



Green City Resolution

RESOLUTIONS OF TRAINING SEMINAR ON EVALUATING INVESTMENT PROJECTS: LEGAL AND GOOD GOVERNANCE CONSIDERATIONS, 23RD TO 26TH SEPTEMBER, 2014 AT KUMBA, VIANELLO HOTEL

These resolutions were drafted during a seminar organized by the UK-based NGO Forest Peoples Programme and involving community members from Nguti, Ebanga, Sikam, Babensi II, Fabe, Massaka Bima, Mobenge, Ikoti-Ngolo, Ndiba-Ngolo, Oron-Isangele, Meangwe II Ngolo, Bweme-Ngolo, Lipenja II-Batanga, Toko and Baro, along with community support organisations, including the Centre for Environment and Development, Struggle to Economise Future Environment, Nature Cameroon and Greenpeace, who came to learn about their rights under national and international law with regard to developments on their customary lands. The seminar did not support or oppose any particular development, and the resolutions reflect the views of the communities represented in the meeting.

1. The State of Cameroon should implement the provisions of the African Charter concerning human and people's rights especially those concerning customary land tenure.
2. Consultations on the basis of communities' free, prior and informed consent, and adequate compensation, must be carried out by investors in the event of proposals to expropriate customarily-held lands.
3. For every investment project affecting customary lands in the country, a more thorough risk-benefit analysis, involving the affected communities, must be made, and only those investments that benefit the community on short, medium and long term can be accepted.
4. The prime consideration of investments should be to minimize environmental impacts and maximize community benefits.
5. In case of final or sudden exit by the investor, the land will revert to the local communities whose customary lands were originally acquired.

6. Community consultations by the investor, based on the principle of free, prior and informed consent, must precede any investment initiative affecting customary lands.
7. All conventions or agreements between the State of Cameroon and any potential investor must not undermine or compromise community interests.
8. Chiefs attending this seminar agree to constitute a group (to which other Chiefs will be invited) to contact advisors and support organisations to discuss and suggest improvements of the existing national land law, to make it consistent with international law.
9. The State should revise the Judicial Organisation Law to permit customary courts to decide matters concerning customary lands.
10. The requirements and processes of sharing benefits among the government, the councils and communities must be simple, clearly spelt out and transparent.
11. The present land law is practically obsolete and needs to be amended to recognise customary ownership of land by communities, on the basis of clear and up-to-date maps produced with the communities.
12. The Government should provide training to all administrators, magistrates, law enforcement officers and opinion leaders in the communities in relation to international law on land issues.
13. Formal and time bound operating procedures and grievance mechanisms must be put in place and agreed upon by the government, communities and investors.
14. The Government must produce a standard recognised protocol on the process, requirements and documents for use by investors to contact communities who will be affected by their projects.

15. For all projects, there should be a change management system, such that if the project changes, there should be a contract agreement review or modification process. Any changes must be the subject of further consultation with affected communities.
16. Memoranda of Understanding (MoUs) or contracts with investors must set out the rights of all parties if the company or project fails.
17. Communities should develop mechanisms to discuss, concert and agree on major issues affecting them.
18. A feedback mechanism should be agreed upon to report on restitution from this meeting and other follow up activities in various communities.
19. Participants request the organization of a broad forum involving the 20 affected villages as well as representatives from the palm oil agro-investor SGSOC/HERAKLES farms plus other agribusinesses, to discuss the project and the consultation processes to be carried out.