



Resolving land-related conflicts through dialogue: Lessons from the outskirts of a protected area in Cameroon

Michelle Sonkoue, Romuald Ngonu and Anna Bolin

Legal tools for citizen empowerment

Around the world, citizens' groups are taking action to change the way investment in natural resources is happening and to protect rights and the environment for a fairer and more sustainable world. IIED's Legal Tools for Citizen Empowerment initiative develops analysis, tests approaches, documents lessons and shares tools and tactics amongst practitioners (www.iied.org/legal-tools).

The **Legal Tools for Citizen Empowerment** series provides an avenue for practitioners to share lessons from their innovative approaches to claim rights. This ranges from grassroots action and engaging in legal reform, to mobilising international human rights bodies and making use of grievance mechanisms, through to scrutinising international investment treaties, contracts and arbitration.

This paper is one of a number of reports by practitioners on their lessons from such approaches.

Other reports can be downloaded from www.iied.org/pubs and include:

- Rebalancing power in global food chains through a “Ways of Working” approach: an experience from Kenya. 2019. Kariuki, E and Kambo, M
- A stronger voice for women in local land governance: effective approaches in Tanzania, Ghana and Senegal. 2019. Sutz, P *et al.*
- Improving accountability in agricultural investments: Reflections from legal empowerment initiatives in West Africa. 2017. Cotula, L and Berger, T (eds.)
- Advancing indigenous peoples' rights through regional human rights systems: The case of Paraguay. 2017. Mendieta Miranda, M. and Cabello Alonso, J
- Connected and changing: An open data web platform to track land conflict in Myanmar. 2016. Knapman, C and Wai Wai, L
- Pillars of the community: how trained volunteers defend land rights in Tanzania. 2016. Massay, G
- Mainstreaming gender in Tanzania's local land governance. 2016. Kisambu, N

In addition, under our **Land, Investment and Rights** series, we generate evidence around changing pressures on land, multiple investment models, applicable legal frameworks and ways for people to claim rights.

Reports in the Land, Investment and Rights series can be downloaded from www.iied.org/pubs. Recent publications include:

- Ethiopian coffee marketing reforms and smallholder coffee producers: A socio-legal empowerment lens. 2021. Mas Aparisi, A
- Contracts in commercial agriculture: Enhancing rural producer agency. 2021. Cotula, L, Blackmore, E and Berger, T
- How collective action can influence the direction of a land reform: Lessons learned from civil society mobilisation in Senegal. 2020. Lavigne Delville P *et al.*
- Raising the cost of climate action? Investor-state dispute settlement and compensation for stranded fossil fuel assets. 2020. Tienhaara K and Cotula L
- Socio-legal empowerment and agency of small-scale farmers in informal markets. 2020. Blackmore E *et al.*
- Rural producer agency and agricultural value chains: What role for socio-legal empowerment? 2019. Cotula L, Polack E, Berger T and Schwartz B
- Trends in global land use investment: implications for legal empowerment. 2017. Cotula, L and Berger, T
- Community perspectives in investor-state arbitration. 2017. Cotula, L and Schröder, M

To contact IIED regarding these publications please email: legaltools@iied.org

Resolving land-related conflicts through dialogue: Lessons from the outskirts of a protected area in Cameroon

Michelle Sonkoue, Romuald Ngono
and Anna Bolin

First published by the International Institute for Environment and Development (UK) in 2020

Some rights reserved. This work is made available under the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International licence (CC BY-NC-ND 4.0; <https://creativecommons.org/licenses/by-nc-nd/4.0/>).

ISBN: 978-1-78431-866-6

IIED order no.: 12611IIED

For copies of this publication, please contact IIED:
International Institute for Environment and Development
235 High Holborn, Holborn,
London WC1V 7DN
United Kingdom

Email: newbooks@iied.org

Twitter: @iied

Facebook: www.facebook.com/theIIED

Download more publications at <http://pubs.iied.org>

A catalogue record for this book is available from the British Library.

Citation: Sonkoue M, Ngono R et Bolin, A (2020) Resolving land-related conflicts through dialogue: Lessons from the outskirts of a protected area in Cameroon. IIED, London.

Cover photo: Bagyeli and Baka representatives share experiences in Mintom, Cameroon (Photo credit: CED)

Typesetting: Judith Fisher, www.regent-typesetting.co.uk

Contents

About the authors	iii
List of acronyms and abbreviations.....	iv
List of figures and boxes.....	v
Summary	vi
1 Introduction.....	1
1.1 What does this report cover and who is it for?	1
1.2 What is the purpose of this report?.....	1
2 Background	3
2.1 Local community rights and coexistence of major plantations: areas for reconciliation	3
2.2 Biodiversity and widening the types of stakeholder groups with land control in Dja	3
2.3 Why Dja needs a dialogue-based approach	5
3 What do we mean by a dialogue process, and how is it implemented?	7
3.1 What are the different phases of effective and participatory dialogue? .	8
4 Case study: a multi-stakeholder dialogue process on the outskirts of the Dja Faunal Reserve	13
4.1 Choosing parties to the dialogue	13
4.2 Setting up an inclusive and collaborative dialogue process	14
5 Working towards improved communication and collaboration with local stakeholders	21
6 Lessons learned	22
6.1 Too many parties working in the area	22
6.2 Community fatigue	22
6.3 Mismatched use of the dialogue process by different parties	23
7 Implication of the dialogue process for land policy.....	25
References	26

Acknowledgements

The authors would like to thank resident communities from the Dja Biosphere Reserve, indigenous Baka communities and the resident communities of the agro-industrial sector in Cameroon. Their openness to the proposed dialogue framework ideas provided a starting point and basis on which to motivate other stakeholders, and to realise the entire process from beginning to end. The authors are particularly grateful to the administrative authorities, the managers of the DBR's conservation services, the CSOs and the directors of agro-industrial companies Sudcam, Socapalm and Hevacam who, despite often having diverging interests, put every effort into reaching a consensus at the end of the dialogue process. Finally, the authors would like to thank the members of the LandCam team for their guidance and contributions, particularly Brendan Schwartz, Amaelle Seigneret, Lorenzo Cotula and Jérémy Davis for their comments and suggestions on previous versions of the text. Please note that all opinions expressed are those of the authors.

This report has been conducted as part of the LandCam project, with the financial support of the European Union and the Arcus Foundation. Its authors are solely responsible for its content, and it does not reflect the views of the European Union nor of the Arcus Foundation.

LandCam's purpose is to secure land and resource rights and improve land governance in Cameroon. IIED, CED and RELUFA are responsible for implementing the project with a group of Cameroonian and international partners.

The International Development Research Centre (IDRC) and Friends of the Earth Netherlands did not help to produce this report, but do provide support for some of LandCam's activities.

About the authors

Michelle Sonkoue is an agro-socioeconomist and researcher on land tenure and sustainable agriculture at the CED. She is the coordinator of the National Engagement Strategy for Land Governance in Cameroon.

Romuald Ngono is a legal researcher for the CED, and works as a researcher on the LandCam project. His primary interest is the impact of large-scale land investments on local and indigenous communities.

Anna Bolin is a researcher at the International Institute for Environment and Development (IIED). Her work for the Forests team (Natural Resources Group) focuses on community forestry, rural cooperatives and their social networks, female entrepreneurship and economic policy in natural resource governance.

List of acronyms and abbreviations

CED	Centre for Environment and Development
CSO	Civil society organisation
DBR	Dja Biosphere Reserve
DFR	Dja Faunal Reserve
ESIA	Environmental and social impact assessment
ESMP	Environmental and social management plan
FPIC	Free, prior and informed consent
IIED	International Institute for Environment and Development
IUCN	International Union for Conservation of Nature
Km	Kilometre
MINEPAT	Ministry of Economic and Land Use Planning (ministère de la Planification et de l'Aménagement du territoire)
MINFOF	Ministry of Forests and Wildlife (ministère des Forêts et de la Faune)
NGO	Non-governmental organisation
RACOPY	National network of "Pygmy" organisations (Recherche-actions concertées pygmées)
SIDA	Swedish International Development Agency
SNE-Cameroun	National Engagement Strategy for Land Governance (Stratégie nationale d'engagement sur la gouvernance foncière)
SUDCAM	Sud Cameroun Hévéa (South Cameroon rubber plantation company)
UNESCO	United Nations Educational, Scientific and Cultural Organization

List of figures and boxes

Figure 1. Main land uses in the Dja Biosphere Reserve	4
Figure 2. Objectives, stakeholders, issues and phases of the dialogue process applied to the Dja case study in Cameroon	9
Figure 3. Faunal inventory in the south-west of the Reserve	15
Figure 4. Inventory of uses and occupations of communities to the south-west of the Reserve	16
Box 1. The dialogue framework as a tool for incorporating local land-based interests and priorities	6
Box 2. List of key components for effective engagement as part of a dialogue process	8
Box 3. Questions to assess parties to the dialogue and power relations	11
Box 4. Practical advice for organising multi-stakeholder dialogue	24

Summary

In Cameroon, land invested in for agriculture, natural resource extraction and infrastructure is often located in corridors between existing or proposed protected areas. These corridors are also extremely biodiverse conservation areas with considerable human populations. In addition to the impact on biodiversity, the acquisition of such land often results in a loss of land use rights for local communities who depend on the land, without sufficient compensation or benefits. In order to survive, such communities often extend the scope of their activities to the protected areas in which they reside. This can lead to strained relations between communities, investors, authorities and local conservation agencies.

In this context, multi-stakeholder dialogue is often used as a strategy to begin a discussion and resolve conflict between the parties in question. This report sets out the implementation of this dialogue process in Cameroon, in the Dja Biosphere Reserve (South Region). The Reserve is a UNESCO (United Nations Educational, Scientific and Cultural Organization) World Heritage Site which is home to numerous species of mammals, including great apes and elephants. The main stakeholders in this case study include the subsidiary of a multi-national rubber producer, nine of the local communities directly affected by its land concessions, and the Reserve's conservation services.

The approach involves setting up a dialogue framework as a tool to incorporate local interests and priorities, and to prevent and resolve conflict. The report details this approach and explains how to prepare, design and successfully lead multi-stakeholder dialogue in order to reduce the negative impacts of land investments on biodiversity and communities. It uses practical experience as a basis on which to set out lessons learned, practical advice on how to replicate the process, and recommendations for legal reforms on large-scale land sales.

1 Introduction

1.1 What does this report cover and who is it for?

This report describes the work completed as part of the project: “Promoting biodiversity conservation in the context of industrial agriculture in Cameroon”, and as part of “LandCam: Securing land and resource rights and improving governance in Cameroon” between 2017 and March 2020, in the Dja Biosphere Reserve, a UNESCO (United Nations Educational, Scientific and Cultural Organization) World Heritage Site in the south east of Cameroon. It describes a case study featuring the rubber and latex company Sud Cameroun Hévéa Sudcam, which holds a land concession of more than 60,000 hectares of rubber tree plantations in the Dja Faunal Reserve (DFR) buffer zone, and explains ongoing commitments between the company and nine of the directly impacted local communities following the implementation of a dialogue framework.

Based on this experience, we make suggestions on how to: i) Conceptualise the notion of a dialogue framework; ii) Design, prepare and facilitate a dialogue process; iii) Identify areas to avoid and potential stumbling blocks for negotiations between communities and other stakeholders; and iv) Demonstrate how dialogue outcomes can be used to inform advocacy for legal land reforms and natural resource conservation through joint management.

The report is primarily aimed at practitioners who work directly with rural populations, including non-governmental organisations (NGOs), researchers and civil society organisations (CSOs) working in similar fields. However, it may also be of interest to the private sector, particularly those responsible for monitoring and implementing social and environmental policy commitments, together with donors and the staff of sector-specific administrations working directly on legal reforms.

Despite the specific nature of the context, rather than considering this local experience as a standalone case, it may be useful to use it as a pilot that could be adopted by national policy and legislation. As part of this process, we could identify which policies would be needed to scale up this dialogue approach. The dialogue has also generated substantive information which could contribute to policy and law reforms. For example, an overview of the problems encountered and solutions applied by communities on a local level could guide territorial development policies.

1.2 What is the purpose of this report?

The purpose of this report is to demonstrate the role that the dialogue framework can play as a tool for preventing and managing natural resource-related conflicts. The dialogue framework must be based on respect for the rights of local communities and mutual responsibility. It explains how to prepare, design and

successfully lead a dialogue framework between local communities and external stakeholders such as company representatives, public authorities and conservation agencies. From this case study on the disputed land of the Dja biosphere and based on the process of designing and implementing a series of dialogue-based sessions, we have been able to identify good practice and lessons learned and to recommend reforms which aim to reduce the negative impacts of large-scale land investments on biodiversity and communities.

2 Background

2.1 Local community rights and coexistence of major plantations: areas for reconciliation

As in many other countries, large-scale land investments in Cameroon are a source of disagreement. Although such investments generate jobs, help to develop infrastructure and enable technology and skills transfer to under-developed areas, case studies increasingly show that they have negative impacts on biodiversity and local and indigenous communities (Bessou *et al.*, 2017; De Schutter, 2012; Nguiffo et Sonkoue, 2019). Land concessions for major plantations are often located on the edge of or within extremely biodiverse areas, which are also areas where many people live and use the natural resources to meet their basic needs.

Cameroon's current legal framework governing land management and the allocation of land concessions dates back to the 1970s, and does not meet modern-day needs in relation to conservation, environmental protection and biodiversity, adapting to climate change and respecting the rights of communities. There is no legal obligation to launch a process with local communities to secure their free, prior and informed consent (FPIC) before allocating large areas of land, or even to directly negotiate with the holders of customary land tenure rights.

2.2 Biodiversity and widening the types of stakeholder groups with land control in Dja

The Dja Reserve is one of the most diverse protected areas in Cameroon in terms of plants and wildlife. In 2015, a total of 17 mammal species were identified within the Reserve (MINFOF and IUCN, 2015). There are approximately 420 elephants (min 313–max 563), 6,613 gorillas (4,978–8,786) and 3,630 chimpanzees (2,742–4,804) (MINFOF and IUCN, 2015).

Since 2010, this rich ecosystem has been hit by a number of threats which are gradually weakening its integrity. For example Sudcam obtained a 60,000-hectare concession in 2008 on the fringes of the Reserve for a single crop holding. Since 2011, the rubber tree plantations have led to irreversible animal and plant biodiversity loss (MINFOF and IUCN, 2015), particularly along the transition zone and the buffer zone, which protect the Reserve's core area (see Figure 1).

The Sudcam concession case study suggests that a number of communities are affected by corporate operations in the mining, forestry, hydroelectric, road infrastructure and agriculture sectors on this land, and explores ways in which we might defend the rights and interests of local people in an extremely complex situation with a number of powerful stakeholders. This is not simply a case of forming NGO-documented agreements between communities and companies in the context of corporate social responsibility. Rather, all stakeholders need to be involved in land use governance at a territorial level. We will start with an assessment of all stakeholders and uses based on an issue tree which covers all stakeholders and how they interact within a given territory. Using this as a basis, we will issue recommendations which may enlighten legal reforms and contribute to corporate commitments in the presence of third parties, which are not included in the regulations, based on information provided by local multi-stakeholder dialogue.

2.3 Why Dja needs a dialogue-based approach

In rural areas of Cameroon and French-speaking Africa, only a tiny amount of village land is registered (Nguiffo, 2008). This also applies to the land in the Reserve allocated for the single crop holding, in areas which are primarily under customary ownership of villages dating back several generations.

Furthermore, there is often a wide range of aspirations and goals between and within communities on how their land should be used and appropriated. Yet in most cases, communities are unable to fully realise these aspirations and goals due to a lack of financial resources, and the fact that they don't have a voice in decision-making bodies. Moreover the environmental and social impacts, some of which are not felt for several years, must be taken into account when the land is allocated and while it is being used. It is difficult for local and indigenous communities to assess current costs and benefits of the proposed investment, and costs and benefits to future generations, which limits their ability to negotiate effectively with companies. Similarly, land agreements which have already been entered into may include a large number of limitations. As it stands, local communities do not have access to appropriate means to express their worries or aspirations to companies or public authorities, and existing options fail to respect their rights and may even offer leeway for limiting biodiversity protections. Therefore it is important to trial new tools such as dialogue fora.

Although they are presented by politicians as a driver of development both globally and locally, large-scale land transactions are not the only means of developing local communities and territories. Supporting and guiding local community land and natural resource-use initiatives is a more sustainable option, as it is based on a native land conservation approach where the interests of all stakeholders are equally and fairly taken into account and there is an ongoing negotiation of how land and natural resources are distributed. It is resident communities who bear the brunt of the huge plantations granted following major land transactions, as demonstrated

by the example of the single crop holding. In most cases communities are not involved in the project, and therefore adopt temporary, conflict-based solutions (Michel, 1970).

Yet in the short term, territorial commitments to tools enabling the necessary changes to be made, the involvement of third parties where required, facilitating local discussions and capacity building may enable local communities to seize any opportunities that arise from investments. Dialogue-based processes are well-suited to managing natural resources and rural development of land. Box 1 provides an overview of how a land-based approach might enable stakeholders to take on board the obligations of other stakeholders vis-à-vis the same site, based on the principle of shared responsibility.

Box 1. The dialogue framework as a tool for incorporating local land-based interests and priorities

Dialogue frameworks can be set up to manage a range of community resources and multiple-resource areas, in this case pastures and protected areas, and can help with conflict prevention and management. The result is a joint management body which local communities and investors can use as a shared reference framework, so that each party knows what their obligations are to the local area. The dialogue framework may for example be used to establish rules that companies operating land which used to be occupied by legitimate landowners must recruit employees from local communities. The dialogue framework can also emphasise and prioritise specific actions if certain parties are not directly covered by these obligations, such as support for conservation or development. In this way, responsibility is spread out and commitments made to creating shared solutions. To ensure that these commitments are met, it is crucial that all parties are involved in a transparent process of setting up and monitoring the dialogue framework.

This practical explanation shows that a carefully crafted dialogue process can: i) facilitate constructive conversations and relationships of mutual responsibility between members of the community, companies and the authorities; ii) facilitate internal discussion within the community in the relevant land area, which considers development priorities identified by the community itself; iii) inform wider debate and legal reform processes on the sustainability of land investments.

3 What do we mean by a dialogue process, and how is it implemented?

Dialogue is often used where a complex issue has created a conflict, and where conversation and mediation between the parties is required (Knight *et al.*, 2016). It is usually applied in situations in which there is a major power imbalance, in which local communities are nearly always the losing party. Unlike legal proceedings, in which there is always a winner and a loser, the purpose of dialogue is to reach an inclusive consensus despite the power imbalance.

Dialogue is often based on discussions facilitated by a third party with a public role, who is involved in the process. While the format and schedule may vary, dialogue usually consists of regular meetings including learning sessions, working groups and round tables held over a number of days, weeks or months. The format is set and agreed by the relevant parties and by the third party. The purpose of dialogue may also be to provide information for a wider audience, and is designed to identify participants' requirements and wishes as part of the process (SIDA, 2018). With this in mind, the third party plays a crucial role in creating an environment of mutual trust and willingness to reach a consensus.

Box 2 provides an overview of the key components of effective engagement, as set out by The Forests Dialogue, an initiative with over 20 years of experience in organising dialogue on natural resource management with local communities.

Box 2. List of key components for effective engagement as part of a dialogue process

1. **Supporting the recognition of rights:** Community engagement requires a clear recognition of legitimate land tenure rights and land use rights that the stakeholders will comply with.
2. **Understanding the full range of community stakeholders:** Community engagement can only be fair if stakeholders gain an in-depth understanding of the leadership ties and social dynamics of the landscape, and can correctly identify the relevant community stakeholders.
3. **Creating equal and sustainable partnerships:** Community engagement will be more robust if community participants are considered proactive partners in the decision-making process, rather than hindrances or beneficiaries.
4. **Setting up free, prior and informed consent:** Community engagement requires free, prior and informed consent or refusal of consent by community participant groups.
5. **Setting up third-party mediation:** Community engagement works best with an impartial mediator between community stakeholders and non-community stakeholders.
6. **Inclusion of women:** For community engagement, we need to include and assess gender-specific impacts, using strategies which respect local gender norms.
7. **Resolving conflict:** Long-term community engagement requires specific and properly communicated complaint procedures.

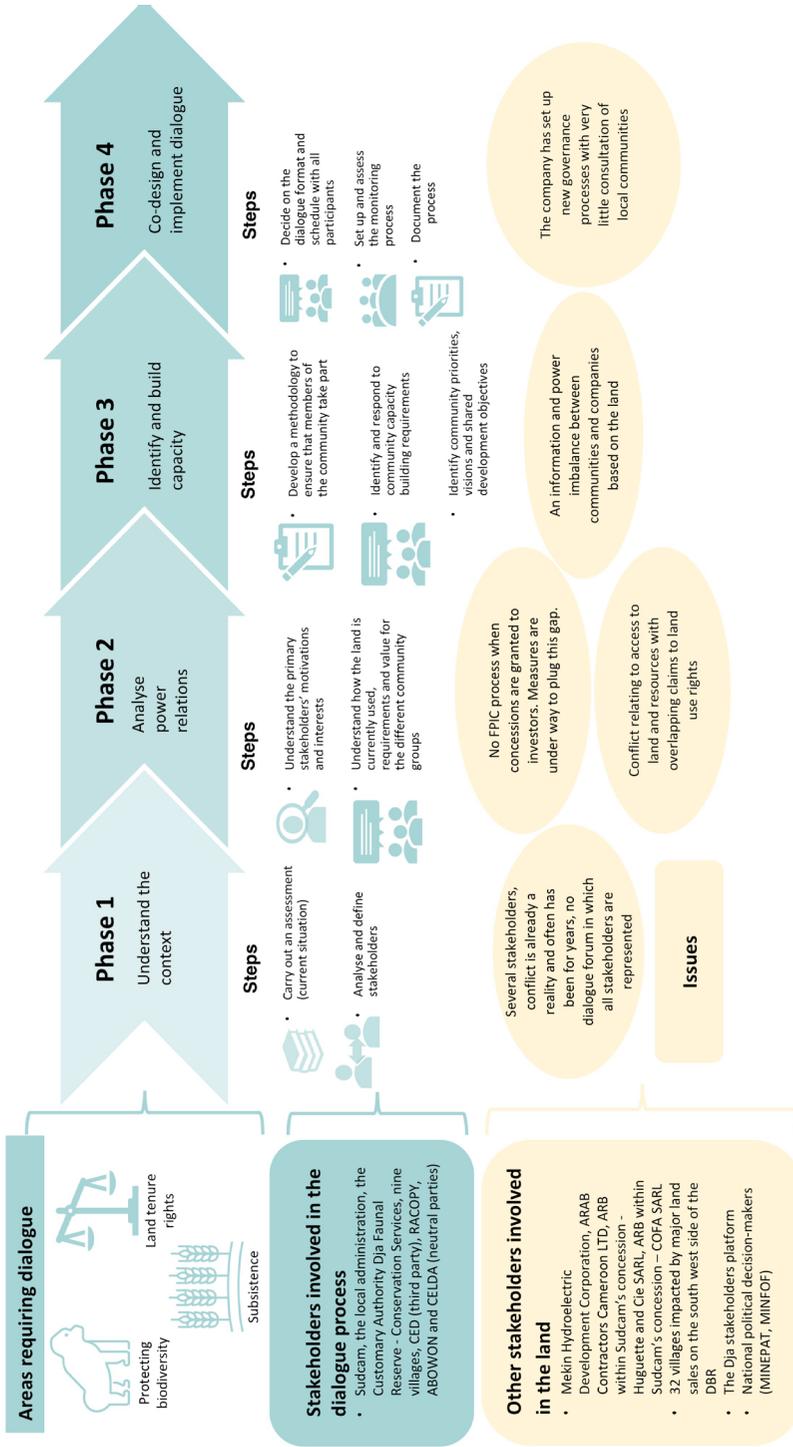
Source: The Forest Dialogue (2018) TFD Review: Key lessons for community engagement in forest landscapes. <https://bit.ly/315vY4l>

3.1 What are the different phases of effective and participatory dialogue?

Based on the experience of the LandCam and “Promoting biodiversity conservation in the context of industrial agriculture in Cameroon” projects, and on existing work,¹ the dialogue process launched on the site was broken down into four phases, each with its own separate objectives. Figure 2 lists these phases and answers the three questions at the centre of the dialogue process, which include: Why do we need dialogue? Which main stakeholders are involved in the process? What are the main issues covered? These four phases are explored in greater detail hereafter.

1. See Bass (2013), Knight *et al.* (2016) and TFD (2018) for specific guidance on organising a multi-stakeholder dialogue process for natural resources.

Figure 2. Objectives, stakeholders, issues and phases of the dialogue process applied to the Dja case study in Cameroon



Phase 1: Understanding the context

Phase one began with an analysis of the land use context (how land is allocated and used, and whether communities are able to exercise their rights, as well as assessing all prior and current initiatives (such as other dialogue processes in place for the same land), in order to gain an understanding of what was already there.

During this phase, it was also important to examine the different stakeholders a little more closely, to ensure that members of affected resident communities are correctly identified from the outset, based on an inclusive, participatory and transparent approach. Indeed, given that populations migrate following major land investments, it is not always clear who forms part of the affected community, or even who is entitled to the benefits negotiated for the affected land.

It is also essential to identify investors with active operations on the land, who are bound by obligations on the rights of affected communities and biodiversity protection. Indeed, depending on the structure of the organisation or institution, subsidiaries and branches may be bound by the same laws and social and environmental policies as the parent company.

Similarly, if a company receives funds from another company in the form of a loan or donation, it may be subject to the same standards. Therefore, a company benefiting from a major land sale may be bound by environmental and social obligations which go beyond local legislation, which the parties may not be aware of.

Phase 2: In-depth understanding of power relations

Phase two involves an in-depth analysis of the stakeholders based on the affected land, in order to understand their interests, motivations and key power relations which might influence the outcome of the dialogue process. Box 3 provides some useful questions for a quick assessment of stakeholders and power relations, which should be taken into account not only during the initial preparation phase, but throughout the dialogue process.

Box 3. Questions to assess parties to the dialogue and power relations

- **Awareness:** What is the level of stakeholder understanding of land investment issues? What are communities' main relevant concerns?
- **Involvement:** Who has been involved in the debate and planning processes for land investment? Who else has access? Who is excluded? What special provisions have been put in place to ensure that poor and/or marginalised groups can participate in the process?
- **Drivers:** Who is driving land investment as a development opportunity? Who is resisting, and what are their motivations? How far do external investments support local stakeholders?
- **Alliances:** What partnerships have been formed to support such investments (local, national and international)?
- **Influence:** How influential are the above, and what is the source of their influence (political, financial, informational, etc.)?
- **Distributional issues:** Who are or will be the winners and losers of the investment agreement (including social sub-groups such as women, indigenous communities and young people)?
- **Entry points for setting up a trusted negotiation forum:** What are the main levers available to stakeholders for change? What opportunities are there for bringing the right stakeholders together?

Adapted from Bass, S (2013) Scoping a green economy: A brief guide to dialogues and diagnostics for developing countries. IIED. <https://pubs.iied.org/16554IIED>

Phase 3: Identifying capacity requirements and capacity building

During phase three, the dialogue facilitation team began to work more directly with stakeholders and to support communities in the affected villages. This work identified the restrictions on raising awareness amongst the various stakeholders, and the potential risks of certain groups being excluded. These groups were generally under-represented in the decision-making process, and in this case included young people, women and some vulnerable ethnic and sociocultural groups. Based on the results, we designed a series of preparatory actions to boost awareness and participation, and to prioritise certain communities so that they were ready to engage before the dialogue began.

Phase 4: Co-designing and implementing the dialogue

During phase four, a neutral facilitator guided the community and the company through the process of co-designing a schedule and dialogue format (participants, venues, dates etc.), after which a monitoring process was set up. One or more leaders were selected for each party to keep a register of agreements and agreed actions, to cover these final steps. This register serves as an official document governing coexistence reports, and may contain agreements, specifications, a memorandum of understanding or a contract. Finally, the dialogue process has been documented (in this report) for the benefit of all stakeholders, for current advocacy actions and for any other party that may have to undergo a similar process.

4 Case study: a multi-stakeholder dialogue process on the outskirts of the Dja Faunal Reserve

Based on Sudcam's rubber tree plantation project on the outskirts of the DFR, we describe how Arcus and LandCam used the conceptual framework explained above as an inspiration for setting up a dialogue framework.

4.1 Choosing parties to the dialogue

Sudcam's arrival in the area in 2011 has impacted upon the plantation's local resident communities. We held a series of interviews with these communities in 2018–2019 (during the process of establishing the dialogue framework) in which these impacts were summarised by community complaints.

Therefore, the dialogue framework covered three Dja-based stakeholders: local communities, Sudcam and the DFR, to strengthen their partnerships and commitment to biodiversity and community rights.

Although there were other companies involved in the dialogue building process at the outset, some of these companies reduced their involvement during the analysis phase, having ceased their operations or completed their consultation phases or preliminary assessments.

The conservation services also played a crucial role in the process, participating in all phases of data collection on wild species, and helping to find sustainable solutions. They acted as a mediator or interface between the project and the other stakeholders, particularly the local administration.

When gathering data, we noted that the various stakeholders were also on the Dja Stakeholders Forum (Forum des acteurs du Dja). We did not consider the Forum to be operating fairly as the impacted communities only had marginal representation. We therefore opted for the gradual approach of opening up the dialogue to more parties, as requested by the communities. The idea was that initially, dialogue would include every stakeholder with a significant claim to the land, and then be gradually opened up to more stakeholders.

4.2 Setting up an inclusive and collaborative dialogue process

To ensure that the initiative was a success, we quickly analysed the context and then implemented a series of actions. The purpose of these actions was to:

- Better understand the context, the stakeholders' interests and the power relations;
- Develop a methodology to ensure that each party was able to participate, and identify capacity building requirements;
- Produce and design the roadmap, the monitoring process and dialogue documentation;
- Build dialogue between communities, the conservation services and Sudcam.

These actions are detailed below.

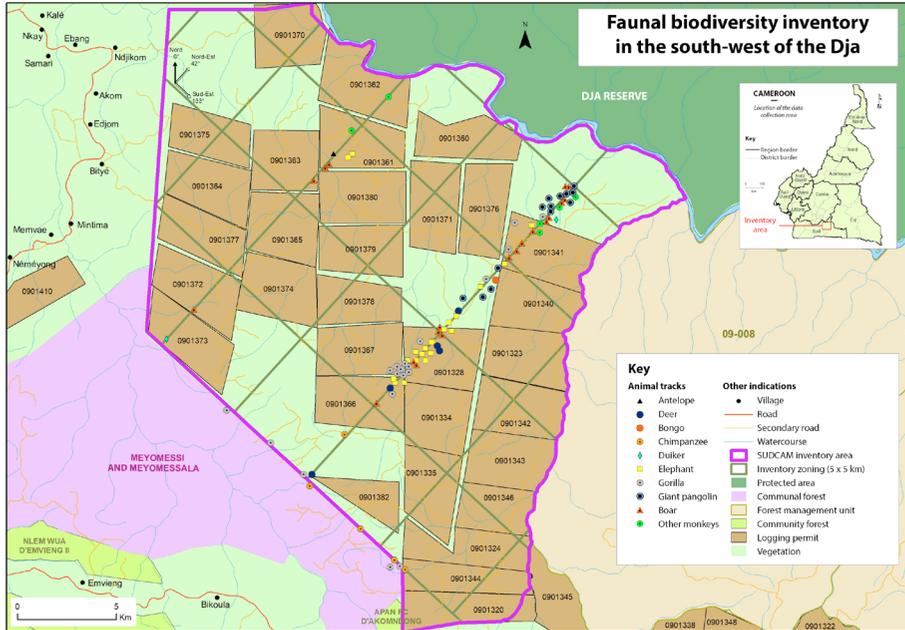
4.2.1 Gathering data

This step involved finding the relevant information in order to understand more about the dialogue context and issues for each party. This enabled us to establish that there were other categories of stakeholders in addition to Sudcam and the local and indigenous communities. We also identified existing dialogue initiatives and potential obstacles to developing a dialogue framework.

Our data collection results highlighted shortcomings in existing and past initiatives, such as the Dja Stakeholders Forum, the departmental consultation platform and the communal consultation platforms. The main shortcoming was that local communities were not directly involved in dialogue frameworks. Indeed in 2017, these initiatives only involved the local administration, the conservation services and investors.

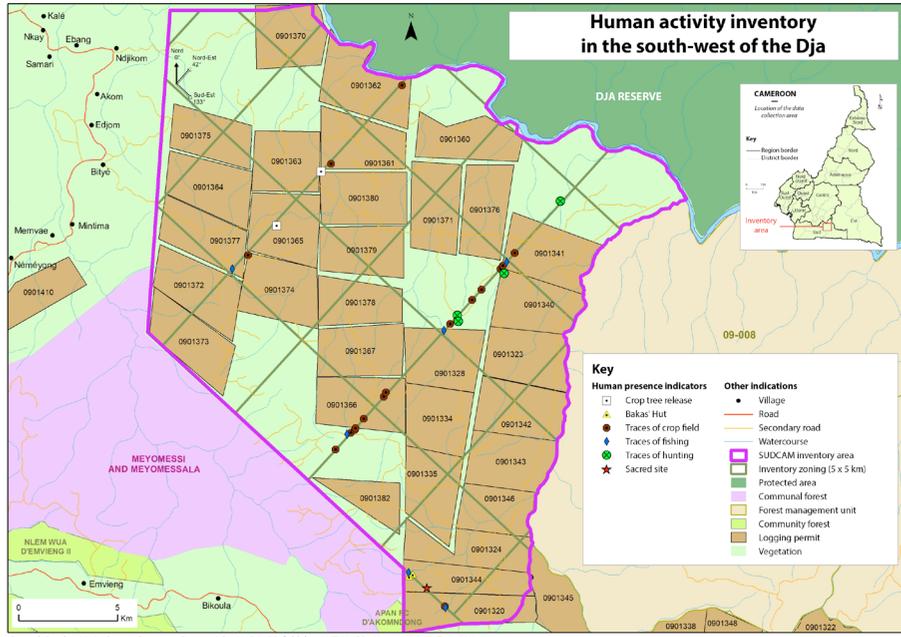
Moreover, CED inventories produced in 2018 revealed overlaps between the Sudcam concession, protected animal habitats and the economic and cultural activities of local communities. For example, Figure 3 shows that 85 traces of animals that are either partially or fully protected, belonging to nine different fauna species, were found on land around the Reserve allocated to Sudcam in 2008, to the west of the Dja Faunal Reserve (Nguiffo et Sonkoue, 2019).

Figure 3. Faunal inventory in the south-west of the Reserve



Within the same area, populated villages are located four kilometres (km) away from the edge of extended village areas, within and near to two Sudcam concessions (see Figure 4). According to the local population, households use land located up to eight km away from home for farming, fishing and hunting. Local communities had asked for 7–8 km-wide strip between villages and Sudcam concessions. And yet in some cases, the company placed its boundary markers less than 4.5 km away from extended village areas. The whole of this area is community village land.

Figure 4. Inventory of uses and occupations of communities to the south-west of the Reserve



4.2.2 Seeking the consent of the various stakeholders

Seeking the consent of the parties to the dialogues is a key step in building a dialogue framework between communities and investors. Stakeholders have differing interests and will therefore approach the dialogue in different ways. Some may see it as a means of resolving all of the problems posed by investment, while others will see it as a threat that might cause them to lose their authority and advantage.

To establish sustainable dialogue, we seek consent by presenting the various parties with a vision of the dialogue which takes their interests into account. We therefore held meetings with each stakeholder group to get them on board with the dialogue process, and to help them to understand why dialogue is needed. From a conflictual starting point in which communities were pitted against the other parties, the team’s primary goal was to build a relationship of trust between the stakeholder groups, and to demonstrate that some of their problems could be resolved through local participatory dialogue.

It was relatively easy to get the more vulnerable, community groups on board. Getting the companies, administration and devolved services involved was more difficult, as they only agreed to meet the team after an average of three attempts to organise a meeting.

Based on the information that we collated on Dja communities, we identified 32 villages impacted by the major land sales around the south west side of the Biosphere Reserve. During the data collection process, we selected the nine villages which were the most receptive to the dialogue process. They include Ndibessong, Ndjikom, Nlobesse, Bitey and Edzom in the Meyomessala district; Oding and Akom Ndong in the Meyomessi district; and Nyabibeté and Nkolafendeck in the Djoum district. The purpose of this selection was to first involve the villages which were the most open to the idea of dialogue, and more likely to implement long-term solutions within their areas. As noted previously, some of the other stakeholder groups showed a lack of commitment to the process. These included the forestry and mining companies which had suspended their operations in 2018, and infrastructure company Mekin Hydroelectric Development (hydroelectric dam company), despite their considerable impacts on the Dja forest ecosystems.

In order to gain community consent, between November 2018 and August 2019 we held four community meetings in each of the villages, and three local community workshops. During these meetings, we discussed the impact of Sudcam, its national and international commitments, what dialogue means, why we need it and the benefits the dialogue can bring to communities.

The agreement in principle between Sudcam and the DFR was built on a lengthy negotiation process which the CED launched in 2016, together with informal meetings and interviews in 2018 as part of the LandCam and Arcus projects. This groundwork finally enabled us to hold three meetings with Sudcam on the subject of dialogue in February, June and August of 2019. The benefits of dialogue for the company were based on their willingness to improve relations with local villages, and to build partnerships with communities for measures implemented with DFR services to stem the impacts of human activity on the Reserve. The primary purpose of the meetings was to ensure that dialogue formed part of the company's new sustainability strategy. We also demonstrated how a lack of dialogue with communities could violate their rights, and how dialogue could enable a better consideration of and compliance with such rights.

Finally, in addition to awareness-raising and information meetings held with the decentralised sector-specific administrations, we also held working sessions with the directly affected ministries, including the Ministry of State Property, Cadastre and Land Affairs (ministère des Domaines, du Cadastre et des Affaires foncières), MINFOF, the Ministry of the Environment (ministère de l'Environnement), the Ministry of Agriculture (ministère de l'Agriculture) and the Ministry of Social Affairs (ministère des Affaires sociales).

CSOs and networks including the Forest and Community Platform (Plateforme forêt et communauté), the National Engagement Strategy for Land Governance (Stratégie nationale d'engagement sur la gouvernance foncière – SNE-Cameroun) and RACOPY (Recherche-actions concertées pygmées (National network of "Pygmy" organisations)), played a key role in ensuring that the organisations

operating in the area were aware of and on board with our initiative, and that they became partners of the initiative in order to help us achieve the planned outcomes. RACOPY therefore offered its support to the indigenous resident communities based near or in the Sudcam plantation by joining forces with LandCam to prepare the dialogue process. Meanwhile the Forest and Community Platform and SNE-Cameroun were involved in advocacy actions to ensure that the issue of the retrocession of land not yet used by Sudcam was included in the dialogue.

4.2.3 Participatory mapping

One of the main bones of contention between communities and the company is the occupancy rights to land covered by customary ownership of rural populations which are granted to companies and projects. This land was granted by the State of Cameroon as a concession, and the issue of the scope and restrictions of this concession are central to the dispute. Communities therefore called for participatory mapping as a practical solution in order to gain a true picture of who represents their land, how it is used and the level of occupancy by agro-industry. This activity also enabled discussions within communities to be structured by social category, including women, men, young people and indigenous people. After setting up discussion fora in which every party had an equal voice, we were able to document the natural borders of native community land, identify shortfalls in community processes in order to ensure that community rights are upheld by the company, and identify capacity building requirements.

4.2.4 Creating tools and building capacity

In the light of the information and resources imbalance between the communities on one side and the DFR and the company on the other, we decided to implement capacity building within communities, enabling them to gain a better understanding of their rights and the skills to defend themselves. We therefore focused on:

- **Sharing of experiences** between Sudcam resident communities and the resident communities of other Cameroonian agro-industries in which the socio-economic and environmental impacts are the most noticeable. Experiences are shared through national exchange trips and workshops, as well as local community meetings. The different resident communities of the Sudcam concessions also shared information, as the analysis of the collated data showed that the impacts differed depending on which district the village was located in (Djoum, Meyomessi or Meyomessala). This reflects the different political, economic and social realities of each district, and the fact that Sudcam operations did not start at the same time in all three districts.
- **Preparing a methodology for setting up multi-stakeholder dialogue** which is both effective and operational. Our analysis of the collated data revealed that previous attempts at dialogue had not led to satisfactory changes for communities or investors. Reasons for these disappointing outcomes included

a failure to properly set objectives, over-involvement of the elite and the administration while communities were woefully under-represented, and a failure to take into account the specific nature of each community.

- **Community training.** We prioritised training for the most vulnerable groups, and carefully adapted the topics covered based on our analysis of the interests of each social group. We carried out an in-depth analysis of the parties together with their interests, and used this to make the necessary adjustments to who would receive the training, and what would be covered. Thus, at the beginning of the process we discovered that the groups most affected by the Sudcam plantation were women and Baka indigenous communities. We ran workshops with these groups in which we addressed topics such as companies' obligations, communication, leadership and involvement in local management and negotiation.
- **Independent action by parties to the dialogue.** Facilitating independent grassroots action by communities has played a key role in building a participatory approach. Trained community leaders have provided support for such action. It is structured around regular independent meetings in different villages attended by three parties to the dialogue, without a neutral facilitator. At this stage, each party who had organised a meeting nominated a leader to share the meeting minutes with the team.

4.2.5 Helping to choose community representatives for Sudcam's Sustainability Council

Sudcam's Sustainability Council was founded in 2018 following pressure from CSOs and the international rubber market. Its purpose was to prompt Sudcam's owner Halcyon to review environmental and social sustainability issues linked to Sudcam's operations. Initially, the Council only included one community representative, nominated by the company. Following negotiations with Halcyon triggered by civil society organisations, the number of representatives increased from one to four. We therefore developed a methodology to support the selection of a representative from each social group (local Bantu and indigenous Baka communities).

We then completed the following steps:

- Using surveys to identify communities based on the two homogeneous, ethnically and culturally dominant groups in the Dja, i.e. the "Bantu group" and the "indigenous group".
- Holding meetings for each homogeneous group, during which we identified:
 - The members of each community that were able to document the dialogue (able to read and write);
 - The members of each group with listening skills, the ability to question and be open to ideas;

- We selected members of each homogeneous group to participate in community representative selection workshops;
- We held two selection workshops attended by representatives from each resident community. These representatives then selected the people who would represent them on the Sustainability Council. We used a neutral facilitator with more than 20 years of rural development experience.

4.2.6 Dialogue monitoring and documentation

In order to set up a dialogue framework, commitments or a roadmap must be adopted, and all parties must be empowered to monitor one or more specific aspects, based on the actions taken.

In Dja, the collaborative dialogue process was built around local CSOs who are members of RACOPY and of the Forest and Community Platform (in this case, ABAWONI² and CELDA³, who were representing the neutral party) and resident community leaders trained as part of the project. The community leaders shared monitoring sheets showing progress towards the dialogue objectives with all parties.

The provision of information, which began when the dialogue framework was created, has led communities to make more structured requests to the company for access to the following documents: the Environmental and Social Impact Assessment (ESIA), the Environmental and Social Management Plan (ESMP), specifications between the company and resident communities for each affected village and the land concession agreement.

2. Association for indigenous Baka people active in the vicinity of the Dja Reserve

3. Centre for alternative local development, which works towards sustainable forest management and supports local and indigenous communities.

5 Working towards improved communication and collaboration with local stakeholders

The implementation of our dialogue process has paved the way for better communication and collaboration between local stakeholders. A monitoring process of surveys and interviews with the various participants in the process (resident communities, companies, conservation services, government administration and local CSOs) enabled us to obtain the preliminary results shown below:

- Consultations on intact forest areas which still form part of the Sudcam concession were opened up to communities and to the Forest and Community Platform.
- Sudcam organised community meetings facilitated by a local CSO to find out about community expectations of the new collaboration process.
- An agreement was made to continue setting up a dialogue framework in the villages between the communities and Sudcam. This framework would include objectives agreed in advance, regular meetings in each village and participation of the local population at all levels.
- A local CSO was recruited to record community grievances.
- The Halcyon group in Senegal set up a Sustainability Council including members appointed by the communities (see section 4.2.5).
- A programme has been set up to carry out environmental assessments, and to identify and mark out the boundaries of essential community spaces.
- Stronger anti-poaching partnerships have been established between eco-guards (forest patrols), resident communities and migrants, following the inclusion of biodiversity conservation in discussions between the company and the communities.

6 Lessons learned

Setting up a dialogue framework is not a smooth and linear process. A number of constraints have arisen. We encountered three main constraints, which are detailed below.

6.1 Too many parties working in the area

Since the Sudcam project began, a number of stakeholders with differing interests have flooded into communities, to try to resolve issues caused by rubber tree plantations on the outskirts of the DFR. This has created a cacophony of noise around local communities. Some of these stakeholders have engaged communities in long and costly legal proceedings for which a verdict has still not been delivered (many are either still ongoing or have not yet begun). Others promised a quick solution to the problem. In contrast, these communities and some of the stakeholders saw our dialogue approach as long, ineffective and unrealistic. The major difficulty has therefore been deconstructing this image and convincing the various parties of the merit of our actions.

We have had to adapt our schedules to take this into account. Our strategy in respect of CSOs which did not share the same vision was to use the platforms that we were all members of to open the dialogue debate as part of discussions to present different approaches. In addition, this allowed us to ensure that as many platforms as possible supported the initiative. It was primarily the Forest and Community Platform and RACOPY which made this possible.

6.2 Community fatigue

Any advocacy action aiming to reform law and policy is a long process which requires much patience. Communities often lose their land to companies for construction or even conservation during the advocacy process. They soon become weary of waiting for their situation to change. The sense of despondency remains, and communities are tired of talking to a series of different stakeholders on the same subject. The direct consequences of fatigue include a lack of participation at meetings, information being withheld or even the spread of misinformation, the emergence of selfish attitudes and the weakening of community spirit, which serves as a breeding ground for corruption.

Setting up dialogue under these conditions takes a huge amount of time and resources. We have therefore developed a range of strategies to get communities on board. One of the strategies we have used is to convince traditional chiefs. In order to do so we called on other chiefs already fighting agro-industry, who primarily came from the Océan, Koupé Manengouba and Moungo departments. They shared their experiences of advocacy and fighting to secure land tenure rights for rural communities.

6.3 Mismatched use of the dialogue process by different parties

The parties invited to take part in multi-stakeholder dialogue belong to different worlds and speak a different language, and each party is focused primarily on their own interests. This trend is even more pronounced when you have educated stakeholders pitted against less educated stakeholders, as is the case with the political stakeholders and local influential elites involved in the Sudcam plantations. In this situation, communities tend to withdraw, which makes it more difficult to empower them and get them on board with the process. Meanwhile, the companies and the political elite tend to impose their opinions, which makes it difficult to set up an inclusive and collaborative dialogue. In order to mitigate this effect, as part of the in-depth analysis of the relevant parties' interests, the neutral facilitator must build the capacity of the weaker party and should suggest to them that they choose an organisation or body to support them during the negotiations.

Box 4 contains some useful advice from our experience in the Dja, for practitioners working in a similar context or who are setting up a multi-stakeholder dialogue process.

Box 4. Practical advice for organising multi-stakeholder dialogue

- **Remember that a dialogue framework for management is usually used** in multi-stakeholder environments in which there are a range of interests, which go beyond the individual interests of stakeholder groups.
- **It is crucial to set clear objectives** and present the potential gains from the initiative in order to develop functioning and sustainable dialogue platforms.
- **Keep local authorities informed** at each stage of the dialogue to help prevent any hold-ups or delays to the implementation of the process. This approach will prevent any misunderstandings or conflicts of competence.
- **Adopt a participatory process rather than a prescriptive process** when setting up the dialogue framework so that the various stakeholders feel involved throughout.
- **Take a gender-based approach** to assessments and capacity-building actions, and emphasise the most vulnerable social categories (in this case women, young people, migrants and indigenous people) so that they can express their specific challenges and needs.
- **As part of the monitoring process**, each party must monitor other parties' compliance with their obligations, and its own compliance with its obligations.
- **Financial resources** are always an Achilles heel when setting up a dialogue framework. A financial contribution is required for the various meetings needed to get conflicting parties on board with the dialogue process, and dialogue will only be impartial insofar as the preparation of dialogue is not supported by one of the parties to the conflict, or by a party with authority over the parties to the conflict.
- **Dialogue documentation** should be kept by all stakeholders.
- **Set out the approach** to each intervention to maintain distance from other stakeholders whose aims or intentions are contrary to the objectives sought.
- **Analyse the socio-political context** of the local areas in question in order to identify allies and threats to the sustainability of the framework and to the project team.
- **Choose an experienced facilitator** with proven credentials who will be able to lead the negotiations between the parties with a great deal of tact, while remaining firm on meeting key objectives.
- **Decisions which cause a change in a company's operating strategy** often originate from the parent company or its funding sources. It is therefore a good idea to work on multiple levels, both with the local subsidiary and above all with the parent company, which is often more image conscious.

7 Implication of the dialogue process for land policy

Based on our experience of setting up a dialogue framework based on land granted for large-scale rubber tree plantations in south Cameroon, and given the ongoing conflicts and the recorded effects and impacts, we would advise Cameroon's political decision-makers to adopt a legal reform of the land concession system and land system, prioritising the following points:

- Recognition of customary land tenure rights and the need to create customary land from the private property of the State and of individuals, from public property of the State and from National Lands.
- A dialogue framework must be set up for every large-scale land sale process, to ensure free, prior and informed consent and subsequently to ensure that the parties are accountable to their commitments after the project has been set up.
- Specifications setting out each party's obligations and responsibilities, and recognising the power imbalance which prevails in direct negotiations with rights holders, should be incorporated in the new Law as a separate, official public document which would provide for a dialogue framework to be set up during the initial land transfer phase. The Law should state that communities are entitled to technical assistance when the process is being prepared, and when monitoring the implementation of recommendations arising from the dialogue.
- The publication of land concession agreements.
- Identification of collective customary lands and protecting them against large-scale transfers of customary land tenure rights.
- Adding restrictions when granting land concessions, including limiting the size of concessions, and identifying and protecting existing rights before granting concessions.
- Identification of prohibited areas for large-scale land transfers, as well as areas with a high conservation value.
- Consistent and chronological links with laws managing other natural resources (forest, mines, oil and gas) to promote the sustainable management of such resources.
- The compensation system should take into account all damage caused, including damage to unregistered land and resources, undeveloped land, and land under individual or collective ownership.

References

- Bass, S (2013) Scoping a green economy: A brief guide to dialogues and diagnostics for developing countries. IIED. <https://pubs.iied.org/16554IIED>
- Bessou, C, Rival, A, Levang, P, Feintrenie, L, Bosc, P-M, Cheyins, E, Djama, M, Wohlfahrt, J, Marichal, R, Roda, J-M, Caliman, J-P and Pacheco, P (2017) Sustainable Palm Oil Production project synthesis: Understanding and anticipating global challenges. CIFOR. <https://www.cifor.org/knowledge/publication/6361>
- De Schutter, O (2012) Report of the Special Rapporteur on the right to food, Olivier De Schutter: Addendum - Mission to Cameroon (A/HRC/22/50/Add.2). Summary mission report, United Nations Human Rights Council. <https://undocs.org/A/HRC/22/50/Add.2>
- Knight, R, Brinkhurst, M and Vogelsang, J (2016) Community Land Protection Facilitators Guide. Namati. <https://bit.ly/21C02wL>
- Mbarga, H N (2013) "La gestion des forêts communautaires face au défi de la pauvreté et du développement rural". In *VertigO – la revue électronique en sciences de l'environnement* 13(3) <http://journals.openedition.org/vertigo/14448>
- Michel, M (1970) Les plantations allemandes du mont Cameroun (1885–1914). In *Revue française d'histoire d'outre-mer*, 57(207), pp. 183–213. <https://bit.ly/3iZVXkf>
- Mighty Earth (2019) Points of agreement between Mighty Earth, CED, APED and Halcyon towards a sustainable rubber production in Cameroon. <https://bit.ly/2RQAEd6>
- MINFOF and IUCN (2015) Caractérisation de la population de grands et moyens mammifères dans la Réserve de Faune du Dja: Potentiel et menaces. <https://bit.ly/3nOTnAI>
- Nguiffo, S (2008) De la légalité à la légitimité foncière: pistes pour une meilleure protection de l'environnement. In Barrière, O and Rochegude, A (ed.) *Foncier et environnement en Afrique*. Editions Karthala.
- Nguiffo, S and Sonkoue, M (2019) Apes, crops and communities: land concessions and conservation in Cameroon. IIED. <https://pubs.iied.org/17710iied>
- Ordway, E M, Naylor, R L, Nkongho, R N and Lambin, E F (2019) Oil palm expansion and deforestation in Southwest Cameroon associated with proliferation of informal mills. *Nature communications*, 10(1), pp. 1–11.
- SIDA (2018) Dialogue, facilitation and mediation. SIDA Issue Brief. <https://bit.ly/35MqL3t>
- The Forest Dialogue (2018) TFD Review: Key lessons for community engagement in forest landscapes. <https://bit.ly/315vY4I>

Resolving land-related conflicts through dialogue: Lessons from the outskirts of a protected area in Cameroon

In Cameroon, land invested in for agriculture, natural resource extraction and infrastructure is often located in extremely biodiverse conservation areas with considerable human populations. In addition to the impact on biodiversity, the acquisition of such land often results in a loss of land use rights for local communities who depend on the land, without sufficient compensation or benefits. In order to survive, such communities often extend the scope of their activities to the protected areas in which they reside. This can lead to strained relations between communities, investors, authorities and local conservation agencies.

In this context, multi-stakeholder dialogue is often used as a conflict resolution strategy. This report sets out how such a dialogue process has been implemented in Cameroon, in the Dja Biosphere Reserve (South Region). The Reserve is home to numerous species of mammals, including great apes and elephants. The main stakeholders in this case study include the subsidiary of a multi-national rubber producer, nine of the local communities directly affected by its land concessions, and the Reserve's conservation services.

The approach involves setting up a dialogue framework as a tool to incorporate local interests and priorities, and to prevent and resolve conflict. The report details this approach and explains how to prepare, design and successfully lead multi-stakeholder dialogue in order to reduce the negative impacts of land investments on biodiversity and communities. It uses practical experience as a basis on which to set out lessons learned, practical advice on how to replicate the process, and recommendations for legal reforms on large-scale land sales.



Knowledge
Products

Research report

December 2020

**Land acquisition and rights,
biodiversity**

Keywords:

Agro-industrial investments,
biodiversity conservation,
legal framework