The role of land use planning in Central Africa

german cooperation
DEUTSCHE ZUSAMMENARBEIT

CBFP
CONGO BASIN FOREST PARTNERSHIP

The role of land use planning in Central Africa

Client

German Facilitation to the Congo Basin Forest Partnership

Authors

James Acworth, Independent Expert

Pascal Douard, Independent Expert

Date: September 2021

This product was financially supported by the German Federal Ministry for Economic Cooperation and Development (BMZ) through the German Facilitation to the Congo Basin Forest Partnership 2020-2021 and the Gesellschaft für Internationale Zusammenarbeit (GIZ). Administrative and technical support were provided by the GIZ Sector Project on International Forest Policy.

EXECUTIVE SUMMARY

The Congo Basin Forest Partnership (CBFP) Roadmap for 2020-21 identified several key topics that the German Facilitation intends to emphasize together with the whole Partnership. Among these is “sustainable land use”. The roadmap sets out to encourage discussions towards a longer-term objective: to move towards regulative harmonization and minimum standards within the region for the sustainable optimization of all natural resource and land use as a means of supporting conservation, biodiversity, sustainable management and, above all, the economic development of the populations of Central Africa. This brief addresses this objective.

The Congo Basin (CB) countries have fast growing populations with increasing domestic social and economic development needs that must be met to fulfil the Sustainable Development Goals (SDGs). National development visions and strategies lay out ambitious plans to meet these needs, and at the same time to supply, and benefit from, global commodity markets. Commercial forestry, industrial agriculture, extractive industries (oil, gas, mining) and infrastructural expansion compete with small- to medium-scale agriculture for rural land. Economic growth depends on investment in transport and energy infrastructure to power homes, process goods, and improve regional integration and market access.

All these require more land – and in the CB, much of this land is forested. These forests are not only home to local people, but also harbour globally valuable biodiversity and vast reservoirs of carbon. Reducing forest loss is crucial in efforts to minimize climate change. The CB forests are naturally dynamic – expanding and contracting with long-term climate cycles. It is projected that their extent will shrink rapidly with predicted climate change. Economic development will inevitably accelerate forest loss. The questions are therefore not *if*, but *where* forests must be cleared for essential development; where forests should be maintained, or planted, and to what extent; who gains and loses from clearing forests versus maintaining them; and how benefits and costs will be distributed.

Land use planning (LUP) and Land Use Plans (LUPs) have been heralded by CB Governments, development partners, civil society, and the private sector alike as an essential foundation for better land governance, more coherent and sustainable rural development planning and reconciling competing interests in land in fast growing CB economies. However, stakeholders do not yet have a common understanding of the very concept of LUP, its purpose, scope or good practice – each having their own expectations and prioritising different outcomes.

CB governments and ministries responsible for planning typically perceive LUP as a tool for informing the better distribution of transport and energy infrastructure as well as social services to enhance regional integration; for improving access to markets; and for accelerating and balancing socio-economic development. Meanwhile, rural-sector stakeholders (ministries of forestry, environment and agriculture, donors, NGOs, private sector) hail LUPs as tools to plan for more coherent and sustainable rural development; to reduce emissions from deforestation and forest degradation in the context of REDD+; to develop voluntary carbon market projects; to pave the way for deforestation-free supply chains or payments for environmental services (PES); and to help meet Nationally Determined Contributions to the UNFCCC. While these different understandings can be reconciled, much work remains to be done to reach a common understanding of the purpose, process, and good practices of LUP at national, regional and local levels to achieve mutually desired outcomes – including how they can improve outcomes for forests.

Conclusions and outlook: Adapted local LUP processes can serve as a foundation for securing tenure, reducing social conflicts between external and local actors, or even *within* forest adjacent communities meeting the SDGs, implementing REDD+ and operationalizing the many commitments to zero deforestation commodity production.

Due to actual or potential land use conflicts between sectors and users, LUP as a mechanism to address both sustainable development and climate change is first and foremost a political process and not just a technical one. A highest priority is therefore to create a formal space for dialogue about the purpose and importance of integrated LUP, in which relevant stakeholders are present and understand their role in a fully inclusive process.

A next priority is to clarify how the different LUP instruments (national, regional, and local) will be aligned horizontally between sectors, and vertically between national, regional, and local decision-making bodies in the context of ongoing decentralization. This alignment must be constructed simultaneously with the completion of the legal framework and the preparation of the LUPs in a pragmatic and iterative approach. Practice and lessons learned will inform LUP policy.

Preparing LUPs requires a carefully orchestrated mix of participatory processes, technical tools, communication, and negotiations towards agreements on the future direction of integrated development, informed by global and national policies and mechanisms. Integrating the logic of international climate and biodiversity agendas into local planning is becoming essential to trigger new funding opportunities.

To succeed, LUP must describe not only the future allocation of land, but also clarify land and tree tenure; establish new land and resource governance institutions and mechanisms that address historical deficiencies (on the side of both the state and traditional authorities); describe the necessary investments to intensify agricultural production; and define performance-based incentives for forest conservation, sustainable commodity production; and how such incentives will be paid, and shared. An LUP that aims to deliver on all these goals is ambitious indeed. But without such ambition, many of the global commitments to meeting the SDGs, eliminating deforestation from commodity supply chains, and tackling climate change will not be met.

Such complexity appears necessary to address the multiple land use and land governance challenges faced in rural areas of the Congo Basin and to harness new opportunities. LUP should be presented as a unifying process that allows many objectives to be achieved simultaneously. If tackled separately, these initiatives might well be counter-productive and will certainly be even more confusing to all stakeholders, especially local communities.

However, this complexity also increases the risk of failure – both during the preparation of LUPs, and during their implementation. LUPs that integrate all these factors will likely not evolve out of a bottom-up approach alone. The diverse stakeholders will need to be convened regularly, will require careful guidance to understand the policy framework and new opportunities (for zero deforestation commodities, PES, REDD+ mechanisms etc.) and will need expert facilitation, supported by technical tools, to reach a consensus on the sustainable development strategy for each planning jurisdiction. There are no obvious shortcuts that will deliver a better result. Building a well-trained cadre of LUP experts is a high priority.

Finally, we recommend that while it may be helpful to harmonize data collection standards across the CB region, it is unlikely that there is a one-size-fits-all LUP methodology as the context and legal frameworks in each CB country differ.

TABLE OF CONTENTS

LIST OF TABLES

List of tables in the Annex

LIST OF FIGURES

List of Figures in the Annex

LIST OF ABBREVIATIONS

AFD ..... *French Development Agency / Agence Française de Développement*
AGEOS ..... *Gabonese Space Studies and Observations Agency*
CAFI ..... *Central African Forest Initiative*
CAR ..... *Central African Republic*
CB ..... *Congo Basin*
CBD ..... *Convention on Biological Diversity*
CBFP/PFBC ..... *Congo Basin Forest Partnership / Partenariat Forestier du Bassin de Congo*
CBNRM ..... *Community Based Natural Resource Management*
CNAT ..... *National Land Allocation Commission / Commission Nationale d'Affectation des Terres (Gabon)*
COMIFAC ..... *Central African Forest Commission / Commission des Forêts d'Afrique Centrale*
CONARAT ..... *Commission Nationale de la Réforme de l'Aménagement du Territoire*
DRC ..... *Democratic Republic of the Congo*
ECRL ..... *Ecological Conservation Redlines approach*
EqG ..... *Equatorial Guinea*
EGSP ..... *Emerging Gabon Strategic Plan*
HCS ..... *High Carbon Stock*
HCV ..... *High Conservation Value*
LUP ..... *Land Use Planning*
LUPs ..... *Land Use Plans*
MATIER ..... *Ministry of Land-use Planning, Infrastructures and Road Maintenance / Ministère de l'Aménagement du Territoire, des Infrastructures et de l'Entretien Routier (Republic of Congo)*
MATUH ..... *Ministry of Land Management and Urban Renewal / Ministère de l'Aménagement du Territoire et Rénovation de la Ville (Democratic Republic of Congo)*
MINEPAT ..... *Ministry for the Economy, Planning, and Regional Development / Ministère d'Economie, de la Planification et de l'Aménagement du Territoire (Cameroon)*
OFAC ..... *Observatoire des Forêts d'Afrique Centrale*
PIREDD ..... *Multi-Sectoral Programme / Programme Intégrée REDD+*
PARAT ..... *Land Use Planning Reform Support Programme / Programme d'Appui à la Reforme d'Aménagement du Territoire (DRC)*
PLADDT ..... *Local Land Use and Sustainable Development Plan / Plan Local d'Aménagement et de Développement du Territoire*
PNAT ..... *National Land Use Plan / Plan National d'Aménagement du Territoire (Gabon)*
PTAT ..... *Territorial Land Use Plans / Plan Territorial d'Aménagement du Territoire (DRC)*
PUDT ..... *Sustainable Land Use Programme / Programme d'Utilisation Durable du Territoire*
REDD+ ..... *Reducing Emissions from Deforestation and Forest Degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries*

RFN ..... *Rainforest Foundation Norway*
RFUK ..... *Rainforest Foundation UK*
RoC ..... *Republic of the Congo*
SNADDT ..... *National Framework for Land Use & Sustainable Development / Schéma National d'Aménagement et de Développement Durable du Territoire (Cameroon)*
SNAT ..... *National Land Use Framework / Schéma National d'Aménagement du Territoire (Gabon)*
SPAT..... *Provincial Land Use Framework / Schéma Provincial d'Aménagement du Territoire (DRC)*
SRADDT..... *Regional Land Use and Sustainable Development Frameworks /Schéma Régional d'Aménagement et de Développement Durable du Territoire (Cameroon)*
UNFCCC ..... *United Nations Framework Convention on Climate Change*
VGGT ..... *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (FAO, 2012)*

1 INTRODUCTION AND PURPOSE

The objective of this study was to develop a set of practical and realistic policy recommendations for more sustainable Land Use Planning (LUP) in the Congo Basin region. It is one of a set of six studies prepared under the German presidency of the Congo Basin Forest Partnership (CBFP). A common objective of the different studies is to provide practical solutions and policy recommendations on how the different subject areas could be improved in the particular context of the Congo Basin. Insofar as they are all linked to climate (and biodiversity) finance, they are intended to present suggestions to "put on the table" in upcoming UNFCCC and Convention on Biological Diversity (CBD) negotiations as possible pathways forward for the Congo Basin.

The target audience for this study includes decision makers in the Congo Basin (CB) countries and the technical and financial partners that work with CB countries on the governance and management of natural resources in general and rural land in particular. It is also intended to inform those working on LUP as an approach to plan for more effective and spatially explicit investments in sustainable rural development, in the context of global climate change and loss of biodiversity. However, we also look at LUP in the context of the contrasting pressures of globalisation and decentralisation – on the one hand, the interests and markets in faraway places are driving land use decisions in remote rural areas of the CB, and on the other hand, the political rhetoric, though still far from reality, claims to be promoting decentralised decision-making and participatory management to ensure that those most affected by the outcomes can participate in, and influence, if not determine, the final land allocation outcomes and be fully involved in land and natural resource management.

Our approach has been to review the historical and political context of LUP efforts in the CB and its drivers: Who has initiated LUP? With what mandate and purpose? How has it been done? And with what outcome? We then compare LUP efforts in the CB with those in other countries, exploring why there are many different perceptions of the purpose of LUP that have added to the complexity and often confusion as to what it is meant to achieve. This explains to some extent why the anticipated results of LUP are often elusive – at least for some of the stakeholders.

Finally, based on the analysis and findings so far, we consider how ongoing LUP efforts might be better aligned and rendered more effective – initially through clarification of, and putting in place, a set of key prerequisites to increase chances of successful LUP. We also provide some guidance on how this success can be measured over time, to inform the drafting of better LUP policy and legal frameworks in future, improved technical guidelines and tools for practical LUP on the ground, and ultimately, more sustainable and equitable development for the communities that live in, and depend on, the rural areas of the Congo Basin. In doing so, we recognise that these communities live in the context of a global political economy that – whether they like it or not – they are inextricably linked to, are impacted by, and must respond to if they are to achieve better outcomes for the next generation.

1.1 Geographical scope of this study and key facts

This study covers four of the six member countries within the CBFP in more detail – Cameroon, Gabon, Republic of Congo (RoC) and the Democratic Republic of Congo (DRC) – and summarises some data for the Central African Republic (CAR) and Equatorial Guinea (EqG). The study also draws from LUP experiences further afield in Africa and beyond.

1.1.1 Demographic trends

The economic development underway in the Congo Basin is driven in large part by the direct development needs of this fast growing and increasingly urban population that first and foremost must be adequately supplied with reliable and affordable sources of food, fibre and energy to achieve the Sustainable Development Goals.

Relative annual population growth is highest in EqG (3.4%) and lowest in the CAR (1.8%), but it is the absolute growth in population and the resulting change in population density that most influences land use. Movement of people and economic development in the region is also highly dynamic and is in part determined by political stability and internal conflicts (civil wars). The distribution of this population between urban and rural settlements is also dynamic, and future trends will influence the demand for food by urban populations, and the ability of the remaining rural population to grow the crops that are required to feed them.

1.1.2 Historical land governance – strongly influenced by global interests

Land use and land governance in the recent past (150 years) has been strongly influenced by three factors:

- global markets for commodities, notably timber, minerals, agricultural products
- the impact of the colonial era (whose primary interest was to extract such resources) on land tenure systems, and
- the highly centralised systems of governance in general, and land and natural resources in particular, that the ruling authorities put in place.

Several decades after independence, little has changed in Africa's patterns of growth and trade. They are still largely driven by primary commodities and natural resources, reflecting the persistence of the colonial development model where natural resource-endowed nations served as feedstock for advanced economies (Angu et al., 2014; Bassalang and Acworth, n.d.). Quantitative evidence to support the theory that decentralized management of forests and greater participation in their governance and benefit sharing mechanisms help to alleviate rural poverty and improve living standards remains scarce, due to both poor governance of such mechanisms and poor monitoring of their impacts (Angu et al., 2014).

Post-colonial political, legal and institutional structures are still heavily influenced by historical norms from other countries that may not have been well adapted to the CB context. Moreover, they have often not evolved in the CB countries as they have in the countries on which their systems were initially modelled.

Each country is at a different stage of the process of building its legal and institutional frameworks for land sector governance. This is taking place via a series of often parallel reform pro-

cesses of the many sectoral laws influencing land use (urbanism, forestry, agriculture, land tenure, mining, environment, etc), rather than land use planning *per se* that tries to reconcile competing interests in land use, or decentralisation which changes the level at which decisions are made. All of these processes (sectoral reforms, LUP and decentralisation) interact and influence each other but they are not always harmonised, creating new challenges. Two countries have recently adopted laws on LUP: Cameroon in 2011, and the Republic of Congo in 2014. DRC has approved an LUP policy, and a draft law is due to be submitted to Parliament but has not yet been adopted. Gabon has no LUP policy or law to date but has clearly defined a political ambition for LUP founded on green economy principles and has established an institutional framework for a national level LUP process. Section 2.1 looks at the evolution of these policy and legal frameworks in more detail.

Though all four countries have committed to a policy of decentralisation, DRC is further advanced than Cameroon, Gabon and RoC in the process of decentralising authority and decision making about LUP. This has a significant impact on the levels of responsibility and degree of participation of stakeholders at the sub-national level. Section 2.3 describes the evolving legal framework for decentralisation across the CB region, which is increasingly affecting the complexity of land use decision making.

1.1.3 A recent focus on forests

More recently (in particular since the 1992 UNCED Conference in Rio) global concerns about the loss of biodiversity and climate change, have focussed international attention on the forested lands of the Congo Basin – perceived as an essential 'lung' for the world, with huge carbon stocks at risk of being emitted if forest cover continues to decline.

CB countries have relatively high to very high forest cover as a percentage of total land area, with Gabon, Equatorial Guinea, and Republic of Congo having over 80% tree cover. Studies commissioned by the CBFP predict increased forest cover loss and a significant decline in carbon stored by Congo Basin forests by 2030 (Pirker and Carodenuto, 2021). Despite the ongoing efforts of CB countries to reduce their rates of forest cover loss, and strong signs of progress in biodiversity conservation and sustainable management of forests and protected areas in Central Africa, the region's forest ecosystems remain under threat.

The CB currently faces growing pressure, at accelerating rates, on flora and fauna, and this is one of the key challenges facing CB countries that is central to CBFP's concerns. Those countries with a higher population density show faster rates of deforestation, particularly DRC, EqG, RoC, and Cameroon (Table A 1 in the Annex). The pressures on forested land from agricultural expansion, economic development and related infrastructure development therefore vary substantially, creating different demands for LUP to address future needs in each country.

1.1.4 Recent trends in forested land allocation

Forest Zoning Plans prepared for the Congo Basin have primarily aimed at establishing Permanent Forest Estates (PFE) – with the rest of the forest remaining "non-permanent" National Forest Domain by default (see e.g., Cameroon's legal classification of forests in Figure A 1 in the Annex).

The Governments of CB countries have already designated substantial areas of land to their respective PFEs. According to the *Observatoire des Forêts d'Afrique Centrale* (OFAC, 2019), Central Africa now has more than 200 protected areas covering a total area of 800,000 km², or about twice the total land area of Cameroon. In the ten countries of the region, protected areas have doubled in number and size over the past twenty years. Central Africa almost meets international objectives in terms of protected area.

Gabon has committed 66% of its national territory to Forest Management Units and Protected Areas compared to DRC with 16.5% (see Table 1 and Figure A 2 in the annex). These figures compare with 1.4% of land allocated to commercial agriculture concessions in Cameroon and 0.1% and 0.2% in Gabon and Republic of Congo respectively. This low level of commercial agriculture may be compared with 12% of Indonesia's national land allocated to oil palm concessions (Steinweg et al., 2019). The process of identifying future protected areas and forest management units (for industrial forest exploitation) has been heavily supported by the international community over the past decades (see next section).

However, the benefits promised to local communities at the time of gazettement of these PFEs have been largely elusive – with many rural communities living in the vicinity of these protected areas and logging concessions remaining very poor and in a constant cycle of conflict with the respective management authorities, as summarised by Angu et al. (2013).

Table 1: The current status of the Permanent Forest Estate in the Congo Basin

	Protected Areas			Forest Concessions	
Country	Number	Terrestrial area (km2)	Protected land area (%)	Number	Area (million ha)
Cameroon	35	52,726	11.3	105	6.28
Central African Republic	32	111,400	18.0	14	3.69
Chad	20	248,851	19.7	-	0
Congo (Brazzaville)	31	129,308	38.0	50	13.91
DRC	48	322,947	13.9	57	10.76
Equatorial Guinea	16	5,199	19.3	48	0.74
Gabon	61	61,450	23.2	97	14.19
TOTAL	243	931,881	**17.5**	371	49.59

Source: Protected areas: BIOPAMA (2020) ; Forest Concessions: OFAC (2019)

The State of the Forests of Congo Basin report (OFAC, 2013) included a brief review of land use and allocation in each of the Congo Basin countries. It noted the substantial impact of international trends on land use in the CB, in particular: the global financial crisis of 2008; the increasing influence of China in the CB region; the increasing investment in new energy (particularly hydro) and road infrastructure; and the emergence of large-scale land acquisition since 2000 – often called the global land rush – which targets areas with weak local land rights security in an effort to obtain low cost agricultural land (World Bank, 2010). The emergence of internationally driven REDD+ initiatives in the late 1990s also put increasing emphasis on LUP as a tool for regulating land use and constrain forest loss. The initiation of the Forest Law Enforcement Governance and Trade (FLEGT) Programme gained traction in many CB countries from the late 1990s. All these have created new pressures on land as well as stronger ambitions to regulate land use.

The authors (OFAC 2013) predicted that the emergence of new legislation, and international commitments to improve forest governance, combined with the impact of global economic trends for timber and agricultural commodities would bring about the onset of a period of rapid change in terms of land allocation and use.

Despite progress on the design of programmes, and anticipated reforms of laws and regulations in land tenure and the forest, mining and sectors, the authors noted the need for more robust commitment by the CB governments to strengthen local forest management to achieve stated objectives, as well as strategies and policies giving a substantive recognition, with secure tenure rights, to local communities and indigenous people. In addition, due to the lack of reliable data on all aspects of land use and land investment in the CB, they recommended more data collection and knowledge sharing on the new expansion of the concessionary model in the sub-region.

1.1.5 International development interventions

The allocation and management of forested lands are further impacted by the influence of international development partners, some of whom have put a strong emphasis on forest protection in the form of a rapidly growing 'permanent forest estate' (as shown in the preceding section). However, the same development partners often face internal dilemmas – simultaneously financing programmes that support improvements in agriculture and infrastructure to meet growing internal markets of CB countries, and 'sustainable' natural resource extraction (timber, mining, etc.) to boost exports and public revenues. At the same time, they attempt to support the design and implementation of national REDD+ strategies (Reduced Emissions from Deforestation and Forest Degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries) to address the drivers of deforestation – see FCPF (undated), and the establishment of mechanisms such as certification standards for sustainable commodity production for oil palm, (RSPO, 2020); cocoa (European Commission, 2021; Confectionery News, 2020; Bager et al., 2021); and rubber (Sustainable Natural Rubber Initiative, undated; China Chamber of Commerce of Metals, Minerals & Chemicals, 2017).

Inconsistencies in donor policies to address this complex nexus of pressures on forested land through LUP is a theme that we will return to later. New international initiatives to drive reforms and improvements in forest sector governance often fail to learn the lessons from the past. This holds true particularly in terms of securing national ownership – as has been documented for various CB countries, notably Cameroon (Dkamela et al., 2014).

1.1.6 Summary: Multiple and often incoherent influences on land

Land conflicts, which are already widespread in the region between different sectors of activity, are further exacerbated by the increasing priority given by states to mining or certain types of medium- to large-scale commercial agro-industry over maintaining forests, traditional small-scale farming systems or other use rights.

Governments of some Congo Basin countries are questioning the extent of their permanent forest estates, or at least are reluctant to expand these further. This is due to declining revenues from logging concessions now in their second or third cycle of harvesting, the cost of managing protected areas, and increasing pressures on land.

All these influences have necessarily resulted in choices that must be made about the future allocation of land to different sectors of activity, management, and possible compensation for the impacts of industrial projects, with increasing pressure on forests. In this context, CB countries and their development partners have recently turned to LUP as a potential *panacea* that can reconcile all these competing interests in land.

One of many LUP questions therefore relates to how best to meet the pressing social and economic development needs of these countries while trying to conserve the integrity of the forest ecosystems of the Congo Basin and their role in mitigating climate change.

1.2 Definitions of Land Use Planning

This section lays out some of the common definitions of LUP. While many concepts are shared between definitions, the intent of different stakeholder groups who have initiated LUP can be very different.

1.2.1 Global definitions

According to Walters (2007), various types of spatial planning have emerged over the course of the 20th century – with changing definitions and approaches over time. Approaches vary from comprehensive planning – a politically neutral, technocratic analytical process in the 1940s – to systems planning in the 1950s to 1970s that focused more on the processes and less on the production of a physical plan. These evolved into democratic planning in the 1960s with the goal to address societal inequity, later giving way to strategic planning that aims to identify small-scale objectives and pragmatic real-world constraints. Environmental planning has evolved since the 1960s in parallel with other approaches, as many of the ecological and social implications of global development were first widely understood. Consequently, there are many understandings of the purpose and process of LUP and these are constantly evolving.

Current LUP processes include a combination of strategic and environmental planning. It is increasingly understood that any sector of land has a certain capacity for supporting human, animal and plant life in harmony and that upsetting this balance has consequences for the environment. Due to the intensifying discussions around issues of climate change and global warming, planning scholars predict that the future of LUP will be dominated by environmental sustainability themes more than economic convenience (Stürck et al., 2018). Today, successful planning involves a balanced mix of analysis of the existing conditions and constraints; extensive public engagement; practical planning and design; and selection of financially and politically feasible strategies for implementation.

In summary, LUP is the process of regulating the use of land by a central authority. Usually, this is done in an effort to promote more desirable social and environmental outcomes as well as a more efficient use of resources. More specifically, the goals of modern LUP often include environmental conservation, restraint of urban sprawl, minimization of transport costs, prevention of current and future land use conflicts, and a reduction in exposure to pollutants (including greenhouse gases).

Important to note is that globally, LUP is not limited to rural planning or environmental protection, but rather prioritizes the distribution of people, activities, equipment and means of communication across the country. While environmental protection may be an element of such planning it is just one of many objectives.

1.2.2 LUP in the context of development cooperation

Planning (whether in land-use, physical, strategic or economic contexts) in many developing countries has been informed by planning traditions that "*emerged in other parts of the world, especially in Western Europe and the USA*" (Watson 2009). In the specific context of development cooperation, definitions of the term Land Use Planning vary between organisations, countries and even regions within countries (Chigbu et al., 2017). Definitions have changed over time with more or less emphasis on the participatory or technological nature of the process and the desired outcomes. As a result, there are various uses and interpretations of terminology between countries and development partners.

The international community's attention on LUP and deforestation was greatly focussed by the 1992 UN Conference on Environment & Development (UNCED) held in Rio – the so-called "Earth Summit". The main product of the Rio Conference was "Agenda 21" (a non-binding action plan of the United Nations promoting sustainable development). The three Rio Conventions – on Biodiversity, Climate Change and Desertification[1] – each contribute to the Sustainable Development Goals of Agenda 21. The three conventions are intrinsically linked, operating in the same ecosystems and addressing interdependent issues. Chapter 10 of Agenda 21 presented a specific programme area entitled "*integrated approach to the planning and management of land resources",* while Chapter 11 focused on reducing deforestation. Chapter 10 dealt with the reorganization and, where necessary, strengthening of decision-making structures, including existing policies, planning and management procedures and methods that could assist in putting in place an *integrated approach to land resources*. The new emphasis on the "*integrated*" nature of land management set out to promote "*a broader integrative view to land management that also included natural resources",* to protect a variety of ecosystem services essential to maintaining the integrity of life-support systems and the productive capacity of the environment.

> *"The broad objective [of the integrated approach] is to facilitate allocation of land to the uses that provide the greatest sustainable benefits and to promote the transition to a sustainable and integrated management of land resources. In doing so, environmental, social and economic issues should be taken into consideration. Protected areas, private property rights, the rights of indigenous people and their communities and other local communities and the economic role of women in agriculture and rural development, among other issues, should be taken into account".* Agenda 21 (UNCED, 1992)

The programme of work set out four main objectives to improve the management of land resources, specifically to: review and develop supportive policies; improve and strengthen plan-

[1] The three "Rio Conventions" – the UN Framework Convention on Climate Change (UNFCCC); the Convention on Biological Diversity (CBD) and the UN Convention to Combat Desertification (UNCCD) https://www.cbd.int/rio/

ning, management and evaluation systems; strengthen institutions and coordinating mechanisms; and create mechanisms to facilitate the active involvement and participation of all concerned, particularly communities and people at the local level, in decision-making.

Chapter 10 of Agenda 21 triggered a spate of new LUP initiatives in all countries, typically with the objective of implementing one or other of the three Rio Conventions: reducing deforestation (to reduce emissions as envisaged under the UNFCCC); protecting biodiversity in and around Protected Areas, as proposed by the CBD; or combating desertification, as proposed by the UNCCD but often under different funding mechanisms and in separate 'silos'. In developing countries, LUP was often done with the support of the international community.

FAO was assigned as the Task Manager for implementation of Chapter 10 of UNCED Agenda 21 on integrated approaches to the planning and management of land resources. It has subsequently worked with numerous stakeholders and other UN agencies such as the United Nations Environment Programme and the International Fund for Agricultural Development to develop and coordinate the implementation of activities towards achieving all objectives in the programme of work[2]. Many other international organizations have also weighed in to support LUP initiatives in one form or another.

A 2012 review of progress against the objectives laid out in Chapter 10 of Agenda 21 is summarised in Section 5.5.

GTZ (1995) summarised definitions of LUP used in development cooperation:

> *"Land use planning in the context of development cooperation is an iterative process based on dialogue amongst all stakeholders aiming to define sustainable land uses in rural areas. It also implies the initiation and monitoring of measures to realize the agreed land uses" (GTZ 1995: 5).*

FAO (1999) summarised the (almost) consensus on LUP at the time:

> *"a systematic and iterative procedure carried out in order to create an enabling environment for sustainable development of land resources which meets people's needs and demands. It assesses the physical, socio-economic, institutional and legal potentials and constraints with respect to an optimal and sustainable use of land resources, and empowers people to make decisions about how to allocate those resources".*

GIZ (2012) expanded on previous definitions:

> *Comprehensive Land Use Planning is an instrument for securing consistency, continuity and alignment between national and local development objectives with respect to the use of natural resources, investments in infrastructure, production and conservation). Done well, it*

[2] Work includes: the promotion and development of planning, management and evaluation systems for land and land resources; the development of land evaluation frameworks; land use databases (e.g., Africover, the Global Land Cover Network Programme, the Global Soil and Terrain database); agro-ecological zoning; providing indicators of land quality (including the preparation of land degradation assessments and databases); and providing criteria for monitoring land use systems

can create the preconditions required to achieve a type of land use that is environmentally sustainable, socially just and desirable as well as economically sound.

Note that none of these global definitions convey any special consideration of forest land over other land uses. This position was substantially changed by publication of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (FAO 2012) known as the VGGT which laid out clear guidance on "regulated spatial planning" (Box 1) that is effectively LUP. The VGGT guidance on LUP, as well as on many other topics relating to land governance and tenure, has informed international donor policy formulation and practise since.

Box 1: Regulated spatial planning

Regulated spatial planning affects tenure rights by legally constraining their use. States should conduct regulated spatial planning, and monitor and enforce compliance with those plans, including balanced and sustainable territorial development, in a way that promotes the objectives of these Guidelines. In this regard, spatial planning should reconcile and harmonize different objectives of the use of land, fisheries and forests.

States should develop through consultation and participation, and publicize, gender-sensitive policies and laws on regulated spatial planning. Where appropriate, formal planning systems should consider methods of planning and territorial development used by indigenous peoples and other communities with customary tenure systems, and decision-making processes within those communities.

States should ensure that regulated spatial planning is conducted in a manner that recognizes the interconnected relationships between land, fisheries and forests and their uses, including the gendered aspects of their uses. States should strive towards reconciling and prioritizing public, community and private interests and accommodate the requirements for various uses, such as rural, agricultural, nomadic, urban and environmental. Spatial planning should consider all tenure rights, including overlapping and periodic rights. Appropriate risk assessments for spatial planning should be required. National, regional and local spatial plans should be coordinated.

States should ensure that there is wide public participation in the development of planning proposals and the review of draft spatial plans to ensure that priorities and interests of communities, including indigenous peoples and food-producing communities, are reflected. Where necessary, communities should be provided with support during the planning process. Implementing agencies should disclose how public input from participation was reflected in the final spatial plans. States should endeavour to prevent corruption by establishing safeguards against improper use of spatial planning powers, particularly regarding changes to regulated use. Implementing agencies should report on results of compliance monitoring.

Spatial planning should take duly into account the need to promote diversified sustainable management of land, fisheries and forests, including agro-ecological approaches and sustainable intensification, and to meet the challenges of climate change and food security

Source: FAO (2012). Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests. Section 20.

Since circa 2015, development partners have promoted tenure-responsive planning, which recognizes that LUP should be collaborative but with the purpose of improving tenure security for land users and customary rights holders (Chigbu et al., 2017).

1.2.3 LUP in the Congo Basin – definitions and confusions

Historically, notions of LUP being applied in Francophone Africa find their origins largely in French concepts of *"Aménagement du Territoire"* – which has been applied between the 1940s and 1990s. A simple generic definition of *"aménagement du territoire*", as understood in this context, is given by the Larousse dictionary:

> *The policy of seeking, within the national geographical framework, the best distribution of economic activities according to natural and human resources.*

However, subtle differences in the translation and understanding of the French terms for LUP processes such as "*Aménagement du Territoire*" and "*Zonage*", and products, such as "*Schémas"* (variously translated into English as scheme, plan, policy, concept, framework, or strategic orientation document), and "*Plans"* (more spatially explicit and detailed maps and documents showing future land uses) further complicate the task of sharing concepts between French and English speakers[3].

In most Francophone African countries there is a clear distinction between the types of spatial planning, depending on the level and purpose of planning. These various planning processes are conducted by multiple ministries following different legal frameworks and applying specific spatial planning methods:

- **Urban Planning** – typically led by a ministry responsible for urbanization and with planning instruments defined in an Urban Law (*Loi d'Urbanisme*).
- **Sectoral Planning** – often different sectoral ministries compete for rural space for agricultural land, forest exploitation or forest and mining operations.
- **Broader development planning** (all infrastructure and services – as per French concept, integrated into National LUP legislation, led by a ministry responsible for LUP)

In the context of sectoral planning, there are various subcategories of LUPs impacting on the rural space that have been prepared, again, each with their own specific focus, and driven by different sectoral ministries:

- **Forest Zoning** ("*Plan de zonage forestier*") to establish the permanent forest estate. This form of Forest LUP may create permanent forests for a range of uses – both protected areas for conservation of biodiversity and protection of environmental services, and for production of timber.

[3] In French, the word *Schéma* is used to refer to an 'outline' or 'main points' of a concept and any visual representation is typically a sketch indicating tendencies, flows and connections, not an accurate plan or map. But *Schéma* is often translated into English as a 'plan' – which indicates more precision, with spatially accurate maps.

- **Forest Management Planning** typically conducted by the lead public or private entity entrusted with the management of each specific permanent forest. Forest management planning methodologies vary according to intended use.
- **Agricultural** production target setting / concession allocation and definition of "Production basins" (*Bassins de Production*), "Agroindustrial parks" (*Parcs agro-industriels*) and "*agropoles*".
- **Infrastructure planning** that sets out to connect regions, identify and disenclave promising production basins, and to provide the energy, water and other services necessary to support human settlements and economic activity.
- **Mining research / exploitation permits** that seek to identify and develop mineral resources

Many different sectoral laws grant respective government agencies power to designate land for future use – for forestry, agriculture, mining, infrastructure or other purposes. Cross-references between legislative texts are made in some cases, but not all.

In all CB countries, there are specific points of contention between planning authorities regarding where their respective mandates pertain in terms of preparing spatial plans – for example:

- Where should urban plans include agricultural and forestry zones, noting that urban planning laws envisage inclusion of agricultural and forestry lands?[4] And where do rural planners start planning agricultural interventions?
- When different sectoral ministries make land and resource allocation proposals (or issue titles) that result in social and environmental conflicts between mining and forestry / community lands (Nguiffo and Mbianda, 2013) or agriculture (Voundi, 2021), which land use takes priority, based on what criteria, and which government body should arbitrate between sectors?

Some responses to these questions are offered in the final Section 7.

[4] For example, Cameroon's Code d'Urbanisme Article 25: Urban planning documents shall determine the conditions that, on the one hand, make it possible to limit the use of space, control travel needs, preserve agricultural activities, protect forest areas, cultural heritage, natural or urban sites and landscapes, and prevent natural and technological risks as well as pollution and nuisances of any kind. On the other hand, they provide for sufficient buildable space for economic activities and general interest, as well as for the satisfaction of present and future needs in terms of housing and public facilities.

2 EVOLUTION OF LUP IN THE CONGO BASIN

2.1 Forest Zoning in the Congo Basin – experiences and lessons learned

The following analysis is based on a literature review of LUP experiences in the Congo Basin published from 2010 onwards.

Sidle et al. (2010) note that the experience of the preceding two decades of Forest Zoning in the Congo Basin (1990s–2010) was primarily a single sector forest "Zoning" exercise. The goal was to orient forest development and conservation endeavours to support local, national, and international objectives.

Forest Zoning Plans were largely driven by international conservation NGOs and donors whose primary objective was to establish a Permanent Forest Estate rather than any broader sustainable development planning objectives typical of historical national and sub-national LUP efforts conducted in at least some of these counties at that time. For example, Cameroon had systematically prepared Regional and Local Development Plans up till the late 2000s (MINEPAT, 2010). These focussed on planning investments and were not spatial in nature.

By 2010, 46 percent of the 1.6 million km² of the dense humid African forest had already been allocated for timber concessions or designated as protected areas (Yanggen et al., 2010). By 2016, in Central Africa, the network of protected areas included more than 160 sites, covering more than 4.4 million square kilometres, representing more than 10 percent of the sub-region's area despite the lack of any national LUPs in most of the countries (USFS, 2010). At that time, it was estimated that given the current pace of zoning it was likely that most forests in the Congo Basin would be zoned within 20 years.

Wasseige et al. (2012) summarised efforts made by Central African countries and partners to zone forests as a part of national and sub-national LUP during the preceding two decades (1990–2010). We note that during this period most countries were not engaged in any multi-sectoral national or sub-national LUP and had no legal frameworks or guidelines to orientate such planning.

2.2 LUP in CARPE Landscapes

The Central Africa Regional Program for the Environment (CARPE) is a long-term initiative of the United States Government to promote sustainable forest management, biodiversity conservation and climate change mitigation in the Congo Basin through increased local, national and regional natural resource management capacity. A specific programme under CARPE, Environmental Monitoring and Policy Support, aims to allow better conservation efforts and land use management at the local landscape level.

Under Phase II (2003–2012), CARPE implemented what they termed systematic LUP to support forest and biodiversity conservation needs, and established partnerships and activities to create sustainable conservation management systems and contribute to climate change mitigation.

The approach developed by USAID and implementing partners (defined as "*Institutions that have been awarded USAID funding to implement the CARPE Programme")* for landscape land use planning sought to outline and implement planning processes so that:

1. the long-term ecosystem function of the forest and biodiversity present within landscapes is ensured;
2. the supply of products and income sources that local communities in the landscape have traditionally depended upon continues;
3. extractive zones within landscapes are contributing to the country's economy without negatively influencing local populations or the health of the ecosystem; and
4. in-country natural resource management capacity is strengthened.

With the support of CARPE, over the ten years to 2013, 150 macro-zones were defined in landscapes across Central Africa, each one created by working directly with communities and government at a local scale (OFAC, 2013).

2.3 Lessons learned

Beck (2010) drew lessons from years of investment by USAID in landscape level LUP in 12 landscapes across the Congo Basin via the Central African Regional Programme for the Environment (CARPE). The key lessons learned were as follows:

- Landscape LUP and zoning interventions should build upon ongoing local initiatives and existing local contexts and aspirations.
- To maximize the efficacy of limited resources, local capacity should first be strengthened (where necessary) before attempting broad landscape-scale macro-zoning and LUP. Without certain fundamental capacities, planning efforts are unlikely to succeed and might actually be detrimental to future conservation and development interventions.
- Macro-zones within a landscape are not static entities as they must evolve concurrently with the socio-political context. Informed planning will take this into account and adapt as necessary to stay current and relevant.
- In order to constructively engage and gain the support of local communities for natural resource management in Community Based Natural Resource Management (CBNRM) macro-zones, these zones should not simply be viewed as buffer zones for protected areas. Rather, CBNRM planning and subsequent zoning should focus explicitly on supporting the local communities to meet their needs for well managed resources.
- The position of landscape and macro-zone boundaries matter. If macro-zone and landscape boundaries follow government administrative unit boundaries as closely as possible, and not just biological criteria, the land-use plan will more likely be accepted by government authorities at all levels.
- A land-use plan should be a guide for the future sustainable management and use of resources throughout the entire Landscape. As such, with stakeholder participation, it should identify macro-zones for the entire area of the landscape.

Some common themes emerged from the lessons learned over the five years of investment in these landscapes. In conclusion, Beck (2010) recommended the following:

- Lasting LUP requires significant investment of time and resources.
- Stakeholders should be engaged early in the planning process and beyond through the joint articulation of a co-management vision between stakeholders.
- Successful LUP requires certain basic capacities and therefore investments in technical capacity building are important.
- Effective LUP depends on functional and broadly supported governance and management structures;
- Landscapes' contexts (social, political, economic, biological, etc.) are dynamic and therefore the plans should be as well.

With CARPE funding, the US Forest Service drafted and published a series of Guides relating to planning, which progressed through various iterations based on practical experiences and lessons learned:

- Protected Area Management Planning in Central Africa: A U.S. Forest Service Guide Version 2.0 (USFS, 2010a)
- Community-Based Natural Resource Management Planning in Central Africa: A U.S. Forest Service Guide Version 2.0
- Extractive Resource Zone Planning in Central Africa: A U.S. Forest Service Guide Version 1.0
- Integrated Landscape Land Use Planning in Central Africa: A U.S. Forest Service Guide Version 3.0 (USFS, 2010b)

Rainforest Foundation UK (RFUK 2020) undertook a more recent review of the CARPE experience and programming in DRC, and highlighted the following elements:

- The CARPE landscapes have been zoned into three categories (i) protected areas, (ii) extractive industry areas or (iii) community-based natural resource management zones (CBNRM).
- The methods used to determine these zones have been contested and it seems that communities have been marginalized in the methodology in a number of different ways.
- Another weakness of the CARPE landscape planning model is that it has occurred largely outside of the legal and administrative confines of the host countries involved, not least because there was no coherent legal and institutional framework for land use planning – the process of developing this framework started only in 2018 (see section 3.1.4).

Learning from these reviews, the third iteration of the CARPE programme and other USAID investments in the region have placed a greater focus on community rights and on wider governance issues.

The review of Sidle et al. (2012) highlighted the paramount importance of transparent and coordinated LUP and forest zoning that incorporates participatory planning at the field level. This, they saw as particularly important at a time when large-scale land use decisions are being heavily influenced by economic considerations and global demands for resources e.g., large-scale plantations, mining, forest management, and infrastructure development, in the context of fast changing demographics. In addition to public participation serving as a foundation for zoning

activities, they also highlight the importance of formal recognition of the results of the micro-zoning process via equal involvement of authorities across local, provincial and national levels.

Angu et al. (2014) evaluate various experiences of land governance and allocation across the Congo Basin and the socio-cultural and economic impacts of most land use practices being promoted in CB countries at the local level. Due in part to scarcity of field data, they find little quantitative evidence to show how local communities have benefited. As a result, rural communities often reject such models. With respect to the establishment and management of community hunting zones, the authors recommend that zoning systems based on indigenous land-use practices should be adopted to strengthen local authority, build capacity of local and indigenous actors and create more incentives to better manage their territory. However, they note that LUP is a tricky process and should be participatory and formalized with a management plan. Finally, they conclude that if the incorporation of complex mechanisms such as REDD+ and PES cannot reconcile conservation and sustainable development, especially at the local level, most local communities will continue to perceive conservation projects as far-fetched ideas conceived, developed and implemented to benefit outsiders.

Karsenty (2020) notes that most of the grand plans announced to develop large-scale agro-industrial plantations have turned out to be short lived due to local resistance and government reserve. This is in large part due to the fact that such proposed developments were never subject to prior LUP to identify suitable sites, scale of operation and modus operandi to satisfy the interests of national and local stakeholders. Two examples in Cameroon, the allocation of 19,843 hectares to American-owned Herakles / SGSoc for an oil palm concession in the South West Region, and allocation of 66,000 hectares of land to Cameroon-owned Neo-Industries for cocoa production in the Vallée de Ntem in the South (Bertolt, 2020), were endorsed by Cameroon's ministry responsible for LUP, and the Ministry of Lands, respectively. The plans received overt support from certain parties within other ministries, and in the case of Herakles, also received covert diplomatic support from the US Embassy (Gaworecki, 2016). However, they have failed to convince the majority of local, national and international stakeholders of their respective merits.

While it is anticipated that inclusive and thorough LUP can avoid such conflicts and pave the way for more harmonious future land allocation and governance, some observers within civil society still harbour reservations about the potential risks of LUP processes if these are not conducted in a suitably participatory and transparent manner.

The Rainforest Foundation UK (RFUK) (2020) notes that an overly top-down approach relying exclusively on satellite imagery and remote sensing data could result in land allocations being made purely on the basis of, for example, timber stocks, soil type or biodiversity and carbon levels rather than existing forest occupation and customary tenure. This problem is particularly acute in a context where communities are weakly represented, lack land rights and where there is an absence of reliable and transparent geographical information on their customary use, ownership and possession of forests. On the other hand, LUP can be a mechanism for clarifying and securing communal tenure in forest areas – something increasingly recognized as being fundamental to good land and forest governance (see e.g., Chigbu et al. (2017)).

Based on this review, RFUK makes a set of recommendations, as presented in the following table:

Table 2: Summary of recommendations from RFUK report "Mapping the Future"

GOVERNANCE, LAW AND POLICY ▪ Robust national land use policies and strategies are needed that strengthen local autonomy in LUP in line with international best practice, such as the FAO (2012) Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT). ▪ Such policies must also clarify the role of different actors, and how LUPs intersect with those developed at higher scales and different sectors. ▪ LUP is not an end in itself and must be accompanied by approaches that genuinely devolve property rights and management responsibilities to local communities, such as through community forest legislation and ultimately broader reform of tenure systems.
PLANNING INSTITUTIONS ▪ The mandate and capacity of planning ministries must be strengthened to avoid capture by powerful ministries and vested interests. ▪ The pace of devolution to local planning institutions must be accelerated through much greater investment in the local offices of planning ministries and by implanting multi-disciplinary cells in them. ▪ Much greater resources need to be directed at local and national civil society to support and monitor LUP processes. ▪ Where possible, LUP functions at the community level should be rooted in existing customary institutions and tenure systems rather than imposing artificial structures that are unlikely to have buy-in. At the same time, there should be special measures to ensure the meaningful participation of often marginalised groups such as women and indigenous people.
IMPLEMENTATION ▪ The provision of data and multi-disciplinary support to LUP processes must be improved to inform decision-making. ▪ Plans developed should be realistic and actionable and they should build on traditional knowledge and practices, in line with available resources and capacities of local communities to implement them. ▪ The capacities of communities to effectively represent their interests in local level planning processes vis-à-vis the private sector, large conservation organizations and local authorities should be strengthened. ▪ Rather than waiting for lengthy national level reforms to unfold, starting LUP from the village level building upwards to the sector and council levels (and beyond) should be considered. Such an approach could encourage buy-in across scales, and kick-start much needed institutional and private sector investment in rural areas. ▪ Piloting of LUP in 'hotspots' – areas where there is significant overlapping and competing claims on forests – should be encouraged in order to develop best practice in multi-stakeholder approaches. ▪ In the meantime, legal requirements for due diligence and public consultation need to be strengthened and enforced to stop unilateral land allocations undermining collective planning processes.

Source: Rainforest Foundation UK (RFUK), 2020

Reforms underway in Cameroon and the Democratic Republic of Congo both foresee a role for local government in LUP (sectors, councils), in theory providing an ideal interface between communities and wider planning processes and for testing 'bottom-up' participatory approaches that integrate local rights and requirements.

3 EVOLVING LEGAL AND INSTITUTIONAL FRAMEWORKS

3.1 Legal and institutional frameworks for LUP

At the legislative level, only Cameroon and the Republic of Congo have enacted LUP laws, which have not yet been supplemented by implementing decrees. DRC has adopted an LUP Policy, but the draft Law has not yet been ratified by the Government. Cameroon has an LUP Law but no LUP Policy – though elements of the overriding objectives of LUP are outlined in the 2011 Law.

However, all countries engaged in sustainable forest management policies have addressed LUP issues and are proposing a policy that focuses on the perpetuation of the forest estate.

There is considerable overlap between different legislations – urban planning laws define a set of planning processes that are frequently extended outside of the urban area to the rural periphery or even to the entirety of a municipal council area. Responsibilities for preparing such Urban Plans ("*Plans d'Occupation des Sols*", or "*Plans Local d'Urbanisme*") are different from those for rural development planning or LUP. Guidelines for different types of planning are not aligned.

Table 3: A panoramic view of the legislation relating to LUP in Central African countries

Country	Regulation, planning	Date of publication	Law n°	Source
Cameroon	Orientation land-use law	6 May 2011	Law n°201/008	FAOLEX (2011)
Democratic Republic of the Congo	Decree on urbanism	20 June 1957	Decree of 20 June 1957	Droit Congolais (1957)
	Draft land-use law	30 May 2020		FONAREDD (2020)
Gabon	Ordinance on the orientation of urban planning	27 February 2017	Ordonnance n°002/PR/2017	FAOLEX (2017)
	No law on LUP per se	21 July 2017		FAOLEX (2017b)
Republic of Congo	Decree on creation and organization of CNAT	10 October 2014	Law n°43-2014	FAOLEX (2014)

Source: compiled by the authors

The next sub-chapters present a country-by-country analysis according to the following analytical framework:

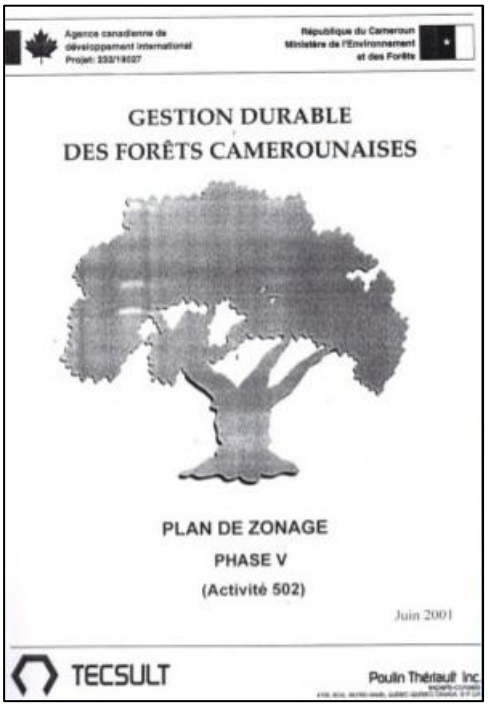
- **Summary and analysis of the evolving legal and institutional framework**
  - Existence of a Land Use Policy
  - Existence of a Land Use Planning Law
  - Existence of decrees of implementation
  - Does this legal framework prescribe cross-sectoral coordination?
  - Which level of government presides over ultimate decisions on land use?

- **Summary of progress with preparing LUPs and technical standards**
  - Progress with preparation of national / regional / local LUPs
  - Existence (or not) of guidelines, methods and tools for interpreting legal framework into practice at different levels.
- **Impacts of LUP to date**
  - Once adopted, are these LUPs actually constraining (binding) for other ministries / levels of governance?
  - What impacts have LUP instruments had in improving social development and environmental management outcomes? We have used case studies to illustrate where possible.

3.1.1 Cameroon

Cameroon's experience of Forest Zoning – before the National LUP Law

According to Cameroon's 1994 Forest Law, the permanent forest domain is to be extended gradually through gazetting to cover 30 percent of the national territory (representing the full range of forest ecologies) and be managed sustainably. It is forest gazetting – not zoning – that confers legal powers and land rights to stakeholders in Cameroon. Gazetting places forests in a given legal category, and land ownership can be formalized only after the proposal for registering a land **title** (*immatriculation d'un titre foncier*) for a given area has been made and publicly debated, with opposing claims heard.



Through the National Forest Zoning Plan (*Plan de Zonage National Forestier*) that was implemented in the 1990s / early 2000s, zones were identified geographically by remote sensing, based on vegetative cover and coarse demographic analyses. Local consultations, social studies, and assessments of traditional tree and land tenure arrangements were extremely limited and clearly insufficient – in some instances the government appeared to think that a zoning map could simply substitute for consultation (Topa et al., 2009).

While the zoning plan was seen by some observers as a success for forest protection (Topa et al., 2009), others have interpreted such processes and the resulting gazetting of forest for logging (Samndong and Vatn, 2012) or conservation (Tauli-Corpuz et al., 2018) as instruments for removing forests from the control of local populations, as land grabs for conservation, or even as a form of green colonialism (Blanc, 2020). However, others perceive that zoning and especially gazetting have helped to clarify forest use rights and supported communities' ability to challenge regressive practices and prevent infringements on their rights (Tchuitcham, 2006; Topa et al., 2009).

According to Tchuitcham (2006), forest zoning and gazetting in Cameroon could have been more effective, democratic, and participatory, but data on gazetting show that during consultations, boundaries proposed in Cameroon's original zoning plan have frequently been modified to consider the current occupation of land, often to the detriment of timber concessions that have already been allocated.

Nnah Ndobe (2019) concludes that Cameroon's 1995 forest-zoning plan was limited to the forestry sector and did not take into consideration other land uses, such as agriculture or mining and the development of infrastructures. Other drawbacks were that it covered less than half of the country (being focused only on the tropical forest zone), was not binding, but indicative and the zoning plans for only one out of seven planned phases were endorsed by the Prime Minister by signature of a Decree registered in the official gazette (Prime Minister of the Republic of Cameroon, 1995). Article 7(3) of the Decree stated that "*All activities likely to clash with the priority use of any forest estate shall be prohibited".* Article 8 required that "*the Vice Prime Ministers in charge of Territorial Administration as well as Town Planning and the Minister of The Environment and Forestry shall, each in their own spheres, be responsible for the implementation of this decree*". Various case studies show that this legal order has not subsequently been respected (see Box 3).

As yet, not one Land Title has been issued in Cameroon for any part of the Permanent Forest Estate, meaning that in practice, these forests are not yet legally secured, even if they have been classified (gazetted) as part of the Permanent Forest Estate.

Evolving legal and institutional framework for LUPs

It was within this context that the Cameroon government adopted a new framework law on LUP and sustainable development (FAOLEX, 2011b). The objectives of this law are three-fold:

- Integrate the management of national space within development policies to give more visibility and method to land allocation.
- Balance the distribution of activities, infrastructures, equipment, services and populations across the national territory.
- Support the implementation of major projects.

LUP is conducted under the mandate of the Ministry of Economy, Planning and Land Management (MINEPAT). The General Directorate of Planning and Land Development implements the various strategic planning and land development tools at the national, regional, and local levels, envisaged in the 2011 Orientation Law on Land Use and Sustainable Development Planning, including:

- the National Land Use and Sustainable Development Framework (*Schéma National d'Aménagement et de Développement Durable du Territoire* - SNADDT); MINEPAT (2019),
- the Regional Land Use and Sustainable Development Framework (*Schéma Régional d'Aménagement et de Développement Durable du Territoire* - SRADDT) and
- the Local Land Use and Sustainable Development Plans (*Plan Local d'Aménagement et de Développement Durable du Territoire* - PLADDT)

Two decrees of implementation were drafted in 2012, soon after the adoption of the 2011 Law:

- Decrees of Application of the Law (*Décret d'application de la loi*);

- Decree concerning the organisation and functioning of the National Council for Land Use & Sustainable Development Planning (*Décret portant organisation et fonctionnement du Conseil National de l'Aménagement et du Développement Durable du Territoire*).

However, these drafts were not adopted or made public. Instead, the Ministry opted to progress with contracting out the process to develop the National Framework for Land Use and Sustainable Development (SNADDT) and the first five Regional Frameworks for Land Use and Sustainable Development (SRADDT) in 2015.

During the Diagnostic Phase of the SNADDT, the team of consultants worked with the Government of Cameroon to review the institutional arrangements for implementing the 2011 Law. Bloc C of the SNADDT entitled "*Déclinaisons Territoriales et de Cadre de Mise en Oeuvre*" presents, in its Chapter 3 foresees a set of 11 texts of application. The detailed text of four Decrees were drafted that define the institutional structures; a further three draft Decrees define the planning instruments envisaged in the 2011 Law. However, these have remained as drafts till today.

The adoption of the 2019 Law on Decentralization, which finally established the Regional Councils that were duly elected at the end of 2020, now creates the need to review once again the draft texts of application before they are adopted. The Regional Councils are responsible for the preparation and adoption of the Regional Frameworks for Land Use and Sustainable Development (SRADDT), being a "*regional physical and spatial planning document setting the fundamental guidelines for the establishment of structuring facilities, the environment and the organization of the territoriality of development on the basis of the options retained in the National Planning and Sustainable Development Plan of the Territory*".

With the preparation of the new National Development Strategy - *Stratégie National de Développement 2030* (SND30), culminating in its adoption in October 2020, it was decided that the National Council for Land Use Planning should be given a broader mandate to coordinate overall strategic planning.

A Draft Law on Strategic Planning (MINEPAT, 2021) is now in preparation that aims to establish the institutional structures to coordinate various intersectoral strategic planning processes, including, but not limited to, LUP.

Despite much preparatory work, at the time of writing in September 2021 the body foreseen to coordinate coherent LUP at the national level (*Conseil National de l'Aménagement et du Développement Durable du Territoire - CNADDT*) is still not in place and the decrees defining the processes of preparation and adoption of the key planning instruments are still not legally defined – 10 years after the 2011 Law on LUP. These decrees need to clarify how existing or potential conflicts in land use are resolved between actors – and how national, regional and local land use proposals, where not aligned, are reconciled.

The final texts need to define clear mechanisms for:

- horizontal articulation of planning processes between sectors and stakeholders on the ground at the decentralized (local) level; and
- vertical articulation between national, regional and local authorities to reach consensus on how to meet strategic national goals at the same time as respecting local development ambitions and rights.

Clear mechanisms for arbitrating between stakeholders (horizontally and vertically) in the case of disagreement are essential if LUP processes are to serve as mechanisms for more sustainable development.

We note that the draft text in the SNADDT proposes the creation of a Regional Council for Land Use and Sustainable Development Planning chaired by the Governor, or co-chaired by the President of the Regional Councils – once the latter are established[5]. This further distributes the central powers (as has been the case in the past), and risks duplicating and/or diluting the powers of the elected Regional Council.

Regional land use and sustainable development frameworks (SRADDT): The process to prepare the Regional Frameworks is ongoing for all 10 Regions. Eight are supported by MINEPAT with its own financing, and two (for the North and South West Regions) are supported by the German Development Bank, KfW. The preparation of these two German-funded SRADDT started much later. In August 2021, the SRADDT of the South Region was the most advanced, and is expected to be completed at the end of 2022. The East Region SRADDT was still to be finalized. It is expected that the remaining SRADDT will be completed at the end of 2022. To date there is no harmonised methodological guideline for the preparation of these SRADDT. They were all prepared following the same standard Terms of Reference, but these gave latitude to consulting firms to develop detailed methods themselves. However, MINEPAT reports that it has facilitated some exchange between consultancy teams and the Ministry to try to harmonize SRADDT formats and approaches.

Local Land Use and Sustainable Development Plans (*Plan Local d'Aménagement et de Développement Durable du Territoire* – PLADDT): A synthesis guideline for the preparation of PLADDT has been prepared and validated (MINEPAT, 2019), which set out to integrate all elements of spatial planning for rural areas of Cameroon, in the framework of the 2011 LUP Law. This synthesis guideline lays down some important principles and the key steps of the PLADDT process. Detailed guidelines on the technical content of the PLADDT and tools to help prepare them are being finalised but are not yet public.

A number of programmes envisage supporting the preparation of spatially explicit local development plans to improve local land and forest governance, reduce conflicts, and serve as a basis for subsequent investments in sustainable development.

The **Programme for the Sustainable Management of Natural Resources (PSMNR)** in the South West Region aims at to reconcile conservation of high value ecosystems and endangered species with the socio-economic development of adjacent communities in and around Mt. Cameroon (Bomboko Forest Reserve, Korup National Park, Takamanda and Mone Forests), and also to improve the livelihood situation of local communities.

The **Programme Forêt Environnement (ProFE)** financed by GIZ. The objective is that the environment and forest resources are valued and managed in a sustainable manner by local actors. To achieve this, the project has a strategy centred on local actors, notably the communes and the populations. The programme is piloting forest landscape restoration in four areas in Came-

[5] Original wording : « Le Conseil Régional d'Aménagement et de Développement Durable du Territoire est présidé par le Gouverneur (ou co-présidé par le Président du Conseil régional une fois l'exécutif régional installé) »

roon as part of the AFR100 initiative. ProPFE emphasized the relevance of the PLADDT methodology in this context. The methodology could eventually be tested in one or several AFR100 pilot areas.

The specific objective of the *Programme d'Appui au Développement Rural* **(PADER)** is to increase the agropastoral productivity considering resource conservation in the North and Adamaoua region. The PADER has four components, including one dealing with natural resources and land management which works on LUPs including implementation agreements in selected pilot municipalities and villages.

The objective of the EU-funded **EcoNord project** is to promote in the northern Cameroon region, in connection with the border areas, a mode of governance and integrated management of the territory that balances the modes of human exploitation of natural resources with the needs for protection of species and management of protected areas. It also aims to coordinate interventions for management and sustainable development. The EcoNord project is also responsible for coordinating projects in the portfolio of the European Union and other European bilateral partners to ensure the coherence of impacts at the landscape scale. Further, the EU Delegation plans to implement the PLADDT methodology as part of the governance component of the GCCA+ programme in Northern Cameroon. The EU Delegation for the Global Climate Change Alliance programme in Northern Cameroon has two main components, one on conservation and one on governance, which includes local LUP.

The geographical scope and funding of these programmes is provided in Table 4. These programmes have not yet all reached consensus on the appropriate instruments for spatially explicit local planning – some agreeing to adopt the PLADDT instrument while others preferring to adapt local development plans envisaged in the decentralisation laws to become more spatially explicit, while others wish to develop spatial natural resource management plans that are based around natural features such as watersheds, rather than geopolitical units.

Table 4: Initiatives supporting local LUP in Cameroon

Initiative name	Funder	Scope
Programme for the Sustainable Management of Natural Resources (PSMNR)	KfW	South West Region
Programme Forêt Environnement (ProFE)	GIZ	Four regions
Programme d'Appui au Développement Rural (PADER)	GIZ	North and Adamaoua region
EcoNord	EU	Northern Cameroon
The Global Climate Change Alliance Plus (GCCA+)	EU	Northern Cameroon
WWF Project	GEF	Ngoila and Mintom, East Region

Source: compilation by the authors

Harmonization of methodologies for LUP instruments

One of the key questions raised during the drafting of the PLADDT guidelines related to how these locally developed plans would be articulated with the process of decentralised decision making and the higher-level land use plans, which they are supposed to interpret at the local level. This question has important ramifications for the extent of participation and the order in

which different levels of plan are prepared, and how any differences between them - in terms of development vision and strategy for achieving it - will be reconciled.

This involved a lengthy and wide-ranging consultation with representatives of other sectoral ministries, programmes developing LUP approaches with various technical ministries and international partners, mayors, representatives of civil society and the private sector. However, the draft texts of application do not yet clarify this key point. This study recommends that a legal text is required to fill this crucial gap.

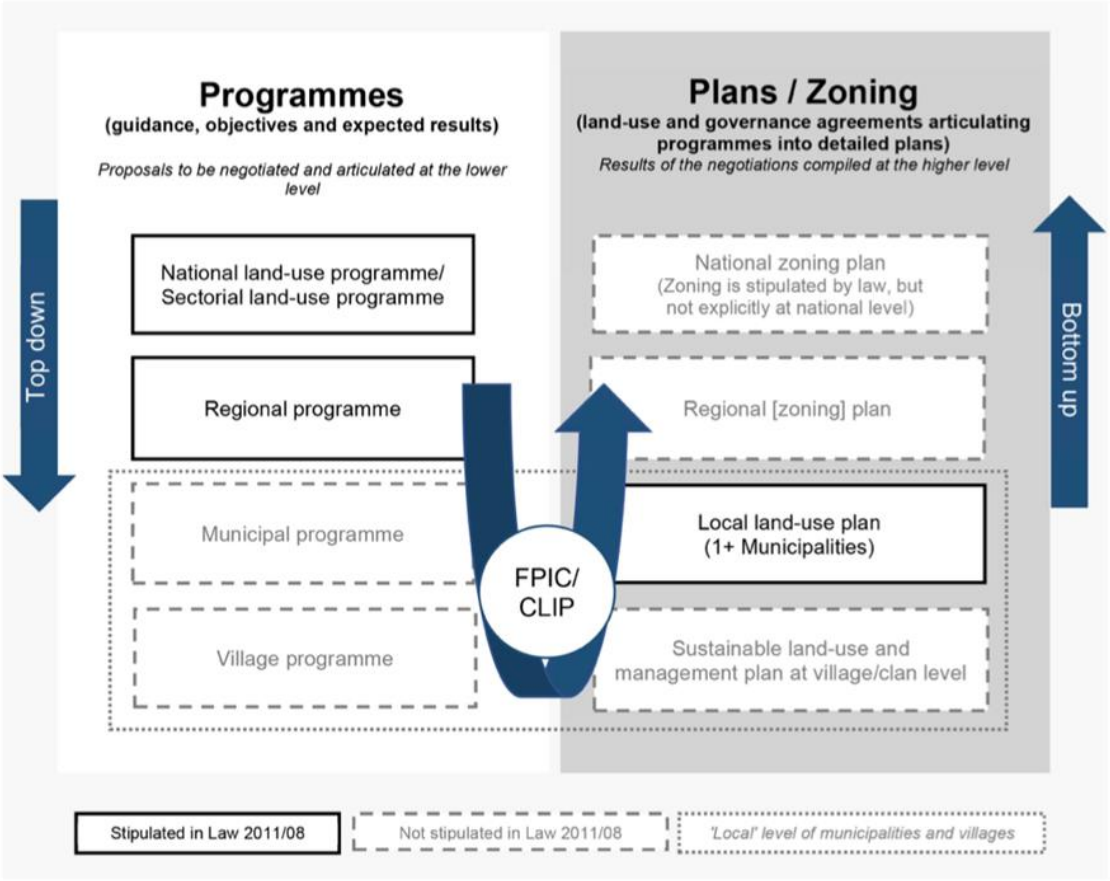


Figure 1: An integrated concept of land management process, from PLADDT methodology

Source: MINEPAT (2019). Summary of the methodological guide for Local Land Use and Sustainable Development Plans (Synthèse du Guide Méthodologique pour l'élaboration des Plans Locaux d'Aménagement et de Développement du Territoire – PLADDT). Prepared with support from the European Forest Institute.

Impacts of LUPs to date

A rapid review of the recent set of eight draft Regional Frameworks for Land Use and Sustainable Development (SRADDT) shows that they have all generally documented the current situation of land allocations, drawing on publicly available databases such as the Cameroon Forest Atlas (MINFOF/World Resources Institute, 2021) and the National Mining Cadastre (MINIMIDT, 2021). We note that these quickly fall out of date as new forest land allocations, new or expiring mining permits, and other changes in the status of historical land allocations are published on a very regular basis. Thus 'snapshot' maps, used for the purposes of the SRADDT are already well out of date, even before the SRADDT has been approved.

These data limitations notwithstanding, the authors of the SRADDT have identified a great number of overlaps (referred to as conflicts) between zoning plans by different administrations under the modern laws that govern their activities. See for example Figure 2 – showing the conflicts in zoning in just one Division "Océan" in the South Region of Cameroon.

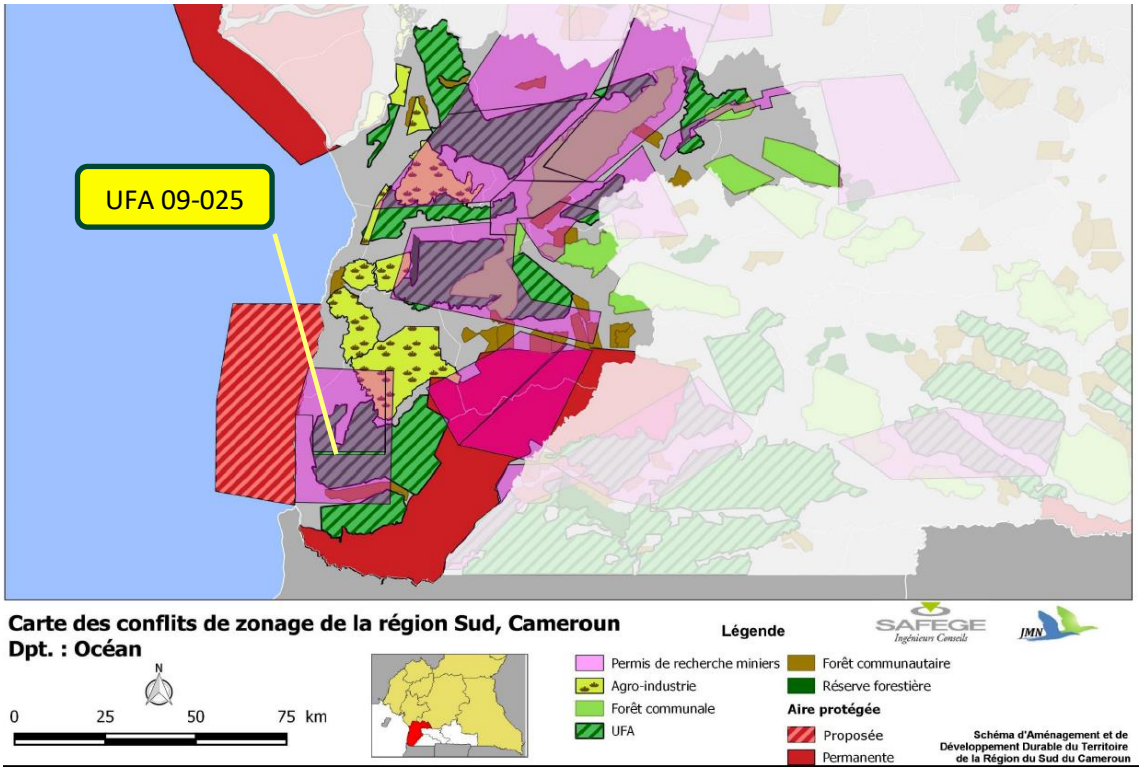


Figure 2: Map showing conflicts between sectoral zoning in the Ocean Division, South Region, Cameroon

Source: SAFEGE and JMN Consult (2017).

Note that this map illustrates only the conflicts (overlapping polygons) between land allocated by different ministries (forestry, agriculture, mines), with little further analysis or proposed solutions specific to each case.

The SRADDT South Region also describes in text the existence of widespread conflict between customary tenure and land allocations made under modern sectoral laws, but does not visualize these on any map. These overlaps and potential conflicts only become visible when customary land uses and tenure (customary boundaries between village lands – *terroirs*) are mapped using participatory mapping methods. A national harmonised method for participatory mapping has been developed by a coalition of government, and civil society stakeholders (Rainbow Environment Consult, 2018). The coverage of such participatory mapping is still very patchy in Cameroon despite decades of work by NGOs working with local communities, and the resulting datasets are rarely made accessible on publicly available maps or mapping portals such as the Forest Atlas of Cameroon – instead being hidden behind password protected mapping portals such as MappingForRights / Congo Basin Community Atlas https://cbca.mappingforrights.org/ managed by the British NGO "Rainforest Foundation UK".

There are numerous detailed analyses of the historical origins of this legal duality between customary and modern law, and various solutions are proposed – both in the literature (Diaw and Njomkap, 1998; Diaw, 2002; Alden Wily, 2011) and in the SRADDT itself.

Recommendations to resolve these legal issues as proposed by the Regional Framework for land use and sustainable development (SRADDT) for the South Region are presented in Box 2:

Box 2: Recommendations related to legal issues

The reform of land and forest tenure regimes, as well as the development and application of integrated natural resource management instruments are today presented as inevitable and essential solutions for judicious allocation and better use of land in South Cameroon.

The reform of land and forest tenure regimes must be considered in the sense of the recognition of legal pluralism and customary land ownership; rights of local and indigenous populations on the dependencies of the national domain that they occupy, use or exploit; further strengthen land tenure security for local and indigenous populations; and help reconcile legitimacy and legality in land and forest management.

This orientation should lead to the harmonization of national land, forestry, mining, hydrocarbon and environmental laws and regulations and to resolve the problem of the precedence and primacy of land law over the rights of other natural resources…

It is also necessary to develop, in a participatory manner, and implement a regional zoning based on public and customary land regulations taking into account the current and future land needs of the State and of the local and indigenous populations.

An adequate legal framework must be developed and implemented for large-scale land transfers for agricultural purposes, with a better valuation of the average annual price per hectare of land conceded and respect for the rights of local populations and indigenous people living near land concessions,

Finally, put in place and / or revitalize a mechanism and a regional institutional framework for managing conflicts related to the allocation, use and management of land, forests and natural resources, with representatives of local and indigenous populations, civil society organizations and private operators.

Source: SAFEGE and JMN Consult (2017)

In short, the SRADDT is recommending that:

1. a range of sectoral laws and the land tenure law be reformed to better recognize customary tenure systems.
2. a zoning plan be developed to reconcile public and customary land governance.
3. a new institutional framework be put in place to manage conflicts.

These are systemic problems, identified in numerous previous studies. Until such time as these are addressed at the appropriate level, the specific conflicts identified in the SRADDT will remain unresolved.

The inevitable conclusion is that the LUP instruments can identify the problems and conflicts between sectoral zoning plans, and modern and customary laws, but are on their own powerless to solve them.

The authors of this current study note that the map of conflicting land uses in Océan presented in the SRADDT for the South Region (Figure 2) does not include the most recent, and highly contentious, land allocation to Camvert on the land formerly occupied by the now degazetted UFA 09-025. The UFA 09-025 remains visible on the map, and the new Concession awarded to Camvert is not shown. This highlights the short lifespan of such analyses and mapping exercises if these are not linked to the latest sectoral spatial databases.

In fact, the SRADDT recommends that the existing Permanent Forest Estate (PFE) should be properly gazetted and land titles issued to protect the PFE. The National Framework for Land Use & Sustainable Development (SNADDT) stipulates that the historical Indicative Zoning Plan should be respected. With regard to forest zoning, the SRADDT for the South Region affirms:

> *"in accordance with the orientations of the SNADDT, the SRADDT South has decided to respect the forest zoning as defined in the forestry law of 1994, with the changes made since then and the creation of communal forests, community forests and new protected areas."*

If the SNADDT and the SRADDT had been respected, the allocation of such land, within the PFE for the 50,000ha Camvert industrial-scale Oil Palm plantation (see Box 3) would not have been approved.

Box 3: Camvert – a test case for the binding nature and effectiveness of LUPs?

The Government of Cameroon recently allocated 50,000 hectares to Camvert for an Oil Palm Project in an area that was previously zoned as part of the PFE by the Indicative Land Use Framework endorsed by Prime Ministerial Decree in 1995 and duly gazetted as Forest Management Unit 09-025 by Prime Ministerial Decree in 2005.

This contentious allocation was made in direct contradiction to a) the draft National Land Use Framework (MINEPAT 2021) and b) the Regional Land Use Framework for the South Region (SAFEGE / JMN Consult, 2017), both of which upheld the indicative land use framework for the southern forested area of Cameroon (Prime Minister, 1995) and did not propose further oil palm plantations in this area. It also contradicted the draft National Sustainable Oil Palm Strategy (MINADER, 2020) prepared under the leadership of the Ministry of Agriculture, which recommends avoiding siting any new oil palm plantations in High Conservation Value (HCV) forest. The site is well documented to have multiple HCVs.

When questioned about this degazettement of the UFA 09-025 for an oil palm project, the Ministry of Forestry and Wildlife instead defended the decision to go ahead with the project (CRTV, 2020), rather than support or enforce the draft LUPs or indeed their own indicative forest zoning plan. To date, there is no evidence that the Ministry of Land Use Planning has intervened to review the situation or arbitrate between conflicting sectoral ministries.

Source: information compiled by the authors

This case study raises numerous concerns about the value of investing in the preparation of costly strategic planning documents if they are subsequently not respected or enforced. In the Camvert case, none of the following documents have offered effective mechanisms to guarantee the protection of the so-called PFE from a change of use:

- the Forest Sector Indicative Zoning Plan for the Southern Forested Area of Cameroon (PM 1995)
- the Regional Land Use and Sustainable Development Framework (SRADDT) in 2017,
- the National Land Use and Sustainable Development Framework (SNADDT) in 2021; and
- the National Sustainable Oil Palm Strategy (2021).

3.1.2 Gabon

Information in this chapter about Gabon's emerging LUP framework is extracted largely from the Gabon National REDD+ Readiness Preparation Proposal (Republic of Gabon, 2018) and the Central African Forest Initiative (CAFI) progress report (CAFI, 2020). For this report, official reports on progress with preparation of a National Land Use Plan are further supported by interviews with key informants.

Evolving policy, legal and institutional framework for LUP – Gabon

Gabon has no specific LUP law – the current LUP activities and institutions have instead emerged out of a gradual process of national policy making and strategic planning that preceded the publication of the Emerging Gabon Strategic Plan (EGSP). At the national scale, Gabon had a National Land Use Framework (*Schéma d'Aménagement du Territoire)* from 1984 but this did not provide a sufficiently spatial framework for development.

With 88 percent forest cover, high biodiversity and a strong demand for exploitation of natural resources (e.g., minerals, hydrocarbons, forests, agriculture), Gabon has to make some difficult choices regarding the future of its forested lands. Historically, Gabon did not pursue REDD+ because the mechanism as set out does not stop forest degradation. Instead, it initially decided to develop its own National Land Use Plan, establishing a process to authorize future use of each parcel of Gabonese territory, based on a thorough understanding of the impact of each activity, and how to integrate them.

The Emerging Gabon Strategic Plan (EGSP) / *Plan Stratégique Gabon émergent* 2011–2016

In the face of a gradual decline in oil revenues, Gabon's political leaders have set the goal to achieve emerging economy status by 2025 by promoting economic diversification based, in part, on the sustainable use of the country's mining and natural resources, including forestry and agriculture that will reduce its GHG emissions, while securing the population's energy and food security and livelihood.

The Gabonese National Climate Plan (first drafted in 2011 and finalized in 2012[6]) justifies the development of the National Land Use Plan / *Plan National d'Affectation des Terres* (PNAT) as a

[6] A first version of the Gabon National Climate Plan (NCP) was presented at the 17th UNFCCC Conference of Parties in Durban in December 2011. This plan outlines a climate-resilient, low carbon, and green development strategy and calls for the integration of climate considerations into the Government's sectoral development plans for energy, mining, forestry, agriculture, and national parks. The final NCP was published in 2012, and tasked the NCC to integrate low carbon planning across all ministries to support the Emergent Gabon Strategy.

cross-sectoral "climate action" that will contribute to the reduction of GHG emissions and fulfil commitments made by Gabon in its Nationally Determined Contribution (NDC) to the UNFCCC.

The 2011–2016 EGSP includes the Flagship Programme entitled "Strategic Planning and Spatial Planning", which envisages the development and implementation of a National Land Use Plan / *Plan National d'Affectation des Terres* (PNAT) as one of the essential steps for the establishment of a new model for a green economy based on sustainable natural resources management that limits the drivers of deforestation and GHG emissions, as oil revenues decline (Figure 3).

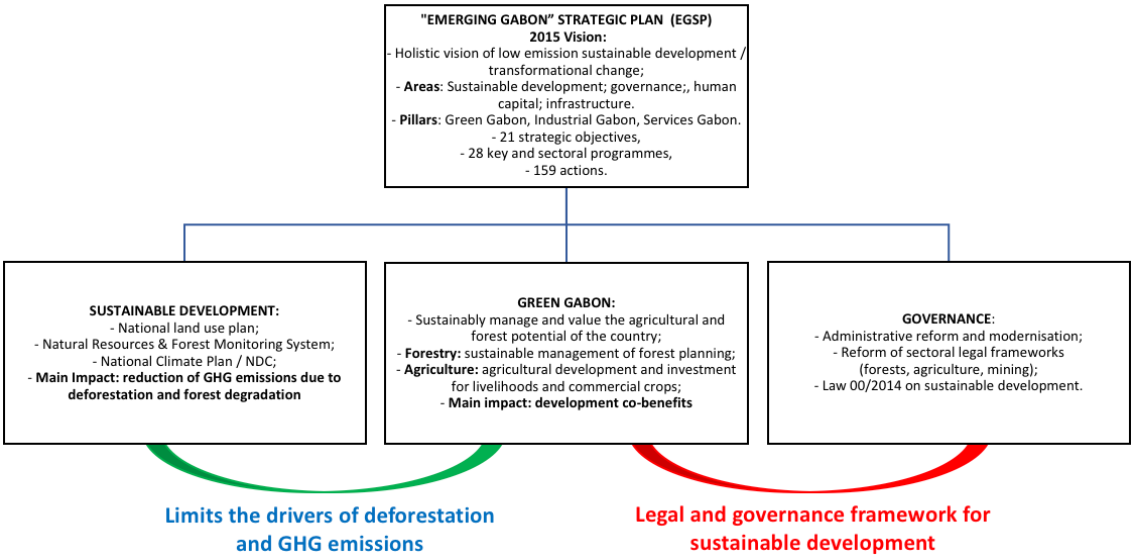


Figure 3: "Emerging Gabon" Strategic Plan (EGSP) - Vision and key elements
Source: Republic of Gabon (2018).

This does not mean that Gabon plans to protect all its forests, but rather that it plans to make rational land allocations. As outlined in the Green Gabon Operational Plan (GGOP) 2016–2020, Gabon aims to become:

- Africa's second-largest producer of dry rubber, with a production target of 128,000 tons per year by 2025.
- Africa's third-largest producer of crude palm oil, with a production target of 425,000 tons per year by 2025; and
- a competitive exporter of sugar in Central Africa by 2025.

To achieve these goals, Gabon would need to develop approximately 55,000 ha of oil palm plantations, 57,000 ha of rubber-tree plantations and 15,000 ha of sugar cane plantations – totalling approximately 127,000 ha of plantations. The GGOP calls the PNAT an essential step for sustainable development of the territory.

Institutional Framework: Gabon recognized early on that – due to conflicts of use between sectors and users – LUP as a mechanism to address both sustainable development and climate change is first and foremost a political process and not just a technical one, and that it was first necessary for each of the actors to understand their role in the process.

In October 2011, the "*Secrétaire Général du Gouvernement*" (General Secretary of the Government, the senior public servant in the Prime Minister's office, responsible for cross government coordination) convened the first inter-ministerial meeting on national land use in Gabon. Two

months later, a first compilation of existing land allocation data across the country's major sectors was completed and presented to the President of the Republic. This exercise allowed the Government to: (1) account for how its land and water resources were allocated across different uses; (2) identify potentially conflicting land allocations; and (3) begin the process of envisioning how resources might be more optimally allocated to achieve national development and climate change objectives. This process raised general awareness of the technical, legal, and political complexities that would need to be addressed in comprehensive national spatial planning. Given the multi-ministerial nature of this initiative, considerable efforts were taken to formally define the institutional arrangements and terms of reference for governing the process.

The technical coordination for the development of the PNAT V0 was entrusted to the National Climate Council (NCC). The NCC is an inter-ministerial body chaired by the President of the Republic. Terms of reference for developing a National Land Use Plan were developed in 2012 by the NCC and validated by the General Secretary of the Government.

The Gabonese Space Studies and Observations Agency (AGEOS) and the National Parks Agency lead implementation of the activities and receive support from many other national agencies and international partners. Several ministerial departments and government agencies are involved in the process, notably through the provision of data and participation in technical exchanges on the various data and information provided.

An Inter-Ministerial Land Use Planning Commission (*Commission interministérielle relative à la mise en place d'une stratégie nationale d'affectation des terres*) was then created by the Prime Minister on 22 November 2012 (Arrêté 9660/PM) to coordinate spatial planning across 21 administrations (Republic of Gabon, 2012). The Commission's technical and legal working groups have been operating since July 2013.

The Inter-Ministerial Commission was subdivided into a Technical Committee charged with geographical and cartographic aspects, and a Legal Committee, responsible for legal issues related to land use (see Table 5 for the composition and objectives of these committees). The work of these committees began in July 2013.

Table 5: Composition and objectives of the Ministerial Commission

	Technical Committee	**Legal Committee**
Goals	▪ Organize all types of LUP included in the PNAT ▪ List all associated permits or geographical data	▪ Organize all legal texts related to LUP ▪ Produce a draft decree
Composition	▪ President: expert in charge of the technical team ▪ Members: an expert from each ministry	▪ President: a jurist from SGC ▪ Members: a jurist from each ministry

Source: Republic of Gabon (2018)

Under the Authority of the Prime Minister, the Inter-Ministerial Commission is responsible for:

- defining the national LUP across the national territory;
- issuing an "opportunity visa" for any new land use project;
- defining and proposing a body responsible for managing land allocations at the national level.

An outcome of this third task was the creation of the National Land Allocation Commission (*Commission Nationale d'Affectation des Terres – CNAT*) in 2017 (replacing the Inter-Ministerial Commission established in 2012) explicitly to address the issue of sustainable development. This Commission is responsible for the elaboration and implementation of the National Land Use Plan *(Plan National d'Affectation des Terres – PNAT),* which organizes and optimizes land use and forest resources to reduce the impact on the forest cover.

According to the 2017 Decree establishing the CNAT (Republic of Gabon, 2017, p. 362), the Commission is in charge of:

- collecting and centralizing all information related to land allocation on the national territory,
- conducting consultations with local authorities and populations,
- collecting the needs of administrations in terms of land in accordance with the objectives of the Emerging Gabon Strategic Plan with a view to proposing a better land allocation,
- produce and publish the National Land Allocation Plan,
- formulate, in a transitional phase, technical opinions on land use conflicts.

In addition, CNAT also has the task of supervising and defining land use in order to guarantee the compatibility of socio-economic activities, environmental integrity and the optimization of natural resource management. In this respect, it makes proposals to the Government to improve the national land use strategy and gives an opinion, in the form of a visa, on any new land allocation envisaged. The members of CNAT are mainly from ministries, public services and public administration.

LUP instruments and tools

The envisaged LUP instruments and tools are as follows:

- **National Land Use Plan** / *Plan National d'Affectation des Terres* (PNAT): PNAT will set out a legislative framework that establishes and communicates guidelines for the sustainable management of Gabonese land and resources. By identifying and appraising local resources, the Plan aims to minimize the risk of land use conflicts and maximize opportunities for efficient and sustainable multi-use extraction and development.
- **The National Geomatics Plan** provides a common framework for the production, exchange and sharing of geographic information. It is piloted by the National Agency for Digital Infrastructure and Frequencies.
- **The National Spatial Planning Framework** (*Schéma National d'Aménagement du Territoire - ScSNAT*) prepared by the Directorate-General for Spatial Planning, which sets land-use planning objectives throughout the country.
- **Regional Land Use Planning and Development Plans**: The Emerging Gabon Strategic Plan (EGSP) / *Plan Stratégique Gabon Émergent* envisages the future development of regional land use planning and development plans. The EGSP noted that these regional plans will require, as a first step, an exhaustive assessment of the climatic, geographic, demographic, economic, social and cultural data of the different regions, and information from the knowledge program. Secondly, through dialogue with local populations, the EGSP foresees developing regional plans that are aligned with the EGSP, based on the potentialities identified in the territories and their development aspirations. It is hoped that this participatory approach will make it possible to share the ambition of emergence with citizens, to make all

regions contribute to the growth dynamic, and to facilitate trade-offs in the search for optimization of investments and regional balance.

Progress with LUP to end 2020

The process of developing a first draft of the National Land Use Plan (*PNAT V0*) began in 2011. An inclusive process involving inter-ministerial coordination, a compilation of cartographic data from nine activity sectors, technical work and legal expertise resulted in 2015 in a first PNAT V0 document. It is composed of a database and technical document synthesizing the state of knowledge of existing land use across Gabon. The latter presents many thematic maps, a large part of which relate to current land use. The existence of numerous legally incompatible overlaps attests to the suboptimal nature of land allocations in Gabon in the past.

The PNAT V0 served as the point of departure for future gap analysis and strategic, legal and technical discussion among stakeholders to address and resolve these overlaps. Through its initial experiences with LUP, the government realized that to successfully complete the process would require additional resources and partners.

With funding from CAFI, the completion of the PNAT is envisaged within five years of acceptance of Gabon's National Investment Framework, which was activated by signature of a letter of intent in 2017 and provision of the necessary funds to initiate the process. The overall National Land Use Planning Programme involves ten activities, including data collection, preparation of a status report on current land use, identification and resolution of conflicts, preparation of a set of nine sectoral studies and analysis of various development scenarios, for which financial support in the order of US$18.4 million over five years will be provided by CAFI. As of December 2020, the following progress has been reported (CAFI, 2020):

- A National Land Use Plan interactive platform[7] has been created in collaboration with the National Climate Council, AGEOS, and the World Resources Institute. The Portal provides access to maps showing current land allocation[8] and promises that in future it will include maps showing proposed land allocation (results of the PNAT) and publish all accompanying documentation. However, these latter two functions are 'in progress' and not yet public.
- AGEOS has begun to harmonize methodologies for data collection that will help to update the PNAT database.
- Consultations with local stakeholders on land allocation have started via workshops at provincial district (*département*) levels but these are still in their early stages.
- Work to elaborate and define national guidelines on HCV and HCS forests is ongoing in 2021.
- To provide legal assistance to the National Land-use commission (CNAT) for the resolution of conflicting land uses that were previously identified, external expertise is being recruited (ongoing in 2020).
- A methodology to map the spatial extent of all Gabonese villages has been elaborated as well as consultations and field missions with the National Parks Agency via preparation of a series

[7] See http://wri.github.io/pnat-landing-page/#l=en
[8] See https://ageos.maps.arcgis.com/apps/webappviewer/index.html?id=4ed40a5be5114b758cc88eb2f505cecc

of participatory maps. Fourteen pilot village mapping exercises were planned for early 2021 with the goal of mapping 700 villages by the end of 2021.

- Consultants have been recruited to prepare three of the nine sectoral studies (forestry, agriculture, mines).

Impacts of LUP to date

The following summarizes how the LUPs have been used in practice.

LUP as a prerequisite and basis for Results-Based Payments: In June 2017, Gabon signed a Letter of Intent with CAFI that would reward Gabon for protecting the country's forests and reducing carbon emissions. The Letter of Intent is articulated around three ambitious objectives: a national land use plan, a system to monitor forests and natural resources, as set in the country's National Investment Plan, and gains in the governance of forests. In the announcement of the agreement, CAFI Secretariat noted that a national land use plan is considered the missing piece for the country to achieve its climate target while developing sustainably.

This plan is expected to enable Gabon to meet its ambitious objective to develop agriculture – needed for both food security and economic diversification – while ensuring that forests with high carbon and high biodiversity are not converted to crops.

Changes in national forest cover, and deforestation events are monitored through a national Natural Resources and Forestry Observation System. This system allows Gabon and its partners to understand which sectoral activities have an impact on forest conversion.

A framework agreement signed in September 2019 between Gabon and Norway, through CAFI, provides Gabon with a major 10-year incentive to receive up to US$150 million in payments for its ex-ante and future emission reductions or removals. Progress will be monitored against a series of milestones in the Letter of Intent – a number of which relate to data collection and development of the National Land Use Plan.

In May 2021, Gabon received from CAFI its first US$17 million related to reported emission reductions for the years 2016 and 2017 compared to the baseline. This was in line with the crediting level of $5/ton of CO_2e emissions reductions as agreed to in the Letter of Intent . The payment is based on a December 2020 progress report submitted to CAFI by the National Climate Council.

Some civil society organizations have questioned Gabon's actual progress on reducing deforestation, basing their argument on differences in definitions of forests and deforestation as well as use of different sources of data. These are complex technical issues that go beyond the scope of this study to review, but we note that the disputes are largely between international donor organizations such as CAFI, and NGOs such as Rainforest foundation UK, which is funded by some of the same donors that finance CAFI. The conflict over land use in the Congo Basin is thus as much an international affair as a local one.

The particular case of agro-industrial developments: At the same time as the National Land Use Plan is being prepared, Gabon has allocated land to agro-industrial companies for oil palm and rubber plantations. As of 2017, three major agro-industrial operators – OLAM, SIAT and SUCAF – were already working a total area of 104,000 ha of land. New land will be identified and put into production based on the PNAT's land optimization processes to support the country's agro-industrial ambitions for the year 2025.

Since one of the key purposes of LUP is to resolve conflicts over major land allocations for agro-industrial plantations in the Congo Basin, we have presented a summary of the case of Olam's oil palm project in Gabon to illustrate some of the challenges (Box 3). Olam's oil palm project in Gabon is seen as the gold standard for sustainable oil palm production in Africa, in large part due to its micro-zoning process, but has also been criticized as a greenwash by national and international NGOs.

Box 4: Micro-zoning by the private sector for sustainable agricultural production

The Gabonese vision for the agriculture sector is that of a differentiated zero-deforestation policy: forests with High Carbon Stock (HCS) and High Conservation Value (HCV) are to be spared from conversion. HCS thresholds are being elaborated. Particularly biodiverse HCV areas in savannahs have also been mapped.

An oil palm project has been developed by Singapore-based agribusiness giant Olam, which has been praised by some environmentalists for minimizing (Porritt, 2015) its environmental impacts through a process of intensive zoning with support of an internationally respected organization (Proforest) to identify and exclude HCV and HCS forests from being cleared for oil palm (Proforest, undated).

However, the outcome of this project has been questioned by others such as Mighty Earth (2016) and Brainforest for allegedly allowing Olam to continue deforestation, albeit of secondary forest. The Rainforest Movement has also raised similar concerns (Murdoch, 2021). Mighty Earth and Olam later agreed to collaborate, with an extendable 1-year period during which further expansion would be suspended (Mighty Earth, 2017). The outcome of this dialogue is not yet known.

The Forest Stewardship Council (FSC) is carrying out an investigation (Fair, 2020) into whether Olam deforested more than 25,000 hectares, in contravention of sustainability criteria it had signed up to, in order to develop oil palm plantations in Gabon. Olam is bound to FSC regulations because it owns the forestry company Congolaise Industrielle des Bois (CIB). CIB manages 1.3 million hectares (3.2 million acres) of FSC-certified concessions, with a further 800,000 ha (2 million acres) undergoing certification, in the Republic of Congo.

The dispute centres on whether the land cleared for the plantations should have been classified as HCS forest, as Mighty Earth claims, or, as Olam has told Mongabay, "highly logged and degraded secondary forest." The case remains open (FSC, 2021).

At the time of writing (September 2021), OLAM had acknowledged it had incorrectly cleared HCS forest, but had not yet indicated how it would compensate for failing to comply with FCS rules.

A second investigation into a similar issue relating to Olam's rubber plantations will be carried out separately by the FSC.

Source: compiled by the authors from literature and interviews

This review cannot adequately judge which view is correct but notes that the OLAM case highlights how companies that attempt to conduct their own zoning plans can still run into difficulties. This raises questions about agreement on a) who conducts the zoning / LUP; b) who is involved in the process (in particular representatives of affected communities and local and

international civil society; c) methods for mapping village land, and HCS and HCV forests; d) acceptable definitions of forests, deforestation, degradation; and e) how the resulting plans are approved, and how compliance with the plan is monitored.

This, and many other such cases, highlight the fact that much of the conflict over land use in the Congo Basin is primarily driven by arguments about different understandings of standards and methods among international investors operating in such countries and NGOs funded by international donors.

3.1.3 Republic of the Congo

Evolving legal and institutional framework for LUPs

Legal framework: Several regulatory texts have been adopted to move towards better planning, starting with the 2003 Law on the Organisation and Functioning of Local Authorities. In 2014, the Republic of the Congo (RoC) adopted an Orientation Law on Land Use and Development Planning (FAOLEX, 2014), which is implemented by a set of Decrees published from 2017 to 2019[9].

Policy: The spatial planning and development policy reflects the will of the State and local communities to provide the country with a "balanced spatial organization and networks of infrastructure and structuring equipment". It articulates all the orientations, strategies, and actions in the territory. It sets out to consolidate the foundations of growth, strengthen the competitiveness of the productive system, protect, and improve the living environment and transform the Departments (Administrative Units) into competitive spaces integrated into national and international markets. It also sets out to reduce the bottlenecks created by the disconnected and under-equipped parts of the country.

As written, these policy objectives are likely to induce investment in infrastructure, rapid growth and increased pressure on forests.

Planning instruments: Article 41 of the 2014 Land Use Planning Law lays out a set of documents of the Land Use Planning Policy. The Law lays out planning mechanisms and guidance for major parts of the territory, which include master plans for Congo's important resources (*schémas directeurs des parties du territoire*) and associated guidance documents (orientation).

The strategic choices for LUP will be contained in the following documents:

- the national land use plan (Schéma National d'Aménagement du Territoire (SNAT);
- the land use planning code;
- the urban planning code;

[9] Decree No. 2019-133 of 31 May 2019 submitting land allocations to the prior approval of the inter-ministerial planning and development committee. Decree No. 2017-226 of 7 July 2017 fixing the composition, organization and functioning of the national council for land use planning and development. Decree No. 2017-227 of 7 July 2017 fixing the composition, the organization and the functioning of the inter-ministerial committee for planning and development of the territory. Decree No. 2017-228 of 7 July 2017 fixing the composition, organization and functioning of the departmental land use planning commission. Decree No. 2017-229 of 7 July 2017 fixing the composition, organization and functioning of the municipal commission for regional planning.

- departmental land use frameworks (*Schémas Départementaux d'Aménagement du Territoire - SDAT)*;
- sectoral plans providing public services (*schémas sectoriels*);
- city master plans and town planning plans.

Understanding these blocks helps to provide more granularity in identifying key intervention areas and activities for the roadmap.

Institutional bodies: Article 103 of the Law also lays out a series of institutional tools to coordinate the consultation around the land use policy, specifically:

- the national council for land use planning and development;
- the inter-ministerial planning and development committee;
- departmental and / or municipal land use planning commissions.

This review has not yet obtained access to reports on the progress of establishment and operations of these institutions.

Draft law to orient sustainable development: RoC is also in the process of drafting a law to orient sustainable development that outlines a set of principles and lists a few LUP instruments that will be developed, including:

- **sectoral sustainable development plans:** a set of coherent actions for the implementation of the principles and objectives of sustainable development in a given sector;
- **national climate change adaptation plan:** strategy comprising all the actions to be implemented to increase the resilience of society with regard to climate change;
- **local sustainable development plans:** prepared, adopted and implemented by local authorities with the support of the State to ensure the integration of the objectives and principles of sustainable development in their operation and in the implementation of their activities; guarantee the populations participation in the decision-making processes inherent in the sustainable development of their localities; and provide access to local environmental information. The State will support preparation of these plans and local authorities or groups of local authorities may enter into specific agreements with the State to set the technical and financial support arrangements.

Of particular interest are the local sustainable development plans, which provide an entry point for locally negotiated sustainable development plans. While it is not explicit that these plans will include land use, or that they will be spatial in nature, it seems appropriate that they should be. Their purpose and content will have to be aligned with the instruments envisaged in the 2014 Orientation Law on Land Use Planning.

Summary of progress with preparing LUPs and technical standards to end 2020

On 2 September 2019, the CAFI Letter of Intent concerning the establishment of a long-term partnership aimed at implementing the Investment Plan of the National REDD+ Strategy, within the framework of the CAFI. The letter was signed by the President of the French Republic, in his capacity as Chairman of the Board of Directors, and by the President of RoC representing the Government of RoC.

One of the key ambitions set out in the Letter of Intent (LoI) signed between CAFI partners and RoC on 2 September 2019 is to:

> *"Define and implement a land use planning policy, with a view to the sustainable allocation and use of land and natural resources, which guarantees the protection and sustainable management of forest cover and peatland areas, based on the establishment of a Permanent Forest Estate (PFE), the development of agro-forestry practices, the orientation of agro-industrial activities in savannah areas, and the securing of public and private land rights, including customary ones".*

Milestones for 2025 included in the Letter of Intent include the revision of the *Schéma National d'Aménagement du Territoire* (SNAT), and the participatory development, validation and implementation of:

- The National Land Use Plan – *Plan National d'Affectation des terres* (PNAT),
- A series of Departmental Land Use Frameworks – *Schémas Départementaux d'Aménagement du Territoire (SDAT).*

These plans are intended to organize and optimize the use of land by the different national economic sectors in order to (i) promote sustainable development at the national and local levels, (ii) support the country's economic diversification policy, (iii) improve the business climate for increased investment mobilization, (iv) reduce the impact on forests; and (v) ensure a Permanent Forest Estate (PFE).

To this end, a Sustainable Land Use Programme (PUDT) is in preparation – one task of which is to prepare the National Land Use Plan – supported by the Government of the Republic of the Congo as part of its participation in the CAFI. Work on the national Land Use Plan is led by the Ministry of Land-use Planning, Infrastructures and Road Maintenance (*Ministère de l'Aménagement du Territoire, des Infrastructures et de l'Entretien Routier* – MATIER), which is the new ministry (as of May 2021) responsible for LUP[10].

The national LUP will be based on the Constitution of a Permanent Forest Estate, the principles of non-conversion of HCS/HCV forests, protection and sustainable management of peatland areas so that they are not drained or dried out, limited and carbon-neutral conversion of non-HCS/HCV forests, compensation for biodiversity and carbon losses, respect for customary land rights, and the resolution and prevention of land use conflicts.

The French Development Agency (AFD) intends to support the Republic of the Congo to submit a project supporting the Congolese LUP strategy through institutional support aimed at strengthening the different levels of the "National Land Use Framework" (*Schéma National d'Aménagement du Territoire* (SNAT)) and integrating aspects related to vulnerable populations, access to land and biodiversity. The sustainable land use program, proposed by AFD, aims to support RoC in achieving certain priority milestones, set by the Letter of Intent, in a number of areas, including LUP.

[10] It was previously called the Ministry of Planning, Equipment and Major Works (*Ministère de l'Aménagement, de l'Equipement du Territoire et des Grands Travaux – MAETGT*).

The objective of the programme is to implement a sustainable and permanent LUP process reconciling economic development with the sustainable management of natural resources by guaranteeing the balance between the different uses of the land, while minimizing the risks of conflicts linked to incompatible land uses.

To finance this work, a first version of a Sustainable Land Use Programme(PUDT) has been submitted to the CAFI Board for approval prior to funding. However, a recent independent review of progress concludes that it is not yet ready for implementation and requires more work. Questions relate to the institutional framework for coordinating the program.

Institutional framework and challenges: The ministry responsible for LUP is considered (by the other sectoral ministries) to be too weak to coordinate the activities of the 18 or so ministries that have influence over spatial planning and land allocations. The proposal is to elevate coordination to the level of the Prime Minister's Office. Other challenges with the draft programme relate to insufficient involvement of the private sector and its economic activities as well as treatment of only a limited number of sectors (agriculture, forestry) without addressing other extractive industries that impact on forests – notably the oil, gas and mining sectors. A second version of the draft has now been submitted and should consider the independent review.

In short, funding for the programme (by CAFI or other donors) has not yet been approved and LUP activities have therefore not yet begun.

Development of LUP methodologies in RoC

To inform the design and future implementation of the CAFI programme on LUP, the EU REDD Facility has been supporting the development of a departmental LUP methodology, tested and validated at local level, with the involvement of all relevant stakeholders (EU REDD Facility, 2021).

According to the EU REDD Facility, implementation of the regulatory texts on LUP in RoC is still only partial. The Congolese state's spatial planning strategy is still very centralized and is organized around ministries that have some difficulty in coordinating their reciprocal interventions. In addition, there is a certain disparity in planning tools, the scope of application and linkages of which have not yet been clarified. There is a need to bring together and decompartmentalize approaches in order to promote coordinated regional planning.

Pool is so far the only department in Congo to benefit from a Departmental Development Plan, in line with the 2003 Law, while the first draft Departmental Land Use Planning Framework (*Schéma Départementale du Territoire* - SDAT in French) prepared on a pilot basis is still considered by the General Directorate of Land Use Planning to have much scope for improvement. Therefore, the EU REDD+ Facility is supporting the MATIER involved in the co-design of the upcoming CAFI programme on LUP through the inclusive development of a local LUP methodology, tested and validated at departmental level.

Implemented by *Initiative Développement* (ID), the approach involves the following steps:

- Engage in one department with local stakeholders to co-develop the SDAT methodology;
- Propose to MATIER a SDAT methodology for which principles were previously agreed/validated at the departmental level;
- Document and illustrate the development of the methodology through the elaboration of a briefing / story;

- Support the MATIER on the organization and facilitation of coordination meetings with its partners, in particular with AFD and partners regarding the articulation between SDAT and the overall LUP strategy supported by CAFI.

Impacts of LUP to date

As of August 2021, the results and impacts are few, given that the project has only recently started and is currently ongoing. So far, a review of previous departmental experiences in terms of spatial planning was carried out, and the Pool Department was chosen as the pilot department, in close consultation with the MATIER and the Pool Departmental Council.

The EU REDD Facility also assists in the assessment of the socioeconomic and environmental implications of various palm oil and other commodity development scenarios, using the Facility's Land-use Planner as a technical tool.

As yet there are no resulting LUPs, so there is no way to assess their impact to date.

3.1.4 Democratic Republic of the Congo

In common with many other CB countries, DRC was subject to a Forest Zoning exercise in the 1990s that resulted in an extensive Permanent Forest Estate being gazetted. A set of national operational guidelines for forest zoning was published in 2011 (MECNT, 2011). However, this was not a multi-sectoral land use planning process – being focussed primarily on securing the permanent forest estate.

Evolving legal and institutional framework

Since 2018, DRC has embarked on an LUP reform process, supported by CAFI's Land Use Planning Reform Programme (*Programme d'Appui à la Reforme d'Aménagement du Territoire* - PARAT) with UNDP as the implementing agency. The overall objective of the PARAT Programme was defined in the Letter of Intent between CAFI and the DRC in April 2016:

> *"To develop and implement, in a participatory and transparent manner, a spatial planning policy that organizes and optimizes the use of land and forest resources by the various sectors of the national economy in accordance with the rights recognized by the DRC's legal system, in order to reduce the impact on forests, reduce conflicts and ensure sustainable development at the national and local level".*

The PARAT Programme aims to address the lack of policy, legal and institutional frameworks for LUP and a lack of orientation on sectoral investments. Historically, investments and land allocations were carried out with exclusive sectoral logics, inherited from visions elaborated during colonial times, and sometimes with overlapping of contradictory sectoral planning or land allocations in the same areas. The programme set out to develop a spatial planning policy; strengthen the regulatory and legal framework to coordinate sectoral and territorial policies in order to resolve land conflicts and promote balanced development of land use; and to strengthen the capacity for dialogue and negotiation of stakeholders, mainly the Ministry of Land Management and Urban Renewal (*Ministère de l'Aménagement du Territoire et Rénovation de la Ville* – MATUH), the *Commission Nationale de la Réforme de l'Aménagement du Territoire* (CONARAT) and their regional units as well as the decentralised territorial entities (ETD). The

programme also committed to ensure that social and environmental safeguards are taken into account in LUP.

Progress with national level reforms

A national policy on LUP (*Politique Nationale d'Aménagement du Territoire*) was approved by the Council of Ministers in July 2020 PNAT (Primature RDC, 2020) and is awaiting enactment.

A framework law on LUP (*Loi Cadre d'Aménagement du Territoire*) has been drafted, and was tabled in the national assembly (June 2021) for debate but is not yet approved.

A national land-use framework (*Schéma Nationale d'Aménagement du Territoire* SNAT) has been drafted, and was the subject of a series of technical validation workshops. It has not yet been formally adopted.

However, the quality of these national legal and policy instruments has been called into question by various national and international NGOs. A Rainforest Foundation Norway (RFN) note (RFN 2020) to the Norwegian International Climate Finance Initiative on LUP reform in DRC suggested that no substantial progress has been made on LUP reform during these past years under CAFI's land use reform programme. They argue that because the reform is highly, if not entirely, dependent on FONAREDD/CAFI funding, the process has been rushed as a result of eagerness to deliver a LUP policy and a law before the CAFI funding expired. The hasty processes have, according to RFN, not met basic requirements for inclusive and meaningful consultations.

Progress with developing sub-national LUPs in DRC

In parallel with the land-use reform program, the Provincial Multisectoral Programmes (PIREDD) ensure the implementation of spatial planning processes at each level of the territorial organization of the eight intervention provinces. In 2021, eight PIREDD are active and are considered as the implementation arm of LUP at local level as shown in Figure 4.

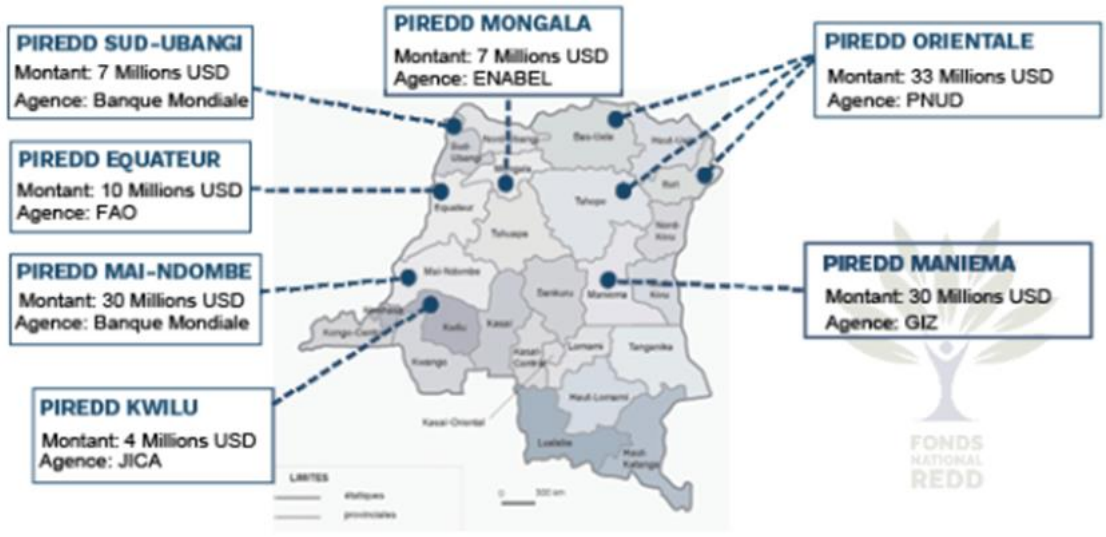


Figure 4: Map showing the locations of the eight Provincial Multisectoral Programmes (PIREDD) funded by CAFI

Source: FONAREDD (2020)

Each of the PIREDD are at different stages of developing the suite of Provincial, Territorial, Sectoral and local LUPs foreseen in the draft Law on Land Use Planning. The following non-exhaustive review of a selection of the PIREDD serves to illustrate the progress and challenges of developing LUP instruments.

PIREDD Plateaux was established in 2014, with US$14 million funding by the World Bank's Forest Investment Programme. WWF is the Local Implementing Agency supervised by the DRC Ministry of the Environment & Sustainable Development. PIREDD-Plateaux took a bottom up approach, developing over 600 village level "simple natural resource management plans" (*plan simple de gestion des ressources naturelles*) following a standard methodology. The intention was that the outcomes from these village level plans be integrated into higher LUPs. However, the process of integration of these village plans into Sectoral, Territorial and Provincial Plans has not yet begun and it is not yet clear what the outcome will look like.

PIREDD Maï Ndombé: The newly created Province of Mai-Ndombé is home to 1.5 million inhabitants, spread over two Departments (Plateaux and Mai Ndombé) and four territories. The tropical rainforest occupies 87 percent the land area, but 269,000 hectares (ha) of forest were lost between 2000 and 2012, due mainly to agriculture on burned fallow land and production of charcoal to supply the city of Kinshasa. Maï Ndombé Province has a long track record of substantial international investments in implementing REDD+ that have been aligned into a jurisdictional approach to LUP and development, combined with results-based payments through a series of closely related Programmes – each of which builds on the outcomes of previous projects (summary in Box 5). It has been described as a REDD+ Laboratory and has been subject of various published reviews. It is therefore the subject of a more in-depth analysis in this report.

The current (second) phase of the PIREDD Maï Ndombé is funded by CAFI and implemented by the World Bank. It sets out to supports the preparation of a set of Provincial, Territorial, Sectoral and village level LUPs and development planning instruments. Together, these are anticipated to serve as a basis for protecting valuable forest resources while intensifying agriculture and production in other parts of the landscape.

The PIREDD Maï Ndombé has adopted the same bottom-up approach as the PIREDD Plateaux – by December 2020 a set of 344 village level simple land management plans (Plans Simples de Gestion) had been drafted and adopted. Preparation of the Provincial Territorial and Sectoral LUPs has not yet started.

Box 5: The Maï Ndombe Emissions Reduction Program

The Maï Ndombe Emissions Reduction Programme is the first jurisdictional Low Emissions Rural Development programme developed by the national government in DRC. It aims to develop a large-scale vision of sustainable development in the jurisdiction by offering alternatives to activities that contribute to deforestation, such as slash and burn agriculture, on which the majority of the provincial population depends for its livelihood. These alternatives include remuneration for activities such as agroforestry, forest restoration and conservation, and improved sustainability of logging practices. The Programmeincludes performance targets for a range of environmental and social indicators and varied results-based payment mechanisms for individual rural households and communities, private enterprises and national and provincial governments, with financing from different sources including the World Bank Forest Investment Programme (FIP), Central African Forest Initiative (CAFI), and private sector sources.

The ultimate objective of the programme is to reduce CO2 emissions by 29 million tons by 2021 across the entire jurisdiction by addressing the province's deforestation drivers. The ambitious programme is still waiting for a Payment Agreement with the Forest Carbon Partnership Facility (FCPF) and needs to be supported by international stakeholders and carbon markets for its implementation.

The most recent phase of the PIREDD Maï Ndombe is funded by CAFI and implemented by the World Bank. It envisages the preparation of a complex mixture of LUPs at different geographical scales and institutional levels. Under its Objective 2, the PIREDD Mai-Ndombe adopts and builds on methodologies that combine LUP and institutional strengthening developed under the preceding PIREDD Plateaux. This consists of strengthening the associative structuring of village lands and Decentralized Basic Territorial Entities (ETD) on the model of Local Development Committees (CLD) and Rural Territorial Agricultural Councils (CART) recommended by the Ministry of Rural Development.

These institutions are developing Sustainable Development Plans (PDD) for the Province (1), the District of Mai-Ndombe (1), the Territories (4) and Sectors (15) of the district of Maï Ndombe, and Simple Management Plans (PSG) for village lands – terroirs in 600 out of an estimated 1,100 terroirs. The development of these plans, launched at the level of village lands and then rising up to Sectors, Territories, District and Province are expected to provide a collective analysis of the evolution of natural resources, the causes of deforestation and forest degradation, and the programming of appropriate measures to support sustainable development while improving living conditions.

These plans are being drawn up taking into account the operational proposals that the PIREDD project team makes to the stakeholders, such as the protection of the most threatened primary forests, the reconquest of the savannah, in particular through agroforestry, the development of perennial crops, the defence of savannas, improving the performance of burnt fallow, co-management of fishing, etc., while recommending guidelines for higher levels of programming. The 15 Sector plans will be successively consolidated at the level of the 4 Territories, the District, and finally at the level of the Province to ultimately produce 21 separate Sustainable Development Plans (PDD). The higher-level plans (Sectors, Municipalities, Territories, Province) will in particular highlight the measures to be taken at their levels

in terms of the production of regulatory texts (provincial edicts and ETD), the responsibilities for drawing them up, validating them, promulgate, implement them.

PDDs and Simple Management Plans (PSGs) will be subject to implementation contracts covering all or part of the planned activities. These contracts, like the plans themselves, will be formalized in standard formats and filed with the planning offices of the territorial administrations and the ETD.

Source: combined from FONAREDD, 2016 and Reyniers, 2018

By December 2020, 480 Local Development Committees (CLDs) had been set up in Maï Ndombe, One CLD is established for each village land (terroir), whose village land has been mapped. The CLD= will receive the investments made in subsequent phases. 404 Simple Management Plans (Plans Simples de Gestion – PSG) had been produced, of which 344 had been validated. These PSGs form the basis for sustainable land management and use. All investments financed under this PIREDD are then expected to respect the uses defined in the PSGs. None of these LUP instruments have been reviewed as part of this study to assess how this might happen in practise.

PIREDD Orientale is funded by CAFI and implemented by UNDP. The programme started work in 2018 by supporting development of Provincial land use frameworks (*Schémas Provinciaux d'Aménagement du Territoire* – SPAT) for Ituri, Tshopo and Bas-Uele Provinces, and a series of 8 Territorial Land Use Plans (*Plans Territoriaux d'Aménagement du Territoire*). They were all prepared with different methods as their preparation was contracted out to private sector consulting teams, before any standard methods had been agreed with the Ministry. It is too early to draw conclusions about the effectiveness and impacts of these LUP investments.

This set of 11 planning instruments has been validated by the stakeholders in each of the three Provinces and eight Territories under the PIREDD Orientale programme. The preparation of lower level plants at the Sectoral and village levels will follow – i.e. a top down rather than bottom up sequencing.

What lessons for land use planning?

Results-based Payments for Environmental Services (PES) for reducing carbon emissions are proposed as the incentive for land users to respect the land use plan. Resulting funds will be invested in public infrastructure and services foreseen in the respective Provincial, Territorial, Sectoral and village level plans – rather than direct payment to individuals.

The Maï Ndombé PIREDD Project Document (FONAREDD, 2016) noted that

"there is a moderate risk of potential conflicts relating to the distribution of incentives for the sustainable management of the forest through innovative mechanisms such as PES. The risk will be mitigated by putting in place clear rules on benefit sharing before the start of field activities and strong communication. The Mai-Ndombe PIREDD will also build on the ongoing work on benefit sharing plans as part of the development of the Mai-Ndombe Emission Reduction Program. Alignment of practices is essential."

However, in their report entitled REDD Minus, RFUK (2021) indicate that there are already significant problems arising from the implementation of the PIREDD Programmes including: lack of

legitimacy or transparency in the establishment of Local Development Committees (CLD); insufficient understanding of the LUP instruments or free prior informed consent to their adoption; conflicts over boundaries between villages; and the ineffective distribution of benefits promised in agreed plans. Further, the grievance mechanisms established are reported to be either inadequate, not responding to grievances in a timely manner, or fraught with conflicts of interest.

Development and harmonisation of LUP methods in DRC

Preparation of some of the local LUPs in e.g. Plateaux, Mai Ndombé and Maniema began long before the policy, legal and institutional framework was developed, while preparation of the three Provincial and 8 Territorial plans under PIREDD Orientale started in parallel with the national land use planning reform process. Project implementers have therefore by necessity had to improvise when developing LUP instruments as they are neither formalised in Law nor guided by any harmonised methodologies.

By the end of 2020, the National Programme for Land Use Reform (PARAT) Progress Report (FONAREDD, 2021), noted that provisional versions of methodological guides for the preparation of SPAT / PPAT / PLAT and zoning of village lands had been drafted and submitted for consultations and collection of opinions and observations. The process of harmonisation of methodologies for the realisation of zoning plans had also been initiated with PIREDDs and other stakeholders but has not advanced much, due to insufficient budget.

The PARAT Programme annual report (FONAREDD, 2020) notes that while progress is being made to define LUP methods at each level, there remains lack of a general LUP methodology prioritising and linking the various products of the Programme - the National (SNAT) and Provincial (SPAT) land use frameworks, and the lower level ETD land use plans, etc. That said, the same report notes that the harmonization of local LUP tools has been greatly simplified by adopting a land use map and the Simple Land Use Plan (*plan simple d'aménagement du territoire* - PSAT) instead of the various subsequent tools. A draft methodological guide "*Guide méthodologique de zonage participatif des terroirs et éléments de la légende des cartes de plans*" lays out an approach to participatory village level zoning and mapping.

At the same time, other local land use planning methods are also being developed and tested by International NGOs working with national partners in the other Provinces. RFUK has supported development of a planning methodology (RFUK, 2019) with the following objectives:

- Contribute to the LUP processes in Maniema by publishing participatory maps and land-use scenarios;
- Ensure that the development needs of communities are considered at the sector and provincial levels;
- Inform the national reform process launched in 2015 on LUP;
- Provide guidance and share best practices for a sustainable and equitable land management regime in DRC.

In summary, the LUP instruments being developed, the extent of participatory processes followed and the inter-relationship between different levels of plan, and even the sequence of preparation varies between programmes and implementers within the same overall programme (bottom to top in PIREDD Plateaux and top to bottom in PIREDD Oriental).

There is still considerable work to do to harmonise approaches to the establishment of local governance institutions, the preparation of LUP instruments, and devising transparent and easy-to-understand mechanisms that link the compliance with such LUPs that reduce deforestation, and the triggering of results based payments – both within and between programmes and their respective implementers.

There are also significant challenges to ensure that the proposed solutions are endorsed by, and ultimately appropriated by the National Agencies and all other stakeholders.

Experiences from these PIREDD should be reviewed thoroughly. Lessons learned should inform the finalisation of the more detailed regulatory framework (Decrees of application) and methodological guidelines for LUP.

Impacts of DRC's LUP Initiatives

Based on a detailed review of the Mai Ndombe Program, the Rights and Resources Initiative's (Gauthier, 2018) report notes that

> *"although LUP has been recognised an indispensable element for the establishment and success of REDD+, at the time that they were being developed in the PIREDDs, LUPs had neither an appropriate legal, regulatory, or institutional framework, nor a consultative system between the different sectoral policies. This also holds true in Mai-Ndombe, where land allocations take place outside a provincial intersectoral planning framework and give rise, on the one hand, to a complex land situation threatened by overlapping rights and uses and, on the other hand, to difficulties in tackling long-term deforestation in projects."*

Rainforest Foundation UK (2020) recommended that government and its international partners:

> *"much greater emphasis on clarifying and securing collective land tenure through community forests and participatory land use planning so that communities are better able to defend their interests and directly benefit from climate-friendly livelihoods" and as a prerequisite for further investment.*

According to interviews conducted during this review, internal reflections are on-going to review the LUP experiences of the PIREDD Mai Ndombé and other PIREDD. Lessons learned will serve as a better foundation for the next phase of CAFI investments. However, the results were not available at the time of this evaluation. The following questions are pertinent:

- How to develop different scenarios for rural development during the preparation and negotiation of different levels of LUP? If one opts for Scenario X, what impact does this have on the forest?
- What incentives are required to ensure that rural development scenarios that favour the maintenance and sustainable management of land and forest are selected in a participatory and voluntary process over the alternatives? How can the conclusions be contractualised?
- What investment is needed in each of the various sectors to successfully implement the LUP and how best to coordinate these?
- How to finance the implementation of the Sustainable Development Plans (*Plans de Développement Durable*) to ensure that the LUPs are respected?

- What activities have been implemented as a result of the LUPs and Sustainable Development plans?
- How will compliance with the LUPs or simple natural resource management plans be monitored?
- How do LUPs developed help to improve tenure security – in particular for poor and vulnerable groups?
- How do land use plans impact on the poorest members of the community?

3.2 Legal and institutional frameworks for decentralization

It is now well established that the wave of decentralization reforms that has swept Africa since the 1990s has achieved at best partial gains in governance quality, administrative accountability, and development (Dickovick & Riedl 2014; Lambright 2011).

The Congo Basin Countries are at different stages of decentralization. Historically, from the 1960s to 1996, efforts to decentralize governance in Cameroon and Gabon were deeply dependent on the model of administration in force under colonization. The regional administrative units ("collectivities territoriales") remained identical, coinciding neither with the traditional chiefdoms nor with the aspirations of the local populations. Being conceived under what have typically been single party systems in e.g., Cameroon, Gabon and RoC, they have been heavily criticized as being largely a facade, creating more administration than development, with the mayors being appointed centrally and with limited transfer of skills or resources – in summary decentralizing poor governance rather than good governance (Boudzanga, 2013).

New laws on decentralization in CB Countries, presumably aiming to address some of the historical deficiencies of decentralization, have only been developed and implemented quite recently, and most are still in their early stages of implementation. There is limited analysis of the impacts that these new decentralization laws have had to date, or are expected to have on LUP in the future.

3.2.1 Cameroon

Decentralization in Cameroon started between the two world wars, first in British Cameroon with the system of indirect rule practised by Great Britain and involving the traditional chiefs in the administration and management of the affairs of the city, and finally in French Cameroon as early as 1941 with the creation of the Mixed Urban Communes of Yaoundé and Douala. It was constitutionalized in the Cameroonian constitution of 2 June 1972, which gave the communes a legal framework by making them legal persons under public law with financial, legal and administrative autonomy. Law no. 96/06 of 18 January 1996 revising the constitution of 2 June 1972 created a second category of decentralized territorial authority: the region.

The country thus has both a deconcentrated administrative system (10 regions and 58 departments) and a decentralized structure of governance comprising two tiers of decentralization: 10 regions and 374 councils. After several years of stagnation, the decentralization process was revived by three laws adopted in 2004 that established a general framework setting the guidelines, statutes and powers of the councils and regions. However, the decentralization legislation also ruled that implementation of the new competences of Local Government Units was not

exclusive, being shared with the central administration. This situation often induced unfunded mandates and insufficient means co-transferred with competences (UCLG and OECD, 2016a).

Considerable work has been implemented under the scope of the National Participatory Development Programme (*Programme National de Développement Participatif*) which was implemented under the supervision of MINEPAT with multi-donor support. This has led to the preparation of a set of first-generation Council Development Plans (CDPs) for each of the 365 Municipal Councils. These CDPs identified priorities for investment in rural infrastructure and services, but were not spatial in nature and did not properly address land use issues. A second generation of "spatial CDPs" is in preparation, with an adapted methodology, though this has raised questions regarding how the method and resulting plans will be aligned with the draft method for developing Local Land Use and Sustainable Development Plans (*Plan Local d'Aménagement et de Développement Durable du Territoire – PLADDT*; MINEPAT (2019) envisaged in the 2011 Orientation Law on Land Use and Sustainable Development Planning. Efforts to align these methods are ongoing through consultations with all actors working on local level development planning, led by a project implemented by MINEPAT's Directorate of Land Use Planning and the EU REDD Facility's Project (EU REDD Facility, 2016).

More recently, the law n° 2019/024 of 24 December 2019 established the general code of decentralized local authorities (Communes and Regions). It further defined the general legal framework of territorial decentralization; the status of local elected officials; the rules of organization and operation of territorial authorities; the specific regime applicable to certain territorial authorities; and the financial regime of territorial authorities.

By finally establishing the ten Regional Councils, the legally mandated bodies to approve Regional Land Use and Sustainable Development Plans (*Schéma Régional d'Aménagement et de Développement Durable du Territoire* - SRADDT), this law has shifted powers to approve LUPs downwards. It remains to be seen how this power is exercised by the new subnational entities.

3.2.2 Gabon

Decentralization is part of a historical process of building the Gabonese state, the first signs of which date back to the colonial period. However, it was not until 1996 that the Gabonese government passed a law definitively opting for this policy: law n°15/96 of 6 June 1996, relating to decentralization.

Almost 20 years after its enactment, the 1996 law had not been implemented owing, in particular, to (a) the government's delay in effectively transferring powers and the resources needed for their effective implementation by local governments; (b) low institutional capacity of local governments in general; and (c) the lack of defined policies and the failure by councils to enforce regulations in terms of land use and management of public investments. In the absence of substantial decentralization, the central and deconcentrated sector ministries continue to exercise functions transferred to local governments. Centralized arrangements for approval of local government budgets often delay local government budget implementation by more than six months (World Bank 2015).

A new decentralization law was enacted (Law 001/2014 of 15 June 2015) showing renewed interest in advancing the decentralization agenda. It is however only in the very recent past that the powers of these decentralized collectivities have started to be transferred from the centre downwards to the Local Councils (Le Nouveau Gabon, 2021) via a series of legal instruments:

- The 2020 law on the transfer of competencies from the State to local collectivities (Loi fixant les modalités de transfert des compétences de l'Etat aux collectivités locales);
- Decree number 00112 / PR / MDCDT of 10 April 2020, establishing attributions and organizations of the Ministry of Decentralization, Cohesion and Territorial Development; and
- Decree number 000304 / PR / MDCDT of 14 August 2020, fixing the attributions, organization and functioning of the decentralization bodies.

These laws and regulations give local governments the power to orient the action of local communities towards an economic vision and to stimulate grassroots development and to bring the administration closer to the citizens in order to develop cohesion and development.

As yet, there have been no analyses of the potential or actual impacts of these new instruments.

3.2.3 Republic of the Congo

ClientEarth has summarized the legal framework for decentralization in RoC (ClientEarth, 2019). Decentralization is enshrined in the 2002 constitution (Art. XVI) and the 2003 judicial framework (after past attempts in 1973, 1979, and 1992). Its implementation follows a devolution process. According to Law N°10-2003 (Republique du Congo 2003b), certain responsibilities were devolved to local governments in order to increase accountability to the citizens and better meet local needs. Subnational governments are autonomous administrative entities, yet the central State through the national law that allocates their responsibilities, resources, and operations and which supervises their activities, still maintains control. Departments are supervised by national delegates as Prefects (*préfets*) and sub-prefects (*sous-préfets*). The current context of accelerated growth and urgent need for infrastructures could lead to rapid progress in the decentralization process if the national environment and frameworks allow for developing subnational governments' responsibilities and resources.

However, the Constitution of 6 November 2015, by defining the competences of local authorities focused mainly on local development, triggers a new major stage in the decentralization process: the phase of integral communalization and local development.

While RoC has had legislation to guide decentralisation since 2003, decentralisation has not yet been implemented effectively due to absence of a roadmap or policy that defines its content and implementation strategy.

3.2.4 Democratic Republic of the Congo

DRC embarked on decentralization reforms in 2006 to improve governance and accountability; undermine predation, corruption, and personal rule; bring government closer to the people; and promote local development. As of 2014, despite some regional variations, Congolese decentralization had instead increased the degree to which the state extracts the resources and incomes of its citizens. It had also fostered provincial centralization at the expense of local governments, produced largely unaccountable provinces governing with little transparency, and unleashed self-serving provincial elites. According to the analysis of Englebert and Mungongo (2016), decentralization was thwarted by the failure of formal reforms to affect informal ruling institutions and by an erroneous diagnosis of DRC's governance failures that singled out the abuse of elites without identifying the generalized nature of the instrumentalization of sovereignty by office-holders at all levels of the state.

The recent Organic Law No. 16-001 of 3 May 2016 establishes the organisation and functioning of the public services of central government, the provinces and decentralised territorial entities, pursuant to Article 194 of the Constitution of 18 February 2006 of the DRC.

In December 2019, the Head of State, Felix Antoine Tshisekedi, launched the 2nd National Forum on Decentralisation under the theme "Evaluation of the Decentralisation Implementation Process". Particular emphasis was placed on assessing the level of transfer of competences and resources, especially in the decentralised sectors. The expected outcome is that a new roadmap defining the implementation of decentralisation in accordance with the axes outlined will be drawn up. However, we could find no reports of the outcome of this forum or analyses of the impacts of the 2016 Law to address the historical systemic governance challenges raised by Englebert and Mungongo (2016).

3.2.5 Summary analysis on the impacts of decentralisation

It has taken over 25 years since the first laws on decentralisation in both Cameroon and Gabon were adopted for key texts defining more complete decentralization of powers to finally be published. In the interim, many analysts (Lontum, 2021; Tani et al., 2012) conclude that the decentralisation was, and still remains, more of a deconcentration of central powers than a real devolution of decision-making powers.

In the period 1996–2019, Cameroon was referred to as a decentralized state only in theory since the structures to implement it did not exist. As a result, the local councils were still operating under the centralized system of governance where an appointed local representative of the president of the republic supervises the elected officials and makes decisions on their behalf regarding the management of their municipality (Mbah and Franz, 2021).

Once legislated for, and implemented effectively, decentralisation will have significant impact on levels of responsibility for preparation, approval and implementation of LUPs. However, some planning responsibilities may be retained centrally for the purpose of maintaining control over key resources such as mineral resources as well as and state-owned lands - permanent forests, Land Reserves (*Réserves Foncières*), which feature in the legislation on urbanism of both Cameroon and RoC (2019), and Agricultural Leases - as much as for ensuring coordination.

3.3 Interactions between LUP and Land Tenure

A large body of evidence attests to the importance of policies that provide land users with security of tenure and access rights to natural resources. Linking policies devised to improve tenure security – such as long-term leasehold contracts or titling of freehold land – to farmers' investment or conservation activities has in some cases proved to be an incentive to sustainable land management (UNESC, 2008).

However, while there has been some success in securing land tenure in some countries globally, land rights issues remain a major challenge to land planning and management and approaches to resolve this issue (for example by titling land as alienable property) have been widely criticized (Hirsch 2011). Simbizi, et al. (2016) argue that the current systems "*work against the needs of the poor*". Muyombano et al. (2018) report that while land titling in Rwanda has led to reduced land conflicts, improved tenure security and increasing collateral value of land, the relatively

well-off farmers seemed to gain more from the programme than the poorest farmers. New approaches are therefore imperative (Chigbu et al., 2016).

Chigbu et al. (2016) suggest that the relationship between LUP and tenure security is that the former stimulates the latter while the latter can be an outcome of the former. LUP can delineate or remedy unclear land borders. It creates opportunities for citizens' participation as a tool for resolving land conflicts. It contributes towards keeping or producing records concerning ownership and rights, including privileges and interests.

3.3.1 Customary tenure in CB Countries: Legal duality and tenure insecurity

Across the CB countries, customary tenure continues to co-exist uncomfortably alongside the modern land and forest laws inherited from colonization. Colonial and postcolonial land and forest law made the state the guardian and administrator of land and forests in many, if not all, CB countries. The current land and forest laws consecrate the pre-eminence of modern written and legislated law over customary rights, the nationalisation of forest land management and the precariousness of community rights.

This legal duality characterizes the management of forest lands, where the customary and modern laws conflict, and in both systems, one finds multiple overlapping rights to, and uses of, forest land. In all CB countries, local and indigenous populations are claiming legitimate historic rights to forest lands while the State and private operators are promoting the strength and legality of legislated law. This has been at the root of power struggles and conflicts of logic which, despite successive regulations, has succeeded neither in eliminating customary systems, nor in imposing on them the centrality of the operating principles of modern regimes. Traditional land management norms, practices and institutions are still today the primary mode by which rural communities organize their relationships in land and forest management. These are resilient systems that define customary modes of land appropriation, development processes and customary practices of inheritance, transfer and transmission of land and forest heritage (Diaw and Njomkap, 1998; Diaw 2002; Alden Wily, 2011)

Most of the LUP conducted in the CB countries has focussed on securing tenure of the Permanent Forest Estate, Agricultural Concessions and Land Reserves for the State (and for local councils in the case of Council Forests). But the process has in many ways rendered community lands governed under customary tenure yet more vulnerable by leaving such land designated by default as 'national domain' which is still open to reallocation, offering no long-term tenure security.

3.3.2 New impetus to strengthen customary tenure in CB countries

OFAC (2013) noted that the United Nations Declaration on the Rights of Indigenous People (UNDRIP)[11] adopted by the UN General Assembly in September 2007 (ratified by some but not all CB countries), and the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (FAO, 2012), known as the

[11] United Nations Declaration on the Rights of Indigenous Peoples. https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

VGGT, have both increased the international recognition of local community and indigenous peoples' rights to forest land.

Efforts to resolve this longstanding source of land-related conflicts invariably lead to proposals for reform of land tenure and forest laws. For example, the Framework for the Land Use and Sustainable Development (SRADDT) of the South Region of Cameroon intended to reconcile land management and tenure challenges that are the outcome of flaws in the national laws, but in turn, the framework itself proposes that laws must change before these same challenges can be resolved (see Box 2). This highlights the circular nature of the problem – CB countries need both more coherent sectoral and transversal laws, better institutions and mechanisms for strategic planning and coordination within and between sectors *and* better LUPs.

The link between LUP and increasing tenure security must be made more explicit and operational in practice. Recommendations to this effect are presented in Section 7.10.

4 SCOPE FOR HARMONISATION OF LUP ACROSS CB COUNTRIES

4.1 The COMIFAC ambition for LUP

Building on the regional experience of LUP and the new dynamic created by the prospects of REDD+ financing, in 2012, COMIFAC countries prioritized LUP within a set of commitments these countries are willing to make to contribute to the success of international negotiations on climate change, biodiversity conservation, the fight against desertification and the international dialogue on forests (Box 6).

Box 6: Extracts from the 2012 Declaration of COMIFAC/ECCAS countries for the Congo Basin forests and their vicinity

The ECCAS/COMIFAC countries have become increasingly aware that key sectoral policies such as agriculture, forestry and nature conservation must be deployed with an integrated vision of land use planning, closely aligned with national objectives for water and power supply, development of industrial, transport, and public health infrastructure, food security, and decentralization. In this regard, the COMIFAC signatories recognize that land use planning and finance ministries, as well as the offices of the Prime Minister and the Presidency of the Republic in each country have a strategic role to play in providing coordination and technical guidance. These considerations are key to ensuring that the NDCs (Nationally Determined Contributions) of the ECCAS / COMIFAC countries become structuring frameworks for the contributions of these countries to the fight against climate change.

COMIFAC signatories undertook to place land use management and allocation strategies at the centre of their development policies. To this end, they committed to:

- *Develop and implement land use management plans built on stakeholder involvement at all levels, including civil society and private sector actors, based on resource inventories that consider the economic value of forest ecosystem services; and*
- *Revise land codes to strike a better balance between modern law and traditional law, by clarifying and specifying the rights of local communities and indigenous peoples over soil resources and the terms and conditions of use rights acquisition for private owners;*

Source: Declaration of COMIFAC/ECCAS countries for the Congo Basin forests and their vicinity, 2012

The 2012 COMIFAC/ECCAS declaration in turn led to a) a new strategic objective in the COMIFAC Convergence Plan (2015-2025) (Table 6).

Table 6: Strategic and operational objectives relating to LUP in the COMIFAC Convergence Plan (2015-2025)

Strategic Objective	Operational objectives
Strategic Objective 2.1 "Ensure the preservation of forest ecosystems in a concerted land use planning process." with a set of indicators, operational objectives and expected results.	▪ 2.1.1: Strengthen planning and securing the forest area. Expected results: – The zoning of forest areas is integrated into national land use plans; – Forest areas are secure; – The land rights of local and indigenous populations are taken into account in forest planning and legislation.
	▪ 2.1.2: Improve qualitative and quantitative knowledge on forest and wildlife resources. Expected results: – Inventories of forest resources (timber, NTFPs, carbon stock, etc.) and wildlife are carried out; – National and regional observatories are set up and operational.
	▪ 2.1.3: Ensure the management of forest ecosystems. Expected results: – Permanent forest estates and all other types of forests are placed under management; – The rules and standards of sustainable management are developed in a concerted manner and implemented.

Source: COMIFAC Convergence Plan 2015-2025

COMIFAC also set up a Land Use Planning workstream within the CBFP/PFBC partners that submitted a set of recommendations at the 2016 CBFP/PFBC meeting in Rwanda (CBFP, 2016). At that meeting, the COMIFAC partners reached the following conclusions on forest management policies and LUP (CBFP, undated):

> *In all the forested countries of the Congo Basin, the threats to forests come more and more every day from non-forest sectors: the conversion of forests for agro-industrial plantations, the expansion of the mining sector, the development of infrastructure, transport, etc. In this regard, the partners are unanimous in recognizing that the future prospects of the forests of the Congo Basin depend to a large extent on the political choices which will be made by the States in terms of land use, and that the strategies of land use planning are therefore decisive today.*
>
> *For the implementation of these strategies, which will necessarily take place at the intersectoral level, it is essential that the States make the most of the macro-zoning and micro-zoning exercises already underway for several years in the forestry sector. Spatial planning policies must be compatible with the preservation of the local and global ecosystem functions of forest massifs and be the subject of high political priority. They must also be accompanied by information management tools that are transparent and accessible to all stakeholders.*
>
> *The role of OFAC (Observatoire des Forêts d'Afrique Centrale) in the **development and integrated management of these tools** at the regional level must also be confirmed by the States of the sub-region and benefit from the technical commitment and financial support of all the CBFP partners.*

4.2 Progress with preparing harmonised LUP methods and tools

Forest Zoning and Landscape LUP methods have been prepared in the CB region, with substantial support from development partners in the context of CBFP. However these have mostly focussed on forest zoning and were developed before LUP laws were published. For example, the CARPE programme has published a set of generic guidelines for landscape LUP for the Congo Basin (see Section 2.2). However, these preceded the adoption of the recent set of national LUP laws and did not really result in cross-sectoral LUPs that would be adopted by local governance entities in the context of decentralisation as envisaged in the more recent LUP laws. Instead, the CARPE guides are more forest sector specific, aiming to secure a permanent forest estate for either commercial forestry uses or conservation in Central Africa (USFS, 2010).

In the context of the emerging LUP Laws, a new set of methodological guidelines for LUP are in preparation in most of the CB countries, as outlined in Section 3. However, none are yet formally adopted, and they do not yet cover the full scope of national, regional, and local LUP instruments as envisaged in the LUP laws. Further, within CB countries there are different programmes developing various approaches to land use planning – typically with the support of international development partners. While each of these programme is working with a legitimate national government agency there is limited coordination between programmes to avoid duplication of effort or evolution of different methodologies in parallel. In Cameroon, some attempt has been made to harmonise approaches to local land use planning, but there is still no definitive consensus between agencies, or an officially endorsed LUP methodology. Some CB countries have sought to standardize data collection and sharing protocols in preparation for LUP processes.

Some independent experts interviewed during this evaluation have raised the concern that the EU REDD Facility is attempting to transpose a ready-made method from one country (developed in one CB country such as Cameroon) to another (such as RoC) rather than starting from an analysis of what is provided in the legal frameworks for each country – sectoral laws, decentralisation laws, and LUP laws. Given that the local context is highly specific, it is thus necessary to review and refine LUP approaches to each Congo Basin Country – there is no one-size-fits-all methodology.

4.3 Progress with improving inter-sectoral coordination mechanisms

Defined mechanisms for resolving conflicting plans of different sectoral authorities are less common in CB country legal frameworks, with only brief mention in the laws of decision-making bodies and mechanisms to review and reconcile competing inter-sectoral interests.

Recognition of the growing need for more intersectoral coordination has led countries such as Cameroon to draft new Laws on Strategic Planning with new high-level inter-sectoral coordination bodies to ensure the vertical, horizontal and internal consistency of the different planning levels. The Draft Law defines the multiple types of plan that may be developed at the national, regional and local levels, but does not clarify how they will be harmonized or how competing land use proposals between sectors, or levels will be reconciled. However, this law remains in draft and the institutions and mechanisms exist only on paper – unlike Gabon, which has established the institutions even without passing a law.

4.4 The CBFP Roadmap – LUP as a key strategy

The CBPF Roadmap for 2020–2021 identified a number of key topics which the German Facilitation intends to emphasize together with the whole Partnership (CBFP, 2020). Among these is “Sustainable Land Use'' (topic V). On this topic, the roadmap sets out to induce discussions towards a longer term of objective: **how to move towards regulative harmonization and minimum standards within the region for the sustainable optimization of all resource and land use in order to support conservation, biodiversity and sustainable management** and above all, the economic development of the populations of Central Africa.

This report is one element that aims to inform the process of ‘how to move towards this objective - regulative harmonisation and minimum standards for sustainable LUP that supports better forest outcomes.

5 LESSONS FROM THE GLOBAL LUP EXPERIENCE

Various countries, in partnership with development agencies, have put increasing emphasis on testing and demonstrating the *participatory* aspect of the LUP process with a view to securing more sustainable, locally owned development, for example in Timor-Leste (Democratic Republic of Timor-Leste, 2016) and Namibia (Schwedes and Werner, 2010).

Some useful experiences from a very limited selection of other countries are summarised below. However, none of these provide blueprints that can be transferred directly to CB countries without substantial adaptation.

5.1 Ghana: Landscape management and investment plan for deforestation-free cocoa

After years of investment in parallel initiatives by private sector companies and donors to eliminate deforestation from the cocoa value chain, with disappointing impacts, public and private sector cocoa-sector stakeholders in Ghana including several leading cocoa and chocolate companies joined the Cocoa & Forests Initiative (CFI) to halt further deforestation and forest degradation from 2018 to 2020 and restore forest areas. They have finally agreed to invest in a more coordinated manner in six Hotspot Intervention Areas (HIAs) identified in the Ghana Cocoa Forest Landscape, which has the highest deforestation rate covering 2.5 million hectares in the Ashanti, Brong-Ahafo, Central, Eastern and Western Regions of Ghana. These HIA Districts, with significant cocoa production and a high risk of deforestation, were identified as part of the National Investment Program.

One of the first jurisdictions to pilot the HIA approach is Asunafo-Asutifi District (see Box 6). The initiative is spearheaded by the Ghana Cocoa Forest REDD+ Programme (GCFRP) and preparation of the plan is being facilitated by Proforest. However, it has taken a long time to broker a consensus between stakeholders to co-invest, the landscape management and investment planning process has only just started, and while promising, it is still too early to assess the outcome.

Box 7: Preparation of the Asunafo-Asutifi Landscape Management and Investment Plan for deforestation-free cocoa in Ghana

The goal of the Asunafo-Asutifi landscape programme is to establish a Landscape Governance Structure to implement a Landscape Management and Investment Plan to eliminate deforestation risk through a range of activities, using appropriate tools and approaches and multi-stakeholder collaboration.

The programme first established a partnership of public, private and civil society stakeholders, based on a comprehensive understanding of the social, political, environmental and business dynamics of the landscape, including an analysis of the drivers of deforestation / degradation and the root causes of environmental and socio-economic challenges. The partners then identified opportunities to address identified risks and threats at the landscape level.

A baseline landscape study, funded by the eight cocoa and chocolate companies and commissioned by the World Cocoa Foundation, was conducted to establish:

- a high-level ecological condition study landscape;
- a socio-economic baseline assessment;
- a coarse-grain landscape HCSA/HCV screening; and
- a GIS and land cover analysis to map out the different land use/land cover types.

This approach ensured that the landscape management and investment plan covered not only agriculture commodity production and how it affects forest cover, but also other socio-economic and environmental aspects of the landscape.

Early consensus building and active involvement of stakeholders with different backgrounds and expertise to enrich the process, ensured buy-in and local content for the investment and management plans and assured smooth implementation. To be participatory and inclusive, communities, farmers and other stakeholders be engaged appropriately. Establishment of a diverse partnership that includes relevant government entities, private sector, research institutions, NGOs/CBOs, farmers and communities, is of utmost importance to successful landscape restoration. Adherence to laid down procedures established under the GCFRP, facilitates smooth and well-coordinated development and implementation, even though it may slow down the progress of work. Adequate private sector buy-in with technical support and funding is important – empowering them to meet their sustainability and deforestation commitments, while sustaining their businesses.

Participating companies: Cargill, Ecom, Lindt, Mars, Mondelez, Olam, Sucden, Touton.

Source: Kudom-Agyemang (2021)

Independent and objective monitoring of progress toward stated targets is key to assessing the effectiveness of such plans. The carbon standard proponent Verra, with its Ghanaian partner, Nature Conservation Resource Centre, will pilot the LandScale approach (LandScale, 2020) to monitor progress in two HIA landscapes, Juabeso Bia and Kakum, to demonstrate progress towards each HIA's relevant landscape goals and to communicate this progress to governments, donors and markets. Partners in two cocoa-producing HIA landscapes in Ghana, Juabeso-Bia and Kakum, are piloting the use of LandScale's ready-made framework to assess whether their investments, strategies, and field activities effectively address challenges connected to their CFI commitments. The partners will also use LandScale to communicate their progress to gain further support for their work.

This landscape approach built on a multi-stakeholder partnership is being replicated in Cameroon as part of the Green Cocoa Landscape Program, coordinated by idh and WWF. The initiative is piloting the preparation of local land use and sustainable development plans for two Municipalities (Mbangassina and Ngoyla) in two Cameroonian landscapes – Grand Mbam and Djoum-Mintom – with support from the European Forest Institute, World Agroforestry Centre (ICRAF) and Satelligence (IDH, 2021). As part of this initiative, a group of cocoa sector companies is working to identify investible projects that will contribute to achieving landscape-level targets around sustainable production, forest protection and community livelihoods.

The companies include global businesses that source from Cameroon (e.g., Olam, Cargill, Barry Callebaut, Puratos), chocolate makers and brands (e.g., Mars, Natra) and local cocoa buying companies (e.g., Neoindustry, Ndongo Essomba). Detailed plans and investment opportunities are currently being discussed and developed (ProForest and WWF, 2020).

Lesson Learned for the CB: The key observation for the Congo Basin from the Ghana case study relating to deforestation-free cocoa is that coordinated planning and investment in each production landscape is an essential but complex and time-consuming prerequisite for coherent investment in actions to reduce deforestation, which could not be done through individual efforts of individual donor programmes, government agencies or private sector actors. Performance against agreed LUPs requires the establishment of a comprehensive objective and trusted monitoring mechanism that tracks progress for all stakeholders across the landscape. Such landscape/jurisdictional initiatives are gaining increasing traction with the private sector as a way to progress towards goals to reduce deforestation and degradation step by step, in a bottom-up manner, supported by national commitments.

5.2 Private sector action in Sabah, Malaysia: Lessons learnt from jurisdictional engagement

This case study is extracted from a recent publication by the Tropical Forest Alliance (TFA, 2021).

Since 2015, there has been an emerging trend by commodity-based companies in SE Asia to engage beyond their supply chains at the landscape level as a means to achieve greater coverage of their sustainability goals, particularly No Deforestation, No Peat, and No Exploitation in commodity production. Initially focusing efforts on their own supply chains and traceability, many companies recognised over time the importance of engaging with local governments and stakeholders at the jurisdictional or landscape level to ensure greater impact at scale.

Sabah's announcement in 2015 to certify all of its palm oil output to the standards of the Roundtable of Sustainable Palm Oil (RSPO) by 2025 as a pilot for the jurisdictional approach, enabled companies to coordinate their efforts at the state level and allowed them to profile their initiatives in support of this vision. These companies include Wilmar International, Sime Darby Plantation, AAK, Unilever, Reckitt and Walmart.

A lesson learnt from private sector engagement in landscape and jurisdictional initiatives in Sabah is that **strong ownership from the state government, local stakeholders and key industry leaders** provides credibility and confidence for other companies to invest in the process. However, to ensure greater effectiveness, clear roles and responsibilities have to be outlined for each stakeholder involved in the process.

Sabah's jurisdictional approach and its multi-stakeholder nature, especially the involvement of the state government, helps companies achieve their sustainability goals and impacts at scale. The approach also helps companies to reduce the risk of leakage in their supply chains more effectively than if they were to focus only on traceability. Lastly, Sabah's ability to attract support from companies with strong sustainability commitments will bring support from other actors along the supply chain, particularly as interest in landscape and jurisdictional approaches grow.

The state's continued commitment is seen by key stakeholders with cautious optimism as it would provide a baseline whereby all palm oil from the state would be produced according to globally recognised and sustainable standards. Such jurisdictional certification at the state level would increase volume for RSPO certified palm oil, thereby increasing the economic return to smallholders. The initiative deploys the LandScale Assessment Framework, a summary of which is presented in Figure A 3 in the Annex.

5.3 North American and European countries: Land use regulation for the public good and the notion of "expropriation" and "just compensation"

LUP nearly always requires land use regulation, which typically encompasses zoning. Zoning regulates the types of activities that can be accommodated on a given area of land, as well as the amount of space devoted to those activities, and, in an urban setting, the ways that buildings may be situated and shaped. LUP also results in proposals that constrain use of certain areas of land (in particular protected forests) or that designate specific areas of land or forest for public use such as the location of new infrastructure. Implementing such plans very often requires expropriation of private or communally owned land for new public good purposes. Different terms (compulsory purchase / land acquisition / eminent domain) are used in different countries and legal systems.

The assumption is that regulating the use of land will change the patterns of human behaviour, and that these changes are beneficial. The ambiguous nature of the term "planning", as it relates to land use, is historically tied to the practice of zoning. Zoning in the US came about in the late 19th and early 20th centuries to protect the interests of property owners. Precisely because zoning sets out to constrain certain land uses to protect the interests of one set of stakeholders, it is always contentious where it curtails future use of land by other private owners or rights holders without "*just compensation"*. Legislation on compensation for land 'taken' is thus an integral part of successful LUP in western economies. For example, the Fifth Amendment of the United States Constitution mandates that if the government takes private property for public use, the government must provide "just compensation" (Legal Information Institute, undated).

The UK has passed at least 15 different legislative acts since 1960 on the topic of land take and compensation in the context of developments that require compulsory acquisitions of interests in land (UK Valuation Office Agency, 2018).

It is particularly important to understand and define the notion of 'just compensation' in legal terms, as LUP in developing countries is increasingly being driven by global concerns about environmental issues. The local, national and global public benefits of environmentally driven LUP may well be justified, but the direct impacts that such LUP may have on current or future land use, development opportunities and the bundle of rights of affected communities raises important questions about what might be 'just compensation' for current or future losses, and how this is assured in the relevant legal frameworks.

It is thus interesting to see that China is following suit – negotiating compensation packages and payments for environmental services for local authorities that are constrained by national and provincial spatial plans (see next case study).

5.4 China – the "Ecological Conservation Red Lines Approach"

This case study is adapted from Schmidt-Traub et al. (2021)

With 18 percent of the global population and only 10 percent of arable land, China is highly vulnerable to loss of agricultural land and nature's contributions to people – including carbon sequestration. Since the 1980s, China has undertaken some of the largest land-restoration programmes in the world (Bryan et al. 2018). Yet, nature continued to decline precipitously and, in

1998, China experienced catastrophic flooding of the Yangtze River, which killed over 4000 people. The realization that these floods had been exacerbated by deforestation, draining of wetlands and other inappropriate land-management practices spurred the government to consider more ambitious and integrated policies to conserve and restore nature (Gao, 2019). This led to a growing focus on Ecological Civilization—a broad framework for balancing political, economic, social and environmental objectives, which was first mentioned at the 17th CPC National Congress in 2007 and incorporated into the Chinese constitution in 2018. These policies have resulted in the development of a spatial planning framework to support delineation of various land use management units that addresses integrated strategies on climate, biodiversity and desertification.

In practical terms, China's spatial planning framework involves the development of national and provincial spatial-zoning plans that cover and integrate functional zones: critical ecological functions, agricultural production and zones for industrial development and human settlements. To strengthen coherence, these initially disparate spatial-planning frameworks are now being consolidated by the Ministry for Natural Resources under a single, integrated land-use-management plan for China to be incorporated into the 14th Five-Year Plan, which will take effect in 2021.

This spatial-planning framework includes the so-called ecological conservation 'redlines' approach (ECRL). 'Redlines' delineate areas for special protection or management. For example, an agricultural redline identifies a minimum agricultural production space of 120 million hectares that must be maintained. Conversion of agricultural land within the agricultural redline is only possible if new agricultural land is brought under production elsewhere in the country.

The government uses four steps to identify high-priority areas for biodiversity, ecosystem services and disaster risk reduction covering a quarter of the territory:

- an initial ECRL is identified combining existing protected areas that are important for biodiversity,
- ECRL is coordinated and aligned with other LUP frameworks, including for agriculture, industry, mining, urban areas and infrastructure,
- ECRL is aligned across provinces and coastal areas to ensure the continuity and effective management of cross-boundary ecosystems,
- ECRL boundaries are then revised in consultation with local governments to balance ecological needs and local development priorities, often leading to significant adjustments to address local concerns.

ECRL management aims to ensure no change in land cover, no net loss of biodiversity and no degradation of other ecosystem services inside the ECRL. ECRLs were scheduled to be fully implemented for 31 provinces and municipalities (out of 34) by the end of 2020.

By mapping areas of high significance for nature and comparing these with actual and desired socio-economic land uses, the four steps of ECRL design **identify potential land-use conflicts** across China. For example, the extension of an industrial park designed to generate local employment and revenues might damage a globally significant wetland. Restrictions on dredging may hamper shipping. Reducing the fragmentation of habitat for critical species may call for the relocation of people, which may be resisted. Since local authorities in China derive a large share of their revenues from selling or leasing land, **compensatory revenues may be needed in return for the expansion of ECRL.**

To compensate local governments for economic losses sustained by putting land inside the ECRL, China is scaling up **'ecological compensation' payments** including the transfer of RMB 62.7bn ($9.4bn, 0.08% GDP) from the national budget to some 700 counties in 2017 (Ouyang et al, 2019). The country is experimenting with large-scale market-based mechanisms for payments for ecosystem services, which is already widely practiced for watershed management.

Another challenge arises from the complexities of land use in China. While all land in China is formally under public ownership, land practices vary widely across the country and evolve over time (Zhou et al., 2020). Some land may be leased by local governments to private entities, farmers may have de facto control over the land they farm, and communal lands can be assigned to large numbers of households.

When a decision is taken to include a certain area inside the ECRL, complex negotiations are often needed with local authorities to clarify land use and to encourage adherence to the management of ECRL, including the negotiation of compensation.

Resolving these land-use conflicts has proven complex and time-consuming. In particular, step four of ECRL design – the consultation with local authorities – places high demands on China's administrative capacities.

The case study of China raises the challenge of how to design and implement integrated policies for spatial zoning and land use that can achieve multiple objectives, manage competition for land use, while also respecting local practises and negotiating future land uses with local authorities.

Schmidt-Traub *et al.* (2021) argue that China is well advanced in the process of developing a land-use-management framework that integrates nature, climate and sustainable management of land and ocean, including targeted conservation and restoration of nature into their long-term low-emission development strategy[12] as defined in the Paris Agreement of the UNFCCC.

They recommend that as a critical priority, countries need to design and implement integrated national strategies to achieve the goals of all three Rio Conventions (UNFCCC, the Convention on Biological Diversity (CBD) and the UN Convention to Combat Desertification—UNCCD) using spatially explicit analyses and policies. They suggest that this integration can maximize co-benefits and help manage trade-offs to meet the SDGs.

5.5 Global progress on integrated LUP – 30 years on from Rio

A 2012 review (Stakeholder Forum for a Sustainable Future, 2012) presents some useful lessons about implementation of all aspects of Agenda 21 that emerged from the 1992 Rio Conference (see Section 1.2.2 of this report) up to that point. Of particular interest is progress reported against actions defined in Chapter 10 (integrated LUP approach) and Chapter 11 (reducing deforestation). The review noted in particular that there has been too much focus on agricultural land at the expense of other types of land and a lack of development of integrated approaches at the national level, with national actions plans in relation to land use remaining disjointed from associated sustainable development strategies. Particularly at the national level, the implementation of integrated planning and management approaches for land resources was assessed to

[12] Long-Term Low-Emission Strategies https://unfccc.int/process/the-paris-agreement/long-term-strategies

be inadequate, with an insufficient pro-poor approach and significant weaknesses in technology dissemination at the district and local level.

A Stakeholder Forum for a Sustainable Future (2012) report noted that securing land tenure is particularly important for the implementation of objectives (a) and (d) of Chapter 10 of Agenda 21, for the active involvement and participation of stakeholders at the local level in decision-making on land use and management.

Most of the recommended approaches in Agenda 21 remain relevant today, although it is notable that the recommendations about LUP *per se* in Chapter 10 encouraged planning around 'ecosystems' rather than geopolitical units (jurisdictions). Focus has therefore been on preparing spatial plans for "ecosystems" and "protected areas" that do not have their own locally-owned governance structures – ignoring the highly political nature of land management and the need to decentralize land management to the lowest local level of governance and, where possible, local communities or rural organisations. This is somewhat surprising, given that the key importance of a decentralized approach was repeatedly recommended elsewhere in Agenda 21 to combat deforestation (Chapter 11); manage fragile ecosystems, combat desertification and drought (Chapter 12); promote sustainable agriculture and rural development (Chapter 14); protect the quality and supply of freshwater resources (Chapter 18); and strengthen the role of farmers (Chapter 32) – all of which are to a large extent dependent on effective local LUP at relevant jurisdictional level. Indeed, Chapter 28 (Local authorities' initiatives in support of Agenda 21) summarised the key role of local authorities to ensure participation and effective implementation of Agenda 21. This has become known as Local Agenda 21 or LA21.

Worldwide, the LA21 process has been adopted by communities to form and implement community sustainability plans (CSPs). A CSP, created through the LA21 process, embodies a holistic perspective of sustainability, integrating social, environmental, and economic aspects into a community's sustainability visions, goals, and targets (Rok and Kuhn, 2012). Due to their holistic and integrated approach, CSPs tend to cover a broad range of topics, including energy, land use, transportation, water, waste, air, housing, civic engagement, social infrastructure, safety, financial security, employment, local economy, food security, ecological diversity, and climate change. In essence, CSPs are a localized version of the United Nations Sustainable Development Goals (MacDonald et al. 2018). Integral to local sustainability planning that is informed by the LA21 process is the principle that CSP goals must be developed and achieved through "democratic dialogue and decision-making". A 2020 study found that when decision-making was led by the local government partner, as opposed to private or non-profit actors, there was better performance in plan progress towards climate goals. It also found that communities tending to be more proactive with their climate actions also managed to make more progress on their climate goals and reduce more GHG emissions. This highlights the importance of local ownership by legitimate and sufficiently empowered local governance structures and full engagement of local communities.

6 SUMMARY OF FINDINGS: EMERGING ISSUES AND MAJOR TRENDS

LUP takes place in the context of a complex history of prior land allocations and an evolving framework of global development and environment conventions, multiple national sectoral policies, laws and decentralization processes that influence how land use decisions are made and by whom.

Different definitions and stakeholder expectations of LUP: Different actors have different understandings of the purpose and scope of LUP. Historically, the French model of "*Aménagement du Territoire*" (on which most CB country LUP frameworks are based) is intended to *balance social and economic development throughout the national territory*' – with the main purpose of orienting expansion of infrastructure and services, including to remote areas with poor access and dense forest. This view is not yet fully reconciled with the "Green Sector" development partners' ambition that LUPs may equally serve to reduce pressure on forests.

Natural resource management legislation: In a bid to secure natural resources and boost economic growth, CB countries – often with support of international donors – have adopted sectoral laws on forestry, agriculture, mining, and hydrocarbons that empower sectoral ministries to conduct spatial planning for their respective natural resources. Each ministry has forged ahead with zoning and permit allocations without clear mechanisms or processes for inter-ministerial coordination. Large tracts of land across the CB are thus already allocated – often with overlaps that need resolving. This intersectoral incoherence and conflict is not restricted to the CB Countries but is a widely reported phenomenon from case studies in a number of countries.

> *"Despite some success, there lacks the development of an integrated approach at a national level, with national actions plans in relation to land use remaining disjointed with associated sustainable development strategies (UNESC, 2009). Particularly at the national level, the implementation of integrated planning and management approaches for land resources is inadequate, with an insufficient pro-poor approach and significant weaknesses in technology dissemination to the district and local level. (Stakeholder Forum for a Sustainable Future, 2012).*

We found no more recent analyses of the level of integrated implementation of the international conventions specific to the CB Countries. Our own analysis suggests that there is still a tendency for each development programme supporting one or another international process to develop new, parallel instruments for spatial planning. This distracts and confuses efforts to build nationally owned frameworks for LUP that integrate the multiple objectives found in national strategies and international conventions and programmes to implement them.

Forest zoning plans and legal allocations: Often supported by international development partners, most CB countries (Cameroon, DRC, RoC, Gabon) prepared Forest Zoning Plans in the 1990s to 2000s. These identified priority forested lands to be set aside as "Permanent Forest Estate" (PFE) for commercial timber production in Forest Management Units (tendered to private companies under Logging Concessions) or to further biodiversity conservation objectives in Protected Areas, typically managed in partnership with an international conservation NGO. Under

French-inspired laws, Forest Management Units and Protected Areas (together the PFE) are destined to become the private property of the state.

Confusion between designation of forest to future uses, and allocation to specific users: In principle, National Forest Zoning Plans (such as the 1995 Indicative Framework for Land Use in the Forested Area of Cameroon) should allocate forest land to *uses*, rather than *users*. Deciding who is best placed to manage these forests '*in permanence*' under suitable management arrangements should then be agreed through a participatory analysis. However, prevailing forest legislation, e.g., in Cameroon, allows the PFE to be registered as the private property of either the State or Decentralized Territorial Collectivities (as Council Forests) – though community ownership or management of the Permanent Forest Estate is not an option. As a result, the zoning of many forests that have historically been valued by local communities as future permanent forests and their subsequent gazettement are challenged by local stakeholders who feel that they were not sufficiently consulted about loss of access and ancestral rights, and/or that they do not receive a fair share of benefits (revenue; employment; social facilities). PFE boundaries are therefore not respected. Concession holders have no law enforcement powers, and forest administrations with such powers do not apply them (enforcement is expensive and politically unpopular). Unchecked encroachment is thus leading to "non-permanence" of the PFE across the Congo Basin.

Non-binding forest zoning plans: These Zoning Plans relate only to forested lands and were in many cases labelled "indicative". As such, they are not comprehensive LUPs. Many were not formally adopted – only one of seven Indicative land use frameworks (Forest Zoning Plans) in Cameroon was adopted by a Prime Ministerial Decree (PM Cameroon, 1995) – and thus were not legally binding on other sectoral ministries. The latter have ignored even the formally approved Forest Zoning Plans and allocated overlapping permits, thereby creating conflicts between forest concession holders and mining exploration permit holders.

Further, the process of translating nationally defined Forest Zoning Plans into locally negotiated and legally gazetted Permanent Forests is still not complete in many CB countries, making them preferred targets for conversion to non-forest uses such as agro-industry. Because they were proposed to become part of the PFE, they are treated as de facto 'state private property'. The government and investors thus hoped (often incorrectly) that by allocating such land for agro-industry they could avoid complex negotiation of costly compensation for (further) loss of customary rights in such land. Forest Laws allow degazettement even of gazetted permanent forest if compensated by simultaneous gazettement of another 'similar' forest. Until such time as all proposed permanent forests are legally gazetted, neither zoning nor gazettement assures permanence.

Linking LUP and tenure security: The theoretical link between LUP and increasing tenure security outlined in Section 3.3 must be made more explicit and operational in practice, such that LUP presents spatially explicit maps with clear recommendations for securing tenure for all stakeholders after consensus is reached over future land uses and users, and that reformed land and resource tenure laws provide simple, practical and affordable mechanisms to secure this tenure and access rights for each stakeholder group. Given that communities perceive land as their own according customary law, without need to prove it, the default position should be that land is collectively owned by local communities under customary tenure. External third parties must conduct due process to negotiate rights for an alternative, non-traditional use, such as

forest exploitation, large-scale agriculture, mining, and forest conservation and secure the free prior informed consent of all local stakeholders.

Policy and legal frameworks for LUP – arriving late to the party: LUP laws have come well after legal frameworks that drove the first round of natural resource allocation. The recent impetus to develop LUP laws comes partly out of CB governments' recognition that inter-sectoral incoherence is problematic, and causing conflicts.

Cameroon's Orientation law on land use and sustainable development planning was adopted in 2011, but has no guiding policy. Regulations were drafted in 2012 and redrafted in 2018, but have still not been finalized or published. RoC adopted a Law on LUP in 2014 and published a set of decrees from 2017 to 2019. Despite this, LUP has not yet started in earnest. DRC adopted an LUP Policy in 2020 but its LUP Law remains a draft in 2021 with its content remaining widely contested. Gabon has no specific LUP law – the current LUP institutions have instead emerged out of a process of national policy making and strategic planning. Gabon recognized early on that, due to conflicts of use between sectors and users, LUP as a mechanism to address both sustainable development and climate change is first and foremost a political process and not just a technical one. Since 2011, Gabon has focused on establishing the institutional mechanisms for coordination and is currently drafting a National LUP.

Horizontal coordination between sectors: It is hoped that these new legal LUP frameworks will help to reconcile historical land allocations. Their effectiveness depends not only on establishing new intersectoral coordination mechanisms, but also on the coherence (or lack thereof) between sectoral legal frameworks, many of which are also undergoing reforms that have long dragged on, with no certainty that revised texts will either be completed soon or will resolve the historical problems they created. Draft and/or approved LUP laws have defined new institutional frameworks for more coordinated LUP and land allocation, but these institutions have either not yet been established or have not yet started to perform their functions to reconcile inter-ministerial conflicts. This has led some countries to revisit their legislation and refine the institutional frameworks, at times only because international partners (such as CAFI and FCPF) requested changes as a condition on releasing funding.

Vertical coherence in the context of decentralization: Decentralization is slowly evolving in some but not all CB countries in response to increasing demand for local representation, better governance and greater accountability for delivery of tangible development to constituencies at sub-national levels. However, the process is widely criticized for deconcentrating powers of still centralized ministries rather than devolving these downwards.

Gabon adopted a decentralization law in 1996, but planning remains highly centralized. RoC began decentralizing in 2003 but does not devolve planning powers. Cameroon's 1996 Law was operationalized 23 years later in December 2019 by the law on decentralized territorial collectivities. DRC's 2008 Decentralization Law devolved some but not all LUP powers. However, according to Cameroon's and RoC's LUP Laws, lower (regional/provincial/local) LUPs must be aligned with higher (national/regional) LUP frameworks – meaning that regional and local councils may still have limited power over LUP decisions. These CB decentralization laws have added further confusion by using a different lexicon from the laws on LUP, sometimes introducing additional instruments for decentralized planning not defined under LUP laws.

Perhaps the biggest difference between perceptions of the LUP process is the emphasis put on the agent of the process – i.e., 'who leads' the process? Some actors see LUP as regulation, driven by a central authority; others more as a bottom-up process that engages local stakeholders. This conceptual difference (top-down, or bottom-up) lies at the core of difficulties in reaching consensus about good practice LUP methods. Good strategic planning requires that national development policies and priorities are communicated to sub-national jurisdictions through policies and frameworks (*Schémas*) for land use and sustainable development, projecting and reconciling different land and resource requirements for different sectors. But these high-level documents should not dictate actual land allocations in spatially exact terms that cannot be renegotiated at the local level.

Free Prior Informed Consent (FPIC): Individual donors, multi-donor mechanisms such as FCPF and CAFI and indeed an increasing number of private sector lenders, investors and carbon project developers have safeguard policies that oblige project developers and implementing agencies to respect customary land rights and secure the FPIC of all those affected. This is hard to achieve across vast tracts of land with dispersed populations with low levels of literacy and no prior understanding of complex LUP processes, let alone international climate finance mechanisms. If negotiations about future REDD+ or other forest programmes are to promote LUP as a mechanism for securing desired land use outcomes while also respecting FPIC, then LUPs must be negotiated slowly and in depth at the local level with affected communities.

Planning before the legal frameworks are complete: In both Cameroon and DRC, national and provincial frameworks (*Schémas*) and local LUPs were developed before any regulations were published or standard methods were developed. Terms of reference allowed consultants to develop their own methods, with limited harmonization. This has resulted in inconsistent format and content of plans by those facilitating the preparation of such plans (typically consulting firms or NGOs who are not themselves specialists in LUP, are contracted/guided by civil servants or are programme managers who are equally not well versed in LUP). The net effect is a wide interpretation of what is needed by different actors. However, methodologies to integrate environmental and climate change objectives into local development planning to qualify for Emission Reduction Payments are complex. There is a deficit of expertise to facilitate high quality LUPs that adequately address the multitude of expectations of such plans.

7 CHALLENGES, OPPORTUNITIES AND RECOMMENDATIONS

Adapted local LUP processes can serve as a foundation for securing tenure, sustaining and ensuring equitable rural development, meeting the SDGs, implementing REDD+ and operationalizing the many commitments to zero deforestation commodity production.

To succeed, LUP must describe not only the future allocation of land, but also clarify land and tree tenure; establish new land and resource governance institutions and mechanisms that address historical deficiencies (on the side of both the state and traditional authorities); describe the necessary investments to intensify agricultural production; and define performance-based incentives for forest conservation and sustainable commodity production, and how such incentives will be paid and shared.

The following sub-sections summarise the challenges that must be addressed if LUP is to be effective. Recommendations are made for number of preconditions that must be met to render LUP more effective – the "10 Bs".

7.1 Being clear about the purpose of LUP:

Challenge: The purpose of LUP in countries such as Cameroon, DRC and RoC, as defined in their legal frameworks and interpreted by practitioners, is primarily about ensuring regional integration and linkages to the market through construction of physical and social infrastructure and increasing productivity of most sectors. Such developments have been identified as drivers of deforestation.

Opportunity: Efforts to integrate more forest-friendly strategies into LUP processes, as hoped for by the COMIFAC partners, must reconcile the national development aspirations with shared national and international ambitions to reduce deforestation.

Recommendation: proponents of LUP processes need to reach consensus on their definition, scope, process and outcomes to guide investments in LUP preparation that reconcile efforts to limit environmental degradation with ambitions for accelerated development.

7.2 Broad-based, enabling and coherent policy and legal framework

Challenge: A broad based, enabling and coherent policy and legal framework is needed to guide sustainable land use, LUP, and inclusive land governance is needed – creating a positive narrative for sustainable green economic growth.

Opportunity: Some analyses of the legal frameworks and the need for completion / alignment have already been undertaken in REDD+ Readiness preparation documents; for investments by the Central African Forest Initiative (CAFI) in legal reform programmes; or as parts of the diagnostic sections of draft *Schémas Nationaux d'Aménagement du Territoire* (SNAT), which are gradually emerging in each CB country.

Going forwards, a priority is to clarify how the different LUP instruments (national, regional and local) will be aligned horizontally between sectors, and vertically between national, regional and local decision-making bodies in the context of ongoing decentralization. This alignment must be constructed simultaneously with the completion of the legal framework and the preparation of the plans in a pragmatic and iterative approach. Practice and lessons learned will inform policy.

Recommendation: As a starting point, we recommend that a comprehensive inventory of all relevant policies and legislation impacting on land use and forests is made for each CB country and kept up-to-date and published in a well-recognised online source, for example following the model established by FAO in their FAOLex Country Profile series (FAO, 2020) or ClientEarth's Library of legal texts on Decentralisation for the Republic of Congo (ClientEarth, 2019).

In addition, we recommend that updated analyses be prepared for each CB country to assess how these laws interact and/or conflict and the impacts these interactions may have for coherent land governance. We note that a simple analysis of conflicts between just the forestry and mining sectors in just on CB country (Cameroon) was the subject of an entire report (Schwartz et al., 2012) that now needs updating.

Such an analysis of all interactions between laws would serve as the starting point for further investments in supporting the development and implementation of improved LUP policies, legislation and guidelines in each CB country.

7.3 Buy-in and political commitment

Challenge: Due to actual or potential land use conflicts between sectors and users, LUP as a mechanism to address both sustainable development and climate change is first and foremost a political process and not just a technical one. There must be a political commitment to uphold the agreed outcomes of the LUP process – and enforce compliance by Sectoral Ministries, if need be.

Opportunity: Many CB countries are recognising the need for the establishment or strengthening of institutions and mechanisms for coordinated cross-sectoral planning.

The political will of the President / Prime Minister as well as relevant sectoral ministers to resolve historical land use challenges and to secure equitable and sustainable outcomes from the LUP process is a *sine qua non*. Early demonstrations of leadership and establishment of high level, fully representative decision-making bodies at national, regional and local jurisdictional levels are critical.

Recommendation: A highest priority is therefore to create a formal space for dialogue about the purpose and importance of integrated LUP, in which relevant stakeholders are present and understand their role in a fully inclusive process at the national, regional and local levels.

Some CB countries are in the process of drafting laws to serve this purpose: for example Cameroon's draft Law on Strategic Planning and Republic of Congo's draft Law on Sustainable Development. The institutions and processes established may serve to facilitate more sustainable land use; better intersectoral coordination and allocation of land; and arbitration of intersectoral land conflicts when they arise – all in the context of competing needs, and efforts to make progress on not just climate change and biodiversity conservation, but all the SDGs.

7.4 Bottom-up LUP processes guided by top-down policies and strategies

Challenge: The conclusion of successful land allocation agreements, and establishment of sustainable governance structures for rural development that is widely accepted by local stakeholders is only possible after Free Prior Informed Consent (FPIC) has been secured from local communities.

Opportunity: Final negotiation of future land uses and rights must be done locally as the outcome of a participatory, spatially explicit planning process at the local jurisdictional level that gives real choices before any land allocation is approved.

Recommendation: This requires that higher level LUP Frameworks (Schémas), if prepared first (as is largely the current situation in the Congo Basin), should be advisory in nature – with final decisions only being taken during thorough participatory local LUPs.

While it may be helpful to harmonize land use data collection and information sharing standards across the CB region, it is unlikely that there is a one-size-fits-all LUP methodology as the context and legal frameworks for land governance, and decentralisation differ from country to country.

7.5 Brokering 'big deals' and budgeting for these:

Challenge: 'Green economy' / climate-smart / forest conservation outcomes in LUP processes will be selected by national and local stakeholders only if the international community and markets make a clear 'pitch' to support green economy scenarios, through payments for environmental services, carbon finance, etc.

Recommendation: The international community must then commit the necessary budget to finance these, thereby tipping the balance in favour of selecting forest-friendly options during LUP processes.

7.6 Being at the table:

Challenge: If international project financiers expect 'green economy' solutions to emerge from such LUP processes they must take part in the negotiations – jurisdiction by jurisdiction – rather than making promises in absentia. Without this, stakeholders are likely to opt for the business-as-usual or accelerated development scenario.

Recommendation: Field representation of the financier, with authority to negotiate, s is essential during LUP processes.

7.7 Benefits and benefit sharing and better prices

Challenge: There must be a clear understanding of the likely benefits of each potential land use – including maintaining forests – i.e., any access rights and share of revenues (taxes, carbon finance, payments for environmental services) and how these will be distributed, in particular the share reserved for rural populations. L

Opportunity: Local communities must be able to negotiate greater benefits from forest conservation, carbon and climate finance as part of the LUP process. Zero deforestation commodities are a 'new' product demanding substantial extra effort to produce, and must be priced accordingly.

Recommendation: Better prices must be paid for commodities that come out of well-managed landscapes that have developed and are respecting a 'green-growth' LUP and a fair share of this improved price passed on to producers in the landscape

7.8 Bandwagon / silo avoidance:

Challenge: Integrating the logic of the international climate and biodiversity agendas into local land use planning is becoming essential to retain access to increasingly sensitive commodity markets and new funding opportunities. The China "redlines" case study points to both the importance of integrating LUP processes at national, provincial and local levels but also the complexity, cost and time-consuming nature of doing so. An LUP that aims to deliver on all these goals is ambitious indeed. But without such ambition, many of the global commitments to meeting the SDGs, eliminating deforestation from commodity supply chains, and tackling climate change will not be met.

If tackled separately, these initiatives might well be counter-productive, and will certainly be even more confusing to all stakeholders, especially local communities. LUPs that integrate all these factors will likely not evolve out of a bottom-up approach alone.

Opportunity: LUP should be presented as a unifying process that allows many global, national and local objectives to be achieved simultaneously. The diverse public, private and civil society stakeholders will need to be convened regularly, will require careful guidance to understand the policy framework, new opportunities (for zero deforestation commodities, payments for environmental services, REDD+ mechanisms etc.) and will need expert facilitation to reach a consensus on the sustainable development strategy for each planning jurisdiction.

Recommendation: Proponents of all initiatives (such as biodiversity conservation; REDD+; combating desertification; landscape restoration; deforestation-free commodity production; etc.) should all buy into the same 'all inclusive' LUP process for a given level of jurisdiction (national, regional and local).

7.9 Better information and decision-making tools

Challenge: To facilitate informed LUP, accurate and up-to-date data must be compiled on land allocations, land suitability, accessibility, conservation values, carbon stocks, rates of deforestation, etc., prepared using agreed standards and criteria. This information must be made publicly available on unified public portals (Common Mapping Platforms) that allow multiple sectors and stakeholders to share spatial information.

Opportunity: Collection, compilation and publication of such data is a no-regrets investment that takes considerable time and thus should be started well in advance of LUP processes. There is need for analytical tools to model different development scenarios to explore consequences, to help stakeholders select a preferred scenario.

Performance against agreed LUPs requires the establishment of a comprehensive objective and trusted monitoring mechanism that tracks progress for all stakeholders across the landscape. Monitoring tools (such as the accountability framework[13]) must allow all stakeholders to track progress on implementation of the agreed plan, and track land allocations, land use change, deforestation.

Recommendation: Building a well-trained cadre of LUP experts at both national and lower government levels is a high priority, particularly where competencies for LUP have been devolved to lower government levels that tend to have less administrative capacity.

7.10 Binding plans – through securing tenure

Challenge: Achieving the ambitious intent of new LUP legislation depends on many factors, the first of these being the legal 'weight' of adopted LUPs – will they 'trump' (overrule) sectoral land allocations by mining, agriculture and forestry sector ministries?

If LUPs are to be binding on all parties, all ministries and stakeholders must be involved in negotiating the plans, which should then be validated and formally adopted. Even if their enforceability is made clear in the emerging legal framework for LUP (and this key point is not yet clearly addressed in the texts reviewed), what happens when the resulting plans are not respected? Who will enforce them? And what does enforcement mean, in practice?

Opportunity: The most pragmatic way of making agreed local LUPs enforceable is to clarify the proposed tenure arrangements for each parcel of land in the plan, and then pursue the legal process to secure such rights for the long term – not only for e.g., concession holders but also for communities. This requires that the tenure rights of communities under customary law be recognized under the formal tenure law – which is currently not the case.

Introducing such innovations is a key objective for ongoing tenure reforms.

Recommendation: Recognition of customary rights should be the de-facto starting position for any LUP process or land allocation. Communities should not have to prove their customary rights over land, and in any case, they do not have the resources to do so.

7.11 Complexity versus simplicity of land use plans

Preparing LUPs requires a complex mix of participatory processes, technical tools, communication and negotiations towards agreements on the future direction of rural development, informed by global and national policies and mechanisms.

Such complexity appears necessary to address the multiple land use and land governance challenges faced in rural areas of the Congo Basin and harness new opportunities. But the complexity also increases the risk of failure – both during the preparation of LUPS, and during their implementation. There are no obvious shortcuts that will deliver a better result.

However, the resulting land use plans can and should be presented in simple format making them easily accessible to all stakeholders.

[13] https://accountability-framework.org/

REFERENCE LIST

Alden Wily, L., 2011. Whose Land is it? The Status of customary tenure in Cameroon. CED, FERN and RFUK. https://www.fern.org/publications-insight/whose-land-is-it-the-status-of-customary-land-tenure-in-cameroon-639/

Angu, K., Oyono, P., Lescuyer, G., Feintrenie, L., Samndong, R., Endamana, D., Assembe-Mvondo, S., Eyebe, A., Walters, G., Bel, S., Fargeot, C., Tsanga, R., Kiyulu, J., 2014. Rural Societies and Multiple Land Use Practices: Perceptions of Conservation and Development Projects within the Framework of Multiple Land Use Systems in Central Africa.

Bager et al., 2021. Eighty-six EU policy options for reducing importeddeforestation. One Earth 4, 289–306. February 19, 2021. https://doi.org/10.1016/j.oneear.2021.01.011

Bassalang, M.M., Acworth, J., 2020. Review of initiatives for the recognition and securing of land rights in South Cameroon | Landcam. IIED, London, UK.

Beck, J., 2010. Landscape Land use planning: Lessons Learned from the CARPE Program, CARPE Lessons Learned. USAID, CARPE, Kinshasa, DRC. https://carpe.umd.edu/sites/default/files/documents/lessons_learned/lessons_learned_section1.pdf

Bertolt, B., 2020. Vallée du Ntem : Boris Bertolt déballe tout sur la guerre entre les élites qui se cache derrière le litige foncier [WWW Document]. CamerounWeb. URL https://www.camerounweb.com/CameroonHomePage/NewsArchive/Vall-e-du-Ntem-Boris-Bertolt-d-balle-tout-sur-la-guerre-entre-les-lites-qui-se-cache-derri-re-le-litige-foncier-535345 (accessed 9.7.21).

BIOPAMA, 2020. ACP Protected Area Dashboard [WWW Document]. BIOPAMA Ref. Inf. Syst. URL https://rris.biopama.org/PA_Dashboard (accessed 9.6.21).

Blanc, G., 2020. L'invention du colonialisme vert de Guillaume Blanc. Editions Flammarion, Paris.

Boudzanga, P.-B.A., 2013. Intégration régionale et décentralisation entravées en Afrique centrale. L'Espace Polit. Rev. En Ligne Géographie Polit. Géopolitique. https://doi.org/10.4000/espacepolitique.2866

Bryan BA, Gao L and Ye Y et al. Nature 2018; 559: 193–204.

CAFI, 2018. Programme to Support Land Use Planning Reform. https://www.cafi.org/fr/pays-partenaires/democratic-republic-congo/drc-land-use-planning-reform

CAFI, 2020. National Land Use Planning and Forest Monitoring [WWW Document]. URL https://www.cafi.org/countries/gabon/national-land-use-planning-and-forest-monitoring (accessed 9.7.21).

CARPE, 2017. CARPE Guidance [WWW Document]. CARPE. URL https://carpe.umd.edu/content/carpe-guidance (accessed 9.7.21).

CBFP, 2020. Roadmap 2020-2021 - CBFP - Congo Basin Forest Partnership [WWW Document]. URL https://pfbc-cbfp.org/roadmap-2020-2021.html (accessed 9.7.21).

CBFP, 2016. 16th meeting of CBFP partners. Proceedings and documentation of Thematic Session-Stream 1 : Forest management policies and land use planning - CBFP [WWW Document]. URL https://archive.pfbc-cbfp.org/proceedings/items/Stream1-MOP16.html (accessed 9.7.21).

CBFP, undated. Communiqué Final de la 16ème Réunion des Parties du Partenariat pour les Forêts du Bassin du Congo – Kigali, Rwanda- du 21 au 25 novembre 2016 - PFBC [WWW Document]. URL https://archive.pfbc-cbfp.org/actualites/items/RDP16-communique.html?file=docs/16e-rdp-Kigali-2016/MOP-16-FINAL-COMMUNIQUE-CBFP-WITH-ATTACHMENTS-EN.pdf (accessed 9.7.21).

Chigbu, U, Schopf, A., de Vries, W, Masum, F., Mabikke, S., Antonio, D., and Espinoza J., 2016. Combining land-use planning and tenure security: a tenure responsive land-use planning approach for developing countries, Journal of Environmental Planning and Management, DOI: 10.1080/09640568.2016.1245655

Chigbu, U., Haub, O., Mabikke, S., Antonio, D., Espinoza, J., 2017. Tenure Responsive Land Use Planning: A Guide for Country Level Implementation.

China Chamber of Commerce of Metals, Minerals & Chemicals Importers & Exporters (CCCMC), 2017. Guidance for Sustainable Natural Rubber. https://www.globalwitness.org/documents/19244/CCCMC_Guidance_for_sustainable_natural_rubber_2017_EN.pdf

ClientEarth, 2019. ClientEarth Document Library - RoC. URL https://www.documents.clientearth.org/library/download-category/base-de-donnees-juridique-republique-du-congo-decentralisation/ (accessed 9.7.21).

Confectionery News, 2020. EU due diligence laws for cocoa sector could be in force by 2022. https://www.confectionerynews.com/Article/2020/03/11/EU-due-diligence-laws-for-cocoa-sector-could-be-in-force-by-2022

CRTV, 2020. Ces Jeunes qui participent à l'Emergence du Cameroun Documentaire Camvert Campo. https://youtu.be/QVcormOoo78?t=330

Deininger, K., 2003. Land policies for growth and poverty reduction. Washington: World Bank Publications.

Deininger, K.; & Feder. G., 2009. Land registration, governance, and development: Evidence and implications for policy, The World Bank Research Observer, 24(2), 233-266.

Deininger, K., Ali D. A; & Alemu T., 2011. Impacts of land certification on tenure security, investment, and land market participation: evidence from Ethiopia. Land Economics, 87(2), 312-334

Democratic Republic of Timor-Leste, 2016. The Project for Community-Based Sustainable Natural Resource Management in the Democratic Republic of Timor-Leste. Project Completion Report. National Directorate of Forest Management (NDF) Ministry of Agriculture and Fisheries (MAF) Government of the Democratic Republic of Timor-Leste, Dili, Timor Leste.

Diaw M.C. and Njomkap, J., 1998. La Terre et le Droit. Une anthropologie institutionnelle de la tenure coutumière, de la jurisprudence et du droit foncier chez les Peuples Bantou et Pygmées du Cameroun méridional forestier, Document de travail, Yaoundé, Inades-Formation-Cameroun

Diaw M.C., 2002. L'altérité des tenures forestières : les théories scientifiques et la gestion des biens communs, in Informations et Commentaires, n° 121, octobre-décembre 2002 ;

Dickovick, Tyler, and Riedl, Rachel B., 2014. "African Decentralization in Comparative Perspective." In Decentralization in Africa: The Paradox of State Strength, edited by Dickovick, Tyler and Wunsch, James, 249–76. Boulder, Colorado.

Dkamela, G.P., Brockhaus, M., Kengoum Djiegni, F., Schure, J., Assembe Mvondo, S., 2014. Lessons for REDD+ from Cameroon's past forestry law reform: a political economy analysis. Ecol. Soc. 19. https://doi.org/10.5751/ES-06839-190330

Droit Congolais, 1957. DECRET DU 20 JUIN 1957 SUR L'URBANISME [WWW Document]. URL http://www.droitcongolais.be/Legislation/Droit%20administratif/Urbanismevoiries/D.20.06.1957.htm (accessed 9.7.21).

Reyniers, C. 2018. "Maï Ndombe, Democratic Republic of Congo" in C. Stickler et al. (Eds.), The State of Jurisdictional Sustainability. Earth Innovation Institute, CIFOR; Global Climate Fund Task Force (GCF-TF).

Englebert, P., & Mungongo, E., 2016. Misguided and Misdiagnosed: The Failure of Decentralization Reforms in the DR Congo. African Studies Review, 59(1), 5-32. doi:10.1017/asr.2016.5

European Commission, 2021. EU boosts sustainable cocoa production in Côte d'Ivoire, Ghana and Cameroon. https://ec.europa.eu/commission/presscorner/detail/en/IP_21_193

EU REDD Facility, 2021. Facilitating subnational land-use planning in the Republic of the Congo [WWW Document]. URL https://www.euredd.efi.int/publications/facilitating-subnational-land-use-planning-in-the-republic-of-the-congo (accessed 9.7.21).

EU REDD Facility, 2016. Building a mapping alliance for inclusive and transparent land-use planning [WWW Document]. URL https://www.euredd.efi.int/publications/building-a-mapping-alliance-for-inclusive-and-transparent-land-use-planning (accessed 9.7.21).

Fair, J., 2020. Probe begins into alleged deforestation by Olam, 'world's largest farmer' [WWW Document]. Mongabay Environ. News. URL https://news.mongabay.com/2020/08/probe-begins-into-alleged-deforestation-by-olam-worlds-largest-farmer/ (accessed 9.7.21).

FAO, 2012. Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. Committee on World Food Security. http://www.fao.org/tenure/voluntary-guidelines/en/

FAO, 2020. FAOLEX Database Country Profiles.

FAO, 1999. The Future of Our Land: Facing the Challenge. FAO, Rome, Italy.

FAOLEX, 2019. Loi n° 2019/024 du 24 décembre 2019 portant code général des collectivités territoriales décentralisées. [WWW Document]. URL http://www.fao.org/faolex/results/details/fr/c/LEX-FAOC192567/# (accessed 9.7.21).

FAOLEX, 2017a. Ordonnance n°002/PR/2017 du 27 février 2017 portant orientation de l'urbanisme en République Gabonaise. [WWW Document]. URL http://www.fao.org/faolex/results/details/fr/c/LEX-FAOC189556 (accessed 9.7.21).

FAOLEX, 2017b. Décret n°00212/MEPPDD du 21 juillet 2017 portant création et organisation de la Commission Nationale d'Affectation des Terres. [WWW Document]. URL http://www.fao.org/faolex/results/details/fr/c/LEX-FAOC173222/ (accessed 9.7.21).

FAOLEX, 2014. Loi n° 43-2014 du 10 octobre 2014 d'orientation pour l'aménagement et le développement du territoire. [WWW Document]. URL http://www.fao.org/faolex/results/details/en/c/LEX-FAOC143310 (accessed 9.7.21).

FAOLEX, 2011a. Loi n° 2011/008 du 06 mai 2011 d'orientation pour l'aménagement et le développement durable du territoire au Cameroun. [WWW Document]. URL http://www.fao.org/faolex/results/details/en/c/LEX-FAOC192524 (accessed 9.7.21).

FAOLEX, 2011b. LOI N° 2011/008 DU 06 MAI 2011 D'ORIENTATION POUR L'AMENAGEMENT ET LE DEVELOPPEMENT DURABLE DU TERRITOIRE AU CAMEROUN [WWW Document]. URL http://www.fao.org/faolex/results/details/es/c/LEX-FAOC192524/ (accessed 9.7.21).

Fomete, T., Acworth, J., Afana, A., Sufo Kankeu, R., Bonnemaijer, S., 2018. REFRAMING LOCAL Land use planning methods and tools in South-West Cameroon as a foundation for secure tenure, sustainable and equitable rural development, and REDD+. World Bank conference on land and poverty: land governance in interconnected world, Mar 2018, Washington DC, USA.

FONAREDD, 2020. POLITIQUE ET LOI SUR L'AMENAGEMENT DU TERRITOIRE. Fonaredd Fonds Natl. REDD. URL https://fonaredd-rdc.org/259-2/ (accessed 9.7.21).

Forest Carbon Partnership Facility, undated. REDD+ Strategies https://www.forestcarbonpartnership.org/redd-strategies

FSC, 2021. Olam International - Unacceptable Activities [WWW Document]. For. Steward. Counc. URL https://fsc.org/en/unacceptable-activities/cases/olam-international (accessed 9.7.21).

Gao J. Nature 2019; 569: 457.

Gauthier, M., 2018. Mai Ndombe: Will the REDD+ Laboratory Benefit Indigenous Peoples and Local Communities? A Rights and Resources Initiative report.

Gaworecki, M., 2016. Cables reveal US gov't role in Herakles Farms land grab in Cameroon [WWW Document]. Mongabay Environ. News. URL https://news.mongabay.com/2016/08/cables-reveal-us-govt-role-in-herakles-farms-land-grab-in-cameroon/ (accessed 9.7.21).

GIZ, 2012. Land Use Planning Concept, Tools and Applications. GIZ, Eschborn, Germany. https://landportal.org/node/35383

GTZ, 1995. Landnutzungsplanung: strategien, instrumente, methoden (Land Use Planning : strategies, instruments and methods). Deutsche Gesellschaft für Technische Zusammenarbeit, Eschborn

Hirsch, J., 2011. Titling against grabbing? Critiques and conundrums around land formalisation in Southeast Asia. Paper presented at the International Conference on Global Land Grabbing. 6-8 April 2011. Organised by the Land Deals Politics Initiative (LDPI) in collaboration with the Journal of Peasant Studies and hosted by the Future Agricultures Consortium at the Institute of Development Studies, University of Sussex. https://www.future-agricultures.org/wp-content/uploads/pdf-archive/Philip%20Hirsch.pdf

IDH, 2021. The Mbangassina municipality in Cameroon puts sustainability at the heart of its development plans [WWW Document]. IDH Sustainable Trade Initiative. URL https://www.idhsustainabletrade.com/news/the-mbangassina-municipality-in-cameroon-puts-sustainability-at-the-heart-of-its-development-plans/ (accessed 9.7.21).

Karsenty, A., 2020. Forest geopolitics in Central Africa. Herodote No 179, 108–129.

Kudom-Agyemang, M.A., 2021. Developing a deforestation-free climate-resilient sustainable cocoa landscape: process and approach. A case study narrative on Ghana's Asunafo-Asutifi Landscape programme. Production Landscape Programme (No. 4), Briefing Note. ProForest, Oxford, UK.

Lambright, Gina. 2011. Decentralization in Uganda: Explaining Success and Failures in Local Governance. Boulder, Colorado: First Forum Press.

LandScale, 2020a. How it Works - LandScale [WWW Document]. URL https://www.landscale.org/how-it-works/ (accessed 9.7.21).

LandScale, 2020b. Landscale Assessment Framework.

Le Nouveau Gabon, 2021. Le Gabon prépare la mise en place des organes de la décentralisation [WWW Document]. URL https://www.lenouveaugabon.com/fr/gestion-publique/0707-17192-le-gabon-prepare-la-mise-en-place-des-organes-de-la-decentralisation (accessed 9.7.21).

Legal Information Institute (LII), undated. Takings [WWW Document]. LII Leg. Inf. Inst. URL https://www.law.cornell.edu/wex/takings (accessed 9.8.21).

Lontum, C., 2021. Implementation of the Decentralization Process in Cameroon; Appearance versus Reality. International Journal of Arts, Humanities & Social Science 2.

MacDonald, A.; Clarke, A.; Huang, L.; Roseland, M.; Seitanidi, M.M., 2018. Cross-Sector partnerships (SDG #17) as a means of achieving sustainable communities and cities (SDG #11). In Handbook of Sustainability Science and Research; Filho, W.L., Ed.; Springer Publishing Company: New York, NY, USA, 2018; ISBN 978-331-963-006-9.

Mbah, M., Franz, A., 2021. Revitalization and Branding of Rural Communities in Cameroon Using a Circular Approach for Sustainable Development—A Proposal for the Batibo Municipality. Sustainability 13, 6908. https://doi.org/10.3390/su13126908

Mighty Earth, 2017. Olam and Mighty Earth agree to collaborate on Forest Conservation and Sustainable Agriculture in Highly Forested Countries. Mighty Earth. URL https://www.mightyearth.org/2017/02/21/olam-and-mighty-earth-agree-to-collaborate/ (accessed 9.7.21).

Mighty Earth, 2016. New Report Identifies Secret Market for Deforestation-Linked Palm Oil. Mighty Earth. URL https://www.mightyearth.org/2016/12/11/blackbox/ (accessed 9.7.21).

MINADER, 2020. Stratégie Nationale de Développement Durable de la Chaine de Valeurs de l'Huile de Palme 2021 – 2030. Faya Consulting. Projet de document actualisé

MINEPAT, 2019. Guide méthodologique d'élaboration du plan local d'aménagement et de développement durable du territoire (PLADDT). MINEPAT, Yaoundé, Cameroon.

MINEPAT, 2010. GUIDE METHODOLOGIQUE DE PLANIFICATION REGIONALE ET LOCALE. MINEPAT, Yaoundé, Cameroon.

MINEPAT, 2021. *Avant-projet de Loi fixant le cadre général de la planification stratégique du développement* (not yet completed or published)

MINFOF/World Resources Institute (2021). Interactive Forest Atlas of Cameroon - https://cmr.forest-atlas.org/?l=en

MINIMIDT, 2021. Cameroon Mining Cadastre Map Portal. Sub-Directorate of the Mining Cadastre. Ministry of Mines, Industry and Technological Development of Cameroon. http://portals.flexicadastre.com/Cameroon/en/

Murdoch, A., 2021. How agri-finance innovator Olam is addressing the palm oil problem. Cap. Monit. URL https://capitalmonitor.ai/institution/banks/how-agri-finance-innovator-olam-is-addressing-the-palm-oil-problem/ (accessed 9.7.21).

Muyombano, E; Espling, M., Pilesjo, P. 2018. Effects of land titling and registration on tenure security and agricultural investments: Case of Gataraga sector, Northern Rwanda. African Journal on Land Policy and Geospatial Sciences, [S.l.], v. 1, n. 3, p. 61-76, dec. 2018. ISSN 2657-2664. Available at: https://revues.imist.ma/index.php/AJLP-GS/article/view/14424/8172.

Nguiffo, S., Mbianda, F., 2013. Une autre facette de la malédiction des ressources ? Chevauchements entre usages différents de l'espace et conflits au Cameroun. Polit. Afr. N° 131, 143–162.

Nnah Ndobe, S., 2019. Overview and Analyses of Key National Policies, Strategies and Action Plans, Cameroon. ProForest, Oxford, UK.

OFAC, 2013. The Forests of the Congo Basin – State of the Forests 2013. Eds: de Wasseige et al. Chapter 9. Allocation and use of forest land: current trends, issues and perspectives. Oyono, P., Morelli, T., Sayer, J., Makon, S., Djeukam, R., Hatcher, J., Assembe, S., Steil, M., Bigombe, P., Kapa, F., Lima, R., Makak, J-S., Tessa, B., Mbouna, D., Feintrenie, L., Nkoua, M., Ndikumagenge, C., Ntabirorere, S. and Evuna Eyang, F. In: http://www.observatoire-comifac.net/docs/edf2013/EN/EDF2013_EN.pdf

OFAC, 2019. OFAC - Analytical Platform [WWW Document]. URL https://www.observatoire-comifac.net/analytical_platform (accessed 2.2.21).

Pirker, J., Carodenuto, S., 2021. Current State, Barriers and Perspectives for REDD+ in the Congo Basin. CBFP, Berlin, Germany.

Porritt, J., 2015. Poverty, Palm Oil and Protecting the Forests. Jonathon Porritt. URL http://www.jonathonporritt.com/poverty-palm-oil-and-protecting-the-forests/ (accessed 9.7.21).

Primature RDC, 2020. RDC: la Politique Nationale de l'Aménagement du Territoire (PNAT), approuvée en Conseil des Ministres – Primature [WWW Document]. URL https://www.primature.cd/public/2020/07/04/rdc-la-politique-nationale-de-lamenagement-du-territoire-pnat-approuvee-en-conseil-des-ministres/ (accessed 9.7.21).

Prime Minister of the Republic of Cameroon, 1995. Decree nº 95-678/PM to institute an Indicative land use framework for the southern forested area of Cameroon / *Décret nº 95-678/PM instituant un cadre indicatif d'utilisation des terres en zone forestière méridionale/* https://www.informea.org/en/legislation/d%C3%A9cret-n%C2%BA-95-678pm-instituant-un-cadre-indicatif-dutilisation-des-terres-en-zone

Proforest, undated. SUMMARY REPORT FOR HCV ASSESSMENT FOR Olam Oil Palm Plantation Development in Gabon. ProForest, Oxford, UK.

ProForest, WWF, 2020. Landscape Scale Action for Forests, People, and Sustainable Production. JA Hub. URL https://jaresourcehub.org/resources/guidance-for-companies/interventions/ (accessed 9.7.21).

Rainbow Environment Consult, 2018. Synthetic and practical guide of the unified methodology of participatory mapping in Cameroon. Tool developed with the Government of Cameroon and national stakeholders with the support of the Tenure Facility. https://view.publitas.com/the-tenure-facility/guide-to-the-unified-methodolgoy-for-participatory-mapping-in-cameroon

Rainforest Foundation UK, undated. MappingForRights / Congo Basin Community Atlas. Rainforest Foundation UK https://cbca.mappingforrights.org/

Rainforest Foundation UK, 2019. Community-Based Land-Use Planning in the Democratic Republic of Congo. Rainforest Foundation UK. https://www.rainforestfoundationuk.org/community-based-land-use-planning

Rainforest Foundation UK (April 2020a). Mapping The Future: Towards Meaningful Participation Of Forest Peoples In Land Use Planning In DRC and Cameroon, Under the canopy. RFUK, London, UK. https://www.rainforestfoundationuk.org/media.ashx/fat6621rfflupenglishv14web.pdf

Rainforest Foundation UK (2020b). REDD-MINUS: The Rhetoric and Reality of the Mai Ndombe REDD+ Programme. Norah Berk and Prince Lungungu. https://www.rainforestfoundationuk.org/media.ashx/redd-minus.pdf

République du Congo, 2003a. Loi n°3-2003 du 17 janvier 2003 fixant l'organisation administrative territoriale https://www.documents.clientearth.org/library/download-info/loi-3-2003-du-17-janvier-2003-fixant-lorganisation-administrative-territoriale/

République du Congo, 2003b. Loi n°10-2003 du 06 février 2003 portant transfert de compétences aux collectivités locales – https://www.documents.clientearth.org/library/download-info/loi-10-2003-du-06-fevrier-2003-portant-transfert-de-competences-aux-collectivites-locales/

République du Congo, 2005. Loi n°8-2005 du 23 mai 2005 portant érection de certains chefs-lieux de départements, de districts et certaines localités en communautés urbaines. https://www.documents.clientearth.org/library/download-info/loi-8-2005-du-23-mai-2005-portant-erection-de-certains-chefs-lieux-de-departements-de-districts-et-certaines-localites-en-communautes-urbaines/

Republic of Congo, 2019. Loi n° 6-2019 du 5 mars 2019 portant code de l'urbanisme et de la construction. https://www.sgg.cg/codes/congo-code-2019-urbanisme-construction.pdf

Republic of Gabon, 2018. Revised Readiness Preparation Proposal (Revised R-PP). FCPF, Washington D.C., USA. https://www.forestcarbonpartnership.org/system/files/documents/RPP_Gabon_Revised_v23072018_clean_0.pdf

Republic of Gabon, 2017. Décret n°00212/MEPPDD du 21 juillet 2017 portant création et organisation de la Commission Nationale d'Affectation des Terres: Journal Officiel de la République Gabonaise 24 au 30 AOUT 2017 - N°362.

Republic of Gabon, 2014. Loi Organique N020/2014.

Republic of Gabon, 2012. Arrêté N° 9660/PM du 22/11/2012 portant création et organisation de la Commission interministérielle relative à la mise en place d'une stratégie nationale d'affectation des terres [WWW Document]. J. Off. Répub. Gabonaise. URL http://www.journal-officiel.ga/2555-9660-pm/ (accessed 9.7.21).

Republic of Gabon, 2018. Revised REDD+ Readiness Preparation Proposal (R-PP). *Forest Carbon Partnership Facility* ***(FCPF)***

RFN, 2020. RFN note to NICFI on Land use planning reform in DRC. Not public. Rainforest Foundation Norway.

Rok, A.; Kuhn, S. Local Sustainability 2012: Taking Stock and Moving Forward; ICLEI—Local Governments for Sustainibility: Bonn, Germany, 2012; Available online: http://temis.documentation.developpement-durable.gouv.fr/docs/Temis/0076/Temis-0076969/20354.pdf

RSPO, 2020. Revised RSPO Supply Chain Certification Standard and Systems Documents endorsed. Roundtable on Sustainable Palm Oil. https://rspo.org/news-and-events/announcements/revised-rspo-supply-chain-certification-standard-and-systems-documents-endorsed

SAFEGE and JMN Consult, 2017. Élaboration du schéma régional d'aménagement et de développement durable du territoire (SRADDT) du Sud du Cameroun. Rapport Diagnostic - Tome 2 Atlas de la Région Sud. Maitre d'Ouvrage - MINEPAT

Samndong, R.A., Vatn, A., 2012. Forest related conflicts in South-East Cameroon: causes and policy options. Int. For. Rev. 14, 213–226.

Schmidt-Traub, G., Locke, H., Gao, J., Ouyang, Z, Adams, J., Li, L., Sala, E., Shaw, E., Troëng, S., Jing Xu, J., Chunquan Zhu, Changxin Zou, Tianxiao Ma, Fuwen Wei (2021)/ Integrating climate, biodiversity, and sustainable land-use strategies: innovations from China, *National Science Review*, Volume 8, Issue 7, July 2021, nwaa139, https://doi.org/10.1093/nsr/nwaa139

Schwartz, B., Hoyle, D., Nguiffo, S., 2012. Emerging trends in land-use conflicts in Cameroon: Overlapping natural resource permits threate. WWF/CED/RELUFA, Yaounde, Cameroon.

Schwedes, S., Werner, W., 2010. Manual for participatory land use planning facilitators. Ministry of Lands and Resettlement, GTZ, Windhoek, Namibia.

Sidle, J.G., Dupain, J., Beck, J., Nackoney, J., de Wasseige, C., Mendomo Biang, J.D., Leprohon, R., Malele, S., 2012. Chapter 11. Forest Zoning Experience In Central Africa, in: State Of The Forest 2010, The Forests Of The Congo Basin. EU Publications Office, Luxembourg.

Simbizi, M.C., R.M. Bennett, and J. Zevenbergen. 2016. "Pro-Poor Land Administration." In Advances in Responsible Land Administration, edited by J. Zevenbergen, W. De Vries, and R.M. Bennett, 17–36. New York: CRC Press

Stakeholder Forum for a Sustainable Future (2012). Review of implementation of Agenda 21. https://sustainabledevelopment.un.org/content/documents/1126SD21%20Agenda21_new.pdf

Steinweg, T., Kuepper, B., Piotrowski, M., 2019. 28 Percent of Indonesia's Palm Oil Landbank Is Stranded. Chain Reaction Research.

Stürck, J., Levers, C., van der Zanden, E.H., Schulp, C.J.E., Verkerk, P.J., Kuemmerle, T., Helming, J., Lotze-Campen, H., Tabeau, A., Popp, A., Schrammeijer, E., Verburg, P., 2018. Simulating and delineating future land change trajectories across Europe. Reg. Environ. Change 18, 733–749. https://doi.org/10.1007/s10113-015-0876-0

Sustainable Natural Rubber Initiative (SNR-i), undated. http://snr-i.org/FAQ_19_1.htm

Tani, B., Ambe, B., ABANGMA, J.A., 2012. THE DILEMMAS OF IMPLEMENTING DECENTRALIZATION POLICIES IN A CENTRALIZED STATE CONSTRUCT: EVIDENCES FROM SOME MUNICIPALITIES IN THE NORTH WEST REGION OF CAMEROON. African Journal of Social Sciences 3.

Tauli-Corpuz, V., Alcorn, J., Molnar, A., 2018. Cornered by Protected Areas. RRA, London, UK.
Tchuitcham, G., 2006. Décentralisation et gestion communautaire des forêts au Cameroun: Opportunités et contraintes pour le développement local et la gestion durable des ressources. Département des Sciences et Gestion de l'Environnement, Université de Liège, Liège.
TFA, 2021. Private Sector Action in Sabah, Malaysia: Lessons Learnt from Jurisdictional Engagement. JA Hub. URL https://jaresourcehub.org/publications/private-sector-action-in-sabah-malaysia-lessons-learnt-from-jurisdictional-engagement/ (accessed 9.7.21).
Topa, G., Karsenty, A., Megevand, C., Debroux, L., 2009. Forêts tropicales humides du Cameroun: Une décennie de réformes. The World Bank. https://doi.org/10.1596/978-0-8213-7879-3
UNESC, 2008. Policy options and actions for expediting progress in implementation: desertification Report of the Secretary-General. UN Economic and Social Council Report of the Secretary General https://digitallibrary.un.org/record/648455?ln=en
United Cities and Local Governments (UCLG) and OECD, 2016a. Country Profile - Cameroon https://www.oecd.org/regional/regional-policy/profile-Camaroon.pdf
United Cities and Local Governments (UCLG) and OECD, 2016b. Country Profile - Republic of Congo https://www.oecd.org/regional/regional-policy/profile-Congo.pdf
UK Valuation Office Agency, 2018. Compensation for land taken - Land Compensation Manual Section 2: Compensation for land taken - Guidance - GOV.UK [WWW Document]. URL https://www.gov.uk/guidance/land-compensation-manual-section-2-compensation-for-land-taken/compensation-for-land-taken (accessed 9.8.21).
USFS, 2010a. Protected Area Management Planning in Central Africa: A U.S. Forest Service Guide. Version 2.0. USFS, USAID, CARPE, Kinshasa, DRC.
USFS, 2010b. Integrated Landscape Land Use Planning in Central Africa: A U.S. Forest Service Guide v.3.0. USFS, USAID, CARPE, Kinshasa, DRC.
Voundi, E., 2021. Extractivisme minier dans l'Est-Cameroun et controverses socio-environnementales : quelles perspectives pour un développement paisible des communautés locales ? Belg. Rev. Belge Géographie. https://doi.org/10.4000/belgeo.48699
Walters, D., 2007. Designing Community [WWW Document]. Routledge CRC Press. URL https://www.routledge.com/Designing-Community/Walters/p/book/9780750669252 (accessed 9.6.21).
Wasseige, C. de, Hiol Hiol François, Mayaux, P., Eba'a Atyi Richard, Desclée, B., Defourny, P., Nasi, R., Marcken, P. de, Billand Alain, Bayol, N., 2012. The forests of the Congo basin: state of the forest 2010. Publications Office of the European Union, LU.
Watson, V. 2009. "'The Planned City Sweeps the Poor Away…' Urban Planning and 21st Century Urbanisation." Progress in Planning 72 (3): 151–193. Watson, V. 2009. 151-193 https://doi.org/10.1016/j.progress.2009.06.002
World Bank (n.d.). Open Data: Population, total - Cameroon, Gabon, Congo, Dem. Rep., Congo, Rep., Central African Republic, Equatorial Guinea. https://data.worldbank.org/indicator/SP.POP.TOTL?locations=CM-GA-CD-CG-CF-GQ
World Bank, 2012. Rising Interest in Global Farmland. Washington DC. https://openknowledge.worldbank.org/handle/10986/2263
World Bank, 2015. Gabonese infrastructure and local development project II. Project Appraisal Document. https://documents1.worldbank.org/curated/en/951121467993211828/text/PAD1319-PAD-P151077-R2015-0227-1-Box393255B-OUO-9.txt
WWF International, 2021. Deforestation Fronts – Drivers and Responses in a Changing World. https://www.wwf.org.uk/press-release/wwf-deforestation-fronts-report
Global Forest Watch - https://www.globalforestwatch.org/map/country/COD/

Yanggen, D., Angu, K., Tchamou, N., 2010. Landscape-Scale Conservation in the Congo Basin: Lessons Learned from the Central Africa Regional Program for the Environment (CARPE) [WWW Document]. URL programme(accessed 9.7.21).
Zhou Y, Li X and Liu Y., 2020. Land Use Policy 2020; 91:104330. doi: 10.1093/nsr/nwaa139

ANNEX

Table A 1: Summary of geographic, demographic and forest cover

		Population Statistics			Forest Cover Statistics			
Country	Size (million hectares)	Population (Total - millions) in 2020	Population Density in 2020 (persons per km2)	Av. Annual Population growth 2000-2020	Forest Cover (million hectares area in 2010)	Tree Cover Percent	Tree cover loss rate 2001-2020	
							Million hectares	% of 2000 total)
Cameroon	46.6	26.55	53	2.6%	30.4	66%	1,530	4.9%
Central African Republic	62.0	4.83	7.79	1.8%	47.2	76%	0.843	1.8%
Democratic Republic of Congo (DRC)	233	89.56	38.44	3.1%	198	85%	15.900	8.0%
Equatorial Guinea	2.69	1.40	52.16	3.4%	2.63	98%	0.122	4.6%
Gabon	26.5	2.23	8.40	2.4%	24.7	93%	0.458	1.9%
Republic of Congo	34.2	5.52	16.13	2.5%	26.6	78%	0.851	3.2%
Total	**404.99**	**130.1**	**32.12**		**329.53**		**19.70**	**4.07%**

Source: Population: World Bank (n.d.); Forest Cover Statistics: Global Forest Watch (n.d)

NB. FAO statistics on Forest Cover are substantially lower due to different definitions of forest cover.

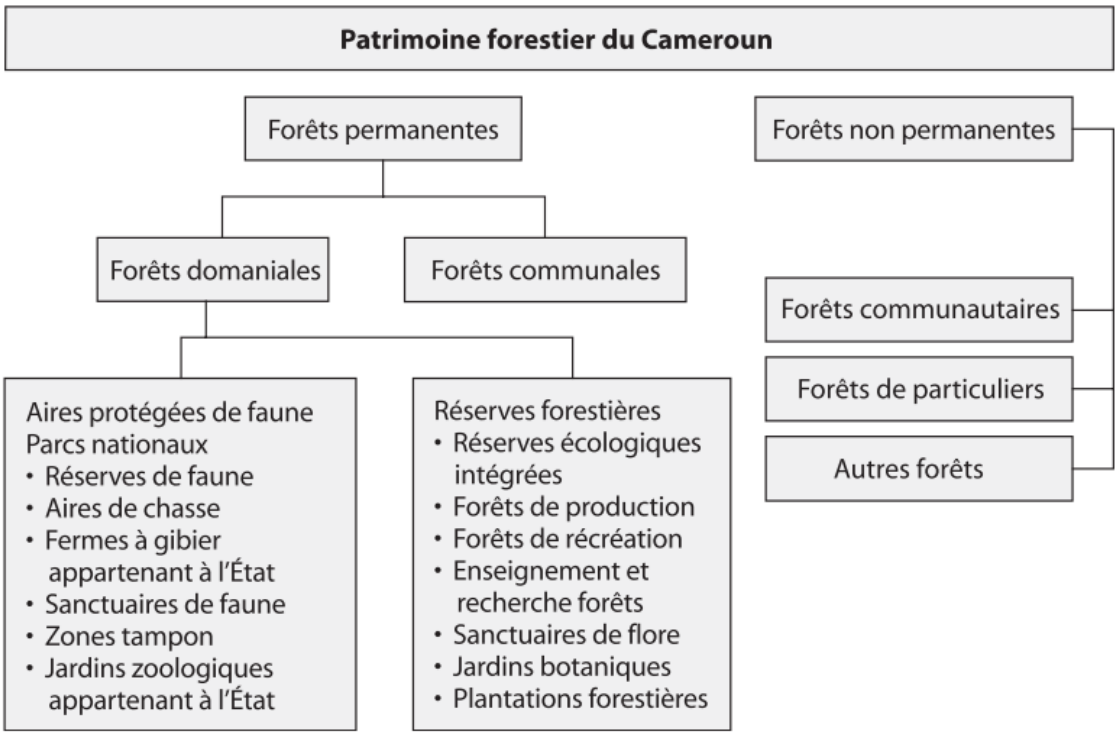


Figure A 1: The forest estate of Cameroon

Source: Topa et al., 2009

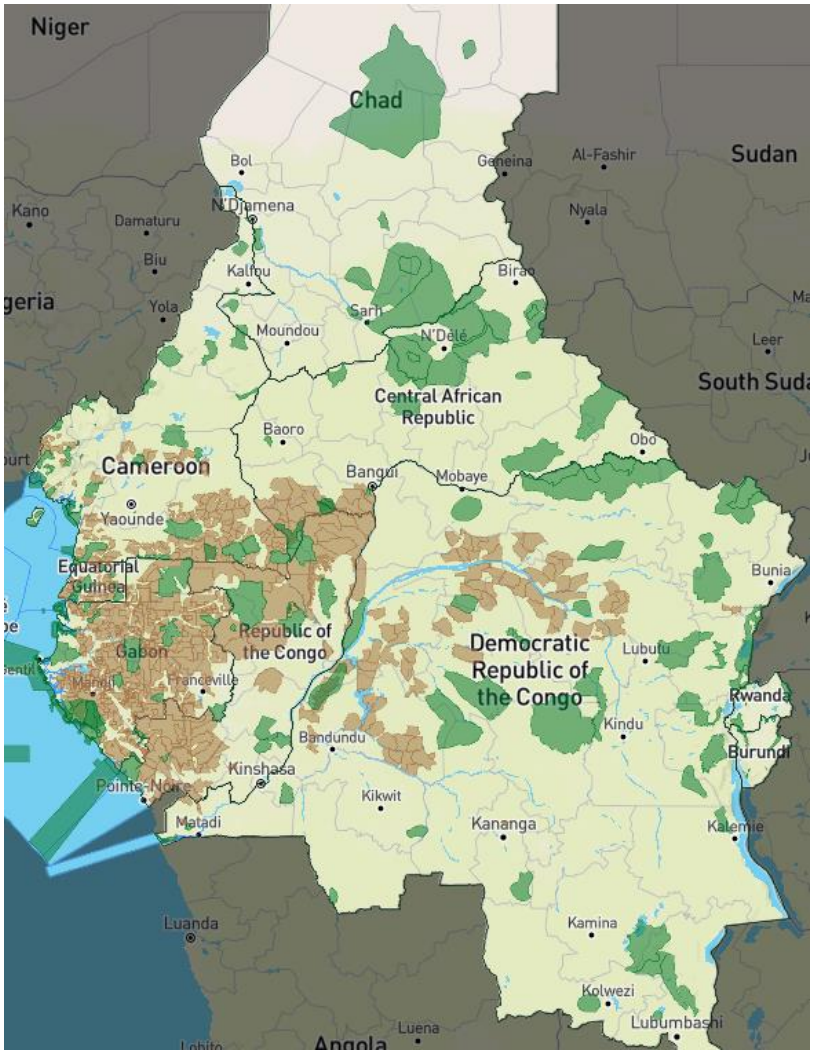


Figure A 2: A map of protected areas (green) and forest concessions (brown) in the Congo Basin

Source: OFAC (2019)

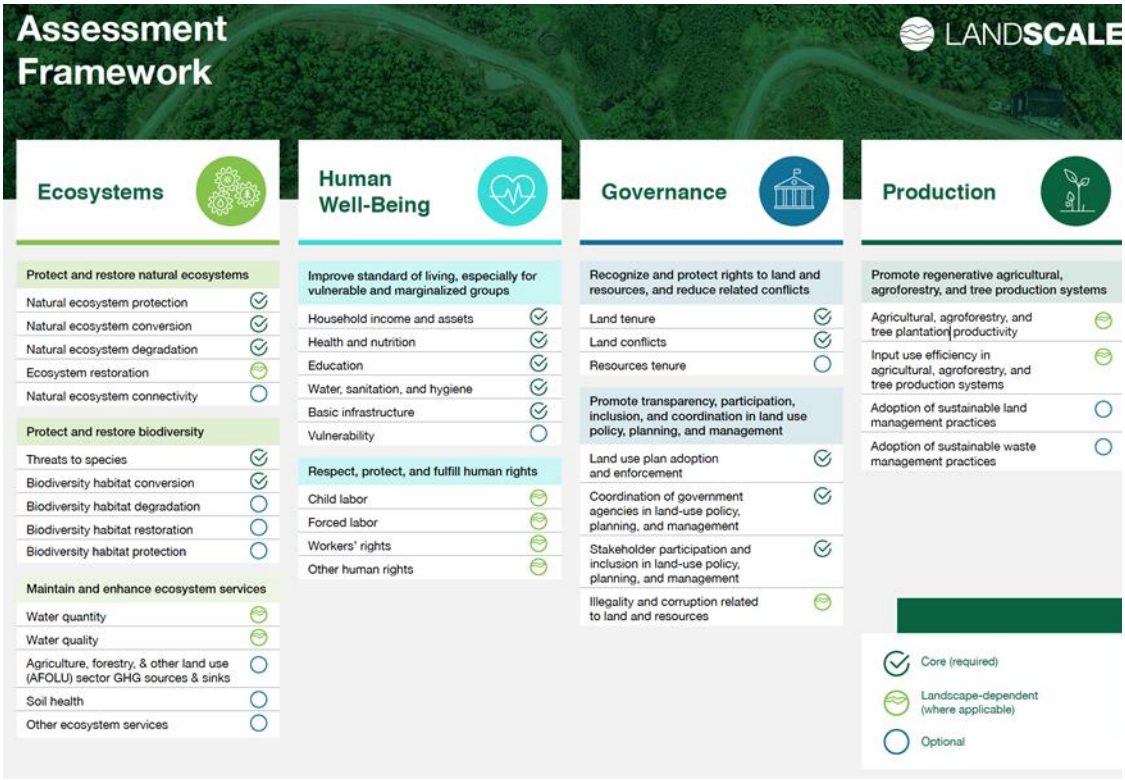


Figure A 3: The LandScale Assessment Framework

Source: LandScale (2020)