

Original Article

Assessment of the Effectiveness, Efficiency and Equity of Benefit-Sharing Schemes under Large-Scale Agriculture: Lessons from Land Fees in CameroonSamuel Assembe-Mvondo^{a,*}, Maria Brockhaus^b and Guillaume Lescuyer^c^aCIFOR, Central Africa Regional Office, Yaoundé, Cameroon.^bCIFOR Headquarters, Bogor, Indonesia.^cCIFOR/CIRAD, CIFOR Central Africa Regional Office, Yaoundé, Cameroon.

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Abstract In Cameroon, the provisions of Decree No. 76-166 of 27 April 1976 to establish the terms and conditions for the management of national lands require that each national land recipient, whether held by grant or on lease, must pay annual fees. This revenue is apportioned to the State, the local council and village communities. However, the exact situation of the land fee payment and sharing has not been systematically documented. This article assesses the distribution of revenue generated from land fees and draws broad lessons on how benefits can be shared between actors involved in large-scale land-related investments. It establishes the socio-economic impacts and governance arrangements, and evaluates their effectiveness, efficiency and equity in delivering concrete benefits to local communities in 40 villages situated around five agro-industrial plantations. It shows that actual land benefit sharing does not fulfil the requirements for efficiency, effectiveness and equity and suggests some reforms.

Au Cameroun, les dispositions du décret n° 76-166 du 27 avril 1976 fixant les conditions et modalités de gestion du domaine national exigent que tout utilisateur du domaine national, que ce soit en tant que concessionnaire ou locataire, verse une redevance annuelle. Ces recettes sont alors réparties entre l'État, le conseil local et les communautés villageoises. Toutefois, la situation exacte concernant le paiement des redevances et leur répartition n'est pas systématiquement documentée. Cet article examine la répartition des recettes provenant des redevances foncières et en tire des enseignements généraux sur la manière dont les bénéfices peuvent être répartis entre les acteurs impliqués dans de grands projets d'investissement liés au foncier. Sur la base d'un échantillon de 40 villages situés aux environs de cinq plantations agro-industrielles, l'article fait une estimation des impacts socioéconomiques ainsi que des dispositifs de gouvernance, dont il évalue l'efficacité, l'efficacité et le degré d'équité en termes de distribution de bénéfices concrets aux communautés locales. Il montre que le partage des bénéfices fonciers tel qu'il est effectué ne satisfait pas les exigences en matière d'efficacité, d'efficience et d'équité, et conclut en offrant quelques suggestions de réformes.

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Introduction

Public discussion on the design of REDD+ mechanisms and the global phenomenon of land grabbing in developing countries has once more brought the issue of the distribution of tenure rights and land rent into the limelight (Chauveau *et al*, 2006; Toulmin *et al*, 2011). According to mainstream literature on this issue, if there are no clearly defined land rights, the payment of land rents could be jeopardized and inequitable (Sunderlin *et al*, 2009; Costenbader, 2010;

Peskett, 2011). Cameroon has pioneered a mechanism for the payment of land rents to the State, councils and village communities within the framework of the 1974 Land Law. Evaluating this land rent distribution mechanism is timely for three reasons. First, it helps draw lessons that could serve as a guide in the establishment of a mechanism for the payment of REDD revenue. Second, it contributes to the clarification of the legal basis for the management of national land in Cameroon in view of growing demand for farmland by local and foreign economic operators (Cotula *et al*, 2009; Derek and Deininger, 2011). In this regard, Cameroon grapples with a high demand for farmland by multinationals and the domestic elite, such that several preliminary contracts do not comply with the provisions of the legislation (Nguiffo and Schwartz, 2012; Pigeaud, 2012). Finally, it sheds light on the contribution of land rent to rural poverty alleviation strategies and questions the effectiveness, efficiency and equity of the system established by State authorities (Angelsen, 2009).

The main objective of this article is to assess the mechanism of the distribution of land rent fees from agro-industry in Cameroon with a view to drawing lessons that could be used to design REDD+ benefit-sharing mechanisms and help combat rural poverty within a context marked by growing demand for farmland and the granting of mining permits (Deininger, 2011¹; Schwartz *et al*, 2012). From this perspective, the first section is a summary of the theoretical and legal bases of land rent in Cameroon. The second part of the article focuses on the methodological considerations of the study. The third section discusses the key findings. This article concludes with recommendations for system readjustment.

Conceptual and Legal Frameworks of Land Rent in Cameroon

Mechanisms for the distribution of land rent are designed within the framework of the management of shared natural resources. Land, which can be considered as a common resource, cannot deviate from this designation (Ostrom, 1990, 1999), particularly in Africa where it has always been considered a collective asset (Verdier, 1971; Kouassigan, 1982; Diaw, 2005). In this respect, land rent may be associated with payment for the use of collective land resources (Carret, 2000). According to the Ricardian conception, the three determinants of the price of land are land rent, interest rate and expectations of economic agents (Just and Miranowski, 1993; Weersink *et al*, 1999). In this way, David Ricardo noted that agricultural land could be distinguished according to its fertility. Land in the most fertile areas can produce a given quantity of food at a lower cost than lands in the second most fertile class. Similarly, land in the second most fertile area is worth more than in the third area class. Land rent, which is considered 'Nature's gift' to the owner (Karsenty, 2000), is a 'fraction of profits above what would be strictly necessary for the capital to remain invested in a given economic activity' (Bannock *et al*, 2003, p. 113). In rural areas, land rent may be derived from agriculture, forestry or mining. Land rent may be considered as a monetary contribution for the use of a natural resource (land), regarded as a national heritage, which is one of the tools used to collect revenue (Karsenty, 2002). It is therefore an economic rent based on land area allocated to private operators by the holder of ownership rights (Stiglitz, 1996). From the point of view of Campbell Black (1979), *rente foncière* is a rent paid on land and generally forms part of a long-term lease. It should therefore be distinguished from payment under a lease of a shorter duration. Another meaning of the concept of rent can be drawn from the REDD+ benefit-sharing debate. In this framework, rent represents the difference between the cost of implementing REDD+ and the average global carbon price at which emission reduction credits from REDD could be sold (Peskett, 2011, p. 5). Therefore, rent is the profit that could be made from REDD+ (Karsenty *et al*, 2012). In addition to the direct benefits arising from

REDD+ implementation, indirect benefits, which comprise improved governance, such as strengthening of tenure and law enforcement related to REDD+ readiness, could be expected (Luttrell *et al*, 2012).

Finally, land rent can be considered as financial compensation paid to the legitimate right holders of land by any external operator. It is similar to the environmental fee paid to compensate for damage caused to the rightful landowners by colonial and postcolonial administrations (Lipietz, 1999; Assembe-Mvondo, 2005; Assembe-Mvondo, 2006a). However, it is important not to confuse land rent with other ordinary compensation mechanisms. From this perspective, Karsenty *et al* (2012) consider that the REDD+ and carbon-oriented Payment for Ecosystem Services (PES) common principle are designed in very different ways, as they require an active contribution to the production of emission mitigation. Therefore, carbon rights cannot be characterized as a right to a carbon rent (Karsenty *et al*, 2012). Whatever the case, it is acknowledged that the proper distribution of land rent and, to some extent, REDD+ benefits to various social groups depends in part on the existence of a revenue management mechanism based on the principles of transparency, accountability and absence of tampering (Fischer, 2007).

From the legal standpoint, the basis of land rent in Cameroon is set out in Article 17 of Decree No. 76-166 of 27 April 1976 to establish the terms and conditions of management of national lands:

The income received from the allocation of national lands, whether held by grant or on lease, shall be apportioned 40% to the State, 40% to the council in whose area the land is situated, and 20% per cent for use in the public interest to the village community concerned.

It should be clarified here that, in Cameroon, there are two main land domains: (i) the national lands that are governed by ordinance No 74-1 of 6 July 1974 to establish rules on land tenure; (ii) State lands governed by Ordinance No 74-2 of 6 July 1974 to establish rules on State lands. For Leonard and Longbottom (2000, p. 21), national land is a specific legal category, distinct from State property. Although the State reserves the right to manage these lands, this national property belongs to the Nation. In fact, in the quest to build a nation, it was essential to break the communal basis of land tenure systems to detribalize them (Melone, 1972). In reality, the intention of the authorities was to abandon the colonial theory of ‘vacant land without owners’ and to replace it with a national land heritage akin to classical public and private land. As a consequence, the decision by Cameroonian authorities to institutionalize a land rent on behalf of the State, councils and local communities within the framework of the concession or lease of land in the national domain is based on its ownership regime. According to the provisions of Articles 1(2) and 16(a) of Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure in Cameroon: ‘The State shall be the guardian of all lands’ and ‘national lands shall be administered by the State in such a way as to ensure rational use and development thereof’.

De jure and *de facto*, the Cameroonian nation is the rightful owner of national land (Tjouen, 1981; Pougoue and Bachelet, 1982; Nyama, 2001; Tientcheu, 2005). However, the State of Cameroon plays the role of legal overseer of national heritage. This legal consideration puts into perspective the thesis advanced repeatedly of the State’s quasi-monopoly ownership over land in Cameroon (Cotula and Mayers, 2009; Alden Wily, 2011; Hatcher and Bailey, 2011). These authors neglect the borderline between the concepts of State (all the political institutions of a country) and Nation (all people who share a common history) in constitutional law (Hauss, 2011; Assembe-Mvondo *et al*, 2013). As Hobbs (1998) concluded, Cameroon has a complex land tenure legacy as a result of colonial occupation by three different countries (Germany, the United Kingdom and France), each of which contributed distinct characteristics to future land legislation initiatives. However, it is recognized that the status of nation-owner of national land

is vague and uncertain from the legal standpoint because a nation has no legal personality. Legal status would therefore mostly benefit representatives of the *neo-patrimonial* state who do not manage the national heritage according to *bonus pater familias* at the expense of local communities and ordinary citizens (Fisiy, 1992, p. 116; Bratton and Van de Walle, 1994; Karsenty and Assembe-Mvondo, 2011, p. 115). The institutionalization and redistribution of land rent between State institutions (the State and local councils) on the one hand and local communities on the other is the implicit recognition by regulatory authorities that the national land in the domain they are managing belongs to the people of Cameroon. Thus, it is quite logical that the legal and rightful owners (local communities/indigenous people) are the main beneficiaries of land rent. Although one can question the 20 per cent rate paid to the local populations, it should, however, be recognized that this mechanism can rectify or minimize the historical land injustice suffered by ethnic communities since the advent of German colonial rule in Cameroon (Ngongo, 1987).

The land rent mechanism in force in Cameroon will be assessed in this framework by using the effectiveness, efficiency and equity criteria. We are borrowing this broader conceptual approach introduced by Angelsen (2008, 2009, p. 5) in the context of REDD+ to better assess the land fees mechanism performance in Cameroon. As Angelsen (2008, p. 61) explains, the effectiveness, efficiency and equity criteria can be used to evaluate options and results produced by REDD+, including any other mechanism whether based on performance or not. In this respect, effectiveness assesses whether the current mechanism is likely to achieve set objectives: are the overall land fees targets met? Efficiency should emphasize transaction costs induced by the attainment of set objectives: are the targets being achieved at minimum cost? And equity is expected to give a picture of the distribution model promoted by the current mechanism: are the benefits shared and the costs allocated fairly?

Methods and Study Sites

This study was carried out in several phases with conventional social science methods used to collect both qualitative and quantitative data. During the first phase, literature on land rent and tenure, as well as land legislation, in Cameroon was reviewed. The second phase consisted of field visits to verify the effective implementation of the regulatory land rent distribution mechanism in Cameroon. To that end, five subsidiaries of multinationals operating in the agro-industrial sector in Cameroon were selected, based on agricultural commodities and land area.

Ten elected mayors of 10 councils (Souza, Mbanga, Penja, Loum, Kribi, Niete, Edéa 1, Mbandjock, Nkoteng and Lembe-Yezoum) were interviewed on the effectiveness of the application of regulatory provisions and social impacts of land rent in their localities. In each of the 10 councils, four villages located near agro-industrial complexes were visited. At every stage, a focus-group discussion was held with local communities in the presence of traditional leaders in the 40 villages visited. Discussions focused on the effectiveness of land fees (if they really received them); the identification and number of socio-economic infrastructures built by using land rent paid to the village; the village's needs in terms of community facilities; and the perception of the land rent mechanism as fair compensation for customary land rights restricted by the establishment of agro-industries. During field trips, triangulation was carried out to verify information obtained, particularly through the observation of some socio-economic structures.

The third phase consisted of conducting interviews and collecting quantitative data from the four high-ranking officials of Cameroon's Ministry of State Property and Land Tenure

at the central (two) and regional (two) levels, and seven mid-level managers in each of the agro-industries. We have decided to keep this agro-industries sample anonymous to avoid any judicial action or accusation and to maintain scientific objectivity.

- The first agro-industrial complex visited (Company No. 1) operates in the oil palm sector. This company was set up in 1968 by the State of Cameroon and privatized in 2000 under the framework of the Structural Adjustment Programme. This company has five oil palm plantations located in six councils in three different regions and covers over 78 529 ha. It is the major palm oil producer with 42 per cent of national production. It is a subsidiary of a French multinational that is well known in Africa and Asia (Gerber, 2008; SHERPA, 2010). The company has started to diversify its activities into rubber cultivation and bio-fuel production for domestic purposes.
- The second agro-industrial complex (Company No. 2) is involved in rubber cultivation. It was established in 1975 by the State of Cameroon and bought by a Singaporean multinational within the framework of privatization in 1996. This company has an emphyteutic lease covering 41 339 ha from the State of Cameroon (Gerber, 2008). The multinational runs rubber plantations and is presently experiencing internal transformation with regard to its main shareholding, which passed into the hands of a Chinese company in August 2008 (GMG, 2010).
- The third agro-industrial complex (Company No. 3) operates in the banana sector. It is the leading producer of bananas nationally with an output of 137 000 tons per year. This company, which is a subsidiary of a French group, occupies an area of 4500 ha of farmland distributed between two councils and several villages (CCFD, 2009). It was bought from the Government of Cameroon in 1991 during the liquidation of the *Office Camerounais de la Banane*. This company also produces pineapples and pepper for export.
- The fourth agro-industrial complex (Company No. 4) also operates in the banana sector. Its annual production is approximately 40 000 tons/year. It occupies a land area of 800 ha obtained through concession. It is a subsidiary of a French group involved in tropical fruit production (CCFD, 2009).
- The fifth agro-industrial complex (Company No 5) is involved in sugarcane production. The company occupies an area of more than 22 000 ha under an emphyteutic lease from the State of Cameroon. Company No. 5 launched its operations in the mid-1960s in partnership with a French company and minority public shareholding. It experienced renewed vibrancy in 2006 with the purchase of the assets of the defunct public sugar company located at Nkoteng. It is now part of a French multinational. It produces more than 140 000 tons of sugar annually (SOMEDIAA, 2012).

Results

Legal Nature of Occupied Land

Land rent is payable to the State, councils and local communities when land allocated under a lease (foreign nationality) or as part of a concession (Cameroonian nationality) is located in the national domain. Within the framework of this study, two of the five companies are partly operating in the national domain. This includes Company No. 1 and Company No. 5. In the case of Company No. 1, more than half of the 78 529 ha fall within the national domain, whereas in the case of Company No. 5 the 2006 emphyteutic lease provided that 11 980 ha were in the national

Table 1: Summary of overview of the sample study on land fees situation in Cameroon

<i>Company</i>	<i>Legal nature of occupied land</i>	<i>Land areas in ha</i>	<i>Land rent payment status</i>	<i>Commodities</i>
Company No. 1	National land	78 529	Not declared. Data are not publicly available. Nothing paid to the local councils and local communities	Oil palm
Company No. 2	State land	41 339	No	Rubber
Company No. 3	State land (mainly)	4500	No	Banana
Company No. 4	State land (mainly)	800	No	Banana
Company No. 5	National land	15 800	Yes, pays to the State, local councils and local communities	Sugarcane

domain. However, lately, this company seems to have increased the surface area to 15 800 ha. For their part, the other three companies operate on land belonging to the State. Consequently, all rents on land over which the State has full and complete ownership must be paid into the State treasury. Thus, councils and local communities located near Companies No. 2, 3 and 4 in principle do not receive any land rent. Local respondents affirmed they were not aware of the existence of such a legal mechanism. The respondents' understanding is that the company is operating on their ancestral lands, for which they receive no compensation payments, either directly through the company or through the state. During the research, local informants indicated that Companies No. 3 and 4 do not only operate on state-owned land, but they also signed leases for land owned by some families or traditional communities, who have land titles (Nguiffo and Schwartz, 2012). This indicates the existence of hybrid types of legal occupation among these companies (Table 1).

Actual Payment of Land Rent

It was not possible to obtain official documents confirming that Company No. 1 actually pays land rent as legally required. A request for an interview with the head of the company's legal department was met with a categorical refusal to disclose 'information considered as strategic'. This lack of transparency was confirmed in interviews with the local authorities of the four councils and several nearby villages likely to benefit from portions of the land rent paid by Company No. 1. In fact, the local elected officials visited said that they were not aware of the existence of this mechanism. Furthermore, they said that their local councils have never received any portion of rent from agro-industry No. 1. Similar statements were made by residents of the nearby villages. The officials of the central and regional services of the Ministry of State Property and Land Tenure believe that Company No. 1 pays land rents to the General Directorate of Taxation. They also affirmed that those in charge of collecting taxes do not distribute the revenue

**Table 2:** Summary of land rent paid by the sugarcane Company No. 5 during the latest 5 years

<i>Stakeholders</i>	<i>Annual land rent in CFA F</i>	<i>Expected annual land rent in EUR</i>	<i>Actual cumulative sum in 5 years in EUR</i>
State (Treasury)	30 941 944	47 239.6	236 198.0
Mbandjock Council	6 715 280	10 252.3	51 261.5
Nkoteng Council	13 637 184	20 820.1	104 100.5
Lembe-Yezoum Council	10 589 480	16 167.1	80 835.5
Ndo village	2 066 240	3154.5	15 772.5
Biboto village	1 291 400	1971.6	9858.5
Simbane village	4 132 480	6309.1	31 545.5
Messassa village	1 162 260	1774.4	8872.5
Ebometende village	2 272 864	3470.0	17 350.0
Mvan village	710 270	1084.3	5421.5
Ouassa Baboute village	3 196 215	4879.7	24 398.5
Elap village	639 243	975.9	4879.5
Total	77 354 860	118 099.0	590 495.0

as stipulated by the regulations. In any case, portions of the land rent paid by the oil palm agro-industry and destined for local councils and communities are not redistributed at the local level.

However, it was noted that Company No. 5 actually pays land royalties to the three councils and eight village communities in which its sugarcane plantations are located. In this regard, the contractual terms of the emphyteutic lease concluded between the company and the State of Cameroon include the provision set out in Article 17 of the 1976 Decree: 40 per cent for the State, 40 per cent for the three local councils and 20 per cent for the eight surrounding villages. Thus, Company No. 5 pays EUR 118 099 annually as land rent for the 11 980 ha occupied to the Land Revenue Administration. Table 2 shows the distribution of the land rent according to the lease signed in 2006.

The authorities from the three local councils confirmed having received their share of the land rent as provided for in the lease contract. These amounts are transferred at the beginning of each year by cheque payable to the council. However, the Mbandjock council received a cheque for EUR 15 267 for the 2012 financial year, instead of EUR 10 252 provided for in the 2006 lease contract. This increase is because the agro-industry increased its land in the national domain from 11 980 ha to 15 800 ha. In this respect, the total amount paid as land rent in January 2012 for 15 800 ha was EUR 155 725, representing an increase of EUR 37 626 compared with the amount in the original 2006 lease contract. However, the increase in land area was not reflected in the two other councils and villages, suggesting that the land is located in the Mbandjock council area. At the village level, communities acknowledged having received the amounts stipulated in the 2006 lease contract each year.

Use of Land Rent by Main Beneficiaries

The local authorities of the three councils stated that money received as payment of annual land rent is part of their ordinary budget expenditure. The revenue contributes to the salaries of council workers at the start of the budgetary year. For their part, some villages have invested their resources in school infrastructure through the construction and rehabilitation of classrooms and residences for school principals, particularly payments made during the first two years (2007 and 2008). This statement was verified in two villages where the infrastructure actually exists,

notably the refurbishment of two classrooms and construction of two residences in primary schools in the case of Ouassa Baboute. Local actors, however, acknowledge that the money received during the last three years has not been used in this way because it was distributed to families in different villages for celebrations and other sundry expenses.

Perceptions of Local Actors

Four council authorities and 16 of the 40 local communities interviewed around agro-industries do not benefit from land rents because the land granted is part of State land. They have expressed their anger against the State and economic operators, accusing them of theft and land grabbing. They complained they were victims of land injustice. In their view, land rent should be considered a legitimate financial compensation for the loss of their ancestral land. Thus, they believe that the State, which is the current legal owner, must pay substantial reparations in kind or monies. Their minimum claims are for these agro-industries to grant them direct annual privileges in terms of building collective facilities and meeting related communities' needs. In contrast, the three local councils and eight village communities that benefit from land rent on the land in the national domain in their area believe that such income is also legitimate and suitable financial compensation for the loss of their ancestral lands. However, they are not quite satisfied with the amounts paid, which are low with respect to area and community infrastructural needs. Finally, local communities near industrial oil palm plantations located in the national domain who do not benefit from land royalties feel that their legal rights and entitlement must be restored as soon as possible. Otherwise, protests will be organized against the agro-industrial complex (Carrere, 2007).

Discussion

Effectiveness of the Mechanism

The objectives of the regulatory authority in 1976, through the institutionalization of a land rent redistribution mechanism, are not clearly defined in any official document. However, one can deduce that in a context marked by simmering disputes about what can be considered as the nationalization of land rightfully belonging to local communities (Tientcheu, 2005; Diaw, 2010), the objective of public authorities was to calm the anger of local communities and indigenous people by allocating a portion of annual revenue from land exploitation. In this vein, land rent seems to have been designed as financial compensation for land lost by local communities and reparation for the damage caused by the incorporation of customary lands into emerging national lands.

The land rent distribution mechanism, as seen in the study sample, appears to be inconsistent. In fact, it is not functional and cannot be applied effectively in some local councils and communities located near oil palm plantations belonging to Company No. 1. Thus, the mechanism is not effective because potential beneficiaries do not receive any portion of land rent. Nonetheless, local actors in communities near sugarcane plantations receive their respective portions of land rent every year (see Table 2). This second situation shows the effective implementation of the mechanism established by the 1976 Decree. Obviously, the results of the distribution of land rent in Cameroon are ambivalent. Such a situation seems to largely explain – and can be linked to – general and endemic poor governance prevailing in Cameroon since the early 1990s (Sindjoun, 1996; Malaquais, 2001; Assembe-Mvondo, 2009; Crisis Group, 2010). Thus,

a correlation can be made between this situation and that of recurrent denunciations of the poor living conditions of employees and local communities residing near this oil palm agro-industrial complex made by some observers and civil society (Gerber, 2008; SHERPA, 2010). Finally, it was clear from interviewing officials in charge of land administration (in central services) that the payment of land rents by many operators occupying land in the national domain throughout the territory is unclear. In this regard, as one interviewee of the Ministry of State Property and Land Tenure suggested there may be cases of systematic fraudulent manipulation and personal enrichment by the public employees of decentralized services of the ministry in charge of land tenure responsible for collecting such revenue.² This trend of the embezzlement of State funds by ministry officials has recently been confirmed by the National Anti-Corruption Commission Report (CONAC, 2012). In fact, the CONAC Report (2012, pp. 152–174) shows that around EUR 30 million was misappropriated in 2011 by many people in collusion with the officials of the land administration in the case of the construction of the Kribi Deep Sea Port Project financial compensation.

Such mismanagement of land revenue apparently is not an isolated practice in Cameroon. In fact, Oyono *et al* (2006, pp. 9–10) observed the same practices in the case of forest revenue: ‘The circulation and investment of Annual Forest Fees for village communities are marked by embezzlement and corruption at the level of mayors and regional administrative authorities, via the preparation of fictitious projects, and resulting in the absence or insufficiency of socioeconomic development’.

Thus, the objectives sought by public authorities through the institutionalization of compensatory rent are jeopardized. This is because, like local communities and councils located near oil palm plantations, other local actors residing near plantations established in the national domain do not receive their rightful financial compensation. These practices run contrary to State choice/public opinion and the regulations in force, and cause feelings of injustice among victims of the State authorities’ practices and the agro-capitalist model of land management experienced by local communities in Cameroon (Konings, 1986; Oyono, 2005; Gerber, 2008). Therefore, these results confirm the observation made by Courade (1984), who revealed contradictions in Cameroon’s agricultural policy in the 1980s between heavy investments for the development of agro-industrial complexes and the promotion of a discourse on smallholdings without investment (Janin, 1996).

Efficiency of the Redistribution Mechanism

Land rent paid by the sugarcane company (No. 5) is distributed by the divisional tax office (see Table 2), situated approximately 50 km from key beneficiaries. This decentralized service of the ministry in charge of land tenure directly hands out the cheques issued by the company to the various beneficiaries. The rent redistribution circuit is short and avoids the intermediaries and red tape that characterizes central administration in Cameroon (Cerutti *et al*, 2010). Accordingly, costs of transactions and embezzlement of land rent by the national elite are minimized by eliminating the bureaucracy prevailing in most centralized public systems (Ribot, 2002). Therefore, it can be concluded that the revenue-sharing mechanism is efficient in this case because transaction costs are reduced.

In contrast, Company No. 1 paid royalties directly to the General Directorate of Taxation in the capital city of Yaoundé situated more than 300 km from the main beneficiaries of the rent, which falls within the logic of centralization of power, a phenomenon already documented by Oyono (2004). Furthermore, in supposing that Company No. 1 pays land rent to the central tax office, the tax is mixed with other taxes due from this company, such that it would be unlawful for

tax authorities to not transfer the portions unpaid to local stakeholders. Thus, transaction costs turn out to be high and risky. This partly explains the non-transfer of portions of rent due to each local actor. Consequently, the mechanism is inefficient in the second case.

Equity in the Distribution of Land Rents in Cameroon

The objective of the regulatory authority was to maintain a kind of (utility) equity in the distribution of proceeds derived from the payment of land rents among the State, local councils and local communities. In other words, by establishing land rent in Cameroon, State authorities wanted a distributive equity or justice among these three stakeholders (Rawls, 1971; Konow, 2003; McDermott *et al*, 2012). This would induce vertical equity in country land tenure policy (Luttrell *et al*, 2012). The capture of economic rent from land seems to be more a question of social distribution of profits from land lease operations in the national domain than an incentive factor for local communities to accept the Cameroonian land tenure system. However, the percentages prescribed are unbalanced and do not favour local communities, which, though being the customary owners of national lands, receive only 20 per cent of the total amount. In other words, the Cameroonian model does not promote equitable compensation among stakeholders. Consequently, there is a perception of inequity in terms of percentages of distribution of land rents to stakeholders. Certainly, there is more or less equal opportunity in terms of safeguards to ensure marginalized groups and the poor have an equal chance of participating in the system. However, such a model still contributes to the unfairness perpetuated against local communities by administrative elites who develop a vertical system of relationships with rural actors (Geschiere, 1984, 1986).

The other component deals with intergenerational equity. This relationship seems to be missing from the Cameroonian model. Indeed, by allocating land in the national domain to economic operators, the State seems to pay more attention to the current generation and their needs, without necessarily considering the future. The management of land rents by beneficiary local and regional authorities also does not favour sustainable infrastructure that could be used by future generations. Instead, land revenue is used for the current needs of councils, particularly the payment of salaries to their employees, obliging local communities to invest in community infrastructure. Examples include the construction and renovation of some classrooms that could serve future generations. The current practice of using land revenue to meet the immediate needs of communities can be observed clearly in Ouassa Baboute, Ebometende, Simbane and Mvan. This is contrary to regulatory requirements, particularly in terms of intergenerational equity. According to some villagers, financial income obtained directly from land rent fees has not yet produced any significant improvement in living conditions or the acquisition of primary assets. Even the implementation of community projects has not reduced endemic poverty at the household level. These practices are similar to those already documented in the case of forest revenue management (Assemble-Mvondo, 2006b; Lescuyer *et al*, 2008; Oyono *et al*, 2009; Cerutti *et al*, 2010). In this regard, the revenue derived from the exploitation of land in the national domain is not better used than forest royalties. Benefits from land rent are not meaningfully invested in health, electricity, water and education facilities. Therefore, the same logic of the actions of local actors prevails for both types of royalties.

The Cameroonian land rent fees system, in the absence of a clear consistent rule, is organized with both *de jure* and *de facto* practice along two axes: a *vertical axis* that governs the sharing of benefit from national level to the local and a *horizontal axis* between and within local councils and communities. The results of this study show that there are shortcomings in the *vertical axis*; this is one reason why local councils and communities situated around Company No. 1 do not

receive their portion; whereas the *horizontal axis* of the land fees mechanism seems to function as shown by Company No. 5. Therefore, it is possible to conclude the system has not been designed to maximize equity among stakeholders.

Finally, the case of Company No. 1, which seems to enjoy some generosity from administrative authorities, clearly shows that the current model implemented in Cameroon is porous, incomplete and unfair. It favours the relationship between the State and economic operators to the detriment of councils, particularly local communities living near the plantations. Thus, the impacts of the current mechanism are contrary to the principle of distributive equity. Furthermore, as demonstrated by Gerber (2011), in such a situation where local people have lost their customary lands to agro-industrial plantations, there will be, sooner or later, protests and violent conflicts between the oppressed locals and the State–Company. In fact, most agro-industrial conflicts in Cameroon are historically connected to the large-scale occupation of customary land used by local people (Meek, 1957; Oyono, 2005; Kofele-Kale, 2007; Gerber, 2008).

Conclusion

Overall, the land rent distribution mechanism in Cameroon appears to be characterized by two contrasting scenarios. Article 16 of Decree No. 76-166 of 27 April 1976 to lay down conditions for the management of national lands provides that: ‘The price to be paid by grantees of national lands shall insofar as necessary be fixed by a separate enactment’. This particular instrument has, as yet, not been enacted. This explains why, in the case of the Company No. 5, the rent per hectare of land fixed in the lease contract is about EUR 10, whereas in the case of a new oil palm agro-industry situated in South West it is EUR 0.91/ha (Nguiffo and Schwartz, 2012, p. 6). Such low annual rental payments on land leases have been highlighted by Toulmin *et al* (2011, p. 41). It also appears to be fairly accurate when compared with the forest royalties’ annual payment (Bigombé, 2010). Indeed, though not perfect, the system of redistribution of annual forestry fees (Oyono *et al*, 2009; Cerutti *et al*, 2010) nevertheless enables the collection of almost all the related statistics, although it is difficult or impossible to obtain reliable statistics on national land allocated and the revenue derived from the payment of land fees throughout the entire territory. This chaotic situation seems to be deliberately orchestrated by the Ministry of Land Tenure to maintain the non-transparent management of a common property (belonging to the Nation) that would mainly benefit the weak social sector and not the administrative elite (Fisyi, 1992; Bigombe and Menthong, 1996). As stressed by Karsenty (2010), a concept of national land/domain is inconsistent, its successful management depends mostly on how it is interpreted and used by the public authorities and also by common citizens.

The mechanism for land rent redistribution is based on land in the national domain that is granted or leased to economic operators in Cameroon. It is not really effective, efficient or equitable. In other words, the Cameroonian model of land fees sharing is incomplete, poorly designed and lacks a viable monitoring mechanism. This is why there are many shortcomings and challenges to its implementation on the ground. Thus, the objective of public authorities to pay financial compensation to local communities is far from being achieved. On the contrary, collusion between agro-industrial operators and some government officials, and the porosity of the regulations within the current system jeopardize the rights of local communities and neighbouring councils. This runs counter to the objective of poverty alleviation in the rural areas of Cameroon. The Cameroonian model has confirmed the fact that, in the absence of clear and fair mechanisms to ensure inclusion of poor landholders, the concession model would favour large

commercial concessionaires and the State in benefit sharing (Costenbader, 2010; Peskett, 2011; Luttrell *et al*, 2012).

Even if the land rent fee programme differs from REDD+ benefit sharing (Karsenty *et al*, 2012), one of the key lessons from Cameroon is that it is possible to design a system for the sharing of REDD+ revenue based on the legitimate interests of stakeholders on collective land such as the national domain in Cameroon (Ostrom, 1990; Schlager and Ostrom, 1992), and not necessarily on real property rights (Deininger and Binswanger, 1999). However, assuming that revenue-sharing mechanisms based on the theory of common-pool resources will be established, it is necessary to avoid the shortcomings and ensuing negative impacts of the current Cameroonian model.

Another lesson we can draw from this case is that in the context of a multi-level governance system (centralized versus decentralized), the benefit-sharing mechanism should be decentralized to minimize transaction costs and avoid national/local elite capture. Last, but not least, the fair distribution of any benefit mechanism depends partly on the degree of transparency and good management of the related revenues (Otto *et al*, 2006; Peskett, 2011; Luttrell *et al*, 2012). This is not the case in the Cameroonian model. In this respect, based on the observations and the key gaps we identified in our case study with regard to effectiveness, efficiency and equity, the redistribution mechanism in force in Cameroon could be improved as follows:

- Carry out a systematic inventory to obtain a true picture of the area of land in the national domain that has already been occupied and the one granted/leased under contract.
- Ensure that all operators in the national domain, without exception, pay land rents as prescribed by the regulation in force.
- Set the floor and ceiling (*minimum* and *maximum*) prices of the value of a hectare of conceded land in the national domain.
- Complete current regulatory provisions with another statutory instrument that would fix the price and terms of institutional redistribution, use and monitoring and evaluation of land rent, avoiding bureaucratic channels that can induce transaction costs.
- Launch competitive bid solicitations for the exploitation of land in the national domain that is open to potential investors.
- Ensure the publication of all information relating to the occupation/use of land in the national domain: *publish what you sign*, as in the Extractive Industries Transparency Initiatives (EITI).

Any REDD+ benefit distribution mechanism in Cameroon would require these preconditions to be met to ensure effectiveness, efficiency and equity, not only of the benefit-sharing mechanism, but of a REDD+ mechanism in general.

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Notes

1. I concur with Deininger (2011) that REDD+ is part of global land acquisitions in developing countries.



2. The interviewee estimated at least CFA 8 billion (EUR 10 million) are embezzled each year by the decentralized bodies of their administration in the framework of land fees in Cameroon, without any accountability.

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