

Forest Peoples Project



Report on a Consultation with
Bagyeli Pygmy communities impacted by the
Chad-Cameroon oil-pipeline project

by
John Nelson, Justin Kenrick and Dorothy Jackson

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1c Fosseway Centre
Stratford Road, Moreton-in-Marsh
GL56 9NQ, UK
info@fppwrp.gn.apc.org
t/f: 01608 652893/652878

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Executive Summary

This report reviews the activities and main findings generated during a participative consultation by the Forest Peoples Project (FPP) with members of Bagyeli "Pygmy" communities in south-west Cameroon affected by the Chad-Cameroon oil pipeline project. Approval for this project was given in spite of major concerns raised by civil society concerning the potential negative impacts of the project on the poorest people of Chad and Cameroon, including the Bagyeli. The purpose of the recent consultation by FPP was to enable the Bagyeli community to articulate their concerns and aspirations, and to support them to identify capacity-building measures needed to enable them to gain access to the decision-making processes, and participate effectively in the shaping of the pipeline project.

The consultation for this project took a grass-roots approach. Intensive consultations were carried out with affected Bagyeli communities between Lolodorf and Kribi during two field visits in February and March 2001. Forty-two Bagyeli from 10 camps were consulted and discussions held with 29 other key stakeholders, including the World Bank country office, the Société National des Hydrocarbures (SNH) in Yaoundé, COTCO consultants and field managers, and other involved agencies such as Tropenbos at Kribi and the Cameroonian NGO Centre for Environment and Development in Yaoundé. The names of local informants have not been included in this report for their protection.

This work concluded that there is a lack of information access throughout the project's institutional framework, with major information gaps about Bagyeli livelihood systems amongst COTCO staff and consultants, and about the pipeline project amongst the Bagyeli. Inadequate consultation, poor communication between stakeholders and a lack of informed participation by all parties, particularly the Bagyeli who are one of the key stakeholders, has caused confusion at all levels about the construction of the pipeline and the compensation process. Problems with the lack of information stem partly from the inadequate consultation carried out to prepare the pipeline's Indigenous Peoples Plan (IPP) and the Compensation Plan (CP), but also from the daily discrimination faced by the Bagyeli from Bantu farmers and local government structures.

During the FPP consultation the Bagyeli stated that the IPP consultation process, which was supposed to ensure the informed participation of the Bagyeli in the elaboration of the Indigenous Peoples Plan, did not make culturally appropriate space for meaningful dialogue between baseline study consultation teams and the Bagyeli. Our evidence reveals that this process did not allow for their informed participation in the consultation process.

The FPP consultation revealed that at the local level, Bagyeli people lack fundamental information about the pipeline project that should have been made available during the consultation period during the development of the IPP and CP. This was a very surprising finding, given the language of the background studies, the IPP, and the World Bank's Indigenous Peoples Policy (OD 4.20) which stresses the requirement for informed participation by local communities. Questions that are still unanswered for the Bagyeli affected by the pipeline project start with very basic issues, including, for example:

- What is the pipeline?
- Who is due compensation and for what?
- What are the processes for claiming compensation or appealing concerning the lack of compensation?

These are questions that Bagyeli are still posing today, long after the pipeline route has been established and compensation has already been agreed and handed out in their area.

Because of the Bagyeli's weaker economic and political position vis-à-vis their Bantu neighbours, their lands are vulnerable to expropriation by them. With the advent of compensation measures based on land tenure, Bantu have been able to use their greater knowledge of the pipeline process and their prior dominance over the Bagyeli to claim Bagyeli lands as their own and thus capture compensation rightfully due to Bagyeli.

Typically, Bagyeli community members were not aware when the pipeline was coming to their area, or, initially, where it was crossing their lands. In contrast, Bantu community members did know this information and were able to capture compensation payments for damage to Bagyeli lands by

claiming those lands as their own. This has led to a progressive erosion of Bagyeli land rights, and is the most serious negative impact of the pipeline project on the Bagyeli thus far.

At other levels of the hierarchy leading up to COTCO headquarters in Douala, there is poor information or contradictory knowledge about particular aspects of the project. These include: the impacts of the project on Bagyeli land tenure and usage; which NGOs are working with Bagyeli and where; the timing of the project implementation; whether or not any Bagyeli have received any compensation; and the appeals process for unresolved compensation claims.

The failure to take account of Bagyeli customary land rights and resource use has skewed the pipeline compensation process from the outset, and the customary land tenure system upon which Bagyeli livelihoods are based does not appear to be recognised in either the IPP or CP.

No Bagyeli have so far received individual compensation by the pipeline project. COTCO managers responsible for implementing the compensation process and those responsible for drawing up the IPP assert that no Bagyeli have received individual compensation because COTCO deliberately ensured that the pipeline did not cross Bagyeli lands or sacred sites. However, evidence collected during this consultation shows that the pipeline crosses Bagyeli land at least five times in the Bipindi area, will have serious negative impacts on Bagyeli forest resources, has required some Bagyeli to move the location of their camps, and threatens sacred sites. More seriously, the pipeline project is causing the erosion of Bagyeli land rights and this is undermining their livelihood system.

Regional compensation also forms part of the overall compensation plan, and is supposed to fill in the gaps left by the process of compensating individual loss. However, the regional compensation plan in the area under consideration by this report will be entirely controlled by the Bantu. Given the inequalities between Bantu and Bagyeli, the regional compensation process is likely to favour the Bantu community while excluding the Bagyeli community.

For both individual and regional compensation, there is an emphasis on the provision of compensation to mitigate losses for those relying on the livelihood system predominantly used by Bantu communities, i.e. one based primarily on agriculture. These measures are a totally inadequate form of compensation for those relying primarily upon a hunting and gathering-based livelihood system.

The IPP development programmes are intended to benefit Bagyeli directly, but in fact have not addressed the needs expressed by the Bagyeli to FPP during the recent consultation. While the IPP states that Bagyeli need agricultural education and training, the Bagyeli have determined that they need to have security of land tenure over their agricultural land, and long-term protection for their customary rights to forest resources.

In conclusion, FPP's community consultation exercise revealed that basic elements of good governance, including informed participation, transparency, fairness and accountability are being undermined by the pipeline project, causing increased marginalisation of the Bagyeli within civil society in Cameroon.

Future investments to help the Bagyeli overcome this situation should concentrate on enabling them to overcome these key constraints, and supporting their wish to participate fully in Cameroon civil society without giving up their way of life. This means that mechanisms need to be developed to ensure that Bagyeli rights to their lands and way of life are recognised by wider society.

Key measures need to move the project in the direction of improving conditions for the Bagyeli are:

- increasing the informed participation by Bagyeli communities in future pipeline consultation processes and wider issues;
- building the information base, skills, and institutional capacity of the Bagyeli to protect their interests and engage effectively with Bantu communities, local authorities and other sectors of civil society;
- developing mechanisms for constructive involvement of Bagyeli in national policy development, reform and implementation.

1 Background

This report reviews the activities and main findings generated during a participative consultation by the Forest Peoples Project (FPP) with members of Bagyeli “Pygmy” communities in south-west Cameroon affected by the Chad-Cameroon oil pipeline project, which crosses the lands of Bagyeli communities between Lolodorf and Kribi in SW Cameroon. This pipeline construction project was devised by a consortium of oil companies and is being partially funded by the International Finance Corporation (IFC), a World Bank Group member. The project was approved by the World Bank in June 2000. The actual construction of the oil pipeline is planned to commence in November 2001, although preliminary work to mark out and clear the pipeline route is already underway.

Approval for this project was given in spite of major concerns raised by civil society concerning the potential negative impacts of the project on the poorest people of Chad and Cameroon, including the Bagyeli. An Indigenous Peoples Plan (IPP) was commissioned by the project managers, the Cameroon Oil Transportation Company (COTCO), in order to identify and help mitigate the negative social impacts of the pipeline's construction and operation on both the Bagyeli and their Bantu neighbours. However, this plan did not fully address certain fundamental issues required under the terms of the World Bank's Indigenous Peoples Policy (OD 4.20), namely that:

- there is a clear borrower government commitment to adhere to the World Bank's policy
- acceptable mechanisms are in place to ensure indigenous participation in the full project cycle
- an Indigenous Peoples' Component is developed which
 - makes an assessment of the national legal framework regarding indigenous peoples
 - provides baseline data about the indigenous peoples to be affected
 - - establishes a mechanism for the legal recognition of indigenous peoples' rights, especially tenure rights
 - includes sub-components in health care, education, legal assistance and institution building
 - - provides for capacity-building of the government agency dealing with indigenous peoples
 - establishes a clear schedule for fitting actions related to indigenous peoples into the overall project, with a clear and adequate budget
- final contracts and disbursements are conditional on government compliance with these measures.

Mitigation measures have been drawn up by COTCO based on baseline studies carried out to inform both the IPP and the Compensation Plan (CP) which are sub-components of the pipeline's Environmental Management Plan. These measures are being implemented through a compensation

programme at the present time, and further mitigation measures are envisaged in the form of the development projects (relating to health, education and agriculture) proposed in the IPP.

The consultation exercise upon which COTCO's IPP and CP have been based was criticised by the Bagyeli and NGOs for not adequately taking the views and aspirations of the Bagyeli community into consideration. In addition, fundamental issues of Bagyeli customary land tenure and resource use, and deep-seated inequalities between project 'beneficiaries' have not been addressed during project preparation. There is a significant risk that, under the current project conceptualisation and institutional framework, activities carried out by COTCO with the intention of benefiting the Bagyeli communities could in fact do the reverse.

The purpose of the recent consultation by the Forest Peoples Project was to support the Bagyeli community to articulate their concerns and aspirations, and to assist them to identify capacity-building measures needed to enable them to gain access to the decision-making processes, and participate effectively in the shaping of the pipeline project. In addition, this work forms the basis for the preparation of a full funding proposal to DFID's Civil Society Challenge Fund which will include capacity building measures to enable the Bagyeli to influence both the IPP and the way the project will be implemented on the ground.

2 Methods and activities

The consultation for this project took a grass-roots approach. Intensive consultations were carried out with affected Bagyeli communities between Lolodorf and Kribi during two field visits in February and March 2001. Forty-two Bagyeli from 10 camps were consulted. Between the two trips a local support NGO, Planet Survey, carried out further work to identify key areas of concern, to identify individual cases of Bagyeli lands affected by the pipeline construction and to begin to map some of these areas. The community consultations took the form of individual interviews in Bagyeli homes, field surveys of portions of the pipeline route with Bagyeli people, group interviews with the Bagyeli communities, a meeting in Bipindi of Bagyeli from several camps, and individual interviews with key Bantu informants and local officials.

In total, FPP staff made contact with 29 other key stakeholders, including the World Bank country office, the Société National des Hydrocarbures (SNH) in Yaoundé, COTCO consultants and field managers (both at Lolodorf and Kribi), and other involved agencies such as Tropenbos at Kribi and the Cameroonian NGO Centre for Environment and Development in Yaoundé. The consultations ended with a meeting in the Cameroon capital, Yaoundé, between the World Bank Representative for Cameroon, a senior representative of COTCO, four representatives of the Bagyeli community and NGO representatives from Planet Survey and the Centre for Environment and Development, where the main findings of the consultation were shared and further information was gathered.

The consultation exercise was organised and implemented, in conjunction with local partners, by experienced FPP staff, including an anthropologist with extensive knowledge and experience of Pygmy culture and livelihood systems, and an economist with long experience with natural resource management policies and issues affecting smallholder livelihood systems in francophone Africa.

The advantage of FPP's approach to the community consultations undertaken was that they were founded upon discussions with the Bagyeli in order to gain an understanding of their perception of the events related to the pipeline consultation and project implementation. These findings were complemented by discussions with many of the other key stakeholders, and by factual information gained from background project documents and the IPP. The community-based approach taken allowed FPP to compare and contrast Bagyeli perceptions and aspirations concerning the pipeline project with what was actually supposed to take place, as set out in World Bank guidance and the IPP.

3 Findings

3.1 Access to information

There is inadequate information access throughout the project's institutional framework, with major information gaps about Bagyeli livelihood systems amongst COTCO staff and consultants, and about the pipeline project amongst the Bagyeli. Inadequate consultation, poor communication between stakeholders and a lack of informed participation by all parties, particularly the Bagyeli who are one of the key stakeholders, has caused confusion at all levels about the construction of the pipeline and the compensation process. Problems with the lack of information stem partly from the inadequate consultation carried out to prepare the IPP and CP, but also from the daily discrimination faced by the Bagyeli from Bantu farmers and local government structures.

3.1.1 Biased baseline studies informing IPP and CP

During the FPP consultation the Bagyeli stated that the IPP consultation process, which was ostensibly conducted to ensure the informed participation of the Bagyeli in the elaboration of the Indigenous Peoples Plan, did not in fact allow for their informed participation or for an evaluation of whether the pipeline would adversely affect them. Instead it appeared to them to be an attempt at information dissemination, but one that did not communicate a clear picture of what the pipeline would involve, what the positive and negative effects might be, or what the process of compensation would mean. Most crucially, the Bagyeli made clear to us that the consultation process for the IPP and CP did not make culturally appropriate space for meaningful dialogue between baseline study consultation teams and the Bagyeli. These criticisms of the original baseline studies conducted to elaborate the IPP were originally made by the Bagyeli at a workshop on the World Bank's Indigenous

Peoples Policy, attended by indigenous representatives and World Bank staff in Washington DC in May 2000 Planet Survey and CODEBABIK 2000; Griffiths and Colchester 2000).

One of the reasons given by the Bagyeli for the inadequacy of the baseline studies, the consultations, data collection and analysis which informed the IPP and CP, was that much of the research on the ground was carried out by Cameroonian researchers who belong to the same local Bantu groups who dominate and exploit the Bagyeli (see below), and was therefore culturally biased.

From our discussions and analysis we concluded that the IPP consultation teams:

- did not provide a clear analysis of Bantu-Bagyeli relations;
- did not understand the Bagyeli livelihood system and social organisation;
- did not recognise how established patterns of discrimination against Bagyeli would influence the implementation of the pipeline compensation process, and;
- when drawing up IPP compensation proposals, did not address the Bagyeli communities' own livelihood aspirations (which differ from those of the neighbouring Bantu).

The IPP document notes that “Before visiting a Bakola [Bagyeli] Pygmy settlement, the consultation team met with the chief of the Bantu village associated with the Bakola Pygmy settlement as a courtesy and in recognition of the special relationship between the Bakola Pygmies and the Bantu villagers.” (IPP 2-3). The problematic nature of this ‘special relationship’, and its implications for conducting culturally appropriate research, is not addressed by the IPP. Instead it appears from the IPP that local Bantu villagers were always present, whether as researchers or translators, when the consultation team met with the Bagyeli.

An indication of cultural insensitivity is the fact that the IPP refers to the Bagyeli as Bakola, even though in this region the Bagyeli refer to themselves, and are referred to by their neighbours, as Bagyeli not as Bakola. Biesbrouck, who has conducted fieldwork in this area, writes that “Whereas Loung argues that Bakola is the correct name for the entire group of foragers in the coastal area of Cameroon, I have deliberately chosen to use the term BaGyeli as it is the word by which the vast majority of my informants indicated the group to which they felt they belonged” (Berg and Biesbrouck 2000: 190, fn 2). This report likewise refers to the Bagyeli by the name they use and prefer.

3.1.2 Lack of basic information amongst the Bagyeli and other groups

FPP’s consultation revealed that at the local level, Bagyeli people lack fundamental information about the pipeline project that should have been made available during the consultation period during the development of the IPP and CP. This was a very surprising finding, given the language of the background studies, the IPP, and the World Bank’s OD 4.20 which stresses the requirement for informed participation by local communities.

Questions that are still unanswered for the Bagyeli affected by the pipeline project start with very basic issues, including, for example:

- What is the pipeline?
- Who is due compensation and for what?
- What are the processes for claiming compensation or for appeals concerning the lack of compensation?

These are questions that Bagyeli are still posing today, long after the pipeline route has been established and compensation has already been agreed and handed out in their area.

Typically, Bagyeli community members are not aware when the pipeline is coming to their area, or, initially, where it will cross their lands. In contrast, many Bantu community members have received this information, usually well in advance, enabling local Bantu to capture compensation payments for damage to Bagyeli lands, by claiming those lands as their own (see section 3.4). This erosion of Bagyeli land rights is the most serious negative impact of the pipeline project on the Bagyeli thus far.

At other levels of the hierarchy leading up to COTCO headquarters in Douala, there is poor information or contradictory knowledge about particular aspects of the project. These include: the impacts of the project on Bagyeli land tenure and usage; which NGOs are working with Bagyeli and where; the timing of the project implementation; whether or not any Bagyeli have received any compensation; and the appeals process for unresolved compensation claims. The following examples are given to illustrate this basic lack of information, lack of communication, and confusion.

FPP's consultations established that

- the pipeline crosses Bagyeli lands and that it has a negative impact upon Bagyeli livelihood systems (see below), facts unrecognised by local project field managers.
- the COTCO socio-economic supervisor for the pipeline project (to whom FPP was directed for information by senior COTCO staff) was unaware of the activities of the NGO Planet Survey in the pipeline zone. However, Planet Survey has worked with Bagyeli communities in the pipeline zone for the past five years, and representatives of the NGO accompanied Bagyeli to Washington DC in May 2000 to attend a workshop with World Bank representatives and members of the IPP consultation team.
- Bagyeli community members in the pipeline zone were unaware when pipeline construction would begin and exactly what construction would entail, while COTCO field managers had exact information about these details.
- some senior COTCO representatives genuinely believed that Bagyeli community members had received individual compensation, while we were able to establish, by talking to Bagyeli and local COTCO staff, that no Bagyeli had or were likely to receive individual compensation for damage to their land caused by the pipeline construction. This fact was subsequently confirmed to us by senior consultants involved in the elaboration of the IPP.

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- there is great confusion over the appeals process for unresolved compensation claims: some COTCO staff and local authorities believed that there would be no further claims, while others thought that new claims could be lodged.

These examples underline the important fact that information flows between Bagyeli and those involved in the planning and implementation of the pipeline project have remained consistently poor or non-existent. At present there are no clear lines of communication between COTCO and the Bagyeli community. The consultation FPP carried out provided an exceptional opportunity for Bagyeli and COTCO staff to exchange information and views.

3.2 Compensation measures

Compensation should be based on the rights and resources of affected peoples, however the failure to take account of Bagyeli customary land rights and resource use has skewed the pipeline compensation process from the outset. Bagyeli livelihood systems, as in most other 'Pygmy' groups in Central Africa, are primarily based around gathering and hunting in the forest, but include some agriculture. These are systems that are widely recognised at the local level, but are also exploited by the more politically and economically powerful Bantu, who are the local neighbours of the Bagyeli.

No Bagyeli have so far received individual compensation by the pipeline project, even though the pipeline's route crosses Bagyeli lands and encroaches on their sacred sites. The pipeline also undermines Bagyeli livelihoods, because it causes direct damage to their forest resources and is associated with a compensation plan which has allowed Bagyeli land to be claimed by Bantu seeking to benefit from the compensation process (see section 3.4).

According to the IPP, the team carrying out the baseline survey asked the Bagyeli about the pipeline's impact on wildlife, and were told that the Bagyeli believed that these would only be temporary (i.e. for the duration of the construction period) (IPP 2-4). Consequently the IPP and CP focussed solely on compensation for agricultural land. However, FPP's community consultations revealed a very different picture, in which Bagyeli have a much greater range of concerns about the possible consequences of the pipeline on their resource base. Their concerns include fears about the potential impact of oil spillages and about the disruption to wildlife, not only during the construction period, and as a consequence of the clearance of a 30 meter wide band of forest along the entire pipeline route, but also afterwards during pipeline monitoring. There are also fears about the impact of hunting by COTCO workers for personal consumption, or worse, for the commercial bush meat trade. The Bagyeli clearly expressed their misgivings that the pipeline construction is one more step in an ongoing process that involves outsiders claiming and taking over control of their forest lands, further undermining their livelihood system.

COTCO managers responsible for implementing the compensation process and those responsible for drawing up the IPP agree that no Bagyeli have received individual compensation. The reason they gave is that they deliberately ensured that the pipeline did not cross Bagyeli lands or sacred sites. One manager stated: “The route of the pipeline was made with the intention of avoiding the Pygmy camps. . . So we haven’t compensated any. Not one Pygmy camp has been compensated in my zone. I have never heard of a Bagyeli saying that the pipeline has passed through their field.”

However, evidence collected during FPP’s consultation shows that the pipeline route already impacts on Bagyeli communities: the pipeline crosses Bagyeli land at least five times in the Bipindi area, has required some Bagyeli to move the location of their camps, and threatens sacred sites.

The IPP states that during visits to Bagyeli communities to explain the pipeline project “..issues of concern to the Bakola Pygmies and the Bantu villagers were discussed. Their main worry was not to be resettled and that graves would not be moved. They were reassured that all important and irreplaceable sites (such as villages, houses, graves, and sacred sites) would be avoided and spared, and that sufficient compensation would be paid to replace useful plants and crops and start new fields.” (IPP 2-3). These intentions are not being fulfilled; some illustrative examples follow.

3.2.1 Uncompensated damage to forest resources

From an outsider’s perspective the actual numbers of trees that be will cut along the pipeline easement are few, when compared to the forest that will remain. However, many Bagyeli believe that this opening up of the forest, which is happening without their consent, is part of a longer-term destructive process which continues to erode their customary land rights and livelihood systems.

During FPP’s consultation Bagyeli expressed their fears that the construction of the pipeline will lead to a more permanent destruction of important forest areas, and that the opening up of the forest will cause an increase in outsiders coming to the forest to hunt. The Bagyeli pointed out that these long-term and indirect impacts on the Bagyeli are not recognised in the compensation process. One Bagyeli said: “

We live by the hunt but we get nothing for the destruction of the forest. They pay compensation only according to the way of life of the Myi [Bantu]. That which is paid to the Myi is not paid to the Bagyeli.

As one COTCO field manager noted, although it is against company policy for COTCO workers to hunt bush meat, the company cannot control what they do out of uniform in their own time. Given that 140 of the workers constructing the pipeline recently went on strike because of their poor pay and conditions, it is very likely that pipeline workers will seek additional sources of income by turning to hunting and the sale of bushmeat. The negative impacts on the resource base of local populations

caused by an increase in commercial bushmeat hunting by outsiders moving into an area (e.g. logging camps), have been well documented in other Central African locations. The potential negative impacts of this type of activity by pipeline workers is also mentioned in background documents prepared by COTCO.

Bagyeli medical specialists pointed out that the route of the pipeline will destroy some areas which contain irreplaceable medicinal plants (for example, in areas west of Bipindi), which – like sacred sites – cannot be adequately compensated for. Indeed, compensation for such areas has not been considered. One renowned healer commented:

When the pipeline destroys the medicinal trees, it will destroy everything. I am a healer; I don't use the medicines of the hospital. I was born in the forest, I live in the forest, I will die in the forest. I live from the forest – the pipeline destroys the forest by which I live.

It is notable that villagers are compensated for damage to forest products such as wild mango trees (statement by one of the COTCO managers responsible for implementing the compensation process) but the disruption to Bagyeli livelihoods has been framed as 'temporary' (see above under 3.2) and so they are not compensated for loss or damage to the non-timber forest products they rely on.

3.2.2 Relocation of Bagyeli Communities

FPP 's consultation revealed at least three cases of Bagyeli communities that have been relocated as a direct result of the pipeline. In a Bagyeli community west of Bipindi, a Bagyeli man said:

They told us to move camp because the pipeline would pass through here. The white man of the pipeline told us we had to move and that we would get compensation. They asked 'What do you want for moving camp?' We had to build houses, etc., so we asked for money for that. But the Myi [Bantu] who had already moved us out had already taken the compensation.

His sister added:

The Bagyeli work on the pipeline and the Myi take the wages. The monkey travels on high, but the chimpanzee takes what the monkey finds. I don't want to talk of the pipeline, because the pipeline makes the Myi take from us.

3.2.3 Damage to sacred sites

The pipeline will impact on at least one sacred site. A sacred tree on a so-called 'island' (3 sides of which are bordered by rivers) south east of Bipindi, will be cut down when the land is cleared for 15 metres either side of the pipeline. The tree is well known as a sacred site where Bagyeli make offerings on behalf of Bagyeli and Bantu who are ill or afflicted by sorcery. It is notable that the

Bagyeli ritual specialist and guardian of this tree does not receive any recompense for his services, since villagers making offerings only give gifts to the Bantu chief, and the Bantu chief orders the Bagyeli specialist to conduct the ritual. If the tree is cut down the Bagyeli ritual specialist wishes to receive compensation reflecting the years of service he has given to local communities without remuneration.

3.2.4 Lack of access by Bagyeli to wider compensation plan

Regional compensation also forms part of the overall compensation plan, and is supposed to fill in the gaps left by the process of compensating individual loss. The regional compensation plan and the individual compensation plan, whilst alluded to in the IPP, actually form part of the Compensation Plan component of the overall Environmental Management Plan (EMP). The IPP, which is simply another component of the EMP, does not deal directly with the compensation of the indigenous people affected by the pipeline, although it does make provisions for development work with Bagyeli communities (see 3.3 below).

One COTCO manager explained that it was through this village-based regional compensation mechanism that the needs of the Bagyeli would be addressed. However, the regional compensation plan covers the provision of educational, health and agricultural materials to the 234-237 villages listed by COTCO as being located along the pipeline, and is negotiated between the village authorities and COTCO. In the area under consideration by this report the regional compensation process will be entirely controlled by the Bantu. Given the inequalities between Bantu and Bagyeli, the regional compensation process is likely to favour the Bantu community while excluding the Bagyeli community.

For both individual and regional compensation, there is an emphasis on the provision of compensation to mitigate losses for those relying on the livelihood system predominantly used by Bantu communities. Compensation for lost crops and fields, along with the provision of agricultural supplies, has been useful to those facing damage to crops and fields, and who will need to re-establish lost cultivation elsewhere. However, apart from the fact that this compensation process has itself led to the dispossession of Bagyeli lands (see section 3.4 below), these measures are a totally inadequate form of compensation for those relying primarily upon hunting and gathering-based livelihood systems. Notwithstanding the fact that Bagyeli practice some agriculture, what political and economic autonomy the Bagyeli *have* been able to retain in their dealings with their Bantu neighbours stems from their access to forest resources – either for subsistence or exchange. The undermining of this autonomy due to the pipeline construction and erosion of Bagyeli forest resources was not recognised as significant during the baseline research carried out for the IPP and CP.

3.3 Development Programmes devised for the Bagyeli

According to one of the COTCO managers: “Pygmies are not included in the individual compensation plan so we have the IPP which has 3 parts: agriculture and education (which are 100% for Pygmies) and health clinics (which are for Pygmies and Bantu).” These measures in the IPP are separate from the regional compensation measures outlined above which are aimed at whole villages and not specifically at the Bagyeli. The IPP’s development programmes are intended to benefit Bagyeli directly, but in fact have not addressed the needs expressed by the Bagyeli to FPP during the recent consultation.

3.3.1 Agriculture

The IPP document appears to be partially based upon the assumption that the best way of helping the Bagyeli is to encourage them to change their livelihood system, that is, to move Bagyeli away from gathering and hunting towards becoming fulltime agriculturalists. One of the few places in the IPP document where the nature of the relationship between the Bantu and the Bagyeli is alluded to is in what appears to be a rhetorical question “Are the Pygmies obliged to be subservient to the Bantu villagers or do they have to adopt agriculture themselves in order to survive?” (IPP 4-2).

The emphasis on agriculture in the IPP is framed in terms which assume that the Bagyeli must adopt their neighbours’ lifestyle in order to ‘develop’. There appears to have been no effective consultation with the Bagyeli to ascertain what it is they actually need or want. The assumption commonly made by outsiders is that the ‘backwardness’ of the Bagyeli is a major problem for them, whereas the main problem Bagyeli identified during FPP’s consultation process was their marginalisation within civil society and lack of land rights. While the IPP states that Bagyeli need agricultural education and training, the Bagyeli have determined that they need to have security of land tenure over their agricultural land, and long-term protection for their customary rights to forest resources. As one Bagyeli, who cultivates fields near the road, said

We who live by the road have the problem of land. We need title for our land.

Another said

We live by the hunt but we get nothing for the destruction of the forest.

It is widely recognised amongst anthropologists that Central African hunter gatherers have a good diet and are able to engage in reasonably equal exchange relations with their Bantu neighbours as long as they are still able to maintain a good degree of autonomy and are able to gather and hunt in the forest (as well as often working small fields themselves). A similar point is noted in the IPP document itself when it says: “...although the diet of the populations that live in the forest environment is on the whole satisfactory, it is those societies that are changing (Pygmies towards sedentarization)

who manifest insufficiencies on a nutritional level.” (IPP B-4). The emphasis on agriculture in the IPP contrasts with this view and with the Bagyeli’s own long-term interests.

3.3.2 Education

It is still unclear how the educational component of the IPP will actually work. The emphasis in the IPP document is on the use of literacy classes for the adult populations in Bagyeli settlements. This may well be useful, although it is not something the Bagyeli asked for according to the IPP document where they requested education for their children (IPP 3-12) nor was it something Bagyeli mentioned to FPP. It is questionable whether education initiatives will simply reproduce a Bantu dominance and whether they will be sensitive to Bagyeli culture and needs.

3.4 Inequality and discrimination

3.4.1 Land and resource rights

Almost all land in the area used by Bantu and Bagyeli is untitled, and subject to customary land tenure rules that have been in operation for decades. The rights of access and use are mutually recognised by Bantu and Bagyeli, and it is this recognition that has, at least in the past, led to a balance between these two communities who rely on very different economic systems to secure their livelihoods.

The Bantu rely mainly upon agriculture in areas cleared of forest to secure their income, and they engage in capital investments in houses and other storage buildings. The majority of Bagyeli rely mainly upon hunting, gathering and cultivating in the forest, and periodically move their hunting camps. They do not make significant cash-based investments in capital assets. Bagyeli forest resources management requires long-term investment in social networks, which confer user rights for particular areas and resources, and also form the basis for the generation and transmission of indigenous knowledge about the use and management of forest resources.

Bagyeli customary law allocates collective access to forest resources through residential units linked through the base camp, village, or through kinship, which often result in complex networks of mutual rights stretching over considerable distances. When Bagyeli move to a distant area, they usually choose one that is near to their kin, where they can make use of this web of rights to forest resources. There are parallels between Bagyeli and Bantu customary property regimes since – from a Bantu perspective – Bagyeli have become incorporated into the clans of their Bantu ‘patrons’ and Bagyeli base camps are considered a division of the nearby Bantu village. In principle, villagers and Bagyeli may use the same forest space and resources, although in practice the Bantu tend to use secondary forest, fallow land and cacao plantations more, rather than the high forest (forest which has not been turned over to cultivation, i.e. not field or fallow) preferred by the Bagyeli.

The perception of geographical scope of rights differs between Bagyeli and Bantu. For the Bantu the whole of the non-forest cultivated area is considered common property to which villagers have priority of access. From a Bantu perspective, each of the different Bagyeli base camps associated with one village has rights only to specific areas of high forest associated with that base camp, not to the whole forest area.

For the Bagyeli, it is possible to have access to all of the high forest, as long as they are able to 'be on good terms' with others, and so maintain their right to use neighbouring areas of forest. Boundaries in the high forest enable rights-holders to exclude people belonging to other residential units. Rights may be extended to outsiders, such as distant relatives, or friends who live in another village, providing gifts are given, forest yields are shared and the conditions of use respected. Conflicts over resources amongst the Bagyeli are never settled through Bantu customary institutions but dealt with by the Bagyeli themselves. Bagyeli find it inconceivable that a complete stranger or outsider would come to exploit a forest without prior permission of the rights-holders. The local village chief or the weekly *tribunal coutumier de justice* intervenes in Bantu-Bagyeli conflicts over land and resources, and this system is weighted in favour of the Bantu (see Biesbrouck 1999; Berg and Biesbrouck 2000).

According to the documents available to FPP these property regimes and the Bagyeli livelihood system do not appear to be recognised in either the IPP or CP nor, crucially, is the discriminatory nature of the current system of exchange and conflict resolution. Great effort has been made both by the Cameroon government and by Bantu villagers to settle Bagyeli by the roadside and reduce their ability to move autonomously between different areas of the forest. For the government this has been mainly motivated by a wish to impose effective taxation and 'development', whereas the Bagyeli ascribe Bantu villages' motivation for moving them nearer as due to their desire for a cheap source of labour. The government and local Bantu communities share the view that the Bagyeli livelihood system is backward, rather than just different.

The powerlessness felt by the Bagyeli is expressed by a comment during FPP's final consultation workshop. When the country representative of the World Bank expressed surprise that the Bagyeli did not resist having their land taken from them, a Bagyeli representative explained: "They treat us like animals, there is no difference."

3.4.2 Land expropriation

Because of the Bagyeli's weaker economic and political position vis-à-vis their Bantu neighbours, their lands are vulnerable to expropriation by Bantu neighbours, who are also more numerous and have greater access to and influence with the local government authorities.

With the advent of compensation measures based on land tenure, Bantu have been able to use their greater knowledge of the pipeline process and their prior dominance over the Bagyeli to claim Bagyeli lands as their own and thus capture compensation rightfully due to Bagyeli. FPP encountered four accounts of Bantu claiming Bagyeli lands during the development of the compensation plan and taking the compensation when it subsequently arrived, and there are likely to be more cases.

In other instances the Bantu used physical force to drive the Bagyeli off their own land. A Bagyeli elder from a community near Kribi explained:

“The Myi [Bantu] have taken our land so that the Myi can get the compensation. They harassed us by force because we were Bagyeli. The Myi knew that the problem would come, so they cultivated the land that had belonged to the Bagyeli, in order to get the compensation”.

This statement was confirmed by the local Bantu community leader.

Another example is of a community of about 80 Bagyeli people further east towards Bipindi. Here the Bagyeli did not want to be settled by the road but, like many other Bagyeli communities, were forced to do so by government policy and by their neighbours seeking a source of cheap labour. Witnessed by the whole village, the *sous préfet* had given the relocated Bagyeli a tract of land by the road stretching 5km back into the forest. Three years ago, just when the pipeline was being talked about, Bantu villagers arrived and cleared and cultivated part of the Bagyeli land, restricting the Bagyeli to cultivating an area extending only 100 metres from the road. As a result the Bantu rather than the Bagyeli received compensation for disruption caused by the pipeline crossing land that had originally been given to the Bagyeli.

3.4.3 Identity cards.

The fact that most Bagyeli cannot afford identity cards reinforces Bagyeli peoples' unequal access to justice and law. Bagyeli seeking redress from the (Bantu) authorities for acts of discrimination and exploitation carried out by Bantu farmers, are fined, ostensibly because they lack identity cards which are a requirement under Cameroon law. One of the Bagyeli consulted by FPP, who had lost his land to Bantu neighbours, said

I didn't go to the authorities because I was afraid. I have no identity card, so how can I speak to the authorities? To those same people who have taken my land? I was told to wait, wait, wait. Now instead of cultivating and hunting on this side of the road, I have to go 3 kilometres the other side of the road to cultivate. I have been told that I cannot hunt in the area where the pipeline is going to be.

4 Conclusions

FPP's community consultation exercise revealed that basic elements of good governance, including informed participation, transparency, fairness and accountability are being undermined by the pipeline project, causing increased marginalisation of the Bagyeli within civil society in Cameroon. The evidence for this general finding falls under the following headings: lack of clear information; inadequate compensation plans, and reinforcement of discrimination.

1. Lack of information access exists throughout the project's institutional framework. Inadequate consultation, poor communication between stakeholders and a lack of informed participation by all parties, particularly the Bagyeli, has caused confusion at all levels about the construction of the pipeline and the compensation process.
2. The pipeline's compensation process is deepening the inequality and conflicts between the Bagyeli and their Bantu village neighbours. The criteria for individual compensation are weighted towards Bantu livelihood systems, and regional compensation plans and development programmes which are meant to benefit the Bagyeli do not adequately address the needs and priorities of the Bagyeli. The Bantu communities' better access to information and greater political power has enabled them to capture the process, claim Bagyeli lands as their own and appropriate compensation due to Bagyeli. No Bagyeli have so far been compensated by the pipeline, even though it crosses their lands, has damaged forest resources and threatens indirect impacts that will have a adverse effect on Bagyeli hunting and their forest resource base.
3. The pipeline project is not promoting Bagyeli participation in consultation and decision-making, and provides no mechanisms for Bagyeli to contribute to policy reforms which would address the fundamental problems of discrimination against the Bagyeli and their exclusion from civil society.

The net effect of the lack of access to information, and the inadequate compensation for Bagyeli production losses, is a reinforcement of the inequality and discrimination already experienced by Bagyeli within Cameroon civil society.

5 Recommendations

The project to construct the Chad-Cameroon oil pipeline was approved by the World Bank on the grounds that it would reduce poverty and improve the living conditions of the populations of Chad and Cameroon, including those communities directly affected by project's infrastructure. However, the findings from FPP's community consultation indicate that the implementation of the pipeline project

will cause increasing marginalisation and impoverishment of the Bagyeli communities of South West Cameroon unless corrective measures are taken.

The negative impacts of the pipeline project are directly linked to the Bagyeli's lack of information about and access to the main decision-making processes relating to the project. Future investments to help the Bagyeli overcome this situation should concentrate on enabling them to overcome these key constraints, and supporting their wish to participate fully in Cameroon civil society without giving up their way of life. This means that mechanisms need to be developed to ensure that Bagyeli rights to their lands and way of life are recognised by wider society.

Key measures need to move the project in the direction of improving conditions for the Bagyeli are:

- increasing the informed participation by Bagyeli communities in future pipeline consultation processes, linked to the implementation of the IPP and CP and wider issues;
- building the information base, skills, and institutional capacity of the Bagyeli to protect their interests and engage effectively with Bantu communities, local authorities and other sectors of civil society;
- developing mechanisms for constructive involvement of Bagyeli in national policy dialogue, reform and implementation.

Actions to implement these measures include:

- the development of mechanisms to facilitate the flow of information between the Bagyeli communities and government, pipeline agencies, donors, NGOs, Bantu communities and other civil society institutions. These are currently absent or weak.
- activities to help build the confidence, and technical and institutional capacities of Bagyeli communities in the pipeline zone.
- culturally appropriate community consultations to support the Bagyeli to develop their own representative bodies and to participate in upcoming processes related to the pipeline construction.
- participation of Bagyeli representatives in
 1. upcoming COTCO consultations that will feed into the implementation of the final components of the compensation scheme;
 2. revisions to the IPP that will be made based upon critical analyses now being prepared;
 3. the formulation of guidelines for the dispersal of funds to local environmental initiatives through the COTCO Environmental Fund;
 4. the establishment of the programme of CAPECE, the Cameroonian monitoring and capacity-building initiative funded by World Bank, which will be implementing capacity building projects across the whole pipeline zone;
 5. the monitoring of civil society participation, governance, environmental and social impact and government policy formulation on indigenous land rights being carried out by the

International Advisory Group, an independent oversight panel reporting directly to the World Bank.

Support for Bagyeli participation in these processes will respond directly both to Bagyeli expressed interests and needs and to international efforts to promote good governance and respect for human rights. The Bagyeli state that their fundamental need is recognition of their land rights and strengthened capacity to counter discrimination and gain control over their own lives. With processes in place that support these fundamental needs, the Bagyeli see themselves as being able to integrate themselves into Cameroonian society from a position of equality rather than being assimilated from a position of subservience.

FPP intends to maintain open dialogue with key agencies and stakeholders involved in the pipeline project, and work towards greater collaboration and information exchange to promote good governance, transparency and effective poverty alleviation based on participation and accurate information. A shortened version of this report is to be circulated to all of those involved in this consultation and other key stakeholders.

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