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Submitted at the occasion of the 21rd session of the Committee on Economic, Social and Cultural Rights (Spring by FIAN International, an NGO in consultative status with ECOSOC working for the right to feed oneself, in co-operation with the NGO - Coalition of African Organisations for Food Security and Sustainable Development (COASAD)

Parallel Report

The Right to Adequate Food in Cameroon

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Preface

FIAN, the International Human Rights Organisation for the Right to Feed Oneself, would like to present a parallel report to the periodic report on Cameroon submitted by the Cameroon Government (UN Doc. E/1990/5/Add.35.). Of the many questions concerning economic human rights in Cameroon FIAN, in cooperation with COSADER/COASAD, will concentrate on the right to freedom from hunger and the right to adequate food. Cameroon is a state party to the International Covenant on Economic, Social and Cultural Rights. In Art. 11 of the ICESCR, the States parties guarantee the right to freedom from hunger and the right to adequate food. More specifically, the right to adequate food derives from the following obligations of States elucidated in Article 11:

a) The obligation to Respect existing access to adequate food requires States parties not to take any measures that result in preventing this access.[1]

b) The obligation to Protect requires measures to be taken by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food.

c) The obligation to Fulfil, means that the States must pro-actively engage in activities intended to strengthen people's access to and utilisation of resources and means to ensure their livelihood, including food security. Wherever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil (provide) this right directly.

Based on Art. 16 of the ICESCR, the State parties, and Cameroon among them, have the duty to present reports on the measures they have adopted and the progress they have made in order to guarantee the respect of the rights included in the International Covenant. In the fulfilment of this duty, the States have to follow certain guidelines. According to a note by the Secretary General of the UN, those guidelines have been adopted in order to facilitate the elaboration of these reports and to avoid inadequateness or insufficiency.

Article 11 of the Covenant, states very clearly what kind of information is needed. According to Clause 2, a sufficient reference to the right to adequate food has to be made. Strictly speaking, a general description of the countries' implementation of the right to adequate food, the sources of information, studies on the food situation and supervisory measures, the statistical data on the existence of famine and/or malnutrition in the country has to be provided. Specific aspects of especially vulnerable or disadvantaged groups should be taken into account.

As it appears, the general picture shows problems. It is linked to the processes governing access to productive resources. In this instance it is clear that the government of Cameroon has in its report failed to address the issue of the right to adequate food properly. The section of the State report referring specifically to the right to adequate food was formulated and first presented in 1987. Resultantly it fails to give an accurate indication of the current situation, the measures implemented by the government and the progress it has made in guaranteeing the right to adequate food for all of its population. For instance this section of the report refers to the establishment of the Société Camerounaise de Palmeraies (SOCAPALM). This company has now been privatised. Similarly the report also refers to the subsidised fertiliser programme, this programme has now been withdrawn. Furthermore, the State Report does not provide disaggregate data on the incomes and nutritional status of vulnerable groups, it therefore fails to reveal the status of these groups' access to food.

[1] See General Comments Number 12 concerning the right to adequate food. E/C.12/1999/5

This report is aimed at indicating how the government of Cameroon is violating the right to adequate food by not implementing adequately its obligations to respect, to protect and to fulfil the right to adequate food for everyone.

1. Introduction

1.1 Geography

The Republic of Cameroon is situated on the Gulf of Guinea on the Atlantic coast of Africa. It has a total area of 475,440 sq km which is made up of land - 469,440sq km and water - 6,000 sq km. Its immediate neighbours are Central African Republic and Chad to the west, Nigeria to the east and the, Republic of the Congo, Equatorial Guinea and Gabon to the south. The country has a coastline of 402km.

The terrain of the country is divided into three regions: the plains of Lake Chad in the northern region (savannas where cattle are raised and corn and cotton are grown); central and western highlands; and southern and coastal rainforests.

Land use is as follows arable land: 13%, permanent crops 2% permanent pastures 4%, forests and woodland 78% (rainforest represents 40% of total land use), and other 3%.

The main environmental issues are: deforestation; overgrazing; desertification; poaching and overfishing.

1.2 Politics

Cameroon is a multiparty republic that continues to be dominated by President Paul Biya and a circle of advisers drawn largely from his own and related ethnic groups and from his party, the Cameroon People's Democratic Movement (CPDM). Since 1992 when Biya won the first multiparty presidential election,[2] elections have been tainted by the electoral process that is controlled by the Government's Ministry of Territorial Administration. International and local observers generally view the process as not free and fair. The 1972 Constitution provides for a strong central government dominated by the executive. The President retains the power to control legislation or to rule by decree. According to the ratified amendments of the 1996 Constitution the Presidential term is seven years and renewable only once. The amendments also provide for new legislative institutions such a partially elected senate, elected regional councils and an independent judiciary.

1.3 Economy

Because of its oil resources and favourable agriculture conditions, Cameroon has one of the best endowed primary commodity economies in Sub-Saharan Africa. The development of the oil sector led to rapid economic growth between 1970 and 1985. Growth, however, came to an abrupt halt in 1986, precipitated by steep declines in the prices of major exports: petroleum, coffee and cocoa. Now, after nearly a decade of economic decline and widening financial imbalance the country's economic performance has improved with the annual gross domestic

[2] This election was considered to be seriously flawed by international observers.

product (GDP) growth rate averaging at around 5% over the last couple of years. Agriculture accounts for 25% of GDP while industry and the services account for 22% and 35% respectively. The petroleum industry accounts for less than 10% of public revenues. Principal exports include timber, coffee, cocoa, cotton, bananas and rubber.

Cameroon also has considerable outstanding external debts which have risen substantially in the last decade. In 1985 its external debt was $US3.2 million (40.2% of GDP) by 1997 this has risen to US$9.3 billion (109.2% of GDP).[3] In 1997 Cameroon received net (net disbursements) official development assistance of US$501million.[4]

1.4 Population

The traditional inhabitants of Cameroon are the Baka Pygmies. They still inhabit the forests of the South and the East provinces. Bantu speakers from equatorial Africa were among the first to invade. During the late 1770s and early 1800s, the Fulani, pastoral Islamic people of the western Sahel, conquered most of what is now northern Cameroon, subjugating or displacing its largely non-Muslim inhabitants.

In July 1998 the total population was estimated at 15,029,433. It is made up of approximately 250 ethnic groups. These 250 ethnic groups are part of five larger regional cultural groups which are as follows:

1) Western highlanders (or grass landers) including the Bamileke, Bamoun and many smaller entities in the Northwest (estimated 38% of the population);
2) Coastal rainforest peoples, including the Bassa, Douala, and many smaller entities in the Southwest (estimated 12% of the population);
3) Southern rainforest peoples, including the Beti, Bulu and Pygmies (officially called the Bakas) estimated approximately 18% of the population;
4) Predominantly Islamic peoples of the northern semi-arid regions (the Sahel) and central highlands, including the Fulbe, also known as Peuhl or Fulani (estimated at 14% of the population);
5) The Kirdi non Islamic or recently Islamic peoples of the northern desert and central highlands (estimated at 18% of the population).

Population growth in 1998 was estimated at 2.81%.

2. The Right to Adequate Food in Cameroon Legislation

Internationally, the government has ratified or approved a number of international treaties and covenants, and political declarations which explicitly recognise the right to an adequate standard of living including food.

Cameroon has approved the Universal Declaration of Human Rights, in 1984 it became a State party to the International Covenant on Economic, Social and Cultural Rights. Additionally it has also approved the Action Plan

[3] See UNDP Human Development Report for 1999

[4] Ibid

and the Declaration of World Food Summit in Rome of the 19th November 1996 and has ratified the Convention on the Rights of the Child.[5]

Cameroon has also ratified the African Charter on Human and People's Rights. While this does not make explicit reference to the right to adequate food, it does contain provisions which implicitly relate to it. The Charter recognises the right of all *"people to freely dispose of their wealth and natural resources"* and specifies that *"this right shall be exercised in the exclusive interest of the people (and) in no case shall a person be deprived of it."* Moreover, it also provides that *"in the case of spoliation the dispossessed people shall have the right to the lawful recovery of its property as well as to adequate compensation".*[6]

As human rights violations occur within a State, principally in relations between a government and its own citizens, effective protection must come within the State. Therefore, upon the legitimate ratification of a human rights treaty states are required to bring their domestic law into conformity with their validly contracted international obligations, States are clearly obligated to transfer international obligations into domestic legislation. Such a transfer is not just confined to the passing of the appropriate legislation, law enforcement has to be assured as does access to legal resources.

There is no specific reference to the right to food in Cameroon's Constitution and neither, to our knowledge, is there any other legislation referring explicitly to it. The preamble of the Cameroonian Constitution does, however, implicitly recognise the right of everyone to an adequate standard of living. It states that:

"The people of Cameroon... resolved to exploit its natural wealth in order to ensure the well-being of every citizen by the raising of living standards, proclaims its right to development as well as its determination to devote all its efforts to that end and declares that it is ready to cooperate with all States desirous of participating in this natural enterprise in respect for its sovereignty and the independence of the Cameroonian State."

The right to adequate food is also implicitly regulated for by the following domestic legislation:

Law n° 96/06 of the 18th January 1996 applying to a revision of the Constitution of the 2nd June 1972;

Law n° 94/01 of the 20th January 1994 applying to the Forestry Code;

Ordinances n° 74/1 and n° 74/2 of the 6th July 1974 concerning property respectively state (forest) rules.

The effectiveness of these laws, and their enforcement, in securing individuals' right to adequate food, however, is questionable.[7] This report, at a later stage, documents both the inadequacies of the 1994 Forest Law and the Land Ordinances of 1974.

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[5] The Convention on the Rights of a Child recognises *'the right of every child to a standard of living adequate for a child's physical, mental, spiritual, moral and social health.'* See Art. 27

[6] See the African Charter on Human and Peoples' Rights, Art.21

[7] Enforcement of forestry law is particularly weak. The inadequacy of the enforcement resources is well known and documented by environmental organisations such as Friends of the Earth, Netherlands and Rettet den Regenwald.

3. Realisation of an Adequate Standard of Living

Important economic progress is being made. Real GDP per capita, measured using purchasing power parity (ppp), has increased from ppp$ 736 in 1960 to ppp$ 1646 in 1990. Life expectancy at birth has increased by 14 years within this period and infant mortality rates have significantly fallen.

However, despite this progress in average statistical data, large parts of the population still live in absolute poverty. According to UNDP human development figures in 1990 40% of the population lived below the poverty line, their income is not enough to secure access to a minimum nutritionally adequate diet plus essential non-food requirements, and by 1998 this figure has risen to approximately 55%. This gives the first indication of the problems the government of Cameroon has with the implementation of its obligation of progressive realisation. From 1990 to 1997 13% of infants had a low birth weight, ie weighed less than 2,500 grammes, indicating high levels of malnutrition amongst their mothers.[8]

There is a clear urban bias. Despite the rural population making up the majority of Cameroon's total population there is clear income distribution in favour of the urban inhabitants. According to the UNDP figures 40% of the rural population live in absolute poverty compared to 15% of the urban. The access to safe water figures show a similar disparity, only 27% of the rural population have access to safe water compared to 47% of the urban.

The two regions primarily affected by food shortages are the North and the far North due to the lack of and poor quality of cultivated areas. The inhabitants of these areas are chronically suffering from famine and are dependent upon national and international food aid.

The food situation as a whole is characterised by relative insecurity and serious malnutrition. Approximately 10,500,000 of Cameroon's population are suffering from food insecurity. This is especially predominant in the rural areas and among the indigenous population. According to a report conducted by the International Fund for Agricultural Development, also particularly vulnerable are those households headed by women.[9]

In order to progress from illustrating the state of current food insecurity to presenting a right to adequate food analysis, the processes which are responsible for peoples' inability to feed themselves or deprived access to basic productive resources must be examined.

This report proceeds to present such an examination by identifying:
a) Who the vulnerable groups are;
b) The most important processes which are depriving them of access to productive resources and threatening their ability to feed themselves;
c) What can be done by the State and
d) What State actions are missing.

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[8] See UNDP Human Development Report for 1999

[9] See International Fund for Agricultural Development. (1993) The State of World Poverty: A Profile of Africa

4. Documentation of violations of the right to adequate food

"The right to adequate food is realised when every man, woman and child, alone or in community with others, have physical and economic access at all times to adequate food or means of its procurement."[10] It is, thus, apparent that the realisation of the right to adequate food is primarily dependent upon everyone having sustainable access to productive resources such as land or work. In Cameroon it is clear that not everybody does have access to adequate food. Through identifying those vulnerable and the processes governing their sustainable access to productive resources the following documentation is concerned with illustrating how the government of Cameroon is far from meeting its obligations under the International Covenant on Economic, Social and Cultural Rights.

The right to adequate food clearly imposes three levels of obligations on to the State, namely the obligation to respect, protect, and to fulfil. These obligations clearly do not only necessitate immediate actions to be undertaken by the State, but also require the progressive implementation of measures, for instance the legislation and implementation of land reform.

Cameroon is failing to comply with these obligations not only on the national level through its own domestic legislation and activities, but also through its agreements with intergovernmental organisations and in its relations with private enterprises and trans-national corporations.

4.1 National Implementation

Under the International Covenant on Economic, Social and Cultural Rights each State is clearly responsible for ensuring that its own policies, legislation and activities comply with the three levels of obligations and do not violate the right to adequate food for its population.

The following situations clearly illustrate that the government of Cameroon is failing to meet it responsibilities and is, thus, violating international human rights law. The situations are example cases which have been investigated by FIAN International and COSADER/COASAD, they are by no means the only ones.

4.1.1 Breaches of the Respect Bound Obligation

Case 1 - Confiscation of Certain Farmlands for the Sake of Public Utility

In the course of the construction of the major trunk roads the Government of Cameroon failed to respect many families' right to an adequate standard of living including food. Their access to productive resources, and therefore their ability to feed themselves, was severely threatened by the State's actions.

From the 1960s onwards the State has been involved with building major roads such as Douala to Yaounde, Yaounde to Bafoussam and Douala to Bafoussam. In order to undertake this construction the State had to confiscate millions of hectares of land. Land was claimed by the State for use "in national interest" in an effort to

[10] See General Comments Number 12 concerning the right to adequate food. E/C.12/1999/5

promote economic development. However, the populations dispossessed of their land never received adequate compensation and rehabilitation.

As a State Party to the International Covenant on Economic, Social and Cultural Rights the government of Cameroon is obligated to ensure that efforts at facilitating economic growth must not violate the basic economic or social rights of all sectors of its population. In this case the government of Cameroon has failed to meet its obligations. Land in the rural areas is the most important productive resource which provides families with a means of accessing food. It is, therefore, clear that the construction of these roads, and the subsequent land acquisition, destroyed the affected families' ability to feed themselves. Under such land acquisition the government must, thus, ensure that adequate compensation and rehabilitation is provided in order for these families' means of subsistence to be protected. In this instance compensation should have taken the form of the provision of equivalent land or fair financial compensation which would secure the displaced families long term survival. As this was not given the land acquisition undertaken by the state directly destroyed these communities' ability to feed themselves. The State's actions in this regard clearly constitutes a violation of the right to adequate food.

4.1.2 Breaches of the Protect Bound Obligation

Case 1 - Depletion of the Coastal Fishing Reserves

The Cameroonian government is failing to protect the right to an adequate standard of living including food for its coastal population of approximately 200,000. Their access to productive resources is being threatened by the fraudulent fishing practices the government is allowing to occur.

These coastal communities rely traditionally upon fishing as their primary means of livelihood. They depend upon it as their primary source of income and it, therefore, secures their access to food. This access, however, is continually being threatened and undermined by the activities of large foreign fishing companies which the State is failing to regulate or control. According to our information the government is allowing fraudulent fishing practices to occur, such as allowing foreign companies to sail under the Cameroonian flag and to practice the so-called time-charter which consists of fishing in Cameroon's coastal waters and selling elsewhere, not in Cameroon. These companies undertake large scale fishing which is contrary to the fishing activities of the local coastal communities. Traditionally these communities have practised small scale sustainable fishing which does not jeopardise the overall fish supply. The commercial fishing companies, however, have no such concerns. The result is overfishing. Subsequently the stock of fish in Cameroon's coastal waters has recently been much depleted and is becoming increasingly insecure. The ability of the local coastal communities, and future generations, to feed themselves is, therefore, being substantially diminished.

The government of Cameroon is responsible for protecting the right to food for all of its population. By failing to protect these coastal communities' access to productive resources from the actions of third parties the government is clearly not meeting its responsibilities and is committing violations against the right to an adequate standard of living including food.

In order to comply with international human rights law the government of Cameroon must take steps which would prevent these fraudulent practices occurring. It could for instance practice closer monitoring of these waters and

exercise tighter control over the large commercial fishing fleets. The implementation of such measures would help protect the coastal communities access to productive resources and, thus, protect their access to adequate food.

Case 2 - Bonded Labour by Traditional Religious Leaders (Lamidos)

In the Mount Mondara region of Cameroon, in the far north, the Kirdi population's ability to feed themselves is being threatened. The State is allowing a system of exploitation to take place which deprives the local Christian Kirdi population of their access to productive resources and, therefore, their access to adequate food.

In certain regions of Cameroon a feudal system is still maintained. In the far north of the country, in the Mount Mondara region, there exists Lamidos, traditional Islamic feudal **lords.** These lords are exploiting the indigenous Kirdi population and threatening their ability to feed themselves. The Kirdi people were forcibly evicted from their traditional mountain homelands and have been forced to settle on the plains in closer proximity to the feudal lords. These feudal lords (Lamidos) are currently forcing the displaced Kirdi population to give them their agricultural food produce.

This exploitation takes the form of bonded labour. The indigenous Kirdi population are bound to the Lamidos, they are under the their control. They effectively have no alternative but to work for these feudal lords without pay. Their ability to feed themselves is threatened. The Kirdi population have, thus, not only lost their means of subsistence, without the provision of adequate compensation and rehabilitation, they are also being denied the opportunity to work freely and for an adequate wage.

This situation constitutes a clear violation of the Kirdi population's right to an adequate standard of living including food. In order to maintain the Lamidos' political loyalty the government of Cameroon is allowing this system of exploitation to continue and is failing to provide any alternative means of subsistence to the affected communities. It is, thereby, sponsoring the continued violation of these people's basic human rights. Most specifically the State is clearly failing to respect and protect the Kirdi population's right to adequate food.

Case 3 - Destruction of the Baka Pygmies' Means of Subsistence

Cameroon's current forest law is failing to secure the rain forest's indigenous populations' means of subsistence against the activities of large scale commercial logging companies. The traditional inhabitants of these forests are the Baka Pygmies. Their survival is heavily dependent on the rainforest's natural resources. They are hunter gatherer communities rather than farmers and perceive the forest as a stock of wild forest products, both plant and animal, rather than as a stock of agricultural land.[11] It is, therefore, obvious that logging (the commercial extraction of timber) through severely depleting the rainforest's natural resources is clearly threatening the Baka Pygmies' ability to feed themselves.

In Cameroon the allocation of the rights of access to natural resources such as the rainforests is the responsibility of the State. The State is the protector of all natural resources and, therefore, as such it has the right to distribute

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[11] Biesbrouck, K. Involving Bagyeli in Sustainable Forest Management, Paper presented at the Trobenbos social sciences seminar, Kribi, Cameroon April 27th to May 4th 1997, p.19.

the rights of access to these resources to third parties, be they agro-industrial companies, local populations, or logging and mining companies.[12] This process is governed by Cameroon's forest law.

The current 1994 forest law is a result of the reform of the 1981 forest law. The 1981 forest law was regarded as having key weaknesses, namely: the nature, area and duration of concessions; the inadequacy of the taxation system, it was perceived as being confused and inefficient; the insufficient attention given to people's livelihoods; the lack of clear framework for logging industries and the inadequacy of conservation measures. It was orientated towards large-scale timber production rather than conservation and thus, failed to protect the indigenous peoples' access to productive resources. It was reformed as a result of pressure from the World Bank and Conservation organisations. However, although theoretically under the New Forest Law of 1994, the local indigenous people have the right, upon the production of a management plan, to set up Community Forests which would then be under their direct control, not much has changed for them.[13] The State has still kept its tight grip over forest resources. The government maintains title to the land and only leases it to the communities for a total of fifteen years.[14] Moreover, the Cameroon government maintains the right to refrain from accepting the community's management plan, the right to withdraw local rights in case the exploitation activities are not in conformity with the plan. In fact if the latter were the case the government has the right to manage the forest at the expense of the community. Additionally, the establishment of community forests is prohibited in protected areas and areas already covered by large logging concessions.[15]

Furthermore, the process of applying for the establishment of a community forest is fraught with difficulties for the local communities. The procedure is long, difficult and expensive. The Ministry did produce a document aimed at laying down the application procedures and making the process more accessible for the local communities but it was only published in March 1999 and its effectiveness has yet to be proved.

Through ratifying the International Covenant on Economic, Social and Cultural Rights Cameroon is duty bound to secure for all sectors of its populations access to adequate food. It is clear, however, that the current 1994 forest law is failing to secure this access for the rainforest's indigenous population. Moreover, the government is not providing the affected communities with other adequate means of subsistence. This situation constitutes a clear violation of the right to an adequate standard of living.

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[12] Biesbrouck, K. Involving Bagyeli in Sustainable Forest Management Paper presented at the Trobenbos social sciences seminar, Kribi, Cameroon April 27th to May 4th 1997, p.10-11.

[13] Biesbrouck, K. Involving Bagyeli in Sustainable Forest Management Paper presented at the Trobenbos social sciences seminar, Kribi, Cameroon April 27th to May 4th 1997, p.12.

[14] Colchester, M, Jackson, D, and Kenrick, J. Forest Peoples of the Congo Basin: past exploitation, present threats and future prospects in 'The Congo Basin: Recent Developments and Alternatives for Sustainable Development' published by BOS Foundation Netherlands March 1998, p5.

[15] Jackson, D. Some Recent International Initiatives in Equatorial Africa, and their Impacts on Forest Peoples Proceedings of the Colloquium on Hunter-Gatherers of Equatorial Africa, Leiden 1996, March 1997, p5.

4.1.3 Breaches of the Fulfil Bound Obligation

Case 1 - Women's Vulnerable Access to Agricultural Land

Since the realisation of the right to food is dependent upon people's access to productive resources such as land, under the International Covenant on Economic, Social and Cultural Rights governments must pro-actively engage in activities intended to strengthen people's access to and utilisation of resources.[16] However, despite the Cameroon Constitution stipulating that "all human beings have the same rights and duties" women in Cameroon are presently denied sustainable access to owning and controlling land. Their ability to feed themselves and their family is, therefore, placed in jeopardy.

The prevailing traditional form of land ownership or tenure in Cameroon is community based. The community can take the form of a village or tribe and they are responsible for this land. There are no individual rights of ownership. Individual rights centre around concepts such as use, management, allocation and transfer. The land distribution within the community is traditionally governed by a patrilineal system. Elder lineage males hold the land in cultivation or distribute it amongst members of the same kinship group. Traditionally women's rights are confined to use only and are mediated through men, they themselves are unable to customarily allocate or control rights to land.

Access to land is also provided for through the Land Ordinances of 1974. These Ordinances were designed to provide a uniform code of land law for all of Cameroon. They constituted a land reform act, and through the giving of land titles the Ordinances intended to protect the small farmers and to assure them permanence of tenure and to encourage development in the rural areas. What it does not do, however, is protect women. In principle, the land ordinances implicitly grant rights of access to women because the national constitution stipulates equality of genders as a general principle. However, in reality by providing for ownership and privatisation of land while fusing these with local custom and ideology, without explicit reference to the equality of access by gender, these new Land Ordinance in practice deny rights of access to most women. In addition the means by which an individual can gain a land title is also discriminatory. As the granting of a land title is dependent upon the submission of a development plan, the new land ordinances implicitly discriminate against the uneducated of which includes a large proportion of women. These Ordinances, therefore, clearly fail to provide women with any additional means of accessing land outside of the traditional system.

Moreover, although the institution of national 'land reform' statutes in 1974 were aimed at providing new avenues to land access and instituting individual tenancy in reality they merely created a market for land which served to undermine the security of the traditional land tenure system for women.

Traditionally land has been viewed as a source of subsistence rather than a means of accumulation or capital growth. However, the Land Ordinances, through creating a market for land, have served to erode this belief. Resultantly, more land is being sold, by the lineage heads, rather than allocated to individuals through the ordinary traditional procedures for securing usufruct. As women are traditionally at the bottom of the hierarchy in terms of customary land rights they are usually the first to suffer, i.e. the first to be dispossessed. The Land Ordinances of 1974 have, thus, clearly contributed to the growing insecurity of customary land tenure systems for women, and in addition has failed to provide them with any additional means of accessing land.

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[16] See General Comments Number 12 concerning the right to adequate food. E/C.12/1999/5

This insecurity of women's access to land clearly affects their ability to feed themselves and their families. Women generally have sole responsibility for the production of the family's basic food stuffs, while men are basically involved in cash cropping, such as coffee or cocoa production, and other more entrepreneurial activities. The rural family's welfare, therefore, is primarily dependent upon the woman's work in the agricultural sector. This is illustrated by the fact that there exists no correlation between men's income and the household's level of nutrition, whereas higher women's income is positively correlated with a high level of nutrition.[17]

Women's lack of land title also means that they have problems accessing credit since they are unable to use property as security on loans. This further jeopardises their means of subsistence. Credit is essential as it enables small subsistence farmers to purchase crucial agricultural inputs such as seeds and fertiliser. The only credit facilities, the majority of women have access to, are rotative saving and credit associations. These associations are predominantly community based and usually their capacity for giving women access to credit is limited to 'crisis' situations. As easily accessible credit is essential for small subsistence farmers to secure their means of subsistence, women's ability to feed themselves and their families is, thus, further endangered by the lack of land title.

A case study of the Nso' tribe in Western Cameroon[18]

According to customary Nso' tenure arrangements rights in land are typical as they do not involve absolute jurisdiction or exclusive individual control. Instead they are better understood as bundles of rights vested both in individuals and in various social categories at different levels of the social order. The whole society is responsible for the basic ownership of the land, symbolised by the overlordship or titular ownership of the Fon Nso'. There are established procedures governing how land rights may be allocated to individuals. Four aspects of rights to land have been identified namely: use, transfer, allocation and control. All individuals in Nso' have rights of use in land by virtue of birth or marriage. The distribution of the remaining rights of transfer, allocation and control is subject to a hierarchy which in itself depends upon gender, status and kinship relationship. The traditional heads of large lineages and the 'landlords' of Nso' act as managers or trustees of the land and are responsible for the allocation of land to individuals. Once the land is allocated it comes under the control of individual male family heads, whose sons will later inherit the control of the land. Women rights over land are confined to those of use only. They are unable to inherit or control land and although they have secure rights of usufructory, these rights are mediated through men, and the categories of inheritors have been, under customary law, exclusively male. It is, thus, apparent that women are at the bottom of the hierarchy in terms of land rights and are therefore more vulnerable to changes in the traditional land tenure system. This vulnerability is increasingly apparent today as these, once secure rights of usufructory, guaranteed by traditional tenure arrangements, are being continually undermined and threatened by the proliferation of channels of access to land and the monetary value now attached to farmland.

This growing insecurity of women's usufructory rights within the Nso tribe is clearly evident. The changes in the tenure systems and the monetary value now attributed to land have clearly jeopardised women's access to land. For instance women are now having to beg for land to farm food crops. While according to Nso custom, the only payment required for use of farm land is a calabash of palm wine and a fowl, today women are also required to

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[17] See Goheen, M. (1996) Men Own the Fields, Women Own the Crops The University of Wisconsin Press, Madison. U.S.A. (Hereafter referenced as Goheen, M.) p91

[18] See Goheen, M.

give money or bribes to obtain supposedly secure rights of usufructory. Secondly, once obtained these rights are far from secure. As land is now currently being sold by the "landlords" the women who had begged or borrowed land for farming are being dispossessed. In fact many women have expressed anxiety at leaving land fallow fearing that the landlord would be bribed into reallocating land not currently under cultivation.[19] Their anxiety appears to be justified since "at least 10 women in Nsa complained that a landlord had reclaimed land they were farming and rumours about this occurring were numerous".[20]

It is clear that the current land tenure system is threatening the ability of women to feed themselves and their families. When the government ratified the International Covenant on Economic, Social and Cultural Rights it obligated itself to guarantee the right to food for all of its population without discrimination. Since the right to food is dependent upon sustainable access to productive resources such as land, the State has clearly not met its obligations. By continuing to undermine and jeopardise the security of the traditional tenure systems without giving women an alternative means of accessing land the State is clearly violating these individuals' right to adequate food.

4.2 Intergovernmental Organisations

Under the International Covenant for Economic, Social and Cultural Rights the ultimate responsibility for guaranteeing the right to adequate food for all of its population without discrimination lies with the State. Therefore, through meeting their obligations under the right to adequate food, States must ensure that the agreements they enter into with international organisations, such as the World Bank, do not threaten individuals' basic access to food.

The following examples given distinctly show that in this regard Cameroon has not met its obligations and is, therefore, violating the right to adequate food for many of its inhabitants.

Case 1 - Structural Adjustment Programmes

Under Structural Adjustment Programmes (SAPs) countries receive loans from organisations such as the World Bank and International Monetary Fund tied to conditions of structural change in their economies.

The undertaking of fundamental economic reforms to rekindle economic growth must not violate the economic or social rights of vulnerable groups. Through ratifying the ICESCR the government of Cameroon is obligated to guarantee that the living standards of the most vulnerable people are not reduced by SAPs, or by any other economic policies or programmes, to deprivation levels below the core content of basic economic rights such as the right to food. Failure to do so constitutes a clear violation of these people's basic economic rights. It is important to realise that although the World Bank and other such organisations are responsible for ensuring that their policies do not violate peoples' economic and social rights, the ultimate responsibility does rest with the State.

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[19] All Nso' landlords agreed that if the women who used their land made a mistake they had the right to reclaim the agricultural land, even from women inside the lineage. See Goheen, M, p.125.

[20] See Goheen, M p.125

In Cameroon the government has failed to meet that responsibility. The period of structural adjustment is being accompanied by increasing poverty and unemployment, worsening income distribution and collapsing social services. It is obvious that these conditions are a direct result of the measures taken under the structural adjustment programmes.

SAPs are aimed at facilitating growth through the integration of the countries' economies into the emerging global market. They advocate the adoption of a development strategy based on the following:

- Promotion of outward-orientated growth;
- Expansion of the private sector's role as the growth process´s driving force;
- Removal of barriers to international capital flows;
- Diminution of the State's economic role; and
- Deregulation and restructuring of domestic labour markets.

In order to accommodate the economy's structural adjustment the government of Cameroon has curtailed and suspended the provision of support services to rural producers (i.e. the provision of input subsidies, provision of free materials and extension services), increased the level of redundancies and salary cuts in the public service, curtailed the Forestry Service and reduced public spending on health and education, and social benefits.

The rural poor have been the hardest hit of the population by these structural reforms. The devaluation of the CFA - Frank in 1994 resulted in increasing the costs of agricultural inputs, such as fertiliser and seeds. Access to agricultural inputs is essential to small subsistence farmers. It is argued that they improve the land's productivity and subsequently the farmers' long term food security. Resultantly, following the devaluation many small subsistence farmers' means of livelihood suffered as they were unable to absorb the increased costs nor were they able to respond effectively to the new price incentives offered by trade liberalisation. Their situation was made more precarious by the policies the government of Cameroon implemented in order to accommodate this structural adjustment.

The State has withdrawn from agricultural production and stopped all subsidies for this sector, thus endangering food production. The removal of subsidies has meant that agricultural inputs have moved beyond the reach of many small farmers. Their access to essential inputs has, therefore, been threatened, thus, further endangering the small farmers' means of subsistence.

The access of small farmers to essential agricultural inputs have been further jeopardised by the reforms undertaken in rural credit institutions. These reforms have resulted in the availability of rural credit collapsing. The main impact of the reform of the financial system on rural producers has been through the demise of the National Fund for Rural Development (FONADER). In some regions, credit agents based in cooperative unions exist to collect repayments, but there currently exists confusion about where the funds should be paid. In effect, rural credit is in a state of abeyance in most areas. As easily accessible rural credit is essential for small subsistence farmers to maintain their access to fundamental agricultural inputs, the government policies regarding rural credit have adversely affected the small subsistence farmers' means of livelihood and their ability to feed themselves.

The quality and scope of government provided social services has been seriously reduced. At the rural-community level, budgetary cutbacks range from one-half to two-thirds the previous allocations. This has not only weakened social services and survival safety nets but also led the government to withdraw goods and services which contributed to increasing the long term productivity and security of the rural populations. The rural poor are, thus, experiencing increasing downward pressure on their living standards.

In an effort to maintain their incomes, small subsistence farmers are reacting by extensifying agricultural production. This is done by clearing previously uncultivated land for farming, thereby increasing pressure on the region's natural resource base. Where uncultivated land is scarce farmers have tried to intensify production without the sufficient means to do so. Fallow periods have been shortened and, thus, pressure on already marginally productive and overtaxed agricultural land has been intensified. In general, soil fertility is being reduced and soil erosion is occurring. Land is being degraded to the point of threatening future yields, thus, threatening the current and future generations' ability to feed themselves.

The adverse effects of the structural adjustment programmes have not just confined themselves to the rural poor. Individuals employed by the public service have also seen their living standards fall as a direct consequence of the policies adopted by the government of Cameroon to accommodate the economy's structural adjustment. In 1992 employees were subjected to cuts in their salaries of sometimes up to 72%. These salary cuts were accompanied by high levels of redundancies. In June 1996, there were 163,415 active public employees, by the end of 1997 this number had dropped to 50, 046 (a drop of 69%). This drop is illustrated by the fact that in 1995, the wage bill in the industrial sector amounted to 24.3 billion CFA Francs, by 1998 this had fallen to 13 billion (a drop of 47%) because of staff redundancies. Public enterprises such as SOTUC and SODECAO have closed without paying all their employees wages. These factors coupled with the increased cost of living following the devaluation of 1994 have resulted in a dramatic drop in these people's living standards. Their situation has been worsened by the fact that the government has substantially reduced spending on health and social benefits. Their ability to feed themselves in dignity has, thus, been diminished.

Many of the former and present employees of the public service are having to take up farming as a means of livelihood. In rural areas, many of the redundant village extension workers are encroaching on marginal land or hunting or cutting trees in forest reserves. Even more pressure is, thus, being put on an already fragile resource base.

It is important to realise that, aside from the debate surrounding macro economic adjustments i.e. if and what type of macro economic adjustment is needed, the structural adjustment policies must be made socially sensitive and should be implemented without violating human rights.

In Cameroon it is clear that structural adjustment in the pursuit of economic growth has violated many people's right to an adequate standard of living including food. The structural adjustment, which has taken place, has had a direct adverse effect on their ability to feed themselves. The government of Cameroon has failed to implement policies to counteract this. In fact, in order to accommodate this structural change the government has adopted policies which have further aggravated the situation. Through facilitating this situation the government of Cameroon is, therefore, failing to protect and to fulfil the right to adequate food for many parts of its population.

Case 2 - European Union Financing Road Construction

The government of Cameroon, in conjunction with the European Union (EU) is adopting policies which jeopardise the ability of the Baka Pygmies to feed themselves through threatening their access to productive resources.

The policies centre around the development and rehabilitation of the existing road network in the rainforest area. These policies are, thus, facilitating access to relatively closed areas and encouraging logging companies to move into unexploited areas, most of them inhabited by Baka Pygmies. Logging through the extraction of timber for commercial reasons serves to severely deplete the rainforest's natural resources. As the Baka Pygmies heavily rely upon the forest's resources as a means of livelihood, the development and rehabilitation of these roads is severely diminishing their ability to feed themselves.

The government of Cameroon is justifying its actions by claiming the roads help local people to market their crops of cocoa and coffee, and to travel in search of work. However, this argument lacks conviction since the majority of the roads rehabilitated are located within the tropical rainforests, the other parts of the country remain relatively untouched. Moreover, under international human rights law efforts at facilitating economic growth must clearly not be undertaken at the expense of the more marginalised of the population. Since the government has failed to take into account the adverse effects of the roads and has therefore failed to counteract them it is violating the right to food for many of its population.

A case study of the Abong Mbang to Lomié Road[21]

In 1993 the Cameroon government requested and obtained finance from the European Union for the rehabilitation of the Abong Mbang to Lomié Road located within the Haute Nyong Department. This area is particularly ecologically sensitive rainforest and also contains what is thought to be one of the highest densities of Baka Pygmies in Cameroon, of whom about 3000 are thought to live in the vicinity of Lomié.

Funding was initially sought by the Cameroon government from the African Development Bank (AfDB). It was refused on the grounds that the project would have detrimental environmental and social impacts on the rainforest and its inhabitants. It was stated that the upgrading of this road would directly lead to accelerated logging activities, the decrease of wildlife populations and that it would profoundly alter the way of life of the many Baka Pygmies living in and around Lomié. The World Bank also refused to provide any funding for this project on the same grounds, describing it as "a pure and simple logging road". It was only then that the government of Cameroon requested finance from the European Union. This was granted without the conduction of an Environmental Impact Assessment.

Moreover, it has been shown that in the implementation of the project there was no local participation. Local peoples, municipal and administrative authorities and managers of adjacent conservation areas were excluded from the preparation phase. More than half of the local people only knew of the project when machines started to settle in their villages.

The implementation of the project has resulted in the following:

[21] See The Rainforest Foundation (1998) Out of Commission: The Environmental and Social Impacts of European Union Development Funding in Tropical Forest Areas.

- An increase in logging activities - nine sales of licenses to fell timber in the area have recently been concluded by the Ministry of the Environment and Forestry, including four to European logging companies. Some of the largest French logging enterprises are now expanding their activities in the region and are able to take advantage of the better access into the forest that the road affords.

- There has been an increase in poaching and a rise in the number of hunting camps in the Dja Reserve. Twenty seven camps up to 50 kms inside the Reserve have been observed. The amount of wild game killed in the area is estimated at about 10 tonnes a week.

- There have been an increase in the amount of dust in the air, causing both respiratory problems and damaging crops adjacent to the roadside.

The Abong to Lomié road is only one of many roads the government of Cameroon, with financial assistance from the European Union (EU) has built or rehabilitated in sensitive rainforest zones. The government of Cameroon is currently planning a massive new programme of road upgrades in Cameroon, to be also financed by the EU. As of yet it appears that there are no plans to even conduct Environmental Impact Assessments before proceeding with the implementation of this initiative.

It is clear that the rehabilitation of these roads is threatening the ability of the Baka Pygmies to feed themselves. The government of Cameroon through ratifying the International Covenant on Economic, Social and Cultural Rights is responsible for ensuring sustainable access to food for all of its population. By continuing to advocate the restoration of the road network throughout the rainforests without giving due regard to its effects on the indigenous population the government is clearly evading its responsibilities and is committing violations against the right to an adequate standard of living including food.

4.3 Private Enterprises

Through ratifying the International Covenant on Economic, Social and Cultural Rights States are responsible for ensuring that the activities of the private enterprise sector are in conformity with the right to adequate food by taking the appropriate steps.[22] States, by complying with their obligations under the right to adequate food, must ensure that their relations with non state actors such as transnational corporations and private enterprises do not deprive persons of their access to adequate food.

The case of the Chad-Cameroon Oil Pipeline Project clearly indicates that the government of Cameroon is failing to observe this responsibility and is, consequently violating many people's right to adequate food

Case 1: - The Chad - Cameroon Oil Pipeline Project

Introduction

In the course of the planning and implementation of the Chad – Cameroon Pipeline Project, the government of Cameroon has failed to respect and protect the right to food for the local affected population. The local population have not been effectively consulted during the planning process, their means of livelihoods has been severely

[22] See General Comments Number 12 concerning the right to adequate food. E/C.12/1999/5

threatened, they have not been provided with adequate compensation and rehabilitation. Moreover, they will face similar threats throughout the future construction periods of the project.

Background

A consortium consisting of Shell (40%), Exxon (40%) and Elf (20%) have signed a contract with the Government of Chad for oil exploitation in Southern Chad. As Chad is a land locked country, the consortium intends to transport the oil from Chad through Cameroon to the port of Kribi via a 1050km pipeline and associated pump stations and facilities. Additional plans include the construction of a marine export terminal in Kribi, consisting of a moored floating storage and off-loading vessel. COTCO (Cameroon Oil Transportation Company) is the owner and administrator of the Cameroonian portion of the pipeline and of which the Cameroon government is a shareholder. In order to help finance its investment in the pipeline the Cameroon government has applied for a loan from the World Bank.

This World Bank funding is dependent upon the loan contractor carrying out a complete Environmental Impact Assessment (EIA) and drawing up an Environmental Management Plan (EMP), in this case the loan contractors are the government of Cameroon and COTCO. These studies must be prepared before the World Bank approves the loan and mandatorily before starting the project implementation. The EIA and EMP provided have been the subject of severe international criticism. According to the World Bank rules (OD 4.01) the EIA preparation should be the task of the borrower and should be carried out objectively. In this instance the objectivity of the EIA is doubtful since it is EXXON which has prepared it and there exists a clear conflict of interests. The EIA has also failed to take into account the socio-political elements such as the effects of political instability and other ethnic tensions. In particular both the EIA and the EMP do not include intervention plans concerning resettlement, compensation measures, 'decommissioning,' river crossing, waste disposal, protection of biodiversity, plans to prevent soil erosion and emergency plans in case of crude oil spill. Moreover, the adverse effects of the pipeline, such as it serving as a catalyst for new levels of deforestation, its effects on soil degradation, desertification and the spreading of diseases and parasites in flora and fauna, have been underestimated.

Additionally both the EIA and the EMP ensures that the 'Convention of Establishment', the main framework governing the project section concerning Cameroon, grants uncontrollable privileges to the companies involved. It is apparent that as a result of these two documents the companies can clearly avoid to comply with Cameroon legislation for mining activities, granting of royalties, taxation on extraction activities, oil storage and distribution and those laws regulating the duties of oil companies. To give an idea of its real consequences, the "Authorisation for Transportation via Pipeline" held by COCTO through its signing of the Convention of Establishment, allows the company to carry the following activities in the given area without further monitoring or authorisation:

a) Cutting off trees and bushes to carry out construction and transport work
b) Use of unexploited water springs or falls (there is national regulation for the protection of unexploited waters)
c) Constructing facilities and buildings.

Due to international pressure the World Bank has repeatedly postponed its decision regarding the funding of this project and has asked EXXON for additional information. As of yet no official date has been set.

Informed Participation

It has been established that the consortium has failed to effectively consult the local populations in the Lolodorf-Kribi area prior to the publication of the initial Environmental Assessment and the Environmental Management Plan.[23] During this period they failed to solicit the views and concerns of the affected groups in this area. As major decisions about the project were taken in this period, this implies that the concerns of the local populations cannot have been taken into account. As well as being clearly against World Bank Operational Guidelines, this is clearly breaching human rights principles. Such participation is a precondition to the realisation of these people's economic, social and cultural rights.

Loss of means of subsistence

The project area as a whole is occupied by farmers, herders, fishermen, and hunters and gatherers. The pipeline will pass through many towns and villages affecting approximately 1,100,000 people who depend on agriculture as a means of livelihood. In addition the course of the pipeline will also pass through a region in the southern province which is inhabited by a large group of Pygmies who primarily depend on the rainforest resources as a means of subsistence.

Part of the project involves the construction of a buried pipeline. In order to do this parts of the forest, and agricultural land, will have to be cleared and in many instances land acquisition will have to take place. Many people, will therefore lose their land and others will suffer crop damage. In fact preparatory work has already been undertaken in determining the pipeline's course and towards the opening up of roads etc. These actions have already affected many people. "On November 25 the topographical team began its task of determining the pipeline's course from Ndtoua. This necessitated the cutting of an alley. 'Pisteurs' were backed by 'nettoyeurs' (who cut lighter vegetation), who in turn were followed by tree cutters, destroying field crops in the process"[24] It is, therefore, evident that not only agricultural land has been and will continue to be affected but also the rainforest. The pipeline will contribute to a depletion in the rain forests' resources. As Pygmies live mostly on what they can gather from nature their means of subsistence will also suffer along with the Bantu farmers.

In addition the large Batanga population will lose an important fishing resource namely sites close to the Lobé falls which have been commandeered for the oil terminal.

The project will open up access to some parts of the forest. This will encourage logging which will in turn serve to further deplete the forest's natural resources, further threatening the livelihoods of the indigenous people. It will also serve to cause desertification and soil degradation.

Oil is highly toxic and with this pipeline there is a likelihood of undetected leakages taking place. When oil leaks, even from underground transportation systems the substance can emit into the atmosphere as well as the surrounding environment. A leak will heavily pollute natural resources such as rivers, land and vegetation. In a region where people's livelihoods depend heavily upon their access to productive natural resources, a leak will have devastating effects on the local population's ability to feed themselves.

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[23] Biesbrouck, K. and Dkamela, G. P. The Oil Pipeline Project in Cameroon: With or Without Local Populations May 1998

[24] Ibid p21.

For all of these adverse effects of the project no adequate policy measures or reaction plan have been formulated or implemented so far.

Compensation

Despite the fact that preparatory work had been done, by February 1999 the Resettlement and Compensation Plan for the Cameroon people had not yet been published.[25]

Compensation has so far been determined unilaterally by the government of Cameroon and COTCO, the decisions made included the types of damage to be compensated for as well as the form and amount of compensation. Experts have determined which types of damage are to be considered as significant. This has been done without consulting the local populations. Subsequently the compensation that has been provided is perceived as inadequate by the affected local populations. It fails to reflect the real value of the resources damaged. Moreover, the compensation rates offered by the government of Cameroon and COTCO have been calculated on the basis of the edict n° 13 of 19th February 1982 published by the Ministry of Agriculture in which the compensation scale regarding the destruction of arable land and cultivated trees is fixed. These edicts are out of date and have never been updated and, most importantly, they fail to take into account the devaluation of the CFA Franc in 1994.

In the case of the Pygmies, the inadequacy of the compensation and rehabilitation issue is clearly illustrated. In May 1998, some months after the cutting of the alley which damaged these wild resources in the Lolodorf - Kribi area Pygmies were still unaware of the amount of money they were to receive as compensation, and were still waiting for actual payment. Additionally, indirect adverse environmental effects, affecting the forest's flora, caused by the implementation of the pipeline will not be compensated for. The Pygmies will also not be compensated for damage done to resources other than plants. For example they will not be compensated for the fact that the noise of heavy machinery have chased away game, even though this represents a direct threat to their ability to feed themselves.[26]

The Bantu farmers in the Bipindi faced a similar situation. The compensation they received for loss of agricultural crops was clearly inadequate. Despite being an important food crop one hectare of manioc destroyed for instance was compensated for with 12 000 CFA - Francs yet a single adult mango tree would be compensated for with 50 000 CFA - Francs. Another example is the compensation regarding oil palms. Oil palms produce all year round and provides farmers with oil as well as with palm wine. They can produce 540 litres litres of wine, with a value of 100 CFA - Francs per lire. Yet the compensation given for damage is 3000 CFA -Francs for a young palm and for a fully grown one 10 000 CFA - Francs.[27] This compensation rate clearly does not represent the true value of the palm to the farmers. Moreover, the Bantu farmers were unable to express their grievances. They were not informed of the basis used for the tariff rate by COTCO and only learnt what compensation they had been awarded

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[25] Campagna per la riforma della Banca mondiale Chad - Cameroon Oil and Pipeline Project Comments on the EIA and EMP produced by the Shell-Exxon-Elf Aqutataine Consortium February 1999

[26] Biesbrouck, K. and Dkamela, G. P. The Oil Pipeline Project in Cameroon: With or Without Local Populations May 1998, p16.

[27] Ibid p34

when they actually received it, at which point it was too late for the compensated farmer to submit further claims for compensation reclamation.[28]

Worse off, however, are those farmers in the area which have not officially registered their claims to the land, even if they have been cultivating it for decades. According to Cameroon law these farmers do not even have the legal right to claim compensation for damage related to their land[29].

Summary

Through ratifying the International Covenant on Economic, Social and Cultural Rights the government of Cameroon is obligated to ensure the right to adequate food for all of its population. As implementation of this project clearly constitutes a threat to the local population's ability to feed themselves, the government is clearly violating this obligation. By actively supporting and promoting this project the government of Cameroon is clearly failing to respect and protect the right to an adequate standard of living including food for many of its population.

5. Conclusion

In spite of its extensive ratification of the relevant treaties and covenants this report clearly establishes that the government of Cameroon is frequently violating the right to adequate food through failing to comply with each of its three categories of obligations. This, it is failing to do not only through its own domestic policies and activities but also through its agreements with intergovernmental organisations and in its relations with private enterprises.

In its domestic policies and activities the State is continually violating vulnerable communities' right to an adequate standard of living including food. The cases identified in this report show how that, in this regard, through failing to meets its obligations the government is regularly jeopardising peoples' access to productive resources. Such disregard for peoples' livelihoods is clearly apparent not only throughout the States' domestic policies and activities but also in its legislation. Although this legislation outwardly claims to protect peoples' access to resources, in reality its implementation has at best made little difference and in some cases has even made the situation worse. This is clearly illustrated by the example given in this report regarding women's vulnerable access to land.

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[28] Ibid p35

[29] Under the 1974 Land Tenure and State Lands: Ordinances the State was made effectively guardian of all lands. All persons legally occupying or holding ordinanced land as of July 6, 1974, were entitled to file directly for a land title certificate. If one had not occupied land before that date, one could not file directly for a land title certificate but rather had to apply for formal allocation of land through the land commission. The result of these provisions is that essentially the state has ultimate control over all land and at any time land can be claimed by the state for use "in national interest". In this event the State is meant to reimburse the occupant. However if the government want your land and you do not possess a land title you are not entitled to reimbursment. See Goheen, M. (1996) Men Own the Fields, Women Own the Crops The University of Wisconsin Press, Madison. U.S.A. p132

Disregard for peoples' livelihoods is also apparent in respect to the government of Cameroon's agreements with intergovernmental organisations such as the World Bank, International Monetary Fund and the European Union. These agreements have been aimed at fostering economic growth. However, although under international human rights law Cameroon should ensure that such agreements do not threaten peoples' means of livelihood, in reality their implementation has endangered many peoples' sustainable access to productive resources.

The government of Cameroon is displaying similar disregard in its relations with private enterprises and transnational corporations through failing to ensure that its agreements with them comply with international standards and human rights principles. As the example given in this report clearly indicates the government, through such agreements, is often jeopardising many individuals' ability to feed themselves.

It is, therefore, apparent that the government of Cameroon is exhibiting regular disregard for people's means of subsistence. By doing so the government is severely threatening people's ability to feed themselves. Such actions clearly violate the right to an adequate standard of living including food.

6. Suggested Questions to the State of Cameroon

This report indicates the various types of violations of the right to adequate food that are occurring in Cameroon. FIAN would, therefore, like to ask the Committee on Economic, Social and Cultural Rights to pose the following questions to the government of Cameroon about possible measures in order to respect, to protect and to fulfil the right to adequate food for all sectors of its population.

6.1 National Implementation

a) What State policies have been formulated to help to identify and help reduce the disparities between different economic sectors, different parts of the country and among different population groups?

b) What measures does the government intend to take to protect the coastal communities' means of subsistence from the activities of large fishing corporations and how will these measures be implemented?

c) How does the government plan to secure the Baka Pygmies' customary rights to the rainforests and therefore, their access to adequate food?

d) When and how will the current land tenure system be reformed to ensure women's secure sustainable access to agricultural land**?**

6.2 Intergovernmental Organisations

a) How does the government intend to meet its obligations under international human rights law and ensure that the agreements it enters into with the World Bank or similar do not threaten individuals' means of feeding themselves?

b) What environmental, and other, measures are to be taken to ensure that the programme of road rehabilitation in the rainforests does not threaten the Baka Pygmies' means of subsistence?

6.3 Private Enterprises

a) How will the government ensure that in the future its agreements with private enterprises and transnational corporations are in conformity with international human rights law?

b) What procedures will the government implement to ensure the participation of all the affected communities in the making of all future decision concerning the implementation of the pipeline project?

c) How will the State proceed to update and improve the provision of adequate compensation and rehabilitation to all those who have been and will be adversely affected by the Chad - Cameroon pipeline project?