

## Cameroon Pastoralists Fight for their Way of Life

After years of struggles against governments and private parties, the Mbororo-Fulani are gaining international attention. But is this too little too late?

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*Pastoralist Mbororo-Fulani working with cattle in the Bamenda Highlands of Cameroon. Photograph by Dave Price*

Pulaaku, the code of behaviour governing Mbororo-Fulani pastoralists, may be proving useful for Musa Usman Ndamba: one of its core tenants, *munyal*, stresses fortitude in adversity. As the Vice-President of the Mbororo Social and Cultural Development Association (MBOSCUDA), Ndamba advocates for the rights of Mbororo pastoralists in Cameroon. For decades, this has placed him in opposition to one of Cameroon's wealthiest men, Baba Ahmadou Danpullo.

A businessman with political connections, Danpullo has been at odds with the Mbororo pastoralist community since the mid-1980s, when he established a ranch in northwest Cameroon. The massive farm, which journalist Guibaï Gatama described to Jeune Afrique as a city where a thousand cattle graze and Danpullo reigns supreme, is allegedly encroaching on

communal grazing land relied on by Mbororo pastoralists. Mbororo activists have alleged a litany of other complaints as well.

The allegations against Danpullo have been noted at home and abroad. In 2003, the government created a special inter-ministerial commission to investigate the conflicts between the landholder and the Mbororo of the Northwest Province, now a region. After months of work, the commissioners, who could not agree on the scope of their mandate, released two reports.

Although, as one report explained, not all Mbororo seemed in conflict with Danpullo – some have chosen to live on his ranch – many remain angry. Both reports identified land disputes as the main cause of conflict between the Mbororo community and Danpullo, including the encroachment of Danpullo's ranch onto adjacent grazing land.

The Commission recommended the restoration of the original ranch boundaries and compensation for displaced victims. Although these findings and recommendations have been flagged in letters to the government by a range of actors, including the United Nations Special Rapporteur on the Rights of Indigenous Peoples, Mbororo activists state that the recommendations have not been implemented, nor their situation improved. Rita Izsák, United Nations Independent Expert on minority issues, visited Cameroon between September 2 and 11 to examine the human rights situation of minority communities.

### **A trialling experience**

Danpullo has filed legal complaints against Ndamba and MBOSCUDA, alleging defamation. Ndamba is currently facing his third legal proceeding in seventeen years. The first, in 1996, was thrown out for “lack of diligent prosecution” after hearings were adjourned seven times. The second, in 2003, was similarly dismissed after five adjournments; neither Danpullo nor his witnesses had appeared. As Ndamba's lawyer wrote at the time, “Musa therefore went through all of these torments, arrest, detention and eventual charge before the court for nothing, as he finally never went through any trial as such.”

Thus far, in this third procedure, the same pattern has held. Ndamba has appeared at the Court of First Instance in Bamenda three times since May, facing four separate charges related to defamation. He has pleaded not guilty. At the most recent hearing, on Monday, August 19,

Danpullo failed to appear once more and Judge Achu Francis of the Bamenda Court of First Instance delivered a ruling of a Bench Warrant for Baba Ahmadou Danpullo and his two witnesses to appear in the next hearing of the case, adjourned, yet again, until October 4. Just one week later, the judge changed his mind and the warrant was retracted.

Third time around, Ndamba's case has attracted support from the international community [1]. Most recently, the Bar Human Rights Committee of England and Wales has sent a letter to the Prime Minister of Cameroon, noting among other things that criminal liability for defamation, such as Ndamba is facing, is contrary to international legal standards.

The letter also raised concerns about a separate pending trial by military tribunal against five members of MBOSCUDA for possession of firearms; military jurisdiction over civilians is condemned under international human rights law. What impact this international attention will have over the trial procedures is unclear.

The ruling on the case against the MBOSCUDA members was once again adjourned on September 16. No new date has been set.

### **A cause for complaint**

On September 13, the Attorney General of the North-West Region, Bechem Eyong Eneke issued a summons to human rights defenders and MBOSCUDA leaders, including Ndamba, to appear before him on September 19, 2013, to testify on a complaint they submitted to the Minister of Justice in May this year on judicial harassment by Danpullo. The complaint had been referred to the Attorney General for investigation.

This summons may suggest that the Cameroonian judiciary is finally taking notice of Ndamba and the MBOSCUDA leaders' case. However, lawyers for the human rights defenders are concerned because the Attorney General is thought to be a friend of Danpullo, having reportedly been seen visiting his ranch.

### **Human rights and international spotlight**

International attention has not yet led to any improvement in conditions. According to Sarli Sardou Nana, a human rights defender now based in the UK, the Mbororo of Cameroon face

constant conflicts with crop farmers, and also worry about land grabs by political elites and agribusiness. MBOSCUDA asserts on its website that land tenure insecurity dissuades the Mbororo from investing in their environment.

In a joint report submitted earlier this year to the UN Human Rights Council during its Universal Periodic Review of Cameroon, MBOSCUDA and other organisations were more dismal, noting that the Mbororo of Cameroon are marginalised and “face serious threats to their existence as a people”. Nana argues that the Mbororo confront continuing violations of their constitutional and international human rights, and laments the government’s failure to implement useful judicial and administrative decisions.

International human rights experts share these concerns about ongoing violations of Mbororo rights in Cameroon. The current UN Special Rapporteur on the Rights of Indigenous Peoples, James Anaya, wrote a letter last year to the government of Cameroon, listing a range of alleged violations that had been brought to his attention.

Anaya noted that the government had not done enough to prevent these violations, and explained that another UN expert had written a letter five years earlier on the same subject. Anaya reminded the government that it had voted in favour of the United Nations General Assembly Declaration on the Rights of Indigenous People in 2007, a non-binding but ground-breaking acknowledgement of both the special rights of indigenous peoples and the distinct corresponding duties of governments.

Last year, the UN Special Rapporteur on the Right to Food, Olivier De Schutter, visited Cameroon, where he concluded in his preliminary mission report that the Mbororo are regularly victims of the narrowing of spaces on which they depend for their livelihood. De Schutter said that this was a violation of their rights as indigenous people as well as their right to food, an internationally-recognised human right.

Whilst at least some international attention has been focused on the Mbororo, even less has been directed at other groups in Cameroon, like the isolated mountain-dwelling Kirdi. As the US State Department wrote in its most recent annual human rights report, traditional Fulani rulers in

some regions have great power over their “subjects”, including Kirdi. Allegations have even been made of “isolated cases of hereditary servitude [and] largely Fulani enslavement of Kirdi.”

Pressures on land and the ensuing conflicts between semi-nomadic or nomadic herders and farmers are not unique to the Mbororo of Cameroon. In nearby countries, the Mbororo and other pastoralists [2] find themselves in similarly tense situations, or worse. In the Central African Republic, along the Cameroon border, Mbororo-Fulani children have been prime targets for abduction, taken when isolated while tending cattle, often from families with valuable assets that could be sold to pay ransoms. Fortunately, this practice, which continued into 2011, seems to have stopped– or at least paused – by 2012.

Of course conflicts are rarely straightforward and, in land disputes, pastoralists are not always blameless. In Nigeria, conflicts between farmers and Fulani herders often turn deadly, fed by and fuelling ethnic and religious violence. Near the city of Jos, hundreds have been killed and thousands displaced by conflicts arising from a tangled web of factors: land, religion, access to the state, and ethnic differences. Farmer-pastoralist conflict and land disputes have also been pinpointed as factors behind the 2010 Jos 'riots', in which “attacks by Muslim Fulani herders ... left an estimated 700 persons dead”.

### **Threatened land, threatened livelihoods**

Throughout Sub-Saharan Africa, pastoralists struggle to maintain their traditional livelihoods in the face of growing pressures on land. A report last year by the Institute for Security Studies (ISS) asserted that, in Kenya, land disputes cause most of the conflicts leading to internal displacement of pastoralist communities. Although the impact of climate change on pastoralists' displacement has not been fully studied, ISS notes that, “For pastoralists today, recurrent droughts exacerbated by the recent climate variability have forced communities to move away from traditional grazing lands in search of ever-shrinking grazing and water resources.” Even worse, displaced pastoralists are often neglected by wider efforts to address displacement; it is easier to ignore the displacement of traditionally itinerant groups.

Intensifying interest in African land may exacerbate pastoralists' problems. Governments often view uncultivated common land as unused or underutilised and thus ripe for large-scale commercial farming projects. Yet according to the Food and Agriculture Organisation of the

United Nations, little extensive grassland exists in African regions with enough rainfall for subsistence farming.

Nevertheless, many large-scale land acquisitions are likely to occur on Africa's remaining common lands, including rangelands relied on by pastoralists. As research from the International Land Coalition has pointed out, while morally problematic and contrary to international human rights frameworks, "the lease of large areas of community lands to foreign and local investors without the consent of the customary owners is perfectly legal under many national land laws".

Increased farming and the subsequent narrowing of uncultivated lands means that pastoralists lose access to their traditional routes and necessary water supplies. If the trend of establishing expansive plantations continues, nomadic pastoralism will find it more and more difficult to survive the coming decades.

Land pressures on pastoralists are not a new phenomenon. In the 1970s, the Kenyan government evicted the nomadic Endorois people from land that they had traditionally used near Lake Bogoria. The government believed that the lake, surrounded by wildlife, would be more valuable as a national wildlife reserve and tourist attraction. Banished from their ancestral territory and confined to unsuitable land, the Endorois struggled to maintain their livelihoods as pastoralists.

After unsuccessful attempts to petition the government and bring their claims in domestic courts, the Endorois turned to the African Commission on Human and Peoples' Rights, which monitors implementation of the African Charter on Human and Peoples' Rights. Kenya had ratified the Charter in 1992. In 2010, nearly 40 years after they were forced from their traditional lands, the Commission issued a ruling finding that, under the Charter, the Kenyan government had violated multiple rights of the Endorois by evicting them – even though the Endorois had no formal title to the land. The decision was groundbreaking. Undoubtedly, it will pave the way for interesting legal fights in the future.

The ruling has also provided a glimmer of hope for African pastoralists confronting increased pressures on their traditional way of life. Though the Commission is limited in its ability to

enforce remedies, it has clearly signalled the importance of indigenous peoples' rights, including indigenous pastoralists. Whether this message will survive in the context of rising commercial interest in land is yet to be seen. For Musa Usman Ndamba and his fellow Mbororo, the answer is critical.

*[1] Full disclosure: The author introduced Ndamba to two organisations that have supported him through, respectively, an urgent appeal and a letter to the Court.*

*[2] Mbororo and Mbororo'en are used in Cameroon to signify "cattle Fulbe" or "cattle Fulani," and are comprised of three migratory groups: Jafun'en, Aku'en, and Wodaabe. Though Mbororo arose as a derogatory term, it has been re-appropriated; as human rights advocate Nana explained to Think Africa Press, "we reclaimed it and made it positive." In describing pastoralist groups in Niger, however, some academics have used Mbororo and Wodaabe interchangeably. Kristín Loftsdóttir's "Bounded and Multiple Identities: Ethnic Identifications of WoDaaBe and FulBe" provides both an epic illustration of shifting ethnic identifications and classifications, as well as a long list of the various terms used in reference to Wodaabe and Fulbe.*

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