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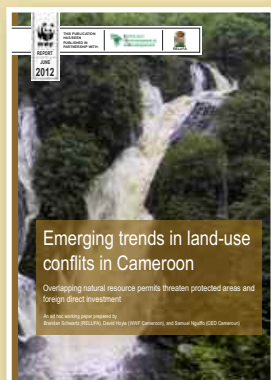


RELUF

# Emerging trends in land-use conflits in Cameroon

Overlapping natural resource permits threaten protected areas and  
foreign direct investment

An ad hoc working paper prepared by  
Brendan Schwartz (RELUF), David Hoyle (WWF Cameroon), and Samuel Nguiffo (CED Cameroun)



*Memve'ele Waterfalls*

*Photo WWF CARPO*

## Biography

*Data collection by*  
**Teclaïre Same**, WWF Cameroon  
**David Hoyle**, WWF Cameroon  
**Mireille Fouda Effa**, CED

*Mapping by*  
**Freddy Mbianda**, CED



**David Hoyle** is the Director of Conservation at WWF Cameroon—the World Wildlife Fund.  
[www.panda.org](http://www.panda.org)



**Brendan Schwartz** is the Extractives Industries Program Manager at RELUFA—le Réseau de Lutte Contre la Faim au Cameroun.  
[www.reluфа.org](http://www.reluфа.org)



**Samuel Nguiffo** is the Executive Director of CED Cameroon—the Center for the Environment and Development.  
[www.cedcameroun.org](http://www.cedcameroun.org)

## Summary

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<b>1. Land-use conflict .....</b>	<b>5</b>
A. Mining and oil vs. Conservation .....	5
B. Private investor vs. Private investor .....	7
C. Mining permits vs. community and local council forest exploitation .....	8
<b>2. Causes of land-use conflict.....</b>	<b>12</b>
A. Sectoral approach and laws .....	12
B. Lack of transparency .....	13
C. Lack of respect of laws in force .....	14
D. Local communities ignored .....	14
<b>3. Perspectives and solutions.....</b>	<b>15</b>
<b>4. Recommendations.....</b>	<b>15</b>

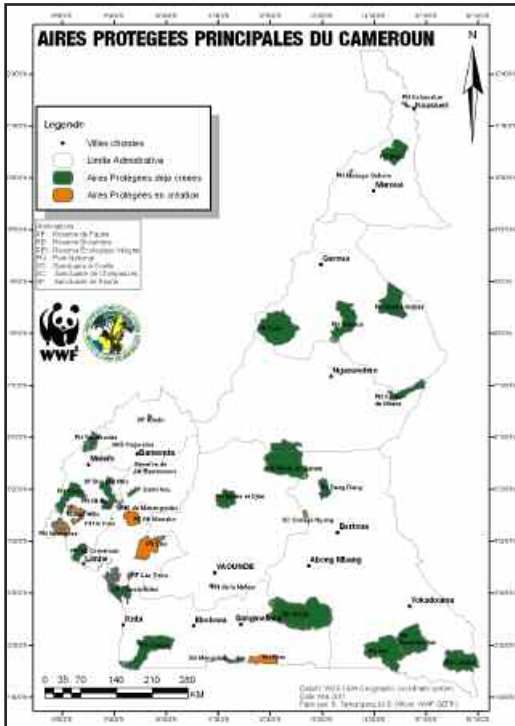
## Acronyms

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<b>CMC</b>	: Compagnie Minière du Cameroun
<b>DUP</b>	: Public Utility Decree
<b>EITI</b>	: The Extractive Industries Transparency Initiative
<b>HCV</b>	: High Conservation Value
<b>MINADER</b>	: Ministry of Agriculture and Rural Development
<b>MINDCAF</b>	: Ministry of State Property, Surveys, and Land Tenure
<b>MINEPAT</b>	: Ministry of Economic, Planning, and Regional Development
<b>MINFOF</b>	: Ministry of Forests and Wildlife
<b>MINIMIDT</b>	: Ministry of Mines, Industry, and Technological Development
<b>SNH</b>	: National Hydrocarbons Company
<b>UFA</b>	: Forest Management Unit
<b>UNESCO</b>	: United Nations Educational, Scientific, and Cultural Organization



## Introductory Note



Protected Area map of Cameroon

In 2011, the World Wide Fund for Nature (WWF) produced a National Protected Area Map at the request of Cameroon's Ministry of Forests and Wildlife (MINFOP). Simultaneously, the observation had been made by conservation groups that mining permits were being granted inside of Cameroon's protected areas, though the origin and credibility of the data was unclear. In 2011 mining companies presented their credentials to the Conservators of the Campo Ma'an and Nki National Parks to inform them that they would begin mining exploration activity inside the protected areas. This propelled WWF, CED, and RELUFA to make an official request to the Ministry of Mines for all valid mining permits. Using official data only on mining permits granted or renewed during the period spanning 2009-2011, the authors and GIS experts produced the map which is the basis of this paper. A limited number of oil permits were also made available to the researchers. The authors are aware of the existence of numerous mining and oil permits that do not appear on the map contained here within.<sup>4</sup>

## Context



Kribi deep-sea port under construction

Cameroon's 2035 Economic Growth and Employment Strategy contain plans for a wide array of projects including large infrastructure investments (ports, dams, roads, etc.), mines, oil/gas projects, and agro-industrial plantations. While these projects will without a doubt contribute to the industrialization of Cameroon and generate significant revenues for future investment, they must be planned taking into account potential environmental losses, and executed in a cohesive manner to avoid land-use conflicts that could acutely undermine their success.

<sup>4</sup> This is due to incomplete data archiving at the Ministry of Mines' official Cadastre, the dynamic nature of the validity of mining permits, and difficulty in acquiring information on mining permits from official sources.

# 1- Land-use conflicts

## A. Mining and Oil vs. Conservation

While Cameroon's development vision is still in its nascent stages, we are already observing some alarming land-use conflicts with different ministries simultaneously allocating the same parcel of land to different projects. (See example below, Box 1: UFA 09-001). The latest manifestation of the land-use conundrum has been the introduction of oil, gas, and mining permits inside protected areas; some of which are subject to international conventions. As depicted on the table and map below, there currently exist 30 mining exploration permits overlapping 12 protected areas, and dozens more are in the immediate vicinity of protected areas, with a high potential for conflicting with the Government's conservation objectives.<sup>5</sup>

Additionally, Cameroon has granted oil permits overlapping the Korup, Ndongere (proposed), Mount Cameroun, Rumpi Hills, and Waza National Parks, as well as the Douala-Edea Reserve. Our preliminary research, which is not exhaustive, reveals that a total of at least 33 oil and mining permits have been granted inside of 16 different protected areas in Cameroon; the vast majority from 2005-2012.<sup>6</sup> With just 20% of Cameroon's national territory subject to valid mineral research licenses, we are already observing serious land-use conflicts.<sup>7</sup>

### Cameroon's Natural Resource Laws

Cameroon's mining code states that all national lands are open to mining except for areas excluded by law.<sup>8</sup> The mining code requires the approval from the "competent" government authorities for operations to be conducted in or around national parks, and protected areas subject to international agreements.<sup>9</sup> In the case of all protected areas in Cameroon the competent authority is the Minister of Forestry and Wildlife.

The Ministry of Industries, Mines and Technological Development (MINIMIDT) may also, via a public decree, declare certain areas off limits to all mining activity if it is deemed to be in the general interest of the state.<sup>10</sup>

Despite clear regulations governing mining activities in protected areas, these legal provisions have not been respected in the granting of recent mineral exploration permits.

Cameroon's oil code states that the Ministry in charge of hydrocarbons delimitates which areas are open to oil operations and can prohibit oil operations in certain areas in the general interest of the nation.<sup>11</sup> It would thus appear that the National Hydrocarbons Company (known as the SNH), with approval from the MINIMIDT has the discretion to grant or withhold hydrocarbons permits in protected areas.

Cameroon's forest law classifies national parks and ecological reserves as State Forests. The law requires that "any activity in a State forest shall, in all cases, be carried out in accordance with the management plan"<sup>12</sup> which fixes the objectives of a given State forest. State forests are part of the permanent forest domain which "shall comprise lands that are used solely for forestry and/or as a wildlife habitat."<sup>13</sup>

Thus, Cameroon's forestry law bans mining, oil and natural gas exploration and exploitation in reserves, sanctuaries and national parks. In principle, this legal ban applies to all forests under management (concessions, council forests and community forests). Additionally, if forest is lost due to the extraction of other

<sup>5</sup> This does not include permits overlapping with forest reserves (for which there are at least 24), community forests, and council forests.

<sup>6</sup> This figure includes proposed national parks.

<sup>7</sup> The figure of 20% assumes an average mining permit size of 700 km<sup>2</sup> for the 150 permits that are currently valid. However, Cameroon's mining industry is dominated by speculators many of which never intend to conduct exploration activities. Knowledgeable persons estimate that real exploration activities are being undertaken in just 20-30 of the licenses; or 3-4% of Cameroon's territory.

<sup>8</sup> Article 4. Cameroon Mining Code of 2001.

<sup>9</sup> Article 62. Cameroon Mining Code of 2001.

<sup>10</sup> Article 5. Cameroon Mining Code of 2001.

<sup>11</sup> Article 8. Cameroon Oil Code of 1999.

<sup>12</sup> Article 29. Cameroon Forestry, Wildlife, and Fishing law of 1994.

<sup>13</sup> Article 20. Cameroon Forestry, Wildlife, and Fishing law of 1994.

natural resources, the law requires that a forest of the same size and similar ecological characteristics in the same ecosystem be gazetted as a replacement.

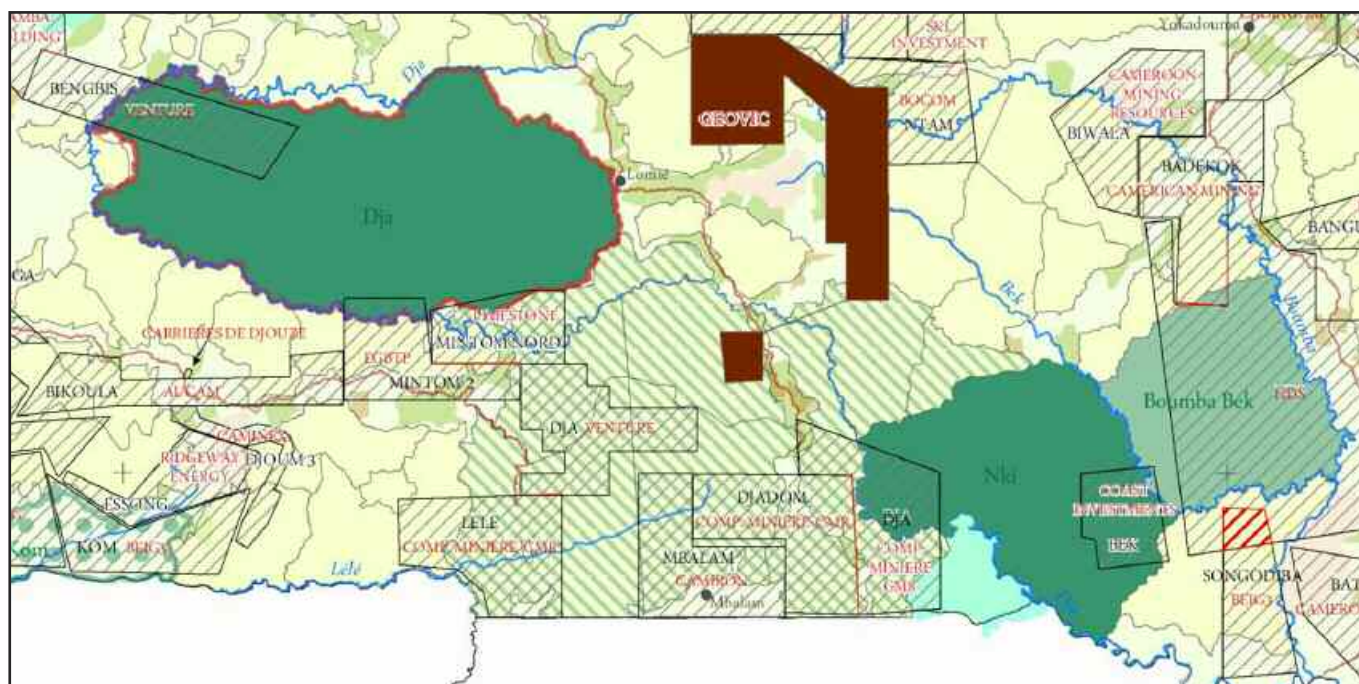
Beyond Cameroon's national laws, many of its parks and conservation obligations are subject to terms of international agreements, which take precedence over Cameroonian law in the hierarchy of legal norms established by Cameroon's constitution. For example: The Tri-national of Sangha (TNS) with Lobeke national park; TRIDOM Tri-national Dja-Odzala-Minkebe; The Dja UNESCO World Heritage site; etc.

It is also important to note that National Parks are gazetted by Prime Ministerial Decree, whereas mining exploration licenses are granted by Ministerial Order which is inferior in the hierarchy of norms.

The 1974 ordinance to establish rules governing land tenure in Cameroon classifies all land as National Lands that do not fall into the categories of Public Property of the State nor Private Property of the State and are not subject to a private land title. The State is in charge of managing National Lands "in such a way as to ensure rational use and development thereof."<sup>14</sup> In principle, the granting of land concessions must follow a process whereby a commission composed of local actors (government agencies at the local level and community representatives) identifies existing lands and properties for the purpose of avoiding overlapping rights. But given the lack of public information on the existence, localization and validity of permits, it is possible for land concessions to infringe on existing rights, despite the respect of the legal procedures in force. There is currently no obligation for other ministries to register the various rights they grant to investors (logging, hunting, mining, oil and gas) with the Ministry of Land Tenure's cadastre.

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<sup>14</sup>Article 16. Ordinance to Establish Rules Governing Land Tenure of 1974.



*Situation of mining permits in and around TRIDOM*

## Contradictions

There are obvious contradictions in Cameroon's sectoral laws concerning land-use and the authority of the state, ministries, communities, and investors. The extractive industries versus conservation land-use conflict could:

- Have serious financial consequences for investors and/ or the state;
- Prevent Cameroon from implementing international agreements related to conservation;
- Lead to costly litigation/arbitration resulting from conflicting rights;
- Delay or even mortgage the implementation of Cameroon's 2035 Vision;
- Destabilize Cameroon's investment climate and degrade Cameroon's Doing Business Ranking.

Finally, Cameroon's quest for economic growth is likely to prevent appropriate enforcement of social-environmental regulations by the Ministries or civil servants in charge, who will be afraid to impede the progress of important development projects.

## B. Private Investor vs. Private Investor

Although this paints a grim picture of Cameroon vis-à-vis its national and international commitments to environmental and biodiversity conservation, other types of land-use conflicts are also occurring:

1. Camiron, owned by Australian Sundance Resources, the operator of the Mbalam iron mine, received a Public Utility Decree for the land corridor that will eventually host their 500+ km railroad line from Mbalam to the Kribi Deep Sea Port complex. The railway corridor cuts through HEVECAM's agro-industrial plantations and could cross as many as five UFAs ;
2. In December 2010, C&K Mining received an exploitation permit primarily for diamond exploitation, valid for 25 years, overlapping two UFA units under commercial logging exploitation by CFC and SEBC;



3. In 2009, SG Sustainable Oils Cameroon PLC (SGSOC) completed a deal to develop a palm oil plantation in Southwest Cameroon. SGSOC's proposed land concession overlaps a large portion of Optimum Mining's Nwangale Permit and cuts across UFA 11-007 ;
4. Geovic Mining received an exploitation permit for Nickel-Cobalt-Manganese in 2003 near Lomie. However, a large portion of the permit area overlaps the UFA under active logging exploitation by Pallisco. The presence of mineral exploitation in the UFA has prevented Pallisco from obtaining forest certification for the concession. This will inevitably have an adverse impact on the profitability of their activities.

In all four of these cases, the Cameroonian government has granted exclusive or semi-exclusive rights to one piece of land to multiple foreign investors for conflicting purposes. These conflicts expose Cameroon to the same risks cited above.

In total there are at least 50 mining permits (according to our preliminary investigations) overlapping with active UFAs under signed management agreements with the state. Examples include Wijma's FSC certified logging concession adjacent to Campo Ma'an National Park or TRC's FSC logging concession next to Ebo proposed National Park.

### **C. Mining permits vs. Community and Local Council Forest Exploitation**

Beyond conflicts between investors from different sectors (logging, land, extractive resources) or between extractive permits and protected areas, new permit allocations also violate existing rights that are not necessarily held by commercial enterprises. We can first cite the right for local councils and communities to conduct logging for commercial purposes. In both cases, the forests are subject to a forest management plan approved by the Ministry of Forests, and to which the managers of the forest (the local council or community) must comply. The forest law states that non-compliance with the management plan could result in the revocation of a community forest authorization. The overlaps between logging and mining permits expose communities and local councils to the risk of losing their permits. Compensation for the resulting financial losses could be quite significant, and the mining companies will refuse to be liable for such payments. There is also conflict between community rights and mining permits. Despite the fact that the mining law requires the payment of a royalty to local communities, this cannot replace the loss of rights to access the forest, which will be razed for the purpose of mining exploitation. Conversely, in the case of logging concessions, the local royalty compliments the access rights that are continually exercised during forest exploitation. This possibility is quite limited in the extractive industries sectors. The situation of local communities will be very difficult to resolve because there exist no compensation procedures for the loss of access rights. The 1994 forest law calls for the enactment of a yet to be published decree regulating this question.



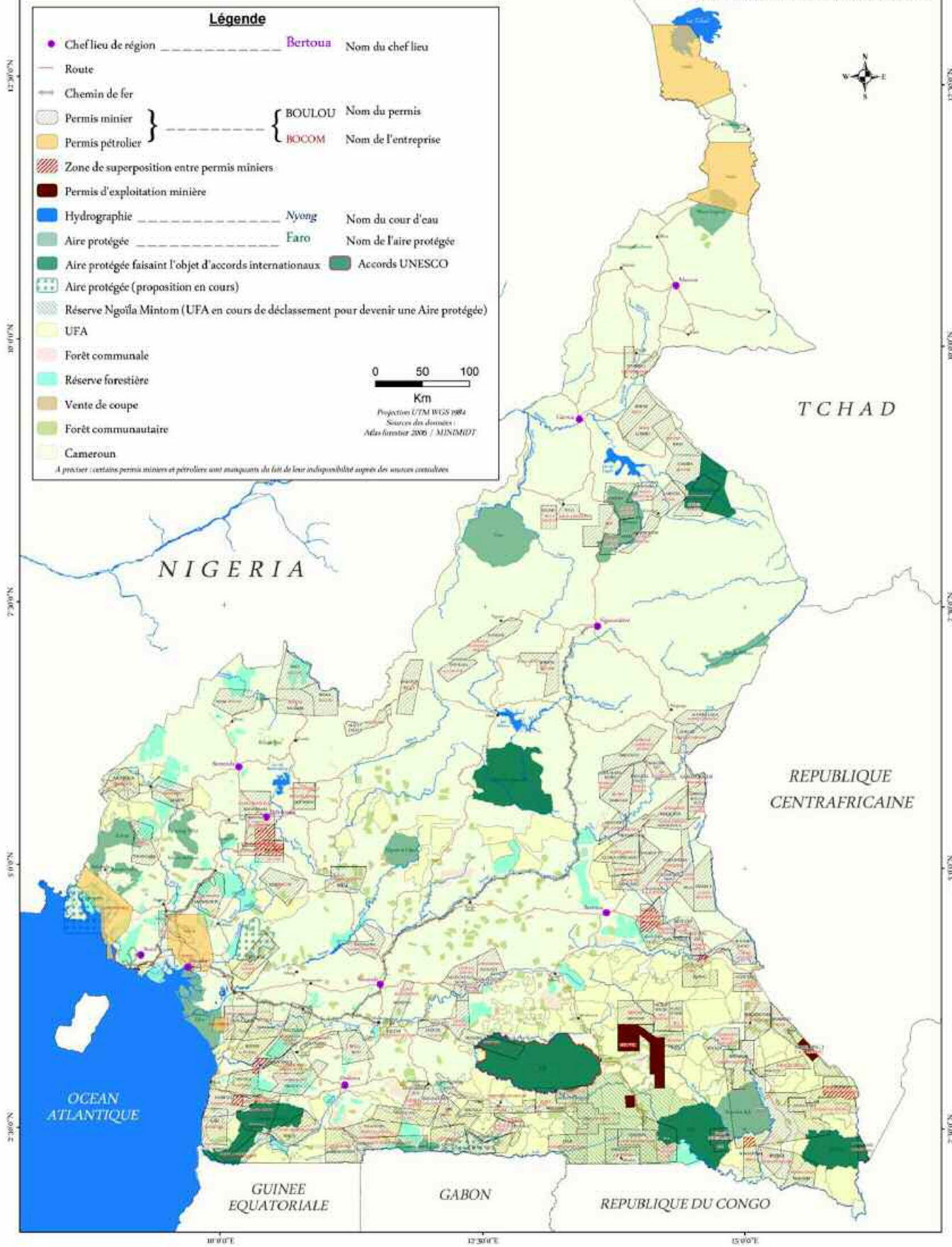
Mining Permit	Company	Ressources	Protected Area	Legal Statute	Overlap in Ha
BOUGMA	COAST INVESTMENTS INTERNATIONAL SARL	Gold	Bénoué	Cameroon jurisdiction	5841.06021
GIDJIBA	DIVINE MINING LTD	All minerals	Bénoué	Cameroon jurisdiction	74392.14584
SAKJE	DIVINE MINING LTD	All minerals	Bénoué	Cameroon jurisdiction	83816.84032
TCHOLLIRE	SOCIETE HYDROCARBON DIAMONDS & SECURITY SYSTEMS(HDS) CAMEROON SARL	Mineral substances	Bénoué	Cameroon jurisdiction	2412.500742
BANI	BOCOM PETROLEUM S.A	Gold	Bouba Ndjida	International agreement	2.88359
BOUBANDJIDA	DIVINE MINING LTD	All minerals	Bouba Ndjida	International agreement	84628.05981
VAÏMBA	BOCOM PETROLEUM S.A	Gold	Bouba Ndjida	International agreement	540.51554
	SOCIETE HYDROCARBON DIAMONDS & SECURITY SYSTEMS(HDS) CAMEROON SARL	Mineral substances	Boumba Bek	Cameroon jurisdiction	188006.1107
BADEKOK	CAMERICAN MINING	Uranium, gold, basic metals	Boumba Bek	Cameroon jurisdiction	2728.267718
BINGA	COMPAGNIE MINIERE DU CAMEROUN	Iron	Campo Ma'an	International agreement	13763.39896
MINKO	COMPAGNIE MINIERE DU CAMEROUN	Iron	Campo Ma'an	International agreement	51043.64283
DJOUUM 2	ZAMBA GOLD CORPORATION S.A	Iron, uranium	Campo Ma'an	International agreement	93802.84829
MEWONGO	CAMUS RESOURCES S.A	Iron	Campo Ma'an	International agreement	420.680244
KRIBI SUD	CAPAM HOLDING PLC	Uranium	Campo Ma'an	International agreement	236.076464
MINTOM NORD	LIMESTONE CAMEROUN	Limestone	Dja	Unesco agreement	4389.390361
MINTOM II	ENTREPRISE GENERALE BATIMENT TRAVAUX PUBLICS (EGBTP)	Limestone	Dja	Unesco agreement	10176.20343
BENGBIS	VENTURE CAPITAL PLC	Gold, Iron, uranium, basic metals	Dja	Unesco agreement	61727.36576
EDEA-KRIBI	ZAMBA MINERALS S.A	Rutil	Douala Edéa	Cameroon jurisdiction	614.069798
SANAGA	COMPAGNIE MINIERE DU CAMEROUN	Iron	Ebo	Proposed	36211.44342
OVENG	LUZ MINING SERVICE LTD	All minerals	Kom	Proposed	32806.57374
KOM	BEIG3 SARL	Iron	Kom	Proposed	42563.76643
ESSONG	RIDGEWAY ENERGY LTD	Uranium, gold, iron, platinum, diamonds	Kom	Proposed	4143.218457
NWANGALE	OPTIMUN MINING INC SARL	Gold, copper, silver, iron, uranium, cobalt and nickel	Korup	Cameroon jurisdiction	11851.05697
	SOCIETE HYDROCARBON DIAMONDS & SECURITY SYSTEMS(HDS) CAMEROON SARL	Mineral substances	Lobéké	International agreement	14470.60608
LOBEKE EST	LONGSHENG CAMEROON S.A	diamonds	Lobéké	International agreement	17978.05528
NDJOMBI	MINES, TECHNOLOGIES AND MATERIALS CAMEROON "MINING TECH SARL"	Gold, diamonds	Lobéké	International agreement	4509.682278
AMBAM	G.I.E. MINERAIS DU CAMEROUN	Gold	Mengamé	Cameroon jurisdiction	15387.35516
OVENG	LUZ MINING SERVICE LTD	All minerals	Mengamé	Cameroon jurisdiction	6898.2158
BEK	COAST INVESTMENTS INTERNATIONAL SARL	uranium	Nki	International agreement	43378.75827
DJA	COMPAGNIE MINIERE DU CAMEROUN	Gold, Iron, uranium, basic metals	Nki	International agreement	34984.36203
TOTAL					943725.1545

# Situation géographique des permis miniers et pétroliers Etat des lieux au Cameroun en mai 2012

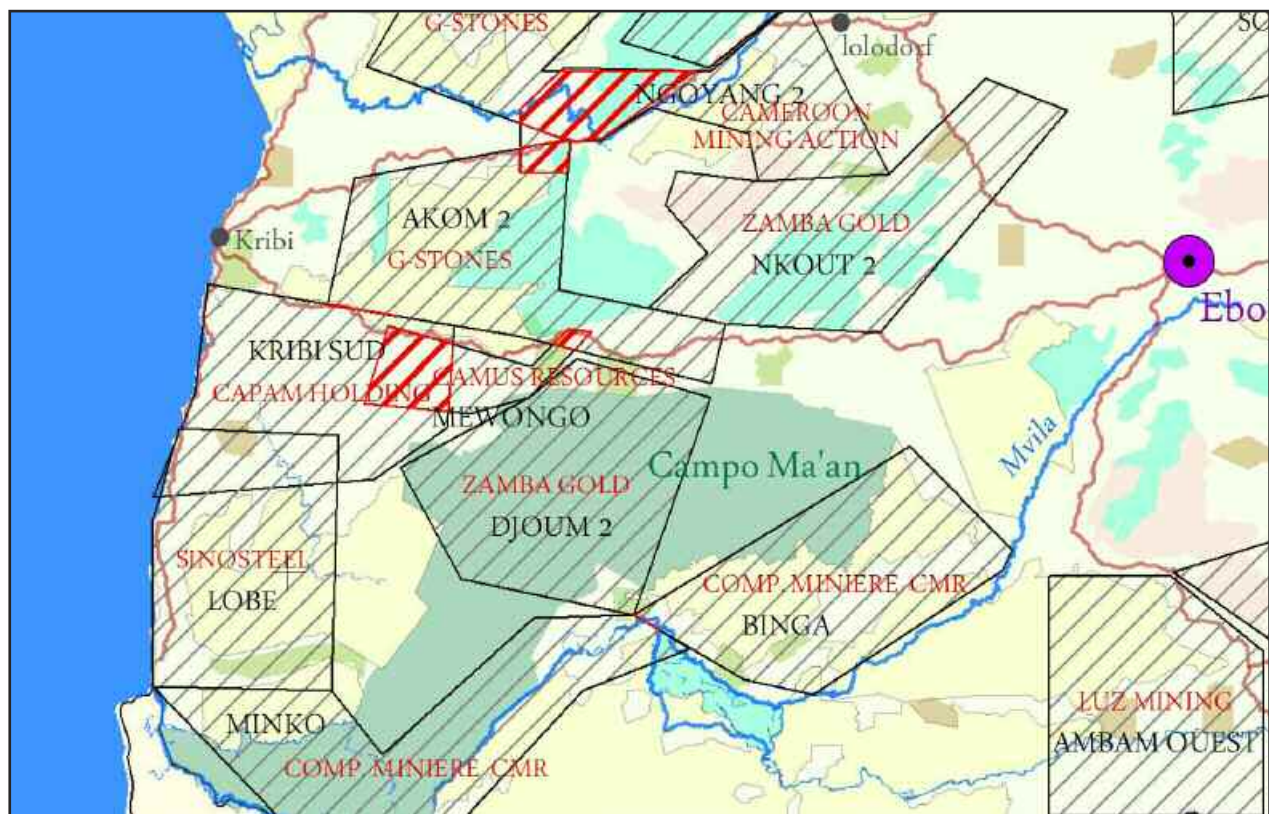
Mise en relation avec le découpage forestier



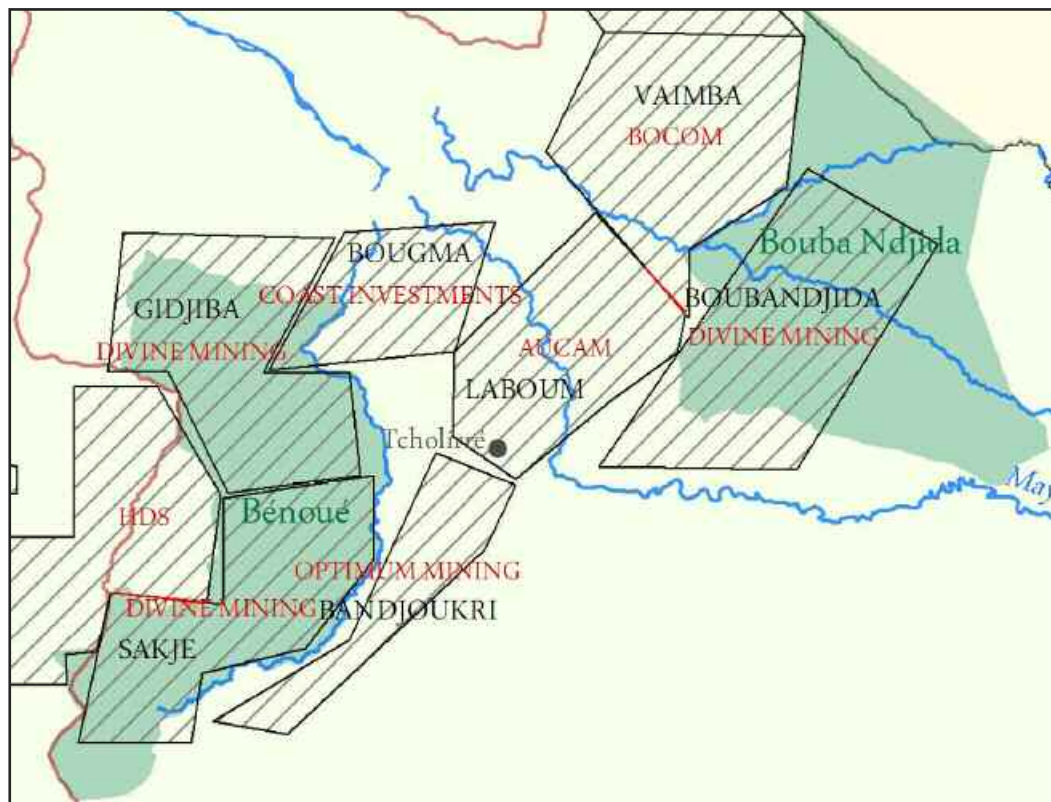
Co-réalisation (WWF - CED - RELUGA) : mai 2012







Situation of mining permits in and around  
Campo Ma'an National Park



Situation of mining permits in and around  
Benoue and Bouba Ndjida Parks



## 2- Causes of land-use conflicts

What are some of the root causes which have led to the current trend of land-use conflict?

### A. Sectoral approach and laws without coordination or sufficient inter-ministerial communication:

One of the weaknesses in Cameroonian governance at the policy level is the lack of inter-ministerial communication and coordination. There appears to be competition between sectoral ministries rather than a coordinated approach to deliver economic, land and natural resources efficiency. This applies to the development of sectoral laws governing natural resources and land as well as the modus operandi of Cameroonian Government Ministries.

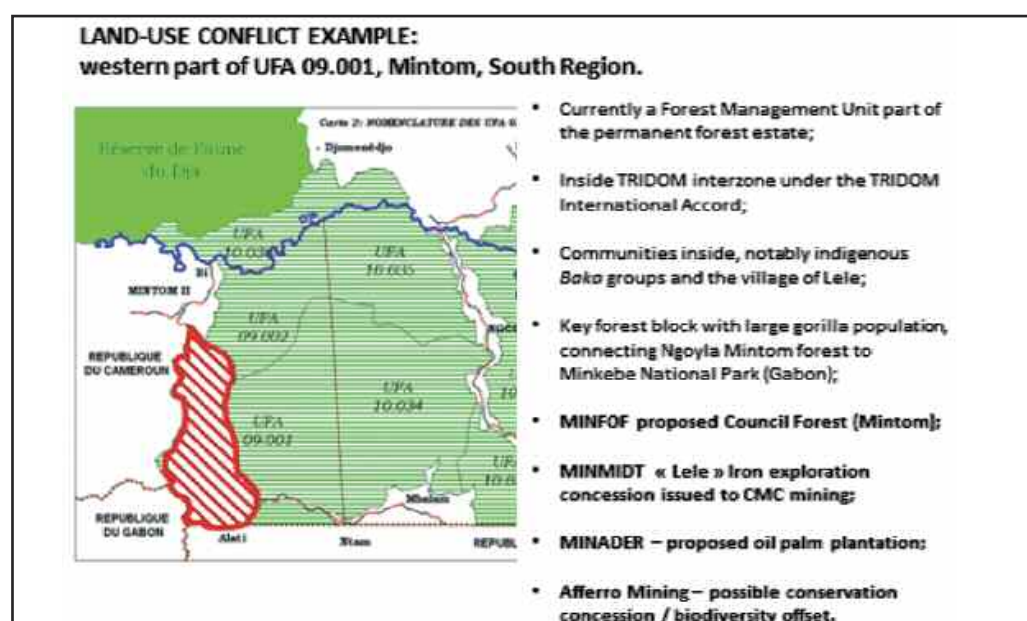
An example :

- In informal discussions, some public servants at the MINIMIDT admitted that they were unaware of the exact location of Cameroon's protected areas and were consequently unaware that any mining titles currently overlap national parks. The location of national parks is information available in the public domain. But since there is no legal obligation for Ministries to consult with other organs of the government, the result is a generalization of overlapping land-use rights.

An example :

- UFA 09-001: MINFOF proposed, in their 2008 Ngoyla Mintom land-use planning exercise (carried out with full community participation), to designate this UFA as a Council Forest for the Mintom Council; at the same time the Ministry of Agriculture (MINADER) have proposed the same exact site to a Malaysian Company for an oil palm plantation; but the Ministry of Economic Planning (MINEPAT) has already declared by decree a portion as Public Utility (DUP) for the purpose of the CamIron railway corridor; and MINIMIDT have signed a decree granting the site to CMC for iron ore exploration. (See Box 1)

Box 1



Source: WWF Cameroon

Applying the general rules of legal interpretation in the case of contradicting sectoral laws (e.g. forestry and wildlife with mining), the most recent law takes precedent (in this case the mining code). It is nonetheless unclear if such a decision and all its legal and political implications were brought to the attention of the Government and Parliament and properly taken into account when adopting the new mining code. Despite the fact that the mining code could take precedence over the forestry law, the regulations in force do not allow the automatic granting of mining concessions into protected areas without MINFOF's permission.

The situation remains very unclear to most of the actors involved in natural resources management in Cameroon. In addition, the national land cadastre does not centralize data on the granting of land concessions from different sectors (mines, oil, logging, agro-industry, etc.) which adds to the confusion.

## **B. Lack of transparency in the granting of concessions and in the natural resource sectors:**

There are inconsistent levels of transparency across the natural resources sectors which has allowed for land-use conflicts to develop unnecessarily. Investors exploiting different natural resources also benefit from a wide array of contractual/legal rights that are inconsistent across sectors.

### **Permits**

While information on logging titles (UFAs) is rendered accessible to the public by MINFOF, the complete list of mining titles granted had never been made available to the public until WWF made a written request to the MINIMIDT for the purposes of this paper. The quick and positive response of the Ministry tends to indicate that there is no confidentiality in mining permits, but probably just a policy vacuum for their publication. Cameroon currently lacks a modern, digital mining cadastre consistent with standard practices in the international mining industry.

### **Contracts**

Cameroonian oil contracts are confidential documents with just a couple exceptions; mining contracts currently contain no confidentiality clauses, but have not been officially published by the government; there exist no guidelines or consistency for the publication of agro-industrial land concessions.

A consistent framework for the attribution and publication of all natural resource permits and contracts would be beneficial to all stakeholders—especially investors who are worried about the long-term security of their investments.

Un cadre cohérent pour l'attribution et la publication de tous les permis et contrats dans le domaine des ressources naturelles serait bénéfique à toutes les parties prenantes-et surtout aux investisseurs, généralement soucieux de la sécurité à long terme de leurs investissements.

## **EITI- The Extractive Industries Transparency Initiative**

Cameroon is struggling to achieve “validation” from the International EITI board due to a lack of political will to fully implement the initiative. The figures provided by the Cameroonian Government have come under scrutiny since neither the SNH nor the Ministry of Finance's accounts are audited according to international standards. Cameroon has also had trouble explaining discrepancies in the data provided by oil companies and the government. The International EITI board ruled that Cameroon has yet to meet the remedial measures laid down in April 2011.<sup>15</sup> Although EITI uniquely regards payments made by oil, mining, and gas companies—and not permit processes—its weaknesses are emblematic of Cameroon's struggle to promote transparency across the entire value chain in the natural resources sectors.

<sup>15</sup> The EITI Candidate status of Cameroon is renewed for 18 months (until 15 August 2013), by which time Cameroon will be required to have completed an EITI Validation that demonstrates compliance with the 2011 edition of the EITI Rules. If Cameroon does not achieve compliant status by 15 August 2013, it will be de-listed.

<http://eiti.org/Cameroon>

### **C. Lack of respect of laws in force:**

Rights allocation often happens in contradiction with laws in force, including provisions designed to protect third parties rights.

An example:

The 1976 Decree governing the management of lands in the National Domain requires that all land concessions greater than 50 hectares be granted by Presidential Decree, not ministerial negotiation. Some provisions of the 1976 Decree are designed to protect communities' rights to land, and to facilitate a harmonious cohabitation between investors and the surrounding communities. Despite the clear procedures elaborated by the 1976 decree to grant land concessions for agro-industrial plantations, rights to concessions of greater than 50 hectares are currently being granted by at least three different ministries using three different procedures (MINDCAF, MINADER, and MINEPAT).

### **D. Third parties (local communities) ignored:**

All large-scale investments in the natural resources sectors will inevitably impact third parties: communities, other investors, etc. Project development in Cameroon generally fails to respect third parties rights in terms of consultation, compensation, contractual terms, and environmental protection. Not only does this contravene many of Cameroon's international legal obligations, but it inevitably delays investment as we have seen in numerous cases: Kribi Deep Sea Port, Logbaba Natural Gas Project, etc.

## **Observation**

There appears to exist a profound naivety on the part of the Cameroonian government regarding the international protection of investments, the contents of bilateral investment treaties, and the resulting possibilities of expensive litigation, arbitration and settlements. Land-use conflicts could prove to be extremely costly for the Cameroonian Government and Cameroonians in financial terms, and could totally undermine the expected financial benefits of the resource extraction strategy of the Government.



*C&K Diamond Mine Exploration Site, Mobilong*



### 3- Perspectives and solutions

Land-use planning is one of the most important policy level issues facing the Cameroonian Government as it strives towards the goal of economic prominence by 2035. Solutions will require serious technical expertise and coordination. This topic is suitable for intervention by all branches of the Cameroonian Government in addition to Cameroon's international partners and donors.

Risks of inaction on addressing this issue.

#### Potential Risks: :

- Cameroon could be forced to pay large settlements with damages or face arbitration from investors for violating contractual obligations;
- Cameroon's reputation in the Congo Basin as a leader in terms of Biodiversity Conservation could be blemished;
- Cameroon's deforestation rate sharply rises; Cameroon loses the potential to secure large financing through REDD+;
- Cameroon's investment climate deteriorates severely, which could weaken Cameroon's Doing Business Ranking;
- Donor funding to the state may be put at risk;
- Cameroon's tourism potential damaged as well as ability for tourism to contribute to Horizon 2035;

<sup>16</sup> The current cadastre is not digitized and is limited to private land deeds. There should be a unique land cadastre for all natural resource permits including but not limited to mining, oil, gas, agro-industrial plantations, UFAs, etc.



Mbalam iron ore deposit

## 4- Recommendations

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1. MINIMIDT should “re-shape” all oil and mining permits that overlap with protected areas to ensure the integrity of these zones, in compliance with the law and as proposed by the CTSF sub-committee of Cameroon’s National Assembly.
2. The government should suspend the granting of permits in the immediate proximity of protected areas. A mechanism should be put in place to promote inter-ministerial communication to guarantee the respect of sectoral laws governing natural resources and national land planning
3. Government should reform and modernize the national land cadastre to include all natural resource and land concessions.<sup>16</sup> The cadastre should be regularly updated, accessible to the general public, and posted on an official government website. Any ministry granting a permit should be required to consult the cadastre prior to authorizing a license.
4. Accelerate the national land-use process instituted by Law N 2011/008 of May 6 2011 to lay down guidelines for territorial planning, putting an accent on the protection of the environment and traditional community land rights.
5. As a prerequisite to the national land-use process, the Government should urgently identify the important High Conservation Value (HCV) areas and other “no-go” areas for development based on environmental and/or social criterion. A Presidential decree should permanently “set aside” these areas; allowing them to contribute to the national economy through their existing land-use purposes.
6. Government should create a high-level committee to review the issue of land conflicts in the implementation of the Horizon 2035. This commission should propose a consistent framework for the attribution and publication of all natural resource permits and contracts, ensuring coherence and fairness in the rights granted to investors across natural resource sectors. The Government should conduct a cost-benefit analysis of different possible land uses and compare the benefits of the various options: REDD, forest certified logging, peasant agriculture, and tourism vs. mining, agro-industry, etc. The methodology should include all negative social and environmental externalities linked to large projects.

# APPENDIX I

## SELECT ARTICLES FROM CAMEROON'S NATURAL RESOURCE LAWS

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### CAMEROON MINING CODE OF 16 APRIL 2001

#### ARTICLE 4

Except otherwise provided by law, all land, including water lying over the land, shall be available for the granting of mining titles.

#### ARTICLE 5

1) Where the interests of the State so require, the minister in charge of mines may exclude any lands or minerals from the scope of exploration and industrial or artisanal mining activities.

(2) The decision to exclude lands or minerals shall be published in the Official Gazette or in a journal of legal notices. It shall specify the land area(s) or the mineral(s) involved.

(3) Such a decision may not apply to land covered by a mining title until after the expiry of such title.

(4) The annulment of an exclusion decision shall be subject to the same procedure as the exclusion decision.

(5) Applications for mining titles pertaining to excluded land and which were registered prior to the publishing of the exclusion decision relating thereto, shall remain in abeyance. They shall be processed in priority at the expiry of the exclusion decision.

#### ARTICLE 62

No prospecting, exploration or mining operation may be undertaken without the authorization of the appropriate authorities:

- On the surface in a zone situated less than 50 (fifty) meters :
  - From built-on property, villages, clusters of houses, national parks, wells, religious buildings, burial grounds and places considered sacred, without the consent of the owner ;
  - On either side of communication infrastructure, water mains and, generally, around all utilities and road structures ;
- In any national park which is the subject of an international convention.

### CAMEROON PETROLEUM CODE OF 22 DECEMBER, 1999

#### ARTICLE 8

1) Subject to any acquired rights, the state may decide after consultation with the relevant government bodies or units, upon the areas to be open to Petroleum Operations for which Petroleum Contracts may be entered into or, where applicable, for which Authorizations or Hydrocarbons Mining Titles may be granted. Such areas may be divided into blocks in accordance with the terms and conditions to be laid down by the decree of application of this Code.

2) For reasons of general interest, certain areas may, by regulation, be closed to Petroleum Operations.



## **LAW OF 20 JANUARY 1994 TO LAY DOWN FORESTRY, WILDLIFE, AND FISHERIES REGULATIONS**

### **ARTICLE 20**

- (1) The national forest estate shall comprise permanent and non-permanent forests.
- (2) Permanent forests shall comprise lands that are used solely for forestry and or as a wildlife habitat.
- (3) Non-permanent forests shall comprise forest land that may be used for other purposes than forestry.

### **ARTICLE 29**

- (1) A management plan shall be drawn up for State forests defining, in accordance with the conditions laid down by decree, the management objectives and rules for each forest, the means needed to achieve the said objectives, as well as the conditions under which the local population may exercise their logging rights, in accordance with the provisions of the classification instrument.
- (2) The management plan, the duration of which shall depend on the goals pursued, shall be reviewed periodically or as the need arises.
- (3) Any activity in a State forest shall, in all cases, be carried out in accordance with the management plan.
- (4) The services in charge of forestry may divide State forests into forest management units.
- (5) In such case, a management plan shall be drawn up for each unit.
- (6) The conditions for drawing up the management plan shall be laid down by decree.

## **APPENDIX II**

### **Oil Concessions in Protected Areas**

<b>Company</b>	<b>Arrêté</b>	<b>Name of Permit</b>	<b>Substance</b>	<b>Protected Areas Impacted</b>
Kosmos	Arrêté No 00969/MINIMIDT/SG/DMG/SDAM of 20/10/2011	Ndian River	Pétrole	Korup, Ndongere, Mount Cameroun, Rumpi Hills
Perenco-Kosmos-SNH	Arrêté No 00612/MINIMIDT/SG/DMG/SDAM of 29/07/2010	Kombe Nsepe	Gaz Naturel/ Pétrole	Douala-Edea Reserve
Yang Chan Logone Holding	Arrêté No 00967/MINIMIDT/SG/DMG/SDAM of 20/10/2011	Logone-Birni	Pétrole	Waza







David Hoyle



David Hoyle



David Hoyle



Chloe Cipoletta



David Hoyle



David Hoyle