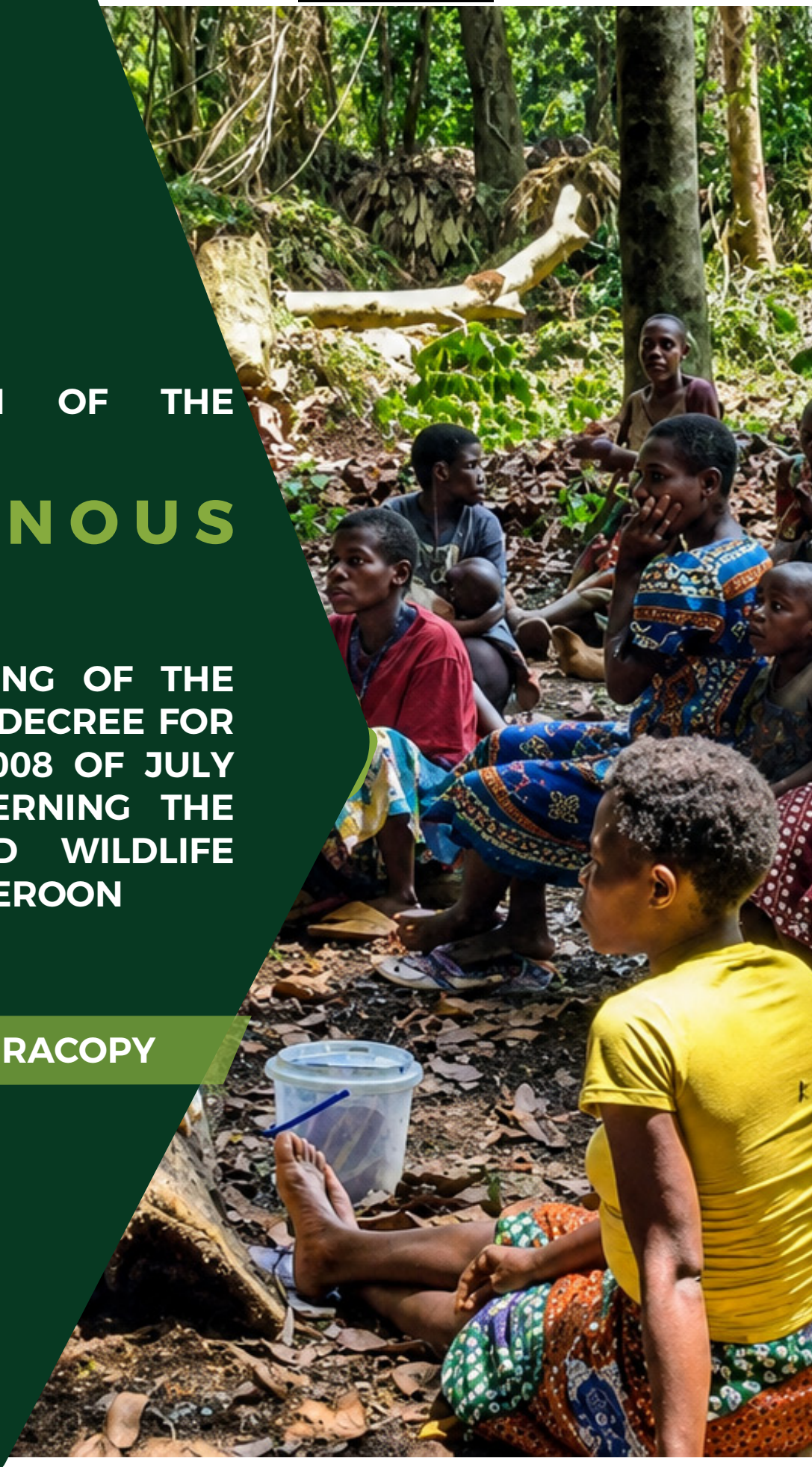
CONSIDERATION OF THE INTERESTS OF

# INDIGENOUS PEOPLES

IN THE DRAFTING OF THE IMPLEMENTING DECREE FOR LAW NO. 2024/008 OF JULY 24, 2024, GOVERNING THE FORESTRY AND WILDLIFE REGIME IN CAMEROON

## PROPOSALS OF RACOPY



# ACKNOWLEDGEMENTS

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This contribution was made possible through the mobilization of network members, consultations conducted with Indigenous Peoples and local communities, as well as the participation of civil society organizations and local stakeholders.

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# I. INTRODUCTION

## I.1. Context and justification

On July 24, 2024, Cameroon adopted Law No. 2024/008, concerning the regime of forests and wildlife, which repeals the provisions of Law No. 94/01 of January 20, 1994, concerning the regime of forests, wildlife, and fisheries. This new law recognizes several rights for indigenous peoples and local riparian communities, but the modalities for exercising these rights are referred to the implementing decree.

The Pygmy Concerted Action Research Network (RACOPY) has sent a correspondence to the Minister of Forestry and Wildlife of Cameroon to express its interest in participating in the process of drafting the implementing decree through the committee established for this purpose. With the aim of making a significant contribution to the committee, RACOPY has identified in the law the priority areas favourable to indigenous peoples and initiated consultations with those concerned as well as civil society organizations. The main areas identified focus on community protected areas (CPAs), community hunting territories (CHT), ritual hunting, the modalities of applying the right of use, benefit sharing, and compensation in case of human-wildlife conflicts (HWC).



This note compiles the proposals of RACOPY with the aim of informing the drafting of the implementing decree of law No. 2024/008 on the regime of forests and wildlife in Cameroon.

## I.2. Objectives

The general objective of this note is to prepare a proposal document from the Pygmy Concerted Action Research Network (RACOPY) within the framework of the process for drafting the implementing decree.

The specific objectives are as follows:

Inform local stakeholders about the content of new rights favourable to indigenous peoples and local communities (IPLCs)

Gather contributions from various stakeholders on the possibilities of innovations by RACOPY

Draft a proposal note from RACOPY to be sent to the committee for the development of the implementing decree.

# I.3. Methodology

This section will present the different study areas, the methods used during the field data collection, as well as the sampling of local resource persons encountered during the consultation sessions.

## a. Presentation of the study area

The consultation of indigenous peoples, local communities, and civil society organizations was conducted in three phases :

- An information and consultation workshop were held from March 11 to 14, 2025, in Kribi with strong participation from indigenous peoples. It allowed for the identification in the law of priority areas or the IPLCs.

- From May 11 to 30, 2025, consultation sessions were held with local resource persons in the different forest ecological zones of Cameroon and IPLCs habitats. The table below

| Ecological zone | Locality concerned | Venue |
|---|---|---|
| Océan | Akom2, Niete, Lolodorf, Kribi | Akom 2 |
| TRIDOM | Lomié, Ngoyla, Abong Mbang<br>Djoum, Mintom | Lomié<br><br>Mintom |
| TNS | Yokadouma, Mambele, Moloundou, Salapounbe, Ndongo... | Salapounbe |

These areas were chosen not only for their high concentration of indigenous peoples but also because they represent the different hubs of the RACOPY network.

- A workshop for the validation and consolidation of data collected from local stakeholders was held in Ntui on July 2, 2025.

## b. Methods

The working approach used during the consultation sessions was essentially participatory and inclusive. The discussions took place in the form of workshops and working groups to share not only the new rights contained in the new forestry law but also to formulate concrete proposals that contribute to the drafting of the decree project.

Moreover, field visits were conducted in the communities with the aim of assessing the status of traditional indigenous territories, measuring the potential of community spaces that could host community protected areas and community hunting territories. The main tool used here was participatory mapping.

The visits to the communities also allowed for the observation of demonstrations of cultural practices and certain traditional hunting techniques.

## c. Sampling

Our main target was the indigenous peoples as well as the organizations that support them. We exchanged with nearly 246 indigenous representatives in the localities of Akom II, Lomié, Mambele, and Mintom. Moreover, we exchanged with 14 civil society organizations (CSOs) representing the RACOPY hubs of Océan, Lomié, Yokadouma, and Djoum-Sangmelima.

**246**

Indigenous representatives participated in the consultations

**14**

Civil society organisations (CSOs) involved



| | |
|---|---|
| **Indigenous CSOs** | ABAGUENI, ABAWONI, ADEBAGO, ADEBAKA, ASBABUK, BACUDA |
| **Non-Indigenous CSOs** | APED, ASTHRAD, CADER, CEFAID, PERAD, Fusion Nature, ECODEV, FODER |

The social action services (SASO) of Lomié and AKOM II also participated in the consultation work in their respective areas.

Number of indigenous peoples surveyed

**AKOM II** — — — — — — **38**

**Lomié** — — — — — — — — — — **64**

**Mambele** — — — — — — — — — — — — **91**

**Mintom** — — — — — — — — — **53**

**TOTAL 246**

Number of people participating in the consultations

## d. Formulation of proposals into articles

Following the field visits, the various proposals collected during the consultation were synthesized and presented in legal language in the form of articles. This legal rhetoric work aims to facilitate the integration of the concerns of indigenous populations into the implementing a decree of the forestry law.



# II. TAKING INTO ACCOUNT THE ASPIRATIONS OF INDIGENOUS PEOPLES IN THE DRAFTING OF THE DECREE(S) IMPLEMENTING THE FORESTRY LAW IN CAMEROON

Law No. 2024/008 of July 24, 2024, on the regime of forests and wildlife in Cameroon grants new rights to indigenous peoples and local communities. However, the modalities for exercising these rights must be defined by the implementing decree(s). To contribute to the process of drafting the implementing decree(s), RACOPY has prioritized six areas of the new law that grant specific rights to indigenous peoples and local communities.

Among these areas, we have :

- Community protected areas,
- Community hunting territories,
- Ritual hunting,
- Right to use,
- Benefit sharing, and
- Compensation for human-wildlife conflicts

## 2.1. Community Protected Area



Article 3 of Law No. 2024/008 defines a community protected area (CPA) as a space within the national domain of a riparian community, dedicated to the forest and managed in accordance with local customs. Communities can, upon request, be allocated a Community Protected Area (CPAs) for their cultural and/or socio-economic needs (Article 33, paragraph 1). According to Article 33, paragraph 3 of the law, the communities must not change the initial purpose of the CPA. This space can be used by the communities to protect their sacred forests, their ritual forests, or the areas where there are animals and plants important to them.

Article 33, paragraph 2, further specifies that the CPAs falls under the private domain of the State, which is contradictory to Article 3 of the same law that places the CPAs within the national domain of the riparian communities. In

the communities visited during the consultations, we observed that there were very few areas classified as non-permanent forest domain for the creation of CPAs. Most of the existing spaces are in the state private domain, and creating CPAs in this domain could address the issue of insufficient space and resources in the national domain of the communities. Moreover, the traditional and cultural practices of the communities are customary in the state's private domain. This possibility is also supported by Article 26, paragraphs 1 & 2 of Law No. 2024/008, which implicitly allows for declassification for private utility.

We also observe a significant number of community forests that have not been active for decades. These could be subject to census and evaluation on a case-by-case basis for a possible transition to CPAs and to experiment with another model not focused on timber exploitation.

For the creation, development, and management of a CPA in favour of local and indigenous communities, it is suggested to:

## For the creation process:

- Submit a request for the creation of a CPA addressed to the Minister of Forests and Wildlife to the local MINFOF services (station chief) ;

- Provide supporting documents such as: a map of the desired plot, a description of the objective for creating the CPA, the desired management mode, the list of management committee members ;

- The area of a CPA must be between 1,000 to 25,000 hectares depending on the available space. The areas can go up to 50,000 hectares for joint allocation requests from multiple communities ;

- The CPA must have the mission of conserving wildlife and plant species, promoting ecotourism, and protecting the community's cultural heritage ;

- Provide for the possibility of creating CPAs in permanent forests, particularly in forest management units (FMUs), reserves, communal forests, regional forests, and national parks ;

- Explore the possibility of converting community forests into community protected areas by modifying the previously assigned purpose of the forest space.

## Development of the CPA

- Specify the land status of the CPAs by recognizing their belonging to both the national domain of the riparian communities and the private domain of the State ;

- Mark the boundaries of the CPA with markers or paint ;

- Conduct simplified inventories if necessary.

### Management and monitoring of the CPA

- Establish a representative and inclusive management committee responsible for the management of the CPA ;

- Set up an CPA monitoring committee in collaboration with the local forestry administration ;

- Allow traditional and cultural activities within the CPA such as traditional rites, the transmission of traditional knowledge, pharmacopeia, the collection of NTFPs, traditional fishing, and beekeeping ;

- Prohibit agricultural activities, mining, noise pollution, logging, poaching, bushfires, and the use of firearms within the CPA ;

- Promote the use of traditional tools such as machetes, knives, baskets, and axes ;

- Support communities in obtaining CPA allocation and management documents, conflict arbitration, monitoring, capacity building, and/or seeking funding.

## 2.2. Community Hunting Territory



According to Article 45 of Law No. 2024/008, a community hunting territory (CHT) is a space within the national domain subject to a management agreement between a riverside community that expresses interest and the administration in charge of wildlife. The State can grant management through a provisional agreement for a period of two years (02 years) to a community in order to practice subsistence hunting or commercial hunting; then assign it in a definitive agreement to the said community.

However, it is observed in the visited forest communities that most of the national domain spaces are occupied by agroforestry plantations, community forests, and logging sales. Moreover, these areas are fallow lands with no real wildlife or floral potential. Except for the spaces of the permanent domain, they can be downgraded in favour of community hunting territories based on paragraphs 1 and 2 of Article 26 of Law No. 2024/008.

We have also observed a number of hunting interest areas (ZIC) that have not been active for decades. These could be subject to census and evaluation for a possible transition to CHT.

For the creation, development, and management of CHTs that respect the interests of indigenous peoples and their socio-cultural realities, we suggest:

## For the creation process

- Submit a request for the creation of a CHT to the local MINFOF services (post chief) addressed to the Minister of Forests and Wildlife ;

- Provide as supporting documents for the file: a map of the desired plot, a description of the objective for creating the CHT, the desired management mode, the list of members of the management committee ;

- The area of a CHT can range from 1,000 to 25,000 hectares depending on the available space ;

- The CHTs must have the mission of subsistence hunting and sustainable commercial hunting of wildlife species in classes B and C, ecotourism, and the promotion of traditional and cultural activities ;

- Explore the possibility of converting ZICs into community hunting territories by modifying the previously assigned purpose of the forest space.

## Development of the CHT

- Mark the boundaries of the CHT with markers or paint ;

- Declassify forest units from the permanent domain such as FMU, wildlife reserves, communal forests, national parks into community hunting territory (CHT).

**Management and monitoring of the CHT**

- Establish a representative and inclusive management committee responsible for the management of the CHT ;

- Establish a CHT monitoring committee in collaboration with the local forestry administration ;

- Authorize within the CHT activities such as subsistence hunting and sustainable commercial hunting, herbal medicine, collection of NTFPs, traditional rites, traditional fishing, and beekeeping ;

- Prohibit in the CHT poaching, bushfires, the use of firearms, logging and mining, noise pollution, and the use of chainsaws; - Promote the use of traditional tools such as machetes, knives, spears, axes, dogs, arrows, nets, traps, crossbows, canoes, and baskets;

- Support communities in facilitating the acquisition of CHT allocation and management documents, conflict arbitration, monitoring, capacity building, and/or seeking funding.

- Authorize the hunting of animals in classes B and C for subsistence and sustainable commercial hunting, and those in class A only for ritual hunting.

## 2.3. Ritual Hunting

According to Article 120, paragraph 3 of Law No. 2024/008, ritual hunting is that practiced under the customs of the riverine communities for the celebration of rites. As a result, ritual hunting becomes a prerogative recognized for the riparian communities to promote their traditions, customs, and cultural or religious beliefs. Some of these rites have an imperative character due to the importance they represent in the initiation process, the transfer of knowledge, and traditional wisdom.



Although others can be practiced without the constraint of time, the celebration of the Djengui, Sidjo, Manga, and Kala rites is carried out under the time constraint of the different spirits that govern them. The implementing decree must take into account the binding and imperative nature of these rites in the procedure for obtaining the required authorization.

Several ritual practices require the use of wildlife. Among the Baka: Djengui, Koce, Ebeka, Nganga, Sidjo, Eboma.

Among the Bagyeli: the Manga, the Lamba, the Kala, the Samba, and the Mimbo.

It is important to note the recognition of the practice of ritual hunting within the framework of the implementation of the memorandum of understanding (MoU) between ASBABUK and MINFOF. However, no data in our possession confirms that the Baka communities of the Southeast have benefited from this prerogative established by the ASBABUK-MINFOF MoU. Most of the requests for ritual hunting permits made in this context have not received favourable responses on the grounds of short deadlines. It should also be noted the numerous obstacles to the implementation of the MoU's prerogatives due to the practices of the eco-guards. The need for wildlife by indigenous communities for their cultural and ritual activities remains paramount and should be easily accessible. To this end, our suggestions are as follows:

## Process for hunting authorization

- Submit a request for authorization of ritual hunting to the territorially competent forest post chief or the conservator as soon as the need arises, specifying the rite concerned and the species sought ;

- Without delay, the local authority must sign the ritual hunting permit upon receipt of the request. He must take charge of retrieving the trophies, if applicable ;

- The validity period of the ritual hunting permit is void as soon as the desired animal has been captured.

## Practice of ritual hunting

- Conduct ritual hunting in both permanent and non-permanent forest domains ;

- Allow the use of traditional hunting tools such as the machete, spear, arrow, machete, knife, crossbow, and axe ;

- Encourage the use of traditional hunting techniques such as "Louk," "Be'é," and "Wato," "Koundanda," or "Ngalla."



## 2.4. Right of Use

It is a right recognized for riparian communities to use and sustainably exploit forest and wildlife products, except those protected by law. This use can be personal or for commercial purposes if the market is located near the community (Article 3). Article 6, paragraph 1 of the law stipulates that the collection of forest and wildlife products under usage rights must be carried out only in national domain forests.

The communities visited during the consultations assert that the forests of the national domain are poor in resources, unlike the forests of the permanent domain which possess an enormous potential for forestry, wildlife, and non-timber forest products (NTFPs). The indigenous communities exercise their right of use in this immensely rich area, for the collection of NTFPs, subsistence hunting, fishing, honey gathering, and herbal medicine...

However, the communities encounter numerous difficulties in exercising this right, particularly restrictions on access to certain areas such as FMU and protected areas despite the agreements signed between forestry companies and the communities or through the implementation of the MoU ASBABUK-MINFOF for the exercise of the right of use in permanent domain forests. Similarly, communities face harassment from conservation service agents during the sale of wildlife products derived from the right of use. Beyond the lengthy and costly procedures for obtaining legal documents for the collection and transport of NTFPs, which are sold at low prices locally.

It is important that the riparian communities and indigenous peoples can fully benefit from the right of use, particularly the possibility of commercialization recognized by law. To this end, we suggest :

- Regulating commercial hunting activities within the framework of the right of use;

- Facilitating free access for indigenous peoples and local communities to permanent forest areas for activities related to the right of use ;

- Establishing the commercialization of products derived from the right of use on-site or in nearby markets, particularly at the district and departmental levels ;

- Implementing a minimum price for the commercialization of products derived from the right of use throughout the national territory, if necessary, through a joint text from MINCOMMERCE and MINFOF ;

- Decentralizing the signing of collection and transport permits for NTFPs at the departmental level.



## 2.5. Profit Sharing

In general, the law stipulates that the financial resources generated by activities related to the exploitation of the national forest and wildlife heritage resources shall be allocated to the renewal of said resources and to the financing of development projects by the State, decentralized territorial communities, and local populations. Article 141 of law n°2024/008 thus establishes the general principle of the distribution of revenues from the exploitation of forest and wildlife resources between state entities and local communities. It is based on this observation that the riparian communities must receive, in the form of development projects, a portion of the funds received by the State from the exploitation of forest and wildlife resources.

Despite this general principle, the communities are excluded not only from the sharing of revenues derived from forest exploitation, which is recognized by Article 142, paragraph 2, but also from the sharing of economic and financial benefits resulting from the use of genetic resources as stipulated by Article 15, paragraph 2 of the law. The share of the annual forest royalty and other taxes and levies related to forest exploitation has not been paid to the neighbouring communities for several years.

The riparian communities are nevertheless taken into account in the sharing of benefits derived from wildlife exploitation (Article 151, paragraph 1 of the law) and in the distribution of the proceeds from forest and wildlife litigation (Article 148, paragraph 1 of the law). The share allocated to the riparian communities is transferred to the affiliated municipality for the financing of development projects for the riparian communities (Article 151, paragraph 3). The law, however, requires them to form a legal entity in order to access the revenues (Article 148, paragraph 2 of the law).

Indigenous peoples, on the other hand, face other difficulties in accessing forest and wildlife royalties. According to testimonies, the benefits received by the municipalities are distributed by chiefdoms. Due to the non-recognition of indigenous chiefdoms and the marginalization of their Bantu neighbours, indigenous peoples are excluded from the sharing of revenues, which only benefit the Bantu. Moreover, there is no officially agreed period for sharing the benefits with the communities.

For better access of indigenous peoples and local communities to the benefits derived from the exploitation of forest and wildlife resources, we suggest :

- To establish at the communal level an inclusive committee to monitor the distribution of royalties from the exploitation of forest and wildlife products, the profits from the auction sales of poached products, the products (carcasses) from sport hunting in safaris, and the fines from wildlife and floral disputes ;

- To institutionalize a quarterly distribution of royalties to the beneficiaries ;

- To implement revenue-sharing mechanisms that take into account the specificity of indigenous populations by directly allocating a portion of the revenues to the IPs without going through the Bantu chiefdoms ;

- To recognize the neighbourhood or village committee established by decree No. 00000147/A/MINDDEVEL of July 19, 2023, as the entity responsible for receiving, managing, and reporting on the management of the received benefits.

## 2.6. Compensation in case of Human/ Wildlife conflicts

According to Article 117 of the law, neighbouring communities are entitled to compensation when they have suffered harm caused by wildlife. In the visited localities, human-wildlife conflicts are recurrent, particularly on the outskirts of protected areas.

In the previous legal framework, a human-wildlife conflict was considered a natural disaster whose management was handled by the Ministry of Territorial Administration (MINAT). Notwithstanding the provisions of the new legislation, MINFOF agents continue to consider human-wildlife conflicts as natural disasters dependent on territorial administration. Moreover, the measures recommended in the context of conflicts are less preventive and more reactive, such as self-defence, administrative hunting, or repulsion.

Cases of compensation for communities are extremely rare, although numerous harmful consequences of this phenomenon on the well-being of neighbouring communities are observed, especially in protected areas. Moreover, there is no clear policy document explaining the procedure, let alone a framework that sets the terms of compensation. The authorities in charge of agriculture use two regulatory texts in case of crop destruction for public utility reasons. These texts are not only outdated but also, and above all, not suited to this particular context.


PAUL BIYA

The human-wildlife conflict is particularly manifested by the destruction of fields, loss of habitat, livestock, injuries, and even cases of loss of human life. The damage is caused by elephants, gorillas, monkeys, wild boars, buffaloes, lions, and hippopotamuses without any protective or emergency measures. This situation, moreover, created food insecurity for the communities but also cultural and social damages for which it is difficult to determine compensation.

For better management of human-wildlife conflicts, we suggest:

## Legal and procedural mechanisms

- Develop measures for conflict prevention and mitigation rather than focusing on compensation ;

- Develop a specific framework and compensation procedures applicable to damages caused by wildlife ;

- Establish in protected areas a fund and management modalities for compensations in case of property destruction or harm to human beings caused by wildlife.

## Deadline and procedure for assessment

- Upon request, contact the local administrative authority (forest station chief or Conservator) to present the damages with evidence such as photos, videos, testimonies, etc ;

- The administrative authority must initiate, no later than three (03) days after receiving the complaint, a joint and free inspection and evaluation mission by MINFOF and MINADER ;

- Prepare a report no later than 48 hours after the mission, detailing the nature of the damages and the type of compensation or indemnity to be received ;

- Pay the victims the due compensation amounts no later than one (1) month after notification of the damages.

## Types of desired repair

- Provide food supplies to the victims ;

- Quickly implement reactive measures such as repulsion and administrative hunting ;

- Support communities in the implementation of preventive activities against animal attacks ;

## Administrations in charge of the prevention and management of human-wildlife conflicts

- Ministry of Forests and Wildlife (MINFOF)
- Ministry of Agriculture and Rural Development (MINADER)
- Ministry of Territorial Administration (MINAT)



# III. APPENDICES

INTEGRATION OF THE INTERESTS OF INDIGENOUS PEOPLES IN THE DEVELOPMENT AND IMPLEMENTATION OF THE APPLICATION DECREE OF LAW NO. 2024/008 OF JULY 24, 2024, ON THE FOREST AND WILDLIFE REGIME IN CAMEROON

PROPOSALS FOR THE FORMULATION OF THE ARTICLES OF THE IMPLEMENTING DECREE

## Section 1: Community Protected Area

**Article 1** : (1) A community-protected area is designated as any geographically delimited zone of the non-permanent forest domain, recognized by the competent authority, and whose management, conservation, and sustainable use of natural resources are ensured autonomously and collaboratively by local or indigenous communities, in accordance with their knowledge, customary practices, and cultural values.

(2) A community forest can be designated as a community protected area subject to the free, prior, and informed consent of the managing community concerned when the imperatives of biodiversity conservation, ecosystem service preservation, or the protection of endangered species and the sustainability of cultural needs justify it.

(3) Exceptionally, a riverside community lacking appropriate or sufficient space in the non-permanent domain may be granted a community protected area through the transfer of a permanent forest if it justifies cultural and/or socioeconomic interests or conservation.

**Article 2 :** (1) Under penalty of nullity, no community protected area may be created if it does not aim at the conservation of wildlife and plant species, ecotourism, and the promotion and protection of the culture or traditions of the riparian communities.

(2) Under penalty of criminal sanctions, activities exerting pressure on wildlife and flora are prohibited in community protected areas, including agricultural activities, mining, noise pollution, logging, poaching, bushfires, and the use of firearms.

(3) Notwithstanding the provisions set forth in the above paragraph 2, activities such as pharmacopeia, collection of non-timber forest products, traditional rites, traditional fishing, beekeeping, and the transmission of traditional knowledge and skills may be conducted in community protected areas.

**Article 3 :** A procedural manual setting out the allocation methods and management standards for community protected areas will be adopted by a specific text.

## Section 2: Community Hunting Territory

**Article 4 :** (1) A designated community hunting territory is any geographically delimited area of the non-permanent forest domain, recognized by the competent authority, where the sustainable management of wildlife resources is ensured autonomously and collaboratively by local or indigenous communities for their subsistence, commercial, or ritual hunting needs.

(2) Exceptionally, a riverside community lacking appropriate or sufficient space in the non-permanent domain may be allocated a community hunting territory through the transfer of a permanent forest if it justifies a low faunal and floral potential of the surrounding non-permanent forests.

**Article 5 :** The file for the creation of a community hunting territory must be submitted to the forest post chief who is territorially competent.

(2) The file referred to in the above paragraph 1 consists of:

- The application for allocation addressed to the Minister of Forests and Wildlife;
- A list of the members of the management entity;
- A map of the requested plot and a plan describing its boundaries;
- A description of the objective assigned to the community hunting territory;
- A simplified management plan for the wildlife resources of the requested plot.

(3) The application for the allocation of a community hunting territory covers an area between 1,000 ha and 25,000 ha.

**Article 6 :** (1) The riparian communities may freely and without constraints engage in subsistence hunting, commercial hunting, and ritual hunting activities in the community hunting territories.

(2) Except for ritual hunting needs, the harvesting of wildlife species of class A is formally prohibited in community hunting territories.

(3) Under penalty of criminal sanctions, agricultural activities, mining, logging, poaching, bushfires, noise pollution, and the use of poisoned bait are prohibited in community hunting territories.

(4) Notwithstanding the provisions of the previous paragraph, activities such as pharmacopeia, collection of non-timber forest products, traditional rites, traditional fishing, and beekeeping may be carried out in community hunting territories.

(5) The use of traditional tools that promote the conservation of wildlife species, such as the spear, crossbow, arrow, hunting dog, hunting nets, traditional traps, baskets, fish traps, knife, axe, machete, and canoe, is permitted in community hunting territories.

**Article 7 :** (1) In collaboration with the local administration in charge of forests and wildlife, a monitoring committee is established to ensure the application of wildlife resource management rules and to prevent illegal activities in the area designated as a community hunting territory.

(2) The administration in charge of forests and wildlife provides communities with free assistance for obtaining management documents for community hunting territories and free technical support in capacity building processes, seeking funding, and arbitration in case of conflicts.

**Article 8 :** A procedures manual setting out the allocation methods and management standards for community hunting territories will be adopted by a specific text.

## Section 3 : Ritual Hunting

**Article 9 :** (1) The practice of ritual hunting is subject to prior authorization from the administration in charge of forests and wildlife.

(2) In order to obtain the authorization provided for in the first paragraph above, the concerned local or indigenous community must submit a written or verbal request to the territorially competent departmental delegate for species of class A;
(3) The request provided for in paragraph 2 above must indicate:
- the rite, the period of practice of the rite, the targeted species, the trophies necessary for the practice of the rite;
- the traditional tools with which the hunt will be carried out (spear, bow, trap...);
- the persons who will conduct the ritual hunting part;
(4) The use of game is strictly reserved for the concerned rite and cannot be used for commercial purposes.
(5) The modalities for the implementation of ritual hunting will be established by a specific text.

## Section 4 : On the Exercise and Commercialization of Usage Rights

**Article 10 :** (1) The commercialization of products resulting from the exercise of the right of use must be done strictly on a personal, family, or community basis.

(2) Local communities and indigenous populations may engage in the commercialization of products derived from the right of use both in local markets and throughout the entire national territory.

(3) The partial or total suspension of the exercise of the right of use for reasons of public utility must be subject to compensation following a process of prior, free, and informed consultation with the neighbouring communities and their specific representative institutions.

(4) The certificate of origin entails a tax exemption regime for the riparian communities.

(5) A joint decree from the minister in charge of forests and wildlife and the minister of commerce sets the standard prices for products derived from the right of use throughout the entire national territory.

## Section 5 : On the participation of indigenous peoples and local communities in the sharing of benefits

**Article 11 :** (1) The sharing of benefits and other forest and wildlife royalties provided for by law is done on a quarterly basis.

(2) In the distribution of benefits derived from the exploitation of forest resources and wildlife disputes, indigenous populations must be considered as full-fledged entities beyond villages and traditional chiefdoms.

(3) In each municipality, an inclusive municipal committee is established to monitor the distribution of royalties.

## Section 6 : Management of Human-Wildlife Conflicts

**Article 12** : (1) Victims of damage caused by wild animals are compensated according to the conditions set by a specific text which specifies, among other things, the types of damage, their categorization, the amounts due, and the list of affected animals.

(2) Compensation for victims of conflicts is covered by a financing mechanism established and organized through regulatory means.

**Article 13 :** (1) Any person who is a victim of human-wildlife conflict must submit a compensation claim to the territorially competent forest post chief or, if applicable, the conservator, addressed to the Minister of Forests and Wildlife, including evidence (photo or video) of the damage caused by the animals.

(2) The territorially competent forest post chief or, if applicable, the conservator, shall initiate, no later than 3 days after receiving the request, a field visit to observe and assess the alleged damages. He prepares a report of findings and assessment no later than 48 hours after the inspection.

(3) The report provided for in paragraph 2 above indicates the type of damage, their categorization, the animals involved, and an estimate of the compensation amount necessary to repair the damage.

(4) The report (PV) is transmitted by the head of the forest post with territorial jurisdiction or, if applicable, the conservator to the departmental delegation of the MINFOF, which must make a decision no later than one month after the report is established.

(5) Preventive and curative measures for human-wildlife conflicts will be organized by a specific text.

# SUMMARY TABLE OF RACOPY PROPOSALS

# Community Protected Areas (CPAs)

| Legal references (law) | Current Situation | Current Situation | Solutions | Proposals for the wording of the articles of the implementing decree |
|---|---|---|---|---|
| **Article 3** provides a definition of CPAs.<br><br>**Article 33 paragraph 1** mentions the purpose of the CPA.<br><br>**Article 33 paragraph 2** discusses the land status of the CPA,<br><br>**Article 33 paragraph 3** addresses the prohibition of changing the initial purpose of a CPA<br><br>**Article 33 paragraph 4** refers the management modalities of the CPA to a regulatory text. | Indigenous peoples (IP) did not have sufficient legal means to participate in the conservation of forest and wildlife resources or in the preservation of their sacred spaces (existence of MoUs).<br><br>The community protected area (CPA) is a theme introduced by the new forestry law. Currently, there is no CPA in Cameroon. | Legal misunderstanding regarding the scope of application of the CPA: according to Art.3, it is the national domain, whereas Art.33 para. 2 refers more to the private domain of the State.<br><br>Insufficiency of spaces for the creation of CPAs in the non-permanent domain/national domain of the riparian communities.<br><br>Existence of spaces with cultural value for indigenous peoples in the permanent domain favourable to the creation of CPAs.<br><br>Low content of faunal and floral species in the non-permanent area.<br><br>Dominant presence of faunal and floral species necessary for the promotion of cultural aspects and the way of life of Indigenous Peoples in the permanent area. | Clarify in the implementing decree the domain from which a CPA can be created. Allow the IPLCS to create CPAs in both the permanent and non-permanent domains.<br><br>Develop the manual for the allocation and management procedures of CPAs in an inclusive manner.<br><br>Map inactive community forests and assess their potential for conversion into CPA after consent with the IPLCs. | Designated as a community-protected area, any geographically delimited zone of the non-permanent forest domain, recognized by the competent authority, whose management, conservation, and sustainable use of natural resources are ensured autonomously and collaboratively by local or indigenous communities, in accordance with their knowledge, customary practices, and cultural values.<br><br>Exceptionally, a local community which does not have suitable or sufficient space within the non-permanent forest area may be allocated a community conservation area through the conversion of a permanent forest, provided it can demonstrate cultural and/or socio-economic interests or conservation interests..<br><br>Under penalty of nullity, no CPA can be created if it does not aim at the conservation of wildlife and plant species, ecotourism, and the promotion and protection of the culture or traditions of the riparian communities.<br><br>Under penalty of criminal sanctions, activities exerting pressure on wildlife and flora are prohibited in the CPAs, notably agricultural activities, mining, noise pollution, logging, poaching, bushfires, and the use of firearms.<br><br>Notwithstanding the provisions of the previous paragraph, activities such as pharmacopeia, collection of NTFPs, traditional rites, traditional fishing, beekeeping, and the transmission of traditional knowledge and skills may be carried out in community protected areas.<br><br>A procedures manual setting out the allocation modalities and management standards for community protected areas will be organized by a specific text.<br><br>A community forest can be converted into a community protected area when the imperatives of biodiversity conservation, ecosystem service preservation, or endangered species protection justify it, and subject to the free, prior, and informed by the relevant managing community. |

# Community hunting territories

| Legal references (law) | Current Situation | Current Situation | Solutions | Proposals for the wording of the articles of the implementing decree |
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| **Art 45 para. 1** concerns the definition of community hunting territories (CHT).<br><br>**Art 45 para. 2** on the Right of Pre-emption of the communities over the CCTs<br><br>**Art 46 para. 1 o**n the Content of Management Agreements<br><br>**Art 46 para. 2** on Provisional and Definitive Agreements<br><br>**Art 47 para. 1** on the Implementation of the conventions<br><br>**Art 47 para. 2** on the Substitution of the Administration to the LCs in the implementation of the convention in case of violation of the law or the convention<br><br>**Art 47 para. 3** on free administrative assistance | The CHT is a new feature of Law No. 2024/008 of July 24, 2024, which addresses this new topic.<br><br>There is currently no CHT. | The available spaces around the riparian communities have mostly been occupied for agriculture, and these fallow lands do not have many wildlife species for the communities to request CHTs.<br><br>The areas not covered by fallow land around the riverside communities are mostly already occupied by other forest titles such as FMU, communal forests, parks, reserves, community forests, and logging concessions. | Allow local communities to create CHTs in the permanent domain.<br><br>Develop an MoU with the MINFOF so that indigenous peoples (IP) without space can have a buffer zone to establish a CHT. | Designated as a community hunting territory is any geographically delimited area of the non-permanent forest domain, recognized by the competent authority, whose sustainable management of wildlife resources is ensured autonomously and collaboratively by local or indigenous communities for their subsistence, commercial, or ritual hunting needs.<br><br>Exceptionally, a riverside community lacking appropriate or sufficient space in the non-permanent domain may be allocated a community hunting territory through the transfer of a permanent forest if it justifies a low faunal and floral potential.<br><br>In the non-permanent forests that surround it.<br>The application for the creation of a CHT must be submitted to the forest station chief with territorial jurisdiction. The application for allocation addressed to the Minister of Forests and Wildlife must include a list of the members of the management entity, a map of the requested plot and a plan describing its boundaries, a description of the objective assigned to the CHT, and a simplified management plan for the wildlife resources of the requested plot.<br>The area of a CHT must be between 1,000 and 25,000 hectares.<br>Except for ritual hunting needs, the harvesting of wildlife species in class A is strictly prohibited in CHT.<br><br>Under penalty of criminal sanctions, agricultural activities, mining, logging, poaching, bushfires, noise pollution, and the use of chainsaws are prohibited in the CHT.<br>Notwithstanding the provisions set forth in the previous paragraph, activities such as pharmacopeia, collection of NTFPs, traditional rites, traditional fishing, beekeeping, subsistence hunting, commercial hunting, and ritual hunting may be conducted in the CHTs.<br>Are permitted in the CHT, the use of traditional tools that promote the conservation of wildlife species such as the knife, the spear, the axe, the dog, the arrow, the fish trap, the crossbow, the canoe, the baskets, the machete, the hunting nets and traditional traps. |

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| A monitoring committee is established in collaboration with the local administration in charge of forests and wildlife, tasked with ensuring the application of wildlife resource management rules and preventing illegal activities in the area covered under CHT.<br><br>The administration in charge of forests and wildlife provides communities with free support for obtaining CHT management documents and free technical assistance in capacity building processes, seeking funding, and arbitration in case of conflicts. |

## Of ritual hunting

| Legal references (law) | Current Situation | Current Situation | Solutions | Proposals for the wording of the articles of the implementing decree |
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| **Article 120, paragraph 3** on the purpose and the definition of ritual hunting | For the moment, ritual hunting is not permitted only in the exceptional case of certain APs that are the subject of the MoU between ASBABUK-MINFOF.<br><br>Some of these rites are urgent due to the pressing nature of the situation (Nganga & Manga), while others can be performed without time constraints. | The riparian communities of the PA with which the MoU concerns face the almost systematic refusal of ritual hunting permits requested for the organization of their cultural festival.<br><br>The time required to obtain the authorization for ritual hunting can be detrimental to the practice of certain urgent rites. | Fostering community access to the faunal species necessary for the practice of their various traditional rites.<br><br>The implementing decree should take into account the more or less urgent nature of certain rites in the procedure for obtaining the required permits.<br><br>Integrate the distinction of traditional practices into poaching activities. Catalog all the traditional rites of the IPs.<br><br>Develop rules for sustainable harvesting. | Ritual hunting is only permitted if the following conditions are met :<br><br>- A written or verbal request addressed to the local authorities of the competent territorial MINFOF ;<br><br>- The request must indicate: the rite, the period of the rite, the targeted species, the trophies necessary for the practice of the rite ;<br><br>- The hunt is carried out with traditional indigenous tools (spear, bow, trap, etc.); - It is conducted by initiated persons (Touma) ;<br><br>- The use of the game is strictly reserved for the concerned rite and cannot be used for commercial purposes.<br><br>The modalities for implementing ritual hunting will be taken by a particular text. |

# The exercise and commercialization of usage rights

| Legal references (law) | Current Situation | Current Situation | Solutions | Proposals for the wording of the articles of the implementing decree |
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| Definition of the right of use **(Art. 3)**<br><br>Personal use of the right of use (**Art. 6 para. 1)**<br><br>Suspension of the right of use **(Art. 6 para. 2)** | The right of use is already widely exercised by the IPLCs since it was recognized for them in the 1994 law, even though the aspect related to commercialization was not yet expressly recognized. | Inconsistency between the possibility of commercialization (art. 3) and the personal use of products resulting from the exercise of usage rights<br><br>Low potential of the national domain located in the environment of riparian communities in wildlife and floral species<br><br>Difficulties for IPs to access FMU and protected areas.<br><br>Difficulties in marketing products resulting from the exercise of use rights | Clarify the terms of marketing the products resulting from the exercise of usage rights<br><br>Expressly allow IPLCs to exercise their usage rights in the permanent domain<br><br>Allow the IPs to exercise their usage rights in the parts of the FMU not defined in the annual cutting areas.<br><br>Duplication of the MoU experience at the national level<br><br>Decentralize at the departmental level the signature of the authorizations for the collection and transport of NTFPs | The commercialization of products resulting from the exercise of the right of use must be done strictly on a personal, family, or community basis.<br><br>Local communities and indigenous populations can engage in the commercialization of products derived from the right of use both in local markets and throughout the entire national territory.<br><br>The certificate of origin carries a tax exemption regime for the riparian communities.<br><br>A joint decree from the minister in charge of forests and wildlife and the minister of commerce sets the standard price for products derived from the right of use throughout the entire national territory.<br><br>The partial or total suspension/restriction of the exercise of the right of use for reasons of public utility must be subject to prior, free, and informed consultation with the neighbouring communities and their specific representative institutions. |

# The participation of IPLCs in the distribution of profits

| Legal references (law) | Current Situation | Current Situation | Solutions | Proposals for the wording of the articles of the implementing decree |
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| IPLCs excluded from the sharing of the benefits of genetic resources **(Art 15 para.2)**<br><br>Principle of Benefit Sharing between the State, CTD, and IPLCs **(Art.141)**<br><br>Sharing of litigation resources **(Art.148 para.1)**<br><br>Necessity to form a legal entity **(Art.148 para.2)**<br><br>Exclusion of IPLCs from forest revenues **(Art.142 para.2)**<br><br>Consideration of IPLCs in the sharing of wildlife revenue **(Art.151 para. 1)** | The communities receive more or less benefits from various forest titles.<br><br>The new law has granted IPLCs the right to share in the benefits from wildlife resources and resources resulting from disputes.<br><br>The IPLCSs are excluded from the sharing of benefits derived from the management of forest resources and from genetic resources.<br><br>Before the intervention of the new law, the terms of benefit-sharing such as the Annual forest royalty(AFR) were set by the finance law.<br><br>The law stipulates that specific provisions regarding profit-sharing be included in the finance law. | The sharing of benefits is most often done based on the existing chieftaincies in the riverine communities, which largely excludes the indigenous populations whose camps are not recognized as chieftaincies.<br><br>The IPs are marginalized within the Bantu chiefdoms and almost never receive the profits that are distributed there | Distribute directly the share of benefits to indigenous peoples without going through the chieftaincies. Bantu establish a quarterly distribution of royalties and other benefits.<br><br>Establish an inclusive municipal committee to monitor the distribution of royalties | The sharing of benefits and other forest and wildlife royalties provided for by law is done on a quarterly basis.<br><br>In the distribution of benefits derived from the exploitation of forest resources and wildlife disputes, indigenous peoples must be considered as full-fledged entities beyond traditional villages and chiefdoms.<br><br>In each municipality, an inclusive municipal monitoring committee is established to monitor the distribution of royalties. |

# Human/Wildlife Conflicts (HWC)

| Legal references (law) | Current Situation | Current Situation | Solutions | Proposals for the wording of the articles of the implementing decree |
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| Pushbacks and hunts **(Art.114)**<br><br>Self-defence (Art. 115 para. 1 )<br><br>Deadlines for Proof of Self-Defence **(Art. 115 para. 2)**<br><br>Presentation of trophies to the administration **(Art/.116 para.1)**<br><br>Revenues paid to the public treasury **(Art.116 para.2)**<br><br>Recognition of CHF compensation **(Art.117)**. | The 2024 law has provided for compensation in case of Human-Wildlife Conflicts (HWC). However, the agents of MINFOF still consider them as natural disasters as provided in the old law of 1994.<br><br>There remains, however, a legal void related to human-wildlife conflicts.<br><br>We note the absence of a compensation mechanism for victims. | The measures taken to address HWC are mostly reactive to the resurgence of the phenomenon and not preventive.<br><br>The destruction of fields and residential houses of the IPLCs poses significant security risks on food and housing. | Prioritize preventive measures for conflicts Humans-wildlife Create corridors distant from villages Establish a fund and a mechanism for rapid conflict compensation.<br><br>Human-wildlife (H). Implement preventive and curative measures for human-wildlife conflicts (e.g., creating salt licks far from residential areas to keep elephants, buffaloes, etc., away from villages). | Victims of damage caused by wild animals are compensated according to the conditions set by a specific text that specifies, among other things, the types of damage, their categorization, the amounts due, and the list of affected animals.<br><br>The compensation for the victims of conflicts is covered by a mechanism. funding set up and organized through regulatory means. Any person who is a victim of human-wildlife conflict must submit a compensation request to the territorially competent forest post chief or, if applicable, the conservator, addressed to the Minister of Forestry and Wildlife, including evidence (photo or video) of the damages caused.<br><br>The territorially competent forest post chief or, if applicable, the conservator, initiates, no later than 3 days after receiving the request, a field visit to observe and assess the alleged damages. He prepares a report of findings and assessment no later than 48 hours after the inspection.<br><br>The report indicates the type of damage, their category, the animals involved, and an estimate of the compensation amount necessary to repair the damage.<br><br>The report is sent to the departmental delegation of MINFOF, which must make a decision no later than 1 month after the report is established.<br><br>Preventive and curative measures for human-wildlife conflicts will be organized by a specific text. |



# A CONTRIBUTION TO THE PROCESS OF DRAFTING THE DECREE

This paper sets out RACOPY's ptoposals for ensuring that the interests of indigenous peoples are better taken into account in the drafting of the decree implementing law n° 2024/008 of 24 july 2024, on the forestond wildlife regime in Cameroon.

**Whit contributions from members, indigenous peoples, local communities and civil society organisations.**

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