



Réseau des Chefs Traditionnels
d'Afrique pour la gestion durable de la
biodiversité et des écosystèmes de forêts



Declaration of Traditional Chiefs on the Land Tenure Week 2021

CNCTC

Conseil National des Chefs Traditionnels du Cameroun



Centre pour
l'Environnement et
le Développement

The present Declaration, submitted on the 2021 edition of the Land Tenure Week by the traditional authorities present, aims at making a series of recommendations to the public authorities for land reform and, beyond that, for ongoing sectoral reforms. The Declaration is therefore addressed to the entire Government.

Traditional Chiefs commend the ongoing reforms and the attention given by the Government to the promotion of local management in our country. They encourage all sectoral public administrations to translate the attention given to communities and traditional authorities into action. Emphasis should be on the following four elements:

1 The status of villages

The Traditional Chiefs are convinced that villages will serve as a starting point for development, and are delighted with the large number and diversity of projects carried out in their regions. However, they believe that the outcome would be greater if five prerequisites were considered:

a

The recognition of the collective ownership of villages on their customary lands, as a means of protecting lands essential for the survival of present and future generations. It will also be a means of preventing conflicts, since the absence of land for community use constitutes a major risk of conflict between project sponsors and the populations;

b

The evolution of relationships between investment project sponsors and the communities: for instance, communities could become shareholders, even in small proportions, of investments that are carried out in areas from which they are relocated. This measure will help communities to receive a share of the wealth created from the exploitation of their land, and would transform villages into protectors of the investment;

c

The alignment of legal texts and sector-based policies: the village is recognised by some as having the potential to manage resources in a given area (community forest, community-hunting territory), while land management is still not regulated by legislation;

d

The adoption of measures to facilitate the demarcation of village boundaries, in order to ensure better control of the national territory and management of space;

e

The use of the current land tenure reform to ensure, to the extent possible, the formalization of customary rights, by bringing state texts closer to the people's daily lives.

2

Recognition and clarification of the role of the Traditional Chief

Traditional authorities indicate their dual allegiance to the state and their communities, which gives them a unique position as protectors of the interests of both the state and the communities. Finally, Traditional Chiefs unlike administrative authorities can ensure the continuity of public service in certain issues by way of their permanence. Formalizing the role of the Traditional Chief would therefore be judicious:

a

Land management.

The Traditional Chief is involved in the work of the Advisory Board. Though, he plays an important role in village land management, this role is not legally recognised.

b

Given the involvement of Mayors in land management, it would be important to clarify the roles and competences of mayors, local administrative authorities and traditional authorities

c

Land disputes management.

Traditional Chiefs play a central role in the management of conflicts particularly through mediation or through the decisions they take. However, clarification is needed to ensure a clear distinction of roles between Traditional leaders, local administrative authorities and judicial authorities. The issues at stake here are: (1) the peaceful management of village lands; (2) decongesting courts, where land disputes represent a large part of cases handled;

d

Finally, and in order for them to effectively perform their role in terms of good local land governance, the traditional authorities wish to benefit from various training and support from the public authorities.

3

Expropriation and compensation

Rural communities feel that compensation paid for expropriation for public utility does not reflect the value of the losses incurred. At least three cases can be mentioned:

a

Destroyed properties found on the list of those eligible for compensation: in such cases, the rates are generally low, and do not cover the replacement of the destroyed property;

b

Destroyed properties not found on the list of those eligible for compensation: here, persons affected have to bear the costs of the losses themselves. This is the case, for example, with fodder plants;

c

The nature of the property does not allow for compensation: this is the case, for example, of sacred sites, the destruction of which raises questions that are not taken into account by the legislation.

Traditional Chiefs appeal for an urgent revision of the laws regulating expropriation for public utility.

Traditional authorities reaffirm their readiness to collaborate with public administrations, Parliament, Regions, investors and communities in fostering development in our country. They call for effective communication to promote land management policies in our country, for greater ownership by actors, especially local communities and indigenous peoples. They hope that tools promoting transparency and improving land governance, such as participatory mapping and LANDex, will be made official, disseminated and effectively used in land management in Cameroon.