SUMMARY OF LAWS/REGULATIONS GOVERNING PASTORAL LIVESTOCK IN CAMEROON

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INTRODUCTION
In Cameroon, pastoral livestock production constitutes more than 90% of cattle (cows, goats and sheep) production. Despite this importance of the sub sector to livestock production in the country, production and productivity have remained far below the potentials offered by the favorable climatic conditions and the rich pastoral resource base of the country.

The reasons for this poor development of the sub sector are so many, but the most serious include:
- Poor production techniques;
- Poor access to, and control over pastoral resources (land, water, pastures);
- Inadequate animal health control, and
- Poor access to markets for the pastoralists.

Recently, the Ministry of Livestock, Fisheries and Animal Industries took a decision to develop a pastoral code for Cameroon in view of improving the legal framework for pastoral livestock activities. It is expected that pastoralists participate in this process so that their specific needs and points of interests are taken into consideration.

MBOSCUĐA’s advocacy actions in this process aim at ensuring that the pastoralists of the North West Region are organized and coached to effectively participate in the process.

This booklet summarises and explains some of the existing laws regulating pastoral livestock in Cameroon. It is intended to improve the pastoralists’ understanding of existing laws in view of ensuring that their contributions during the pastoral code elaboration process are relevant to the existing situation. It was compiled as part of advocacy activities sponsored by the PASOC programme.
The booklet is made up of four sections:

- Laws/regulations on pastoral resources
- Laws/regulations on cattle movement
- Laws/regulations on animal health, and
- Laws/regulations on cattle markets

1. LAWS/REGULATIONS ON PASTORAL RESOURCES

The use and management of pastoral resources are guided by various land laws and the decree of 1978 on the management of farmer/grazer conflicts.

1.1 Types of Land as Defined by Land Laws

According to the land laws of 1974 (Nos 74-1, 74-2 and 74-3) and 1976 (Decree Nos 76/156, 76/166 and 76/167) which were modified by decree No 2005/481 of 16 December 2005, five types of land exist in Cameroon:

i. National Land

National land is any land that has not been officially allocated to any body or for any particular project. Such land may be free of any occupation or may be occupied with houses, farms or plantations, or is being used for grazing. This means that someone can be using land for many years, but if the land has not been officially allocated to him, it remains national land.

ii. Public Property of the State

Public property of the state is any piece of land on which there is something that is used by the general public. This means that public property of the state has something which any citizen can use at any time without asking for permission. Examples are roads, streams, markets, palaces etc.

iii. Private property of the state

This is land that has been selected for a government structure or project such as a school, a hospital, a government office etc. Any land that falls under this category is covered by a land title in the name of the ministry or government institution directly concerned with the structure or project.
iv. Private personal land
Private personal land is land covered by a land title in the name of an individual. This means that when someone applies for land title and it is given him/her after following all the steps correctly, it becomes his personal property. It is only when someone has a land title that he/she can boost of having personal land. Even when pillars are planted to demarcate land it does not become personal property until a land title is issued. It does not matter who planted the pillars.

v. Land covered by final concession
This is land allocated to an individual or group of individuals for a specific project. Examples of projects for which someone can obtain final concession over a piece of land include a plantation or a cattle ranch. Final concession is different from a land title in that it is valid only as long as the project for which it has been issued is going on.

From the above definitions, most grazing land and farmland fall under national land. However, a grazer can write a project to start a cattle ranch and ask for final concession over grazing land. As soon as a final concession is issued to him/her, that piece of land is no more considered as national land. It is immediately classified under land covered by final concession.

Since most grazing land falls under national land, the next section of this document will talk about how national land is managed and how someone can gain access to it.

1.2 Management of National Land
National land is managed by two related commissions depending on where it is situated and for what purpose it is used. National land situated in urban and rural areas, except farmland and grazing land, is managed by the Land Consultative Board. National land used for farming and grazing is managed by the Agro-pastoral Commission.
The Land Consultative Board and the Agro-pastoral Commission exist only at Sub Divisional level. This means that each Sub Division of Cameroon has its own Land Consultative Board and Agro-pastoral Commission.

**Members of the Land Consultative Board**

This board is made up of the following people:

- The Divisional Officer (D.O) - Chairperson
- The Divisional Chief of Lands - Secretary
- The Divisional Chief of Surveys - Member
- The Chief and 2 notables - Members

The Divisional Chief of Lands and the Divisional Chief of Surveys are members of the all the Land Consultative Boards of their Division of competence. This means that in a Division like Donga Mantung which has five Sub Divisions, these two authorities are members of five different Land Consultative Boards.

**Functions of the Land Consultative Board**

- It allocates portions of national land for various uses (except for farming and grazing which is allocated by the agro-pastoral commission). For example, if a new school is created, this board will allocate a piece of land for its construction.

- It studies applications, inspects and demarcates land for land titles and land concessions. If someone wants to obtain a land title or final concession, he/she applies to the Chairperson (the D.O) who then calls the other members for inspection and demarcation of the land.

- The Land Consultative Board forwards application files to the services in charge of lands for processing of the land title or final concession. After inspection and demarcation of land, the Land Consultative Board forwards the application file to the Divisional Delegate of State Property and Land Tenure who then transmits to his/her hierarchy for treatment.
- The Land Consultative Board resolves conflicts over land (land disputes) between individuals or groups of individuals or between individuals and government institutions (except when it concerns farmland or grazing land, which is handled by the Agro-pastoral Commission). No member of the Land Consultative Board has the powers to handle such conflicts alone.

The main functions of the Chairperson (D.O) are that he/she:
- receives applications and complaints;
- convenes and chairs the Land Consultative Board meetings and other activities;
- forwards documents from the commission to the Divisional Delegation of State Property and Land Tenure;
- ensures that all the members of the board sign the minutes or reports of their meetings and activities before forwarding them.

The secretary (the Divisional Chief of Lands) writes minutes of the board’s meetings and reports of its other activities. These minutes and reports are signed by all the members.

The Divisional Chief of Surveys demarcates the land and produces a map of the land applied for.

**Members of the Agro-pastoral Commission**
All the members of the Land Consultative Board are either members or are represented in the Agro-pastoral Commission, but more people are added. The Agro-pastoral Commission is made up of the following members:

- The Divisional Officer (Chairperson)
- A representative of the Divisional Service for Lands (Secretary)
- A representative of the Divisional Service for Surveys (Member)
- A representative of the Ministry of Agriculture (Member)
A representative of the Ministry of Livestock (Member)

The Chief of the Village concerned and two notables (Members)

A grazer or Ardo (Member)

Functions of the Agro-pastoral Commission

- It allocates and demarcates farmland and grazing land in rural areas according to the needs of the population as well as development needs. This allocation and subsequent modifications must be ratified (confirmed) by the Governor of the Region concerned.

- It defines conditions for the use of mixed farming zones. Mixed farming zones are mainly transhumance zones. They cannot be allocated permanently to any body, but are used alternately by farmers and grazers on seasonal bases. The Agro-pastoral Commission determines the period of the year when crop farming and grazing should take place, taking into account climatic conditions and the crop cycle of the area.

- It controls the use of the land allocated for farming and grazing to ensure that farmers and grazers respect the boundaries.

- It examines and settles conflict between farmers and grazers. It is important to know that this commission handles only civil matters (when no criminal offence has been committed). Criminal offences are handled only by the Law Courts. For example, poisoning or wounding of animals by a farmer, breaking of a farmer’s fence by a grazer are criminal offences.

The specific functions of the Chairperson of the commission are as follows:

- He/she convenes and chairs all meetings of the commission;

- He receives complaints and includes them on the agenda of the commission;
- He/she appoints the subcommittee of enquiry when a conflict is reported;
- He/she casts the deciding vote in case of a tie. This means that if there are four votes for an issue and four votes against, the chairperson will decide which of the sides carries the vote.
- Sends the minutes of the commission meeting to the SDO after ensuring that all members who attended the meeting have signed these minutes.

The functions of the secretary of the commission are as follows:
- He takes down minutes of the commission’s meetings;
- He writes reports of other activities of the commission;

**Procedure to resolve Farmer-Grazer disputes**
When conflict arises that concerns farmers and grazers:
- The Chairman/DO should immediately be informed by a diligent party.
- The Chairman should immediately appoint a sub committee of inquiry of not less than four members of the commission.
- Sub committee shall within three days, visit the area of dispute, note the damage if any, estimate the value, hear the parties and deposit its minutes to the chairman duly signed by the parties in dispute.
- Chairman shall enter the dispute on the agenda of the board and in case of urgency, immediately convene the board/commission.

**Decision of the Board/Agro-Pastoral commission**
- 2/3 of the board members must be present.
- After examining the minutes of the sub committee of inquiry and hearing the views of members, decision is taken by secret ballot.
- In case of a tie, the chairman shall have a casting vote.
- Decisions taken shall be recorded in minutes signed by all the members present.
Enforcement of Board’s decision

- The chairman shall forward the minutes of the board to the Prefect/SDO.
- Minutes of the board is rendered enforceable by order of the prefect and notifies to the parties in dispute.

Appeal against the decision of the Commission.
- Appeal lies within 30 days to the Administrative Bench of the Supreme Court.

Final decision of the Commission
- The decision of the Board is final only when it concerns a dispute relating to the boundary of rural areas for agriculture and for grazing or on those of mixed farming areas.

Non respect of the provisions of Decree No. 78/263/ of 03/7/1978
- Any person acting contrary to the provisions of Decree No. 78/263/ of 03/7/1978 shall be punished according to the following provisions of the Cameroonian Penal Code (Section R. 370(12))

2. LAWS/REGULATIONS ON CATTLE MOVEMENT
Cattle movement in Cameroon is regulated mainly by Decree No 76/420 of 14 September 1976, modified by Decree No 86/755 24 June 1986. From these Decrees the following main points can be noted concerning animal movement:

2.1 Where are animals free to graze and move?
According to Articles 1 and 2 of Decree No 76/420, animal grazing is free on all grazing land of the Country, but the Minister of livestock can limit grazing in some specified grazing land especially in case of a disease breakout. Animal grazing in urban areas and by the road side is forbidden. This means that all animals found in town or by the road should only be passing and not staying and grazing there. Grazing is to take place only on land designated as grazing land.
These Decrees also say that cattle can move freely from one region to another, but the Minister of Livestock can restrict the entrance of animals from one region into another for health reasons.

According to these Decrees, three main types of cattle movement are recognized. These include:

- Movement for rearing;
- Movement for commercialization, and
- Transhumance movement.

When animals are moving for rearing and commercialization purposes, they must follow cattle tracks which are defined by the Minister of Livestock. The present cattle tracks of the country are defined by Arrêté No 02/MINEPIA of July 20, 1988 modified and completed by Arrêté No 03/MINEPIA of August 9, 1989. Those that concern the North West Region are as follows:

- NW1 – (Nigerian border) Nwa, Kumbo
- NW2 – Wum, Bafut, Bamenda
- NW3 – Fundong, Bambui, Bamenda
- NW4 – Mbengwi, Acha Tugi, Batibo
- NW/W 1 – Sabongari, Foumban or Ndu
- NW/W 2 – Jakiri, Foumban
- NW/W 3 – Bamenda, Santa or Pinyin, Mbouda, Bafousam

When animals are moving for transhumance, they follow transhumance gorges (or routes) defined by the agro-pastoral commissions of the areas where the animals passes.

In all cases, the animals must be accompanied by herdsmen through out the movement.
2.2 Which documents are required for animal movement?
The Decrees stated above say that people moving with animals must have certain documents. These documents differ depending on whether the movement is for transhumance or for rearing/commercialization.

The main document required for transhumance movement is the transhumance card which is issued by the MINEPIA services of the region. This card must be signed at the point of departure and on return by the competent MINEPIA services. It may also be necessary to vaccinate or treat the animals against certain specified diseases as deemed necessary by the MINEPIA services of the region.

For animals moving for rearing purposes, their owners must have the following documents:

- A cattle passport delivered by the Regional Delegate or Divisional Delegate of Livestock. It is signed at the point of departure and destination. It is also signed at all veterinary check points.
- A certificate showing that the animals have been vaccinated or treated. If this vaccination document is not presented at veterinary check point, the animals will be vaccinated there before they continue on their movement.

For animals destined to be slaughtered, their owners must have a medical laissez-passer delivered by the veterinary service of the place of departure. In addition to this document, the animals must be marked by the veterinary services of the place of departure. The cost of marking the animals is fixed by a joint decision of the Ministry of Livestock and the Ministry of Finance, and is paid by the owners of the animals.
3. LAWS AND REGULATIONS ON ANIMAL HEALTH

Issues of animal health are regulated in different laws or decrees including those concerning other issues such as cattle movement. For example, many of the laws regulating cattle movement are aimed at protecting the health of the animals.

3.1 What does the law say about physical harm on animals?

According to Article 3 of Decree No 76/420 of 14 September 1976, it is forbidden to maltreat or harm or kill some body’s animal. Maltreating means beating or wounding or even attaching dangerous objects to the animals.

Sometimes these acts occur as a result of farmer/grazer conflicts such as crop destruction. Article 8 of Decree No 78/263 of 03 September 1978 says that the agro-pastoral commission is competent to handle the case of crop destruction, but the case of maltreating the animals is handled by the law courts.

3.2 What does the law say about animal diseases?

Law No 2000/017 of 19 December 2000 and Law No 2001/006 of 16 April 2001 list some diseases which are considered infectious and dangerous to animals and consumers. The most common disease included on this list is tuberculosis.

Article 10 of law No 2001/006 requires that all animals are vaccinated against the listed diseases. This vaccination is obligatory. The cost paid by the owners of the animals is fixed by special

This law also says that when an animal has (or is suspected of having) any of these diseases, it must be declared to the nearest veterinary officer or administrative authority.

When an animal is sick or suspected to be sick of any of the listed diseases, the competent veterinary officers will give the owner certain instructions aimed at ensuring that the animal does not contaminate other animals.
4. LAWS AND REGULATIONS ON CATTLE MARKETS
The commercialization of cattle is regulated by the same decree that regulates cattle movement i.e. Decree No 76/420 of 14 September 1976.

4.1 Where can cattle be sold?
Article 20 of Law No 76/420 says that all cattle should be sold only in official cattle markets which are placed under the control of the local services in charge of livestock. According to this article, it is not allowed for someone to buy a cow in a grazer’s compound.

4.2 What does this law say about the creation of cattle market?
According to the above-mentioned decree, cattle markets are created by the Governor. The mayor of the council area where the market will be located writes and application for the creation of the market and the Governor creates the market with recommendations from the Regional Delegate of Livestock.

4.3 Who can sell or buy in the cattle market
The law also says that only cattle owners are allowed to sell in the cattle market. Also, only authorized buyers are allowed to buy in the cattle market. Article 29 specifically says that intermediaries are forbidden for internal market, and are authorized to buy animals only when they are to be exported.

Cattle owners do not need any authorization to sell in the cattle market. They only need to allow the veterinary officers inspect their animals and collect from them the official inspection or market access fee.

As for cattle buyers or traders, they must have some documents delivered either by the Minister of Livestock or the Senior Divisional Officer (SDO). The Minister authorizes cattle traders who buy cattle from all over the country while the SDO authorizes traders who buy within his/her Division. Any
authorized cattle trader is given a professional card that must be renewed after every one year.

A cattle trader may have some people who help him buy cattle in the cattle market. These people must also be authorized and given their own professional card by the Divisional Delegate of Livestock.