

*Full Length Research Paper*

# **Decentralization of forestry management in cameroon**

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**It was at the end of the Rio de Janeiro Summit of June 1992 that forestry legislation has undergone a real revolution in Cameroon. So, much innovation has been made thanks to the promulgation of Law n°94-01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations. Some of these innovations are the following: the creation of the Ministry of Environment and Forestry, the creation of forest of council and community forests. Since sustainable development is a major concern to the Cameroon Government, the State has opted for the decentralization of forestry management.**

**Keywords:** Forest–Management–Collectivities–Communities–Legislation–Decentralisation–Cameroon

## **INTRODUCTION**

In the 1990's, the biodiversity conservation became an issue that has been high on the policy agenda of the international community since the first Earth Summit in Rio in 1992. During the same year, Cameroon experienced a real revolution in forestry legislation owing to the adoption and promulgation of Law n°94-01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations. This law serves as a compass of all forestry policy in Cameroon. It is unique in its innovations: the creation of the Ministry of Forests and Environment and the creation of councils and community forests. It targets sustainable management of forest resources. By creating councils and community forests, Cameroon opted for the decentralization and the management of the forest heritage. It aims at involving local communities in biodiversity preservation. This study aims at assessing the effect of this policy, two decades after its implementation. Has there been any change in the deforestation rate? Have living conditions of decentralized units been improved?

## **METHODOLOGY**

The data analysed in the study were obtained from field surveys as well as the data collected by the organs in charge of environment protection and sustainable development in Cameroon.

The decentralisation in the management of forestry estate in Cameroon is a necessity for sustainable management. Forestry management in Cameroon rests on three key pillars: Government, non-governmental organisations and the neighboring communities to forest ranges. Many questions were asked to these people and NGO's workers while conducting the survey.

The Government, through the Ministry of Forestry and Wildlife as well as the Ministry of Environment and Nature Protection, has put at our disposal all the texts governing decentralization and management of forestry estate in Cameroon. These documents, which provide statistics on the number of councils and community forests attributed, on decentralised territorial communities and the national

forestry coverage rate, have enabled us to understand the history and the stakes of decentralisation in the management of forestry estate.

In order to achieve sustainable management, the Government has founded two structures: The National Forestry School of Mbalmayo and the National Forestry Development Agency. The surveys conducted in these two institutions have enabled to evaluate the impact of the work done by these institutions on the field. Besides, a considerable number of non-governmental organisations in charge of biodiversity protection were identified while carrying out these surveys. The information according to which these institutions work in partnership with the Government for a sustainable management of forest ecosystems was got from the heads of these institutions. In fact both institutions fund many projects geared towards wildlife and flora conservation.

In order to evaluate the impact of the decentralisation policy of forestry estate management in Cameroon, we have directed our investigations towards local communities which are somehow the people who primarily benefit from this policy. The results of the surveys show that the decentralization policy of forestry estate management has yielded mixed results.

### **Council forests**

A council forest is any forest that has been subject to a classification act on behalf of a council or which has been set up by this one. The act of classification sets the limits and the management objectives of this forest. They can be the same as those of the national forest as well as the exercise of use rights of indigenous people. It provides the concerned council with a land title. The act of classification is only the first stage of a community forest's acquisition process. In addition to that, there must be a management plan implemented by the council under the supervision of the forestry administration and the conducting of an environmental impact assessment.

### **Classifying a council forest**

The process of classification of forest area within the private domain of a council starts with the council request to The Ministry of Forests and Wildlife (MINFOP). The whole procedure is led by this Ministry through Sub-Directorate for forest management and inventories (SDIAF) and unfolds in four stages: the drafting of the information's technical preliminary note; public notice; sensitization for classification, drafting of texts to be submitted to the Prime Minister.

The drafting of the information's technical preliminary note takes place once the mayor has submitted his request. This usually takes 30 (for councils endowed with

a land use plan) and 90 days (for council without a land use plan). The opinion of the Ministry of Forests and Wildlife (MINFOP) is submitted to the divisional delegate for investigation and publication via the press and posters in the mayor's office in order to inform authorities and populations, and to get all the possible objections made by the populations in connection with the classification procedure.

The opinion of the population is generally gotten through discussions between the chiefs of the concerned villages and council and administrative authorities. Then, a commission, made up of the MINFOP Divisional Delegate, representatives of communities, the mayor, the Sub-divisional Officer, is established within the administrative unit interested in the classification act. This commission shall meet no later than 30 days following the publication notice. It is entrusted with the collection of all the oppositions and claims made by the populations during discussions and to send the report to the SDIAF. The recipient of the classification act should pay the charges related to the expropriation subsequent to the classification process of the forest area requested. These charges are paid into the public treasury and will be redistributed to those who were expropriated. It is only after this compensation that the MINFOP submits the classification request to the Prime Minister for his opinion.

There are certain advantages to the classification procedure: it is mainly participatory; the compensation of the expropriate people who gave their land is a prerequisite for the submission of the classification file to the Prime Minister; this act enables the council to benefit from the classification of the forest area requested within its private domain. Thanks to this, it has the right to request a land title that will give it a full ownership.

However, Law n°94-01 of 20 January 1994 and its implementation decree on the classification of council forests procedure has some legal loopholes: the lack of the legislator clarity on the payment of the charges related to the classification process, the non-inclusion of people's opinion in the final version of the classification documents (Poissonnet, 2005:5). In addition, some officials of the council forest units revealed that the classification procedure of forest areas can take up to 3 years for forests which are part of the forestry zoning plan. This procedural slowness is due to the centralization of the whole procedure at the SDIAF level in Yaounde. Therefore, council officials are obliged to constantly go to Yaounde to follow up the file. This makes the classification charges heavier. Challenges such as the legal implications of classification, the issue of classifying council forests with certificates of occupancy before 1974, the classification of forests that stretch over several councils are equally noted in the classification procedure.

Concerning the classification of forests that stretch over several councils, the classification process only considers classifying forests found within a council. Yet, there are

forests which stretch over more than one council. How can this category of forest be classified then?

### **The management of council forests**

To ensure sustainable management, any acquisition of land title requires first and foremost, the drafting of a management plan. This condition is particularly imperative with permanent forest estate, a domain community forests are part of. Article 23 of Law 1994 defines the management of a permanent forest as:

The process of managing forest to achieve one or more clearly specified objectives of management with regard to the production of a continuous flow of desired forest products and services without undue reduction of its inherent values and future productivity and without undue undesirable effects on the physical and social environment.

The management plan is a characteristic feature which, through some indicators, helps to determine whether the forest is sustainably managed or not. The forestry administration pays particular attention to it. The management plan is set at the behest of council officials. Working it out assumes that a good number of transactions have been carried out: inventories; reforestations; natural or artificial regeneration; sustainable forest exploitation; building infrastructures. The required management plan for the exploitation of a council forest should define how the forest is used in order to optimise exploitation and to contribute to the protection of forest resources.

The setting of the management plan is essentially participative. On its attribution day, it must determine and identify the practice prevailing. It's all about giving a historic use of the forest. It also helps to set up the space use strategy. When setting this plan, the forest area of a council is divided into 6 plots dubbed Forest Exploitation Units (EFU) or quinquennial blocks; for council forests should be exploited for 30 years. Each plot must be subject to a quinquennial planification. The council should not, whatever exploitation mode, go beyond a certain felling area per year. It is equally subject to the respect for the annual felling certificate validated by the MINFOF.

Drawing up a development plan in council forests is not an easy affair. Councils face up many challenges that dull their enthusiasms. It is difficult to assess the real cost of a development plan in the sense that prices are generally negotiated between the forest owner and the planner. The study of the CERNA on forest management reveals CFA F 1500 per hectare for the drawing and CFA F 500 per hectare for the implementation (Gireau, 2006:7). In addition, a survey carried out by the GTZ, a German NGO, with forest counsellors of the Yokadouma and Messondo councils in the East and Centre Region respectively reveals that: The price for the drawing up of a management plan varies between CFA F 2500 and

5 000 per hectare. In addition, the model of development plan closely modelled on the UFA appears to be inappropriate. It is equally difficult to apply the 30<sup>th</sup>'s rule for the exploitation of council forests. As a matter of fact, the rotation system per 30<sup>th</sup> imposed by the law to the council forest is neither adequate for this category of forest nor favourable for the development of council forests, for the height of these forests is relatively weak and does not guarantee the profitability of a minimum investment. This system is financially and materially expensive for councils (GTZ, 2007:23)

### **Forest Inventories and environmental impact studies in council forests**

There are two categories of inventories depending on the set objectives in the forest. These are management inventories and exploitation inventories. The management inventory consists of conducting a qualitative and a quantitative assessment on the wealth of forest stands which constitute a given area, for a sustainable management of the whole resources. While the exploitation inventory consists, on a given geographical setting, of an exhaustive enumeration of all commercial tree species in conformity with the standards laid down by the minister of forestry and wildlife. So, the forest inventory is the State responsibility (GTZ, 2007:26). This is not unfortunately the case. More often, management and exploitation inventories are conducted by forest loggers.

The environmental impact studies aim at ensuring the protection and a sustainable management of ecosystems, their tangible and intangible content as well as socio-cultural aspects. The different categories of operations whose achievement is subject to an environmental impact study shows a distinction between operations at a detailed environmental impact study such as UFA, the selling of timbers and protected areas, and operations subject to a summary environmental impact studies such as council and community forests. However, it is difficult to determine classification criteria of the projects in one or another category.

Moreover, the admissibility of an environmental impact study is subject to the payment of a certain amount to the competent administration by the project proponent. The fees required for the review of the application *file* differ according to whether it is a summary or a detailed environmental impact assessment. Concerning council forest subject to a summary environmental study, the total cost of the application file review is about CFA F 5 000 000 at the rate of CFA F 2 000 000 for the terms of references and CFA F 3 000 000 for the summary assessment. This amount has to be completed by the charges for the application which are CFA F 5 000 000. Thus, the cost of cost of a summary impact assessment amounts to CFA F 5. 000. 000. This produces a total cost

of CFA F 10 000 000 though carrying out an environmental impact assessment is only a stage among many others that precede the exploitation of a council forest.

### Community forests

The major innovation of Law n°94-01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations is the creation of community forests. A community forest is that which belongs to the non-permanent forest estate, which is the subject of a management convention between a village community and the administration in charge of forests (MINEF, 1994). The management of this forest is under the responsibility of the village community in question with the support or technical assistance of the administration in charge of forestry.

A management convention of a community forest is a contract by which the administration in charge of forestry entrusts a community with a portion of forest of the national estate, for its management, its preservation its exploitation for the interest of that community. The management convention has a simple management plan which sets the activities to be carried out. The communities in question enjoy the following benefits: forestry products, timber and non-timber resources, animal and plant species, fishery products, as well as special product, except those forbidden by law, are owned by the community in question.

Among other general provisions relating to community forests is the fact that the area of a community forest cannot exceed 5000 hectares and that the area in question must be free from any forestry exploitation. In addition, forests likely to be subject to a management convention of community forest are located at the periphery or nearby one or many communities. Every forest likely to become a community forest is attributed first and foremost to the nearest riverside community. When a forest borders several communities, it can be subject to a convention of collective management. The acceptable legal entities can be associations; community initiative groups; cooperative societies; and economic interest groups (MINEF, 1994)

The Government also demands that all components of the community in question be consulted on the issue of managing a community forest. So the legal entity chosen should be representative of the concerned community and not only of a small group of people. The minimal duration of a management convention is 25 years. It is renewable when the community honours the commitment taken. The exploitation of a community forest is done on the basis of its simple management plan duly approved by the administration in charge of forestry, under its own management, through the sale of lumbers, or through an exploitation licence which grant personal authorization to harvesting. Apart from the licence provided for in the

general tax code, the forester who sells lumbers is responsible for the following finance charges:  
the annual forest tax based on the area;  
the felling tax of forestry products, that is the value per specie, per volume, weight, or length;  
the progressive surtaxes on non-processed forestry products ;  
the contribution to social work;  
Participation in management works (MINEF)

The 1994 forestry legislation is very particular concerning forestry exploitation and related infractions. An analysis of Law n°94-01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations in Cameroon reveals that the main objective remains the protection of environment and the preservation of natural resource. That is why a particular emphasis is laid on the promotion of the local industry. Thus, timbers cut in Cameroon are processed in the majority by local industries, Article 71 of Law n°94-01 of 20 January 1994.

In essence, 70% of logs produced are processed by the local industry within a transitional period of five years from the issuing of this law. After this deadline, the exportation of logs is forbidden and the nation's entire production is processed by the local industry.

Clearly, from 1999, no log should be exported out of Cameroon. Those harvested must be processed on the spot. Unfortunately, that objective has not yet been attained after sixteen years. People are still cheerfully exporting logs to the detriment of the local industry and the national economy which could have improved the added value.

This policy also highlights governmental strategies which aim at reinforcing the contribution of the forestry sector to Cameroon socio-economic development thanks to the action of non-governmental organizations, economic operators, and local people. According to Mr Sylvestre Naah Ondoua, former Minister of Forests and Environment, this aims at "improving the participation of local people in the preservation and management of forest resources so that they could help them improve their living conditions" (Naah Ondoua, 1998).

Although it was important to improve the livelihoods of the local people, priority had to be given to the profitability of forests. The forestry revenues would enable the State to honour its debts owed to donors; a sine qua non condition of the Structural Adjustment Policy. For Cameroon public authorities, creating communal forests is a perfect innovation. They believe that, these forests offer many opportunities:

The presence of NGO and projects, a committed civil society.

The setting up the of a multi-donor programme (MDP)

The training of many local communities (forest managers, trackers, Hewers, mayors, elites, etc);

Communities' great interest in the creation of community forests. Funding opportunity of some stages of the process by the industry operators committed in the

**Table 1:** statistics of forest councils

Years	Applications for council forest		Classified council forests		Approved management plan		Operating Annual License		
	number	cumulated area (ha)	number	Cumulated area (ha)	number	cumulated area	number	Base annual area	Authorized volume (m <sup>3</sup> )
2005	45	1,079,647	15	3,818,350	10	266,198	08	10,913	173,242
2010	52	1,146,007	16	402,230	10	266,198	06	7,788	179,947
2015	63	1,447,407,72	25	702,526	12	303,424	11	11,023	271,879

Culled from MINFOF forest and wildlife SECTOR, facts and figures

certification process and willing to ensure a smooth cohabitation, given the permanent nature of the estate to be managed by them;

The existence of the AFT which can sustain the setting up of a community management strategy (MINFOF, 2008)

### Community forest: A State property

In the community forest, only the usufruct is transferred by the State. It keeps on controlling the forest. Community forests are attributed and managed by the concerned people following norms defined by the State on the Procedures Manual. It reserves the right to withdraw this management power from the population in case of non-compliance with specifications.

The implementation of community forest management agreements shall be incumbent on the communities concerned, under the technical supervision of the services in charge of forests and, where applicable, wildlife. In case of violation of this law, or of the special clauses of the agreements, the aforementioned services may, as of right, and at the expense of the community concerned, carry out the required works or annul the agreement, and this shall not affect the logging rights of the population.

### The zoning plan of community forests

The zoning plan of Cameroon southern forest confined creation sites of community forests in agro-forestry zones. These, in reality, correspond to zones that were subject to industrial exploitation and inhabited estates which are seriously depleted. The maximum area given by the State is 5000 ha, although people's activities on the space are far beyond such areas. That is what raises the question of their capacity to contribute to people's development. There is a true iniquity sharing the useful forest among community forests, on the one hand, protected areas and forest concessions on the other hands. Rene Djenkam, on this issue, highlights the maladjustment of these zoning in line with the customary land law which underpins the private appropriation of forest areas. (Djenkam, 2007:57).

The delimitation of some community forest already raises certain questions. Several communities carry out fishing activities and share the same space. Setting boundaries between communities become difficult as they have put in place exploitation mechanisms they are pleased with. Setting boundaries could be the source of many problems and lead to unintended consequences for the resource. That is where lies the specialisation problem of spaces imposed by the zoning plan borders. There is a complexity in the way the populations themselves make use of spatial specialisation. On the whole, the zoning plan differentiates Forest Management Unit (FMU) used for lumber industry and an agro-forestry zone in which local people can carry out farming and seek the allocation of community forests. This demarcation is unknown by the populations; it is recent and artificial.

### The issue of financial costs of demarcating forests

The initial expenditures are still heavy to the extent that, without any external assistance, communities find it difficult to fully commit themselves. The attribution of a community forest calls for complex administrative procedures and shows a substantial investment for communities in terms of time and money. Some investigations put the total cost necessary for an application for a forest community and the setting up of a simple management plan at between CFA F 1,500,000, 2,500,000, 3,900,000 and 16,000,000 (Legal Guide, 1995). In spite of the fact that community working teams are made up of young people from the village concerned and that the work is about a community service, there is, however, a loss of earnings for these young people who abandon their own activities for those of the community. These high costs justify why the assistance of external partner is crucial (project and exploiter); a situation which remains a serious obstacle in the effective involvement of the local communities in that initiative (Moubeke, 2006:6)

### Findings

An analysis of table 1 shows that, very few council forests were attributed. In 10 years (2005-2015), barely 25

**Table 2:** Statistics of community forests

Years		2005	2010	2015
CF's Application	cumulative number	352	477	574
	cumulated area (ha)	/	1502347.644	1781507.96
<i>Provisional Forest Management Agreements (PFMA)</i>	cumulative number	/	/	128
	cumulated area (ha)	/	/	503128
Approved simple management plan (SMP)	cumulative number	151	291	320
	cumulated area (ha)	/	/	1122227.64
Final agreement (FA)	cumulative number	85	182	267
	cumulated area (ha)	/	/	918033.9
Annual Logging Certificate (ALC)	Number	12	142	71
	Area of annual forest lands	/	2164393	277752.6
Exploitation of species	<i>authorized amount of Annual forest land (m<sup>3</sup>)</i>	/	139567	88602.555
	Cumulated exploited volume of <i>Annual forest land (m<sup>3</sup>)</i>	/	16412	/

Culled from MINFOF, Forest and wildlife Sector (Cameroon), 2015, p.26

council forests were attributed to decentralized territorial units though Cameroon can boasts of 360 councils (FEICOM, 2014:5)

There is a constant increase in the number of applications for community forest. For the officials of the Ministry of Forest and Wildlife, communities' great interest is becoming increasingly evident. Between 2005 and 2015, 267 community forests were indeed attributed for a surface area of 9180339 hectares (MINFOF, 2015:27).Table 2

There are certain constraints to community forests:

Fraudulent exploitation

Lengthy process of attribution

A limited involvement of women

Investment in wood industry

A poor integration of community forestry into the rural development process;

Low managerial capacity of local communities;

A lack of a true community spirit within village communities source of many conflicts;

A limited vision and understanding of the community forest concept (MINFOF, 2008)

## DISCUSSION

A council forest is any forest that has been subject to a classification act on behalf of a council or which has been set up by this one. In the same vein, Article 3(12) of the decree 1995-531 defines it as "a forest which, pursuant to Article 30 (1) of Law n°94-01 of 20 January 1994, has been subject to a classification act on behalf of the concerned council or which has been set up by this administrative unit on a council land." All the chapter

dealing with the issue of the council forest do not enlighten us on its limits.

The silence of the legislator raises questions. Should a maximum area be attributed to council forests, as it is the case with forest concession? (200 000 ha) or council forests? (5 000 ha)? In this case, what would happen to councils with a maximum area of hectares above the de minimis threshold of a council forest? In this case, that would mean reducing the chances of councils with small areas to have a council forest.

Council forests are not assisted by the State to implement their management plans. They don't have any back up. Due to their small budgets, councils generally seek the assistance of forest loggers to carry out their studies for specific benefits. This is one of the reasons that justify the numerous blunders witnessed (Ndinga, 2001:86). However, forest management is a primacy of MINFOF through Special Funds for Forest Development. In reality, the practice is different. Councils are obliged to draw up their management plan without any financial back up nor a technical assistance from the State. This is a blatant case of dereliction of responsibility by public authorities.

The classification procedure, the management process, the elaboration of forest inventories and the environmental impact studies did not arouse much interest among the population and locally elected officials. Beyond the administrative burden, one must acknowledge that the attribution of a council forest requires significant financial means. This condition constitutes the soft underbelly of councils, given their low budgetary capacity.

Though innovative, the legislation on community forest has some legal gaps. Community forests have narrow

and precarious bases. Firstly, neither the forestry law, nor the implementation instruments define the notion of community. Is this imprecision not a latitude voluntarily left by legislators in order to remain vague? In addition, it is known that the rule in force (article 28 of the decree implementing the forest regime) requires the management entity to be representative of all parts of the community in question. How can this be achieved?

The 1994 law enshrines community forests as a new category of local communities 'mechanism of accountability in the management of forests. People face some challenges related to the weakness of powers given to them by the State in matters of community forests (Ndinga, 2001:98) within the meaning of law and practice, it is clear that communities have a circumscribed power on the management of forest resources and not the land.

The hypothesis of transferring forest management competences can only be possible with political decentralization. Yet, the limits and gaps in the institutional support mechanism, namely, legal loophole, the complex nature of procedures, the broad discretionary power of the administration, jeopardize the decentralization process (ENJEUX, 2012:23). How to legitimate the local power in a context where the devolution of powers in matters of forest management has preceded the devolution of political powers? In the forest sector, the lack of political will is often complicated by the fact that forest administrations are conservative.

A forest paradigm has been set up. This, in the 1990s, was the resistance basis of forest administration to decentralization (Ngouffo, 2006:41). This resistance continues in spite of progress made

The community is equally in charge of setting up a simple plan of management. This requires technical competences within the community, giving the population concerned the right to be masters of their own destiny, keepers of their own destiny. Yet, what type of competence is this all about? It is all about Western technical competences. And yet, the law provides that the forestry administration shall assist the community. In the field, that is not the case.

The wildlife is seen as the poor relative of 1994 reforms on forestry. The stake of the community forest centres on the lumber industry. People hardly talk about game which still remains a serious issue. According to Article 2 of Law n°95/546/PM of 20 January to lay down Forestry, traditional hunting is "that which is done using crafted tools from bio-based materials". This definition is now outdated; who is still hunting with bio-based materials? And yet, the law stipulates that this is free throughout the country. So, traditional hunting rights are no more fully legitimate and promoted through a better integration of local hunters in the national commercial chains.

At the moment, the highest added value of the bush meat production goes to poachers and retailers. Without economic fallouts, there is a little chance for rural hunters

to invest in measures that aim at promoting the sustainable management of wildlife resources. Not everybody agrees with the idea of preservation. For a project to continue, it needs the assistance of the new leader, some fell reluctant carrying out a project started by their predecessors. This shows a lack of community spirit. Due to the time it takes to establish a community forest, one does not always have the occasion to see the accomplishment of what he initiated.

The problem of the long-term sustainability of community forests, of compatibility between community development objectives and sustainable management of forest resources' objectives. At times, there is a competition or an antagonism between investments in the sustainable management of community forest on the one hand, and the need to manage individual incomes or to achieve community development investment on the other hand. Till date, no local community can claim to have taken out sound development actions from the management of community forest.

## CONCLUSION

The decentralization of Cameroon forest heritage has been very innovating. Council and community forest constitute the factual elements of this policy. However, very few attributed community forests were recorded. In a decade (2005-2015), hardly 25 community forests were attributed to decentralized territorial units though Cameroon can boast of more than 360 councils. The classification procedure, the management process and financial constraints were not enthusiastically received by the population and local elected representatives. Similarly, the results of community forests remain mixed. Several communities consider the process as a measure aimed at encouraging an uncontrolled extensive exploitation. This interpretation contributed greatly to the refusal of community forest concept by several village communities who are not directly involved in the conservation project or don't have close contact with a logging company which can give them necessary financial resources. In a nutshell, the way it was planned and implemented, the community forest cannot yet contribute to a sensitive development of local communities

## CONFLICT OF INTERESTS

I declare any conflict of interests.

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