

Case study 6

Cameroon – Dja Wildlife Reserve

**One forest and two dreams:
the constraints imposed on the Baka in Miatta
by the Dja Wildlife Reserve**

by Samuel Nguiffo

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Contents

1	Introduction	197
2	Methods and approach	197
3	Context of the study	198
4	The situation before the project	202
5	The legal framework	204
6	The problem of coexistence between the Miatta Baka and the project	207
7	The situation as it relates to the underlying principles of the new model of conservation	209
8	The Baka community's hopes for the reserve	212
9	Assessing the long-term impacts of the conservation programme	212
	Acronyms	213
	Bibliography	214

1 Introduction

The uneasy coexistence of indigenous peoples and conservation projects and, more generally, of conservation objectives and development preoccupations has been the subject of numerous controversies. While of longer standing in other climes, this debate only took off in Cameroon in the early nineties under the dual influence of the concept of structural adjustment and the impact of the Rio Earth Summit.¹ The Government's new passion for protected areas, expressed in the target of classifying 30% of national land as protected zones, served to reinforce the threats hanging over communities living in forests. It would seem that for many of those involved in conservation in Cameroon, establishing local peoples' involvement in strategies for protecting biodiversity has not been achieved, even though it is being sought. Both indigenous populations and conservation projects nurse numerous grievances against each other: the projects consider that the resident populations take too much game from protected areas, sometimes for commercial gain, and contribute to access by poachers, while indigenous peoples feel they are being excluded from humanity in the name of preserving important pockets of biodiversity for present and future generations. The opposition between development and conservation – between the world view of conservation projects and that of indigenous populations – is blatant and seems unlikely to be resolved in the short term, given the gulf of understanding that separates them. We therefore find ourselves, in so many of these cases, with one forest and two dreams: one being that of conservation organisations, who are concerned about preserving species, and the other being that of the indigenous communities, whose modes of living are inextricably linked to the forest.

2 Methods and approach

The objective of this study is to gain an understanding, using a local case, of how local communities perceive the constraints imposed upon them by the presence of a conservation project near to their territory. The study was based upon data collected during April and May 2001 in Miatta village, which is situated on the southern periphery of the Dja Wildlife Reserve. The information used in this report was obtained from three main sources:

- interviews with Baka from the Miatta camp. These took place during two visits made in April and May 2001;
- a literature review, which provided access to the relevant legislation, and baseline data on the lives of the Baka, and the management plan of the Dja Wildlife Reserve.
- personal observation, which served to complement the other information collected.

This study focuses on the following: a description of the scope of the study; the situation prior to the conservation project; an overview of the legal situation; a description of the Baka's experience living with the project; and a summary of the constraints which they face which are directly linked to the underlying management principles for protected areas.

3 Context of the study

The review of the legal background and of the principal players reveals differing visions of the forest, which clash in an unequal battle between two contradictory dreams for the same forest. One of these is the age-old dream of the Baka, whose survival is closely linked to their relationship with the forest, and the other is the vision of a number of external actors (the State, donors and conservation projects) who, prompted by noble concepts of conservation, jeopardise the traditional management methods of the local communities, frequently giving communities the impression that the forest is being protected from them.²

Geography

The district of Djoum is situated in southern Cameroon, approximately 30 km south of the Dja Wildlife Reserve. The natural vegetation is composed of evergreen, semi-deciduous and Atlantic forests. The forest is severely degraded alongside the dirt roads, due to pressure from housing and agriculture. Logging is highly developed in the region, represented by five logging companies (national and international), which are actively exploiting a wide range of concessions (cut sales and forest management units). The zoning plan for Cameroon's forests indicates five categories of forest in this district:

- a communal forest, belonging to the district, and intended for commercial exploitation. This has already become the subject of a logging contract between a Cameroonian company and the Djoum Rural District;
- a wildlife sanctuary, the Mengine Gorilla Sanctuary, governed by a management agreement between the State and a Lebanese company (SOFOPETRA);
- a game reserve, the Dja Reserve, the largest in Cameroon, and one of the oldest;
- production forests, designated for industrial logging;
- the National forest estate, intended for multiple use, including industrial exploitation, agricultural development, and the creation of community forests, etc. This represents a relatively small proportion of the forest overall.

Five ethnic groups live in Djoum district: Baka, Kaka, Bulu, Fang and Zaman.

The Bantu (Bulu, Fang and Zaman) are sedentary, and have settled alongside the forest tracks in villages generally no larger than 400 people. They generally practice slash and burn agriculture.

The Baka are present as the oldest inhabitants of Cameroon's forests. Over the centuries they have lived from hunting and gathering. Traditionally they lived in small forest encampments, moving every three or four days. Under pressure from the colonial government's sedentarization policy which continued after independence, they increasingly settled in camps around the Bulu, Fang and Zaman villages. Consequently, quite often people from different clans will be found in the same camp. Most activities are carried out communally.

The life of Djoum's Baka communities is strongly tied to the exploitation of forest resources, and the Miatta Baka regard the forest as their ideal universe. Their preference for the forest over the sedentary 'village' life doubtless constitutes a security-driven retreat, the forest being their protector from the effects of outside influences and, above all, the conflicts that they generate. Similarly, the forest is regarded as a framework for their survival, with an abundance of game, food and medicinal products. In spite of the extensive decline in biodiversity, which has been noticed and deplored by many Pygmies,³ the forest still retains, in their view, the essential ability to keep them nourished. All in all, it appears to be where their culture blossoms, a place for rites, such as the Baka's *Djengui* ceremony. The Pygmies have maintained a harmonious relationship with their environment, and have adapted to nature's forces, rather than trying to change them. Abega notes that the identity of the Baka is closely tied to the existence of the forest, of which they consider themselves an integral part (Abega, 1998:25).

The economy of the Pygmies living along the dirt roads is based on sharing within the camp and on bartering with the neighbouring Bantu. By the very nature of their culture they have no interest in accumulating goods or planning for the future. The forest, with its abundant resources, is there to provide all their needs whatever the season. Their sources of income are limited to:

- the sale of game;
- wages from day labour for the Bantu. The daily wages paid to Pygmies are lower than those paid to Bantu (e.g. 250 FCFA per day for a Baka in Koumela, and between 200 and 500 FCFA per day in Djoum, whereas a Bantu will earn 1,000 FCFA);⁴
- the practice of traditional medicine. Pygmies are well known for their knowledge of traditional medicines, fetishes, and the making of charms. Patients sometimes come from very far away to obtain the benefits of Pygmy

healers, who are paid between 1,000 and 3,000 FCFA (Rasek and Schmidt, 1997).

Baka cosmology assigns a primordial place to the forest. According to Brisson (1999), this can be put in the following way: *'In the beginning, before anything, there was the forest'*. In the image of the creation story of Christian tradition, it expresses an ideal situation, an earthly paradise: *'a number of Baka encampments were scattered across the high forest away from the village of the god Komba'*. It is interesting to note that if Komba created everything that exists, then the forest and the Baka were already there in the beginning. Komba, the chief of the forest and its inhabitants, is feared by the Baka: as god-protector, he presides over the lives of the Baka and, at their death, assures their reincarnation as forest spirits (Brisson, 1999). Komba also creates death. The forest belongs to Komba. Thus the notion of ownership of the land, let alone of the forest, does not exist amongst the Baka. It is Komba who makes the land and forest available to the Baka, so that they can draw on the resources they need for their subsistence. Nothing can replace Komba as the true owner of the forest and its resources.

The Dja Wildlife Reserve

With an area of around 526,000 ha, the Dja Wildlife and Hunting Reserve was created on 26 June 1950 by decree No. 319 of the French High Commissioner for Cameroon. In 1981, at the instigation of the Cameroon branch of UNESCO's Man and the Biosphere programme, it became a UNESCO Biosphere Reserve. The UNESCO World Heritage Site scheme was extended to the Dja Reserve in 1987.

The Dja Reserve straddles two provinces of Cameroon (the South and East Provinces), and covers six *arrondissements*: Lomié, Abong-Mbang, Bengbis, Mintomb, Mayomessala, and Djoum. The Dja River forms a natural boundary to the reserve, protecting it to the south, west and north. The population density around the reserve is estimated at 1.5 people per square kilometre (MINEF/ECOFAC, 2000:59).

Since 1992 the reserve has been managed by the ECOFAC project (Central African Forestry Ecosystems), the fruit of cooperation between Cameroon and the European Union. The Cameroon ECOFAC Project is one component of a regional programme, organised by the IUCN at the request of the European Commission, with the aim of promoting: *'the conservation and rational use of forestry ecosystems in Central Africa'*. Financed by the EDF VI (European Development Fund), the ECOFAC programme is initiating the establishment of a network of protected areas across Central Africa, with the goal of safeguarding important tracts of biodiversity in the face of exploitation of forest resources in the countries concerned (Mendouga, 1999).

The selection of sites within this regional initiative take into account their

importance for regional and worldwide biodiversity. In Cameroon, the aim of the project is to implement initiatives and measures intended to promote the conservation and sustainable use of the reserve's resources. Theme-based activities are undertaken inside and around the periphery of the park to address the following issues:

- post-exploitation development of the forest;
- instigation of new forms of production;
- use of the diversity of forest products available;
- rational use of wildlife;
- research;
- development of tourism, etc.

An important activity undertaken by the reserve has been to draw up a management plan, incorporate it into an appropriate institutional framework and implement it.⁵ The ECOFAC project is based at Somalomo, to the east of the reserve, with local offices all around the reserve. The project is now in its third phase.

The Baka community in Miatta

Miatta village is located on the main road from Djoum to Sangmélina, about ten kilometres from the centre of the town of Djoum. It has around 100 people, the majority of whom are young. Before they settled in this Bulu village, the Baka of Miatta lived in Mabé,⁶ a village in the Dja Reserve, about 50 km from where they now are. According to Mrs Mengue Claire, the wife of the Miatta Baka chief, it was at the request of the local authorities that they moved to this location from, '*what you call the reserve*' between 1940 and 1950. This migration occurred under the aegis of the State's National Sedentarization Policy. They were invited to Miatta by Ndongo Zanga and Evina Nzanga, the Miatta Bantu chief and his younger brother.

The Baka's old village, Mabé, is situated in the heart of the Dja Reserve. It was only a few years ago that the Miatta Baka were informed that this area, which they had always considered as their village of origin, was now part of the Dja Reserve. It was when they were moving around the forest in their usual way that they found out they no longer enjoyed the same freedom to carry out their activities in this part of the forest, an area characterised by the richness of its fauna and flora. Despite the fact that Miatta and Mabé are over 50 km apart, some of the Miatta Baka still go back there regularly. This frequent movement through the forest is justified by their need to hunt,⁷ and to seek out other food products. The Reserve is also a meeting point for Baka from a number of surrounding areas: Lomié, Messamena, Bengbi and Somalomo.

The process of relocating the Baka community to its present site was carried out in two stages, with the help of the family of Miatta's Bantu chief.⁸ First, the Baka

settled at Ma'an, where the Miatta Bantu plantations are located. The Bantu helped the Baka with their agricultural activities, and the Baka passed a full agricultural season there before moving to Miatta village. This migratory dynamic demonstrates well how instrumental the Bantu were in the State's sedentarization policy. They were even more effective as agents of transition for this policy because they gained an obvious economic benefit from having the Baka near their village – free labour, and permanent access to the Baka's expertise with medicinal plants and at hunting – all at a relatively low cost.

The Baka in Miatta have now become a hybrid community as regards their culture – their life carries on equally well in the village, and in the forest, where they continue to spend several months a year.⁹ Having ceased to be truly of the forest, neither are they completely 'of the village'. The youngsters born along the dirt roads are the ones most afflicted by this identity crisis.

4 The situation before the project

Before their departure from Mabé, and before the start of the project, the Miatta Baka had a lifestyle that was similar, in many respects, to that of other Baka living nomadically in the forest. It is important to make the distinction here between two periods: life at Mabé, and life at Miatta before the project.

a Life at Mabé

Few Baka from Miatta have personal experience of living at Mabé. Only a few elders retain a nostalgic memory of that time. For the purposes of this study it was, therefore, not possible to obtain detailed information about that period.

Social organisation

At Mabé the Baka formed a group united by friendship, blood ties or marriage. They lived semi-nomadically in the forest, moving frequently in order to hunt, or to search out forest goods. The egalitarian nature of Baka society prevailed. The absence of a strict hierarchy within the group did not, however, preclude recognition of certain members' roles and skills; for example: the birthright of the *Kobo* (the elders); skill and courage in hunting (killing an elephant conferred definite respect); recognised knowledge of the forest, of every game-filled nook and cranny – such were the criteria for social esteem. The entire camp was obliged to respect the decisions of the leader when they affected the whole group, while individuals remained autonomous in personal decisions (Brisson, 1999).

Economic activities

At Mabé the Baka lived exclusively on forest products. Hunting inside the reserve

was the main activity of the Baka communities. The Dja River and the surrounding marshlands supplied an abundance of fish. Fishing was mainly women's work. The children devoted themselves to collecting caterpillars, termites and other edible forest insects. Other Baka production activities included the collection of wild fruits, honey, mushrooms, bark, roots, wild tubers and other non-woody products. The forest's main characteristic was the abundance of produce it offered the Baka, '*There was always something to eat*', said one elder when comparing the two lifestyles. The Baka lived in the forest almost the whole year round. Occasionally they would go to the villages in order to barter with the villagers. The Baka would bring forest products, game, ivory, mystical forces, and exchange them for clothing, salt, subsistence goods, metal tools, paraffin, soap, etc. Between these two communities there were good relations and more complex exchanges known as *lothi*. A Bantu would go and find a Baka who would hunt for him and in return receive village goods or help in resolving a problem. The Miatta Baka have happy memories of *lothi* from before they became more sedentary, because they believe the remuneration for their efforts was fairer then than that which they receive today.

b Life at Miatta before the project imposed its constraints

On arrival at Miatta, after their detour in the Bantu plantations, the life of the Baka changed somewhat. Their social structure did not change. Nor did the composition of the camps, even if in their camp they did meet more and more people from other clans because of the close proximity of other Baka camps (at Djouze, Mveng and Nyabibeté, all of which were established in the 1960s). Oppression became part of their daily lives. Their relationship with the Bantu evolved from *lothi*, a sort of friendly and preferential exchange system, to almost total vassalage. The Pygmies were perceived by the Bantu as sub-human, as people to raise up, to 'civilise'. This approach is not without its similarities to the relationship between white and black during the colonial era. The authorities also reinforced this view of Bantu-Baka relations. They were completely unaware of the Pygmies' traditional authoritative system, favouring instead that of the Pygmies' Bantu neighbours, thereby putting the village chiefs in the role both of judge and judged in conflicts pitting Bantu against Pygmy. (Rasek and Schmidt, 1997:18). The result was a loss of confidence on the part of the Pygmies in the settling of conflicts by State and Bantu institutions, which are perceived as being subjective.

As is happening everywhere else, the sacred view of the forest among the Miatta Baka is undergoing profound mutation because of their sedentarization. They are devoting more and more time to agriculture, clearing the forest in order to establish food-producing crops. Collecting for daily subsistence is reflected in the way they practice agriculture, because they do not (except in very rare cases) produce cash crops. This interest in growing subsistence crops can be explained both by the precarious nature of their land tenure situation along the dirt roads,

and by the compromise it represents with their traditional lifestyle. The struggle for survival is a fundamental determinant of Pygmy activities. Settled along the dirt roads, in close proximity to Bantu villages, often against their will, the Pygmies are trying to adapt to the difficulties of co-existence with the Bantu, while their conditions worsen with the erosion of the forest around them. Coping with this precarious situation, when combined with the heavy debts that many owe to Bantu neighbours, is making them increasingly vulnerable. Conflict management is, therefore, not high on their list of priorities in their collective struggle for survival.

Their economic activities have undergone changes: in addition to their traditional activities, Baka have started to sell their labour to their Bantu neighbours as agricultural labourers. In addition, Baka now hunt with rifles on behalf of Bantu, who provide the equipment (arms and ammunition), in return for payment, generally in kind (one cartridge in four or five is for the Baka).

It must be said that the changes in the systems of production result more from the Baka's sudden sedentarization and the accompanying constraints (removal from the big forests, competition for access to resources with poachers from the village, logging, pressure from the Bantu to take on agricultural activities), than from the bans on hunting, fishing and collecting in the forest. As pointed out by Alfred Mendouga, talking of the Bajwe people from the north-west of the reserve: *'from 1950 to 1992, the indigenous peoples went about their traditional activities free from laws or regulations'* (1999:40).

5 The legal framework

In 1993 Cameroon adopted a forestry policy that established the cardinal principle of community participation in forest management. The new law, taking the prescriptive interpretation of this policy, contains several clauses intended to bring about resident populations' involvement in managing natural resources in forested areas. Three elements of this new legal framework seem pertinent for analysis of the relationship between the Miatta Baka and the administrative body charged with managing the Dja Wildlife Reserve: the regulations covering usage rights; the status of protected area recognised by the reserve; and the hunting regulations.

a The regulations covering usage rights

Article 8(1) of the 1994 Forestry Law governs usage rights that apply to resident populations. In effect, the latter enjoy the right to exploit all forest products – animal and fish – apart from protected species, for personal use. This Article raises the following points:

- Every inhabitant of the forestry zone is entitled to usage rights;

- Protected species alone are, in principle, excluded from the application of usage rights;
- Products taken in accordance with usage rights must be destined for personal use. All commercial use is, therefore, prohibited.

b Regulations governing protected areas

The Dja Reserve is a wildlife reserve according to the nomenclature set out in Article 24 of the Forestry Law. Within this framework it forms part of the forest estate, as the private property of the State. It has been '*set aside for conservation, the development and propagation of wildlife, as well as the protection and development of its habitat*,'¹⁰ and hunting is forbidden, except for development purposes as approved by the Minister responsible for wildlife. Finally, habitation or other human activities are regulated or forbidden.¹¹ It is interesting to note that the law makes no mention of exceptions for indigenous peoples, some of whose members continue, however, to lead a semi-nomadic life in the heart of some of the protected areas, especially in the Dja Reserve.¹²

c Hunting regulations

The law on wildlife and its decree on enforcement identify two types of hunting: sport hunting and traditional hunting. As traditional hunting is the only form of hunting available to the Baka, this is what we will focus on. It is governed by Article 24 of the decree which sets out the modes of application of the regulations on wildlife, guaranteeing the freedom to carry out traditional hunting throughout the territory, except in the protected areas, where it is subject to restrictions under the requirements of the management plan. The decree here restating the law, indicates, however, that '*products resulting from traditional hunting are intended exclusively for eating purposes, and cannot, in any circumstances, be sold*'.¹³ This requirement lodges traditional hunting within the context of usage rights. The very nature of traditional hunting has been the topic of numerous controversies, relating to the type of implements used: is the 'traditional' character determined by the people involved? Or rather by the nature of the weapons used? In the latter case, is an arrow with an iron head a traditional weapon or not? The vagueness surrounding the definition for the notion of 'traditional' could serve to introduce additional restrictions to the practice of usage rights by Baka populations as regards hunting.

These legal arrangements are, however, at variance with the customary practices of the Baka, which could lead to misunderstandings or conflicts. The concept of protected areas is unknown within the Baka concept of space. The entire forest and its products were made available to the Baka by Kombas. It is therefore all the more difficult for the Baka to comprehend the restrictions imposed on their forest activities when, in their culture, no one other than the Creator owns the forest. For the Baka, the only restrictions to the use of forest products are those related to

taboos. In certain cases there are flagrant contradictions between protected area legislation and Baka culture. Elephant hunting provides an excellent example: the wildlife decree classifies elephants within Class A, one of the most protected species, but in Baka culture, elephant hunting is a particularly status-enhancing activity for the relevant individuals, and every Baka male aspires to kill at least one during his lifetime. Furthermore, barter and, increasingly, the sale of forest products constitute a major source of revenue for the Baka. Whether carried out with local villagers or strangers, these transactions are totally against the rules governing usage rights, which only permit the taking of forest products for personal use.

The second point of conflict between the law and traditional Baka practices relates to the Zoning Plan. Established by Decree No 95/678/PM on 18 December 1995, the Zoning Plan defines, amongst other forest areas, the multiple use zones, where activities by the population are allowed. The areas where the Baka enjoy customary rights do not, unfortunately, fall into these zones but instead are located within the Permanent Forest. This is the case for the Miatta Baka, whose customary land rights apply to the Mabé area. Unfortunately, within the reserve, they cannot enjoy the rights to which they are entitled under forest law, as the reserve is outside the multiple use zone, in which, for example, local people can benefit from community forests.

Although the 1995 decree specifies that the Forest Zoning Plan is only 'indicative', it seems difficult to imagine the boundaries of the reserve being amended to accommodate Baka claims. There are two obstacles to making this change:

- the boundaries of the Dja Wildlife Reserve were already definitively established under the founding documentation, prior to the Forest Zoning Plan;
- the reserve has natural boundaries (the Dja River, which forms a loop around the reserve), which makes access to the Mabé region difficult for the people of Miatta.

Finally, the hunting regulations also penalise them. The law on hunting would seem to make the Baka's traditional – and most commonly used – hunting methods illegal, such as the snares made from steel wire, or metal-tipped arrows. Similarly, hunting with rifles, previously a minority activity, is now widespread amongst the Baka who receive firearms from their Bantu patrons.

As it falls within the current legal framework, whose rules it is obliged to enforce, the Dja Reserve conservation project contains fundamental contradictions with Baka perceptions of the reserve and its environs.

6 The problem of coexistence between the Miatta Baka and the project

Creation of the reserve had no immediate impact on access to resources, not least because the authorities had no means of enforcement. It was with the arrival of the ECOFAC project in 1992, that the reserve would be equipped with comprehensive resources and would attempt the systematic implementation of Cameroonian protected area legislation.

The arrival of the project marked the beginning of a gradual rupture with the Baka lifestyle for those living in the village of Miatta and of a series of important restrictions to resource access. The first manager of the reserve arrived in Somalomo in 1990. According to him the ECOFAC project started in 1992, but was not operational until 1993.

The Miatta Baka are not very well informed about the project's objectives and requirements. The nature of the restrictions imposed varies according to who you talk to. Some say that hunting is forbidden in the reserve. Others say it is access to the reserve that is forbidden. Others still, say hunting is forbidden *'everywhere. If you are seen with game, it'll be taken off you'*. These contradictory positions express a serious lack of information amongst the Miatta Baka about the project, its objectives, and the constraints it imposes on the lives of the local populations. There are, however, some people in the camps who acknowledge having heard about the project both from the Djoum authorities and ECOFAC staff. The main grounds for frustration seem to be the decision to include Mabé within the reserve: *'They did not tell us why Mabé is in the reserve. They did not tell us why we must not hunt there. Perhaps they told the sous-préfet'*.

The Miatta Baka tell of how they have had game confiscated, even when it was for personal consumption. Although they are not numerous, there are tales of how game for sale, displayed on the roadside, was confiscated by local authorities. The rarity of these cases can be explained by the relatively small number of conservation and ECOFAC staff along this section of the reserve's southern perimeter. Some Baka also account for this situation by the care they now take in transporting game after hunting trips, now that they know there is a real risk of having game confiscated by the authorities. All the same, the interviews revealed at least one case where the Baka benefited from the 'understanding' of ECOFAC agents: *'I remember being lucky once, when they surprised us carrying game we had smoked. They forbade us to carry on hunting, but did not confiscate our game'*.¹⁴

The project's immediate impact on access to resources

The establishment of the project has manifested itself in a number of conflicts with the resident communities through the contradictory and occasionally mutually exclusive perceptions and practices of Baka and project staff.

Lack of consultations with Baka

The Miatta Baka maintain that they were neither informed of nor invited to participate in the creation of the Dja Reserve. They also maintain that they were informed later (without being able to give a precise date) of the existence of a conservation initiative by the authorities and the ECOFAC personnel. According to them, the objective of the project that would affect their village was the ban on hunting within the reserve.¹⁵ This ban was attributed to excessive poaching that had to be stamped out. They report cases of meeting ECOFAC agents on patrol in the forest, culminating in having their cargo searched. This has reinforced their belief that their future is under threat, insofar as they will no longer be able to make use of forest resources. By the same token, this reinforces their belief that everything that happens does so with the support of the local authorities: *'We see them pass this way pretty often. Perhaps they tell the sous-préfet about everything they do to us,'* declared Nkoumto Emmanuel from Miatta village.

The consequences on the lives of the Baka at Miatta

For the Baka at Miatta, the situation in which now they find themselves equates to a 'diminution of the forest' manifested by an unbalanced diet and limited mobility. The Baka cannot conceive of a balanced diet without animal protein. Although they have put a great deal of effort into creating plots for growing food crops, they consider that their diet is poor because they lack game. The forest behind the village huts cannot satisfy their hunting needs, because of its degradation due to the intensity of human activity. The protected area remains the ideal place to carry out hunting throughout the year. The ban on entering the reserve has limited the movement of the Baka within the forest. In Baka tradition, the forest is the symbol of freedom. For the Baka it is the ultimate refuge from the constraints of village life.

Claims for rights to 'their forest'

The Miatta Baka are claiming their rights to one part of the reserve: *'Mabé is where we come from, and it is also our forest. We have to go there to look for fruit, vines, game and other products because the forest is very rich there'*. They complain of having been dispossessed of their forest.

Suspicion towards agents of the conservation project

Distrust prevails in the relationship between the Baka and the reserve's conservation agents. This is due to the Baka's insecurity regarding their current and future activities in the reserve. Because, according to one Baka: *'At present it's difficult to hunt game there. If the agents catch you in the forest with bags, they search you, and if they see you've got meat, they arrest you'*.¹⁶

Resistance to the project

It is difficult for the Baka at Miatta to conceive of a life being normal without going to Mabé. This restriction on their movement due to the new rules creates doubts about their future: *'We still have to go to Mabé to find fruit, vines, honey and other products that we need in the village, because that is our forest'*. Caution is the consequence of their resistance to the ban: *'When I go to Mabé, it takes me about two or three days to walk there. There is a big river. I cross it to hunt the buffalo. I must also watch out that the project agents do not catch me'* (Nkoumto Emmanuel).

7 The situation as it relates to the underlying principles of the new model of conservation

In 1996 the IUCN and WWF set out conservation principles relating to the rights and interests of indigenous peoples. Although these institutions are not involved in managing the Dja Reserve, it would seem important to compare these principles with the practices of the organisations active in this protected area, as perceived by the Baka at Miatta.

The following are the principles to be considered in this analysis: participation and consultation of the indigenous peoples; co-management; recognition of indigenous peoples' rights to traditional use of the reserves; and the recognition of land rights.

Participation and consultation of the indigenous peoples

Following on from the African Charter of Rights,¹⁷ Cameroon's framework environmental law established the principle of public participation in the management of its natural resources. Evidently inspired by Principle 10 of the Rio Declaration, in article 9(e) of Cameroon's framework environmental law all decisions likely to have an impact upon the environment are subject to: *'dialogue with . . . concerned group . . .'*. This legal requirement is a recognition of the rights of citizens to a healthy environment as recognised by Cameroon's constitution.¹⁸ The forest law is more specific, and makes the following provision, in Article 26: *'The act of classifying a forest estate takes into account the social environment of the indigenous peoples, who retain their customary usage rights'*. The 1995 decree laying down forest regulations provides the modes of classification for a permanent forest, into which category wildlife reserves fall: a 30-day period is allocated, during which the Minister, by means of public notice, informs those affected by the proposed classification. During this period (which in certain cases can be extended to 90 days), the peoples can lodge their reservations or objections with the authorities'.¹⁹

The law specifies, however, that the exercising of usage rights can be restricted if

these rights are in conflict with the objectives set for the said forest (which would appear to be the case, in the mind of the legislator, for protected areas). It is interesting to note that in this case, the law makes provision for the establishment of compensation for indigenous peoples.²⁰ In the context of the Dja Reserve, these provisions were not taken into account with regard to the Baka of Miatta. They were not involved in drawing up the reserve boundaries, and did not have the opportunity to participate in preparing the management objectives. In fact, they were never informed about the project's objectives and the role that they could play. On completion of the project, it could be said that the reserve's creation predated the framework of the environment law and the forest law, which would explain why it was not possible to extend the procedures and their planned benefits to the Miatta Baka. This justification, while valid for the creation of the reserve and the conceptualisation of the first phase of the project, is hardly admissible for the more recent period, which has been witness to new phases of the project. Likewise, the Baka of Miatta do not recall having received any compensation for usage rights lost due to the existence of the reserve, as stipulated, however, under the forest law. For the Miatta Baka, the reserve's existence has always been synonymous with bans of every kind (access and use).

Co-management

In their opinion, the Baka of Miatta have never been perceived as partners in the conservation proposals for the reserve. They have had no dialogue with conservation authorities, and are not even familiar with the conservation objectives for this protected area. The only activity they mention when referring to the reserve is the ban on hunting. They also complain of the uncontrolled proliferation of poaching. For the park's administration there has therefore never been any question of treating the Baka as *'legitimate and equal partners'* in the implementation of the reserve's conservation strategies, as set out in the principles. The Baka's knowledge of the reserve and its surrounding areas could, moreover, have been put to use in monitoring the activities of outside agents within the reserve (in the fight against poaching and illegal logging, for example).

Recognition of the Miatta Baka's rights to traditional use of the reserve

The question of Baka rights to use the resources and areas of the reserve has never been challenged under law, nor debated with the Dja Reserve management. It should be acknowledged that the management principles for protected areas assume that *'legal recognition of rights is not included in the mandate of administrators of protected areas'*.²¹ The Miatta Baka's incursions into the reserve are thus simply tolerated when they are not involved in hunting, which is rare, if not impossible, as the Baka themselves state: *'If you go into the reserve, it is to hunt'*.

The recognition of Baka land rights

The question of forest peoples' rights to land in Cameroon is more delicate. According to the land tenure law, all land that is not held under private title belongs to the State. This rule is contrary to customary rules, which define the principles of land acquisition and transfer between all the different forest peoples. The overlap between modern and customary law is detrimental to the Bantu, who are transformed into 'virtual owners' of land through their use of it, but whose rights are not recognised and guaranteed under modern law. In fact, it is interesting to note that Cameroonian law and jurisprudence favour modern law over custom. Thus the Supreme Court, straight after independence asserted: *'In every case relating to custom, where legislated, the law takes precedence over custom'*.²² Furthermore, by mitigating the principle that stipulates that the option of jurisdiction carries the option of legislation, jurisprudence allows: *'... In the absence of customary provisions governing problems submitted to them, the [customary] courts must make reference to the written law'*.²³ In fact, as an additional precaution, the judge should disregard the custom when it runs counter to public order and to accepted standards of behaviour, or when the solution to which its application leads is not as good as that proposed by the written law'.²⁴

The Baka's situation is even more dramatic: none of them holds recognised customary land rights in the permanent forests that are home to their former villages and, since their sedentarization, they are simply 'lodgers' on Bantu territory alongside the tracks, as in Miatta. They enjoy no rights to the land, while their traditional rights to their former lands are ignored under forest law, which severely limits the rights of access and usage for resident populations of permanent forests. In the case of the Baka of Miatta, Mabé, their old village, is now within the reserve. Because of the restrictions arising from the new status of this territory, they are no longer able to perform all their traditional activities there without breaking the law. It should also be pointed out that here too, recognition of land rights does not come under the authority of the project, but of the State, which has total sovereignty over its law and whose legislation on this subject has not taken into consideration the specific situation of indigenous peoples.

The current discord between modern law and Baka customary norms relating to the use of space constitutes a fundamental obstacle to the Baka being involved in community forestry: the areas where they might claim traditional rights over the land and the forest are all located within permanent forests where, by law, community forests may not be created. The non-permanent forest estate that lies on either side of the roads, comes under Bantu customary land ownership. The Pygmies living there enjoy no customary land rights and therefore find it difficult to develop their own community forest activities.²⁵

8 The Baka community's hopes for the reserve

The Miatta Baka are not all of one mind in their long-term vision for the reserve. Some consider it would be good if the reserve were for the exclusive use of the Baka. Others think that they should simply be allowed to hunt in the reserve, without necessarily forbidding access to non-Baka peoples. However, they all agree that this is their forest, and they are all opposed to restrictions on their usage rights. They say that they are being forbidden to hunt, without being offered any other alternative: *'To be Baka is to hunt. So, what do they expect us to do?'*

9 Assessing the long-term impacts of the conservation programme

It is difficult to make an evaluation of the conservation programme on the basis of such a limited case study. We chose, therefore, not to dwell on the entire project, but on the Miatta region alone. Two findings stand out, based on observation and the interviews with the Baka there.

- Poaching is being carried out, often in a well organised way, by well known individuals who operate from camps within the reserve, beyond the Dja River. The game is sent to the markets of Sangmélina (around 100 km from Miatta) or Yaoundé. After having been a major market for poached game, the little market at Djoum is now more closely monitored by the conservation project. But the war against poaching is far from over.
- The tract of forest between the reserve's southern boundary and the dirt road alongside which Miatta is located is subject to intensive industrial logging. The forestry tracks opened up by these activities facilitate access by poachers, and allow for much easier removal of their game.

These two activities, which complement one another, are significant sources of forest degradation, and contribute to increased pressures on the reserve. It is difficult to convince the Baka that their traditional [forest-based] activities are illegal if, at the same time, others who transgress the law or whose actions impact far more negatively on the forest and its resources act with impunity.

Notes

- ¹ Cameroon started a programme of structural adjustment in 1988. Good forest management (of which conservation is an important part) was a principal element. The impact of the 1992 Earth Summit in Rio (when the Convention on Biodiversity was adopted) was to influence the policies and practices of the State's funders and emerged as conservation requirements for forest ecosystems.

- 2 We would like to point out that this study is based on the Miatta Baka community's perception of the conservation project and the constraints that it imposes on them.
- 3 Personal communications by the author with Bakola from the Campo and Kribi regions in January and May 1995, and with Baka from Djoum and Lomié between 1996 and 1998.
- 4 See Arno Rasek and Jutta Schmidt (1997). Trade, craft and livestock raising remain marginal sources of income for 'pygmies'.
- 5 The management plan for the reserve was prepared during 2000 by the ECOFAC project and MINEF.
- 6 Mabé signifies Moabi in Baka. [The Moabi tree (*Baillonella toxisperma*)].
- 7 Koumto Emmanuel is a Baka with a reputation as a great buffalo hunter. He admits that he frequently stays in the reserve, sometimes for several months, to pursue this activity.
- 8 According to Mengue Claire, the wife of the Baka village chief, it is thanks to Ndongo Nzanga, the Bantu chief and Evina Nzanga, his younger brother, that they were able to go there.
- 9 During interview, several Baka told us that they would spend more than three months in the forest on hunting and gathering expeditions.
- 10 Article 2(7), 1995 decree setting out the wildlife regulations.
- 11 Ibid.
- 12 The Miatta Baka indicate that there are still camps in the heart of the reserve. Similarly, they all mentioned the camp where Goloko, the famous Baka healer, lives.
- 13 Article 24, 1995 decree setting out the wildlife regulations.
- 14 Interview with Nkoumto Emmanuel.
- 15 They indicated, however, that fishing would continue to be permitted within the reserve.
- 16 Interview with Eyinga Jean Bosco.
- 17 See article 13 of the Charter.
- 18 See the preamble to the Constitution of Cameroon, January 1996.
- 19 See Article 18 of the Decree of 23 August 1995 setting out the forest regulations.
- 20 See article 2(1) of the 1994 forest law.
- 21 See The Principles and Guidelines on Protected Areas and Indigenous/Traditional Peoples, Point No. 2.4.
- 22 See the Supreme Court of Cameroon, *Affaire Bessala Awona c/ Bidzogo Gèneviève Cor.* A No 445, 3 April 1962.
- 23 See the Supreme Court of Cameroon, *Affaire Menamae c/ Eyene, J.* CS COR. A of 4 January 1966, Penant, April-May-June 1967.
- 24 See Supreme Court, *Affaire Ateba Victor c/ Dame Ateba Mari* CSA No 70/L of 8 July 1976.
- 25 The Bosquet community forest, located in the Lomié Region, is the only one belonging to a Baka community. This is an exception, and its creation was far from straightforward despite the presence of a foreign development agency (SNV).

Acronyms

ECOFAC	Central African Forestry Ecosystems
EDF	European Development Fund
IUCN	IUCN – The World Conservation Union
MINEF	Ministry of the Environment and Forests
SNV	Netherlands Development Organisation
SOFOPETRA	La Société forestière PETRA
UNESCO	United Nations Educational, Scientific and Cultural Organization

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