

INTERNATIONAL WORKSHOP- OPPORTUNITIES AND LESSONS FOR A RIGHTS-BASED PERSPECTIVE ON FLEGT AND VPA PROCESSES IN LATIN AMERICA

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Civil society participation in VPA-FLEGT process
between Cameroon and EU : lessons learnt in
advancing tenure and other rights of communities

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STATUS OF VPA-FLEGT PROCESS IN CAMEROON

▶ Evolution

- ❖ Pre-negotiation: active from 2005 to 2007
- ❖ Negotiation phase : from 2007 (November) to 2010
- ❖ Signature of the agreement: 06 October 2010
- ❖ Preparatory phase started after the signature although some activities of the VPA agenda was already ongoing (reform of the judicial framework for instance); **the expectation was that the system should be operational at the next third year (2013),**
- ❖ Ratification of the agreement by Cameroon (9 August 2011), and the agreement came into force on 16 December 2011

▶ Now (“Implementation”): What have been done so far or not done?

- ❖ Monitoring bodies of VPA's implementation are functional (already 2 meetings of NMC and 4 meetings of the JMC)
- ❖ Implementing legal texts signed: procedures and mechanisms for recognizing legality private certificates, for issuing legality certificate and FLEGT licences ; Recruitment of the IA and first audits carried out ; Elaboration of strategies for making information public (among which the VPA specialized website) and for the mitigation of corruption risks,
- ❖ **The LAS is still non functional: operationalization of the traceability system and SIGIF II are ongoing**
- ❖ Revision process of the forest law still on-going with a lot of problems; other reforms done separately

VIEW OF THE PARTICIPATION OF CIVIL SOCIETY

▶ During the negotiation phase

- ❖ Through the facilitation and support of FERN: Creation of the European Community Forest Platform (ECFP) with its first strategic meeting in December 2004)
- ❖ ECFP in Cameroon is a network of approximately more than thirty CSOs representing the forest regions of Cameroon; CED has coordinated the platform
- ❖ Advocacy to have a seat on the table of negotiation ; Creation of the technical committee in November 2007 (decision of the Minister of forests) : one seat to the ECFP (the coordinator of ECFP designated among statutory members)
- ❖ Active participation of the platform during all the negotiation phase (national and international discussions and/or workshops): influencing decisions (content of the final VPA agreement and so on)
- ❖ Strategy: internal discussions and plenary validation of the position, defending the position in formal meetings, feedback to members and members to communities

▶ During “implementation” phase

- ❖ Active participation to the forest reform process, the elaboration of strategies re transparency and mitigation of risks of corruption; but in general, decrease in the dynamism
- ❖ One seat in the NMC but for CSO not ECFP as in the past (other networks claiming their representation : National Forum on Forests, CCSPM...)

SWOT ANALYSIS (main strengths)

▶ Main strengths regarding CSO participation

- ❖ Capacity building of CSOs of ECFP (step-by-step) : learning by doing
- ❖ Working together, talking with one voice, acting pro-actively
- ❖ To a certain extent influencing decision-making processes related to VPA (transparency annex, legality matrix, etc.) and other considerations (land conversion threats)

▶ Main strengths regarding tenure and other rights

- ❖ Requirements for improving the judicial framework: (1) points related to social and environmental aspects, (2) integration of relevant provisions of ratified international agreements/treaties into national laws
- ✓ Entry point for the recognition and protection of local and indigenous communities' rights

SWOT ANALYSIS (main weaknesses)

▶ Main weaknesses regarding CSO participation

- ❖ Problems regarding effective communication and feedback, information sharing (some CSOs in remoted areas)

▶ Main weaknesses regarding tenure and other rights

- ❖ Processes of laws' reforms do not really take into account the necessity to effectively secure the rights of communities (failure in respecting the requirements of integrating relevant provisions of international treaties in to national laws)
- ❖ Different cross-cutting reform's processes led separetely by each concerned ministries (lack of coordination: land tenure reform, forest reform fo instance)

SWOT ANALYSIS (main opportunities)

▶ Main opportunities regarding CSO participation

- ❖ Strengthening the collaboration with the government
- ❖ Building other alliances: as example the network of parliamentarians (REPAR)

▶ Main opportunities regarding tenure and other rights

- ❖ Consultation opened at the beginning of the forest reform process: ECFP proposals and RRI proposals submitted to MINFOF
- ❖ Continuing advocacy regarding the forest reform : (use treaties UN agencies CERD, continue to talk to the government through EU)

SWOT ANALYSIS (main threats)

▶ Main threats regarding CSO participation

- ❖ Current decrease of the ECFP dynamism

▶ Main threats regarding tenure and other rights

- ❖ Growing interests on extra-sectorial sectors (concept of being an emerging country in 2035) : mining, major infrastructural projects, agro-industries
- ❖ Tendency to forests lands conversion and destruction of habitat and livelihoods of forests communities,

LESSONS LEARNT REGARDING THE ADVANCEMENT OF TENURE RIGHTS AND OTHER RIGHTS

- ❖ The government is reluctant to effectively recognize customary rights of local and indigenous communities: **Remaining the main owner of forests and lands**
- ❖ When efforts are made they remain partial (regulated usage rights instead of property rights)
- ❖ Having relevant provisions in ratified agreements is not at end of itself because making them applicable (integration into national laws and regulation is a real challenge)

LESSONS LEARNT REGARDING THE ADVANCEMENT OF TENURE RIGHTS AND OTHER RIGHTS

- ❖ Partners of government (UN agencies, UE, WB, etc.) have to contribute significantly for the respect of ratified international instruments
- ❖ CSOs have to amplify and multiply advocacy actions for the protection of communities rights by using VPA and other governance processes in place (REDD, certification, etc.) as entry points



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THANK YOU
VERY MUCH