OUR LAND IS OUR LIFE

A Study of Policies and Frameworks regarding Land Use, Land Rights, Governance, Management and Ownership

CAMEROON | 2022
WHEN SPIDERS UNITE THEIR WEBS, THEY TIE A LION!
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This study report provides an in-depth analysis of the land sector in Cameroon, focusing on the interplay between customary and statutory law, current initiatives, and community reactions. The aim is to guide advocacy efforts towards the adoption of progressive land governance policies that protect the rights of rural communities. The study reveals the vulnerability of women’s customary land rights and the challenges faced by indigenous forest peoples and nomadic herders.

The land tenure situation in Cameroon is marked by competing demands for land and resources from various sectors such as agro-industry, mining, forestry, and infrastructure development. This has led to land grabs and conflicts with local communities, resulting in the dispossession of ancestral lands and violation of community rights. Women and girls, particularly widows, often have their land rights ignored, especially in land investments.

The study report also discusses the limited scope of compensation in Cameroon, particularly for indigenous forest peoples, and the challenges faced in livestock and agricultural development. It highlights the issue of elite land acquisitions and the settlement of refugees and internally displaced persons. The state’s willingness to cede land and the context of land reform in Cameroon are also explored.

The land reform process in Cameroon and the actors involved in defending community rights are discussed. The vulnerabilities of family farming and the need for improved land rights and compensation for smallholders are highlighted. The government has initiated a reform process to address these issues and promote economic development, transparency, and sustainable land management. Various NGOs and networks are actively engaged in advocating for community land rights and providing support to affected communities.
Recommendations for advocacy:

1. **Prioritise Food Security:** NGOs should incorporate food security concerns into their advocacy for land reform. This issue has the potential to unite various actors, including non-governmental entities, public opinion, and communities. A persuasive case can be built around the idea that protecting community land rights strengthens food security in Cameroon.

2. **Expand Geographical Coverage:** Efforts should be made to identify and mobilise groups, including NGOs, grassroots communities, networks, and religious institutions, in areas not currently served by existing associations or networks engaged in land reform. A comprehensive map of active actors should guide these efforts.

3. **Engage Non-traditional Actors:** Explore opportunities to involve non-mainstream civil society groups, such as religious denominations and trade unions, in supporting advocacy efforts related to land reform.

4. **Analyse All Relevant Processes:** Examine various processes within the land sector to identify potential entry points for advocating community land rights. Some processes may not initially appear related to land tenure but could be crucial for advancing land reform advocacy.
Introduction

This study is part of a collaborative African advocacy campaign led by the Alliance for Food Sovereignty in Africa (AFSA) in partnership with civil society organisations (CSOs) and faith-based organisations (FBOs) of the Our Land is Our Life Platform. The campaign aims to develop a shared analysis, position, and advocacy efforts related to land rights and agroecology. It emphasises evidence-based policy advocacy at national, sub-regional, regional, and international levels, emphasising secure access to land and natural resources as fundamental to food sovereignty in Africa.

Study Objectives

The overall objective of the study was to critically analyse land governance policies in Cameroon in order to guide advocacy at the government level for the adoption of progressive policies that are sensitive to the rights of rural communities. Specifically, the study sought:

- To present the land situation in Cameroon in terms of statutory provisions, large-scale land allocation dynamics and their impact on the most vulnerable communities and strata;
- To analyse the reform processes of the political and legislative structures in progress in Cameroon in order to identify the perspectives for a better consideration of the collective and individual rights of the communities;
- To analyse the major actors struggling at the national and local levels for the inclusion of community rights in land governance;
- To formulate concrete recommendations suggesting ways to modify current policies and practices in order to better take into account the rights of the communities, which guarantee food security and sovereignty.
In Cameroon, much like in several other African nations, the land tenure system is marked by the coexistence of customary and statutory rights. When examining the situation in the Cameroonian land sector, it becomes evident that we must emphasise two main aspects: firstly, the complex coexistence of land management regulations (1), and secondly, the challenges stemming from ongoing adjustments in Cameroon, aimed at harmonising administrative reforms, developmental priorities, and the land rights of communities (2).

1. Customary and Statutory Law: Two Distinct Views of Land

1.1. Customary Land Management

In the customary system, unwritten rules, as opposed to formal legal statutes, hold historical precedence and form the basis of societal land and resource management. In this system, land is regarded holistically, encompassing both tangible elements (like the land itself and its resources such as trees, crops, animals, and water sources) and intangible aspects (such as socio-cultural and cultural identity factors). It plays a central role in the functioning of societies.

Typically, land is categorised as either common property or family property. The former refers to land collectively owned by the community, without belonging to any specific individual. These areas essentially serve as reserves that can be utilised based on the community’s population growth. Community members use this land for activities like hunting, fishing, farming, wood gathering, and gathering non-timber forest products (NTFPs).

The latter category consists of areas claimed and developed by lineage founders, usually the initial occupiers. Through occupation, they defined these spaces and established them as their
heritage. Access rights to land vary depending on one’s gender, whether male, female, or young.

Customary rules establish distinct land rights for men and women. Women, particularly those who marry outside their family lineage, can use their husband’s land, with the husband having decision-making authority over it. If women remain within their family lineage, they can occupy a portion of the family heritage for their use as long as they remain in the lineage. Marrying outside the lineage limits a woman’s rights to the family heritage. Women, especially given their pivotal role in food production, maintain permanent access to community land when the community collectively manages the land, regardless of whether they are within or outside the lineage.

However, these customary norms and regulations, which persist in rural Cameroonian communities, are undergoing transformations. These changes impact land tenure and the formerly recognised and protected rights of specific social groups, notably women, youth, and indigenous peoples. These transformations result from statutory provisions that do not align well with local land tenure practices, even though these statutory provisions hold institutional and legal authority over them.

1.2. Evolving Perceptions of Land in Written Law

The legal texts governing the management of the national land heritage in Cameroon date back to 1974.1 These laws are more recent than local land management mechanisms but hold higher authority. They introduce a different approach to organising land. These laws categorise the national patrimony into three groups2:

**Private land:** This category involves land registered in the name of specific individuals or entities, including the State, decentralised public authorities, and private individuals.

**Public domain:** Comprising land held by the State for the benefit of the Cameroonian people, such as inalienable lands like maritime, riverine, terrestrial, and aerial public domain.

**Unregistered land:** This category includes the majority of the country’s land, primarily found in rural areas and housing communities and their activities. It falls under the national domain category as defined by state law.

One significant observation emerges from this classification of the national land heritage. Land ownership is no longer collective and rooted in lineage membership, as in customary systems. It now hinges on possessing a land title issued by a third party. This provision places the vast majority of communities in a precarious land situation, with approximately 80 to 85% of land in Cameroon remaining unregistered. These lands are inhabited by communities who live off them and carry out their activities while asserting ownership under customary rights. These lands are predominantly categorised as national domain lands under state law. The treatment of so-called national domain lands further underscores the precariousness of community land rights.

The national domain is divided into two categories:

The first category, including “residential land, land for cultivation, planting, grazing, and rangelands that show clear signs of human occupation and development,”3 allows any Cameroonian to apply for registration if they can demonstrate that the land was developed before 1974. However, the practice of registration is not widespread, primarily due to the significant financial resources required.4

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1 See to this effect Ordinances No. 74-2 of 1974 establishing the land tenure system and No. 74-1 of 1974 establishing the land tenure system.


3 Article 15.1 of the 1974 Land Tenure Ordinance

4 Some projects have often tried to accompany communities in this direction, by financing the procedures. The results have not been convincing. The law prohibits transactions on unregistered land. However, the trend observed is that possession of a land title attracts
The second category, characterised as “land free of any effective occupation,” becomes the arena for various large-scale land acquisitions. Since these lands are considered vacant, the transfer processes often disregard the rights of communities, despite these lands being viewed as common heritage (essential for food, health, and cultural equilibrium, and a reserve that can be tapped into in response to demographic growth) by the communities themselves. Nonetheless, communities stripped of these legitimate assets cannot legally assert their claims to the land, as they lack formal land titles. This situation is further complicated for indigenous forest peoples and nomadic herders, whose traditional land use patterns do not align with the criteria for demonstrating development, even though they have occupied the land for generations. Their rights remain precarious and subject to dispute, a situation that echoes the challenges faced by women in terms of land rights.

1.3. The Vulnerability of Women’s Customary Land Rights

Women’s land rights represent a crucial component of food security in Cameroon, where rural women are responsible for 90% of food production. They are the primary users of land in communities. However, due to customary norms, they lack control over this land, resulting in precarious rights. Unlike statutory law, customary systems establish a gender-based hierarchy of land rights, with men typically holding ownership.

Under customary law, women’s land rights vary based on their marital status:

Unmarried daughters are typically entitled to a portion of family land for sustenance and economic purposes. However, their share of the family heritage is usually less than that of men. While they have the right to use the land as long as they remain within the family, they cannot sell it. This constraint, though, is not linked to gender, as customary norms generally prohibit land sales by anyone, given that no one owns the land. The daughters and sons within the family are considered usufructuaries, but unlike men, when a woman marries outside the family, her right to the family heritage is restricted. Women’s central role in food production often grants them permanent use of the land when the community collectively manages it, whether they remain in the lineage or not. Nevertheless, women’s land rights face changes due to statutory provisions that do not align with customary practices, putting these rights at risk.

Married women typically access land through their husbands, but their rights are usually limited to utilising the land and enjoying its benefits. They generally cannot sell, rent, or transfer it during their husband’s lifetime and often even after his death.

Widowed women can retain the right to use their deceased husband’s land under certain conditions, including having male descendants who can maintain the lineage’s continuity and agreeing to remain within their late husband’s family. However, depending on cultural practices, they may be subject to levirate (where a deceased husband’s brother takes the widow as his wife). If the widow decides to leave, even if she has children, she loses all rights to the land and its resources. However, her children may later assert their claim to their father’s share of the inheritance from their uncles.

Women’s land rights primarily revolve around usage; they do not entail ownership. Consequently, those who do own the land, typically brothers and husbands, can limit women’s rights, especially in situations of land scarcity due to factors like rapid urbanisation, uncontrolled development, agro-industrial projects, mining, or forestry investments. In these circumstances, women’s rights are prone to infringement.

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5 Article 15.2 of the 1974 Land Tenure Ordinance
often perpetuated through the manipulation of inequalities enshrined in traditional customs. This gender-based land insecurity has three main facets and affects women differently based on their socio-demographic profiles:

The rights of unmarried daughters to family land are challenged by their brothers after their father’s death or if the daughter returns to her family. In these scenarios, brothers may argue that women have no customary rights to the land, despite this not aligning with the reality of customary practices. In some cases, driven by speculation, brothers may proceed with land sales without respecting the traditional rights of their sisters.

Women and girls from the community may not have their rights to community land recognised, particularly regarding land investments. They are often excluded from discussions regarding land transfers to investors, despite having customary rights to communal resources.

The brothers of the deceased husband frequently contest widows’ land rights. They employ various strategies to exploit the rights of widows. These tactics range from intimidation, often based on the argument that the woman did not bring the land into the marriage, to pressuring the widow into the challenging conditions of levirate, which may force her to leave the family and consequently forfeit all land rights. This situation becomes even more complex when a widow returns to her own family, as she may face difficulties exercising her rights over her family’s land due to similar exclusionary practices.

Inequalities embedded in customary law exacerbate women’s land insecurity. The problematic coexistence of customary and statutory law directly impacts the land rights of various community groups, including women, youth, and indigenous peoples, especially when there is a rush for land due to various types of investments. Cameroon’s land situation is characterised by multiple dynamics that need careful consideration.

2. Current Initiatives

Various competing demands for land and resources characterise the land tenure situation in Cameroon. These demands arise from agro-industry, mining, forestry activities, the establishment of land reserves, and infrastructure development projects like dams and motorways. In this section, we will provide an overview of the dynamics (1) and projects (2) impacting land tenure in Cameroon, while also analysing the responses of local communities (3).

2.1. Dynamics

Following the 2008 global financial crisis, there was an accelerated rush to acquire arable land in developing countries, which included Cameroon. Misperceptions about land availability and inadequate policy and legislative frameworks facilitated large-scale land acquisitions for agribusiness. According to the FAO, Cameroon has approximately 6.2 million hectares of arable land, of which only 1.3 million hectares (just over 20%) are currently cultivated. This led to a widespread misconception that Cameroon has nearly 80% of available and marketable land. However, this is far from the reality, as much of this land is not unoccupied but is considered part of communal heritage, where communities engage in various activities or plan to do so in response to population growth. The situation becomes even more complex due to the increasing allocation of rights for mining and logging, creating competition over land and resources. Understanding the state of land demand (1) involves examining the strategic and political choices aimed at attracting foreign investment (2).

2.1.1. GROWING DEMAND FOR LAND

The cumulative rights granted and allocated (to agro-industry, logging, mining, protected areas, state land reserves) represent over 70% of the national land surface. A significant portion of this land is in rural areas, which constitute about 80% of the national surface area. These figures
indicate the extent of the pressures on land and resources and their implications for rural communities.

2.1.1. LAND GRABS FOR MINING

As of 2019, mining rights (exploration and exploitation permits) accounted for almost 22% of the national territory, although there was a 6% decrease in 2020. The permits issued so far (subject to the latest updates) cover 7,399,736 hectares for exploration permits and 189,412 hectares for exploitation permits. These figures primarily pertain to semi-mechanised mining and do not account for artisanal mining.

The allocation of mining permits significantly impacts land use by communities. The law designates the state as the main owner of mining resources, managing them without considering community land use. The processes of allocating mining permits to companies usually occur without community consultations. Companies may commence work on the land without regard for existing activities or compensation for destroyed crops. Additionally, mining operations pose serious environmental threats, degrading land and forests through deforestation and pollution. Despite legal requirements for land restoration after mining, operators often fail to comply, leaving communities with polluted and unusable land.

2.1.1.2. LAND GRABS FOR LOGGING

Cameroon’s 1994 forest law categorises the forest estate into two main categories: the Permanent Forest Estate (allocated for forest and wildlife habitat) and the Non-Permanent Forest Estate (allocated for non-forest uses). As of 2020, allocated rights in the Permanent and Non-Permanent Forest Estate cover 19,952,744 hectares and 2,569,423 hectares, respectively.
Table 1: Overview of forest land use in Cameroon, 2020

<table>
<thead>
<tr>
<th>FORESTRY ESTATE: PERMANENT</th>
<th>Number</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forestry unit development</td>
<td>120</td>
<td>7,079,079</td>
</tr>
<tr>
<td>Classified with approved development plans</td>
<td>101</td>
<td>6,050,297</td>
</tr>
<tr>
<td>Unclassified with approved development plans</td>
<td>10</td>
<td>510,808</td>
</tr>
<tr>
<td>Classified with development plans in progress</td>
<td>1</td>
<td>60,000</td>
</tr>
<tr>
<td>Unclassified with development plans in progress</td>
<td>1</td>
<td>27,364</td>
</tr>
<tr>
<td>Classified and undeveloped</td>
<td>4</td>
<td>318,950</td>
</tr>
<tr>
<td>Unclassified and undeveloped</td>
<td>3</td>
<td>111,660</td>
</tr>
<tr>
<td>Forest reserves&lt;sup&gt;7&lt;/sup&gt;</td>
<td>53</td>
<td>411,816</td>
</tr>
<tr>
<td>Protected areas</td>
<td>37</td>
<td>4,820,666</td>
</tr>
<tr>
<td>National parks created</td>
<td>21</td>
<td>3,247,471</td>
</tr>
<tr>
<td>National parks in the process of being established</td>
<td>5</td>
<td>588,301</td>
</tr>
<tr>
<td>Wildlife reserves created</td>
<td>4</td>
<td>693,672</td>
</tr>
<tr>
<td>Sanctuaries (fauna and flora) created</td>
<td>4</td>
<td>102,742</td>
</tr>
<tr>
<td>Sanctuaries in the process of being created</td>
<td>3</td>
<td>188,480</td>
</tr>
<tr>
<td>Hunting areas (zones of hunting interest, to community management or not&lt;sup&gt;8&lt;/sup&gt;)</td>
<td>67</td>
<td>5,340,858</td>
</tr>
<tr>
<td>Communal forests</td>
<td>72</td>
<td>2,300,325</td>
</tr>
<tr>
<td>Classified</td>
<td>50</td>
<td>1,479,536</td>
</tr>
<tr>
<td>Unclassified</td>
<td>22</td>
<td>820,789</td>
</tr>
<tr>
<td><strong>Total domain permanent forestry</strong></td>
<td><strong>469</strong></td>
<td><strong>19,952,744</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FOREST ESTATE: NON-PERMANENT</th>
<th>Number</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community forest</td>
<td>686</td>
<td>2,356,807</td>
</tr>
<tr>
<td>Community forests with provisional agreement</td>
<td>341</td>
<td>1,140,199</td>
</tr>
<tr>
<td>Community forests with final agreement</td>
<td>345</td>
<td>1,216,608</td>
</tr>
<tr>
<td>Sale of cuttings</td>
<td>144</td>
<td>212,616</td>
</tr>
<tr>
<td><strong>Total non-permanent forest estate</strong></td>
<td><strong>3,092,309</strong></td>
<td></td>
</tr>
</tbody>
</table>

Source: MINFOF, WRI, CTFC, 2020

<sup>7</sup> Including strict ecological reserves, production forests, protected areas, research and education forests, and recreational forests

<sup>8</sup> The total area of hunting zones is 5,559,253 hectares. This area takes into account overlaps with other granted licences and/or concessions.
Forest exploitation in Cameroon involves Forest Management Units (FMUs), communal forests, community forests, and the sale of timber. These activities occupy nearly 11,948,827 hectares of land in the Permanent and Non-Permanent Forest Estate. Despite legal recognition of communities’ rights to use production forests, practical implementation is challenging. In many logging areas, community control over land and resources remains elusive. Logging activities may involve the removal of tree species essential for food, cosmetics, and health, depriving communities of vital resources. Furthermore, logging can disrupt natural game habitats, a source of protein for communities, affecting their access to land and resources and undermining their food and economic balance. Current forest exploitation predominantly focuses on timber, overlooking the cultural, ecological, and ecosystem functions of forests, and provides minimal economic benefits to communities, despite legal provisions for revenue sharing.

2.1.1.3 LAND GRABS FOR CONSERVATION

Conservation efforts in Cameroon involve the establishment of protected areas for wildlife. These areas are managed by the state or in conjunction with conservation agencies. Protected areas are designated based on biodiversity criteria without considering social factors. This often results in severe restrictions on communities’ rights to use these areas and the dispossession of their customary land rights. This has led to recurring conflicts between communities and park management authorities in Cameroon and other countries in the Congo Basin. The 1994 forest law, while recognising communities’ rights to use forests, allows these rights to be limited if they conflict with conservation objectives. Consequently, in protected wildlife areas, particularly national parks, even traditional hunting methods that could compromise animal conservation may be prohibited or regulated by the wildlife administration. From the communities’ perspective, the management of protected areas is seen as a form of land grabbing, as they are more or less deprived of their historical resource land rights.

2.1.1.4. LAND GRABS FOR AGRO-INDUSTRY

In 2015, a study conducted by CED and IIED categorised land investments into three groups: old transactions (pre-2005), new transactions (2005-2013), and announced transactions. During colonisation, there was a decline in investment in the agro-industry sector after independence, with the state becoming the primary owner of plantations. However, structural adjustment programs led to the state selling some of its agro-industrial assets to private, often foreign, companies. The following data summarises agro-industrial companies in Cameroon before 2005:
<table>
<thead>
<tr>
<th>Company/project agricultural</th>
<th>Shareholders</th>
<th>Locality</th>
<th>Area awarded by agreement with the State (hectares)</th>
<th>Speculation</th>
<th>Existence of a long lease</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDC</td>
<td>Parastatal</td>
<td>Various in the South West</td>
<td>102 000</td>
<td>Oil palm, rubber, banana</td>
<td>Yes</td>
</tr>
<tr>
<td>Pamol</td>
<td>Private 90 State 10%.</td>
<td></td>
<td>41 000</td>
<td>Oil palm</td>
<td>Concession</td>
</tr>
<tr>
<td>SOCAPALM</td>
<td>Private 70%</td>
<td>Various in the Coast and the South</td>
<td>58 000</td>
<td>Oil palm</td>
<td>Yes</td>
</tr>
<tr>
<td>Upper Noun Valley Development Authority (UNVDA)</td>
<td>Government project</td>
<td>Ndop</td>
<td>136 700</td>
<td>Rice</td>
<td>No</td>
</tr>
<tr>
<td>Société sucrière du Cameroon (SOSUCAM)</td>
<td>Private, with the State as a minority shareholder</td>
<td>Mbandjock and Nkoteng</td>
<td>12 000</td>
<td>Sugar cane + transformation into sugar</td>
<td>Yes</td>
</tr>
<tr>
<td>Development project rural Mount Mbappit (MINADER)</td>
<td>Government project</td>
<td>Noun</td>
<td>1 200</td>
<td>Rice + products market gardeners</td>
<td>No</td>
</tr>
<tr>
<td>SOCAPALM (formerly Ferme Switzerland)</td>
<td>Private</td>
<td>Edéa</td>
<td>3 793</td>
<td>Oil palm + transformation into palm oil</td>
<td>N.C.</td>
</tr>
<tr>
<td>SOCAPALM (formerly SAFACAM)</td>
<td>Foreign private majority, state and national private as minority shareholders</td>
<td>Dizangué</td>
<td>4 870</td>
<td>Hevea + palm oil</td>
<td>N.C.</td>
</tr>
<tr>
<td>Village plantations, Sanaga Maritime</td>
<td>N.C.</td>
<td>Sanaga Maritime</td>
<td></td>
<td>Hevea + palm oil</td>
<td>N.C.</td>
</tr>
<tr>
<td>Ndagara Tea Estate</td>
<td>Private</td>
<td>Northwest</td>
<td>N.C.</td>
<td>Tea</td>
<td></td>
</tr>
<tr>
<td>PHP</td>
<td>Private and State</td>
<td>Njombe</td>
<td>6065 ha</td>
<td>Banana</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Before 2005, these companies were awarded approximately 365,628 hectares of land. The 2008 financial crisis triggered a surge in demand for land in Cameroon, coinciding with policies aimed at encouraging land investments in the country. Between 2005 and 2013, there was a substantial increase in land demand, with around thirty companies seeking land rights in Cameroon, ranging from 1,000 to 500,000 hectares. However, only 11 transactions were listed as provisional or definitive concessions, representing only a third of the total 33 announced transactions. Concurrently, it was found that some concessions under negotiation had already initiated activities, such as land demarcation, tree felling, nursery establishment, and production, which illegally deprived communities of their land and resource rights.

To date, the officially registered land area has increased since 2005. New plantations have been established on smaller areas than those initially sought by investors. This indicates that not all announced land transactions materialised. Although nearly 258,005 hectares have been allocated from 2005 to the present, which represents a more than 70% increase in just 15 years compared to the land granted in the nearly 45 years before 2005, it falls far short of the 3 million hectares claimed by companies as the areas they were seeking in Cameroon.

Table 3: Agro-industrial companies in Cameroon after 2005

<table>
<thead>
<tr>
<th>Company/project agricultural</th>
<th>Shareholders</th>
<th>Locality</th>
<th>Area awarded by agreement with the State (hectares)</th>
<th>Speculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAMVERT</td>
<td>Private</td>
<td>Southern region, department of Ocean, districts of Campo and Niété.</td>
<td>60,000 ha</td>
<td>Oil palm</td>
</tr>
<tr>
<td>Sud Cameroun Hévéa (SUDCAM)</td>
<td>Private</td>
<td>Southern Region, Dja and Lobo Department, Meyomessala, Meyomessi, Djoum districts</td>
<td>45,198 ha</td>
<td>Rubber</td>
</tr>
<tr>
<td>S.A.M</td>
<td>Private</td>
<td>Maritime Sanaga</td>
<td>3000 ha</td>
<td>Banana</td>
</tr>
<tr>
<td>PHP</td>
<td></td>
<td>Déhane</td>
<td>800 ha</td>
<td></td>
</tr>
<tr>
<td>SAO</td>
<td>Private</td>
<td>Lokoundjé (makoure I)</td>
<td>627 ha 87a 44 ca</td>
<td>Cocoa, Rubber, Food crops</td>
</tr>
<tr>
<td>Bioplam</td>
<td>private</td>
<td>Bipindi and lokoundje</td>
<td>18,000 ha</td>
<td>Palm oil</td>
</tr>
<tr>
<td>HEVECAM Golden Millennium Group (GMG)</td>
<td>Private (GMG) 90%</td>
<td>Department of the Ocean (South)</td>
<td>41 000</td>
<td>Rubber</td>
</tr>
<tr>
<td>Justin Sugar Company</td>
<td></td>
<td>Eastern Region, Bertoua</td>
<td>89030 ha</td>
<td>Sugar cane</td>
</tr>
<tr>
<td>Westend Farms</td>
<td></td>
<td>Mbandjock</td>
<td>350 ha</td>
<td>Maise and Soya</td>
</tr>
</tbody>
</table>

Source: https://landmatrix.org/ accessed on 24 May 2021
Combining land allocation data from both before and after 2005 reveals that approximately 623,633 hectares of land have been designated for agro-industrial purposes to date. This trend is expected to continue due to current investment policies. However, this process often occurs without consulting or respecting the historical land rights of local communities. It also leads to social tensions and conflicts within communities, disproportionately affecting the most vulnerable members. The primary beneficiaries of this trend are the economic and social elites who establish plantations.

2.2. Development Projects and their Impact

Cameroon has undertaken various projects, including land use planning, livestock development, and agriculture, which are exacerbating land pressure and causing injustices within communities. This section delves into the effects of these projects on community land and resource rights.

2.2.1. INFRASTRUCTURE CONSTRUCTION

Infrastructure development projects such as roads, dams, stadiums, and gas plants have become more prevalent in Cameroon. These projects have a significant footprint on land and often inadequately consider their impact on local communities. Notable examples include the construction of the Douala Yaoundé motorway (196km), Yaoundé-Nsimalen (11km), Edea-Kribi (102km)-Kribi-Lolabe (38.5km) roads, various dam construction projects (e.g., Lom Pangar, Mekim, Memve’ele, Nachtigal), and the expansive Kribi Industrial-Port Complex (26,000ha). These endeavours encroach upon community land holdings, compelling communities to relocate or lose a substantial part of their ancestral lands.

Although the legislation provides for expropriation procedures for public utility projects, these procedures often disregard the historical land rights of local and indigenous communities residing near these investments. A LandCam project study uncovered several issues, such as:

- Lack of obligation to inform or involve riparian communities during the identification or prospecting phase, leaving them unaware of threats to their property and rights.
- Opacity in identifying victims and assessing losses and compensation costs, leading to corruption.
- Limited scope of compensation, mainly covering registered land, reclamation, and graves, thereby excluding unregistered rural land, communal spaces for hunting, fishing, ritual practices, or non-timber forest product (NTFP) collection. This particularly affects Indigenous forest peoples as their non-invasive forest exploitation practices are not considered for compensation. The study suggests mechanisms to enhance compensation to better reflect community interests.

2.2.2. LIVESTOCK DEVELOPMENT

Cameroon has seen the development of several livestock-related projects and programs, including the Livestock Development Project (PRODEL), the Société de Développement et d’Exploitation des Productions Animales (SODEPA), which holds approximately 383,233 ha of land across various regions, and a recent trend of elites establishing ranches on large land parcels without regard for customary land rights. The expansion of cattle production in Cameroon has led to spatial constraints due to state land reserves and the degradation of grazing areas. This competition for grazing areas creates tensions between different herder categories (nomadic, semi-nomadic, sedentary) and between herders and farmers, as well as herders and fishermen.

2.2.3. AGRICULTURAL DEVELOPMENT

In addition to livestock projects, Cameroon has initiated various agricultural sector development projects, including the Agropoles program of agro-industrial zones focusing on animal and fisheries production (e.g., broiler chicken, pork, fish) and crop production (e.g., cereals, roots and tubers, banana-plantain, pulses, palm oil, cocoa,
coffee, rubber). The Agricultural Investment and Market Development Project (PIDMA), funded by the Cameroonian government and the World Bank, aims to boost the productivity and competitiveness of maise, cassava, and sorghum value chains.

The Integrated Rural Development Project of Chari-Logone Phase II (PDRI-CL II) seeks to enhance agro-pastoral and halieutic production/productivity and improve product transportation through constructed roads. These projects primarily support family farmers and, in theory, could contribute to food security. However, the lack of comprehensive land security policies may undermine these sectoral efforts. The government’s allocation of large land portions to investors and the accumulation of land reserves are in need of cohesive governance.

2.2.4. ELITE PLANTATIONS

Elites, whether residing in the village or urban centres, including former civil servants, politicians, or economic operators, often acquire large land holdings using their intellectual, political, economic, or symbolic capital and extensive networks. They seek land for speculation or investment in food and cash crops to enhance their financial power. While obtaining precise data on elite land ownership is challenging, their actions can lead to conflicts.

The law prohibits land transactions on unregistered national domain land, limiting access to direct registration procedures, particularly for young rural populations. Yet, the process for granting concessions for investments can be cumbersome. These legal constraints have led to illegal land acquisition practices driven by elites. This includes scenarios where elites register large tracts of land in their private domain without community consultation, causing tension and dispossession within communities. Addressing this issue is crucial, especially for the security of small and medium-sized producers, predominantly young individuals.

2.2.5. SETTLEMENT OF REFUGEES AND IDPS

Conflicts, both internal and external, force populations to migrate. Those arriving in Cameroon are classified as refugees if from another country and internally displaced persons (IDPs) if within Cameroon. UNHCR data indicates that there are 474,294 refugees and 9,367 IDPs in Cameroon. These displaced individuals seek land for shelter and agro-pastoral activities in rural communities. While communities often provide them with land, conflicts over land use arise between these displaced populations and host communities. Despite a lack of data on the exact land occupied by refugees and IDPs, their presence is undeniable, and their tenure on the land is evident, leading to various land use conflicts.

The current land dynamics in Cameroon are characterised by a lack of a holistic land allocation plan that integrates all sectors, including mining, forestry, and land management. Each sector allocates rights independently, leading to overlaps and over-exploitation of resources, as well as increased restrictions on communities. For instance, mining permits are granted within protected areas or logging concessions. Civil society has repeatedly emphasised the need for coherent action, such as the creation of a comprehensive land register that records all land transactions. However, the government’s focus on economic development often leads to increased land investments without adequate consideration of the overall impact.

2.3. State’s Willingness to Cede Land

2.3.1. NATIONAL POLICY TO ATTRACT INVESTORS

The Cameroonian government’s strategic vision is to transform the country into an emerging economy by 2035. To achieve this objective, the government prioritises increased investment in agro-industry, mining, forestry, and infrastructure construction (e.g., dams, highways). These sectors are characterised by the acquisition of substantial land holdings, potentially resulting in conflicts with traditional land users. Since the early 21st century, there has been a surge in large-scale land acquisitions in Cameroon, particularly for
agribusiness. This policy further intensifies land pressure and jeopardises community land rights.

2.3.2. FLEXIBLE TRANSFER RULES

In Cameroon, the national domain, which includes unregistered land, can be allocated by concession, lease, or assignment under conditions specified by decree. The allocation authority varies based on the land size, with the President of the Republic granting concessions exceeding 49 hectares and the minister responsible for domains handling those up to 49 hectares. However, the law and practices do not impose strict rules to ensure the protection of community rights throughout the allocation process. While communities are formally involved through advisory commissions, these commissions are often biased toward government representatives and lack substantial community influence.

The involvement of local elected representatives is minimal, and community members are not required to consult one another before expressing their views. Ultimately, the final decision rests with the administration, often without direct community participation. Although environmental and social impact assessments theoretically allow communities to participate effectively, these assessments are typically conducted after developers have secured their concessions, rendering them procedural requirements rather than decision-affecting factors. Moreover, compensation mechanisms focus on individual community members' property, disregarding collective property regulated by customary systems.

This process creates two major issues:

- Neglecting the rights of semi-nomadic communities, such as indigenous forest peoples and nomadic pastoralists, whose activities may not leave visible development marks.
- Underestimating community losses by compensating only for planted resources, undervaluing the community's traditional way of life.

- As it stands, communities lack effective recourse to enforce their collective land and resource rights during land allocation. Inconsistent policies on the ground exacerbate this problem.

2.3.3. FAVOURABLE FINANCIAL CONDITIONS

Policies encouraging land investment in Cameroon offer land at an exceptionally low rent cost, ranging from half a dollar to $20 per hectare annually. These rates appear significantly low considering the potential yield and financial benefits of a hectare of land, the value of alternative activities on the same land, and land prices in other major producing countries. Taxation policies are also lenient, with some companies being exempt from taxes until their planted crops reach production. These favourable financial conditions deprive the state of substantial revenues while limiting communities' access to their resources and lands.

2.3.4. CREATION OF LAND RESERVES

Since 2013, the Cameroonian government has established a system for creating land reserves, primarily to expedite land transfers without cumbersome consultative commissions and community discussions that often delay investments. These reserves convert land previously classified under the national domain into the state's private domain for easier transferability.

This practice aims to streamline land allocation processes but raises concerns about its implications for community land and resource rights.

In conclusion, Cameroon faces complex land management and resource allocation challenges, exacerbated by various projects, elite land acquisitions, and the settlement of refugees and IDPs. Addressing these issues requires a holistic approach, improved regulations, and more equitable policies that safeguard the rights of local communities while promoting economic development.
3. Communities’ Reactions: Between Acceptance and Resistance

Communities facing land pressure and the denial of their rightful historical land rights are acutely aware of the injustices they endure. In general, they express concerns about their land being taken away from them without clear explanations regarding who benefits and what they are losing in terms of land and resources. In Cameroon, latent conflicts exist between the state and these communities regarding land ownership. However, not all communities fully comprehend the processes leading to land allocations or the avenues available for recourse. This lack of awareness gives rise to two distinct tendencies among these communities: some resign themselves to their fate, while others actively resist.

3.1. Understanding Resignation

Resignation within communities is evident in their lack of overt initiatives to assert their rights. Several factors contribute to this resignation:

- Limited Awareness of Land Rights: Many community members believe, often incorrectly, that all land belongs to the state. This misconception stems from the belief that the state, as the ultimate landowner, can exercise unrestricted authority over land without consulting those who have historically occupied it. This perception is exploited by political, administrative, and economic elites who are more familiar with land regulations than the communities, using this knowledge to suppress opposition to their actions. They often justify their actions as being in the best interests of “the state” and employ their influence against community rights defenders whenever possible.

- Difficulty Mobilising: Communities often struggle to mobilise collectively around a common objective. Group dynamics aimed at defending communal interests are frequently manipulated by leaders or infiltrated by elites. The latter commonly use strategies involving deceit, threats, or corruption. A common approach is to target and recruit some movement leaders, offering them better positions in exchange for dissociating themselves from the original cause and undermining the movement’s message.

- Fear of Reprisals: Communities also fear potential reprisals. Instances of violent responses by administrative authorities to community mobilisation efforts in defence of their rights have been documented. These actions are often justified by the need to maintain “law and order” at all costs. Consequently, community rights advocates may become victims of these practices.

Combined, these factors contribute to a sense of helplessness among some communities, leading them to believe their unjust situation is unchangeable. However, this perception does not reflect reality accurately, as other communities have successfully mobilised to pressure the state into reversing land allocation decisions.

3.2. Determinants of Resistance

Observations of communities engaged in resistance highlight the importance of certain elites, who, rather than being predatory, are motivated by the preservation of land rights. These elites leverage their intellectual, political, economic, and symbolic capital to inform community members about their cause. They aim to rally support and draw the attention of local and national authorities capable of addressing their grievances. The mobilisation of both internal and external forces within communities becomes the foundation for action. In these cases, community advocates often collaborate with communities on technical aspects to ensure effective action. A few examples illustrate this point:

- The Ntem Valley Communities: These communities opposed the classification of over 66,000 hectares of land as state-owned property for the benefit of agro-industrial
purposes. Their actions, including petitions, press conferences, and correspondence, led to a favourable outcome—the Prime Minister’s decree cancelling the process.

- The Banen Communities: These communities resisted the classification of more than 60,000 hectares of land for logging. Their mobilisation resulted in the suspension of forest exploitation plans, including the withdrawal of the Prime Minister’s decree classifying approximately 68,385 hectares as state property and the suspension of the classification procedure for another 65,007 hectares.

These cases demonstrate that well-organised communities can effectively defend their rights in the current context. Community movements are crucial for safeguarding land and ensuring community members can continue their age-old activities. However, comprehensive structural reforms of political and legislative frameworks are necessary to holistically address land insecurity for communities. In this regard, Cameroon has been working to reform land laws for several years, recognising that current laws are ill-equipped to reconcile development ambitions with community rights.
Part Two: The Progress of Land Law Reform in Cameroon

To gain a comprehensive understanding of the status of land law reform in Cameroon, it is essential to examine the context in which it unfolds, review the accomplishments thus far, and analyse the future prospects.

4. The Context of Land Reform in Cameroon

In 2011, during the Ebolowa agro-pastoral exhibition, the Head of State initiated the land reform project. The primary goal was to stimulate agricultural development, particularly in the context of second-generation agriculture, which encompasses extensive and industrial farming. This initiative aimed to address the increasing demand for land by investors, many of whom were foreign, seeking opportunities for agricultural endeavours.

The challenges highlighted by the Head of State regarding investor access to land mirrored the precariousness of land rights within communities.

Logically, resolving both sets of difficulties simultaneously would have been prudent. Studies conducted in host countries receiving land-related investments around the same time revealed that the financial risks associated with such investments were exacerbated when community land rights were uncertain.

Large-scale agricultural investments in Cameroon can occur in two scenarios:

- **On land within the national domain:** In this case, the state transfers land upon request from the company, which identifies suitable land based on technical criteria like fertility and accessibility. The state then convenes a consultative commission, including the village chief and notables from affected villages. Unfortunately, this commission lacks tools for analysing land dynamics such as total land area affected, nature and location of claimed community rights, population growth in villages, and future land needs. Consequently, allocations often prioritise
investor needs over those of the communities. Once the concession is granted, the company pays rent for the land, with 40% going to the state, 40% to local municipalities, and 20% to communities.

- **On land within the state’s private domain:** In this scenario, there is no provision for consultation regarding land transfers to investors. The state, acting as the sole owner, negotiates independently with the company and retains all land rent.

Family farming constitutes over 60% of Cameroon’s workforce, mainly operating in the national domain and, to a lesser extent, the state’s private domain. It significantly contributes to food security and economic prosperity, especially in rural areas. However, it remains vulnerable due to several factors:

- Weak security of land rights for smallholders.
- Incomplete and insufficient compensation for public expropriation (excluding land), especially when damage to crops occurs. Compensation is calculated using a non-discounted scale, which is insufficient for rebuilding lost wealth.

These legal inadequacies disproportionately favour investors over communities. Consequently, addressing the security of community rights was imperative to achieve a land reform that supports economic development and encourages investment. Prolonged arguments to this effect were presented by civil society and other stakeholders invited by the administration to participate in the ongoing reform process.

As of now, the reform process has started addressing these issues. Community rights, mechanisms for community participation, and transparency requirements are integrated into the reform agenda, with specific objectives:

- Promoting land as an instrument for economic development and growth.
- Updating outdated legislation and addressing legal gaps.
- Enhancing land governance to manage user needs, thus reducing conflicts.
- Combating land speculation and monopolistic land grabbing.
- Simplifying land access procedures and reducing associated costs.
- Strengthening land tenure security through improved legal mechanisms.
- Implementing a land policy that supports sustainable development and reduces territorial inequalities while preserving natural resources.
- Strengthening non-discrimination measures for land access, regardless of social origin or gender (including women, minorities, and indigenous people).
- Enabling decentralised land management.

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“*The production capacity of our agriculture remains greatly under-exploited, which does not allow it to have its rightful place in our economy and, consequently, to contribute to raising the standard of living of the populations concerned. ... The time has therefore come to put into practice in a resolute manner the great agricultural policy that I have often publicly called for. I recall that it was a question of advancing towards the modernisation of traditional agriculture, livestock farming and fishing in order to increase the production and productivity of small farms and to encourage the emergence of “second generation” production units, i.e. medium and large-scale enterprises that respect the environment. ... Our rural sector development policy must address the thorny problem of insufficient financing, whether public or private investment...We must also address various other anomalies such as: difficulties in accessing land...”*

H.E. Paul Biya, President of the Republic of Cameroon, 2011
5. Accomplishments Thus Far

The government leads the reform process primarily through the Ministry of Lands, Cadastre, and Land Affairs (MINDCAF). Numerous consultations have been conducted by the government, traditional authorities, civil society, and academics in recent years, resulting in various proposals. The LandCam project facilitated discussions among civil society and stakeholders to create a unified reform proposal. Key points covered in these discussions include:

- **The nature of land reform:** Proposals emphasise an inclusive, pluralistic, and consistent process that reconciles land legislation and regulations across linguistic regions, customary land rights, and written law.

- The formalisation of a land policy and a unified law governing the sector to replace scattered legislation.

- Simplification of land individualisation, including adapting forms of land titling to local and indigenous populations’ needs and capacities.

- Protecting communities from large-scale land acquisitions through limitations on individual land registration and the establishment of free, prior, and informed consultation and consent.

- Strengthening land governance institutions, including the involvement of locally elected citizens in advisory commissions.

- Recognition of individual and collective customary land rights, including the institution of village community land estates and collective land titles.

- Protecting victims of expropriation through transitional periods and prior payment and resettlement principles.

- Protecting the rights of marginalised groups, such as women, youth, and indigenous communities.

- Improved dispute management through free access to advisory commissions and the introduction of dialogue platforms at the district level.

Based on this unified proposal, civil society members identified some issues that are not currently covered in the reform discussions, such as the recognition and protection of customary land rights of rural communities, collective ownership of spaces, expansion of the definition of enhancement, management of the public domain, spatial planning, pastoralism, consistency between legislation on natural resources and spaces, protection of community rights in real estate, decentralisation and land management, decongesting the courts, women’s land rights, youth land rights, and indigenous communities, among others.

6. Prospects for the Land Reform

Assessing the outlook for a reform that has been ongoing for over a decade is challenging. While there have been meetings and exchanges with accompanying proposals, signalling the government's openness to input from various stakeholders, there is a lack of a systematic mechanism for communicating the progress of the reform. This situation is further complicated by the delay in implementing the new law and a surge in large-scale land acquisitions, along with an increase in community claims and conflicts between investors and communities.

The government has introduced a few short-term amendments to the land acquisition process to mitigate these issues, although these changes have been somewhat disjointed. For instance, recent measures implemented by the Ministry of Lands, Cadastre, and Land Affairs (MINDCAF) aim to revise procedures, protect and secure the property rights of the population and customary communities, curtail speculative land grabbing, and reduce disputes and litigation related to land.

Simultaneously, the Ministries of Agriculture and Livestock, recognising the threats posed by land allocation policies to community rights and...
consequently, their impact on food security, are working on drafting a Rural Code. The Minister of Agriculture emphasises the importance of acknowledging the uniqueness of rural land and rural land tenure systems, aligning with the recommendations of the Voluntary Guidelines for Responsible Governance of Tenure of Land, Fisheries, and Forests by the Food and Agriculture Organization of the United Nations.

Meanwhile, MINDCAF continues its preparations for the broader land reform in tandem with developing the rural code. The reform of the forestry law includes provisions for organising land access, utilising mechanisms distinct from those outlined in existing land tenure regulations. The risk of inconsistencies between these various initiatives is a cause for concern, highlighting the urgent need for a comprehensive reform encompassing all land users’ rights. Such an inclusive reform would allow these sectoral measures to be integrated effectively, creating a more harmonious and coherent approach to land governance.

Protecting the rights of marginalised groups, such as women, youth, and indigenous communities.
PART 3: Analysis of Actors Defending Community Rights in Cameroon

In Cameroon, a diverse array of actors has been actively engaged for over a decade in defending communities’ land rights. These actors operate on two main fronts:

1. **Structural Level**: Involvement in the reform of political and legislative structures.

2. **Conjunctural Level**: Providing on-the-ground support to communities in safeguarding and advocating for their rights. Given the ongoing reform process, this ground-level support remains crucial.

Let’s examine these actors and their contributions:

**NGO NETWORKS**

- **Network of Concerted Actions favouring the 'Pygmies' (RACOPY)**: Comprising NGOs and associations representing indigenous communities in forest regions, RACOPY aims to promote indigenous interests in development initiatives.

- **Concertation Nationale des Organisations Paysannes du Cameroun (CNOP-CAM)**: An extensive network of farmer organisations representing hundreds of thousands of family farms, with a strong emphasis on improving farmer services.

- **Association Foi et Justice**: Advocates for economic, social, and environmental issues, particularly defending the land rights of local and indigenous communities.

- **Mbororo Social and Cultural Development Association (MBOSCUDA)**: Focused on the sustainable development of Mbororo communities, including participation in land reform consultations.
• **Forests and Communities Platform:** Comprising about 40 NGOs primarily based in southern Cameroon's forest regions.

• **National Engagement Strategy (NES):** A coalition of NGOs within the International Land Coalition, working on enhancing land governance.

• **Rights and Resources Initiative (RRI) coalition:** An alliance of national and international NGOs promoting community land and resource rights.

• **Network of African Traditional Leaders for Environmental Conservation, Sustainable Ecosystem Management, and Forestry (ReCTrad):** Formulated proposals for rural land reform, highlighting the village's right to ownership over its traditional territory.

• **REPAR:** Developed a parliamentary position on land reform, emphasising community control over natural resources and broad dissemination of land-grabbing findings.

• **LandCam project:** Formulated proposals for reform, particularly regarding individual and collective customary land rights, as well as on issues concerning women and youth. Also, the project provides on-ground support to communities, especially those affected by land grabs and women near agro-industries.
PART 4: What is Needed to Drive Change?

Several recommendations can be made:

• **Prioritise Food Security:** NGOs should incorporate food security concerns into their advocacy for land reform. This issue can potentially unite various actors, including non-governmental entities, public opinion, and communities. A persuasive case can be built around the idea that protecting community land rights strengthens food security in Cameroon.

• **Expand Geographical Coverage:** Efforts should be made to identify and mobilise groups, including NGOs, grassroots communities, networks, and religious institutions, in areas not currently served by existing associations or networks engaged in land reform. A comprehensive map of active actors should guide these efforts.

• **Engage Non-traditional Actors:** Explore opportunities to involve non-mainstream civil society groups, such as religious denominations and trade unions, in supporting advocacy efforts related to land reform.

• **Analyse All Relevant Processes:** Examine various processes within the land sector to identify potential entry points for advocating community land rights. Some processes may not initially appear related to land tenure but could be crucial for advancing land reform advocacy.
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Annexes

Map of the location of the members of the different networks involved in the defence of community rights, land management, forests and the extractive sector in Cameroon.
About AFSA

Established in 2011, the Alliance for Food Sovereignty in Africa (AFSA) is a robust coalition of civil society organisations dedicated to advancing the causes of food sovereignty and agroecology across the African continent. Our alliance comprises African food producer networks, African CSO networks, indigenous people’s organisations, faith-based organisations, women and youth groups, consumer movements, and international organisations aligned with AFSA’s mission. AFSA is a network of networks with 38 member organisations actively engaged in 50 African countries, reaching around 200 million individuals.

Our Vision

To see Africa developed in harmony with nature, harnessing its traditional knowledge and systems, and her people controlling natural and other resources and related decisions.

Our Focus

- **Climate:** We promote agroecology for climate adaptation and mitigation in Africa, advocating for research-based policy integration.
- **Seeds:** We aim to support farmer-managed seed systems and influence seed policies to ensure reliable and affordable local seeds.
- **Land:** We empower member networks, particularly women, to advocate for land rights and counter corporate control over African land and resources.
- **Citizens:** We work to increase citizen access to agroecologically produced food in Africa, mobilising and educating citizens to participate in diverse food systems.

Our Activities

Policy advocacy, Capacity building, Evidence compilation, and Raising public awareness.

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