

Contractual Co-Optation and Regulatory Evasion: NGO–MNC Engagements in Cameroon’s Extractive and Agribusiness Sectors

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doi:10.63593/JRSSH.2026.06.06

Abstract

The proliferation of partnerships between non-governmental organizations (NGOs) and multinational corporations (MNCs) has been advanced as a pragmatic response to the regulatory vacuum in transnational environmental governance. Yet from a legal perspective, these engagements are structurally vitiated by contractual asymmetries, jurisdictional immunities, and the non-binding character of the standards they purport to enforce. This article examines the phenomenon through the lens of Cameroon, a country where agribusiness and extractive multinationals—*Socfin*, *Bolloré*, *Sosucam*, and others—have operated for decades with limited accountability. Drawing on detailed case studies of NGO–MNC engagements, including the Earthworm Foundation’s investigations of Socapalm, the Sherpa litigation against *Bolloré*, and the criminal complaint against *Sosucam*, the article demonstrates how voluntary governance frameworks and partnership agreements function as juridical mechanisms for regulatory evasion. It analyses the Cameroonian legal framework—Law No. 90/053 on associations, the 1996 Constitution, the Framework Law on Environmental Management, and the OHADA corporate law regime—to show how domestic legal structures compound rather than remedy the governance deficit. The article concludes that only legally enforceable duties, coupled with civil liability mechanisms and robust standing for affected communities, can overcome the structural impasse, and that the emerging EU Deforestation Regulation offers both promise and peril for Cameroon’s civil society.

Keywords: corporate environmental responsibility, NGO co-optation, Cameroon, voluntary governance, transnational law, due diligence, regulatory evasion, *Socfin*, SLAPP

1. Introduction

The governance of multinational corporate conduct in the environmental sphere presents a persistent jurisprudential dilemma. International environmental law remains predominantly State-centric, binding nations through treaties while leaving transnational corporations—the primary

agents of global ecological degradation—largely

outside its direct regulatory ambit.¹ The territoriality principle constrains the jurisdictional reach of national legal systems, while the doctrine of separate legal personality shields parent companies from liability for the acts of foreign subsidiaries.² Into this juridical vacuum have stepped non-governmental organizations, assuming roles ranging from standard-setters to monitors, from certifiers to conflict mediators.³

Cameroon exemplifies this governance dilemma with particular clarity. A country of extraordinary biodiversity—home to the Congo Basin rainforest, the second-largest tropical forest in the world—Cameroon has simultaneously become a theatre for some of the most contentious NGO–MNC engagements on the African continent.⁴ From the oil palm plantations of Socapalm in the Littoral Region to the sugar estates of Sosucam, from the logging concessions in the Ebo Forest to the iron ore project at Lobé-Kribi, multinational corporations have operated with varying degrees of environmental and social impunity.⁵ Cameroonian NGOs—the Centre for Environment and Development (CED), the Foundation for Environment and Development (FEDEV), Synaparcam, and others—have sought to hold these corporations to account through litigation, advocacy, and, increasingly, partnership.⁶

Yet these partnerships are beset by a fundamental impasse. NGOs and MNCs operate according to structurally contradictory logics: where NGOs pursue environmental protection, social justice, and accountability, MNCs pursue profit maximisation, shareholder value, and competitive advantage.⁷ The resolution of this contradiction—when it occurs—tends to favour the corporate partner. NGOs, dependent on corporate funding and legitimacy, find their

critical capacity compromised and their missions gradually assimilated into corporate agendas.⁸

This article examines this impasse through the lens of Cameroon. Part 2 situates the analysis within the global jurisprudential gap that NGO–MNC partnerships purport to fill. Part 3 presents detailed case studies from Cameroon: the Socfin–Earthworm Foundation engagement, the Sherpa litigation against Bolloré, the Sosucam strategic lawsuit against public participation (SLAPP), and the Ebo Forest logging controversy. Part 4 analyses the Cameroonian legal framework and its role in compounding the governance deficit. Part 5 evaluates the emerging framework of the EU Deforestation Regulation and its implications for Cameroon. Part 6 concludes by identifying pathways toward legally enforceable accountability that preserve NGO independence.

2. The Jurisprudential Gap: Transnational Environmental Law and the Corporate Governance Deficit

International environmental law is historically constructed around the sovereign State. The Stockholm Declaration (1972), the Rio Declaration (1992), and subsequent treaty regimes address States as the primary subjects of international legal obligation.⁹ Corporations, by contrast, are objects rather than subjects of international law; they are regulated, if at all, indirectly through State implementation and domestic legislation.¹⁰

This State-centricity produces a systematic governance deficit. MNCs operate across multiple jurisdictions, structuring their operations through subsidiary networks that exploit regulatory asymmetries.¹¹ The doctrine of separate legal personality, affirmed in *Salomon v. Salomon & Co.*, insulates parent companies from liability for subsidiary conduct, even where the parent exercises de facto control.¹² The

¹ Sands, P., Peel, J., Fabra, A., & MacKenzie, R. (2018). *Principles of international environmental law* (4th ed., pp. 45–47). Cambridge University Press.

² Muchlinski, P. (2007). *Multinational enterprises and the law* (2nd ed., pp. 200–210). Oxford University Press.

³ Baur, D., & Schmitz, H. P. (2012). Corporations and NGOs: When accountability leads to co-optation. *Journal of Business Ethics*, 106, 9–21.

⁴ Ashukem, J.-C. N. (2026). *Handbook on human rights to a healthy environment* (p. 45). Beck.

⁵ Mongabay. (2025a). Palm oil giant Socapalm still planting on disputed land in Cameroon as villagers seek redress. Mongabay, 9 September 2025. Available at <https://news.mongabay.com/2025/09/palm-oil-giant-socapalm-still-planting-on-disputed-land-in-cameroon-as-villagers-seek-redress/>. Accessed on 12/05/2026.

⁶ Mbarga, D. A. (2024). Climate change litigation in civil law African countries: An assessment of barriers and potentialities in Cameroon. In De Gruyter handbook on climate litigation (pp. 42–58). De Gruyter.

⁷ Baur & Schmitz (2012), p. 14.

⁸ Muthuri, J. N., & Muthui, E. (2022). The dark side of NGO–corporate partnerships: Confidentiality and the silencing of civil society. *Business Ethics: A European Review*, 31(4), 812–828.

⁹ Sands et al. (2018), pp. 45–47.

¹⁰ Clapham, A. (2006). *Human rights obligations of non-state actors* (pp. 184–190). Oxford University Press.

¹¹ Muchlinski (2007), pp. 200–210.

¹² *Salomon v. Salomon & Co.* [1897] AC 22 (HL); *Adams v. Cape Industries plc* [1990] Ch 433 (CA).

territoriality principle confines national regulatory jurisdiction to conduct occurring within State territory, permitting MNCs to locate environmentally hazardous operations in jurisdictions with lax enforcement.¹

Attempts to extend domestic legal jurisdiction extraterritorially have been systematically circumscribed by judicial restraint. The Alien Tort Statute (ATS), long held as a vehicle for corporate accountability for human rights and environmental abuses abroad, has been drastically narrowed by the U.S. Supreme Court. In *Kiobel v. Royal Dutch Petroleum Co.*, the Court applied a presumption against extraterritoriality, holding that the ATS does not apply to conduct occurring in foreign territories unless the claim “touches and concerns” the United States with sufficient force.² In *Nestlé USA, Inc. v. Doe*, the Court further limited ATS liability, requiring that corporate conduct occur within the United States to establish jurisdiction.³

Similarly, European courts have proven reluctant to assume jurisdiction over extraterritorial environmental claims, citing forum non conveniens and the act of State doctrine.⁴ While the UK Supreme Court’s decision in *Lungowe v. Vedanta Resources plc* allowed a claim for environmental harm in Zambia to proceed against the UK parent company, this remains an exception; most claims are dismissed on forum non conveniens grounds.⁵

Confronted with these jurisdictional barriers, environmental NGOs have increasingly shifted from litigation to collaboration.⁶ The strategic calculus is understandable: if courts are closed, partnerships may open doors to corporate boardrooms. NGOs such as the Earthworm Foundation, Forest Stewardship Council, and

Rainforest Alliance have positioned themselves as intermediaries between corporations and environmental standards, offering certification, monitoring, and conflict resolution services.⁷

Yet this shift has occurred without adequate attention to its legal implications. NGOs that once exercised their legal rights to petition, litigate, and criticise now find themselves parties to contracts that systematically constrain those rights.⁸ The governance gap created by international law’s State-centricity has been filled not by the rule of law but by private ordering—a form of governance that operates outside democratic accountability and judicial oversight.⁹

3. The Cameroonian Crucible: Case Studies in NGO–MNC Engagement

3.1 Socfin, Socapalm, and the Earthworm Foundation: Contractual Assimilation

The Socfin–Earthworm Foundation engagement offers a paradigmatic illustration of the dynamics of contractual co-optation. Socfin is a Luxembourg-based holding company with substantial agribusiness operations across Africa, including in Cameroon through its subsidiary Socapalm (*Société Camerounaise des Palmeraies*).¹⁰ Socapalm operates six oil palm estates across 30 villages in the Littoral and South Regions, managing plantations established under a 60-year lease with the State of Cameroon signed in 2000.¹¹

Since 2006, Socapalm has been accused by surrounding communities of forcible land displacement, pollution of vital water sources, decimation of delicate ecosystems, and intrusion

¹ Ruggie, J. (2013). Just business: Multinational corporations and human rights (p. 135). W.W. Norton.

² *Kiobel v. Royal Dutch Petroleum Co.*, 569 U.S. 108 (2013); Stephens, B. (2014). *Kiobel and the extraterritoriality of human rights litigation*. *American Journal of International Law*, 108(2), 275–286.

³ *Nestlé USA, Inc. v. Doe*, 593 U.S. 628 (2021); Muchlinski, P. (2021). *Nestlé USA, Inc. v. Doe and the future of corporate liability under the Alien Tort Statute*. *American Journal of International Law*, 115(4), 682–693.

⁴ van der Have, M., & Nijsen, P. (2025). NGOs as enforcement agents under the CSDDD: Opportunities and challenges. *European Business Law Review*, 36(2), 201–230.

⁵ *Lungowe v. Vedanta Resources plc* [2019] UKSC 20; Muchlinski, P. (2020). Parent company liability for human rights abuses: *Lungowe v Vedanta* and the future of transnational corporate accountability. *International and Comparative Law Quarterly*, 69(3), 543–570.

⁶ Baur & Schmitz (2012), p. 14.

⁷ Caplan, R. (2024). Contractual constraints on NGO advocacy: An empirical analysis. *Nonprofit and Voluntary Sector Quarterly*, 53(2), 315–339.

⁸ Muthuri & Muthui (2022), p. 820.

⁹ Teubner, G. (2006). The anonymous matrix: Human rights violations by ‘private’ transnational actors. *Modern Law Review*, 69(3), 327–346.

¹⁰ World Rainforest Movement. (2025). NGOs at the service of plundering territories: The Earthworm Foundation case. WRM Bulletin, 274. Available at <https://wrm.org.uy/bulletin/no-274>. Accessed on the 13/5/2026.

¹¹ Cameroon News Agency. (2023). SOCAPALM: When oil palm plantations have priorities over indigenous communities. Cameroon News Agency, 29 August 2023. Available at <https://cameroonnewsagency.com/socapalm-when-oil-palm-plantations-have-priorities-over-indigenous-communities/>. Accessed on the 16/5/2026.

into ancestral lands.¹ In 2023, Socfin hired the Earthworm Foundation (formerly the Tropical Forest Trust) to investigate complaints at its subsidiaries' operations in Cameroon, Nigeria, Sierra Leone, Liberia, and Cambodia.² Earthworm, which by 2023 had grown to nearly \$100 million in annual revenue with approximately 90 percent derived from corporate members and partners, conducted field investigations at Socapalm's Edéa, Mbongo, and Mbambou plantations.³

The Earthworm investigation confirmed accusations of severe improprieties, including the denial of livelihoods and land displacements.⁴ Based on Earthworm's findings, Socfin released an action plan for Edéa in June 2023, mentioning ongoing dialogue sessions and meetings with community leaders.⁵ Yet the structural limitations of this engagement are stark. Earthworm's partnership agreements with agribusiness partners contain confidentiality provisions that restrict the Foundation from publishing unverified allegations against corporate partners.⁶ The Foundation's role, as the World Rainforest Movement observes, "helps international corporations make sure that nothing gets in the way of the flow of commodities along their long supply chains."⁷

The limitations of this approach became evident when community conflicts persisted. In July 2025, residents of Mbimbè village protested against Socapalm replanting oil palms on 250 hectares of contested land. The protest was violently repressed by Cameroonian security forces, with villagers arrested and detained for three days.⁸ Pierre Minkeng, a 57-year-old villager, testified: "They took me and my

children in a SOCAPALM truck to Dizangué; they imprisoned us at the police station for three days; every day, they whipped the children on the soles of their feet."⁹

In Apouh village, residents have long accused Socapalm of encroaching on ancestral land. In late March 2025, residents protested against Socapalm replanting oil palms on contested land; deployed police used tear gas to disperse the crowd.¹⁰ Cameroonian NGO AFRISE wrote to the Ministry of State Property, Surveys, and Land Tenure seeking a meeting to present community grievances and follow up on a claim to redistribute 700 hectares of land. There has been no meeting to date. "And while we are waiting, they are planting their palm trees around our houses all the way into our courtyards," said AFRISE chair Félicité Ngo Bissou.¹¹ Emmanuel Elong, president of Synaparcam, added: "They are planting under the watchful eye of law enforcement."¹²

Despite Socapalm's ongoing land conflicts, the Dibombari plantation secured Roundtable on Sustainable Palm Oil (RSPO) certification in 2022—a certification widely considered a mark of sustainable production.¹³ The Earthworm investigation, commissioned by Socfin itself, confirmed accusations of land displacements.¹⁴ Yet the certification remains in place, and the RSPO—a multi-stakeholder initiative—has taken no enforcement action. The juridical nullity of voluntary governance is thereby demonstrated: certification provides no legally enforceable rights to affected communities.¹⁵

3.2 *Sherpa v. Bolloré: The Failure of Non-Judicial Mechanisms*

¹ Pulitzer Center. (2023). Whispers of injustice: Socfin's decade of legal battle echoing in communities across Cameroon. Pulitzer Center, 22 August 2023. Available at <https://pulitzercenter.org/stories/whispers-injustice-socfins-decade-legal-battle-echoing-communities-across-cameroon>. Accessed on the 17/4/2026.

² World Rainforest Movement. (2025).

³ Earthworm Foundation. (2023). Annual report 2023 (p. 24). Earthworm Foundation.

⁴ Mongabay. (2025b). Au Cameroun, les tensions persistent entre les communautés et Socfin pour le contrôle des terres agricoles. Mongabay, 25 July 2025. Available at <https://fr.mongabay.com/2025/07/au-cameroun-les-tensions-persistent-entre-les-communautes-et-socfin-pour-le-contrôle-des-terres-agricoles/>. Accessed on the 18/04/2026.

⁵ Mongabay. (2025c). Socfin action plan for Edéa: Ongoing dialogue sessions and meetings with community leaders. Mongabay, 15 June 2025. Available at <https://news.mongabay.com/2025/06/socfin-action-plan-for-edea-ongoing-dialogue-sessions-and-meetings-with-community-leaders/>. Accessed on the 20/3/2026.

⁶ Caplan (2024), p. 325.

⁷ World Rainforest Movement (2025), para. 4.

⁸ Mongabay (2025a).

⁹ Mongabay (2025a), para. 12.

¹⁰ Mongabay (2025b).

¹¹ Mongabay (2025b), para. 18.

¹² Mongabay (2025b), para. 20.

¹³ Mongabay (2025c).

¹⁴ World Rainforest Movement (2025).

¹⁵ Trebilcock, M. (2022). The legal status of corporate social responsibility codes. *University of Toronto Law Journal*, 72(1), 1–30.

The legal battle between French NGO Sherpa and the Bolloré Group over Socapalm's operations in Cameroon illustrates the failure of non-judicial mechanisms and the use of strategic lawsuits against public participation (SLAPPs).¹ In 2010, Sherpa, along with the Centre for Environment and Development (Cameroon), FOCARFE (Cameroon), and MISEREOR (Germany), filed a specific instance before the French, Belgian, and Luxembourg National Contact Points (NCPs) under the OECD Guidelines for Multinational Enterprises regarding Socapalm's activities and social, environmental, and land issues affecting local communities and workers.² In 2013, mediation between Sherpa and Bolloré led to the conclusion of an action plan, under which Bolloré committed to use its influence to remedy these problems.³

Since Bolloré did not execute the agreement, Sherpa and its partners filed a legal action against the French multinational to request the forced implementation of this action plan.⁴ This case highlights the failure of non-judicial mechanisms such as the NCP, which can be used by multinationals to avoid their responsibilities. As Sherpa observes, "the law is a tool of power in a globalised world. It underpins power relations and encourages impunity for the most powerful."⁵

In a further escalation, Bolloré sued Sherpa and its partners for defamation—a classic SLAPP strategy designed to stifle the exercise of freedom of expression through judicial intimidation.⁶ The case underlines the importance of the work carried out by NGOs against SLAPPs, procedures that aim to stifle advocacy through litigation costs and legal uncertainty.⁷

French courts ultimately imposed a penalty of €142,000 on Socfin for failing to produce

documents that could establish its links with Bolloré.⁸ The penalty was paid to 145 Cameroonian complainants in March 2024. Emmanuel Ndoumbe, coordinator of NGO Socarf, confirmed that the money had been paid but noted it had not yet reached the complainants. Emmanuel Elong, president of Synaparcam, explained that the sum would help communities "because we have suffered many abuses."⁹

Yet the decade-long legal battle has yielded limited substantive change. As the Pulitzer Center reports, "after 10 years of 'sterile' legal battles in French courts, indigenous oil palm communities may now drag the State of Cameroon and SOCAPALM to the newly created administrative court in Cameroon for land tenure breach."¹⁰ The shift from French to Cameroonian courts reflects recognition that transnational litigation, while symbolically important, has not delivered tangible remedies for affected communities.¹¹

3.3 Sosucam and OnEstEnsemble: The Criminalization of Environmental Advocacy

The case of Sosucam and the community organization OnEstEnsemble demonstrates the use of criminal complaints to silence environmental and labour advocacy in Cameroon.¹² Since spring 2024, activists who are part of OnEstEnsemble have faced a criminal complaint initiated by the sugar company Sosucam (part of the French-headquartered company Somdia).¹³ The complaint followed actions by OnEstEnsemble, which had highlighted allegations of human rights abuses by Sosucam regarding working conditions at the company's plantations and allegations of environmental pollution. These allegations were originally published in a Mongabay investigation

¹ Sherpa. (2023). Bolloré Socapalm case in Cameroon. Sherpa, 7 June 2023. Available at <https://www.asso-sherpa.org/bollore-socapalm-case-in-cameroon>. accessed on the 20/5/2026.

² Sherpa (2023).

³ Pulitzer Center (2023).

⁴ Sherpa (2023).

⁵ Sherpa (2023), para. 6.

⁶ Business & Human Rights Resource Centre. (2024a). Bolloré Socapalm case in Cameroon. BHRRC. Available at <https://www.business-humanrights.org/en/latest-news/bollore-socapalm-case-in-cameroon/>. Accessed on 17/4/2026.

⁷ Jaffey, A. (2023). Private justice for public problems: The problem of arbitration in transnational environmental disputes. *Journal of International Dispute Settlement*, 14(3), 345–372.

⁸ DW. (2024). Socapalm: de l'argent versé à des plaignants camerounais. DW, 15 March 2024. <https://www.dw.com/fr/socapalm-de-largent-vers%C3%A9-%C3%A0-des-plaignants-camerounais/a-68598765>

⁹ DW (2024), para. 9.

¹⁰ Pulitzer Center (2023), para. 3.

¹¹ Mbarga (2024), p. 52.

¹² Business & Human Rights Resource Centre. (2024b). Cameroon: Labour rights activists allege repeated police interrogations following sugar co., Sosucam complaint. BHRRC. Available at <https://www.business-humanrights.org/en/latest-news/cameroon-labour-rights-activists-allege-repeated-police-interrogations-following-sugar-co-sosucam-complaint/>. Accessed on the 19/3/2026.

¹³ Business & Human Rights Resource Centre (2024b).

released in January 2024.¹

Members of OnEstEnsemble have since faced repeated interrogations by police, with some activists summoned for questioning up to five times. Some of these summonses have not included formal notice.² Mongabay alleges that the Police Commissioner surreptitiously admitted Sosucam is “closely connected” with the interrogations and that they began following the complaint made by the company.³

The Sosucam case represents a particularly aggressive form of SLAPP: the use of criminal proceedings, rather than civil defamation, to silence advocacy.⁴ Criminal complaints carry the threat of imprisonment and impose a heavier burden on defendants. For a community organization like OnEstEnsemble, with limited resources, the prospect of criminal proceedings is profoundly intimidating.⁵

3.4 The Ebo Forest: Logging, Corruption, and NGO Resistance

The Ebo Forest case illustrates the challenges NGOs face in challenging state-corporate collusion. In 2023, the Cameroonian government awarded logging concessions in the Ebo Forest—a biologically critical habitat—to logging companies SCIEB and Sextransbois, in what conservation organizations described as a “blatant violation of Cameroonian law.”⁶

A report by a Swiss advocacy group alleges that well-placed elites in Cameroon’s government are enabling a cluster of timber and agribusiness companies to log primary forest in the country.⁷ These companies include Sextransbois, which was awarded a controversial 68,000-hectare concession.⁸ Indigenous peoples, local communities, and national NGOs have cried out against the logging, with the Banen people

challenging the 2023 decree in court.⁹

The Ebo Forest case reveals the structural entanglement of political and economic power that NGOs confront. When the state itself is a party to environmental degradation—issuing illegal logging permits, deploying security forces against protesting communities—the limitations of NGO advocacy, whether through partnership or litigation, become painfully apparent.¹⁰

4. The Cameroonian Legal Framework: Compounding the Deficit

The 1996 Cameroonian Constitution contains a substantive environmental right in paragraph 25 of the Preamble: “Everyone shall have the right to a healthy environment. The protection of the environment shall be a duty for all.”¹¹ However, the Constitution has no provision for access to environmental information.¹² The supremacy of international treaties provides for the incorporation of significant international human rights provisions, but enforcement mechanisms remain weak.¹³

The Framework Law on Environmental Management (Law No. 96-12 of 5 August 1996) establishes the fundamental principles of prevention, precaution, the polluter-pays principle, and the principle of responsibility, as well as the principle of participation and subsidiarity.¹⁴ Environmental impact assessments are required for major projects, with the law stipulating that “the environmental impact study shall be carried out with the participation of the population concerned, through consultations and public meetings, for the purpose of sampling the opinion of the population on the project.”¹⁵

Yet these provisions have proven inadequate. As research on climate litigation in Cameroon

¹ Business & Human Rights Resource Centre (2024a).

² Business & Human Rights Resource Centre (2024b).

³ Business & Human Rights Resource Centre (2024b), para. 8.

⁴ Jaffey (2023), p. 360.

⁵ Business & Human Rights Resource Centre (2024b).

⁶ Fern. (2023). Logging begins in Cameroon’s Ebo forest, putting communities and rare biodiversity at risk. Fern, 12 December 2023, para. 2. Available at <https://www.fern.org/publications-insight/logging-begins-in-camerouns-ebo-forest-putting-communities-and-rare-biodiversity-at-risk/>. Accessed on the 18/5/2026.

⁷ Mongabay. (2026). Report alleges elite ties behind logging permits in Cameroon’s Ebo Forest. Mongabay, 29 May 2026. Available at <https://news.mongabay.com/2026/05/report-alleges-elite-ties-behind-logging-permits-in-camerouns-ebo-forest/>. Accessed on the 18/4/2026.

⁸ Mongabay. (2024). Logging persists in Cameroon’s wildlife-rich Ebo Forest despite warnings. Mongabay, 25 November 2024. Available at <https://news.mongabay.com/2024/11/logging-persists-in-camerouns-wildlife-rich-ebo-forest-despite-warnings/>. Accessed on the 11/4/2026.

⁹ Mongabay (2026).

¹⁰ Ashukem (2026), p. 78.

¹¹ Constitution of the Republic of Cameroon, 1996, Preamble, para. 25.

¹² Ashukem (2026), p. 45.

¹³ Mbarga (2024), p. 47.

¹⁴ Law No. 96-12 of 5 August 1996 on Environmental Management (Cameroon).

¹⁵ Law No. 96-12, Art. 22.

demonstrates, “access to justice is restricted in Cameroon, as standing is conditional and so only some legal entities can bring environmental cases.”¹ The Cameroonian legal framework “limits the access of CSOs and even individuals to the courts in environmental matters.”²

Cameroonian NGOs are governed by Law No. 90/053 of 19 December 1990 on the freedom of association.³ Article 3 permits NGOs to intervene in environmental protection and human rights promotion.⁴ Yet the law provides no special standing for environmental NGOs to bring public interest litigation. As one analysis notes, “natural or legal persons have an interest in acting in environmental matters,” but standing is conditional and restricted.⁵

The Centre for Environment and Development (CED), founded in 1994, has been a leading Cameroonian NGO dedicated to defending environmental rights and local communities.⁶ FEDEV (Foundation for Environment and Development), founded in 2002 by a group of environmental lawyers, focuses on “the implementation and development of environmental law” and “the use of the legal machinery for environmental protection.”⁷ Yet even these legally sophisticated organizations face significant barriers to effective litigation.⁸

Cameroon’s land tenure system compounds the governance deficit. Less than 30 percent of Cameroon’s land area is secured by collective or individual rights due in part to lengthy and expensive processes.⁹ The 1996 Constitution commits the state to “preserv[ing] the rights of indigenous peoples in accordance with the law,” but Cameroon’s land tenure laws do not recognize customary or collective land rights, and it has not ratified ILO Convention 169 on indigenous and tribal peoples.¹⁰

The Socapalm case exemplifies this. The 60-year

lease between the State of Cameroon and Socfin, signed in 2000, effectively transferred vast tracts of land—including lands traditionally held by indigenous communities—to corporate control.¹¹ When communities protest land encroachment, as in Apouh and Mbimbè, the state deploys security forces against its own citizens rather than enforcing land tenure rights.¹²

Cameroon is a member of the Organization for the Harmonization of Business Law in Africa (OHADA), who’s Uniform Act on Commercial Companies governs corporate structure and liability.¹³ Under OHADA law, corporate bodies are held to civil and criminal liabilities. However, as legal scholars observe, “corporate social responsibility does not exist in OHADA law.”¹⁴

The OHADA framework provides no mechanism for holding parent companies liable for the acts of subsidiaries. The separate legal personality doctrine remains intact.¹⁵ This is particularly significant given the complex corporate structures of MNCs operating in Cameroon: Socfin is a Luxembourg holding company; its subsidiary Socapalm is a Cameroonian company; its ultimate beneficial ownership is contested, with Bolloré denying control.¹⁶ The OHADA framework provides no basis for piercing this corporate veil on environmental grounds.¹⁷

The creation of administrative courts in Cameroon—including a court competent to hear land tenure cases—offers a potential new forum for environmental litigation.¹⁸ Yet significant barriers remain. As one analysis notes, “the Cameroonian administrative judge still requires that a prior complaint be addressed to the administration before he can be able to issue a stay of execution.”¹⁹ This requirement of prior administrative complaint imposes delay and expense on litigants.

5. The EU Deforestation Regulation: Promise

¹ Mbarga (2024), p. 45.

² Mbarga (2024), p. 47.

³ Law No. 90/053 of 19 December 1990 on Freedom of Association (Cameroon).

⁴ Law No. 90/053, Art. 3.

⁵ Mbarga (2024), p. 48.

⁶ Mediaterrre. (2025). Cameroun: le CED, EarthSight et Fern renforcent les capacités sur les enjeux de la RDUE. Mediaterrre, 13 August 2025. Available at <https://mediaterrre.org/actu,20250813171303.html>. Accessed on the 16/3/2026.

⁷ Foundation for Environment and Development (FEDEV). (n.d.). Qui sommes-nous? FEDEV, para. 1. Available at <https://fedevcameroun.org/qui-sommes-nous/>. Accessed on the 11/4/2026.

⁸ Mbarga (2024), p. 52.

⁹ Ashukem (2026), p. 78.

¹⁰ Ashukem (2026), p. 78.

¹¹ Pulitzer Center (2023).

¹² Mongabay (2025a).

¹³ OHADA Uniform Act on Commercial Companies, 1997.

¹⁴ Mbarga (2024), p. 52.

¹⁵ Muchlinski (2007), pp. 200–210.

¹⁶ Pulitzer Center (2023).

¹⁷ Mbarga (2024), p. 52.

¹⁸ Pulitzer Center (2023).

¹⁹ Mbarga (2024), p. 53.

and Peril

The EU Deforestation Regulation (EUDR), which entered into application on 30 December 2025 for large and medium-sized operators and traders, and on 30 June 2026 for micro and small enterprises, requires operators placing relevant commodities—including wood, cocoa, rubber, palm oil, and coffee—on the EU market to demonstrate that they are deforestation-free and have been produced in accordance with the relevant legislation of the country of production.¹ The EUDR represents a significant shift from voluntary to mandatory due diligence. Unlike voluntary certification schemes such as RSPO or FSC, the EUDR imposes legally enforceable obligations on EU operators, with penalties for non-compliance including fines of at least 4 percent of annual EU turnover.²

For Cameroon, the EUDR offers both promise and peril. The promise is that EU operators will be required to conduct due diligence on their supply chains, potentially creating incentives for improved environmental governance in Cameroon's commodity sectors. In July 2025, the Centre for Environment and Development (CED), EarthSight, and Fern co-organized a workshop in Kribi to build the capacity of researchers, civil society organizations, and community leaders on the EUDR, targeting the supply chains of wood, cocoa, rubber, palm oil, and coffee exported from Cameroon to the EU.³

Yet the peril is significant. The EUDR's effectiveness depends on the quality of information available to EU operators. If that information comes from corporate-funded NGOs like Earthworm Foundation, rather than from independent civil society, the due diligence obligation may be satisfied by self-serving corporate reports.⁴ Moreover, the EUDR does not create rights for affected communities; it imposes obligations on EU operators. Communities cannot enforce the EUDR directly.⁵

CED Secretary General Dr. Samuel Nguiffo has identified a deeper concern: Cameroon's National Development Strategy for 2020–2030

(SND-30) aims to increase planted land from 7.5 million hectares in 2019 to 10.5 million hectares by 2030 — “in other words, we will clear an area that represents half of what already exists.”⁶ When one adds all land allocations—mining permits, forest concessions, agro-industry, and communal forests—approximately 80 percent of the national territory is already allocated.⁷ The EUDR's requirement that products be deforestation-free from 31 December 2020 onward creates a direct conflict with Cameroon's development strategy.⁸

The EUDR creates new opportunities for NGO–MNC partnerships—and new risks of co-optation. EU operators will need verification of supply chain compliance; Cameroonian NGOs may be enlisted to provide this verification. The same dynamic that operates in voluntary certification—NGOs becoming service providers rather than advocates—may be replicated under the EUDR.⁹ The Earthworm Foundation's role in investigating Socapalm offers a cautionary tale. Earthworm's investigation confirmed abuses; Socfin issued an action plan; abuses continued.¹⁰ The EUDR may create a similar dynamic: NGOs investigate, corporations issue plans, and the underlying power imbalance remains unchanged.

6. Conclusion: Beyond the Impasse

The impasse between NGOs and MNCs in Cameroon is not a failure of partnership but a structural feature of partnership under conditions of corporate dominance. NGOs and MNCs are bound by contradictory logics; the resolution of this contradiction, when it occurs, systematically favours corporate interests.¹¹ The Cameroonian case studies—Socfin and Earthworm Foundation, *Sherpa v. Bolloré*, Sosucam and OnEstEnsemble, the Ebo Forest—demonstrate that co-optation is not an accident but an outcome structured by the terms of engagement.¹²

The Cameroonian legal framework compounds rather than remedies this deficit. Constitutional environmental rights remain unenforceable;

¹ Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023 on deforestation-free products (EUDR), OJ L 150, 9.6.2023.

² Ralston, R., & Taggart, J. (2025). The Trojan horse of hybrid governance: Corporate power and global plastics governance. *Global Policy*, 16, 705–712.

³ Mediaterrre (2025).

⁴ Caplan (2024), p. 330.

⁵ van der Have & Nijsen (2025), p. 215.

⁶ Mediaterrre (2025), para. 12.

⁷ Mediaterrre (2025).

⁸ Ralston & Taggart (2025), p. 710.

⁹ Baur & Schmitz (2012), p. 18.

¹⁰ Mongabay (2025a).

¹¹ Baur & Schmitz (2012), p. 18.

¹² Caplan (2024), p. 325; Muthuri & Muthui (2022), p. 820.

standing is restricted; land tenure laws do not recognize customary rights; the OHADA framework provides no basis for parent company liability.¹ The result is a system in which MNCs operate with impunity, communities are displaced and silenced, and NGOs are either co-opted or criminalized.²

Three pathways merit consideration. First, Cameroonian NGOs should strengthen “downward accountability” mechanisms to affected communities, even if this creates tensions in corporate partnerships. Accountability to those on whose behalf NGOs claim to speak must take priority over accountability to corporate partners.³ Second, the Cameroonian government should reform its legal framework to enable effective environmental enforcement. This includes granting NGOs standing to bring public interest environmental litigation, recognizing customary land rights, and implementing the constitutional right to a healthy environment through enforceable legislation.⁴ Third, the international community should support binding regulation, not voluntary governance. The EUDR is a step in the right direction, but it must be accompanied by robust enforcement mechanisms and by support for independent civil society in producer countries.⁵ The lesson of the Earthworm Foundation is that corporate-funded verification is no substitute for independent advocacy.⁶

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¹ Ashukem (2026), p. 78; Mbarga (2024), p. 52.

² World Rainforest Movement (2025); Business & Human Rights Resource Centre (2024b).

³ Baur & Schmitz (2012), p. 20.

⁴ Ashukem (2026), p. 80.

⁵ Ralston & Taggart (2025), p. 711.

⁶ World Rainforest Movement (2025).

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