



**Extractive Industries and Respect for the World Bank
Operational Directives
vis-à-vis Indigenous Peoples**

**Case study on the Implementation of the Chad-Cameroon
Pipeline**

**Report on the study carried out amongst the
Bagyéli Communities
living along the pipeline route**

**Southern Cameroon
Bipindi - Kribi**

Report presented by:

- Planet Survey-Environnement et Développement Durable
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List of abbreviations

COTCO:	Cameroon Oil Transportation Company
TOTCO:	Chad Oil Transportation Company
IDA:	International Development Association
IFC:	International Finance Corporation
CED:	Centre for Environment and Development
PSEDD:	Planet Survey Environnement et Développement Durable
IPP:	Indigenous Peoples Plan
FEDEC:	Fondation pour l'Environnement et le Développement du Cameroun
NTFP:	Non Timber Forest Products
PSFC :	Pipeline Steering and Follow-up Committee

INTRODUCTION

The main objective of the Chad-Cameroon Pipeline project is the construction of an oil pipeline for the transportation of crude oil from the oilfields of Doba in Chad, crossing through Cameroon, to the coastal slopes of Kribi. The pipeline measures 1070 kilometres, 890 kilometres of which is located on Cameroonian territory, and has a 30-metre wide route (cf. Michel Gallet; 2002). The total cost of the project is about 2 500 billion CFA francs. It benefits from a World Bank contribution of 10% through two loans guaranteed by its agencies. One loan is from the International Development Association (IDA) of about 72 billion CFA francs to finance Chad and Cameroon's participation, and the other is a direct investment from the International Finance Corporation (IFC) of about 150 billion CFA francs, a loan to a consortium of oil companies. The consortium is composed of Exxon, an American company that is the major player (40%), Shell, a Dutch company (40%) and Elf, a French public company (20%). Two companies were created by these partners to manage the implementation phase of the project. They are the Cameroon Oil Transportation Company (COTCO) and the Chad Oil Transportation Company (TOTCO).

The construction work of the oil pipeline is drawing to a close and has led to the destruction of plant cover and the stripping of soils along the route. Apart from the disturbance of the ecosystem, the work involved in this extensive project has also led to socio-cultural imbalances in the agricultural systems and the way of life of the communities living alongside it. The World Bank recommends that any project likely to affect the environment should have as a constraint the preservation of a balance between the requirements of the environment and the economic needs of the parties concerned. In order to reach these objectives, the project should as much as possible, avoid causing negative impacts on the environment. For situations where these negative impacts cannot be avoided, the project should put adequate mitigation measures in place. Similarly, the World Bank requires and ensures that the development process favours the complete respect of the dignity, fundamental rights and the socio-cultural specificity of Indigenous peoples. It defines guidelines to ensure that indigenous peoples, ethnic minorities or other groups that, due to their economic and social status, do not have all the means to highlight their interests and assert their rights to the land and to other productive resources, benefit from development projects and that potentially negative effects on these peoples are mitigated or non-existent.

It is within the framework of the follow-up of the World Bank Operational Directives that a preliminary study was conducted to identify whether the rights of the Bagyéli - Indigenous people from Southern Cameroon, who live along the final route of the oil pipeline - to land and other natural resources have been respected and their interests safeguarded during the construction of the Chad-Cameroon pipeline.

The specific objectives of this study are to:

- Identify and locate the Bagyéli villages in relation to the final route of the pipeline;
- Evaluate the level of involvement of the Bagyéli before and during the implementation phase;
- Identify the impacts after the implementation phase in the report "Man and his living environment";
- Determine the number of people and heads of families that have had paid employment during the work of constructing the pipeline;
- Evaluate the Bagyéli's level of knowledge of FEDEC;
- Evaluate the compensation given to the Bagyéli by the builders of the pipeline;
- Identify the level of application of the World Bank Operational Directives.

PART ONE:
CONDUCTING THE STUDY

The objective of the Chad-Cameroon Pipeline project is the transportation of crude oil from the oilfields of Doba in Southern Chad to the coastal slopes of Cameroon, in order to export the crude oil to international markets. The implementation of this project caused undoubted loss to the people living nearby, in particular, the Bagyéli Community of Bipindi-Kribi.

I - METHODOLOGY

1.1) Organising Data Collection

a) Area of Intervention

The study was conducted in the Bagyéli villages located at least 2 kilometres from the pipeline route in the Bipindi-Kribi region of Southern Cameroon (cf. Chad export project, Dames and Moore, Figure 9-4). There are 26 villages located in the Bipindi and Kribi areas at least 2 kilometres from the pipeline route. 20 of these villages were visited but only 15 interviews were conducted due to the movement of the Bagyéli to hunting camps that were not well-known. Eight (08) interviews were carried out in the Bipindi area and seven (07) in the Kribi area, therefore a total of 15 villages were covered by the interviews.

b) Data Collection Tools and Method

Data collection was carried out through semi-structured surveys using a questionnaire targeting the village's population (focus group). Data was collected in village meetings organised in 15 of the 20 Bagyéli villages that were visited by a team of three (03) interviewers and two (02) translators.

After a meeting to explain and understand the questionnaire, the team was divided into two sub-teams. During the interviews at the community meetings held in the Bagyéli villages, the two sub-teams took photographs and made audio recordings intermittently. Field visits were carried out from two bases, namely Kribi and Bipindi.

Bibliographic research enabled us to complete the data that we were unable to collect on the ground.

I. CONTENT OF DATA

Table 1 : Characteristics of the villages where interviews were conducted

N°	Name of village	Number of inhabitants	Distance from pipeline route (in m)	Number of persons employed	Years Community settled
01	Log Ndiga	15	700	02	More than 30 years
02	Ndtamayo	08	700	01	More than 15 years
03	Nloundabele	13	150	01	4 years
04	Makoro Ndzong	68	400	02	More than 02 years
05	Maboulou	29	800	02	More than 30 years
06	Mandtoua	42	800	None	07 years
07	Bitoumbo	12	500	01	More than 50 years
08	Bandevouri	40	1900	04	More than 30 years
09	Sum Mimbo	08	200	None	More than 50 years
10	Angoua Mbvoule	18	400	None	More than 50 years
11	Bidou	36	1800	06	About 15 years
12	Bissiang	17	1200	None	2 months
13	Bilolo	16	300	None	More than 30 years
14	Kourmintoum	27	1500	01	More than 20 years
15	Nkoundou Nkoundou	67	1900	None	More than 50 years

2.1) Settling of Bagyéli Villages

Table 1 demonstrates the fact that the Bagyéli have very old villages. The Bagyéli, who were semi-nomadic in times past, living off hunting and gathering, have today become sedentary and practice subsistence agriculture linked to hunting, from which they get the animal protein necessary to their diet. At the same time, this generates income from wildlife and other non timber forest products that they sell to the Bantu people and other foreigners. Therefore, the term camp is incorrect for a site that has been occupied for more than 10 years as a point from which one carries out all one's movements. Their culture and way of life has created a deep attachment between the Bagyéli and their ancestral lands and the natural resources of these territories; this signifies that any displacement from the environment they occupy, no matter how much time is taken to implement it, represents a violation of their rights.

2.2) Distance of the villages from the pipeline route

All the Bagyéli villages where the interviews were conducted are located less than two kilometres from the pipeline route, according to the project's study report drafted by Dames and Moore. 66% of the villages are situated less than 1 kilometre from the final pipeline route, out of a population of 229 inhabitants. These people are exposed to numerous risks linked to the pipeline passing close to their homes. Table 3 shows the villages in relation to the final route.

Table 2: Location of the villages in relation to the final pipeline route

Distance from the pipeline route	Village		Number of inhabitants		Number of people employed
	Number	%	Number	%	
Distance less or equal to 1000 m	10	66,6	229	55.05	09
Distance more than 1000 m	05	33,4	187	44.95	11
Total	15	100	416	100	20

2.3) Active Involvement of the Bagyéli in the Project

Active involvement in the project relates to the entire process, from preparing the site, to carrying out impact assessments, right to the implementation of the project. Out of the fifteen (15) villages where interviews were conducted, we counted a population of four hundred and sixteen (416) inhabitants. From this total number, only 20 people were employed by the project, that is about 5% of the overall population was affected.

It was revealed several times that the Bagyéli had been informed of the safety conditions to be observed around the pipeline during the construction operations. They had been requested to stay far from the pipeline route during the construction operations. Nevertheless, the fact that they gave evasive responses such as “the pipeline is a pipe that will transport oil and we are going to work there in order to develop ourselves”, shows that the information was not properly conveyed.

Out of 15 Bagyéli villages surveyed, six (06) did not have anyone who had been employed during the different stages of implementing the pipeline project. Does this mean that the Bagyéli were incapable of undertaking the so-called simple tasks that the Bantu had? When one refers only to the distance from the pipeline route, out of 416 inhabitants, the Bagyéli should have been entitled to more positions, since this was only for jobs that did not require any qualifications. Paradoxically, they were the most marginalised.

It is likely that this will also be the case with the FEDEC, whose activities do not really take account of the demands or the expectations of the Bagyéli. Their concern here is not only to be involved in the FEDEC's programmes at the base, but also to control its operations, and their implementation. The FEDEC structure was established, as a result of the controversial nature of the construction of the pipeline, in order to take charge of implementing the compensation plan in favour of the Bagyéli, yet only one Bagyéli sits on its management structure, and consequently does not have much of a voice.

2.4) The Spin-offs

The pipeline's exploitation period is 30 years, hence substantial benefits for the two parties, i.e. Cameroon and Chad. The table below shows the benefits anticipated by Cameroon and Chad during the project's exploitation period.

Table 3: Benefits expected in 30 years (Source : Esso Chad, cited by CED 1998; figures in billions of cfa f).

Country	Benefits in 30 years	In 1 year
CHAD	- Direct income.....3 000	170
	- Indirect income.....2 100	
	- Total.....5 100	
CAMEROON	- Direct income300	18
	- Indirect income240	
	- Total.....540	

Direct income: taxes paid by the consortium to the government concerned
 Indirect income: taxes, salaries of nationals, etc.

These benefits go into the State's coffers and have neither direct nor immediate effect on the Bagyéli, the indigenous people of Southern Cameroon in the Bipindi-Kribi region.

• **Consumer goods**

In the majority of Bagyéli villages where we conducted interviews, the inhabitants had received consumer goods under the IPP, such as:

- small agricultural implements (machetes, files, hoes);
- medication;
- foodstuffs (rice, fish, salt, ...);
- Children received support in the form of school supplies (school bags, exercise books, chalk, ball-points, ...);

These supplies were indeed distributed, but the Bagyéli children of the Foyer Notre Dame de la Forêt, which houses the largest proportion of Bagyéli children in the region, received no school supplies or medicine.

A few bags of rice, a few kilos of fish, and a bit of salt distributed here and there in a sporadic manner do not really represent anything in the process of sustainable development which is a fundamental need of the Bagyéli community. On the contrary, the model of development simply renders them more dependent, rather than providing bases for sustainability; it is not occasional aid that is needed, but sustainable programmes.

In certain villages, support to the residents is evident (with the establishment of official rooms), but in others, notably Bilolo and Bissiang, there has been none. After having paid their individual contribution of 1 000 CFA francs, since 29 October 2002, the date when the identification fees were to be paid, the people are still waiting for the identification team's visit.

Table 4: Occurrence of the consumer goods cited

Consumer goods cited	Number of times occurred	%
• small agricultural implements	15	100
• medication for the huts serving as health facilities (NB: the medication left in the health huts is made payable to the Bagyéli)	15	100
• schooling (school supplies)	12	98
• foodstuffs	15	100
• support to residents	15	100

- ***Sustainable goods***

Only one head of family of the village of Nloundabélé received a house with four (04) rooms following the destruction of his manioc field.

In addition, it was established in the framework of regional compensations for the Bagyéli and Bakola pygmies that houses would be built.

2.5) Negative Impacts

When this point is raised with the Bagyéli, it results in total distress because the people are tired of always being questioned on the disadvantages arising from the construction of the pipeline, whilst nothing is done about compensation and the pipes are already laid. The table below shows some of the points that are often raised during the interviews conducted in the different Bagyéli villages.

Table 5: Importance of the disadvantages cited by the Bagyéli

Main disadvantages cited	Number of times occurred	%
• Destabilisation of their food/income, disturbance and destruction of hunting grounds (NTFP)	15	100
• Destabilisation of their health, destruction of the Strophantus « neeng », a plant with a great deal of power, and other forest products, both timber and non timber.	15	100
• Destabilisation of water resources	13	86,66
• Imbalance of man and his environment	15	100
• Degradation of inter-community relationships	08	53.66

The Bagyéli are accustomed to hunting. Today, following the work of the pipeline, they are forced to go further into the forest in search of game. This has resulted in the increase of hunting time and effort since the distances to be covered have become longer than before the pipeline was built. The case of destruction of property without compensation was also raised. This was the case of a woman from Sum Mimbo whose house had been destroyed because the first pipeline route passed inside her house whilst the other route was 300 metres from the other huts in the village. With regard to this negative aspect the Bagyéli feel that their attachment to their ancestral land could have been taken into account so that they could be compensated with new hunting land, since theirs is now in peril. Overall, they feel that their way of life is changing as a result of the building of the pipeline.

2.6) Compensation

In order to compensate for the disruption caused by the work of constructing the pipeline, and in accordance with the commitments made within the framework of the project's compensation plan, COTCO began a process of community and regional compensation (cf. CPSP letter no. 2 of January 2002). The compensation should consist of social projects, chosen by the people living near the pipeline, who would benefit from being provided with health and/or school infrastructures, village water systems, etc. The distribution of the money allocated for this would be done by the affected village. All these possibilities remain more favourable to the Bantu people than to the Bagyéli.

However, in what concerns individual compensation, only one Bagyéli from Nloundabélé village benefited from a four-roomed hut (03 bedrooms and a living room) after the destruction of his field of food crops (compensation would be evaluated at 650 000 cfa francs, the cost of the house would be 500 000 cfa francs and the rest of the money would be handed over to the person concerned). The management of these funds would be the prerogative of COTCO. The house has already been built (see photograph 3). Moreover, we heard that, after the survey team had left, MINTON Gaston received one hundred and sixty thousand three hundred cfa francs (160 300cfa f), four (04) padlocks, one paraffin lamp, five (05) litres of oil and one packet of matches.

On the other hand, the latter deplored the fact that he had not received compensation after the destruction of two of his brothers' graves. The graves were in the middle of the route of the pipeline, on the old site of the village. He believes that he has the right to compensation when a grave is destroyed, since this was the case for his Bantu neighbours. This state of affairs thus leads to tensions between the two communities.

To date, no real compensation has been paid to the Bagyéli based on all the losses they have suffered. All the same, a community compensation programme is planned - there have been promises to build a 03-bedroomed hut with a living room in each village to serve as a model, and the rest of the community should receive building materials to continue the work.

The process is such that by the end of the Bagyéli/Bakola training for house construction, the eligible individuals will be able to start receiving the support of COTCO for the construction of their own house. In step with the rhythm of construction of each beneficiary's house, COTCO will provide the following materials:

- some nails and a hammer after the collection of the various stakes, lianas and bamboos
- sheet metal and nails for this after the installation of the house

- prefabricated doors and windows after the establishment of the roof and the filling of the walls with earthen mortar.

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It should also be noted that the elderly would be the priority beneficiaries of this programme.

PART TWO: THE BAGYELI'S RECOMMENDATIONS

As a consequence of the pipeline, the Bagyéli community has suffered many losses,. This issue can be seen in terms of the destruction of our living environment, marginalisation/discrimination in the awarding of compensation and discrimination in recruitment or distribution of jobs. Furthermore, the demographic growth of the Bantu is increasing the exploitation of the land where we practise hunting and gathering of Non Timber Forest Products. Moreover, we are gravely concerned to see all this land reducing in size, or else of being banned from it in the very near future, apart from token concessions here and there. This situation will definitely increase our dependence/semi-slavery vis-à-vis the Bantu.

Armed with the extent of these issues, **we request the World Bank to facilitate consideration of the question of Access to/Control of the land in favour of the Bagyéli so that definitive and sustainable decisions are made.**

In addition, we request that the World Bank, both now and in the future, see to it that:

- our administration, through its local representatives and traditional chiefs, consider a Bagyéli person as being Cameroonian through and through, a person who should enjoy their rights.:
 - *the right to own our land*
 - *the right to access our hunting and fishing territories*
- the concrete realisation of FEDEC programmes is a product of the real needs and strategic interests of the Bagyéli community. This supposes the capacity building of our community in terms of analysis techniques for setting objectives and choosing activities.
- All the promises made within the context of the pipeline project be fulfilled, such as :
 - building houses,
 - supplying national identity cards,
 - assistance in the area of education
 - medical diagnosis of pulmonary ailments
 - agricultural extension services and distribution of seed,
 - etc.
- the consultation system be more relevant, adapted to our culture and to our peace of mind so as to better enable us to make our own choices as to what is best for our community.
- The education system for the Bagyéli children is strengthened in order to guarantee their improved integration into socio-economic life.

PART THREE: ANALYSES AND COMMENTS FROM THOSE INTERVIEWED

The survey we conducted enabled us to identify and locate the Bagyéli villages along the final pipeline route, to evaluate the level of involvement of the Bagyéli communities before and during the implementation phase, to ascertain the impacts after the pipeline's implementation phase in the report "Man and his living environment" and to evaluate the compensation awarded to the Bagyéli.

Section 1 - ANALYSES AND COMMENTS

1.1) Consultation of Bagyéli communities and Working Approach used in the pipeline's implementation process

Information campaigns and consultations linked to the Chad-Cameroon pipeline project were organised. It seems obvious that the Bagyéli community was not sufficiently prepared to receive the project into their environment. When you are given an evasive response like the pipeline project is "the transporting of fuel in pipes and we will be working there to develop ourselves", this shows that very little time was set aside to adequately explain the project and all its risks to the Bagyéli people.

Throughout the awareness-building and information campaigns, flyers, brochures and posters were distributed; this communication was held without taking account of one another's peace of mind. What is more, the Bagyéli peoples are 98% illiterate. Oral tradition being the customary mode of communication in this community, it would have been wiser and more appropriate to use an approach that lent itself to this state of affairs.

1.2) Choice of Main Line of Work Devoted to Compensation

The IPP (Indigenous Peoples Plan) was put in place through FEDEC where four (04) projects were retained in the short term. These are:

- the supply of national identity cards;
- medical diagnosis of pulmonary ailments;
- assistance in the area of education;
- agricultural extension services and distribution of seed.

It is clear that the Bagyéli are responding to a concern for their practical basic needs, whilst in regard to their status as vulnerable and marginalised people, they can present their ideas in a way that demonstrates their strategic interests and their priorities for their lives. Therefore, any approach that would prove effective for them must take account of their strategic interest.

1.3) Analysis of the notion of property to be compensated

Such an analysis was made without taking into account the specific characteristics of each community. In this analysis, it was only the system of assessing the value of property that was taken into account. This situation further favoured the neighbouring Bantu community. At the end of the 2nd quarter of 2002, the project had paid more than 5,6 billion CFA F (8,6 million dollars) in compensation in cash and kind to the users of individual land (cf. Chad-Cameroon Development project, Report n° 07 2nd quarter 2002.). On the contrary, the

Bagyéli have a different perspective of the advantages of economic property which means that they do not favour the system of assessing the value of property. Rather, they attach their beliefs to natural and cultural elements such as the forest. It was not they who planted the latter and consequently, the registration system did not consider the effects and losses to be compensated.

Furthermore, the World Bank, through the Operational Directives, recommends that any programme of this nature should take account of the social structure, religious beliefs and ways of using resources that is particular to the local population.

1.4). Organisational Bodies and Structure of the Project

By way of compensation for the community, an Indigenous Peoples Plan – IPP was drafted, and should be implemented through FEDEC. This plan comprises the following projects for the benefit of the Bagyéli communities in the project area:

- a list of agreements linked to the Bagyéli/Bakola's rights to land and the improvement of their living conditions;
- provision of national identity cards;
- organising free access to health care and information campaigns in this regard;
- diagnosis for tuberculosis;
- assistance in the area of education;
- agricultural extension services and distribution of seed.

During different field visits by different teams involved in executing the project, the Bagyéli peoples were informed of the pipeline activities and of the different structures. Nevertheless, in general, they were unable to retain what they were told. In some places, the name of a structure could be cited, but without the person knowing the exact role of that structure and its area of intervention. The FEDEC's role is not well known, since the IPP that it is supposed to direct remains unknown to the Bagyéli. There was undoubtedly information given and awareness raised, yet the approach used did not take account of the specific case of the Bagyéli.

Section 2 – VIOLATION OF THE OPERATIONAL DIRECTIVE (OP 4.20) OF THE WORLD BANK

The Bagyéli community has an oral-based culture in which it is believed that all the elements of nature function in osmosis. The community relies entirely on the forest, and the latter was not planted by them but is inherited from their ancestors; the forest is their soul. When the system of compensation only takes into account the principle of monetary value, this lead to individual compensation in nature and in money to be given to their Bantu neighbours and the Bagyéli only receiving some paltry consumer goods, and it the proportion of these remain to be seen! This is the evidence once again of the violation of one of the World Bank's directives (c.f. OD 4.20 paragraph 6).

The FEDEC's programmes have only shown token public participation, because when a FEDEC agent presents a farming implement to a Bagyéli, which is to be paid for, the latter believes it is a deception, whereas if the FEDEC took to the time to explain and involve the Bagyéli in the elaboration of its programmes and operational planning, these cases would be isolated. This is also evidence of the violation of one of the World Bank's directives (c.f. OD 4.20 paragraph 15 (d)).

Section 3: THE CAMPO MA'AN NATIONAL PARK

The Bagyéli were left with a bum deal, it is said, in the region of Kribi-Lolodorf in terms of the compensation for the destruction of the biodiversity they rely upon. In order to compensate for the overall loss of biodiversity caused by the pipeline, the region of Campo Ma'an was chosen to establish a National Park. This region is also inhabited by Bagyéli peoples who once again will suffer the negative effects (collateral damages) of the pipeline, despite their living at a great distance of the pipelines route.

The Bagyéli community living in the Campo Ma'an National Park only hold "user rights" (for the exploitation of the plant and animal resources and other non timber forest products) rather than ownership or tenure rights. It appears however that to this day, even these user rights are being denied to the Bagyéli. This is due simply to the fact that a forest exploitation company established in the Campo Ma'an National Park has obliged the Bagyéli community to leave their hunting, fishing and gathering territories.

CONCLUSION

The work involved in the construction of the Chad-Cameroon pipeline is nearing completion, at least the implementation phase in the area where the study was carried out. The peoples living along the pipeline, notably the Bagyéli, have paid a great price, for it is no secret that it is from the forest that they obtain the bulk of their livelihood. When the forest is on the verge of destruction (stress on the flora and fauna), they no longer know to which saint they should pray.

If you enter a Bagyéli village today and talk about the pipeline, you see anger, sadness, desolation, broken dreams: “the pipeline has come and gone!” – That says everything.

The system of assessing the value of property having been the only one that was taken into account for the purpose of compensation meant that the Bantu were favoured over the Bagyéli who are more attached to the natural elements that constitute the basis of their culture. Moreover, concerning the advantages linked to the pipeline, we noted that there was a smaller number of Bagyéli people recruited during the pipeline operations and this despite their proximity to the pipeline route. In addition, their rights to their ancestral lands and other natural resources that were destroyed were not respected.

The question of land access rights and of land ownership in favour of the pygmy peoples is even more acute in this case, since the demography of their neighbours is ever increasing, with all that implies in terms of exploitation of the land. The public authorities, the national and the international community should act in a pragmatic way in order to establish real rights to land ownership of the Bagyéli community in order to ensure sustainable development for them.

The following people participated in the preparations for or the conducting of this study:

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