Win-wins in forest product value chains? How governance impacts the sustainability of livelihoods based on non-timber forest products from Cameroon

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Governance analysis

This chapter answers the first research question concerning the governance context and arrangements in which NTFP value chains are embedded and observable trends. The chapter draws on data from the literature review, content analysis of policy and regulatory documents and interviews with key stakeholders (Chapter 3). After outlining the policy and institutional context, it sets out how NTFPs are governed, building on the definition in Box 1.3. The principles and systems guiding interactions around NTFPs and institutions that enable these interactions are focused upon. The multiple governance frameworks existing in Cameroon are described, with a focus on the main geographic areas from which the value chains originate. Originally, the research sought to examine the formal, regulatory system and traditional and customary regulations. However the existence of other governance arrangements became apparent during the research: those based on voluntary and market-based schemes, projects and international agreements, and the impact of corruption, all of which have introduced systems and practices by creating, adapting and/or enforcing formal and customary regulations and policies. The specific governance aspects in each value chain are subsequently detailed in Chapters 7 to 10.

Political and institutional context

This section introduces the prevailing forests, poverty and trade politics and policies. It presents and analyses the institutions impacting individuals and groups in NTFP chains.

Development policy

Compared to other African countries and many of its neighbours, Cameroon enjoys relatively high social and political stability, being largely peaceful since battles with German, French and British invaders in the late 19th century and political unrest in the early 1990s and 2008. Sporadic conflicts today arise from mainly pressure groups advocating for greater autonomy of the Anglophone Northwest and Southwest regions (Konings et al. 2003). Slow moves towards democratic reform have been made since...

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1 This chapter draws on the following peer-reviewed documents written or contributed to by the author: Cerutti et al. 2009, Colfer et al. 2011, Ingram et al. 2011c, Beauchamp and Ingram 2011, Laird et al. 2010,
the CPDM ceased to be the only legal political party and multi-party elections recommenced in December 1990. Political power has remained firmly in the hands of President Biya since 1982, currently the second longest running African president after Mugabe. The president has broad, unilateral powers including creating policy, administering government agencies, negotiating and ratifying treaties. He appoints government officials at all levels.

Political, institutional and juridical reforms have been enacted to support development-oriented strategies since the 1980s when agreements were negotiated with the International Monetary Fund (IMF) and the World Bank. These were accompanied by slashing the civil service, public finance reforms, state governance changes and industry privatisation. Though they have had some effect, meaningful and visible reform, especially on corruption, have not occurred (International Crisis Group 2010). Currently all developmental strategies, policies and external support fall under the Poverty Reduction Strategy Document (PRSP), adopted in 2003 (International Monetary Fund 2003). This embodies a decentralisation and participation rhetoric, prioritising a stable macroeconomic framework, growth through economic diversification and private sector revitalisation (International Monetary Fund 2003). Failing to meet the conditions of the first four IMF programmes, the government was forced to adopt the IMF-supported Poverty Reduction and Growth Facility (PRGF) from 2005 to 2008. A new constitution was adopted in 1996, espousing democratisation, economic liberalisation and decentralisation. Emphasis was placed on governance and fighting corruption, leading to a National Governance Programme in 2003. Democratisation appears though to have halted after the return to political pluralism. Current politics are reminiscent of the post-independence monolithic political period, with elites regaining political and economic privileges associated with autocratic rule (Mbuagbo et al. 2004). Civil society has been compromised by the creation of political and social structures promoting autocratic rule and remains mired in cleavages, ethnicism and regionalism. In this context ‘good governance’ has remained a persistent dream (Nkwi 2010).

Forest policy

Under pressure from the international community, the government was more or less forced to adopt reforms. The Bretton Woods institutions\(^2\), used conditionalities linked to structural adjustment programmes to drive a new forest law. Heavily influenced by the Rio Summit (1992) they attempted to reconcile economic forest exploitation and biodiversity conservation and to mobilise new sources of state income by introducing a forest tax (Topa et al. 2009). Local communities, business and civil society were poorly represented in the process, undermining the positive impacts the reformers wished to promote (Assembe-Mvondo 2009). The Forest and Environment Sector Policy (FESP) was adopted in 1999, becoming operational in 2006. It aims to be a comprehensive policy for accountable and sustainable management of forest resources and has five main activities: environmental management of forest activities, valorisation and processing of NTFPs, biodiversity conservation and valorisation of wildlife, community management of forest resources, and institutional capacity building, research and training. Government actions are complemented by a basket of tied donor funding that

\(^2\) Established post World War II to assist European reconstruction and provide mechanisms for international cooperation managing global financial systems, includes the World Bank, IMF, and IFC.
eventually became available in 2008. Progress indicators\(^3\) strongly focus on timber and conservation, poverty and governance, with no specific indicators for NTFPs. A result has been improved governance and sustainability of forest management in timber concessions, better conditions for adjacent communities and enhanced timber-based economic growth\(^4\) since the mid-1990s, with the resulting regulatory framework culminating in the 1994 Forest and Wildlife law – considered by some as the most progressive in Central Africa (Topa \textit{et al.} 2009).

Although non-state actors were foreseen as partners in policy development and implementation, MINFOF acknowledges that their participation remained below par\(^5\). Although the FESP is a government programme, donor input to and steering was, and still is, strongest. This has mainly been through the 20 strong Circle of Partners of the Ministry of Forestry and Wildlife (CCPM), a group of international donor organisations, embassies and support organisations active since 1999. Timber and conservation generally dominate the FESP and CCPM agendas, although periodically attention has been paid to NTFPs. The Forest Governance Facility (FGF) in 2007, initiated by the UK Department of International Development (DFID), the Netherlands Development Organisation (SNV) and local partners aimed to stimulate civil society, private sector, research and elected and traditional representatives involvement. But after three years it failed to gather momentum. The FESP is implemented by the Capacity Building for Community Managed Forest and Fauna Resources Initiatives Project (RIGC) set up and managed by the MINFOF with Highly Indebted Poor Country Initiative (HIPC) funds. It supported community-based activities, including NTFP extraction and processing until 2010. The National Forestry Action plan (PAFN) supported and revitalised the semi-dormant National Reforestation Agency (ANAFOR)\(^6\). NTFPs were not specified in the PAFN. Largely stimulated by the FAO, a national policy framework (FAO 1999; Mbolo \textit{et al.} 2002; FAO et al. 2008; Mbolo \textit{et al.} 2002; Betti 2007b; Djeukam 2007; FAO \textit{et al.} 2008; FAO 2009a; b).

\textit{Governance actors} \\
A range of government agencies have been and are involved in implementing policies concerning NTFPs in Cameroon, shown in Figure 6.1. Alongside the direct actors In the 1990s, the competent ministry – the then Ministry of Environment and Forests (MINEF), now Forestry and Wildlife (MINFOF) – created a sub-directorate for NTFPs. Located in the Directorate of Promotion and Transformation of Forest Products (DPT) it concerns the commercialisation, transformation and development of forest products. The DPT was also tasked with centralising data collection for these products. The department had to compete with more powerful directorates for influence and resources and accomplished little. Although MINFOF has been streamlined since the late 1990s, the same problems continue, and the DPT continues to have limited influence compared with the directorates concerned with timber and conservation. It has been dependent for

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\(^6\) ANAFOR succeeded the National Office for Forest Development (Office National de Développement des Forêts, ONADEF) as part of the reorganisation of MINFOF to implement the FESP.
its operating budget on donors, allowing them to influence priority setting. It has so few resources that it is unable to collect basic statistics on most NTFPs (Walter et al. 2006; Betti 2007b; Ingram 2009b), a major obstacle to drafting, implementing and monitoring NTFP regulation.

The National Reforestation Agency (ANAFOR) is responsible for regeneration and reforestation. A lack of funding has meant these activities have not been conducted, although funding from CITES and the International Tropical Timber Organisation (ITTO) in 2010 enabled studies on *Prunus africana*. Other ministries include the Ministry of Livestock, Fisheries and Animal Husbandry (MINEPIA), regulating honey, classed as an animal product under the Veterinary Sanitary Inspection Law of 2000. Coordination within and among ministries of Forestry and Wildlife, Livestock, Environment and Nature Protection and Sustainable Development (MINEP), Agriculture and Rural Development (MINADER), Finance, Customs, Territorial Administration and Decentralization (MINATD) and Small and Medium Sized Enterprises, Social Economics and Crafts (MINSME) on NTFPs does not happen on a regular or planned basis. The lack of collaboration is exacerbated by high staff turnover and extensive reshuffles every two or so years. Thus despite the large number of departments concerned with NTFPs, a bureaucratic, large, expensive, ineffective and unconnected apparatus exists.

*Figure 6.1* Direct and indirect actors in forest governance in Cameroon

Whilst the state seems omnipresent on paper, fieldwork indicates an inverse correlation between distance from the capital and physical presence of civil servants in regional offices and councils, and even stronger inverse correlation with presence at sub-divisional posts, the field or forest. Remoteness and the lack of adequately trained staff, infrastructure, equipment, financial and logistics hinder implementation. Staff are often paid months late, hence ‘private settlements’ (another euphemism for bribes) is a necessary practice. Per diems and support from projects supplement income and
facilitate operations, such as transport, monitoring, meetings and control activities. Some government staff work as consultants with research, conservation and development organisations while remaining civil servants. Shown in Figure 6.1, other actors include traditional authorities, NGOs and civil society organisations (CSOs), community based organisations (CBOs) such as community forests, and local community development organisations, research organisations (international and national universities and research institutes) and development organisations (international and local). Their roles are elaborated further in the following sections and specifically in each chain in Chapters 7 to 10.

Regional political and institutional links
Cameroon’s relations with African organisations, such as the African Union, are marked by an absence of active diplomatic initiatives (Konings 2009). Despite a shared colonial background with West African states, regional political and institutional affiliations are mainly directed towards Central Africa. At the first Central Africa summit on the conservation and sustainable management of tropical forests in 1999, heads of state proclaimed “their commitment to the principle of biodiversity conservation and the sustainable management of the forest ecosystems of Central Africa…[and] the right of their peoples to be able to count on the forest resources to support their endeavours for economic and social development” (COMIFAC 2006). In 2005 the COMIFAC Treaty for the Conservation and Sustainable Management of Forest Ecosystems in Central Africa finalised commitments to sustainable forest management and created the legal basis for COMIFAC as a political and technical steering, coordinating, harmonising and decision-making institution, supporting and monitoring the implementation of international conventions and forest development initiatives. Cameroon is a member of the Congo Basin Forest Partnership (CBFP). This informal structure of about sixty COMIFAC member country institutions, NGOs, international institutions and private sector organisations was launched during the World Summit on Sustainable Development in Johannesburg in 2002. The CBFP aims to enhance the effectiveness of technical and financial contributions and harmonise programmes implementing the COMIFAC Convergence Plan. Both initiatives have been strongly driven by the food security, conservation and development-related agendas of the EU, FAO, GTZ and USAID. In the last decade these four organisations have been major drivers of NTFP policies nationally and regionally. A result has been that COMIFAC members have increasingly recognised the role of NTFPs in reducing poverty, economic development and biodiversity, leading to recommendations for the harmonisation of policy and regulatory frameworks (FAO et al. 2008). The two year revision process culminated in a participative multi-stakeholder activity (with a broad, but not entirely representative group of actors), to produce and validate a sub-regional Directive on sustainable management of NTFPs of plant origin in Central Africa in 2010 (Bigombe Logo 2010; COMIFAC 2010). COMIFAC reiterated the need to improve the legal and institutional frameworks for the sector in its Convergence Plan (FAO et al. 2008). These regional actions slowly filtered to a national level. The redrafting and revision of national policies that started in Cameroon in 2008 has drawn on the sub-regional guidelines and seems to be approaching finalisation. A meeting of the NTFPs Sub-Group of the Central African Biodiversity Work Group produced “strong recommendations” to reinforce NTFP policies, programmes and projects (Congo Basin Forest Partnership
2011). Together with the Central African Forest Observatory (OFAC), these provide an opportunity for governing NTFPs nationally and regionally.

Statutory frameworks regulating NTFPs
Cameroon’s colonial legacy has bequeathed it with two operating legal systems: French-oriented civil law in the eight eastern and northern regions and English common law in the Northwest and Southwest regions. These recognise some customary laws, which, due to the country’s ethnic diversity, encompass multiple norms. In Muslim regions, primarily in the north, Islamic legal principles have been incorporated into customary law, and Sharia law was recognised in the 1996 Constitution.

Forestry and environment laws
In the 1990s international agencies, particularly the World Bank, pressed the government to promote forestry laws incorporating forest products and services other than just timber. These policy processes culminated in the regulations shown in Box 6.1, in particular the 1994 Forestry and Wildlife Law. However well-intentioned, the 1994 law was developed without adequate or meaningful consultation with people using and trading NTFPs. It has since proved largely ineffectual and often undermines the objectives it sought to achieve (Njamnshi et al. 2008; Assembe 2009). These instruments have been strongly criticised for allowing over-extraction due to the multiplicity of actors involved and the weak and ineffective legal coverage, for limiting access to revenues for communities and customary users and the lack of specification of harvesting techniques (Djeukam 2007). The law also suffers from definitional problems. Article 12 of the 1994 law establishes national sovereignty over genetic resources and describes requirements for free and prior informed consent and benefit sharing between prospectors, the government and local communities. Articles 64 and 65 of the 1996 Law also set requirements for genetic resources. However distinctions between genetic resources supplied for bioprospecting and those traded remain poorly elaborated. The 1994 law addresses plants and fauna and sets out three protection classes, but these regulate only animal species (Article 78). Although a classification is appropriate given the role of bushmeat and fish in the economy and livelihoods, the logic behind the selection of species is conservation based and not on their livelihood or market value. A 2011 revision was strongly influenced by conservation concerns (Matthew LeBreton, CAMHERP, pers. comm. 2011). The lack of a similar classification for plants indicates the need for a legal and policy framework addressing the realities of their use and trade. The government has clearly struggled regulating NTFPs, indicated by the lack of a definition. Developing an appropriate legal framework has been limited as most NTFPs – unlike timber – do not have values or characteristics that can easily be captured by the government. Thus the current legal framework largely maintains a status quo prior to the introduction of the regulations: most NTFPs consumed locally traded are not formally regulated but de facto by customary regulations concerning land tenure and resource rights. Only a handful of high-value products traded nationally, regionally and internationally are regulated.

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7 Free prior and informed consent’ is the principle that a community has the right to give or withhold its consent to proposed projects that may affect the lands they customarily own, occupy or otherwise use. It is a key principle in international law and jurisprudence related to indigenous peoples.
Proposals for regulatory and institutional reform have been made since 2008 (Ebamane 2008; FAO 2010c; b; Logo 2010), including specifically for Gnetum spp. (Ndoye et al. 2010) and for harmonisation across the Congo Basin (Walter et al. 2006; Mekongo et al. 2008). A consultative process to revise the 1994 law and address its perceived deficiencies has been under way since 2009, with finalisation expected in August 2013. Many of civil society organisations, parliamentarians and campaigners criticising the 1994 Law have contributed to its revision to counter the democratic failings of their state, pushing for increased participation in decision-making, greater fiscal accountability and transparency. One result was the set of recommendations for reform developed with extensive stakeholder consultation processes with actors from the sector (FAO 2010a) aimed specifically at NTFPs (FAO 2010a).

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Box 6.1 Forestry laws in Cameroon

The authorities in French Cameroon did not specifically regulate NTFPs. In the Western Cameroons, the British applied Chapter 75 of the Nigerian Forestry Ordinance, 1 February 1938. This remained the main legislation governing forest resources in the Northwest and Southwest provinces until 1973. It listed 25 product classes from timber, to plants, surface oil and minerals, beeswax and all produce from animals found in or brought from a forest. Since independence in 1960, Cameroon has enacted five relevant pieces of legislation:

- Law N° 68/1/COR of 18 July 1968 regulated forest resources in French-speaking areas.
- Ordinance N° 73/18 of 22 May 1973 and its decree of application, No. 74/357 of 17 April 1974, were the first to cover all of Cameroon since independence and dealt exclusively with forest resources. Article 39 (73/18) used the expression “traditionally harvested products” and specified, with Article 64, fuelwood, charcoal, grains, roots, leaves, barks, medicinal plants, flowers, eggs and feathers. Article 24 (74/357) used the term “secondary forest produce”.
- Law N° 81/13 of 27 November 1981 and three decrees of application, all issued on 12 April 1983, had a wider scope, dealing with forestry, wildlife and fisheries resources. The Law Article 39 regulated fuelwood, charcoal, grains, roots, leaves, barks and medicinal plants, and Decree covered (literally) raffia, palms, bamboo, raffia, firewood, edible produce, sand, gravel, laetrile (Section 3), medicinal plants (Section 23), poles, firewood, wood for charcoal (Section 34), wood, roots, bark, leaves, fruit and sap (Section 54).
- Law N° 94/01 of 20 January 1994 on Forestry and Wildlife provides a national framework, replacing the 1981 law. It covers “forestry products of any nature except those from trees” (Article 21), “other forest produce” (Article 45), forestry products as “essentially constituted, as vegetal products of wood and non-wood vegetal origin, as well as faunal and fish resources obtained from the forest” (Article 9) and “special products” as “certain forest products such as ebony, ivory, wild animal horns, certain animal, plant and medicinal species which are of particular interest and shall be classified as special” (Article 9.2). It has three application decrees:
  - Decree N° 95/466-PM of 20 July 1995 on wildlife.
  - Decree N° 95/531-PM of 23 August 1995 on forestry, specifying (literally) raffia, palm trees, bamboo, rattan, foodstuff, fuelwood, deadwood and grazing products (Sections 26(1) and 32(1) and fuelwood and poles from felled trees (Section 26(2).
  - Decision N° 0336/D/MINFOF 6 July 2006 Setting the List of Special Forestry Products representing a particular interest to Cameroon, specified 13 timber and non-timber products.
**NTFPs in Cameroonian law**

The measures enacted over the last 50 years (Box 6.1) have added to confusion by providing multiple, different definitions of regulated forest products. As the basis of a quota and permitting system, the terms ‘minor forest products’, ‘secondary forestry products’, ‘forest produce other than timber’ and ‘special forestry products’ (SFP) are used in Articles 9, 21 and 45 of the 1994 Law. No further clarification or definitions of the terms ‘certain’, ‘interest’ and ‘special’ are given. The majority of products listed are NTFPs, but not exclusively, shown in Box 6.2 by the list elaborated over a decade later (Government of Cameroon 2006). SFP lists have subsequently been published annually, including species and products that are both native and introduced, cultivated and wild harvested, exported and consumed locally, timber and non-timber.

Quotas for the study period (detailed in Appendix 10) are determined annually by an interministerial committee headed by the MINFOF. The law states quotas should be based on surveys of species populations. In practice, they are determined by requests from exploiting companies. Interviews and inspections of the annual permit allocation and quota (*bulletin de spécification des produits forestiers spéciaux*) attached to waybills\(^9\) (*lettre de voiture*) indicated that quantities purchased from harvesters regularly exceed quotas. Species are regulated in some years and not others, due purely to demand, rather than to availability or conservation status. Quotas, and the associated permit and waybills are allocated to individuals or companies, who are rarely harvesters or exploiters themselves. It takes from several months up to a year to receive a permit, in a procedure involving several governmental bodies. Permit holders tend to have sufficient political and economic power to gather the necessary paperwork and follow up their dossier in the capital. This parallels the timber sector, where political patronage is deeply embedded (Assembe 2009). Many quota holders sell their waybills at 250% to 500% of the permit value reported by the Ministry of Finance. This practice allows others to trade slightly easier than with no permit, albeit still illegally, and further stimulates institutionalised corruption. Some high-value NTFPs not included on the SFP lists are regulated by quotas and permits mutual agreements (*gré à gré*) granted by the Minister of Forests, based on regulations pre-dating the 1994 law. Examples since 2005 include rattan, charcoal, eru (*Gnetum spp.*) and bush mango (*Irvingia spp.*) (Detailed in Appendix 10). Exported SFPs such as *Prunus africana*, require an additional export authorisation from MINFOF. Other exported NTFPs are neither subject to SFP or other permit systems.

In summary, the quota and permit system for both national and export trade is not transparent and places enormous burdens on traders and exporters, increases costs and discoursages trade and compliance with laws. The myriad of bureaucratic and expensive financial obligations, including high levels of corruption challenges the sector’s economic viability. The annual nature of permits makes it impossible for businesses to plan and creates uncertainty for customers. Combined with the generally unsupportive business climate, these factors have discouraged international investors, with at least one company reported being dissuaded from continuing and one from setting up NTFP-processing operations in the period 2004 to 2010.

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\(^9\) The part of the quota granting permission to transport SFPs and used by MINFOF for monitoring.
The quota and permit system does not accurately monitor or manage quantities traded, highlighted by the discrepancies between the permit quantities requested by traders, permits granted and actual sold in markets and exported (see details in Appendix 10 and 11) as annual permitted quantities are far below actual quantities sold. For example, between 2007 and 2009 only one quota was allocated for 100 tons of Irvingia spp. from the Centre region. However, on average 5,089 tons was produced annually from just 36 villages in the Southwest, Centre, South, East and Littoral regions and on average 4,448 tons of safou (Dacryodes edulis) was sold annually from 1997 to 2007. Despite these high volumes, safou is not an SFP and does not require a permit.

### Box 6.2 Special Forestry Products in Cameroon
Decision N° 0336 of 2006 listed 13 SFPs in a mix of French, English, local and scientific names.

<table>
<thead>
<tr>
<th>Product*</th>
<th>Species scientific name</th>
<th>Local names</th>
<th>NTFP</th>
<th>Timber</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ebéne</td>
<td>Diospyros crassiflora</td>
<td>Ebene, ebony</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Eru</td>
<td>Gnetum africanum, Gnetum buchholzianum</td>
<td>Eru, ọkọk, koko</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Pygeum</td>
<td>Prunus africana</td>
<td>Pygeum, kanda stick</td>
<td>✓ ✓</td>
<td></td>
</tr>
<tr>
<td>Yohimbé</td>
<td>Pausinystalia yohimbe</td>
<td>Johimbe</td>
<td>✓ ✓</td>
<td></td>
</tr>
<tr>
<td>Wild rubber</td>
<td>Funtumia elastica</td>
<td>Rubber, manjongo, ebongo, damb, damba, ndama, ntob, akaine, etendamba, élé-ndamba, domjongo</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Rauvollia</td>
<td>Rauvollia macrophylla, R. vomitoria</td>
<td>Yando-yotongo, ebòng, etong, esombo</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Rattan</td>
<td>Eremospatha spp., Laccosperma spp., Oncocalamus spp.</td>
<td>Rattan, cane,</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Gomme arabique</td>
<td>Acacia spp.</td>
<td>Gum, gum arabic, gavde</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Tooth stick</td>
<td>Randia massularia, Garcinia manni, Cola acuminata, Cola nitida</td>
<td>Chewing stick</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Candle stick</td>
<td>Carpolobia alba, Carpolobia lutea, Canarium schweinfurthii</td>
<td>Cattle stick</td>
<td>✓ ✓</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Candle nut</td>
<td>✓ ✓</td>
<td></td>
</tr>
<tr>
<td>Charbon de bois</td>
<td>At least 27 species (see Appendix 2), excluding exotic species#</td>
<td>Charcoal, firewood, fuelwood, bois d’énergie, bois de feu</td>
<td>✓ ✓</td>
<td></td>
</tr>
<tr>
<td>Aniegré</td>
<td>Aningeria robusta</td>
<td>Aniegré, abam</td>
<td>✓ ✓</td>
<td></td>
</tr>
<tr>
<td>Poteaux d’eucalyptus</td>
<td>Eucalyptus spp.</td>
<td>Eucalyptus</td>
<td>✓ ✓</td>
<td></td>
</tr>
</tbody>
</table>

* Such as Gymelina arborea, Eucalyptus spp. and Pinus sylvestris.*term used in SFP list
This results in less revenue being collected, actual quantities being not verified and possible over-extraction. Data collected at some ports, custom and highway checkpoints is not centralised. Information is not shared between different government agencies at Abang Minko and Kye Ossi on the Cameroon, Gabon and Equatorial Guinea border and Mamfe, Tiko and Idenau on the Cameroon Nigeria border where the MINFOF checks permits, waybills and certificates of origin; the Ministry of Agriculture and Rural Development (MINADER) checks phytosanitary certificates; and Customs verifies circulation and tax certificates. Fieldwork indicated that it is almost impossible to calculate quantities of products sold locally and exported regionally. Only data concerning four exported non-timber SFPs is generated by the database of Commercialised Species in Cameroon (COMCAM) from the Port of Douala. Regional exports at other ports and border crossing are thus not captured in official figures. Comparing the NTFPs traded worldwide from Cameroon (see Appendix 10 and 11 for details) with those regulated indicates that both official government economic data and fiscal systems vastly under-capture international exports of NTFPs.

**Figure 6.2** Official exports of Special Forestry Products 2004 to 2009

Source: COMCAM annual reports

The criteria for inclusion in the SFP list are inconsistent. The SFP Decision indicates that species are included due to levels of threat or endangerment that make them ‘special’. Chapter 4 highlights that only a small proportion of species recognised as vulnerable are listed as SFPs and that despite the 1994 law naming ivory, animal and fish as of ‘interest’ these are not listed. Fuelwood was also mentioned, although charcoal (which can be produced from a large number of different species) has only occasionally appeared on annual quotas and permits, despite its enormous value indicated in Chapter 4. ‘Interest’ is thus inferred to mean value, particularly economic. However the law is oblique and only names medicinal value, although only 9% of the SFPs have medicinal uses. Over the years, a number of other products have been classed as special and permitted, but have not consistently appeared in the annual quotas and permits. The annual listing thus creates more confusion in practice, as products move on and off the list.
A much wider range of products is traded than regulated, with 13 defined, in contrast to at least 123 plant and 100 animal species traded identified in Chapter 4. The SFPs also include products with very small trade. However highly traded products, such as Ricinodendron heudelottii (njangsang) and Dacryodes edulis (bush plum) are not included (Ndoye 1995; Ndoye et al. 1997/98; Ruiz Pérez et al. 2003) (see Appendix 10 and 11 for details). Whilst native forest species found wild but also grown or left standing on farms and fallows such as Cola spp. are excluded, introduced and cultivated Eucalyptus spp. are included. Construction materials such as rattan, Raphia spp., bamboo (see Chapter 10) and eucalyptus poles are mainly sold in separate markets to the food markets surveyed in the market surveys and databases, and their current trade quantities do not appear in any statistics. Permitted quantities of NTFPs grossly under-report actual quantities traded. For exports, a similar phenomenon occurs: only 25 of the NTFPs exported required a permit and were monitored (see details in Appendix 10 and 11) and only five exported NTFPs were listed as SFPs (Figure 6.2), in contrast to 50 plant-based products actually exported in the last decade to many more countries than indicated by COMCAM.

Section 8 of the 1994 Forest Law clarifies customary user rights (droit d’usage) for forest communities as being “to collect all forest, wildlife, fisheries products freely for their personal use, except protected species including subsistence fuelwood and wood for construction needs, but not timber for sale, from all unprotected areas”. This renders all products sold and processed that are not permitted SFPs illegal. Interviews indicated that 95% of harvesters did not know about permits and harvest rights. The result is illegal trade. The wide gap between the intention of the law and customary use is due to a combination of an anomalous law, the lack of knowledge of most people of restricted customary rights and low levels of enforcement. The governance of NTFPs by Cameroonian law thus does not reflect the reality of commodification, is illogical and inconsistent. It does not clarify why products are regulated and only a small proportion of those traded are controlled, mostly on only paper. In contrast to the high values shown in Chapter 4, one result of the legislation is a low level of revenue generated by taxes and permits. This perpetuates the myth of the limited value of NTFPs, such that few resources are allocated to understanding and monitoring the sector and even less to developing, drafting and implementing effective measures to manage it. This finding confirms that of commentators on the sector (Nkuinkeu 1999; Awono et al. 2002; Sunderland et al. 2004a). The result is that NTFPs are formally regulated much as they always have been, with just an oddly assorted handful regulated de jure through a complex, burdensome system of quotas, permits and taxes, allocated untransparently to the most powerful exploiters or brokers.

**Land and forest tenure and rights**

Rights to resources are rarely a tidy set of rules (Fortmann 2001). Their histories impact the present, changing as tenure does. Also altering as informal arrangements emerge that may or may not be formalised but which have clear effects on the ground. Observations indicate that this requires looking at how the past affects the present to obtain a clear understanding of the different kinds of rights, users and uses.

Statutory land rights have, like the legal system, grown from the mixed colonial heritage. Under British law, ‘vacant’ lands were considered the property of local communities and placed under the control of Native Authorities. Under French colonial law, all lands ‘vacant and without master’ belonged to the state. With unification and
the merging of legal systems in 1972, the British concept of communal land was replaced by the French. A common legal frame was set by the 1996 Constitution and 1974 Land Ordinance which classify land into three major categories. Public state land refers to lands held by foreigners, usually large plantations which became state property after independence. Some are managed by parastatals such as the Cameroon Development Corporation (CDC), some have reverted to natural forest cover and others are used for public purposes. Private land comprises land registered by private individuals (actual persons or international organisations). National domain land, which is all land not registered, is divided into two categories: vacant land and land occupied and worked by the local populations. Following the French model, in 1974 a large number of hitherto communally managed lands were transferred from customary control to state control. These areas include most secondary and primary forest and the resources found in them. The 1994 law (art. 20) distinguishes two domains: the permanent forest domain — land permanently allocated to forests and/or wildlife habitats, and the non-permanent forest domain — forested lands that can potentially be allocated to other land uses. Additionally, ownership over naturally growing (but not planted) trees on private land and all trees planted or naturally growing on land without a title deed are considered state property.

Legal recognition of customary rights falls into two broad categories. Free access is an usufruct right (Section 8, 1994 Law and Section 4, Decree 95/466) and may be exercised in communal and community forests. Paid access refers to the right to exploit the SFPs following receipt of a permit from the government (Box 6.2). Despite the existence of an increasingly refined statutory framework, in practice most communities are unaware of statutory laws. Interviews indicated that 95% of harvesters were unaware of any formal rights and restrictions, or of their user rights. Additionally, when they are known or – as is often the case – arbitrarily enforced, statutory laws are viewed as illegitimate, serving a small group of elites. This view is confirmed by Assembe (2009). Interviews and the evaluations of the Forest Environment Sector Programme (PSFE) reinforce that government enforcement capacity is weak. Its presence is manifested primarily physically only when land is allocated for logging, mining or commercial agriculture, or when a protected area has the status of a national park. As a result, in rural communities customary law governing resource rights continues to be the dominant system, with conflicts erupting when statutory law contradicts customary law (Barume 2004; Assembe 2009).

Most forested land now belongs to the state (see Table 1.1) and the vast majority of landholdings in rural areas, around 90%, do not have a title deed (Tonye et al. 1993; Egbe 1997). This is due to the expensive and bureaucratically complex registration process, a lack of knowledge of the possibility and, often, a lack of need unless customary ownership is challenged creating a need for legal title. The permanent forest in the forest zone in the south is nearly all state-owned in a mosaic of timber production concessions, protected forests, and around 345,000 hectares of communal forests. According to the 1994 Law, forests outside the public state land exist in three ownership categories: community forests, communal forests and private forest. Generally, people living in forest areas fully retain their traditional use rights in their communal areas within both the permanent and non-permanent forest domain. The permanent forest domain refers to land allocated solely for sustainably managed forestry or as wildlife habitat and includes protected areas, council forests and logging concessions. The non-permanent forest domain is land that not requires long-term forest maintenance and
includes areas for the sale of standing timber up to 2,500 hectares, and private, communal and community forests.

Community forests (Article 37, 1994 Law) provided new opportunities for local access, control and management of forest resources. They enable communities to gain the exclusive management and production (but not property) rights up to 5,000 hectares of forest resources in the non-permanent forest domain for up to 25 years. Introduced in 1997, the number of community forests peaked in 2004. Just over 400 are now at some stage in the attribution process, although only 43% have approved management plans (Beauchamp et al. 2011). These are situated in diverse ecological, political, economic and institutional landscapes, with the majority in the lowland forest zone. NTFPs are often included in community forest management plans, although most attention has been on commercially valuable timber (Tchatat et al. 2006; Njomaha 2008). Typical of the definitional confusion in the 1994 law, a ‘community’ is not defined, paving the way for elite capture and the well-intentioned initiative promoted by the donor community is poorly adapted to local conditions (Beauchamp et al. 2011). Community forests appear to offer few advantages, instead adding layers of bureaucracy and cost. They have generally been unable to solve sustainability and equity problems related to high economic value products and contributed little to species conservation. They have however helped some communities achieve greater control over forest areas and gain more significant benefits from timber production. Associations of groups of community forests, such as the Association of Oku Forest Management Institutions (ASSOFOMI) and the Association of Kom Forest Management Institutions (ASSOKOFOMI) and the national network of community forests (Réseau Forêt Communautaire, RFC) aimed to use collective action, providing a stronger voice at regional and national level, but have also struggled, for example, to revise the 1994 Law concerning community forests. The impact on NTFPs however has been negligible, with most species continuing to be harvested according to customary law and individually, rather than according to a management plan and communally. Even when included in management plans, sustainable harvesting has not been assured. On the contrary, the institutional capacity that community forests have built has been one factor contributing to the over-extraction of Prunus africana in the Northwest (see Chapter 9). These new institutions have led to conflicts between and within communities and have created competition between traditional institutions and the newly established institutions.

A Technical Operations Unit (TOU) is legal entity by Prime Ministerial decree, defined as “a delimited geographical area, based on ecological, socio-economic, cultural and political characteristics for the enhancement of integrated landscape management involving all stakeholders” (Republic of Cameroon 2006). This multiple land-use classification was devised at the request of external donors, primarily the Global Environment Facility (GEF) and builds on the 1994 Law by regulating activities, uses and access. There are, to date, six Technical Operations Units distributed throughout Cameroon’s humid forest zone.

The 1974 Ordinance provided a framework to increase private property ownership by setting out the process to obtain land titles. This slow and difficult procedure requires the applicant to have sufficient money, understanding of the bureaucracy and government connections. As a result only a small percentage of Cameroonians have registered land titles (Awafong 2003). The government thus legitimates a passive tenure relationship with traditional authorities and landlords, who in many areas determine access and rights to land, forests and resources locally. Given this context it is not
surprising that disputes are common (Holmes 2005). Conflicts are exacerbated by the legacy of colonial administrative systems, inefficient management of multiple resource claims and poor dispute resolution (Fonchingong et al. 2009). Examples are the eviction of traditional forest owners to construct the Chad-Cameroon oil pipeline, Bakweri claims to CDC lands around Mount Cameroon (Konings 2009), and seasonal user-group conflicts over access between livestock herders, farmers and fishers in the Northwest and grand North. In these highly populated areas, disputes are inflamed by protracted multi-ethnic disputes around legitimacy, precedence to land claims and access rights (Mbah 2009; 2010). This has led to violent conflicts since 2004 in the Northwest in Kesu, Waindo and Aghem (Beseng 2004), Bali-Nyongha-Bawock, Oku-Mbessa, Oku (WHINCONET 2005) and Ndawara.

A response to such long-running and increasing disputes was the 2009 evaluation of the land system by the African Development Bank. This recommended a major reform of property and land rights laws and administration systems, to provide accessible, inexpensive formalisation opportunities paying particular attention to protecting the rights of women, pastoralists and marginalised ethnic groups (USAID 2010). The support by major donors for private land registration has been strongly criticised for undermining collective, communal and some traditional ownership systems, and allowing expropriation of valuable forest lands by the government and international interests (Nguiffo 1998).

‘Dash’

A major fact of life, also affecting forest-based commerce and livelihoods, is corruption. Conventionally defined as the exercise of public power for private gain, corruption ranges from additional payments ‘to get things done’ in a private or business environment, to grand corruption in the political arena and the elites engaging in state capture. Corruption can be seen as the manifestation of a lack of respect of both the corrupter and corrupted for rules (customary and formal) governing their interactions, and hence has been seen as a failure of governance (Kaufmann et al. 2010). It has been seen as a cause of poverty (Harford 2006). Often euphemistically called ‘informal taxes’, the frequently heard terms on the street are a ‘dash’ (in pidgin), ‘a little something’, ‘Donnez-moi quelque chose’ or ‘Ou est mon cadeau?’.

Surveys such as the Governance Barometer, Governance Matters, Ibrahim Index and Global Corruption Barometer (see Table 1.1), discussions during any bush-taxi10 journey, and popular musicians such as Lapiro de Mbanga all reinforce the fact that corruption is ubiquitous, insidious and strongly institutionalised in Cameroon (Assembe 2009). Cameroon ranks among the highest for corruption in public and business worldwide (see Table 1.1). Systemic corruption is prevalent in all sectors and levels of society, including forestry and trade (Assembe 2009; Alemagi et al. 2010). A 2009 Central African conference on forest tenure, governance and enterprise stated that corruption in forest management and institutions must be overcome (RRI 2009b). This was reiterated by MINFOF Minister, Elvis Ngolle Ngolle, who stated that there would be:

10 A shared taxi is the perfect vehicle in which to use the methodology of participant observation and immersion, enabling current popular opinion to be gathered.
Zéro tolérance de la corruption en 2011 dans le secteur forestier... aussi il a promis d’aligner sans cesse les actions de son département ministériel à l’opérationnalisation de la stratégie gouvernementale\(^\text{11}\).

However by August he was being probed for fraud and corruption\(^\text{12}\). On the Prime Minister’s website\(^\text{13}\), the government’s achievements page remained empty in 2011. The media have reported with relish and increasing openness\(^\text{14}\) on corruption in the forestry sector. A series of high profile anti-corruption campaigns and bodies have been enacted since 2000. The National Anti-Corruption Observatory established to investigate and monitor political corruption and organise anti-corruption initiatives, however it has no legal enforcement powers. It has been criticised as ineffectual and representative of the government’s lukewarm approach to fighting corruption (Jimbo et al. 2001). The sporadic enforcement of anti-corruption laws has proved largely ineffective in countering corruption (Peh et al. 2010).

Hard evidence of the impact of corruption is difficult to obtain. It has been linked to deforestation (Koyunen 2009), misappropriation of forest lands and revenues (Veit et al. 2009), the root cause of forestry policy failures (Blackman et al. 2010) and maintaining poverty (Veit 2006). Granting rights over state or public resources to legislators has provided them with opportunities for career advancement and private gains – allowing land titles and forest concessions to be been used as patronage resources to buy votes and pay for political favours (Veit et al. 2009). A consequence is a vicious cycle that hampers policy reforms to redress and improve the situation. The state loses its legitimacy to conduct reform vis-à-vis local state officials; the latter lose their own legitimacy to implement reforms regarding timber operators and the general population; mistrust and conflicts to control of networks of corruption increase whilst laws remain enforced; and state officials choose not collect or retain information as a way of maintaining their vested interests (Blackman et al. 2010). Payments to gendarmes, police, forest guards, customs agents and others can consume up to 20% of NTFP traders’ gross sales during transport to markets (Sunderland et al. 1998; Tchatat 1999). Two decades later, similar statistics persist, with traders paying 530 US$ per truck of Gnetum spp., even when possessing permits (Ndoye et al. 2010). The interviews corroborate this, with corruption accounting for on average between 2 to 10% of trader’s costs, escalating in high-value chains to 37% of Cameroonian eru exporters’ revenues. This practice persists partly due to ignorance of the legal requirements by traders and government authorities, which creates openings for abuse and a lack of respect for the law. Similarly, ignorance of CEMAC free trade agreements resulted in corruption being reported as frequent at the border crossings near Idenau, Bang-Minko’o, Kye Ossi, Menguikom Tiko and Limbe. Corruption thus forms yet another amorphous, expected but often unpredictable governance arrangement foisted upon NTFP chains. It creates rules which affect how and where transactions take place in


value chains and their costs. When nested within formal institutional and statutory structures, run in parallel by the same governors, it forms another shadowy, pluralist layer in the governance of forest resources.

Customary forest governance

In contrast to the formal policy and regulations, the de jure reality is that forests are largely customary governed and owned common property. This makes people living in forests, according to the formal regulations, squatters on government-owned land and forests (Alden Wily 2011). However common property forests are not, as Alden Wily states, undivided and unanimously community owned, but subdivided by clan, family and individual ownership and use rights, which depending on the dominant ethnic group, are governed through complex systems of short and long-term leases, loans, gifts and inheritances. These customary laws address who owns resources and access them, where and in which quantities harvesting may take place, who benefits and in which ways. Although they differ across Cameroon, in general harvesting of NTFPs held by a clan or family may take place only with the family’s permission. On communal village lands any member of a community can harvest products for subsistence use, but for higher-value products intended for sale (particularly timber, but also some high-value NTFPs) approval is generally required from the chief or village council. Outsiders often require permission to harvest resources and provide some form of compensation (in kind or cash) before or after entering and harvesting, even if this rule is not supported by the wider community. This has been well-documented for timber rights (Cuny et al. 2007) and has been largely the case for high-value NTFPs, such as *Prunus africana* (detailed in Chapter 9) and *moabi* (*Baillonella toxisperma*) (Jochem 1995). The effectiveness of customary law varies significantly. It is generally strongest in remoter, less accessible, rural and forest-based communities and weakest when undermined by factors such as proximity to urban centres with growing populations, with high levels of cultural and social change and multiple ethnic groups (Colfer et al. 2011).

Despite the dominance of customary law, the legitimacy of the traditional governing structures has been disputed. Some chiefs are seen to not represent indigenous institutions, having been installed by colonial governments in search of cooperative counterparts to cement political power, reduce ethnic conflicts and power struggles (Geschiere 1993; Konings 1999; Oyono 2004). In the study sites, local associations, NGOs and community groups have grown and been supported by external donors and project funders creating changes usurping traditional institutions to create equity and/or reconfigure power and resources. This has resulted in conflict with some of the traditional institutions in the Northwest (WHINCONET 2005; Ingram 2008; Ingram et al. 2009) and Southwest (Ewusi et al. 2001). Given the local differences, customary governance arrangements in the three main ecoregions where the value chains originate from are examined in the following sections.

*Highlands montane forests*

In the Northwest many traditional political structures and institutions of the former Tikar chiefdoms remain, evidenced by posters of traditional leaders and their lineage being common sights in bars, homes and public buildings. The traditional centralised
political system operates with hereditary dynasties, rules and customs (Warnier 1985). They are governed by a chief known as the Fon, whose chiefdom and ethnic group is known as Fondom with a hierarchical bureaucracy composed of hereditary titled men known as Ya and Bobo. Three Fondoms (Nso and Oku in Bui Administrative Division, covering Kilum Forest, and Kom in Boyo Administrative Division, covering Ijim Forest) cover the majority of the Bambenda Highlands forests. The Fon and Kwifon are the custodians of land and natural resources and de facto owners Fai, shuufai, mforme and shey are titled males who have made contributions towards the community, manifested by the Fon presenting a red Bannerman’s Turaco (Tauraco Bannermani) feather, worn in a traditional cap. The Fon is the senior member of a regulatory council of elders, known as Kwifon (in Oku and Kom) and Nwerong (in Nso). Some members of the council of elders are elected; others are based on family succession (Nchindah in Oku). Villages and quarters are managed by village heads and quarter heads, supported by traditional councils, reporting to the Fon and Kwifon, with most village heads being Kwifon members. The Nwerong and Ngirí traditional societies fix socio-cultural activities and uphold rules, such as Country Sundays (two days in every ten in which farm work is prohibited) and the prohibition on killing bees or destroying natural forests. Immigrants such as the Fulani, living adjacent on the high grasslands, generally respect these traditional authorities.

Traditionally land tenure was regulated by the Fons, allocating land to individual or entities for farming and goat grazing, and to the Ardo (Mbororo and Fulani traditional clan leaders) for distribution for cattle grazing, with the Fai and shuufai being the landlords. Tenure patterns (inherited patrilineal for Fulanis and in Oku and Nso and matrilineally in Kom with use rights devolving to specific patrilineages and matrilineages) originate from inheriting, giving, pledging and renting land, often accompanied by traditional gifts including cash and a symbolic calabash of Raphia spp. palm wine. Traditional symbols (sho-ohe ngven) are used to acknowledge the tenancy of a traditional landlord and include the giving of a calabash of palm wine (Raphia spp.) and the stem of a peace plant (Dracaena deisteliana). Women traditionally own the food crops, supporting a system of male-dominated wealth and power, who control the land and trees (Goheen 1996). Economically important palms and trees such as Raphia spp. and Cola spp. are owned by lineage heads, enabling them to control their trade, for which Nso and Batibo have become famous. The traditional institutions also address products such as fuelwood, honey, medicines, bushmeat and building materials.

Forests generally are important as the source of most watercourses in the region and as significant cultural and spiritual values due to the presence of sacred areas, groves and shrines restricted to certain societies and social groups. Taboos have a significant impact on forest use with economic cultural and ecological implications. Individual sacred species in Kilum-Ijim include Dracaena arborea, Dracaena deisteliana, Ensete gilletii and Kigelia africana, all which have restricted uses, acting as conservation strategies (Cheek et al. 2000). The forest shrines in Kilum-Ijim forest, such as the Lumutu Sacred forest in Oku, Iwe-Awoi and Kongang sacred forest in Ijim, Kongang sacred forest in Kom and Akua-fichua in Laikom, are areas where entry and access are highly regulated and where Fon enthronement rituals and annual ceremonies to commune with ancestors to secure good health and harvests take place. New sacred sites

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15 The government recognise different classes of customary chiefs: a Fon is a first class chief.
can be set up by the Fon, Kwifon or Nwerong, such as the Oku Lake forest area, proposed as a protected area in 2002 and gazetted as the Oku Plantlife Sanctuary in 2005. Fais, Shuufais and every family lineage also have sacred groves or shrines (Kimanen and Tokembon), often enriched with herbs with healing powers. Enchaw (2010) describes how the Lumutu, Lake Forest, Akua-fichua, Iwe-Awoi and Kongang sacred forests have a core sacred no-go area, with shrine-bearing areas representing a buffer zone and surrounding open access forest forming a transitional zone. These provide a seed bank and maintain tree cover (Ingram and Jam 2008). Other shrines are strategically located in watersheds and wetlands, maintaining ecological services. Hunting was also traditionally governed by taboos for specific periods (the dry season coinciding with lower animal reproduction periods), restrictions on who can hunt (only initiated people), species such as civets, musk deer, panthers, lions and elephants being sacred and restricted for royal use and the consumption of certain species, such as apes, forbidden. Other examples are shown in Ingram and Schure 2010 (in Appendix 14). However, the local extinction of many of these species over the last forty years (Maisels et al. 2001; Ingram et al. 2008), mainly caused by local people of the same ethnic group, indicates how customary practices to obtain food have been over-ruled by economic and food concerns. The Gods of Oku (Emyin me Ebkwou) also influence forest use, being a group of distinct named beings, associated with sacred areas, prominent landscape features and the forest. They influence daily life and often appear to diviners or healers during unusual and extraordinary events, often in the forest and in animal form, where they can observe behaviour and reward or punish people. The gods of the land (Emyin Menttieh) are associated with plants and animals in the fields and forest, are omnipresent and largely beneficial. Their spiritual force is the basis for the plants used in healing and witchcraft. In contrast to most West Africans who generally view their forests as areas of chaos and peril, the Kilum Ijim forests are seen as areas of order and stability (Koloss 2000). Healers and diviners interact personally with emyin and may visit or call them in the forest. Traditional practices such as using sticks (instead of cutlasses) to clear the sacred forest and harvesting fuelwood only one day a year for palace use, also act as conservation strategies. Certain rites also aim to ensure forest health (production) for which the Fai may receive tributes from forest users (such as honey, crops and rats).

Traditional rules governing forest use have been increasingly diluted by formal legal land titles, by indigenes and outsiders seeking land for farming, grazing and cash crop plantations. Tenure rights are more decentralised in Oku and Nso than in Kom, where the Fon remains powerful, although lineage heads are increasingly contesting the Fon’s authority, leasing land with dues paid in cash, crops and honey. Traditional landlords, particularly in newer settlements such as Simonkoh and Semti, are seldom resident and thus unable to control actual land use, such that forest land has been often allocated to people from outside the community, who are less bound by customary regulations. The purchase of official land titles is also increasingly circumventing traditional authority. Enchaw (2010) notes that 9% of people have purchased land, particularly local elites and politicians. These changing practices, shown in Figure 6.3, have led to inter-Fondom disputes and distorted traditional tenure relations, pushing disenfranchised and landless farmers to claim other, including forested, land. This has been exacerbated by the extension of the Ndwara tea estate and Ntock-Mbolong ranch in Ibal-Oku, restricting traditional access for graziers, leading to further forest conversion and encroachment, notably in Upper Shinga Community Forest, and local conflicts.
With the introduction of community forests (CF) by the Kilum Ijim Forest Project (KIFP) (see section on Project governance arrangements), traditional authorities and legal regulations became yet more entwined and power shifted from customary to formal, shown in Figure 6.3. The 1994 Forest Law requires a written forest management plan to be negotiated within the community and adjacent communities, by a responsible, legalised community-based institution, which is not allowed by the 1994 law to be a traditional authority. Local populations were divided into forest user groups and represented by Community Forest Management Institutions (FMIs), legalised with project support by the MINFOF. FMI executive committees were elected by the community, as a new form of democracy. This mixed the economically powerful with charismatic community leaders and token minorities, such as women and Fulani pastoralists, giving all of them unprecedented decision-making power over forests. The legal and project’s definition of community which embraced leaseholders and pastoralists as stakeholders (not normally included in decision-making and rule enforcement in traditional structures) differed to traditional definitions of villages and boundaries. The project ‘gave’ traditional authorities the role of coordinating user group activities and resolving conflicts between user groups or members of user groups (Asanga 2001). The government, depending on staff’s personal motivations, sometimes played a coordination and conflict resolution role thus creating an enabling environment, but sometimes hindered an enable environment. The FMIs in effect became the new forest custodians, more powerful than the traditional authorities and formally recognised by a majority of the local population, the legal system and by project organisations as legitimate custodians. Nearly 40% of the community members now believe that the FMIs are owners of land and resources in the Kilum-Ijim Forest (Enchaw 2010), indicating the confusion between ownership and access and leading to conflicts.

To fulfil these wide-ranging management tasks and powers, FMI members were provided capacity building, technical support, funds and support to access funds to maintain the FMIs and their umbrella associations by the projects. Although empowered technically, the 17 Kilum-Ijim community forests have since 2004 been unable or unwilling to counter many of the unsustainable practices in the forest. Despite many
community forests benefiting from significant *Prunus africana* sales (see Chapter 9), all the FMIs complained of insufficient financial resources. Some funds were misappropriated by Executive Committees (punch drunk with new power and unable to resist the temptation), individuals, councils and traditional authorities. The majority (17 out of 18) of community forests had not paid any dues to the umbrella associations by 2009. *Prunus africana* revenues decreased with the 2009 trade suspension and tourism revenues did not meet expectations. The lack of finances meant that FMIs were demotivated and unable to fulfil their forest management obligations, such as paying for patrols. This turned the forest into an uncontrolled area where unregulated and unsustainable extraction by community members, FMI members, elites, traditional authorities and external harvesters took place. It also allowed new entrants, such as large-scale goat herd owners with economic and social standing, to exploit the void to establish their own new access rights. Contributory factors to this free-for-all situation include the behaviour of Fon Ngum III of Oku setting a negative example by harvesting *Prunus africana* in the Oku sacred forest. Enchaw (2010) construes this as a backlash by traditional authorities to their usurpation of power. The former regional level MINFOF officials were also engaged in illegal *Prunus africana* harvesting and the MINFOF hardly penalised malpractices in community forests (Peter Yamma ASSOKOFOMI, pers. comm. 2007; Peter Bah, ASSOFOMI, pers. comm. 2008 and 2009; Phillipe Evoe, MINFOF, pers. comm. 2007). Community members and members of FMIs also complained of poor governance within the community forests, misrepresentation and misuse of resources. Thus the formerly enforceable customary rights of individuals and communities were rendered passive in and, in some cases, detrimental to, forest governance. The survey data reinforce this, indicating that 50% of respondents believe that the community owns the forest. However in times of conflict with traditional authorities, most turned to the local council as mediator (rather than to the traditional council) – indicating how formal and traditional roles have changed.

In the Southwest around Mt Cameroon, under traditional Bakweri land tenure, natural forests are seen as common property of adjacent villages. Permanent tree crops, such as coffee, tend to be grown in fields near to the homestead with tenure over crops and land exerted by the farming family. The highest level of decentralised authority and organisation is at village level, with the chief and village council seeing themselves as guardians and owners. Conflicts occurred between this traditional system and the Germans in the late 19th century and by subsequent colonial authorities granting rights to immigrants to settle on Bakweri land (Schroder 2000, Watts, 1994) and by state authorities such as the Cameroonian Development Corporation (CDC) for oil palm plantations and logging titles. Forested land has also been claimed by shifting cultivators for subsistence farming. Clashes also occurred as migrants have deforested land. In the ethnically heterogeneous community the already weak traditional authority combined low government implementation capacity and weak formal land tenure arrangements which has led to a low level of clarity over land ownership and regulations (Bellewang 2005). Many immigrants live close to Bakweri villages but do not participate or adhere to Bakweri customs, leading to land and forest management tensions and a degrading adherence by some Bakweris to traditional leadership (Ndam et al. 2004).
Savannah forest

The Extreme North is characterised by the political and land tenure hegemony of the Fula customary political powers, the lamidos. A lamido is the clan head and spiritual leader, governing people and adjudicating land according to Sharia laws, being judge, imam and arbitrator. Like the ardos, the lamidos have been stripped of their feudal powers and responsibilities, but are recognised as first degree chiefs by the government. Power is designated hierarchically down through to the village chief (lawan) and quarter chief (chef de quartier or djaoro). These customary institutions have a feudal nature and have been maintained and strengthened following colonisation and independence. They control the plains, traditional livestock pastures and agricultural areas. The lamido’s power was strengthened by a post-independence alliance between the newly installed Cameroonian government authorities, mainly representing the interests of groups from central Cameroon, and the Fula chieftaincies of the North. Local government administration has also been captured by the lamido, who organises new incomers’ access to land, granting (often precarious) use rights and charging harvest fees. These incomes, as well as farmer-grazier and other social dispute settlement fees, make land-related incomes the lamido’s principal sources of revenue (Cotula et al. 2007). The savannah forests in contrast are open access, with few informal regulations governing traditional use of commonly collected NTFPs, such as the harvest of Raphia spp., palms, bamboo, rattan, fruits, seeds and fuelwood. The main norms are largely connected to the predominant Islamic traditions concerning who is permitted to collect certain products (i.e. women and children collect fuelwood, men Raphia spp. and bamboo) and how far they may stray from the family compound, with women commonly not permitted to forage alone or far from the house for long periods.

In the Adamaoua savannah, the Gbaya system of customary land regulation dominates and covers mainly farm land. Claims to fertile riverine gallery forests (kò zér) valuable for maize farming and sometimes up to 40 km often near villages where kin live (Burnham 1980) are commonly marked out by individuals. Rights tend to be highly individualised and not characterised by a hierarchy of estates. Land is passed on through families, and headmen and elders are generally not responsible for land allocation (Burnham 1980). Individual sales of land close to towns have been occurring more frequently since the 1960s. Fulbe pastoralists living or passing through a forest area may claim some areas for grazing, particularly if it contains water points. An open access, multiple use of forested land is tacitly permitted, with beekeepers, hunters and grazers taking account of each other’s activities (e.g. beekeepers place their hives high in trees so that it is not damaged by bush fires caused by hunters or grazers). Beekeeping and honey hunting do not require permission and usually take place in the immediate forest area of a village up to around a 10 km radius of the village. Whilst hives are owned, the trees in which they hang are not. Beekeepers tend to return to and use the same forest area, and the low population densities mean conflicts between beekeepers are uncommon. Certain scarcer resources, such as rattan and bamboo, are often claimed by whole villages. Access is free to villagers but restricted for others and is often granted free of payment upon request to the chief or any villager also collecting in the area. The gathering of wild fruits, yams and seeds such as kofia (Lophira lanceolata) is also open access, on a first come first serve basis. Fruit trees in the village are usually common property, unless, rarely, they are known to be planted, when it can be claimed by an individual. Hunting, often in a group, occurs in gallery forests once
cleared of maize with ownership of caught animals on a first come basis, regardless of where they are caught (Burnham 1980).

**Lowland humid forest**

In the lowland forests of the Southwest region, the traditional council headed by a chief is considered the highest customary authority at village level. The council’s influence has traditionally been strong, and is considered the owner of resources and legitimate ruler over land use and resources and thus controls access to NTFPs, particularly by outside parties. The council enforces customary law and order in the village and typically serves as an administrative link between the village and the local administration. Although women are represented in the village council, they often do not have the power to oppose unfavourable decisions about income-generating resources. For example, in some villages around Takamanda in the South West, women pay a token fee to the council before harvesting *Gnetum* spp. for sale, whereas men hunt and sell without restrictions. Also influential are the ékpe (leopard) and makwo, powerful and respected sacred societies to which many men in the Anyang, Boki, Bayangi and Banyang tribes belong. The village society ‘house’ is the highest indigenous village authority, working alongside traditional councils and managing regional and long-distance trade (Hacket 1989; Zapfack et al. 2001a). Societies uphold laws, with a vigilant group acting as police. In Anyang villages, serious laws pass through the council to the makwo and then to the village. The makwo oversees edicts. Both institutions also solve conflicts, including access to resources and tenure and reinforce council decisions. Focus group interviews also indicated that these cultural practices remain strong but are deteriorating among youths, who are becoming increasingly disaffected and that societies have weakened with outmigration. Youths in some communities believed that they are being deprived of their rights by both stringent informal and formal controls on resource use, especially timber. Council decisions are increasingly criticised by community members if they do not benefit from revenues, such as from forest resources, and conflicts with ‘society elites’ are common.

Customary rules dictate that high value NTFPs such as *Irvingia* spp., *Gnetum* spp., bush pepper vines (*Piper guineensis*) and cattle stick bushes (*Carpolobia* spp.) are not owned by individuals or families and that access to the resource is generally on a first-come, first-served basis. In practice, the same families tend to harvest in the same area each year with tacit acknowledgements of resource access and ownership. This system leads to most (99%) harvesters from the village requiring no prior authorisation from any authority before collecting the NTFPs. Trees planted or maintained on farmland are owned by the landowner, with their permission required for harvest. As species have increased in value, practices have changed. People have started to clear land around *Irvingia* spp. trees in the forest and others have claimed trees hosting abundant *Gnetum* spp. vines to establish long-term collection rights. The extension of tenure through clearance usually relates to only farmland, with retained trees also considered as owned by the family clearing the land. In response to domination of the *Irvingia* spp. trade by Nigerian Igbo buyers, in early 2000 Matene villagers purchased *Irvingia* spp. to sell in Nigeria with revenues proposed to go to a community fund controlled by the village council. Interviews in 2008 found that this practice was effective with some visible benefits, such as the construction of village hall in 2002.

When harvested by outsiders and ‘strangers from Nigeria’, NTFPs, particularly those of high value, are controlled and ‘taxed’ by the traditional authorities and permission
required from village chiefs or traditional councils. Some communities require *Irvingia* spp. buyers to register and pay before harvest. There is no standard rate: in Kajifu a buyer pays 11 US$ for the whole season (7 US$ for indigenes) while in Mbilishi the cost is 4.7 US$ and an unspecified amount of palm wine for the council. This practice has increased since recorded in 2001 (Mdaihli *et al.* 2002) when neighbouring villagers could collect resources freely 20% of the time and paid traditional council in 80% of cases, and 25% of Nigerians paid the traditional council and occasionally the chief or others directly. Encroachment by Nigerians is a cause of much conflict in Obonyi I, Basho, Matene and Mobilise. Because of such conflicts, the Mbilishe people began planting both *Irvingia* species. Other traditional controls include prohibitions on felling individual *Irvingia* spp. trees and on climbing trees to harvest unripe fruit, restricting harvesting to ripe fruit that has fallen to the ground. Many villages also have rules regarding the harvesting of *Gnetum* spp. (see Chapter 7). Norms stipulate that only the leaves should be plucked and that the stem must not be uprooted, promoting regrowth. Although generally adhered to, Kajifu, Takamanda and Obonyi villages reported problems with destructive methods such as tree felling. Outsiders also require permits from the council for *Gnetum* spp. in some villages, registering and paying taxes varying from 0.03 to 0.40 US$ per head load (about 1 kg of leaves) to 4.50 US$ in Obonyi, with collecting periods restricted to four or five days per month.

Across the humid forest zone, shifting cultivation has been a dominant mode of forest use for decades (van den Berg 2000; Dkamela 2011). Property and user rights are claimed by families on fallow and abandoned farmland, and parts of forests, particularly those destined as future farmlands. Tree tenure and property rights for forest resources vary according to the use, location, individual or collective claims and investments (Van den Berg 2000). Valuable trees, such as *Irvingia* spp., *Garcinia kola* and *Baillionella toxisperma* belong to the individual or group who has planted them, and often, but not always, wild trees are appropriated by the family whose compound and farms are closest. These owners can then allocate use rights to others. Trees further away are open access for individuals and the community, unless rights are established, such as by clearing around them or marking them. Clearing primary forest, planting fruit trees and oil palm is also a way of demarcating land ownership. However, enforcement is often difficult to enact. Free holding has been the reserve of urban centres where the value of land has rapidly increased due to increasing demand by ‘foreigners’. Private ownership however has gradually permeated the rural milieu, changing traditional tenure relations closer to larger urban areas and accommodating differences of power and decision-making roles. Such changes have occurred between Bantu and Baka, Bagyeli and Bakola communities around the Dja and Campo Ma’an National Parks.

The Baka in the humid forest zone have very different customary arrangements, largely at odds with the formal land tenure and forest governance arrangements. In the forest no tenure is acknowledged, with dwellings being temporary and lands not traditionally seen as owned. The entire forest is seen as belonging to them, given by a supreme deity, *komba* or *jengi*. Everyone has the right to use all the forest resources (game, wild fruits, tubers, medicines, etc.) on the condition that they do not destroy the forest or resource. Such traditional use leaves no permanent and little visible evidence of valorisation and occupation. This has left Baka forest to be considered ‘vacant land’ and classed as permanent state forest (CED *et al.* 2010).
Voluntary and market-based governance instruments

Voluntary instruments have been used to change the behaviour of actors along value chains and govern trade, often with ethical focus on economic, environmental, social and cultural values. Market-based governance refers to institutions which control demand and supply transactions in markets and chains and the interactions of actors, such as collective action (for example through unions and associations); the delegation of traditional governmental functions to private players; and voluntarily adherence to national and transnational schemes governing the production and sale of products, services and chains such as certification schemes. The use of market-orientated policy instruments is nothing new, but as a mechanisms to delegate traditionally governmental functions it has been recently associated with decentralisation and privatisation, with resulting questions of legitimacy and effectiveness (Gebers et al. 1998; Cashore 2003) and accountability (Donahue et al. 2002).

The European Union has been behind several voluntary schemes in Cameroon. The Honey Monitoring Residue Scheme adopted by the European Commission in 1996 (European Council 1996) aims to ensure the quality of honey imports to the European Union, detailed in Chapter 8 and Box 8.1. Voluntary in name, compliance is essential if exporting countries wish to sell to the European market, effectively making them commercial requirements.

Geographical Indication (GI) (appellation d 'origin) is regulated by EU Directives concerning protected ‘designations of origin’, ‘protected geographical indication’ and ‘traditional speciality guaranteed’ promoting the quality or authenticity of products based on their geographical location and culture (European Council 2006). GIs are used to protect and preserve intellectual property related to traditional cultures, geographical diversity and production methods. Conditions for recognition are that it relates to a product which has qualities, a reputation or other characteristics clearly linked to its defined geographical origin. The GI procedure involves identifying the product, qualifying it, ensuring reproduction and finding means for remuneration mainly from commercial activities. The goal is to brand a product which consequently protects it and increases its value, leading to other advantages such as tourism, investments, environmental and economic benefits. The GI concept runs the risk of being usurped as copycat products take market share, placing the focus of international and European trade law on legalising and protecting GIs internationally. The GI for White Oku Honey, focussing on Kilum-Ijim in the Northwest is elaborated in Chapter 8.

Certification is a market transformation mechanism aiming to ensure sustainable commerce (Auld et al. 2008). It has sought to convince or pressure harvesters and producers to voluntarily adhere to standards and practices, driven largely by western consumers and NGOs and persuade, cajole or force consumers to purchase these products, via advertisements, public procurement schemes, and/or shame and blame campaigns. It creates a barrier to market entry for those outside of schemes and seeks to create a competitive opportunity for adherents. Certification has many faces: a marketing method, providing information on the impacts of products, and a tool to gain market access or advantage, capture price premiums and demonstrate responsible forest management through independent third party certification. It can influence how forests are managed and promote sustainable forest management, supply and consumption and mitigate risks for investors (Chupezi and Ndoye 2004). By 2008 around 50 NTFPs had gained certification through numerous schemes worldwide (Shanley et al. 2008). Whilst NTFPs are explicitly addressed in the 2009 FSC Forest Management Standard for
Cameroon, no NTFPs have been certified in the Congo Basin, in contrast to NTFPs in Asia and the Amazon (Rametsteiner et al. 2001). As certification is driven by a variety of sometimes conflicting interests, if information or awareness is missing or low at one or more points of the chain, it is unlikely to be adopted, however enthusiastic external, driving actors are (Chupezi et al. 2004). The International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP) (FairWild Foundation 2010) has been proposed in Cameroon for Prunus africana by support and donor organisations (Chupezi et al. 2004; Ekpere 2007; Akoa et al. 2010), but has not commenced. This is due to a lack of actor connectedness, accessibility, enabling conditions and the chain, reflecting issues raised by Walter (2003) and Shanley et al. (2008).

Organic certification is a process for producers of organic food and agricultural products. Organic is a ‘whole system’ approach to farming and food production, recognising the interrelationships in the production system from the soil to consumer. It uses agricultural, social, environmental and food-processing principles to guide standards. Standards vary by country, certifying organisation, and, in Europe, EU directives. They generally involve standards for growing, storage, processing and packaging that involve no synthetic chemical inputs (e.g. fertiliser, pesticides, antibiotics, food additives, etc.), genetically modified organisms or irradiation; farmland free from prohibited synthetic chemicals for a number of years (often, three or more); maintaining an audit trail of detailed written production and sales records; adhering to a strict physical separation of organic from non-certified products and undergoing periodic on-site inspections, overseen by the government and/or independent certification organisations. Commercial use of the term organic is legally restricted. Certified organic producers are subject to the same agricultural, food safety and other government regulations as non-certified producers. In Cameroon, both the UK Soil Association – which maintains the strictest and highest organic standards in Europe – and the French Ecocert have certified agricultural products. Just one NTFP, honey, has been certified organic and ethical trade, by a small enterprise, Guiding Hope. The process and implications are detailed in Chapter 8.

Ethical or fair trade is an umbrella term for business practices promoting socially and/or environmentally responsible trade and practices in a chain. Such trade seeks greater equity by offering better trading conditions to, and securing the rights of, marginalised producers and workers. The European Fair Trade Association, Fairtrade Labelling Organisations International (FLO) and the International Federation for Alternative Trade (IFAT) collaborate to promote membership-based global networks of fair trade organisations, promote fair trade using certification and encourage people to change consumption patterns by buying fair trade. Commodity chain audits, certification and labelling distinguish members adhering to a code of practice governing their chain. In Cameroon, in the honey sector, Guiding Hope has been certified as an ethical trade company with the Soil Association since 2010. There are also corporate ethical and environmentally based supply chain schemes. The Body Shop International, a multinational producing cosmetic and personal care products, has registered NTFP suppliers, including honey and beeswax from Guiding Hope, as community trade suppliers, detailed in Chapter 8.

Voluntary chain-based certification can provide potential benefits, but may only be suitable for certain products and markets (Walter 2003; Ekpere 2007; Shanley et al. 2008; Vantomme 2010). The high set-up, maintenance and awareness-building costs
and the uncertain environmental and social effectiveness of certification combine to pose challenges for small, remote, poor harvesters with often limited market connections and capital. Given this context, few schemes have been implemented in the Congo Basin, although several have been considered (Vermeulen et al. 2009). These schemes form an additional set of governance arrangements, using national legislation as the base to go beyond regulatory requirements.

**Governance through international agreements and conventions**

International standards incorporated into national law and voluntarily complied with by states add another layer of arrangements. They are dynamic, reflecting species status, social-economic and political developments over time. They include the IUCN Red List of Threatened Species, which aims to guide and evaluate the status of plant and animal species worldwide. Since 1994 species conservation status has been determined using a baseline and subsequent monitoring of changes. If data is available, the level of threat is categorised, ranging from ‘extinct’ to ‘critically endangered’, ‘endangered’, ‘vulnerable’, ‘near threatened’ and ‘least concern’. A red listing can trigger conservation actions from NGOs, governments and researchers (Thompson 2009). For example, a new coffee species helped justify protected area designation for the Oku Plantlife Sanctuary and Bakossi Forest Reserve, and inventories in the Southwest contributed to the Programme for the Sustainable Management of Natural Resources in the Southwest Province (PSMNR-SWP) lobby to upgrade Mount Cameroon and Takamanda Forest Reserves into national parks.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is a voluntary, international agreement between governments in force since 1975 to which Cameroon acceded in 1981. It aims to ensure that international trade in wild animals and plants does not threaten their survival, which together with factors such as habitat loss, may deplete populations and cause species extinction. CITES accords varying degrees of protection to over 30,000 animal and plant species. Appendix I lists the most endangered species threatened with extinction, for which international trade is prohibited except for non-commercial reasons. Appendix II lists species not necessarily now threatened with extinction but that may become so unless trade is closely controlled though agreeing annual quotas. Although legally binding on its Parties, it does not replace national laws but provides a framework for implementing CITES within national legislation. By 2011, 18 animals were CITES Appendix 1, 186 Appendix II and 29 plants (including *Prunus africana*) Appendix II listed.

The Convention on Biological Diversity (CBD) entered into force in 1993 and was ratified by Cameroon in 1994. It aims to conserve biological diversity and the fair and equitable sharing of the benefits arising from the utilisation of genetic resources, ensuring the rights of countries and communities over their biological resources are respected. Also that access to traditional knowledge occurs with the approval of such knowledge holders, who should participate equitably in the resulting benefits, establishing a system for access and benefit sharing (ABS). It recognises that access to these resources must be subject to the prior informed consent of the provider country and based on mutually agreed terms. These rules are enshrined in a National Biodiversity Strategy and Action Plan, developed and heavily supported by donors. It addresses trade and benefit sharing of products covered by this study (*Prunus africana, Gnetum* spp. and honey). To comply with Article 10(c) concerning the protection and
encouragement of customary use in accordance with traditional cultural practices compatible with conservation or sustainable use requirements, support and lobby organisations for indigenous peoples and local communities documented sustainable customary uses (Forest Peoples Programme 2010). This resulted in ABS studies on *Prunus africana*, influencing bodies such as CITES (United Nations Environment Programme 1998; Schippmann et al. 2002; Ekpere 2007; Rosendal 2010; Samndong 2010). The status of the NTFPs studied according to these three standards varies from unclassified to highly conservation status, shown in Table 6.1.

### Table 6.1 Status of the NTFP species with respect to standards and conventions

<table>
<thead>
<tr>
<th>Species</th>
<th>IUCN Red List</th>
<th>Status</th>
<th>CITES</th>
<th>CBD</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Gnetum africanum</em></td>
<td>Near threatened</td>
<td>Pop. trend: decreasing</td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Gnetum buchholzianum</em></td>
<td>Near threatened</td>
<td>Pop. trend: decreasing</td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Apis mellifera adansonii</em></td>
<td>Not listed</td>
<td></td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Prunus africana</em></td>
<td>Vulnerable A1cd</td>
<td>Needs updating</td>
<td>Appendix II and Cameroon</td>
<td>Case study: <em>P. africana</em></td>
</tr>
<tr>
<td><em>Cola acuminata, C. nitida, C. anomala</em></td>
<td>Not listed</td>
<td></td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Irvingia gabonensis</em></td>
<td>Lower Risk/ Near threatened</td>
<td>Needs updating</td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Irvingia wombulu</em></td>
<td>Not listed</td>
<td></td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Raphia farinifera, Raphia vinifera, Raphia hookeri</em></td>
<td>Not listed</td>
<td></td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Raphia regalis</em></td>
<td>Vulnerable B2ab(iii)</td>
<td></td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Bambusa vulgaris, Yushania alpina, O. abyssinica</em></td>
<td>Not listed</td>
<td></td>
<td>Not listed</td>
<td></td>
</tr>
<tr>
<td><em>Acacia spp.</em></td>
<td>Not listed</td>
<td></td>
<td>Not listed</td>
<td></td>
</tr>
</tbody>
</table>


### Project governance arrangements

For the same reasons that Cameroon is much researched, it has become a donor darling and playground for experimentation by forestry projects (Topa et al. 2009). The terms project and programme refer to a collaborative activity, planned to achieve a particular aim, constituted by teams within or across organisations to accomplish particular tasks within a specific time frame, funded by foreign governments, the state, international development and financing originations (‘donors’), development and conservation NGOs and philanthropic organisations through grants or loans to implementing organisations, national and local government, local and international NGOs and/or civil society organisations (CSOs), consultants and private sector organisations. As each funder and implementer has their own objectives and associated rules, these have added a layer of governance arrangements, having a significant effect on conservation and management practices (Sharpe 1998). Projects have compensated for deficiencies and voids in state services, particularly in protected areas. Where projects have had a long-term presence this has sometimes provided little incentive for the state to take on these activities. The scale of projects enacted ranges from product-specific, short-term
projects of six months to a year, such as the NTFP value chain projects funded by SNV, to projects covering large geographical areas with long timescales of decades, several of which have particularly impacted governance of the value chains studied in two of the ecoregions, and so are elaborated in more detail in the following sections.

**Bamenda Highlands forest projects**

In 1932 the British colonial administration proposed a forest reserve around the Oku Mountain Forest, as a buffer zone for food and fuel. This was rejected by the local authorities as unnecessary interference, given the elaborate customary rules, taboos and sacred areas governing forest use (Fisiy 1994). State management commenced from 1961 when a protected area was again advanced by the administration. This led to forest guards in the 1960s, a penal sanction on the Kwifon in 1970 and demarcation of a forest-farm boundary in 1975. Between 1963 and 1987, an estimated 50% of the forest was destroyed or modified (Nurse et al. 1994), indicating that traditional institutions were unable to deal with increased population pressure and use by non-indigenes. The government also remained unable to adequately respond, despite prohibitions and prefectural orders against degradation in 1983 and 1985.

In response to this history, from 1986 to 2006, projects were continually active in the Bamenda Highlands, affecting the four NTFP chains originating from this region: bamboo, cola, honey and *Prunus africana*. All the projects were led by BirdLife International in collaboration with MINEF and later MINFOF and communities adjacent to the Kilum-Ijim forest. Totalling over 2.35 million US$, they were funded by the Global Environment Facility (GEF/UNDP), the British Department for International Development (DFID), the Dutch Ministry of Agriculture, Nature Management and Fisheries through the International Nature Management Programme and WWF Netherlands. The first two projects, the Kilum Mountain Forest Project starting in 1987 and Ijim Mountain Forest Project in 1992, later combined into the Kilum-Ijim Forest Project (KIFP) focused on forest conservation, using education and awareness raising. They “took over the forest” (Chi 1999): 8). The Bamenda Highlands Forest Project (BHFP) started in 2000, building on the former projects with a focus on conservation and development. The projects, realising a need to work with the traditional authorities to have credibility, make impact and push through change, officialised “Fondom Agreed Wide Rules” in June 1998 with representatives of the three Fondoms (BirdLife International 2007). These rules aimed to support the attribution and management of community forests, by reinforcing and formalising customary forest management rules. The projects provided awareness raising and environmental education16, the posters of which were seen in shops, bars, public places and private homes in 2010. Formal regulations were implemented as new institutions for community forests were set up, trained and heavily supported. Livelihoods projects concerning honey, *Prunus africana* and bamboo harvesting and processing were supported. A forest and biodiversity monitoring system was set up to measure the effect of activities. After project closure in 2004 a much smaller UK Darwin Initiative-funded project focused on capacity building of the FMIs and two umbrella associations from 2004 to 2006. Local NGOs joined together as an umbrella conservation and development network, WHINCONET, in

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response to and with support of the BHFP. Post-BHFP, they were supported technically and financially by SNV from 2004 to 2008 to conduct self-determined activities.

The dual aims of integrating conservation and development resulted in some early successes (Abbot et al. 2001; Gardner 2002). By 2003 7.8% of forest area had been regenerated and the forest boundary was marked with signs and trees, within which the forest remained fairly intact compared 1987 (Asanga 2002; Langley 2003; Royal Botanic Gardens Kew 2003). The project’s presence provided a political and social motivation, a multiplier effect and sufficient direct income generation (from per diem payments for attendance at workshops, direct project employment, revenues from visiting researchers, students, officials and tourism and alternative livelihood activities), to enable sustainable forest governance for the project duration (Asanga 2002).

However, little evidence of a more permanent conservation and development legacy indicates that many of the successes have not been sustained. The government had no real ownership with few capacities transferred from the projects (Global Environmental Facility 2009) and was only partially able to enforce rules once the projects ended. This capacity has been noted as important in maintaining governance (Van Tatenhove 2003; Ostrom 2009; Persha et al. 2011). Anthropomorphic threats have continued and increased, with resulting forest degradation and losses to biodiversity (WHINCONET 2005; van der Waarde et al. 2006; Nsom et al. 2007; Stewart 2007a; Mzeka 2008; Solefack 2009; Enchaw 2010). The over-extraction of Prunus africana and low level of management of the Oku Plantlife Sanctuary are examples of how institutions set up by the project did not continue protection and enforcement, whereas harvests continued at higher rates than prior to and during the BHFP’s lifetime (Stewart 2001; WHINCONET 2005; Ingram 2007; Nsom et al. 2007; Stewart 2007). Small income-generating projects providing alternatives to forest-degrading activities and forest value-enhancement, monitoring and raising awareness of increasing forest degradation and biodiversity loss have been conducted by WHINCONET members since 2004. Despite these activities to fill the gap left by the project (Fonjong 2006), their lower level of resources and reliance on grants meant that only a piecemeal focus was possible. These affected Prunus africana and honey chains using and enforcing formal and customary governance arrangements, and resulted in setting up new hybrid government arrangements, such as the collection and re-distribution of ecotourism revenues and geographic indication for Oku white honey.

As Enchaw (2010) notes, the failure of the projects to provide long lasting solutions to conservation and development dilemmas in the Bamenda Highlands can be attributed to the incompatibility and presence of overlapping customary and formal regulations, combined with new and often competing governance and management structures – notably the Community Forest Management Institutions, umbrella Community Forest Associations and tourism association – and decentralisation of powers to Councils. All of these were promoted by external project actors to govern forest and resource use, largely overlooking the intricacies of institutional functioning and interactions.

Southwest forest projects
A series of projects from 1988 to 2002 encompassed the montane and humid forest areas of the Southwest: the Limbe Botanic Garden and Rainforest Genetic Conservation Project (LBGRGCP) and the Mount Cameroon Project (MCP), financed by UK Department for International Development (DFID) and later the German Technical Cooperation (GTZ). These initially strongly conservation-focused projects encouraged
the conservation and sustainable use of forests by establishing reserves and renovating the Limbe Botanic Garden (Watts 1994). The final phase reconciled conservation and livelihood needs by including practical projects benefitting villagers around the proposed reserves (DFID 2000). The Programme for the Sustainable Management of Natural Resources in the Southwest Province (PSMNR-SWP)\(^\text{17}\) has run from 2003 to date. It is funded by the German Development Bank (KfW) (GTZ 2010) through a 7 million euro German bilateral grant to the government and 10 million euro direct to the programme. Overall, the MINFOF Provincial Delegate for the Southwest is responsible, although the PSMNR-SWP is managed by the German GFA Consulting Group. It is implemented by these two organisations together with GIZ\(^\text{18}\) staff, consultants and service providers through technical support, capacity building, village development and livelihoods projects, and by the World Wildlife Fund (WWF) and the Wildlife Conservation Society (WCS) for conservation activities. The programme aims to implement sustainable forest and wildlife management with affected stakeholders in and around high conservation value forest ecosystems of Mount Cameroon, Korup and Takamanda-Mone Technical Operations Units for their benefit and to alleviate poverty.

Many of the MCP and PSMNR-SWP’s conservation and livelihood activities concerned NTFPs. NTFP-based alternative livelihood projects concerning honey, eru, snail farming domestication and marketing, and ecotourism were implemented (Wilson 2007) and a regional, strategic plan for developing NTFPs was produced in 2010. Long-term attention has been given to sustainable harvesting of *Prunus africana*, with harvester unions supported and a local, community-based company, the Mount Cameroon Prunus Management Common Initiative Group (MOCAP). Conducting inventories, developing standards and harvesting guidelines informally and then formally as part national management plan for *Prunus Africana* were also part of the activities. The PSMNR-SWP’s interventions had significant impact on the national management plan and changed customary practices for many harvesters and buyers in the Southwest (see Chapter 9). There has been less impact on the governance and trade of other NTFPs, except for eru, due to the work of an NGO initiated by the MCP, the Centre for Nursery Development and Eru Propagation (CENDEP), which promotes *Gnetum* domestication (see Chapter 7).

The PSMNR-SWP supported and pushed for upgrading of the protected area status of Mt Cameroon to a 58,178 ha national park from 2006 onwards, leading to a decree in 2009\(^\text{19}\). Its final attribution in February 2010 was subject to significant conflicts\(^\text{20}\) with the local population and traditional rulers, concerning that the park boundaries and rules limiting customary and income-generating activities, particularly access to NTFPs, such as *Prunus africana* and bushmeat. The media reported the Mt Cameroon National Park as “the brain child of KFW with GTZ, DED, WCS and WWF” with conservation perceived as more dominant than livelihood benefits\(^\text{21}\). Raising awareness and

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understanding of conservation issues was carried out through meetings, school lectures, booklets and posters and tours of the Botanic Garden. The project is currently piloting a Reducing Emissions from Deforestation and Forest Degradation (REDD) scheme to support conservation and community development. Time will tell if REDD payments will compensate for lost NTFP incomes and provide income alternatives, or lead to further resource access restrictions without compensation.

The PSMNR-SWP has impacted NTFP governance indirectly by restricting the harvesting of NTFPs in the national parks (Ingram et al. 2011c). Awareness raising and ‘sensitisation’ on conservation has been criticised as undermining local usufruct rights, failing to compensate for losses and leading to unexpected outcomes that may not benefit biodiversity conservation or local livelihoods (van Vliet 2010). Some of the park-related activities have also been strongly debated and criticised (Brockington et al. 2006; Curran et al. 2009; Schmidt-Soltau 2009). The project has been mistaken for a government institution, so strong has been its presence (Chia et al. 2004): 58. This observation continues to be valid, as the combined political, human and economic project capital is equivalent, and in some areas exceeds that of MINFOF’s in the region.

The projects have reinforced MINFOF activities, particularly in remote areas where it has previously been largely absent. The PSMNR-SWP promoted the formalisation of forest governance and increased implementation and enforcement of formal laws above customary and supported new institutions, such as village development committees and council forests, and hybrids of community-NGO-businesses, such as MOCAP and the Mount Cameroon Ecotourism Organisation. The focus on integrated landscape scale land-use planning to manage and sustainably allocate space has not always been accepted by the local communities, leading to the need for conflict management and mitigation in all the Nationals Parks concerning land use, access and boundaries (Chia et al. 2004; Mambo et al. 2007; Ayuk 2008).

Although developed in collaboration with the government, the funders have had the major say in forming and implementing governance arrangements. Their strong presence has led them to be perceived as extensions or replacements of the state, particularly when they have aided the enforcement of formal regulations and participated in creating new regulations. One recurring result of this has been a clash between project’s conservation and livelihood objectives. This is despite activities to support or compensate local populations for lost opportunities due to changes in perceived ownership and access to forests and their resources. This impact is common in Cameroon and Africa (Ros-Tonen et al. 2005a; Diaw et al. 2010; Freudenthal et al. 2011). Whilst some of the institutions set up by projects have disappeared once projects ended, some have been maintained or picked up by other projects and actors, often morphing into yet other institutions, a process termed neo-African governance (Siloma et al. 2005). This creates more plural institutions and governance arrangements and is an example of institutional bricolage (Cleaver 2001) practised by actors to sustain their NTFP chains. This is most clear in the Bamenda Highlands, where a sufficiently long period post-project enables the reconfiguration of institutional and governance arrangements introduced by projects to be seen.

This overview of a handful of influential projects operating in the study areas does not aim to critique their results or achievements, nor the implementing organisations and funders, but to highlight how they created changes in governance arrangements. Their long and sustained presence, power and significant capital injections ushered in new institutions strongly influencing forest governance. They, sometimes intentionally,
created or allowed completely new institutions to rise and subjugate former institutions. Such use of biodiversity protection arrangements, particularly through the appropriation of parks and new rules for land use, has been construed as ecological-social colonialism (Nguiffo 1998) and eco-imperialism (Dietz 1999). Many of the social, political, economic and environmental impacts of setting up new institutions appear not to have been thoroughly considered ex-ante, and in many of the current and post-project evaluations have not been addressed, or if addressed, was often too late such that largely reactive responses to conflict situations were possible. External onlookers, from researchers to NGOs with different agendas, have been attentive, supportive and also highly critical of such projects (Curran et al. 2009; Schmidt-Soltan 2009). The existing governance arrangements prior to the projects were largely customary. Some NTFPs were consequently promoted as important and sustainable. Support was given for production and commercialisation of some NTFPs (such as Prunus africana and honey) building on customary rules with more formal rules all projects, whereas other products – notably bushmeat and bush mango – were outlawed in newly created parks.

Discussion: An incongruent bricolage

The analysis in this and the previous two chapters of the historical and current economic, social, political, business and institutional contexts highlights that the NTFP value chains operate in very dynamic, changing and complex settings. Most notable is the legal pluralism, messy with overlapping and multiple layers of institutions, the configurations of which have changed over time. There is also a fair share of holes in this patchwork: where no institutions can be found governing certain practices and chains. Some actors, notably NGOs and project-related actors, fulfil roles normally the reserve of the state. In other situations and places the state performs it duties, in others not and customary authorities or projects govern. It is this incongruence that makes it difficult to entangle how the bricolage impacts livelihoods and the need for specific chain analyses so important.

Regulatory and institutional pluralism in NTFP chains in Cameroon mirrors experiences in many other African countries. The changing and apparently increasing pluralism of governance arrangements concerning forests and NTFPs appears to be lesser known and understood. This context seems unlikely to be smoothed into a mono-governance arrangement anytime in the near future. This is evidenced by the chequered history of different governance arrangements and slow rate of land and regulatory reforms, the still firm grasp of customary governance in some areas, the insidiousness of corruption and the increasing influence of new arrangements such as projects and voluntary schemes. Thus, for actors in NTFP value chains, it seems that they are forced to stay and become even more adept bricoleurs. They make the best of the arrangements in which they both find themselves, and creatively use capitals available, building on natural capital to construct new governance arrangements and/or remould existing ones to best suit to their current objectives, circumstances and livelihoods. This situation reflects notions of institutional bricolage: the dynamic and multiple identities of the bricoleurs and multi-purpose institutional arrangements (Cleaver 2002) and the crafting arrangements which advance livelihoods, individually and collectively. It also reflects productive bricolage with its focus on livelihoods as the flexible and dynamic crafting of livelihood options and associated impacts on landscapes (Ros-Tonen 2012).
Examining the governance contexts in which NTFP value chains operate shows that before statutory rules existed, and in the continued absence of a functioning and legitimate legal framework, many, but not all, NTFPs were customarily regulated. This analysis also shows that differences occur due to the social and economic contexts of the areas where the chains operate. Over time this has altered as demand and business operating environments have changed. Particularly for species under strong commercial pressure such as *Prunus africana* and *Irvingia* spp. (see Chapters 7 to 11) statutory law appears an important and often necessary element and a complement to customary law. Dramatic changes are clearly needed on a number of fronts to develop and implement a governance framework for NTFPs that supports harvesters, traders and rural communities, encourages a vibrant commercial NTFP sector, and promotes sustainable and equitable practices.

Despite evidence that a single, unified system does not work, it has been strongly promoted. External agencies (i.e. the World Bank, the High Level Commission on Legal Empowerment of the Poor, the Food and Agriculture Organisation of the United Nations (FAO) and donors) have prescribed ‘modernising’ regulatory systems, particularly land tenure. There has been an implicit assumption of the benefits of monism and a homogenisation of national land laws. The harmonisation of NTFP laws in Central Africa is an example of this (Walter et al. 2006; Bonannée et al. 2007; FAO et al. 2008; Ingram 2010b; Logo 2010). Whilst regulatory pluralism is only one aspect of pluralism in governance arrangements, it is important. Legal empowerment has been seen as fundamental to sustainable development and achieving the Millennium Development Goals (CLEP et al. 2008). Dealing with regulatory pluralism however is not easy. McAuslan (2004) sets out twelve precepts to make regulatory pluralism effective. Considering the social, economic, regulatory and political contexts of the value chains, many of these preconditions are not met. Making pluralism, in McAuslan’s terms, not ‘do-able’. He stresses that pluralism and monism concerns who has political power and over whom that power is exercised. The ‘who’ and ‘whom’ are the individual or groups and regulators (both formal and informal) in value chains, and the object is the forest and its products. History shows that governance arrangements are continually changing, such that these conditions can sometimes be met or crafted.

The culmination of legal revisions over the past 15 years and forest, conservation and development politics, albeit largely under pressure from outside agencies, have resulted in an inconsistent and incomplete statutory framework with limited government capacity and political will. Conflicts between texts and policy objectives are compounded by the absence of pragmatic implementing regulations. The current regulatory framework thus undermines rather than enhances sustainable livelihoods. The very low level of awareness among harvesters, traders and government authorities, particularly local and regional delegations that interact with rural communities, of the laws that exist hinders their effectiveness. The products are not well-defined and so uncertainty dominates. NTFPs are taxed formally and informally, inconsistently and often heavy-handedly. The long-term management of species populations is not considered in quotas, nor are there controls or monitoring to limit overharvesting. Bureaucracy and costs eat away at profits and limit the effectiveness and efficiency of actors to legally participate in the sector, if this was a viable option. The regulatory framework undermines the livelihoods of small-scale actors in favour of the politically
powerful few *qui mange*. With community land and resources under ambiguous legal title, individuals, entrepreneurs and groups must jump enormous bureaucratic hurdles to become legal entities managing, harvesting and trading what they consider their own assets. Without the requisite political power to acquire quotas or finances to buy waybills from quota holders, illegal NTFP trade is thus the norm.

The context of property rights to forest lands and resources reflects the contested, overlapping and unenforced rights characterised by confusion and insecurity that are common in other tropical and African countries. This has been seen to undermine forest governance, as without secure rights forest holders have only economic incentives — and often lack legal status — to invest in protecting and managing their forest resources. While secure property rights cannot ensure sustained protection and investments, they are often a necessary condition (Tedder *et al.* 2002; White *et al.* 2002). De Soto (2003) emphasised the need to unify informal local tenure systems to aid development. However, in practice in Cameroon, unification has not been as linear and consensual as De Soto describes. Individual land titling has not been the ‘silver bullet’ hoped for (Larson *et al.* 2010a). So, if private property is not the foundation for sustainable governance and management, then what?

Concurring with Hoekema and colleagues (2009), the answer may lie in adapting local conditions: working with stakeholders, taking their needs seriously, respecting their (sustainable) ways of managing land and using simple but robust arrangements. In situations of weak customary law, well-crafted and implemented statutory law could play an important role in NTFP governance. Statutory law could support sustainable and equitable practices when commercial pressure on resources is great and traditional structures are undermined by this pressure. Experiences of brokering between customary and formal rule systems highlight that local systems are sometimes of ambiguous functionality and may co-exist with continuous internal conflicts over resources. This finding is contrary to that implied in a recent desk study promoting formal tenure (Alden Wily 2011). Any adaptation and unification of formal and customary regulatory and tenure systems thus needs to look critically at the functionality and effectiveness of both systems. The collective sharing of resources de facto promotes inequity. ‘Westernisation of rules’ has meant replacing sometimes ambiguous collective with unambiguous private, individual rights, benefitting some and disadvantaging and marginalising others. This has led to existing rights to be defended and advocacy to enable the marginalised and those least able to benefit (the illiterate, poor, specific ethnic groups and minorities etc.) to access these ‘new’ private rights. The low level of overt conflicts may be due to the high costs and social capital needed to contest rights, noted also by van Dijk (2008). Collective customary rights of equal (and unequal) access can thus support vested local interests and elite capture of forest and land. Elites and traditional rulers are often unwilling to abandon these interests and power for public benefit. Using De Soto’s analogy, some of the dogs have a very large bone to lose, and so not only bark, but also bite!

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22 A common saying meaning ‘those who eat’: indicating those gaining economically and becoming fat on illicit winnings, sometimes literally, as obesity is seen as a sign of wealth.
As Dia (1996) points out, the disconnect between transplanted formal institutions and indigenous African institutions is not necessarily a governance crisis. Traditional authority in Cameroon is a crossroads (Cheka 2010), where citizens are ‘bound’ by modern law and traditional values, even if some state institutions object to certain traditional values and find it difficult whether and how to integrate customary regulation into formal governance. The benefits of traditional authority and reason why it continues, is the institutional stability and certainty it offers, which elected officials and government staff (who come and go) do not. Traditional authorities are also often active in local development, and closer to their subjects than a distant state. Thus customary regulations remain de facto institutions, but often not the only forms of governance. This has led to arguments that traditional institutions should be integrated into formal institutions (Cheka 2010) and that plural institutions are essential and inevitable. Formal institutions need to adapt to the local context and build the legitimacy needed for enforceability. If at odds with societal behaviours, expectations and incentive systems they lack legitimacy. Informal and customary institutions, embedded in local culture and values tend to have more legitimacy, accountability and self-enforcement – being linked to peoples’ sense of identity. However customary discrimination on age, gender and ethnicity can weaken their power and competitiveness in increasingly complex, global and plural arrangements. Dia (1996) recommended that such processes of synergy and convergence are managed. For plural or ‘bricolaged’ governance to work all chain actors would need to be involved and their differing needs integrated, negotiated and balanced. And that, given the context and nature of the chains, is not easy.