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# **DARK SIDE OF SOCAPALM**

From Land Illegalities to  
the Suppression of Local Communities  
The Case of Apouh and its Outskirts.

*Legal analysis note*

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*SEPTEMBER 2025*

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## SUMMARY

The SOCAPALM-Edéa plantation was established amidst land and social problems. The history of this operation reveals both legal and material blatant anomalies. Unfortunately, the establishment of this agro-industry is based on these serious errors. These irregularities have had significant impacts on local communities, whose ancestral lands have been gradually seized in favour of the palm oil plantation. Stifled by the proximity of this plantation, the local populations are demanding vital space for their survival. They organised and protested peacefully to express their grievances. However, they encountered the intransigence of the management team of the agro-industrial company and its administration. These two parties, however, proclaim the benevolence and legality of their actions and achievements while casting aspersions on the traditional leaders of the Apouh community. This legal analysis note presents the blatant illegalities underlying the land issue of the SOCAPALM-Edéa. Particularly highlighting a range of evidence that showcase the extent of the injustice suffered by the local communities. The backdrop of the abuses suffered in these communities is marked among other things by questionable property deeds, concessions arbitrary granting in defiance of the law, factious occupations of community lands, and brutal and illegal repression of protests. Besides synthesising the origins and consequences of these persistent clashes only, this article also proposes possible de-escalation solutions.

# 1. BACKGROUND

Land needs for the renewal and expansion of SOCAPALM (Société Camerounaise de Palmeraies) palm oil plantations in Edéa and the survival ambitions of communities related to their customary spaces are the subject of recurring clashes. Indeed, the local communities of Apouh A Ngog, Koukouè, Onguè and Déhanè regularly express outrage at the seizure of their ancestral lands and the abuses of which they are victims. The resumption of replanting operations initiated by the agro-industry on various plots has thus encountered systematic blockages by the communities since 2023. The various stakeholders have publicly expressed their respective stance on this issue. The Senior Divisional Officer for the Sanaga Maritime division clarified the situation in a press briefing echoed by several national media <sup>1</sup>on April 2, 2025, stating that there is no particular problem between the village, the SOCAPALM company, and the authorities. For the latter, the populations are indoctrinated by their Chief, who is reportedly unhappy for not receiving the financial resources he allegedly claimed from the company. His Majesty Ditope Lindoume Mercure, Chief of the Apouh A Ngog village, reacted in another media on 11 April 2025 by debunking the allegations raised by the local authority, and at the same time taking offence for being accused of attempted blackmail. In a media communication <sup>2</sup>dated 10 April 2024, SOCAPALM both declares the implementation of a social liability policy in various areas such as education, health and agriculture and community support; and states that it is: “ *committed to a constructive dialogue with local communities and local authorities...* “.

Against this backdrop of contradictory arguments, it is important to untangle the resulting confusion. To this effect, this note takes a legal look at the key facts and actions of the situation prevailing in Apouh and its outskirts. In particular, the history of the plots in question, the associated land irregularities, and the violations of civil rights alleged by the local communities will be examined. At the end of the analysis, recommendations are spelled out to address the issue.

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1 Interview link: <https://www.facebook.com/100063840825880/videos/976213541348627/?mibextid=rS-40aB7S9Ucbxw6v>

2 Camer Press Agency, April 10, 2024, <https://camerpressagency.com/position-officielle-de-la-soca-palm-sur-le-conflit-foncier-a-apouh-dialogue-responsabilite-sociale-et-engagement-durable/>

## 2.HISTORY OF THE EDÉA PLANTATION

Oil palm exploitation in Cameroon took shape during the colonial period. Whilst the German colonial administration began with plantations around Mount Cameroon, it was not until 1907 that the Germans created the first “industrial” oil palm plantation in Cameroon, south of Edéa <sup>3</sup>. After the end of the First World War, German investments in the country were taken over by the new settlers. The management of the Edéa plantation was thus entrusted to la Société des Plantations Réunies de l’Ouest Africain (SPROA), a public limited company (PLC) under French law whose headquarter was located in Gagnoa in the Republic of Côte d’Ivoire.

### Allocation of plots to SPROA

On August 10, 1960, SPROA was granted plots of land under two land titles obtained by direct registration:

- 👉 Land Title No. 183/Sanaga-Maritime, VOL 1, F° 185 covering an area of 601 ha 50m2, located at the place called “Dehanè” (Ferme Suisse)
- 👉 Land Title No. 184/Sanaga-Maritime, VOL 1, F°186 covering an area of 984 ha 70m2 located at the place called “Dehanè” (Ferme Suisse)

Following these first registrations, a second wave made it possible to secure other plots for the benefit of the Société des Plantations Réunies de l’Ouest Africain, through three certificates of ownership:

- 👉 Land Title No. 195/Sanaga-Maritime, VOL 1, F° 194 covering an area of 1100 ha 40m2 at the place called Onguè, registered on 9 August 1963
- 👉 Land Title No. 196/Sanaga-Maritime, VOL 01, F° 195 covering an area of 531 ha 50 a 48 m2, Edéa at the place called Onguè, registered on 3 August 1963
- 👉 Land Title No. 197/Sanaga-Maritime, VOL 01, F° 196 covering an area of 130 ha 60m2 located in Dehanè, registered on 3 August 1963.

### Transfer of Land from SPROA to the Ferme Suisse (SPFS)

These five land titles (with a combined surface area of 3,348 hectares 70 ares 48 metres square) were transferred to the Société des palmeraies de la Ferme Suisse (SPFS) by the Société des Plantations Réunies de l’Ouest Africain. The SPFS became the owner of the land titles registered by SPROA on 20 November 1976.

### Allocation of Plots to the Public Company SOCAPALM

The State of Cameroon decided, following independence, to establish development companies whose objective was the operationalisation and monitoring of investments formerly carried out by the colonial administration within the framework of its Palm Plan (1968-1976 / 1976-1981). It is with this in mind that by decree No. 68/DF/451 of November 23, 1968,

3 On the path to development: an essay on the economic history of Cameroon. F. Etoga Eily, 1971.



the Société Camerounaise de Palmeraies (SOCAPALM) was created to replace the former Mbongo and Eséka Palm oil Company (SOPAME).

Decree No. 93/304 of 25 October 1993 granted SOCAPALM a provisional concession for two plots from the National lands, including a plot of 5,212 ha located in Onguè, Edéa subdivision. However, the communities claim that to date, they have not witnessed any investment made on this plot by SOCAPALM, as provided for by the regulations.

### **Privatisation of the SOCAPALM Public Company and Transfer of Ownership**

The wave of economic liberalization and disengagement from the State of certain national companies<sup>4</sup> resulted in the privatisation of the Société Camerounaise des Palmeraies. Indeed, an agreement for the transfer of 90% of the shares held by the State of Cameroon in the capital of the said company was signed on 30 June 2000 with the SOCFIN Company, a subsidiary of the Bolloré group, making it the new owner of this space. On the same day, a long-term lease was granted in favour of SOCAPALM (privatised) for a period of 60 years covering an area of 78,529 ha. However, an amendment to the long-term lease dated 30 August 2005 reconsiders the surface area of the plots allocated to the company at 58,063 ha on the grounds of the cost of construction and the flood-prone nature of the land, requiring considerable hydro-agricultural works. It should be noted first of all that the plots set out in the provisional concession mentioned above (25 October 1993) were included in the vast expanse of land granted to SOCAPALM when the long-term lease was signed. According to some members of the community, no investment has been made there, no consultative commission visited the land to confirm this and no minutes testifying of the investments made have been drawn up.

SOCAPALM therefore gave up 3,712 ha of the 5,212 ha, and only retained 1,500 ha following the amendment to the long-term lease of 30 August 2005.

### **Purchase of the Ferme Suisse by the Private Company SOCAPALM and Transfer of Ownership**

In 2010, SOCAPALM, a subsidiary of the SOCFIN group, bought and absorbed the Société des Palmeraies de la Ferme Suisse, thus becoming the owner of the land titles held by the latter in Edéa.

### **Allocation of New Plots to Private Companies**

New provisional concessions were then awarded to the Société Camerounaise des Palmeraies. The first, following letter No. 000225/K.6.7/MINUH/D130 from the Minister of Housing and Urban development, dated 24 February 1997, granting as provisional concession a plot from the national lands with a surface area of 800 ha to the Société des Palmeraies de la Ferme Suisse. The second follows the Prefectural order No. 066/AP/C18/SAAJP of 3 March 2021 granting a provisional concession of 874 ha 81 a 94 m<sup>2</sup>. The third is a final concession with a surface area of 1018 ha 17 a 98m<sup>2</sup> awarded by prefectural decree No. 075/AP/C18/SAAJP and previously the subject of a provisional concession awarded by an AD HOC commission appointed by prefectural order No. 091/AP/C18/SDD of 15 April 2008.

<sup>4</sup> See Ordinance No. 90/004 of 22 June 1990 relating to the privatisation of public and semi-public enterprises and its decree of implementation of 30 August 1990.

## 3. A Land Status Marked by Glaring Irregularities

From the litany of administrative acts identified and the convincing investigations carried out on the ground, we note legal illegalities and material disparities that the analysis will highlight.

### 3.1. Legal illegalities

The violations of legal provisions that emerge from the land issue of SOCAPALM in Edéa are of several kinds.

The SOCAPALM company holds several official documents, namely land titles, a long-term lease, and provisional and final concession agreement. Each of these documents contains blatant anomalies that violate the law.

#### 3.1.1 Inaccurate Location of Plots Circumscribed in Land Titles

The 5 land titles held by SOCAPALM are dated 1960 and 1963. One might be sceptical about their legality given the information contained in these documents. Indeed, they all mention the location of the place as Dehanè, and specify the place named “Ferme Suisse” This is clearly inaccurate.

#### **The Creation of the Dehanè Village More Recent Than the Acquisition of the Disputed Land Titles**

It should be noted that Dehanè only became a village very recently. At the time these land titles were secured, that is in 1960, there was no village with this name but rather a market attached to the left bank of the Nyong River on which fishing canoes docked. Traders began to settle there for the occasion. And it was in 1972 that a village named Dehanè emerged, 12 years after the first land titles were granted.

#### **The Creation of the Ferme Suisse More Recent Than the Acquisition of the Disputed Land Titles**

Further, greater astonishment is driven from the name “Ferme Suisse” which tends to specify the location of the plots registered on the disputed land titles. The historical analysis of the Edéa SOCAPALM (cited above), and even of the entries contained in the land titles, concerning the different concessioners, shows us that the Société des Palmeraies de la Ferme Suisse secured these land titles when it was created on 20 November 1976. The site involved therefore only takes this name because of the establishment of this company in the area. The presence of this name in land titles dating from 1960, that is, 16 years before the creation of the Ferme Suisse, therefore raises various questions which all tend to demonstrate, beyond any doubt, flagrant land manipulations carried out with the aim of depriving the communities concerned of their living spaces.

## **Error Between the Dehanè and Apouh À Ngog Villages in The Disputed Land Titles**

From our land visits, it appears that after the bridge over the Onguè River (the natural boundary between the village of Dehanè and the village of Apouh A Ngog), there is a lesser influence of the SOCAPALM plantation in the Dehanè village. Rather, the palm grove of the SOCAPALM-Edéa stretches endlessly in the vast territorial expanse of Apouh. This consolidates the idea of the real establishment of this palm grove within the village of Apouh A Ngog, and therefore, the obvious error in the entries contained in the land titles which indicate Dehanè as the location.

### **3.1.2. Failure To Make Prior Investments**

The long-term lease signed on 30 June 2000, did not comply with the prior lease granting procedure as specified in Articles 8, 9, 10 of Decree No. 76/166 of 27 April 1976 to establish the terms and conditions of management of national lands<sup>5</sup>.

### **Lack of a Report on Investments**

It is necessary to mention in light of this procedure, the failure to note investments made on the plots by a consultative commission duly convened at the end of the term of the provisional concession which allocated two pieces of land from the national lands to SOCAPALM following decree No. 93/304 of 25 October 1993. According to the local population, no investment had taken place at this date, consequently, no evidence would have legitimised any extension to a long-term lease or final grant of this concession. This is underpinned by the absence of minutes of the consultative commission alleged by the communities, an essential element of the report on developments and investments made. The fact that the communities deny any participation in this commission, reinforces the uncertainty on this matter, especially when we know that the Head of the village community and two notables are integral parts of the 'aforementioned commission.

### **Non-Compliance With Procedural Time Limits for Signing a Long-Term Lease.**

The transformation of the 5212-ha plot of land, granted through a provisional concession by decree No. 93/304 of 25 October 1993, into a long-term lease for SOCAPALM on 30 June 2000, therefore does not comply with the rules pertaining to the extension of plots from the provisional concession to the long-term lease. In accordance with article 3 of decree No. 76/166 of 27 April 1976 to establish the terms and conditions of management of national lands, the duration of a provisional concession is five (05) years. This concession was therefore normally due to expire on 25 October 1998. This suggests a period of two (02) years between this date and the signing date of the long-term lease (i.e., between 25 October 1998 and 30 June 2000), marking either the forfeiture of the concession or a fictitious extension to which no act refers to hitherto, of what we know. The failure of SOCAPALM to issue an act of forfeiture or an extension of its provisional concession during these two (02) years is therefore a serious breach of the procedure for granting a long-term lease, which reflects either collusion between the

<sup>5</sup> Articles 8, 9 and 10 of Decree No. 76/166 of 27 April 1976 govern the terms and conditions to extend a provisional concession to a permanent concession or to a long-term lease.

<sup>6</sup> See Article 12 of Decree No. 76/166 of 27 April 1976 cited above.



company and the administration or a more or less obvious desire to seize the living spaces of the local communities.

### **3.1.3. Incompetence of the Concessions-Granting Authorities.**

Several administrative acts granting land concessions to agro-industry were taken by incompetent administrative authorities.

#### **Failure to Comply with the Surface Area Threshold for the Allocation of a Concession by the Minister of Housing and Urban Development.**

By letter No. 000225/K.6.7/MINUH/D130 of 24 February 1997 to grant a provisional concession with a surface area of 800 ha in the locality of Koukouè, the Minister of Housing and Urban Development violated Article 7 of Decree No. 76/166 of 27 April 1976. This article limits her jurisdiction to grant a provisional concession on a plot of the second category national domain to 50 ha. The Ministry of Housing and Urban Development clearly overstepped her jurisdiction by intervening in that reserved solely for the President of the Republic for the allocation of plots larger than 50 ha.

#### **Intrusion of the Senior Divisional Officer into the jurisdiction of the President of the Republic**

Another act likely to be deemed illegal is Prefectural Decree No. 066/AP/C18/SAAJP of March 3, 2021 granting provisional concessions for plots of land with an area of 874 ha in the town of Apouh. Like the previous act cited, the latter is subject to a legal defect, the inability of the authority that issued it to carry out such a legal act. Indeed, the law grant to the President of the Republic only, the prerogative to grant a concession of more than 50 ha. In addition, concessions of less than 50 ha can only be granted by the Minister in charge of land affairs.

The first state of the play report made by the team of experts instructed by the Minister of State Property, Surveys and Land tenure (MINDCAF) mentioned the presence of another similar act in this area, namely a final concession with an area of 1018 ha 17 a 98 m<sup>2</sup>, also granted by prefectural order 075/AP/C18/SAAP. However, the second report no longer mentions this act.

This second report, dated 6 April 2022, made a critical assessment of the disparities between the areas as mentioned in these acts and their actual limits. In this regard, it provides a synoptic table of the state of the SOCAPALM-Edéa sites.

One can legitimately wonder whether authorities who deliberately exceed their jurisdictions to sign all these documents without legal basis have not entered into bad relations with the company which clearly has ambitions to plunder the ancestral lands of the local communities.

### 3.2 Material disparities

Material irregularities can also be seen in the discrepancies between the initial areas and the areas used on the land. A number of anomalies are noted, which are also contained in the synoptic table of the state of SOCAPALM sites, which appears in the report of the teams of experts commissioned by the Ministry of State Property, Surveys and Land Tenure.

*Source: @Second MINDCAF expert commission report, 6 April 2022.*

TABLEAU SYNOPTIQUE DE L'ETAT DES LIEUX DES SITES DE SOCAPALM (EDEA D)									
N°	N° Acte	Lieu-dit	Superficie initiale (ha)	Superficie obtenue après levé	Superficie exploitée	Superficie non exploitée	Superficie empiétée		Observations
							SOCAPALM	RIVERAIN	
01	TF n° 183 du 10/08/1960	Dehane	601ha 50a 00Ca	1263ha 68a 17ca	1283ha 68a 17ca		662ha 18a 17ca (concessions provisoire depuis 1929)		Partie A : 432ha Partie B : 169ha 50a
02	TF n° 184 du 10/08/1960	Dehane	984ha 70a 00Ca	998ha 75a 76ca	907ha 41a 86ca	91ha 28a 14ca	14ha 28a 68ca	30ha 00a 00ca	Le rocher occupe 59ha
03	TF n° 196	Ongue	531ha 50a 48Ca	529ha 04a 86ca	486ha 80a 65ca		42ha 24a 65ca		
04	TF n° 197	Dehane	130ha 60a 00Ca	139ha 50a 69ca	139ha 50a 69ca		8ha 90a 69ca		
05	TF n° 195	Apouh	1100ha 40a 00ca	1097ha 96a 10ca	1097ha 96a 10ca	2ha 43a 90ca			
06	Décret n°93/304 du 25/10/1993 Portant attribution en Concession Provisoire	Koukoué	5212ha 00a 00Ca (1500ha après Avenant de 2005)	1086ha 01a 95ca	1086ha 01a 95ca	413ha 98a 05ca		413ha 98a 05ca	Dossier ayant abouti au Bail
07	Lettre n°000225/K.6.7/MINU H/D130 du 24/02/1997 portant Attribution en Concession Provisoire	Koukoué	800ha 00a 00ca	1024ha 00ca 00ca	1024ha 00a 00ca				Concession Définitive en cours
08	Arrêté Préfectoral n° 066/AP/C18/SAAJP du 03/03/2021	Apouh	874ha 00a 00ca	874ha 00a 00ca	874ha 00a 00ca				Concession Provisoire en cours de transmission

**Photo 1 :** Synoptic table of the cadastral state of land titles No. 183/SM, 184/SM, 195/SM, 196/SM, 197/SM, concessions (provisional and final), the long lease and the plot of the national lands occupied and operated by the Société Camerounaise de palmeraies.

This table accurately lists the initial areas relating to the various administrative acts that refer to it. It is thus possible to observe the areas obtained after surveying on the land by the team of experts from the Ministry of State Property, Surveys and Land Tenure, and details are also given on the areas exploited or not by the Société Camerounaise des Palmeraies. The difference between the initial areas and the areas obtained after surveying, marks the cumulative area of land usurped by the agro-industry. The report notes the encroachment by SOCAPALM of an area of 705 ha 37 a 54 m<sup>2</sup>, concerning the plots covered by land titles No. 183, No. 184, No.197 located at the place called Dehanè. An even more damning finding in the place called Koukoué demonstrates, on the one hand, an exploited area of 1024 ha for an initial area of 800 ha allocated by letter No. 000225/K.6.7/MINU H/D/130 of 24 February 1997 to grant a provisional concession, that is, a difference of 224 ha. Even more serious, an exploited area of 874 ha was allocated by prefectural order No. 066/AP/C18/SAAJP of 3 March 2021 in the place called Apouh, while the provisional concession transfer is pending to this day. This reflects the illegality of the agricultural exploitation before the allocation of the space.

These material gaps can be seen in the difficulties encountered by members of the community in housing <sup>7</sup>, in subsistence farming, and in daily life. Indeed, the lack of arable land made available to the community, amidst limited space, affects the purchasing power of households, schooling, and even house building.

@GDA 2024



*Photo 2 : Pressure from the Edéa SOCAPALM plantation on the living space of the Apouh A Ngog community*

<sup>7</sup> Due to the company’s disinterest, the only plots left to the communities are the rocky areas estimated at 5,485 ha in Apouh (RADD, September 2024) and marshy areas, which are difficult to access. This leaves the possibility of housing only below the high-voltage lines.

## 4. A SURGE OF OPPRESSIVE ACTS AGAINST THE CIVIL RIGHTS OF THE LOCAL COMMUNITIES

To understand the civil rights restrictions against the communities living along the SOCAPALM in Edéa, it is enough to note the relevance of their grievances and the inappropriate repression of their protests.

### 4.1. On the Relevance of Recurring Local Communities' Protests

The civic expression of the members of these local communities is facing barbaric repression by the authorities, which does little to calm an already more than volcanic situation. Several events would have led to the conflagration of this situation. We could first mention the illegal administrative detention of Mr. DITOPE LINDOME MERCURE, 3rd class Chief of the village of Apouh A Ngog, which occurred on 13 April 2023, by decision of the Sanaga Maritime SDO. This decision follows the claims of the Apouh community, strongly opposed to the replanting work undertaken by the company SOCAPALM during the week of 10 to 16 April 2023. The claims of these communities mainly concerned their traditional and ancestral rights on these plots since the replanting in question was to be carried out on the graves of their ancestors. Despite the demise of this administrative custody on 14 April 2023, the feeling of mistrust has not part. Another event to note is the harassment suffered by the women of Association des Femmes Riveraines de la SOCAPALM d'Edéa (AFRISE), who are prey to threats and other intimidation of all kinds for having maintained the protests during the new replanting attempts of September 2024 and March 2025.

After some time of calm, the agro-industrial company decided on 25 March 2025, to resume the replanting work, thus rekindling tensions with the village community, still in search of traditional and vital space. This new scene led to the establishment of an impressively large-scale security system intended to prevent members of the community, made up largely of women, from reaching the site. However, they protested against the picketing work that inaugurated the renewal of the orchard. On 26 March 2025, law enforcement forces repressed peaceful protesters with tear gas and baton blows.

### 4.2 On the Illegality of Community Protests Suppression

To justify the administrative detention of the chief of the village Apouh A Ngog in 2023, the SDO of Sanaga-Maritime, Mr. ABONDO Cyril Yvan, falsely qualified the situation as large-scale banditry. While, large-scale banditry refers to “*attacks perpetrated by an individual or an armed gang against people and/or property, acts of vandalism or arson, robberies or hostage-taking*”<sup>8</sup>. During the protests, the communities only displayed placards which were carrying their grievances. Unless one considers the placards as weapons or the defence of ancestral tombs as vandalism, the administrative custody ordered against the 3rd class chief of



Apouh A Ngog was therefore illegal.

*Source: @Socapalm 2024 / @FarmLandgrab.org 2024*



**Photo 3:** Protests by communities and women living near the SOCAPALM-Edéa plantation against replanting

Similarly, the violent suppression of the local communities' protests by the police on the grounds of disturbing public order is unfounded. This reason is based on the fact that the said communities do not comply with the obligation of prior notification of their various protest, as provided for in section 6, paragraph 1 of Law No. 90/055 of 19 December 1990 on public meetings and processions<sup>9</sup>. However, paragraph 2 of the same article provides that: ***“the prior declaration referred to in the preceding sub-section shall not apply to processions on the public highway that are in keeping with local or religious traditions and practices.”*** As a result, communities do not need a prior declaration to protest according to the aforementioned 1990 law. Because no one can deny the traditional nature <sup>10</sup>of the demands of the Apouh community which aimed to prevent the planting of new SOCAPALM palm trees on its ancestral lands and living spaces.

<sup>9</sup> *All processions, demonstrations, parades, marches and rallies of persons and, in general, all processions on the public highway shall be subject prior declaration* “ section 6 paragraph 1 of law No. 90/055 of 19 December 1990 cited above.

<sup>10</sup> See letter of 26 May 2023 addressed to the President of the Republic by the women neighbouring SOCAPALM Edéa, united in the AFRISE association.



This is all the more blatant since the graves of the community on which the main demands are based are invaded by palm trees. The Mpo'o culture which constitutes the majority of this community, holds the grave in very high esteem and even places it on a sacred pedestal. As such, the rites of purification, healing or enthronement of chiefs or Mbombok <sup>11</sup> most often end on the graves of their predecessors; just as the relics of a deceased person can decimate the members of his family or cause them serious illnesses <sup>12</sup>.

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***Photo 4 : Pressure from the SOCAPALM-Edéa plantation on the ancestral graves of Apouh à Ngog***

However, the administrative authority could act legitimately by mobilising the police as such if it aims at protecting the private property of SOCAPALM which is allegedly the subject of land title No. 184<sup>13</sup> of Sanaga-Maritime; which is in accordance with its statutory powers <sup>14</sup>. However, even in this case, it is inconceivable to think that the administrative authority was not aware of the provisions of article 6-h of the long-term lease of SOCAPALM which prohibit replanting on a plot of 250 ha located around the village communities<sup>15</sup>. Should it be recalled that the legal nature <sup>16</sup>of the provisions of the lease mentioned here is such as to prohibit the

<sup>11</sup> Custodians of tradition in the Bassa'a culture.

<sup>12</sup> GDA, Report of the prospecting mission of the Kikot-Mbébé dam neighbouring communities from 10 to 16 May 2023, unpublished.

<sup>13</sup> See Letter of 26 May 2023, op. cit.

<sup>14</sup> See Article 36 paragraph 1 and Article 40 paragraph 2 of Decree No. 2008/377 of 12 November 2008 to lay down the powers and duties of heads of administrative units as well as the organisation and functioning of their services.

<sup>15</sup> See Open Letter from the women of AFRISE dated 26 May 2023.

<sup>16</sup> See article 1134 of the Civil Code: "agreements lawfully entered into take the place of the law for those who have made them."

SDO of Sanaga-Maritime from preventing the community of Apouh from claiming its ancestral and legal rights? The latter's action therefore undoubtedly constitutes a misuse of power and consequently a flagrant illegality.

## 5. RECOMMENDATIONS

The analysis of the various elements highlighted in this analysis leads to the formulation of a certain number of recommendations addressed to various stakeholders, in particular to:



### **The State:**

- Delimit the margin of 250 ha recognized to the communities in article 6-h of the long-term lease with SOCAPALM and transfer this space to the neighbouring communities;
- Proceed with the retrocession of the spaces encroached upon by SOCAPALM to the communities;
- Establish a framework for multi-stakeholder consultation between the company, local communities, civil society and the State.
- Ensure the implementation of the recommendations of the Ad Hoc Commission instructed by the Minister of State Property, Survey and Land Tenure through note No. 041667/L/MINDCAF/SG/DA/D2/CEM-SM of 20 September 2023
- Note the illegalities of the above-mentioned property deeds and concessions and cancel them;
- Penalise the authorities who overstepped their jurisdiction in land allocation and illegally suppress peaceful protests by local communities.



### **The SOCAPALM Company:**

- Cease all activity on the encroached plots of land and respect the margin of 250 ha acknowledged to the communities in article 6-h of the long-term lease;
- Participate actively and in good faith in the plot boundaries clarifying works resulting from property deeds and concessions held;
- Establish transparent and regular communication, through inclusive exchange mechanisms with traditional authorities, community leaders, the community and CSOs;
- Ensure the popularization and monitoring of the provisions of the specifications of the company's responsibilities related to operations;



### **To Civil Society Organizations**

- Support communities in their claims through targeted actions aimed at occupying the plots in question;
- Pooling CSO advocacy initiatives around the Apouh case;
- Provide support to front line local relays by adopting rapid response, alert or capacity building mechanisms, where appropriate, AFRISE women or community leaders
- Provide technical and financial support to any appeals initiated by local communities to assert their rights.

**To the Local Communities:**

- Continue to express their demands through resilience and self-denial through actions, petitions, or even by engaging in dialogue with other stakeholders;
- Have consistent positions on the exercise of their civil rights;
- Initiate legal action to assert their rights and obtain compensation for the damages incurred.



## REFERENCES

1. AFRISE, 2023, Letter of 26 May 2023 addressed to the President of the Republic by the women neighbouring SOCAPALM Edéa rallied in the Association of Women living alongside SOCAPALM Edéa
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