were restricted from planting crops such as maize or banana on the land given to them by PHP to avoid diseases that may affect the company's crops. Women were allowed to plant crops such as vegetables, plantains and cocoyam. Even though these

parcels of land are given out to women, the company reserves its rights over them and can take them back whenever need arises.

### **8.2.3. Drop in economic power**

The loss of forest also implies that women can no longer earn income from the exploitation of NTFPs, leading to loss/reduction of economic power. Both men and women recognize the fact that women's incomes have dropped with the disappearance of virgin forests, major sources of NTFPs in Kupe Muanenguba. In this locality, for example, many women who used to harvest kolanuts and other products have abandoned the activity because they have been restricted from the area of concession. One of the women affected by this restriction from Nguti says: "...we have been forced to abandon the collection of NTFPs because of restrictions into the forest.... the income we used to get from this activity is gone..." Another woman observed that one of the NTFPs rich in food nutrients oil, locally called *ngabi oil* extracted from the forest is no longer available in the market because virgin forests do not exist anymore. LSLAs have therefore made women more dependent on husbands and family for more basic needs than was the case before.

### **8.2.4. Scarcity of fuel wood**

The main source of energy used in rural areas for cooking, heating and local food transformation comes from fuel wood collected from the forest without restrictions. Declaring the forest out of bounds to women when land ownership moves over to agro-investors meant they cannot also access fuel wood. Like in the case of water collection or food cultivation, fuel wood has become scarce, requiring more time and energy to travel over longer distances. The impact of fuel wood shortages is really felt in Malende where women use a lot of energy in the transformation of cassava into cassava flour, locally known as *garri*. *Garri* is one of the important staple foods consumed in the country and its production is an income-generating activity. Scarcity of farmland and fuel wood in its traditional zones of production in the South West Region has indirect effects on its quantity, quality and price; and of course, on poverty alleviation.



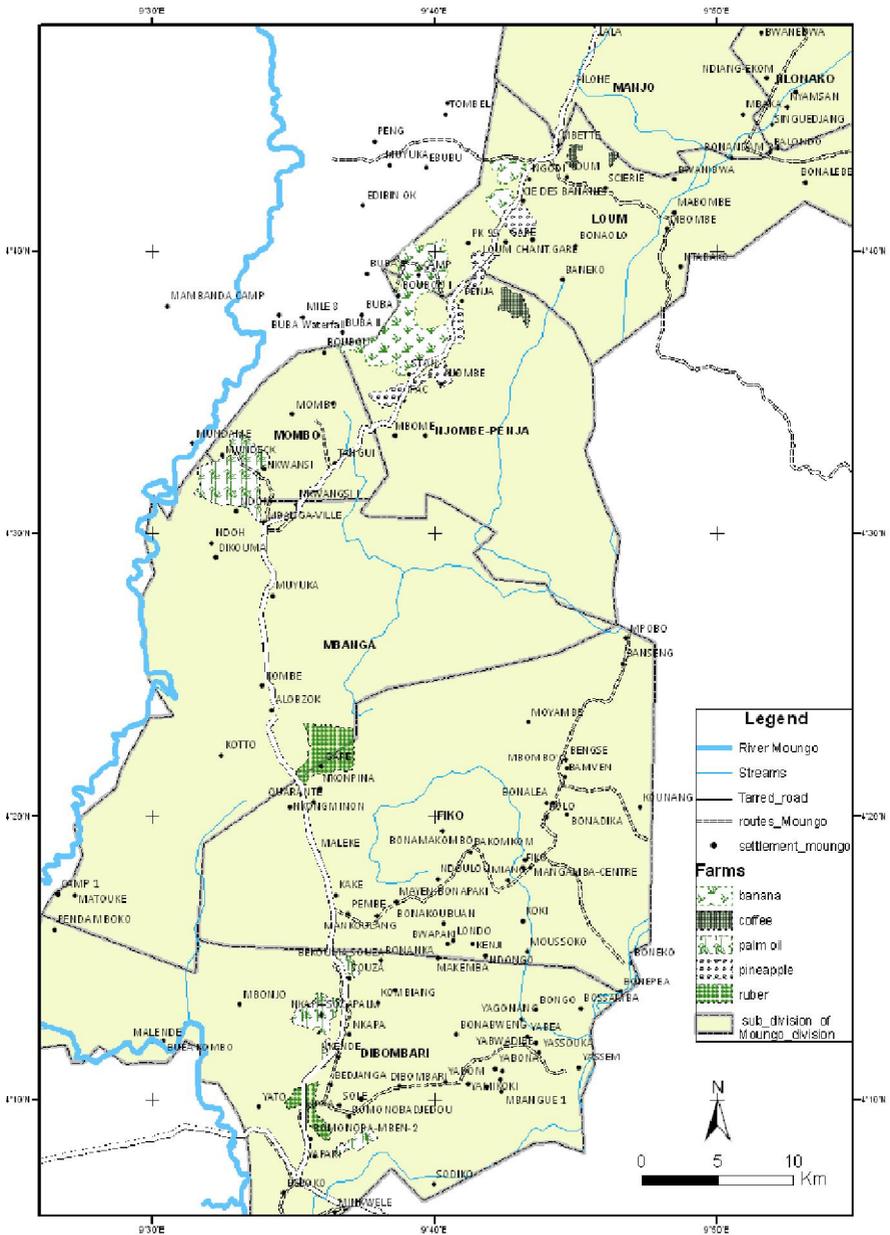
**Fig. 6.** Women travel long distances across plantations in search of fuel wood in Fabe, Ndian

The sale of fuel wood has become a lucrative business for some men and youths who go far into the forest or cut down abandoned rubber trees from the CDC in villages surrounded by CDC rubber plantations. Where women cannot afford fuel wood, they resort to cutting down trees planted as windshield against soil erosion around banana plantations. This was reported in Mungo, where women are sometimes forced to cut down trees planted by PHP, creating tension between the company and women in search of survival. With the forest around the homesteads gone and replaced with plantations, women cultivating even the land allotted by plantation companies have to spend additional hours travelling from the farms to fetch wood elsewhere. Gone are the days when they used to farm and collect fuel wood from the same piece of land. Many health and other risks go with this new dispensation and include physical deformation or attacks by wild animals in the forest. The villagers reported cases in some villages in Ndian where farmers have been attacked by elephants when villagers move a bit too far into the forest to fetch fuel wood and other NTFP's.

### **8.2.5. Water crisis and pollution**

Water is a central component in all LSLA deals but is often deliberately ignored in negotiations (Fonjong et al., 2015). The right of investors to access water in their concession areas is often embedded in their land deals but not paid for. Most land deals neglect or do not take into cognizance the water rights of local communities and are often done in areas where the investors have full potential to access and use water for irrigation. Investors are unlikely to grab land without being assured of access to water (Franco et al. 2013). In Kupe Muanenguba, the natives accused SG-SOC of polluting and reducing the quantity of potable sources. The water catchment in Nguti was at one moment destroyed by the company's caterpillars creating new roads for produce evacuation; this left the villages without clean water. In Fako, while CDC plantations are well watered, neighboring communities go for days and weeks without water (Fonjong et al., 2015). Even within the camps constructed for the workers by investors, water preference is given to the crops over the workers. This is the case in Pendamboko where the CDC camps went without potable water for eight years while nearby rubber plantations were fully irrigated.

In addition to water deprivation and destruction, LSLAs lead to water pollution in the process of spraying, runoff, and waste disposal of industrial waste. In Mungo, communities complained that the use of toxic material and pesticides in PHP's plantation produces runoffs that end up in streams consumed by inhabitants. Furthermore, the pesticides spray used on the plantation pollutes neighbouring farms, especially women's vegetable gardens. Again, used pesticides and chemical containers are poorly recycled and used by women and children to fetch or store drinking water. All these are detrimental to the health of the woman, the family and entire community with women and children bearing the brunt of the pollution. The result of this water grab is that women and children walk further afield to collect fresh water for households. The time and distance spent to fetch water and fuel wood is not only a burden to the women but is also the time they would have spent engaging in other productive activities to support their families and communities.



**Map 4:** Competition for land and plantation agriculture in the Mungo Division



**Fig.7.** Spring that provided water to inhabitants in a village in Ndian at the verge of disappearance because of intense plantation activities

One observes that most of the consequences of LSLAs result from lack of a good understanding of the true nature and pattern of land use or rural lifestyle of affected areas. Table 6 indicates that prior to external acquisitions; the land was generally either under food crop and cash crop cultivation or under conservation as seen in Ndian and Kupe Manenguba Divisions. In the three divisions, women, men and youths were actively exploiting NTFPs for subsistence and income. Women are principally those who fetch wood from the forest while the men and youths are predominantly engaged in hunting<sup>73</sup>. In Ndian there is competition for land use between the conservationists of the Korup Park, the plantations, and peasant farming (Map 5). Farms and crops are sometimes destroyed by animals, particularly elephants whose populations have increased, thanks to conservation. The competition for land in the Mungo has been compounded by the influx of migrants from other parts of the country, making land still scarcer for peasant agriculture.

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<sup>73</sup> interviews with Chief of Fabe, President, Ndian Women Forum and Community woman from Fabe interviewed on 21/5/15

**Table 6:** Activities carried out on the land by communities before acquisition by investors

Activities	MUNGO			NDIAN			KUPE		
	Men	Women	Youths	Men	Women	Youths	Men	Women	Youths
Cash crop cultivation	100	33.3	55.5	93.1	47.7	40.9	80.7	34.6	57.6
Collection of medicinal plants	55.5	50	11.1	63.6	59.0	27.2	61.5	15.3	3.8
Collection of NTFPs	16	88.8	27.7	36.3	93.1	47.7	7.6	69.2	7.6
collection of fuel wood	72.2	55.5	33.3	52.2	79.5	61.3	30.7	57.6	26.9
Fetching water	16.6	44.4	61.1	29.5	77.2	72.7	19.2	50	34.6
Fishing	27.7	16.6	22.2	75	61.3	52.2	50	34.6	19.2
Food crop cultivation	50	83.3	38.8	45.4	77.2	36.3	34.6	57.6	10.7
Grazing	55.5	33.3	5.5	52.2	13.6	29.5	42.3	7.6	7.6
Hunting	44.4		16.6	77.2		3.8	80.7		23.0
Tourism				31.8	11.3	22.7	26.9	7.9	15.3

Field work, 2015

### 8.2.6. Exclusion of women from the process of LSLAs

Women are systematically excluded from the whole process of LSLA deals even though they are the principal users of the land. As noted earlier, women are not statutory representatives in LCB, the organ that recommends the issuance of land certificates. They are also rarely involved in customary land matters. Their informed consent is hardly sought during negotiations with would-be investors. Field evidence confirms the view in existing literature that even when women are involved in negotiations, that involvement is physical only; their voices are never heard, much less taken into account. Moreover, LSLA negotiations are done in secret. A female interviewee from Kuma Bima (Ndian) explained that the low women representation in negotiations could also be attributed to the fact that they are not aware of some of these negotiations. They cannot therefore take part in negotiations they are unaware of, or to which they are not invited, as noted by another lady from Toko (Ndian).

The fact is that male dominated community leadership cannot adequately represent the interests of women. Henig et al. (2001,106), in defining representation of interests, explains that women's interests

cannot be properly represented by men, in much the same way as the interests of the working class cannot be fully represented by the middle-class. The assumption is often that women share distinct characteristics which, if involved in decision-making processes, can be sympathetic to group interests. The ideal situation would therefore be that women leaders speak and act in the interest of other women. However, advocates of substantive representation suggest that standing for is not the same as acting for (Pitkin, 1972). Many factors influence women leaders who stand for other women to the extent that they are unable to act for other women. In many of the field cases reported, it is traditional and cultural norms, coupled with the status of women and the shrouded nature of land deals, that greatly influence action.

Besides the influence of customs and statutes on women's representation in the process, the impact of patriarchy cannot be undermined. Some of the female chiefs (as in Ikoti, Ndiang) were quick to point out that women do not partake in the process because they have to take instructions from the husbands and chiefs. It is generally believed among customary communities across Cameroon that land matters are exclusive male domains. The Fon of Kom, North West Region is unequivocal about the need to exclude women from land matters. He argues that women do not have the prerogative by custom to perform customary rites that confer land ownership rights (Fonjong et al 2012)<sup>74</sup>. The result is that most land negotiations exclude women and by so doing neglect their role in family and community livelihoods.

Where women are invited by chiefs or local administration to consultation meetings, the reason generally has little to do with hearing their voices. They are brought in so that they can relay decisions taken by men to fellow women or to be paid compensation which has been decided in their absence. In fact, women's attendance has nothing to do with seeking their views. One woman who attended such a meeting noted that "... this meeting was not to get my opinion on the land deal but to get women's own share of food and drinks offered by the company taking over our land..." We see thus that women come into the

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<sup>74</sup> Fonjong, et al., (2012) Land Tenure Practices. Research report

picture only when they are to get their own share of remuneration, and most often this is to buy their silence. SG-SOC distributed food and other related items to women particularly in localities where they faced potential resistance.

**Table 6.** Marginalization of women in the process of LSLAs in the studied localities in the South West Region

SN	Levels of Consultation	Group consulted in each community							
		Women		Men		Chiefs		Youths	
		N	%	N	%	N	%	N	%
1	Before holding strategic meetings	2	6	12	37.5	27	84	3	9
2	During public meetings	18	56.2	30	93	29	90.6	17	53.1
3	Choosing the area of land granted	4	12.5	21	65.6	30	93.7	3	9
4	Choosing quantity of land to be granted	4	12.5	22	68.7	31	96.8	4	12.5
5	Demarcation of land	3	9	28	87.5	26	81.3	4	12.5
6	Deciding on compensation	1	3	8	25	20	62.5	1	3
7	Deciding on relocation of those displaced	3	9	14	43.7	23	73.2	2	6
8	Signing of MoU	3	9	20	62.5	26	81	4	12.5
9	Resolution of conflicts	11	34	25	78.1	26	81.3	10	31.2

Field work, 2015

This table is based on information compiled from one of the focus groups conducted only among women. It reveals that in all the nine areas that required some level of consultation and involved the women, the latter were almost unanimous that they were sidelined or left out in all but one case. Slightly above 50% believe they attended public meetings called to announce decisions taken without them concerning their land. Less than 6% knew anything prior to important negotiation meetings and just one out of 38 women who took part in the discussion think that women's opinions were sought about the nature of compensation they received for the loss suffered.

**Table 7:** The gender dimensions of compensation on LSLAs in the study areas

Communities	Types of compensation gotten by :		
	Whole community	Women	Others
Ndian -Ekondo Nene	-PAMAOL gave villagers an outgrower scheme of 30 ha - Provided some food stuff to entire community that lost land.	Nothing specific for women. Even the food was controlled by men	Men, elites and chiefs were those in charge.
-Kuma Bima	Villagers were given 4 boxes of fish, 2 bags of rice, 4 bags of salt and 5 pack of plastic drinks.		
Mungo -Souza	- PHP gave monetary compensation to those who owned cocoa and coffee farms by investor.	-No compensation. They work on these farms for men	-Chiefs and political elites who spearheaded the move got kickbacks
-Njombe-Penja	-Compensation given was redistributed to natives in Njombe Penja not at a local level of 40/40/20	-No compensation  -women could access PHP compensation only as widows	Chiefs receive allowances every after 3 months to quell any social upheavals they may foment
-Njombe Mbomengwandang	-No compensation		- The sum of 65.000FCFA per hectare was given to chiefs each month as royalties for land acquired by PHP investors
Nguti -Ekita	-The sum of 200.000FCFA was given as compensation to the community,	-No compensation	-Only one man's farm was destroyed with crops in it and he was compensated monetarily.

Fieldwork, 2015

**8.2.7. Inadequate compensation for crops and land**

The Land Ordinance provides for compensation for crops or development on national land when such land is taken over by the state or companies. Compensation is not paid on the land itself except on private titled land. Women usually receive compensation for crops destroyed. Unfortunately, the amount of compensation is not negotiated by the women, and in some cases, as in Njombe in Mungo Division, it is paid to heads of households who are mostly men. The assumption is that the compensation will trickle down to the rest of the household.

This assumption ignores the fact that heads of household do not act in a unitary manner when allocating food and non-food resources (Udry et al., 1995). Thus, when compensation is paid to male heads of household, it neglects the fact that it is the woman who loses access to her land and rights over her crops. The DO for Njombe remarked that "...there is no respect for women's land rights even as users...women/widows who receive compensation receive as derivate users and not on their own right..."<sup>75</sup>

Most women might not benefit directly but some compensation is paid that ends either with the traditional rulers or their husbands. This highlights the vulnerability of single women who do not have husbands to receive compensation on their behalf. Of course, where this compensation exists, it ends up in the hands of chiefs and traditional council members as was the case in Mundemba. And since most land deals are shrouded in secrecy, victims of property destruction lack the tools for redress even where there is blatant evidence of inadequate compensation. Generally, since women are not involved in the process as noted earlier, their voices are not heard and so are not mainstreamed in the outcome of land deals and compensation.

### **8.2.8. Failed promises and discrimination in employment**

One of the principal arguments of proponents of LSLAs noted so far is that affected communities and the nation as a whole stand to benefit when the so-called idle land is taken over for 'productive' investment. The argument advanced is that the plantation and offices will need human resources. Migrants will stream in and create a market for locally produced goods and services, and companies will provide diverse amenities to the natives as part of their corporate social responsibilities. Promises of direct employment, off-farm jobs, economic diversification, social amenities (roads, schools, hospitals, water, electricity, etc.), and scholarships, among many others are always propagated to accompany LSLAs. But many of these promises are not true or as the Deputy Mayor of Ndzian describes them "...are full of deceit..."

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<sup>75</sup> Interview with the DO Njombe, 29/10/14

Although some of the companies, like the CDC, PAMOL and PHP, provided some of these amenities, women and the local communities were not the primary targets. Electricity, water, hospitals, schools, etc. existed in the areas for plantations and plantation workers, and the local communities were just passive beneficiaries. These communities could not decide where and when these amenities were to be provided. For example, the chief of Mbomengwandang (Mungo Division) expressed his disdain for the social amenities in these words:

“... the PHP factory in my village has had electricity since 1974 whereas the village only got electricity in 2005 and water only in 2012. This was not the result of a planned intervention from PHP but a private arrangement with my village after several demands. PHP provides only what it wants and not what the villages would have wanted and needed. In fact, sometimes they give because they want to forestall protests from the villages”<sup>76</sup>.

PAMOL also promised to construct a bridge linking Ndian town and a road from Ndian town to Besingj which has not been realized<sup>77</sup>.

**Table 9.** Examples of some failed promises made by investors across studied localities

Villages	Promises made	Investors	Promises realized
<b>NDIAN</b>			
Ekondo Nene	Scholarships, hospitals and bridges	SG-SOC	None
Kuma Bima	Build community halls, provide pipe-born water and hospital for the community	PAMOL	None
<b>MOUNGO</b>			
Souza	Build schools construct roads and provide pipe-born water	-PHP	None
Njombe-Penja	-Employments, construct schools, provide health care facilities, and good roads.	PHP	All realized
Kupe Manenguba -Ekita	Farm to market roads	SG-SOC	None
Talangaye	Provide training center for skills development, Create credit schemes Empower the community on large-scale farming, processing, and marketing	SG-SOC	Only an account has been created for the village with no funds in it yet.

Source: Fieldwork, 2015

<sup>76</sup> Interview with the chief of Mbomengwandang, 31/4/14

<sup>77</sup> Interview with the President Women Forum, Ndian

Promises by investors to adhere to basic environmental standards have been largely ignored. SG-SOC committed itself that its “plantations will follow the highest environmental and social standards, complying fully with Roundtable on Sustainable Palm Oil Principles and Criteria (RSPO) (Press release, 2011). These standards were never followed, and the company even withdrew from the RSPO membership in August 2012 following official complaints from NGOs. The location of the plantations themselves posed a great threat to biodiversity and the environment. They were within the vicinity of the Korup National park, the Rumpi Hills, the Bayang Mbo Wildlife Sanctuary, the mountains and the Bakossi Nta Ali Forest Reserve community forest, all of which are of high conservation levels. Environmental NGOs have protested and complained against the adverse effects on the communities’ immediate ecosystem like mangroves and neighboring communities considering the fact that many rivers take their rise from the Rumpi Hills. The removal of trees will trigger a change in the micro-environment and hydrology that could lead to floods and other disasters.

The law requires all investment companies to submit an Environmental and Social Impact Assessment (ESIA) to the government and obtain a required Certificate of Environmental Conformity prior to operation. SG-SOC proceeded to clear down forests for the development of oil palm nurseries in Ndian and Kupe Manenguba in 2011 before even submitting the ESIA. Green Peace (2013) opines that the ESIA of SG-SOC and their analysis of High Conservation Value Forest is inadequate. The submitted ESIA failed to evaluate adequately the flora and fauna of the proposed plantation area and the ecological and social impact of the plantation.

### **8.2.9. Unrealistic employments and poor working conditions**

There is contention about the number of jobs, and who actually benefits from the jobs supposedly created by agro-companies in the affected areas. The general consensus is that a few unskilled plantation jobs (planting, weeding, harvesting, on-and-offloading, and cleaning) may have been created but the benefits have not been evenly distributed across sex and regions. Women’s employment were mostly seasonal and temporal. Women who are natives from Kupe and Ndian, for

example, complained that most of the jobs went to migrants. A village notable in Malende presented similar complaints, noting that: "...CDC has not employed any native in their plantation. All those working on the plantation are migrants. When jobs are to be provided to the natives it is mostly unskilled jobs..."<sup>78</sup> However, these villagers critical of investors do not possess the necessary skills required by the companies.

Another disgruntled group is that of women who left their farms for plantation jobs. They expressed dissatisfaction with the pay package, maintaining that the plantation salary was often not commensurate with the proceeds that women used to get from their farms. Men also think in this line, blaming the poor condition of women on plantation companies. A native from the village of Lipenja recounted the experience of women in these words;

"...plantation companies have taken our land and have led to a reduction in our income....women used to work in farms, produced enough food for the home and to sell,...but now they work in nurseries with insignificant pay...they work for long hours in the nurseries and do not have time to work on their farms.... They have left their farms for nurseries...in return for hunger, poverty and hopelessness"

The above assertion runs through most of the communities studied. There is general poverty, hunger, high food prices as food has become scarce as young rural women have abandoned their farms for unskilled employment in the plantations. Work in the plantations is time and energy demanding. The women leave as early as 5:30 am in some localities in order to catch the vehicle transporting plantation workers and only return late in the evening. These women have no time for themselves or side activities (farming, small business, etc.) to supplement plantation income. Yet, while family income and provision are falling, cost of living continues to rise, propelled by rising urbanization and rural unemployment. The women have to keep working in these plantations since their low education and skills do not offer them alternative sources of employment.

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<sup>78</sup> Interview with a native of Lipenja 14/08/14

Workers living away from the plantations are transported to and from the plantations in unpleasant conditions. The transportation conditions of these workers as observed around Malende, Kompena, and Ekodo Titi are deplorable. The trucks are overcrowded, getting into the trucks at the pick-up points is a struggle between male and female workers and pathetic for pregnant women. Those who cannot get into the transport truck (mostly women) have to trek to work. When they arrive late, they are sometimes marked absent, and as FAWU (2012) observed, have to trek back home without earning for that day. Workers are paid terribly low wages on hourly basis that can barely take them through the month. As a result, plantation workers live in an endless cycle of borrowing and indebtedness. The SDO for Ndian<sup>79</sup> commented on the salary scale of one of the investors in his Division in these words: "...the salaries are low with minimum of 40.000 FCFA [\$80 at the time] monthly. Working conditions are very difficult to match this salary scale even though the amount is above national minimum wage..." But even the amount stated is exaggerated or the maximum as some workers who miss days of work earn far lower.

Job security, especially in new localities with the new investors, is not guaranteed. A majority of workers, as noted in Tanlangaye and Fabe, have no employment contracts, which leaves them at the mercy of their employers. They cannot negotiate good salaries, can be easily terminated without due process, and without ability to seek recourse. This lack of workers' protection is seemingly condoned by local authorities. Susan who believed she was arbitrarily terminated by one of the plantation companies with nowhere to seek recourse decries the fact that "... those who were employed had their contracts suspended....and now much land has been lost with no employment...The chief has further passed an injunction that he is the only one to talk to the company or authorities about it and anyone who goes contrary will be fined..."

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<sup>79</sup> Interview with SDO, Ndian, 04/04/14

**8.2.10. Insecurity**

Art 9(3) of the Convention signed between MINEPAT and SG-SOC in 2009 gives this investor powers to arrest and detain unauthorized persons seen on the concession site. Many youths have been detained for stealing banana or palm nuts from PHP and CDC plantations.

The positive effects of LSLA investments in Cameroon shows that, to an extent, investors adhere to the “Common commitment” with the government of Cameroon prior to investing in the localities. The provision of social amenities and employment is part of the obligations of the investing company and one of the arguments of Cameroonian authorities to lure the population to give out their land to investors. But these investors bring only as much as can serve their interests in the area, or then do more only when they are within their zones of interest. Roads are constructed to link their plantations to the market or factories, and not to satisfy the needs of the affected communities. On the other hand, the negative impact observed portrays the limit of LSLAs in bringing about positive changes in the life of the rural areas and also questions the extent to which community and women interests are mainstreamed into large-scale land deals. It thus opens the way for the avalanche of resistance witnessed wherever large-scale investments have taken place.

# Chapter 9

## **Community Response to Large-scale Land Acquisitions**

The diverse socio-economic effects of LSLAs discussed in the previous chapter points to the fact that the gains of LSLAs for affected communities and women in particular are mixed and debatable. Generally, the effects show that LSLAs fall short of the expectations of the population. Rural women seem to suffer the most because of their peculiar gender roles in society. For example, land grab is accompanied by water grab with dire consequences on women whose triple role depends on both land and water. As the process neglects and evades women and community rights, it raises questions of legitimacy and accountability. How legitimate are the land deals concluded and who are the companies accountable to? These questions have pushed women and affected communities to use tools ranging from strikes/demonstrations, peaceful protests, legal actions, petition letters, to activism to demand accountability. These resistances have borne mixed results, as even legal gains registered by the population and NGOs have sometimes been short-lived.

### **9.1.1. Protests, Strikes and Petitions**

Strikes, protests and petitions were the most recurrent forms of resistance registered in the three divisions under study. They originated from different sources, sometimes from the population, elites, chiefs or plantation workers. In Talangaye (Kupe Muanenguba) alone, the population led by a woman staged three strikes within one year against

SG-SOC to demand royalties for timber exploited, a transparent compensation process, and for compensation to be commensurate with the loss suffered. After making these demands known to the local administration through repeated correspondence without any feedback, the natives decided to block access to SG-SOC's farms. This action forced the local administration led by the SDO, top management of SG-SOC and the community into negotiation. In the end about 7.8 million FCFA was paid as compensation for those whose crops were destroyed. The question of royalties was, however, not resolved.

In the second strike, workers of the same company stayed away from work because they did not receive their salaries for three months. In the process, the striking workers mounted road blocks to the main entrance into the company. The company during negotiations with striking workers expressed financial difficulties resulting from the suspension of its activities in Ndiian due to community uprising against its investments in the area. Workers also went on strike against poor working plantation conditions in Lipenja I, Ndiian. The workers addressed their complaint to the organ of mediation between the villagers and investors (SG-SOC-PAV). But their complaint produced no fruit because the said chief is an influential board member who according to the villagers put the interest of the company above that of the village. Mope (2009) describes this as a clientelist and political patronage system where chiefs act in their self-interest and in support of the investors because of financial kickbacks.

In the villages of Babensi I and II (Kupe Manenguba Division), the population protested to the DO against what they termed 'illegal' activities of SG-SOC on their land following attempts by the company to demarcate land believed to have been granted to them by government in these villages. The villagers refused to recognize the company, stating categorically that they have no plans to give land or collaborate with SG-SOC even in the distant future. Both the chiefs and villagers denied any prior contacts or negotiation with the company. They insisted to the DO (during meetings to resolve the crisis) that "...SG-SOC has not come to us ...we have not been contacted ...in the Bassosi land we cannot offer any land without clear negotiations...SG-SOC has planted temporal pillars on our land without consulting us...our land is

small and we cannot sell our birth right by giving it away<sup>80</sup>...” The Babenssi people advised the local administration to facilitate the suspension and peaceful withdrawal of the company from their land rather than resorting to violence. These people refused to take the law into their hands but the administration was so far slow to react, which made the villagers conclude that the administration was backing the company.

To express fury against the absence of consultations and transparency in the land deals, nearby, women of Nguti organized a protest march to the chief and later in 2013 mobilized their sacred society to block the entrance into the nursery of SG-SOC<sup>81</sup>. The move by the women was, however, not unanimous as the women were split between those in support and those against the company. Interviews with some local government Service Heads and villagers traced this division among the women to the fact that those who supported the company had earlier benefitted from food donated by the company during which time those against had been sidelined.

### **9.1.2. General Letters of petition and complaints**

These petition letters were mostly addressed to the local administration right to the President of the Republic either by irritated villagers and chiefs or elites who have been sidelined or outsmarted by their peers in the process. The content of a few of them reflect the general atmosphere of discontentment that characterized LSLAs.

In an attempt to get the intervention of the highest authority on SG-SOC’s oil palm investment in their community, the Bassosi Cultural and Development Association addressed a memorandum to the President of the Republic reaffirming their earlier opposition to the SG-SOC acquisition of their native land. The views in this Memo were also reiterated by some local Mayors and inhabitants who held that their land was not for sale. Here, one observes the exercise of collective strength and social ties against a common front because of the consciousness of the repercussions these deals will have on their land and on future generations.

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<sup>80</sup>Interview with the Reagent Chief of Babensi I, 19/12/14

<sup>81</sup>Interview with sub Divisional Delegate for MINPROFF, Nguti, 18/12/14

On the 29<sup>th</sup> of June 2010, the Member of Parliament for Nguti Sub-Division wrote a letter to the President of the Republic objecting to any attempt by SG-SOC to irregularly exploit their land to their detriment (MP, Kupe Manenguba, (2010). On August 26<sup>th</sup> 2011, the Ngolo, Batanga and Bima communities in Toko and Mundemba Sub-Divisions submitted a memorandum to government against what they termed the “irregular” implantation of large-scale oil palm plantations on their land. The Memo stated that there was not enough land available for the companies, and that the company has violated the free, prior and informed consent of the villagers. They argued that Articles 15 and 17(2) of the Cameroon Land Ordinance No. 74-1/74 indirectly require local consultation through the Land Consultative Board<sup>82</sup> which had been neglected in the process.

The Bassosi Cultural and Development Association in February 2011 addressed a memorandum to the Director of SG-SOC distancing themselves from any negotiation and establishment of oil palm plantation on their land. Another follow-up memorandum was addressed to the President of the Republic in August that same year, reiterating their objection to the plantation project on their land (Bassosi Cultural and Development Association, 2011). In 2012, the people of each of the villages of Mungo Ndor, Ntale, Ediengoh, Ekenge, Babensi II, Babensi I in Nguti Sub-Division wrote letters openly rejecting and denouncing large-scale plantations, stating that “...we do not want to have anything to do with SG-SOC to acquire part of our forest or farmland for their plantation project...” Similar action where protest letters were written to high state officials including the President have been recorded in Sierra Leone over land grabbing according to Justice Foncier (2014).

In an appeal for administrative assistance, the Mundemba Council in Ndian wrote to the Senior Divisional Officer for Ndian against the falsehood and pretentious attitudes of some elites in the community towards SG-SOC's project. One of such Memos was handed publicly by

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<sup>82</sup>The Land Consultative Board which attest the to the rightful occupation of land in Cameroon has three representative from the local community- the chief and two notables)

the spokesperson of the elites to the SDO in a meeting of November 11<sup>th</sup> 2009 which was attended by the chiefs, elites, and service heads. The protest letter raised questions relating to the environmental and biodiversity sustainability of the investments in a locality with many active conservation projects. Unfortunately it took just two weeks for this same spokesperson, this time acting as a representative of the company, to convene another meeting hailing the project as a development opportunity. This manifestation of egoistic approach to a common problem prompted one of the local councils (Mundemba Council) to issue a protest letter indicating that such elites were not acting on behalf of the community and neither do they have any legal or justified paramount status to speak on behalf and in the absence of the native population who ought to be consulted on such issues. Similar petitions came from the people of Nguti and Ngolo chiefs of Ndian. The Ngolo Chiefs' Conference described the activities of one of the investors on their customary land as illegal. They further warned against any land deal with elites, chiefs and any investors as risky, insisting these individuals were corrupt chiefs and elites who do not represent the masses but their personal egoistic interests.

In a similar vein, the youths and notables of Fabe and Bima villages of Ndian wrote a letter of protest to the DO of Mundemba against relinquishing land to SG-SOC. In this protest letter, the youths named elites of their communities and expressed frustration at how their Chiefs and some illiterate elders had been brainwashed by some elites and investors into believing that SG-SOC investment would enrich and empower them. They cited instances of intimidation, threats and fake meetings organized by these elites to canvass support for their unwanted project that only fulfilled selfish interests. Some of the intimidating pronouncements were: "...whether you like it or not the government would give out Fabe land to Sithe Global..." And because these elites are usually political heavy weights and also pass off as the so-called 'intellectuals' of these communities, they mount pressure on chiefs who are naïve to cooperate and give in to these illicit deals. These are the elites and naïve chiefs that investors are quick to present as speaking for the affected villages, and whose self-seeking consent is brandished as community consent.

### **9.1.3. Meetings and Declarations against LSLAs**

These meetings were organized all over the new plantation areas to drum up support against LSLAs. The chiefs of Ndian Division and Nguti Sub-Division held a joint meeting on June 25<sup>th</sup> 2010 and issued a common declaration denouncing earlier agreements with SG-SOC. They withdrew any earlier support pledged to the company because the chiefs had been sidelined and neglected by the company which was negotiating with the government (Ndian and Nguti Chiefs Conference, 2010). The Ngolo Chiefs Conference held a separate meeting at Ndiba village on the 15<sup>th</sup> of December 2010 and August 2011 to condemn the illegal mapping and planting of pillars in some villages of Mundemba and Toko sub Divisions by SG-SOC without the prior consent and approval of most Chiefs (Ngolo Chiefs Conference, 2010, NCUBA and BICUB, (2011). The chiefs of Nguti attempted to hold a similar meeting on November 19, 2012 but it was banned by the local administration, even though the same administration had earlier authorized the meeting (Nguti Chiefs Conference 2012). Women did not participate in these high-level meetings because they are not chiefs or heads of villages, but field interviews reveal that they were sympathizers and supporters of the outcomes.

Other resistance came from local and international environmental NGOs. In a joint letter to the Minister in charge of the environment, the NGOs expressed discontent and concerns on the illegal procedures adopted by one of the investors and the likely negative impact on land, culture, livelihood and biodiversity in affected areas. These NGOs cited the villages of Talangaye (in Kupe Muanenguba), Fabe and Lipenja (Ndian) where forest has been cleared for oil palm nursery plantations without any prior ESIA. Other issues raised by these NGOs touched on the effect of pesticides and fertilizers on natural rivers and streams, the only source of potable water for the people.

Furthermore, the communities of Babensi II, Ediengoh, Ekenge and Ntale in 2012 wrote a letter of open rejection of SG-SOC's projects.

**Table 10:** Summary of resistance against LSLAs in Ndian and Kupe Manenguba Divisions

<b>Methods</b>	<b>Actors</b>		<b>Outcomes</b>
Meetings	Chiefs of Ndian and Nguti Sub Division	Joint Declaration denouncing earlier agreement with SG-SOC of June 25 <sup>th</sup> 2010	-withdrew their support to the company since they were neglected
	Ngolo Chiefs	A motion against SG-SOC of December 15 <sup>th</sup> 2010	-condemn the illegal mapping and planting of pillars in Mundemba and Toko sub-division by SG-SOC without the prior consent and approval of most chiefs
Protest/Appeal Letters	People of Nguti Sub Division to the Presidency of Cameroon	Objection by the people of Nguti Sub-Division to an attempt by Sithe Global Sustainable Oils Cameroon to irregularly exploit the Sub <u>Divisional Land, June 29<sup>th</sup> 2010</u>	- unanimously annulled the Memorandum of Understanding with SG-SOC - withdrew their consent for the project
	Mungo Ndor, Ntale, Ediengoh, Ekenge, Babensi II, Babensi I	Open Letter to SG SOC/Herakles Farms company LTD by the people, 2012	Open rejection and denouncement of large scale plantation
	Deputy Mayor Mundemba Council to the Prefet of Ndian	An Appeal for administrative intervention, February 15 <sup>th</sup> 2010	Request for the administration to protect the people against elites using community land in quest for their personal interests
	Mayor of Mundemba to the Regional Governor	Comments on the letter captioned: Kuma, Mokango, Masaka Bima and Lipenja II village- Enclaves, June, 2010	-denounced the activities of elites who want to use land on the false pretense for personal aggrandizement

	Youths/Notables of Fabe and Bima villages	Protest against ceding of land to SG-SOC Ltd of January 23 <sup>rd</sup> 2011 and April 11 <sup>th</sup> 2011	- resolved to preserve and manage the small land left after ceding land to parks. - declared that the rumors that they have accepted SG-SOC are all false.
Memoranda	Ngolo, Batanga and Bima communities of Toko and Mundemba Sub-Division	Irregular implantation of a large scale oil palm plantation of August 26 <sup>th</sup> 2011	not enough land available for SG-SOC - the company had violated the free prior and informed consent of the villagers as stated in Cameroon's 1974 land ordinance - activities of SG-SOC prohibited chiefs not acting on behalf of the people
	Bassosi Cultural and Development Association	Land acquisition by SG-SOC in Nguti sub-Division of February 2011	-the project is not sustainable and beneficial to the Bassosi man given the environmental, economic, social and future implications
Strikes, demonstrations and legal complaints	Babensi II against SG-SOC, April 2014		-demanded that the company should leave because they occupied their land without their consent -demanded compensation for damages caused during their illegal occupation
	People of Fabe & Nguti villages, 201-2013		-blocked access into the company's oil nursery
	SEFE	"No plantation on our land" 2012	-Wear T-shirts carrying this slogan on the occasion of the installation of the new Senior Divisional Officer to make visible their opposition to the plantation.
Legal Suit	SEFE against SG-SOC	Stop the activities of S-GSOC by CR No. 90202969 of 2011	-Court ruled in favor of SEFE to suspend the activities of the company in the area

#### 9.1.4. Effect of community resistance

While most of the elites are self-seeking, some have worked with the communities to make them aware of their rights and empowered them to be better negotiators. This has been tested in Nguti- sub Division where the chiefs of the locality held meetings and gave Nature Cameroon the mandate to appraise the SG-SOC project for the benefit of the community. Nature Cameroon went on further to build the capacities of the stakeholders of these communities; that is why many of the villages here (like Babensi 11, Ebanga, Nguti, Sikam, Ngolo) are resisting surrendering their land and want to renegotiate with SG-SOC. In addition, they have two practicing lawyers who are working with the communities. Because of the singular effort of this civil society organization, a lady at Ekita succeeded to get adequate compensation for her land that was destroyed and taken over by SG-SOC. Women are being educated by Oakland Institute on Land rights. Since the communities are today human and land rights aware, they have held their local politicians, MPs and mayors accountable to them. Some of the MPs, elites and mayors of the Ndian and Nguti areas have now through several communications to the management of SG-SOC and the government withdrawn their support for the land deals and instead opted to serve their people.

**Table 11:** Reasons for failures of women's resistance against LSLAs

SN	Reasons advanced	Number	%
1	Delay by authorities to address the problem	10	33.3
2	Suspicion among elites because of self interest	9	30
3	Lack of education, sensitization and illiteracy	3	10
4	Lack of means, and power	2	6.6
5	Patriarchy and women subordination	2	6.6
6	Poor coordination	2	6.6
	Total	30	100

Field work, 2015

The result is that as communities become aware of their rights, and as they get more empowered, they are able to protest against unfair deals. Some other villages have withdrawn earlier support given to the LSLA leading to the near stagnation of the activities of SG-SOC in the two Divisions.

## 9.2. The role of NGOs

Local and international NGOs have played diverse roles in helping marginalized women and local communities to fight for their land rights through education and resistance. The activities of NGOs are part of a general community outcry against LSLAs and can be appreciated through the examination of their actions, and *raison d'être*. NGOs tend to base their arguments against LSLAs on three fronts: 1). environmental/ecosystem protection, 2). the need for accountability to the local community, and 3). the protection of human rights and livelihood of affected communities. We have used the example of three different local NGOs based in each of the three divisions (Nature Cameroon in Kupe Muanenguba, Struggle to Economise Future Environment (SEFE) in Ndian, and *Comité de Gestion Environnementale et Sociale* (COGES) in Mungo to illustrate their role and that of a few international NGOs.

### 9.2.1. LSLAs and the question of environmental and biodiversity protection

#### *The use of Press Releases*

SEFE and Nature Cameroon have argued against the method used to acquire land and the fact that the activities of plantation companies are both detrimental to women and the environment. The two NGOs maintain that plantation agriculture, if not checked, will lead to the disappearance of indigenous forests, dry up streams, bring an end to traditional fishing, endanger biodiversity, extinct NTFPs and traditional sources of medicine, and exacerbate climate change and effects. They also complained against the unwanted effects of monoculture which are typical of plantation agriculture. In a protest addressed to the President of Cameroon contained in one of its several Press Releases, SEFE reminded the President how approval of large expanses of land in Ndian and Kupe is synonymous to accepting massive deforestation which is a major shift in the President's own policies from environmental protection to the destruction of nature. The Release recalled to the President some government policies and how the change of the name of the Ministry of Environment and Nature Protection to Ministry of Environment, Nature Protection and Sustainable Development, was seen as a giant policy step towards

environmental sustainability. LSLAs go contrary to nature protection and sustainable development.

In fact, promoting LSLAs in a very sensitive area like Ndian with parks (Korup national Park) and reserves (Rumpi) is anti-environment and makes environmental issues mere window dressing in Cameroon (Map 4). SEFE also highlighted the fact that the plantation projects are within a water catchment area that drains into neighboring communities' right up to Nigeria, and therefore the removal of trees could trigger a micro-environment and hydrology change which may lead to disasters like flood. This and other examples that demonstrated environmental impact of plantation activities make them unsustainable.

Like SEFE and Nature Cameroon, COGES is pushing for environmental sustainability in the Njombe area of Mungo where PHP operate its banana plantations. COGES observed that the presence of PHP promotes water, land and air pollution through chemical spraying, poor disposal of waste containers and plastics containing chemical remains. These plastic containers are dangerous for human health, particularly when poorly recycled and used. Women use containers previously containing chemicals at home to store drinking water and the blue plastic bags protecting bananas in the field after chemical spray from pest to sell food items. These plastic bags, it has been confirmed, are made from petroleum which is very dangerous to human health. COGES is sensitizing the population and at the same time putting pressure on PHP for better environmental safety measures. In so doing, PHP management carries out regular laboratory analysis of water around its plantation areas to ensure it is safe for the communities, and ensures that plantations are at least 50 metres away from human habitation to avoid the effect of pollution during air spray.



### **9.2.2. Demanding accountability and due process**

NGOs have come out forcefully to question how the process of granting land to investors is carried out, the extent to which it is transparent, and how it involves local communities and women. SEFE, for example through meetings, press releases and protests, raised legal issues with the 2009 Convention between MINEPAT and SG-SOC granting the latter 73086 hectares of land in Ndian and Kupe Muanenguba divisions. In a Press Release of December, 2013, SEFE explained how the Convention contravenes international instruments and Cameroon's land law which requires that a lease concession of this size be approved by a presidential decree. Pressure from SEFE and the local populations drew government attention to some of the irregularities of the process.

Even when the 2009 Convention was later corrected and replaced by the 2013 Presidential Decree, SEFE was still able to identify a number of lapses with the land granted and called for the Decree to be revoked. For example, SEFE reported that the amount of land signed out by chiefs and notables during the LCB meetings was different from that contained in the Presidential Decree. It also noted the following discrepancies: in Sikam the decree granted 3410 hectares of land while the technical document shows 3110 hectares. In Manyemen-Ebanga, the decree gives out 2941 while the technical document shows 2720 hectares amongst others. SEFE also highlights flaws with the various boundaries and villages named in the Decree and technical documents, indicating for example that land belonging to Beleme was designated as Beboka. These errors exist because the right consultation did not take place.

From a right angle, SEFE believes the process used to grant concession in the areas denied the inhabitants their inalienable rights to free, prior and informed consent and ignored an analysis of the impact of this project on the inhabitants. It reinforces the fact that the MoUs signed in 2010 by the investors and some of the chiefs were done without community representation. Demonstrating with clear evidence, we observed in the field that most of the chiefs live out of their villages and do not consult the population prior to meetings with investors, particularly since these meetings are not held in the villages. In addition

to the notion of absentee chiefs, SEFE, like our study, has raised questions about the technical ability of these chiefs to negotiate land matters with international business partners without assistance from elites and NGOs. The general impression even from the administration is that these chiefs and elites who are the main signatories are corrupt individuals who sacrifice the community for personal financial and material gains.

NGOs have also helped to protect local communities against unfair land deals and marginalization. SEFE, for example, led a campaign in 2012 at the demand of the community of Mundemba to produce hundreds of T-shirts reading "No plantations on our land". The T-shirts were to be worn by villagers during an official installation ceremony for a new top administration officer (SDO) for the division to make visible and public their opposition to the plantation company. The plan was however foiled by the forces of law and order (Grain, 2010).

Another key activity of NGOs is building the capacity of affected communities through education and workshops to demand for accountability from government, chiefs and plantation companies. These workshops which include many women participants focus on community rights to land, land laws and how to hold the companies accountable. Alongside workshops, there are sensitization meetings organized to prepare the population, especially whenever SEFE is aware of suspicious activities or of pending actions by investors, chiefs or government that might culminate in land grabbing. SEFE organized one of such meetings on August 4<sup>th</sup>, 2011 with over 400 people in attendance. The meeting was provoked when some chiefs and investors signed MoUs granting the former land without the consent of the population in Ndian. In 2013, Nature Cameroon undertook a sensitization and capacity building tour of 13 villages affected by LSLAs to educate these on how to demand for their rights in LSLA deals. As farm lands become scarce in plantation-dominated areas, COGES organizes women into groups of co-operatives to demand land from PHP in the Mungo Division.

Some of the results from the sensitization and capacity building so far have been fascinating. Villages like Ebanga, Babensi II, and Siyam are

either asking for renegotiation or for complete cancellation of the land deals. Some women have agitated and have seen their farmland destroyed by plantation projects re-evaluated and paid better compensation as noted in Ekita village. Local chiefs are now able to demand for better and clearer terms from investors before signing any MOU. The NGOs though disliked by the administration and plantation companies, are nevertheless invited to take part in meetings and for dialogue, which was hitherto not the case.

SEFE is absent even when invited to most events organized by government and investors in connection with what local company and administrative officials refer to as land negotiation meetings. SEFE and Nature Cameroon see the boycott of these propaganda meetings as a form of protest against illegality. Officials of these NGOs reported of several attempts by authorities from both the companies and the local administration at holding direct talks aimed at bribing, cajoling them to silence without success.

### **9.2.3. Legal suits**

Although local administrations may seem hostile, NGOs have left no stone unturned by carrying their campaign for justice even to the court system. In 2011, SEFE filed a complaint<sup>83</sup> in Ndian High Court<sup>84</sup> where they obtained a prohibitory injunction stopping SG-SOC from carrying out further activities on their palm nursery plantation<sup>85</sup> until due process and promises were fulfilled. In the usual arrogance the company violated this prohibition and the agents responsible were arrested. However, this decision from the courts was short-lived as the Judge handling the case was moved from the area, an act believed to be an administrative sanction for ruling against the company.

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<sup>83</sup> See Law suits No. HCKM/7/2011 and HCKM/18m/2011

<sup>84</sup> Struggle to Economise Future Environment (SEFE) v. SG-SOC, Herakles Farms and Dr Timti Isidore.

<sup>85</sup> On 31 August 2011, the High Court of Ndian Judicial Division issued an injunction against SG-SOC in lawsuit No. HCN/0030S/2011/1m/2011 (unreported) ordering suspension of operations on the oil palm nursery

SEFE filed another lawsuit against the government in *SEFE v. Minister of Environment (2012)*, in which the NGO complained to the Supreme Court against the Minister of Environment, Nature Protection and Sustainable Development for issuing a certificate of ESCIA to a company which did not meet the norms<sup>86</sup>. The case was admissible in the Supreme Court and the Minister was asked to address the claims of SEFE. Lawsuits are also among the avenues used by citizens to demand accountability. Disputes are brought before national courts and some of these have resulted in the suspension of projects or in marginal improvements for local populations where the court ruled in favor of the investors. Taking cases to court however may go with certain risks, especially in areas where limited freedom is available. Such risks also sometimes involve judicial officials who may be victims of political censorship. Having the support of high profile actors is also an empowering factor to engage with formal channels to seek legal redress.

#### **9.2.4. Reprisal on NGOs**

NGOs have faced aggression, intimidation and threats from agents of plantation companies and local authorities. In August 2012, for example, the Director of SEFE was physically assaulted on his way to an awareness-raising meeting in one of the villages by people associated with one of the investors in the area. Although the victim filed a complaint on assault against the presumed culprits on October 29th, 2012, no charges have so far been brought against them or the company. Representatives of two NGOs, Nature Cameroon, the Centre for Environment and Development (CED), and Greenpeace were physically assaulted by employees of this same plantation company while visiting one of the affected villages (Babensi II) at the request of the chief of the village in August 2013.

During preparations for a peaceful demonstration against land grabbing in the area in November 2012, the Director of SEFE and other members of SEFE were arrested at the organization's headquarters and held

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<sup>86</sup> The procedure for ESCIA is spelled out in Law no.96/12 of 5th August 1996 on the environmental impact assessment and its decree of application No.2005/0577/PM of 23rd February 2005

without charges. They were released following international criticism, including an appeal from the World Organization against Torture and the International Federation for Human Rights. Again, the local Lord Sheriff-Bailiff is alleged to have summoned the same Director of SEFE on December 31, 2013, at the request of an investor in the area, for “publication of false news via the internet”<sup>87</sup>. The Director of SEFE and four colleagues<sup>88</sup> are also facing law suits other charges for organizing “an undeclared public meeting” and distributing to the local population t-shirts with anti-slogans about one of the plantation companies operating in the area.

Nature Cameroon has been banned from educating local communities on the threats of large-scale plantation projects to their livelihood and environment. On September 11, 2014 the Divisional Officer of Nguti sub-Division summarily suspended its right of “holding or organizing any public meeting or manifestation” on the assumption of the NGO had held an authorized meeting, even though the decision suspending the NGO could not cite the date or venue of the said meeting (WRM, 2014). Nature Cameroon was banned in 2013 by the SDO on the recommendation of the DO for Nguti, accusing the organization of instigating illegal activities and violence<sup>89</sup>.

The role of NGOs in protecting both community and environmental sustainability in LSLAs in Cameroon is huge although these organizations are working under difficult conditions. They are looked upon by local administrators as opportunists and ‘enemies’ of development initiatives which are rare in the area. From the environmental perspective, local administrations believe there is enough land in the area compared to the people that should be developed, and that, in any case, government has the final word, not the villagers. One of the SDOs noted that “...these are empty lands, free lands which belong to the State and for this reason the State should

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<sup>87</sup> Law suit No.CFIM/063c/2013: *The People v. Nasako Bessingi and Others*

<sup>88</sup> Law suit No.CFIM/61c/2013: *The People v. Nasako Bessingi and Others*.

<sup>89</sup> The DO for Nguti believes that although NGOs have their role to play, activism is not encouraged because plantation companies bring development projects that address social needs.

use it as it pleases.... The villagers are not owners of these lands but they want to be the ones to sell them instead of the State....The locals cannot be asking for development (roads, schools and security) and at the same time are against development initiatives... they must be prepared to sacrifice in order to benefit from development.... SG-SOC therefore presents an opportunity for development which they must seize..." There are even other arguments invoked on consultation; one of such is that once consulted during elections, the ruling government does not have to consult the people again before carrying out development actions. Many communities and NGOs do not buy this argument. All the resistance witnessed in plantation areas is evidence of dissatisfaction with the land deals and their effects on the population.

**Table 12:** Female respondents' evaluation of the terms of transactions in LSLAs

<b>Response</b>	<b>Number</b>	<b>%</b>
Satisfied	10	27.7
Not satisfied	16	44.5
Not interested	2	5.6
Not seen document	8	22.2
Total	36	100

Source: Field work, 2014.

As indicated in Table 12 out of the 71% of women who have heard about the land deal, 44.5% were dissatisfied with these deals in Kupe Muanenguba. However, 27.7% thought the deals were okay, but many of these came from villages that had just lost their land and had not begun to feel the impact of the situation.

This is a positive step towards demanding accountability, but unfortunately not enough as elites, investors and government are still able to exert their power and influence to quash the efforts of these communities and NGOs through intimidation, threats, sanctions, lobbying, corruption and coercions.

# Chapter 10

## **Emerging Issues from LSLAs for Policy**

An investigation into the practice of LSLAs and how it affects the wellbeing of women and affected communities in its present form raises a number of key policy issues. These issues are important in understanding the winners and losers of LSLAs and the extent to which it is a win-win venture.

### **10.1. Women, LSLAs and compensation**

Compensation is a key element of LSLAs framed within the context of distributive justice since the LSLAs produce many victims. These victims seeking for compensation should remind those who hold that LSLAs take place on vacant land to reconsider their options. There are different categories of victims of LSLAs that include affected communities who lose the commons, and rural women, principal users of the land. The general opinion on compensation from the study is that compensation is a contentious issue and communities/women are not happy with the way it is handled by both government and plantation companies. Although there are laws governing compensation during LSLAs, victims believe that what is received as the actual compensation is not proportionate to the value of land lost or to the promises made to communities. More often than not, compensation made falls short of expectations.

While we did not focus on compensation, the study raised several pertinent questions that require careful analysis and examination, such as:

1. Who should be compensated, the State, community, heads of households, or those on the land?
2. What form should the compensation take and how is it to be calculated?
3. How should compensation be paid? (that is the timing, the impact, etc.)
4. How sustainable is the compensation scheme?
5. Is the compensation promised actually paid?
6. Where can compensation victims seek redress? and
7. How is community compensation different from corporate social responsibility of companies?

### **10.2. LSLAs and women empowerment**

The basic tenets of empowerment as articulated in the Longwe empowerment framework revolve around conscientization, participation and control. Conscientization implies that women are aware of their problems, rights, and other issues resulting from LSLAs. Participation emphasizes women's ability to take part in decisions relating to their lives and livelihood as in the process of granting land, where and the quantity of land. It also includes fair treatment and benefit from the gains of the process through employment and income. Control is the ultimate goal of women's empowerment because where women control factors of production, in this case land and their labor, they can take part in decisions relating to land deals and discussions on their wage rates and other working conditions. A critical analysis of the situation of women in all the three localities and companies studied indicates that LSLAs fall far short of empowering rural women.

Women could not easily participate in the process because of patriarchy, lack of land ownership, and sometimes lack of awareness of the importance of participation. Whatever the reasons, leaving out women from land negotiation disempowers them. Displacing rural women from their farmland and forest which serve as principal sources of their livelihood keeps them from effectively carrying out their triple

roles without depending on their husbands and men. The argument that plantation agriculture provided jobs for women and therefore empowers them is contentious. Although plantation companies provided some jobs to women, these were mostly unskilled, menial jobs or low level clerical services at entry levels, while men got skilled and managerial positions. Thus, men head and control the women both at home and at their work places. We could however not verify if the women even had control over the income they earned.

The jobs themselves were not secured as the women had no contracts and could lose these jobs at any time. Women's inaccessibility to well-paid, secured jobs is blamed partly on low levels of education and illiteracy. This is no excuse because the literacy level of rural women is known in advance by the companies which failed to provide women with some skills-enhancement opportunities needed to get better jobs. In the end, women got the least paid jobs with earnings too small to get them out of the vicious cycle of poverty and dependency.

To get out of the yoke of poverty imposed on women by patriarchy and capitalism, rural women need collective empowerment as a path to individual empowerment. Collective empowerment depends on strong women organizations or movements, which for now are unfortunately lacking in this part of Cameroon. Women's organizations focus on advocating for their land rights, land registration and resisting land grabbing. It could also be in the form of cooperatives that can solicit for funds, agricultural implements (seeds, agriculture technology, etc.) and finance large-scale mechanized agricultural projects, from production to marketing of finished products that serve women's interests. By this, individual women can effectively gain secured tenure over many hectares of national land, thus positioning themselves for competition with large-scale investors.

### **10.3. Representation and accountability**

Patriarchy is a key factor limiting women's participation in the LSLA deals as most Cameroonian societies do not believe women should have any say in land matters. This belief transcends customary settings into statutory land institutions such as the Land Consultative Board

where women were not represented. Customary jurisprudence regards women as minors with no voice on land issues and LSLAs actually enforce this notion instead of attacking and changing it. Rural women are principal victims who lose their land and livelihood to large-scale land deals, yet do not have the voice to articulate their concerns and issues during land negotiations on affairs that directly impact on their everyday lives. Occasionally, women are brought into meetings on LSLAs but those brought in are not chosen by their peers and so are unable to represent kind. These women are generally above 60, are not educated, not well informed, and play a passive or no role. Both the generational and the literacy criteria are often intended and designed to mystify women and make it difficult for them to understand the technical issues discussed.

### **10.4. Women's general attitude towards their neglect in the process of LSLAs**

Women of the area are generally acquiescent to their marginalization and neglect in the process of LSLAs. They rarely take the lead to demand for their rights and even when youths try to react, some women are reluctant to jump into the struggle. The result is that although they bear the brunt of LSLAs, there are no women movements or advocacy groups against massive land loss in all the three divisions studied. The general reason why women have stayed quiet is because of the belief system, fear, poverty, and lack of education and information. One woman in Ndian noted that "... we are occupied with feeding our homes than fighting the government or government-supported companies..." Going by this assertion, women are occupied with feeding their homes because they live within a prevailing context of deprivation and abject poverty. To them time spent in complaining is time lost in the war against poverty. Asking for their rights and fair share of compensation is fighting government and agro-companies considered as giant institutions and organizations. These women are forced to think so because traditional beliefs have for long kept them out of land matters. Others cannot demand accountability because they are largely unaware that their prior consent has to be sought. They have been

disempowered by lack of information on the different avenues for redress when their land rights are violated.

### **10.5. Women, LSLAs and environmental protection**

Large-scale land acquisitions have generated a number of environmental issues that question the extent to which the environment has to be traded off for agrarian transformation. Local NGOs and women in the localities studied complained of deforestation, destruction of biodiversity and watershed, water and air pollution, monoculture, among other problems introduced into their communities by activities of plantation companies. In addition to all these, community harmony with nature has been distorted and women in their quest for survival no longer care about the sustainability of their activities.

In more concrete terms, the environment in Ndian and Kupe Muanenguba Divisions is under intense pressure as plantations and forest reserves, watershed and other protected areas compete for the same space. In Mungo, the pressure and competition for land is between plantations, populations and urbanization. Here, plantation farms extend right into private habitations and vice-versa. The social cost of the manifestation of environmental problems is borne by the communities in addition to losing their land with little or no compensation. The statement here is not that plantation agriculture should not exist but that it should be practiced sustainably. This is where the question of conducting true environmental and socio-economic impact assessment prior to large-scale agro investments is important. But these assessments are either not carried out or when carried out the results are deliberately neglected because they do not favor investors and their investments. In the light of the above statements, how can anybody explain the fact that homes of villagers in Mbomegwandang are found inside the plantation of one of the companies? How can one explain that three different companies have been granted land in highly protected areas with national parks and reserves in Ndian and Kupe Muanenguba Divisions, known internationally as biodiversity hotspots for rare endemic and threatened species of animals? The answer lies in the fact that LSLAs, like many

profit-driven capitalist initiatives, violate national and international environmental laws and principles, which calls in question the popular slogan of LSLAs as win-win ventures.

### **10.6. The effects of the loss of the common**

The traditional mode of life within many communities in sub-Saharan Africa is characterized by the ownership and exploitation by local communities of common assets like forests, water and their associated resources. Private ownership goes contrary to this type of community life. This is a fundamental reason for the reluctance of rural communities to acquire land titles over customary land considered a common property and identity of a people that cannot be owned. Land is part of the common property which every individual can exploit without limit to his/her own advantage. Women's land rights in rural areas may be better protected under common rather than private tenure systems. Although Hardin (1968) sees the common as a resource from which each individual tries to pull as much benefit as possible, there is some degree of consciousness and regulation to avoid the consequences of over-exploitation. LSLAs contravene the commons as private interest undermines society's best interests. Companies acquire communal lands not for general but for their profit-making interests. Under such conditions, the commons is depleted and eventually ruined (Ponce, 2000). We should nonetheless note that the commons works well only under conditions of low-population density and not the reverse.

### **10.7. Women LSLA and food security**

Generally, plantation agriculture is export-oriented. Even produce such as bananas and palm oil that have local demand are rarely sold in local markets, except in super markets and in big cities, far away and out of the reach of the poor and rural dwellers. The result is that there is less access to both land and food for the rural poor. According to the Divisional Delegate for Women Empowerment, Mungo, it is difficult to talk of food self-sufficiency when women still do not enjoy secured land tenure and have lost their farmland and are forced by LSLA to travel

long distances to grow food<sup>90</sup>. They work on marginal or rented land and sometimes for unspecific periods. Within this context, women are not able to cultivate food crops like plantain, banana, palms which are highly demanded and profitable. There is pressure on available farmland and risk of attack from wild animals as they venture further into the forest. Even when the harvest is bountiful, these women are unable to get the food stuff to the markets because of lack of roads.

A combination of factors such as land scarcity, pressure on the land, poor farm to market roads, and production by agro-companies principally for export has led to hikes in prices for food in local markets. High food prices mentioned by respondents have unfortunately not been accompanied by rising incomes but instead by declining incomes in Ndian and Nguti, as inhabitants can no longer harvest and market NTFPs. Certain NTFPs such as *ngabi* oil rich in food nutrients and widely consumed in Ndian is no longer in the market. Plantation agriculture has displaced women and other community members from this traditional income generating activity and other sources of income from the forest. One woman remarked that NTFPs alone brought women more income than the wages they earn from PAMOL Company. In villages such as Fabe and Talangaye where one of the plantation companies temporarily suspended its operations, women, especially those who had abandoned their farmlands for plantation jobs suddenly became redundant, without a source of income or food for the family. The result is that villages that have enjoyed abundant food soon found themselves in a precarious food situation. The situation got worse as the few farmers in general and female farmers in particular who are responsible for household subsistence could not provide for the food needs of the village and their households under the existing conditions. The President of Women's Forum, Ndian added that during this time, government assistance (of high yielding, pest and disease resistant seeds) to farmers was also not forthcoming, a situation that significantly contributed to low food production and price hikes.

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<sup>90</sup>Interview with the Divisional Delegate for Agriculture, Mungo. (19/11/14),

### **10.8. Gender mainstreaming in LSLAs**

The provision of employment and social amenities as well as temporal farm lands to women by some of the agro-companies in Cameroon means that they can use these facilities and their remuneration to improve on their living standards without necessarily depending on their husbands. The extent to which investors can assist and include women depend not only on their goodwill but on the socio-cultural, legal and political environment which can either be a liability or an asset. While very few cultural norms about women's rights to land were seen to be evolving, the economic context of rural areas is rapidly changing. This dichotomy creates a mismatch between women's customary status and a capitalist economy leading to the unfair treatment of women. For instance, women's access to better plantation jobs depends on their level of education. Although mindsets are changing and both boys and girls have almost equal access to education, much is yet to be done to close the gender gap in education in many rural areas as women still lag behind men. This could mean leaving the white collar opportunities to migrants and men. Compensation is often paid only to men, sidelining women because men are seen in the eyes of most customs as heads of households even though women's crops have been destroyed. This was observed in this study in Mungo Division where women could receive the quarterly compensation allowances paid by PHP to natives only when they became widows.

In the short term, a gender-inclusive culture of LSLAs requires that national laws, policies and practices governing the process be revised to mainstream women through a participatory approach that includes their voices, interests and concerns in the process. A long-term solution requires profound reforms in the educational sector that will lead to a change of mindset towards women and women's land rights. Formal and non-formal education and literacy programs led by government institutions and NGOs should target all segments of the society including chiefs and chauvinistic male civil servants who resist change and perpetuate social injustices against women.

This positive change can occur when government and companies acquiring land put in place policies that create a range of activities

intended to reduce vulnerability and build resilience among women and other vulnerable community members. In fact, evidence from the study so far shows that a gender-inclusive agro-investment, if well designed and executed, will provide opportunities for both men and women. This could be achieved through the introduction of employment, income generating activities, and new technologies and services and assist in redistributing local resources in more equitable ways. When this happens, investors will also benefit from social stability, security, cohesion and high labor productivity from both men and women which will result in a considerable increase in their output, revenue and profits.

# Chapter 11

## The Way Forward

### 11.1. Conclusion

Cameroon, like other sub-Saharan African countries, has witnessed a significant increase in large-scale agricultural investments. These investments come from both within and without, requiring thousands of hectares of land. Believers of LSLAs argue that these investments, particularly those coming from without, will serve as a catalyst of development as it brings in foreign capital that will put 'unused land' into production and modernize local agriculture, leading to high productivity and growth. Beyond the expected gains in the agricultural sector, LSLAs will transform local infrastructure, create off-farm employments, and raise national revenue through taxes. Although these anticipated gains will benefit government and affected communities, women are also seen as those likely to benefit both directly and indirectly from job creation, social amenities and food security. This study examines the process of LSLA as implemented in some localities and reveals a variegated picture of the situation of women and affected communities.

The acquisition of large-scale land for agro-investment in the global South is not a development initiative meant to benefit poor nations and their local population whose land is taken away by agro-companies. Rather, it is a capitalist profit-motivated venture that has taken advantage of the weak legal frameworks and poor socio-economic conditions in affected countries to enter land deals skewed to favor

these agro-companies. Under these circumstances, the process is rarely fair and inclusive, and is often a long way from the win-win situation it purports to be. In Cameroon, while the state might have supported and facilitated the process of land acquisitions, particularly by foreign companies through its local officials and forces of law, there are no financial or substantial gains to show for in the localities studied. Like the government, the situation of communities who gave out their lands is even worse. They have lost the rights to the commons, generally for little or no compensation. The exclusion of the affected population and women in the process of LSLA has dealt a serious blow on women's rights to land, a major factor of production, thereby denying them rights to development. They have lost not only access to farmland but also sources of income and livelihood.

The so-called gains in the form of off-farm employment or social amenities, if any, have not been able to make up for the loss, forcing popular resistance from communities across the country wherever land has been taken without due process of participation, prior consultations and consent. Although women's participation will not automatically change their fortune, their voices are nonetheless critical in the negotiations and in the choice of compensation alternative and livelihood strategy to land proposed to them. The non-respect of women's land rights and environmental justice by LSLA promote international and local protests and resistance from affected populations and NGOs. All the stakeholders, especially the government and the investors, must ensure that all the rules of the investment are adhered to if LSLAs that have come to stay are to be win-win ventures.

All in all, the absence of women's representation in the process of LSLAs is explained by the unfair power structure that promotes the rule of men or patriarchy. Rural women are therefore unable to act and benefit from the process like men because they have been limited by the social roles defined for them by society as constructed sometimes by customs based on their biological differences. Although the majority of women may face oppression and marginalization as the study has demonstrated, Nussbaum (2000) argues that this does not apply to all women because there is nothing like homogenous cultures or victims in

developing countries. Women, economic, political or urban elites do not face the same challenges on the land as faced by the rural poor women. What may be universal is the fact that women are fighting for their rights everywhere although the form of oppression they are fighting against may be different. Women's struggle for land rights however constrains their equal power relations at local (men and chiefs) and international (international capitalists) levels.

## **11.2. Recommendations**

### **1. Ratification of land deals by national parliament.**

Given the scale and implication of land acquired particularly by foreign and multinational companies, all large-scale land deals should pass through parliament. This will provide for indirect consultation and scrutiny by parliament and allow female MPs and women parliamentary caucuses to make their inputs. In addition to obtaining parliamentary approval, the process will promote transparency as these deals will be published and followed up by parliamentary commissions of inquiry in cases of problems during implementation.

### **2. Ensuring women and community participation in land deals and accountability**

Women and community participation in land matters at all levels should be made statutory and mandatory to enable land deals to enjoy both legality and legitimacy. Laws should provide for the direct inclusion of women as statutory members in institutions (LCB, SBC, traditional council, etc.) managing land in Cameroon and only endorse land deals that show proof of effective consultation and community consent. In addition, the state should put in place gender-sensitive handbooks that define the actors, steps, and institutions involved in LSLAs and a checklist for accountability, quick reference and transparency.

### **3. Adequate compensation for land lost to LSLAs**

Communities and women who depend solely on the land should be adequately compensated and enjoy regular benefit for as long as the plantation is on their land. The land deal negotiated should accommodate such long-term compensation schemes.

#### **4. Downsizing the quantity of land and land use planning**

The quantity of land requested and approved should be regulated, taking into consideration issues related to food security and environmental protection. This means prioritizing smallholder schemes and productivity over extensive agriculture. A land use planning and zonation policy in rural areas that sets aside farmland for women before selling land to plantation companies is vital. This practice will promote women's economic emancipation, empowerment and food security.

#### **5. Building capacities of rural actors in LSLAs**

This will require the intervention of NGOs and the state to build the capacities of chiefs, elites and women to be good negotiators of large-scale land deals. The same capacity building in advocacy for effective women agency against exclusion and marginalization in land matters is important for women organizations in rural areas.

The state should ban MoUs between chiefs and investors as these MoUs have no legal standing and only serve the selfish interests of the signatories.

#### **6. Engendering the process, implementation and benefits of LSLAs**

Large-scale land deals should contain clauses that require agro-companies to provide rural women with prior job-related training that will enable women to compete and gain at least 30% of all jobs emanating from LSLAs. Similar clauses should hold investors accountable and ensure that promises to affected communities are feasible and time-bound. Companies should present to government (MINPAT in this particular case) regular reports on the realization of these promises.

#### **7. Promoting the ventilation of information and sensitization**

Information and official documents (e.g. decrees) on any land deal should be made accessible to affected communities and the public through the traditional and modern media sources. This information should be regularly updated on government websites and social media pages of ministries concerned.

A good data base is needed to control land grabbed by elites and companies. Government should digitize and update national land records. The current absence of a national digital data base for land in Cameroon makes it difficult for authorities concerned to ascertain who owns what land and in what quantity and where. Companies and elites take advantage of these loopholes to grab as much land as they want and at the expense of the poor without being seen to be infringing the law.

Sensitization on the importance of women's land rights is needed to challenge stereotypes, customs, traditions or beliefs and generational mindsets that prevent women from enjoying equal land rights as men. Allowing people to share experience and the use of role models of successful women entrepreneurs could be very effective.

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# APPENDIXES

## INTERVIEW GUIDE FOR GOVERNMENT OFFICIALS

### Check List (for the Interrogator only)

1.	Name of Government Ministry	
2	Name of Government Department	
3	Name of Locality	
4	Position or Rank of official	
5	Contact if available	
6	Consent form signed	
7	Date of interview	
8	Interviewed by	
	General comments if any	

## INFORMED CONSENT OF RESPONDENTS

This research is carried out by the IDRC-UB Large Scale Land Acquisition Project. The project is sponsored by the Canadian based International Development and Research Centre (IDRC) and is carried out in three countries: Ghana, Uganda and Cameroon.

The main objective of the research is to examine the conditions under which women can be empowered to effectively participate in the processes of LSLA and the ensure that the legal and policy frameworks foster better accountability and legitimacy in land governance in sub-Sahara Africa.

There is no risk associated with completing this form. Your consent is sought simply because we want to be sure that you provided us the information willingly and freely. You do not need to answer any question if you don't want to without any consequences. All information that you provide is confidential, will be used strictly for academic purpose and in an aggregate form. Nothing that you write or say will be attributed to you except you specify so. This form and the interview will be handled separately.

Your participation will advance our research and will serve as a contribution for the advancement of women and Land Reforms that will foster the development of Cameroon. If you have questions concerning your rights as a participant, please contact me using the address below.

Thank you for your assistance

Lotsmart Fonjong

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Principal Investigator

Tel: 677 513 620

[flotsmart@gamil.com](mailto:flotsmart@gamil.com)

Respondent's Name and Sign

## IDRC-UB Large Scale Land Acquisition in Sub Saharan Africa Project

Large Scale Land Acquisitions and Implications for Women's Land rights in sub-Saharan Africa

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### RESEARCH INSTRUMENTS NUMBER 1: FOR GOVERNMENT OFFICIALS

#### Situation of LSLA

1. Why is the government interested in LSLA?
2. What drives the large scale land deals now and not say 15years ago (for secondary data)?
3. Who are those acquiring large scale land in this area?: Elites, Foreign Investors, local businessmen, Public officials, etc
4. What informs the government choice of investors?
5. What kind of land is made available for LSLAs? Private land, Public land, Community land, unused land?

#### **Accountability: Institutions, legal and policy framework, representation, sanction, interaction, transparency, information flow, internal and external monitory and evaluation, rights, capacity**

1. What formal/informal roles does your institution play in the process of land acquisition in this area? (Probe roles in various stages such as initial contact, negotiation, legalising the agreement and implementation/use etc?)
2. What structures guide large scale land acquisition and what representation do women have in these structures? Do women play a leading role in these structures; why or why not?
3. What are roles of different actors (government, media, NGO's) in supporting the community?
4. What has been communities' response in general and women's response in particular? (What have they considered effective and why and what have they considered not effective and why?)
5. What is/are the main method(s) of land acquisition: Lease, Multiple contracts Purchase, Others (specify)
  - a. Does the administration seek the consent of the local population before deciding on specific lands to be acquired?
  - b. If no what avenues exist to involve local communities or make them aware of the deals?

## 6. Which administrative /government officials are involved in the process of LSLAs?

Authority	Yes	No	Reason(s)
Divisional Delegates (Specify)			
Divisional Officer			
Governor			
Minister			
Municipal authority			
Senior Divisional Officer			
Traditional authority			

7. Who are the rights holders? Are the rights holders consulted and do they give informed consent in such deals?
8. What are the types of consultation involved?
9. Who were the various actors that government involved in the process of LSLA (probe: role of women; which women were involved?-queen mothers, female landowners, market women, businesswomen, others?)
10. How were they involved (at what stage were they involved; what issues did they raise; and were their (women) issues taken into account?
11. Did the government educate the rights holder to be strong active players in such deals?
12. Was there an agreement/contract document and if so, was this easily accessible to the public? if yes why and if no why not?
13. How can the home government, MP, etc. be effectively accountable to the masses and rights holders particularly
14. What mechanisms have been put in place to monitor the implementation of the terms of the convention (specify convention)
15. What have been the community responses to these agreements? Who has led them? And with what outcomes?
16. What have been women responses?
17. Should government institutions be involved in situations of private land transactions? (Give reasons)

**Governance: Laws, management, institutions and structure, inclusion, fair compensation, land, livelihood and displacement, rules**

18. What are the constitutional provisions/laws stipulating your roles in this process?
19. What legal mechanisms/constitutional provisions detail who you should be working with?
20. To what extent are you able to carry out your duties as stipulated by law?
21. What laws do you use in addressing issues of large scale land transactions?
22. How adequate is the existing legal and policy framework in regulating LSLA in this area? what is the level of women's involvement, are they consulted, what issues did women raise, what mechanisms were in place to protect their interests, is it necessary to have these mechanisms ( representation, compensation, involvement)

23. What kinds of compensation plans were prepared at government level for local communities and for whom?
24. What were the specific considerations for women?
25. How have the duality of laws facilitated the land concessions?
26. What factors did you consider in determining the compensation?
27. What safeguards have your community put in place to ensure scrupulous adherence to the terms of the convention?
28. What has the government/administration done to ensure that land deals address the impact on women and livelihood?
29. Are there aspects in the agreement that breach user rights?
30. What mechanisms are put in place to address breaches of the convention?
31. Were people displaced because of the land deals? Were they compensated?
32. What kind of benefits was the community entitled to? Did they received their benefits?
33. The percentage of the profit

(a) Development projects

Project	Level of realization		
	Not started	Started	Realized

**Legitimacy: Representation, Collaboration, mutual acceptance, perception, agreement, partnership**

34. To what extent do you think these land agreements were fair and just?

**INTERVIEW GUIDE FOR LOCAL WOMEN/LOCAL COMMUNITIES  
(PROBING: WOMEN)**

1. Who owns the land over which the concessions are made
2. What are some of impacts related to land transactions that you have experienced as a community?

SN	Positive impacts	Negative impacts
1		
2		
3		
4		
5		
6		

3. Has any community or group been displaced from their land or sources of livelihood so far due to LSLAs?
4. Is there any form of organizing by women to demand accountability for the land transactions?
5. Please, tell us more about these organizations if any

SN	Organization	Some activities and achievements
1		
2		
3		
4		
5		

6. Do you think the ownership of land certificate or non- ownership of such has any bearings on the land transactions?
7. What activity were you carrying out on the land before the land deal?
8. (a) Are there any promises made by the company concerning infrastructural development?  
(c) If Yes in what domain(s) (d) Have these promises been realized?  
(e) If No, how do you intend to hold the company responsible/accountable?
9. Identify the socio-economic activities in the region (also identify the actors) in the table (generate a land used map)

Activity	Actors			
	Men	Women	Youths	Others (specify)
Cash crop cultivation				
Collection of medicinal plants				
Collection of Non timber forest products (NTFPs)				
Exploitation of fuel wood				
Fetching of water				
Fishing				
Foodcrop cultivation				
Grazing				
Hunting				
Tourism				

10. (a) Do you think your rights to livelihood have been deprived by the land deal?  
(b) If Yes, in what way?
11. (a) Who represents the community in the negotiations for land deals?

Men; Men& women; Chiefs/notables; Local NGOs; others (specify)

(b) Are their technical skills taken into consideration? (c) If Not Why?

(c) If men or women; are their levels of education taken into consideration?

(d) What was the basis for selecting these men and women who represented your community in these negotiations? (Use the table below for question 11)

Characteristics of representatives	Men	Women	Chief/notables	NGOs	Others
1. Level of education					
2. position in the community					
3. Special technical skills					
4. Other considerations					

12. (a) Do you think the activities of the companies here might have affected the activities of women? (b) If Yes how? Loss of farmland; loss of or reduction in income; Abandonment of activity; Out-migration; Other effect (specify)
13. (a) Are there any formal groupings/structures within the community that can take up action to fight in favour of the women? (b) If Yes Name them (c) How do they carry on with their 'fight'?
14. (a) Is there a common fund from which resources (financial) can be drawn to undertake expenses on behalf of the community?  
(b) How workable is it (in terms of contribution, regularity, etc.)?
- Very workable      Workable      Partially workable      Not very workable  
(c) Is the fund contributed by both men and women?
15. Are there any formal structures or network to protect the land/resources from excessive exploitation?
16. Is this community aware of any non-transparent transactions in the land deals?
17. (a) Is there a common fund from which resources (financial) can be drawn to undertake expenses on behalf of the community?  
(b) How workable is it (in terms of contribution, regularity, etc.)?
- Very workable      ; Workable; Partially workable; Not very workable  
(c) Is the fund contributed by both men and women?
18. Are there any formal structures or network to protect the land/resources from excessive exploitation?
19. Has any member of your community seen the convention signed between the government and the companies? (Probe for women, men, chief, local politicians, NGOs, etc)  
Are the terms what the community actually consented to?
20. Are women part of the land administration structures like traditional councils and negotiation committees? Has this always been the same or has it changed over time? How and why?

21. Do locals who are employed have employment contract specifying remunerations, duration of employment, conditions and terms of work, etc?
22. Are there any institutions like NGOs to which you adhere in times of need (for financial support, building up capacity, liaising with partners/authorities, etc.?)
23. Briefly explain where the community seek recourse in case of rights violation
24. Are there any institutions like NGOs to which you adhere in times of need (for financial support, building up capacity, liaising with partners/authorities, etc.?)
25. Were you (probe men and women) satisfied with the terms of the transaction negotiated on your behalf as a community? Why/why not?
26. What strategies have you used to fight for your interests?
27. What attempts have you made to bring your concerns (dissatisfaction presumes negative answer) (both in terms of actors involved, terms of transactions, access etc) to the attention of the authorities (formal or informal authorities)?
28. How successful/unsuccessful have you been?
29. What, in your opinion, accounts for your success or lack thereof?
30. Have you as a community registered any resistance with regards to large scale land transactions by women especially?
31. Is there any form of organizing by women to demand accountability in the land transactions? If so, what kind?
32. What do you think can be done to ensure that women are included in the processes of Large scale land transactions in this community? (probe in regards to laws, policies and practices)
33. How would you describe this land: Very useful; Useful; Marginal; Idle

## INTERVIEW GUIDE FOR TRADITIONAL LEADERS/ CHIEFS

1. How much land does the community have? (unit of measurement=hectares or acres?)
2. Based on the total land available in this community, what quantity do you think your community conveniently given out to investors?
3. How much land has been leased in this community? How land is generally allocated to the community members?
4. To whom have these lands been leased? (Presupposes one lease, foreigners or indigenes?)
5. For how many years has the land been leased?
6. What role did you play in these LSLA deals
7. Did you fully understand the conditions of grants
8. Why did you accept the Land deals
9. What informs your choice of investors?
10. Have you seen the convention or the terms of the convention
11. What procedures did you follow coming to an agreement over these LSLA?
12. Who were the various actors? (Probe role of women which women? Leaders? Queen mothers,) and what role did they play?
13. What factors determined who was/was not involved?
14. How was your community compensated for the deal? (Probe women)? Who was compensated? Are you satisfied?
15. Describe briefly the type of development promises made to your community and which ones have been delivered?
16. What was the basis of these promises? (probe to find out if they were requested by the communities, if there are community needs or were simply decided upon by the investors)
17. Did the investors carry out any socio-economic impact assessment prior to the negotiation for land acquisition? (probe to find out how they are aware of this) If No, why?
18. List the main results of this assessment where they were carried out

Sn	Focus areas of assessments	Results
	Agriculture	
	Food security	
	Displacement	
	Environment	
	Water	
	Sacred sites	
	Land shortages	

19. (a) What are some of the provisions that exist if any, for displaced women to regain their lost lands to foster sustainable agriculture?

(b) If no, why?

20. (a) Are there local people represented in the Management Board of the companies involved in the land deals?  
 (b) If yes, how many and who are they? (Probe to know if they are local elites, chiefs, women, politicians, etc)  
 (c) What percentage of this number is made up of women?  
 (d) Why?
21. Describe the kind of jobs given to your community members

Types of job	Women			Men		
	Age	Class	previous	Age	Class	previous

22. What concrete framework if any have you put in place to ensure the following:  
 (a) Job sustainability  
 (c) Environmental sustainability
23. How can you and fellow chiefs use your power and authority to object to such deals if you think it will not be beneficial to your community?
23. List some cases where these power have been used against deals that are not beneficial to your community if any
24. What safeguards have your community put in place to ensure scrupulous adherence to the terms of the convention.
25. What mechanisms exist for citizens to raise their grievances?

Mechanisms that exist	Affected women	Men affected	Community

26. What mechanisms have you put in place to protect the rights of the community, and the women in particular and how effective have they been?
27. Do you have a copy of the agreement?
28. Are you able to renegotiate the land deals? Under what circumstances? how? Why? Why not?
29. If you have the opportunity what would you change?
30. If rights of community are violated do you know the mechanism and procedure for redress?
31. For what purpose have these lands been leased? How has the usage changed over time, i.e. the purpose?
32. What factors did you consider in determining how much to value your lands?
33. Who initiated the land transaction (probe exact characteristics of comprador elite)?

34. What procedures did you follow in coming to an agreement over the terms of the lease? (probe terms of agreement)
  35. Who were the various actors involved in the land transfer process (probe migrants, indigenes, the elderly, the youth, males, females, specific religious groupings, specific families, any others)?
  36. Has there been any conflict in the community over the land transfer?
  37. Who are the aggrieved and what are some of these grievances?
  38. What is the basis of their grievances?
  39. What actions, if any, have been taken to redress these grievances?
- Use the table below as check list for question 36-39

List of grievances	Those involved		Actions to address them	Effectives
	men	women		

40. How would you describe this land: Very useful; Useful; Marginal; Idle

## INTERVIEW GUIDE FOR INVESTORS

1. Name of company:
2. International Headquarters; Local headquarters; Other countries in which you operate
3. Major sectors of operation: Agricultural; Mining; Forestry/timber; Others (specify)
4. Main activities; Major outputs
5. Start date in country?
6. What drives the land deals now and not say 15years ago?
7. What were your motivations for soliciting land in this country for large-scale agriculture?
8. Where in this country do you operate or intend to operate? Region(s); Division(s); Sub-division(s)
9. What area of land does your company occupy in this country?  
Localities \_\_\_\_\_ Area  
(hectares) \_\_\_\_\_
10. How would you describe this land: Very useful; Useful; Marginal; Idle
11. Have there been changes in the original plan in terms of land use? Why? What were these changes?
12. What formal and informal rules/channels if any, did you use in the process of land acquisition?

1	Formal rules and channels	informal rules and channels s
2		
3		
4		
5		

13. What role(s) did the following groups/personalities play in the process of the acquisition?

Group/Personality	Role in land acquisition
Chiefs	
Divisional Officer	
Elites	
Governor	
Local council	
Local MPs	
Local NGOs	
Men	
Civil administrator	
Women	
Youths	
Others	

14. Who participated in the signing of the agreement (probe: women)?
15. Name the ministries and government departments involved in the land acquisition process in the following table;

Ministry	Government department(s)	How were they involved

16. Did you obtain the informed consent of all the stakeholders of the communities prior to negotiation with the government?  
 (b) If yes, how  
 (c) If No, how do you intend to do with those whose consent you could not get?
17. Did you ensure full disclosure of your activities to the population?
18. Were people displaced because of the land deals? Were they compensated?
19. What are some of the reactions of women and members of community this community that were displaced?
20. How did the community, women in particular initially react to your proposal?
21. If reaction changed over time what length of time did it take the community to change its reaction? Why? How long did it take?
22. What kind of benefits was the community entitled to?  
 (b) The percentage of the profit  
 (c) Development projects

Project	Level of realization		
	Not started	Started	Realized

23. Are there local people represented in your Management Board?  
 (b) If yes, how many?  
 (c) What percentage of this number is made up of women? (d) Why?
25. Are there any avenues for mutual accountability between your company and the communities where you operate? If yes explain
26. What concrete framework if any have you put in place to ensure the following:  
 (a) Job sustainability (c) Environmental sustainability

27. Did you carry out any socio-economic impact assessment (EIA) prior to your negotiation for land acquisition in the areas where you operate?  
(b) If No, why?
28. What provisions were made for displaced women to secure alternative lands?
29. What proportion of your work force is comprised of the following local people?

<b>Type of work force</b>	<b>Number</b>	<b>Reason</b>
Skilled Women		
Unskilled women		
Skilled men		
Unskilled men		

30. In what ways do you think your investment in this community can lead to a win-win situation?

## Interview guide for civil society actors

1. Name of the organization
2. When it was established
3. Geographical coverage
4. What kinds of activities are you engaged in in relation to LSLA in the country?
5. For how long have you been working in these various communities?
6. In what specific communities have you worked?
7. How did you decide on the choice-of the communities (probe initiators of this idea)
8. What kinds of land laws do you work with in your advocacy efforts?
9. Which state actors (probe MMDAs) do you work with in your advocacy efforts and how?
10. Which other organizations do you work with?
11. Which women organizations do you work with?
12. What prompted your interest in LSLA matters (probe both local and international factors)?
13. How do you support the affected communities to demand for accountability?
14. To what extent have you been successful in your work (probe M & E indicators) beyond numbers (public interest litigation, education, mobilization, and advocacy)?
15. What measures are you using to define your success (probe issues of particularly horizontal accountability and the various groupings to which accountability was sought)?
16. What has been the impact of your work on women?
17. What in your opinion accounts for your success or lack thereof?
18. what have been the challenges while working on LSLAs issues
19. In your opinion, how did the investment impact on women's land rights?
20. What has been the response of the state, communities (women in particular) and investors to your activities?
21. Do you feel legitimate to represent these communities? Why and why not? (include table of indicators of legitimacy)
22. How have you ensured that the community support this cause?
23. What sustainability plan have you put in place
24. To whom is your organization accountable to? (probe women, investor, government, community)
25. What are the mechanisms put in place to ensure this accountability? (paste indicators of accountability)
26. what challenges have you encountered in this advocacy work
27. Give reasons on how accountability will be enhanced in LSLA process

## **Citizen Action Groups**

1. Name of the group
2. When did it start its activities?
3. Objectives of the group
4. Composition of the group and characteristics of the members: probe for number of male and female, social characteristics (age, ethnicity, migrants, elites, political leaders)
5. Number of communities represented
6. Who is the leader of the group?
7. What motivated the members to start this group?- probe for issues the group intended to tackle or is still handling?
8. What are the community mobilisation strategies and in particular women to fight against injustices and trying to demand for accountability
9. Methods/strategies of making the investors and the existing structures handling LSLA matters from the local to the national level to make them accountable and respond to the demands of the affected populations (e.g. registering grievances with the local authorities, demonstrations and public protests, petitions to parliament, public meetings, legal action, media and other information mechanisms etc
10. What has been the role of women in this struggle to demand for accountability?
11. Which actors have been in support of your cause (media, politicians, activist NGOs (local and international), legal fraternity). For each actor mentioned probe for the role and nature of support and what they have achieved dissemination?
12. State response and designated local government structures for handling such conflicts arising from investments
13. From experience, tell us what has been the outcome of these engagements and reasons
14. What has not worked and why
15. How can we make LSLA more responsive to the needs of the affected populations and in particular women

REPUBLIQUE DU CAMEROUN  
 Paix – Travail – Patrie  
 \*\*\*\*\*  
 MINISTERE  
 DE L'ENSEIGNEMENT SUPERIEUR  
 \*\*\*\*\*  
 SECRETARIAT GENERAL  
 \*\*\*\*\*  
 DIVISION DE LA RECHERCHE ET  
 DE LA COOPERATION UNIVERSITAIRES  
 \*\*\*\*\*  
 CELLULE DE LA RECHERCHE UNIVERSTAITRE  
 \*\*\*\*\*



REPUBLIC OF CAMEROON  
 Peace – Work – Fatherland  
 \*\*\*\*\*  
 MINISTRY  
 OF HIGHER EDUCATION  
 \*\*\*\*\*  
 GENERAL SECRETARIAT  
 \*\*\*\*\*  
 UNIVERSITY RESEARCH  
 AND CO-OPERATION DIVISION  
 \*\*\*\*\*  
 UNIVERSITY RESEARCH UNIT  
 \*\*\*\*\*  
 Yaoundé, le

14 / 00033  
 N° \_\_\_\_\_ /MINESUP/SG/DRCU/CRU

04 Jan 2014

Monsieur le Ministre de  
 l'Enseignement Supérieur

A

Madame le Directeur Regional de  
 l'International Development Research  
 Center (IDRC)

Nairobi KENYA  
 Fax 254 20 271 1063

Réf. : Votre mail du 10 décembre 2013

**Objet : Approbation Gouvernementale**

Madame le Directeur,

J'ai l'honneur de vous informer que j'ai reçu copie de votre correspondance dont l'objet et les références sont repris ici en marge et qui concerne l'attribution d'une bourse de recherche pour : Large Scale Land Acquisition in Sub-Saharan Africa à des équipes de recherche de trois pays dont le Cameroun, considéré comme Chef d'équipe.

Y faisant suite, je marque l'accord du gouvernement à cette attribution en souhaitant que les résultats de ces recherches contribuent à accroître la coopération régionale et soient profitables à l'Enseignement Supérieur du Cameroun.

Tout en vous transmettant mes souhaits de Nouvel An, je vous prie de recevoir, Madame le Directeur, mes vœux les plus sincères.

**Copie : Mme le Vice-Chancellor**



**CAMEROON DEVELOPMENT CORPORATION**(INCORPORATED UNDER DECREE N° 82/038 OF 22<sup>nd</sup> JANUARY 1982)  
SHARE CAPITAL 35,718,550,806 FCFA

TAX PAYER'S N°: M014700000245B

BOTA – LIMBE  
SOUTH WEST REGION  
REPUBLIC OF CAMEROONDHR/AD/2  
TMS/AD/322<sup>nd</sup> October, 2015Lotsmart Fonjong  
Vice – Dean and Principal Investigator  
IDRC – UB Large Scale Land Acquisition  
Research Project,  
University of Buea  
South West Region.

Dear Sir,

**RE: REQUEST FOR RESEARCH AUTHORIZATION**We acknowledge receipt of your request in relation to the above subject dated 9<sup>th</sup> October, 2015.

Please be informed that your request has been granted.

You are requested to contact the office of the Director, Human Resources for further directives.

Yours Faithfully,  
For: Cameroon Development Corporation  
HENRY NJOMO BOKE  
DIRECTOR, HUMAN RESOURCES

cc: PMSM

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REPUBLIQUE DU CAMEROON  
Paix -Travail-Patrice  
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REGION DU SUD OUEST  
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DEPARTMENT DU KUPE MUANENGUBA  
-----  
PREFECTURE DE BANGEM

REPUBLIC OF CAMEROON  
Peace Work Fatherland  
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SOUTH WEST REGION  
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KUPE MUANENGUBA DIVISION  
-----  
SENIOR DIVISIONAL OFFICE, BANGEM

No-----

The Senior Divisional Officer,

To whom it may concern,

**Subject: Authorization to carry out Research**

I have the honor to refer to letter No 14/00033/MINESUP/SG/DRCU/CRU of 08<sup>th</sup> January 2014 from the Minister of Higher Education granting an authorization to the Regional Director of The International Research Center (IDRC) Nairobi.

I therefore enjoin all stakeholders connected with the research to give maximum collaboration to the accredited team led by Dr. Fonjong, currently working in Kupe Muanenguba Division within the confines of the said authorization. I count highly on the diligence of each and every one in the treatment of this matter.



LE PREFET

30 JAN 2014

*Anderson*  
*Anderson*  
Administrateur Civil Principal  
Hors - Echelle

REPUBLIQUE DU CAMEROUN  
Paix-Travail-Patrie  
REGION DU LITTORAL  
DEPARTEMENT DU MOUNGO  
PREFECTURE DE NKONGSAMBA  
SERVICE DES AFFAIRES  
ADMINISTRATIVES, JURIDIQUES ET  
POLITIQUES



REPUBLIC OF CAMEROON  
Peace-Work-Fatherland  
LITTORAL REGION  
MOUNGO DIVISION  
DIVISIONAL OFFICE NKONGSAMBA  
ADMINISTRATIVE, LEGAL AND  
POLITICAL AFFAIRS  
SERVICE

N° 080 /A.R/C.16/S.A.A.J.P

### AUTORISATION DE RECHERCHE

Le Préfet du Département du Moungo soussigné, autorise à l'équipe de chercheurs du « Social Science Group » (SOSREG) de « l'International Development Research Centre » du Canada (IDRC) et de l'Université de Buea (UB), conduite par le Docteur Lotsmart FONJONG (Téléphone: 77 51 36 20) à effectuer des recherches portant sur le thème de « Large Scale Land Acquisition in Sub Saharan Africa and its Implication for Women's Land Rigths in Cameroon » (recherche sur l'acquisition des terres en Afrique sub-saharienne et ses implications sur le droit d'accès à la terre par les femmes) dans le Département du Moungo.

Sont exclus de la présente autorisation, qui prend effet pour compter de sa date de signature est établie pour une durée de (02) deux ans renouvelables, toutes autres formes de recherches qui n'entrent pas dans le cadre du thème susvisé.

En foi de quoi, la présente autorisation est établie pour servir et valoir ce que de droit./-

Nkongsamba, le 31 JUL 2014

**Ampliations:**

- intéressé ;
- Chrono/Arch.

**LE PREFET;**

Pour Le Préfet et Par Délégation,  
Le 1er Adjoint Préfectoral



*Bata Sou.*  
Administrateur Civil