



Declaration on Land Rights from the Gbabandi Platform

2017

Introduction

Cameroon has made commitments at the international level, in particular under the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the African Charter on Human and Peoples' Rights; and the United Nations Declaration on the Rights of Indigenous Peoples. According to these various legal instruments, the land rights of forest indigenous peoples must be recognised and respected. In practice, however, these rights are not respected in Cameroon.

We, forest indigenous peoples, have increasingly experienced serious violations of our human rights, because of activities such as agro-industries, mining, forestry concessions, and because of the creation of protected areas on our ancestral lands. This disturbing situation foreshadows a future where we as indigenous peoples will no longer have land. If we continue to lose our lands and forests, the very survival of our cultures and peoples is at risk.

1. Land rights

We, forest indigenous peoples, are asking the state of Cameroon to ensure that our ancestral lands, our living spaces and traditional practices are respected and recognised by collective legal title.

We ask that the ancestral lands that have already been taken by third parties be returned to us so that we can exercise collective ownership rights for present and future generations.

2. Requirement of free, prior and informed consent

We, forest indigenous peoples of Cameroon, are demanding that our decisions regarding the use (or not) of our lands be respected. We always have the right to say "yes" or "no" before any activity related to use of our lands, and the state and the private sector must undertake consultations that respect the international principle of free, prior and informed consent.

Such consultations shall be done:

- Prior to the signing of any decision, agreement, concession or other form of agreement relating to our ancestral lands;

- Respecting our own consultation mechanisms;
- In the presence of all groups in our communities (men, women, youth, elders and village leaders);
- In our indigenous language;
- In the community (ies) concerned;
- Giving sufficient time for the community (ies) concerned to consider the information;
- Providing complete and impartial information to community (ies), including regarding the advantages and disadvantages for community (ies), and answering any questions.

Consultation should be undertaken at all stages of the process, from design through to implementation and closure of a project and should not be a one-off activity.

3. Traditional chiefdoms

Although there are some traditional indigenous leaders in Cameroon, the vast majority of leaders of indigenous communities are not officially recognised as traditional chiefs. This leads to discrimination in decision-making for indigenous communities.

To ensure fair and just interaction and management in mixed villages, the Bantu population and the indigenous peoples of a village must each have their respective traditional chiefs. We request, as an exception to the decree that suspends the creation of traditional third-degree chiefdoms in Cameroon, the creation of traditional indigenous chiefdoms for all indigenous communities.

4. Participation

Forest indigenous peoples must be involved and participate in the processes associated with the review of land and forest laws and any other processes that may affect their territories.

Such participation must take place at the local, regional and national levels, and their opinions must be taken into account.

Forest indigenous peoples should have focal points acting within local authorities.

Indigenous peoples must also be involved in the management of areas dedicated to conservation.

5. Self-determination

Forest indigenous peoples have the right to self-determination. Without claiming secession, they must be able to enjoy self-governance of their ancestral territories and with regard to the socio-economic elements of their locality.

The State should facilitate the promotion of indigenous peoples' forest lifestyle initiatives with a view to ensuring their own management and governance.

Each community has the right to determine itself in relation to its culture, traditional knowledge, language and way of life.

6. Benefit sharing

Forest indigenous peoples are recognised as the first inhabitants of the forests and have been the guardians of these for millennia. Forestry activities over the past decades have facilitated the implementation of laws that administer the distribution / sharing of benefits from these activities. We find, unfortunately, that indigenous peoples have weak involvement in the distribution of benefits, which are often attributed to dominant (Bantu) communities.

Thus, we ask that:

- Benefits are allocated in consultation with indigenous peoples, and that their nature corresponds to the needs expressed;
- Benefit sharing is fair and transparent; and
- Benefits are paid directly to indigenous traditional institutions.

7. Safeguarding traditional knowledge

Land is vital for the existence of forest indigenous peoples' traditional knowledge. This traditional knowledge has contributed to the physical and ecological maintenance of forests. We, forest indigenous peoples, are calling for the safeguard of our cultural sites to ensure that we maintain our traditional knowledge and pass it to future generations.

Signed

Gbabandi

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