

Yaounde Declaration

of the 1st ILC Africa Land Forum, Yaoundé 7-8 November 2012, Cameroon

Preamble

We, 95 participants from 22 countries, representing indigenous and non-indigenous organisations, have been hosted by MBOSCUDA for the 1st Africa Land Forum, with the theme 'Securing the land rights of indigenous people and rural communities', in Yaoundé, Cameroon from November 7-8, 2012.

Our common goal is to promote people-centred land governance, which serves the needs of the poor and most vulnerable. We identified the following challenges to our goal and proposed the following recommendations to overcome them.

Challenges and issues emerging

The following issues are of great concern to us:

1. The land rights of women are still limited by our African patriarchal systems. Equally, our laws and policies fail to recognise and protect the land rights of indigenous and minorities who use land and natural resources in different ways from other populations. In particular, we note that the value of transhumance for healthy livestock and environmental protection is often ignored, and few efforts are made to secure land for groups who are nomadic.
2. We observe an alarming rise in land grabbing by local and national elites and external players, including the state and private investors, of the land of the poor. States compete for land and resources with its citizens, fail to meet commitments to invest in land reforms, and often act in the interests of an elite minority.
3. Land is also under pressure as a result of population growth and climate change.
4. This is taking place within a wider context of a lack of transparency and of information on rights to land by citizens. Low literacy of land laws by citizens, a lack of land laws published in native languages and complex land administration systems make it difficult for the poor to secure land rights.
5. Commodification and privatization of land has led to conflict and undermined customary land tenure systems. In addition, the creation of national parks and protected areas continues to cause the displacement of people. Landlessness is becoming a problem in our continent.
6. Despite the existence of policies and legislation on land, their implementation is poor. The important role that civil society should play in the formulation and implementation of land policies and laws is often ignored by governments.

Recommendations

In addressing the above issues, the Africa Land Forum recommends the following:

1. **Sustainable and equitable land governance.** National development plans should accommodate for projected population growth and climate change; governments should provide durable solutions for landless people in land reforms.
2. **Legally recognise and protect the land rights of all land users.** This should include registration of collective rights over the commons, including grazing lands and transhumance routes. Greater use can be made of innovative and low cost methods for securing tenure rights
3. **Ensure wide participation in decision-making over land.** Particular attention should be paid to the inclusion of women and minorities. Furthermore, greater support should be provided to establish and strengthen networks of indigenous and minority groups to advance their common interests. Civil society organisations can play a strong role in building national multi-stakeholder platforms to strengthen inclusion and participation.
4. **End discrimination of women and minorities.** Customary law and legislation should be harmonized so that women and men have equal rights to control and own land and natural resources. The rights of pastoralists and indigenous people should be upheld in national legislation.
5. **Use widely adopted guidelines for good land governance.** We fully affirm the standards and benchmarks of the Africa Land Policy Framework and the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, and call for the reform of national land processes where they do not conform to these standards. Legal frameworks need to be accessible in local languages to African citizens.
6. **A primary place for small-scale producers.** should be given in national strategies for food security and rural development. Any decisions on large-scale land-based investments should be transparent and made with the full Free Prior and Informed Consent of local communities. Governments should put in place simplified and well facilitated structures to process land acquisitions, transfers and disposals, taking into consideration the equitable property rights of indigenous populations.
7. **Benefits and compensation.** The benefits of the investments should accrue to the affected communities. Independent assessments of the resource values and compensation that is commensurate with the losses that span the economic opportunities and disruption of social systems should be conducted.
8. **Fair and accessible land conflict resolution mechanisms.** should be put in place, particularly where land and natural resources are shared by indigenous peoples and others.

In conclusion, we commend the Government of Cameroon for their stated commitment to land reform. We offer our support to its implementation, and we call on the Government, as well as the other States in Africa, to follow the principles of the UN Declaration of the Rights of Indigenous Peoples unequivocally in all governance structures and decision-making over land. The Government of Cameroon should give special consideration to Mbororo and Pigmy communities.

In declaring closed the first Land African Forum we would like to express our gratitude to MBOSCUDA for welcoming all of us and also to the Government for facilitating the hosting of this Forum.