

MAPPING COMMUNITIES, MAPPING RIGHTS: PARTICIPATORY COMMUNITY MAPPING AS RIGHTS CONTESTATION IN CAMEROON

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Since the colonial period², Cameroonian forest governance has been characterized by a system of public domain forests, which includes, among others, forests under exclusive ownership of the State. Classified mainly between 1930 and 1950, the State forest reserves form an integral part of the system from a legal standpoint, as they are registered in the name of the state. State forest reserves, which cover a total area of 920 000 hectares, include reforestation areas, protected forests, ecological reserves, recreational forests, and research forests.³

In Cameroon, public domain forests serve as an important source of state revenue. As Mbile *et al.* point out,

During the last decade and a half, the exploitation of Cameroon's timber resources has markedly contributed to state revenues... In 1993/94, concession timber made up 34 percent of total exports – compared to 27 percent in 1992/93 and 23 percent in 1991/92. Prior to the very recent, yet unevaluated emergence of solid mineral, the forestry sector ranked second only to petroleum in contributions to State revenue and represents a potential force for economic transformation and growth especially in forest zones.⁴

In addition to creating revenue, forests are rich ecosystems marked for conservation⁵. These forests are also home to Indigenous peoples and local communities, whose systems of resource management and land use predate the colonial era. Forests play a dual role as both a public good and a local site of great economic and social significance to communities. As such, the public forests of Cameroon are also subject to a dual set of tenure laws, each based in their own logic⁶ and each with different implications according to various actors. The Cameroonian experience with dualism can be simply summarized as follows:

- **Dualism between legitimacy and legality: the overlap and coexistence of modern tenure regimes with customary tenure regimes.** This dualism is legal because each regime is founded in legitimate, legal frameworks. The interface between customary tenure (in essence, communities' historic claims to ownership based on their status as first inhabitants) and modern tenure (in essence, rights based on written laws recognized by the State) is



Figure 1. Ninety-six percent of Cameroon's forests are allocated to state reserves and private concessions.
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1 Special thanks to the Center for Environment and Development (Cameroon), Samuel Assembe at the Centre for International Forestry Research, and to Angeline Ndo Engolo Evina for providing background information.

2 In 1960, the French-administered part of Cameroon became independent as the Republic of Cameroon under President Ahmadou Ahidjo. The southern part of British Cameroon merged with it in 1961 to form the Federal Republic of Cameroon, which is now named the Republic of Cameroon.

3 The 1994 law "Décret n° 95-531/PM," Article 2, defines 8 categories of state forests: ecological reserves, wildlife sanctuaries, protected forests, recreational forests, forests designated for research, production forests, reforestation zones, and botanical gardens. Last accessed August 24, 2010, at <http://faolex.fao.org/docs/pdf/cmr4471.pdf>.

4 Mbile, P., G. Ndzomo-Abanda, H. Essoumba, and A. Misouma, 2009. Alternate Tenure and Enterprise Models in Cameroon: Community Forests in the Context of Community Rights and Forest Landscapes. World Agroforestry Centre and Rights and Resources Initiative (RRI): Washington, D.C., page 2.

5 96% of Cameroon's forests are allocated to state reserves or private commercial timber interests (Mbile *et al.* 2009, page 1).

6 There are two key concepts underpinning these sets of logic: on the one hand, legality, which applies to the statutory laws recognized by the state, and on the other hand, the concept of legitimacy for historical claims, which applies to communities' rights to own, manage, and access resource based on their longstanding stewardship of these resources as local inhabitants of the forests. Any specific policy or regulation regarding resource and land rights must refer back to either legality (in the case of statutory law) or to legitimacy (in the case of community rights).

- clouded by misunderstandings and conflict over rights and types of rights.
- **Dualism between types of rights: exclusive in the eyes of the state, inclusive in the eyes of local communities.** Rights have different meanings to different stakeholders. Whereas local communities consider both their and the State's rights to be property rights, the State views its rights alone as property rights and relegates community rights, which are customary, to usufruct rights. The main policy implication for this distribution is that while the existing dualism is recognized by both the State and communities, it is understood in very different terms by both parties. Given the current state of dualism, the policy movement toward supporting community rights has been fraught with challenges and has much more to achieve before fulfilling its stated goal of empowering socioeconomically disadvantaged groups.
 - **Conflict around tenure systems: local systems' rationale for occupying spaces in juxtaposition with a conflicting administrative and technical rationale.** Although several laws and regulations⁷ clearly identify various rights, the stronger recognition of which could spur socioeconomic improvements for local communities, a review of these laws reveals several major inadequacies. Cameroon lacks a clear policy for recognizing or promoting local communities' rights, which is arguably needed for implementing the stated goals of sectoral reform⁸. This lack of an overarching vision or strategy regarding customary rights is compounded by a fragmentation among the legal instruments for recognizing community rights. In lands designated by the State as "forest lands", there is fragmentation between sectors regarding individual rights within a community to agricultural lands, regarding settlement rights of local communities, and regarding resource use and commercialization rights, including hunting and gathering.

Additional conflict has surrounded the reorganization of the state forest designation system. The dissolution of the National Office for Forest Development in 1990 left certain forest massifs (Kienké-Sud and Loungahé/Mangombé, for example) open for reclassification into Forest Management Units and intended for industrial exploitation. Since this time, communities' claims have shifted from hopes for declassification of agroforestry enclaves and buffer zones to petitions for total declassification of the reserves to be registered to the communities.⁹ As communities have long considered the

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reserves as their "clan territories" and demarcated these lands prior to the zoning of reserves¹⁰, it is critical that the new forest administration, the Ministry of Forests and Wildlife, identify the areas of contestation and overlap between statutory claims to public domain and customary claims to clan territories.

Maintaining the status quo can lead to serious unrest and conflict. If ignored by the state, communities' contestations will likely intensify and social movements radicalize¹¹ and the state, citing security risks, could resort to asymmetric violence to suppress communities' claims. Further alienated and still denied legal access to resources they need, communities are likely to invade and further increase pressure on neighbouring and ecologically fragile forest reserves. The state could respond in turn by punishing the communities in a vicious cycle to the detriment of conservation, commercial enterprise, and community livelihoods and well-being.¹²

7 Some key collective rights recognized in Cameroonian law including the following: right to clean environment; right to information; right to participation in protecting the environment; right to justice; right to appropriation of land and natural resources; right to access/use land and natural resources; right to share revenue from land and natural resources; right to indemnity; right to exercise customary practices in environmental management; and Indigenous peoples' right to protection. See Assembe-Mvondo, S., and R. Djeukam, 2009. *Etat des lieux des droits collectifs reconnus aux communautés locales au Cameroun*, unpublished policy brief, page 2.

8 Following the 1992 Rio Summit, Cameroon began pursuing public policy reforms to improve local communities' rights in relation to biodiversity, with the aim of facilitating socioeconomic development. See Assembe-Mvondo and Djeukam, 2009, page 1.

9 Oyono, P. R., 2009. *Forêts domaniales et Jeux de Droits dans le Cameroun Méridional: Le Réveil d'Un Vieux Débat Sans Issue ou La Croisée des Chemins?* Centre pour l'Environnement et Développement: Yaoundé, unpublished paper, page 15.

10 Oyono, 2009, page 11. Oyono is referencing the communities of Bambuko, Mbalmayo, Ottotomo, and Deng-Deng.

11 The trend toward open rebellion (in essence, invasions into reserves and confrontations with forest agents), as well as destruction of plant life, has been documented in the Bambuko, Mbalmayo, Ottotomo, and Deng-Deng forest massifs by Oyono, 2009, and others (see Oyono, 2009, page 14). The Kienké-Sud and Loungahé/Mangombé reserves have also been subject to environmental crime such as illegal logging and agricultural encroachment. See Oyono, P. R., M. Biyong, I. F. Bayang, and C. Sahmo, 2009. *The State, Local Communities and the Change in the Status of Forests. Exclusive Legal Dualism on the Cameroonian Coast: Strategy Note.* Cameroon Ecology and RRI: Washington, D.C., page 2.

12 Barrow, E., K. R. Jones, I. Nhamumbo, R. Oyono, and M. Savadogo, 2009. *Customary Practices and Forest Tenure Reforms in Africa - Status, Issues and Lessons.* International Union for Conservation of Nature (IUCN) and RRI: Washington, D.C., page 8.

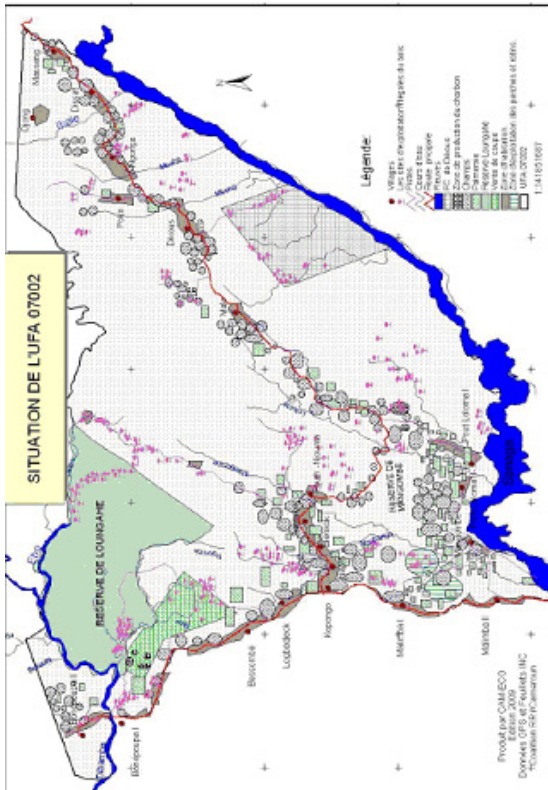


Figure 2. Community map of Loungahé/Mangombè Forest Management Unit (mapped in 2009). © Cameroon Ecology/RRI

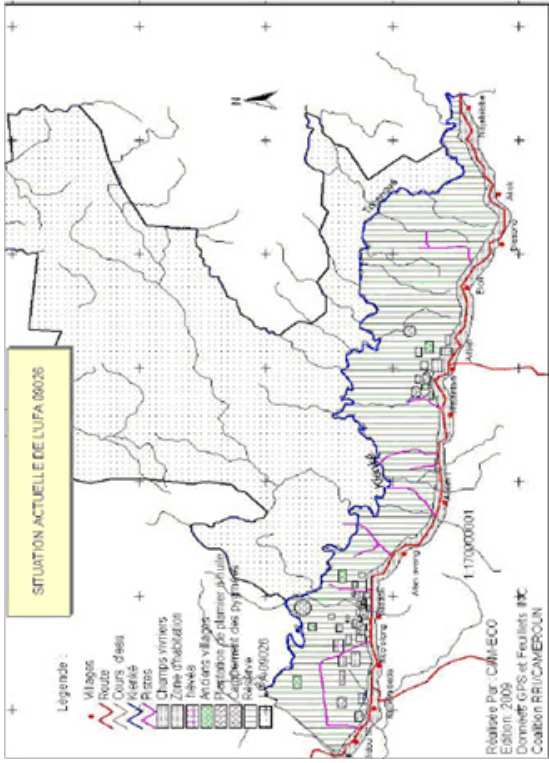


Figure 3. Community map of Kienké Sud Forest Management Unit (mapped in 2009). © Cameroon Ecology/RRI



Figure 4. Ministry of Forests and Wildlife map of Campo Ma'an National Park, Cameroon. © Solange Bandiaky

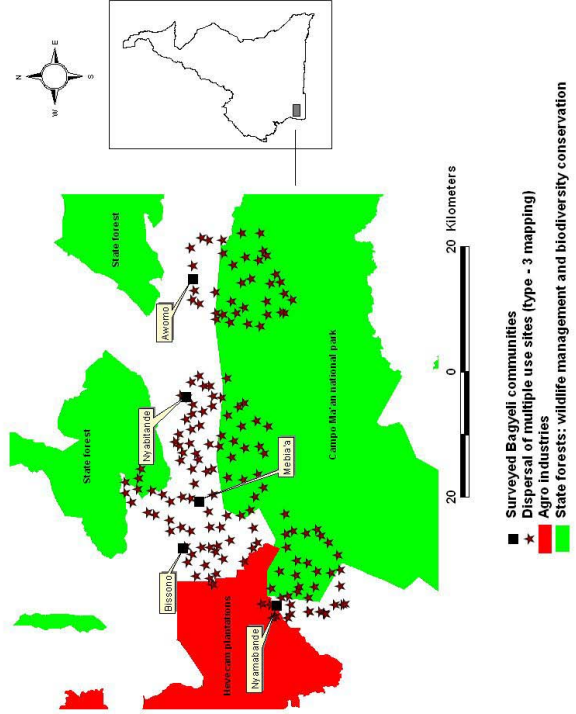


Figure 5. Participatory maps show that Indigenous Bagyeli communities reside in and around Campo Ma'an National Park (mapped in 2007).

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PARTICIPATORY MAPPING AS RIGHTS CONTESTATION

Participatory mapping¹³ can serve as an important tool for illustrating overlapping rights claims. Although techniques used for developing maps range from ephemeral mapping (drawing maps on the ground with raw materials) to sophisticated Geographic Information System-generated maps, all participatory mapping is completed through extensive consultations with communities and captures important local knowledge, perspectives, and claims regarding communities' land and resource use.¹⁴ As Mbile notes, since the 1990s, "participatory mapping has spread widely with many variants and applications, encompassing natural resources management in its broad sense to include land use, resource planning and conservation; rights-based approaches to development; identifying tenure rights; negotiating boundaries; resolving conflicts; and participatory monitoring and evaluation"¹⁵.

Participatory mapping can reveal information that officials may not have or be willing to recognize.

Recent community rights mapping of the Loungahé/Mangombè Forest Management Unit and Kienké Sud Forest Management Unit illustrates the extent of overlapping areas of claims in southern Cameroon forest reserves (see Figures 2 and 3)¹⁶. These maps show clearly that human settlements and agroforest areas are found within the forest reserves, despite the fact that the State classifies these types of land allocation and use as illegal in these reserves. Communities, however, trace their territorial claims and systems of land use and allocations in these areas to the pre-colonial period¹⁷. This situation captures dualism's potential for conflict: the State's legal rights and communities' legitimate rights are in direct competition where these particular lands and resources are concerned.

A similar illustration of this conflict is observed in the Campo Ma'an National Park. The map on the sign posted in the park (see Figure 4) lists the many prohibitions against settlements and mining, agricultural, and forest exploitation activities within the park. Conversely, the map in Figure 5 shows that settlements and multiple use sites¹⁸ do exist within the park. Participatory community mapping therefore has the potential to reveal information that official sources may not have or be willing to recognize.

Recently, participatory mapping has documented more than 60 000 inhabitants inside the Campo Ma'an National Park, 24 000 within leased agro-industrial plantation areas, and 120 villages and 25 Indigenous peoples' forest encampments. Studies document limited consultation with the many remote villages regarding the delimitation of the reserve and the imposition of numerous restrictions on peoples' forest uses, with limited consultation with the majority; this is still the case even after a phased program to raise awareness among non-governmental organizations about the need for consultations with remote villages was carried out from 2000 to 2005¹⁹. It is worth noting that this phenomenon is not limited to Campo Ma'an, Kienké-Sud, and Loungahé/Mangombè: there is also contestation over land in a number of extensive protected areas in Cameroon.²⁰

CONCLUSION

The situation in these examples is one of dual legality: customary rights are upheld in contradiction to statutory ownership

13 According to the Global Diversity Fund's definition, "participatory maps are those created by local or indigenous groups, usually for the purposes of defining and defending land or resource rights. They may also be used for conservation planning or ethnobiological research on land and resource use (though this latter application seems uncommon)." The Global Diversity Fund, 2007. "Biocultural Diversity Learning Network". Last accessed August 24, 2010, at: <http://www.globaldiversityfund.net/glossary/1/letterp>.

14 "Depending on the objectives of the community mapping exercises; such as for local planning, staking claims, contesting rights, demanding space or simply indicating use, different approaches are used to represent customary access, use and or dominion. Depending on the perception of the power relationship between the communities and their neighbours, adversary, competitor or authority, a claim to space or a contestation is represented". Mbile, P., 2008. Community Mapping in Forest Zones of Cameroon. World Agroforestry Center: Cameroon, unpublished report, page 2.

15 Mbile, 2008, page 6.

16 Original maps produced by Cameroon Ecology for the Rights and Resources Initiative, 2009.

17 Oyono et al., 2009.

18 Multiple-use sites demonstrate that the area in question is being exploited by people in some way (for example, forest product collection, hunting and foraging, burial sites, or cultural/ritual sites).

19 Cameroon Ecology, 2009. *Projet d'accompagnement des populations dans le processus de classement des UFA 09026, 09027 et 0928*, Département de l'Océan, unpublished report and posters; Mbile, P., 2009. Rights Contestation through Community Mapping in Cameroon. World Agroforestry Centre and RRI: Washington, D. C.; Mbile et al. 2009.

20 Other protected areas that have seen community rights contestation through mapping include the Dja Faunal Reserve, Nki National Park, and Bounba Bek National Park in southeastern Cameroon.

and zoning of uses by the State without reconciling either legality and without balancing livelihoods, conservation, and commercial activity. In the face of these contradictions and negative pressures on customary systems to allow outsiders to determine land use, there are strong pressures for customary institutions to crumble and be replaced by individualistic local governance systems, which the statutory system more clearly recognizes, thereby losing the important social capital that was once the foundation for defending the rights and interests of constituent ethnic groups. Even where these institutions persist, the checks and balances that kept their leadership accountable have been eroded by the State. Their representativeness, social legitimacy, and connection to the community's identity have eroded to the point where community members no longer recognize themselves in these institutions.²¹

The social capital of customary institutions are the foundation for defending communities' rights and interests.

Mapping of this dual legality, including customary governance underlying resource tenure and use, has become an important means for communities to both regain their rights and re-establish the accountability of local customary institutions for the future. In the Kienké Sud and Loungahé/Mangombe Forest Management Units and the Campo Ma'an National Park, strong proposals have emerged to renegotiate boundaries and customary rights of access and use in order to balance commercial, livelihood, and conservation goals and engender effective conservation of forest lands based on rights.²²

Overall, mapping has been a critical tool for communities to fulfill their responsibility to assert and substantiate their rights. However, the State has been able to claim forest assets without providing evidence to substantiate its own claims. If Cameroon is to successfully resolve the dualism and conflict of rights and tenure systems, it will need to seriously rethink its forest zoning policy. Any zoning should be informed by participatory community mapping, which must be undertaken prior to the zoning or gazettement of forest lands.

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²¹ Mbile et al., 2009.

²² The above maps of Kienké-Sud and Loungahé/Mangombè have been presented to officials in order to support the renegotiation of state forest-use allocation with the government and private sector.

EXPLORING THE BOTTOM-UP GENERATION OF REDD+ POLICY BY FOREST-DEPENDENT PEOPLES

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Abstract

Several Reducing Emissions from Deforestation and Forest Degradation (REDD+) projects are currently being planned and implemented in the Brazilian Amazon forest. Representatives of Brazilian Indigenous peoples and local communities recognize potential benefits of REDD+ mechanisms to the people that live in and depend on the forest. However, they are also discussing and expressing their concerns about how they should participate in the development of policies and standards for REDD+ and about possible risks associated with REDD+ projects and programmes that could disrespect traditional collective rights and generate social conflicts. As a consequence, the Amazon Working Group, the National Council of Rubber Tappers, and the Coordination of the Indigenous Organizations of the Brazilian Amazon organized an open and public consultation process with the participation of representatives of Indigenous peoples and local communities, small land-holders, environmentalists, and researchers. The consultation process enabled them to express their concerns and define essential safeguards and minimum requirements that REDD+ initiatives in Brazil should comply with. This article aims to demonstrate the methodology that local grassroots organizations used for the public consultations in order to generate bottom-up recommendations for social and environmental safeguards for REDD+ activities that affect and involve forest-dependent peoples.

Deforestation accounts for an estimated 10-35% of global greenhouse gas emissions². Initiatives for Reducing Emissions from Deforestation and Forest Degradation (REDD+³) have become a necessary component of any strategy to avoid catastrophic climate change, as well as to provide many other important ecosystem services to society such as food, water, and conservation of cultural and aesthetic values⁴. REDD+ creates the opportunity to provide positive incentives for forest conservation in tropical countries for forest conservation, making standing forests more attractive than agricultural and timber products by valuing the carbon in forests for its climate regulating benefits.

The areas in which Indigenous peoples and local communities live represent approximately 35% of the Brazilian Amazon, which means that they play a major role in reducing deforestation and conserving the biome (see Figure 1⁵).⁶ Furthermore, Indigenous peoples and local communities are being approached by private companies with proposals offering cash and contracts to have the right to trade carbon credits derived from the carbon stocked in their traditional forested territories. Although they may feel attracted to these new business prospects, which can be seen as an opportunity for alternative livelihoods, the carbon credits contracts have significant potential to be unjust. The contracts may be developed and signed without the communities' full understanding of the clauses, length of term⁷, or potential consequences such as transfer of ownership over or access to traditional territories and disruption of their customary livelihoods.

1 The authors would like to thank the Packard Foundation for supporting this initiative.

2 Houghton, R. A., 2005. "Tropical deforestation as a source of greenhouse gas emissions", pages 13-22 in Moutinho, P., and S. Schwartzman (eds.), *Tropical Deforestation and Climate Change*. Instituto de Pesquisa Ambiental da Amazônia (IPAM) and Environmental Defense Fund (EDF): Belém; Le Quéré, C., M. R. Raupach, J. G. Canadell, G. Marland, L. Bopp, P. Ciais, et al., 2009. "Trends in the sources and sinks of carbon dioxide". *Nature Geoscience*, 2: 831-836.

3 Reduction of emissions from deforestation and forest degradation (REDD), combined with conservation, forest management actions, and enhancement of carbon stocks is known as REDD+. Throughout the development of the safeguards, the term "REDD+ actions" was adopted to refer to these various initiatives.

4 Millennium Ecosystem Assessment, 2003. *Ecosystems and human well-being: A framework for assessment*. Millennium Assessment and Island Press: Washington, D. C.

5 Pinto, E. P. P., P. Moutinho, and L. Rodrigues, 2008. *Perguntas e respostas sobre aquecimento global*, 3rd edition. IPAM: Belém (reproduced with permission).

6 Soares-Filho, B. S., L. Dietzsch, P. Moutinho, A. Faleri, H. Rodrigues, E. Pinto, C. C. Maretti, K. Suassuna, C. A. M. Scaramuzza, and F. V. Araújo, 2008. *Redução de emissões de carbono associadas ao desmatamento no Brasil: o papel do programme Áreas Protegidas da Amazônia (Arpa)*. IPAM: Brasília.

7 Contracts, for example, may span long periods such as 50 years, which would compromise several generations' livelihoods, without any clear determination of the mechanism scope and area in the contracts or in the projects.