

# An Assessment of the Role the Land Consultative Board in the Resolution of Land Disputes in Cameroon

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## Abstract

Land disputes in Cameroon persist as a major threat to governance and social stability, driven by tensions between statutory law and customary tenure. To address these conflicts, the Land Consultative Board (LCB) was created as an administrative and advisory body for dispute resolution, especially in cases of land registration and competing claims. This study critically evaluates the LCB's legal foundation, functions, and effectiveness through doctrinal analysis of legislation, regulations, case law, and scholarly literature. Findings show that while the LCB is pivotal in promoting procedural legality, mediating claims, and bridging statutory–customary divides, its impact is undermined by its non-binding authority, weak institutional capacity, and poor integration into the broader justice framework. The study argues that strengthening the LCB through legal reforms, clearer recognition of customary claims, enhanced institutional resources, and stakeholder coordination is essential for building efficient, equitable, and sustainable land governance in Cameroon.

**Keywords:** land disputes, land governance, Cameroon, customary land tenure, land consultative board

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## 1. Introduction

Land constitutes one of the most vital socio-economic resources in Cameroon, serving as the foundation for agriculture, housing, cultural identity, investment, and political authority.<sup>1</sup> Access to and control over land are therefore central to livelihoods and social stability. However, the governance of land in Cameroon has historically been fraught with

complexity due to the coexistence of customary land tenure systems and statutory land laws, a duality inherited from pre-colonial traditions and reinforced during the German, British, and French colonial administrations.<sup>2</sup> This pluralistic land tenure system has generated persistent ambiguities regarding land ownership, boundaries, and usage rights, making land disputes one of the most prevalent

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<sup>1</sup> Food and Agriculture Organization. (2002). *Land tenure and rural development*. FAO Land Tenure Studies No. 3.

<sup>2</sup> Fombad, C. M. (2013). Cameroon's land law reforms and the challenge of customary land tenure. *Journal of African Law*, 57(1), 1–25.

forms of conflict in the country.<sup>1</sup>

In the post-independence era, rapid population growth, urbanization, infrastructural development, and commercial exploitation of land have intensified competition over land resources.<sup>2</sup> These pressures have led to an increase in disputes between individuals, families, communities, traditional authorities, private investors, and the State. In both rural and urban settings, land conflicts often manifest as boundary disputes, competing claims between customary owners and registered title holders, succession disagreements, and confrontations arising from land expropriation for public purposes.<sup>3</sup> Such disputes frequently escalate into prolonged litigation, social unrest, and in some cases, violent confrontations, thereby undermining social cohesion and sustainable development.<sup>4</sup>

The formal judicial system in Cameroon, while constitutionally mandated to adjudicate land disputes, has proven insufficient in addressing the sheer volume and technical complexity of land-related cases.<sup>5</sup> Court proceedings are often criticized for being costly, time-consuming, procedurally rigid, and inaccessible to rule populations with limited legal awareness or financial means.<sup>6</sup>

Moreover, judges may lack the specialized technical and customary knowledge required to fully appreciate the historical and socio-cultural dimensions of land disputes.<sup>7</sup> This reality has necessitated the establishment of alternative and complementary dispute resolution mechanisms within the land administration framework.

It is within this context that the Land Consultative Board emerges as a critical institutional mechanism in the resolution of land

disputes in Cameroon. Established under the national land tenure regime, the Board is designed to provide technical expertise, advisory opinions, and mediation services in land matters.<sup>8</sup> By bringing together administrative authorities, land experts, and representatives familiar with local land realities, the Board seeks to bridge the gap between customary land practices and statutory legal requirements. Its consultative and conciliatory nature positions it as a potentially effective forum for resolving disputes amicably before they escalate into contentious litigation.<sup>9</sup>

Despite its strategic importance, the role and effectiveness of the Land Consultative Board in resolving land disputes remain under-examined in legal scholarship and policy discourse. Questions persist regarding its legal authority, operational efficiency, impartiality, and the extent to which its recommendations influence administrative and judicial decisions.<sup>10</sup> In practice, the Board's interventions are sometimes undermined by limited resources, overlapping institutional mandates, political interference, and the non-binding nature of its opinions.<sup>11</sup> These challenges raise concerns about whether the Board adequately fulfills its mandate as a tool for promoting equitable, timely, and sustainable land dispute resolution.

This study therefore undertakes a critical assessment of the role of the Land Consultative Board in the resolution of land disputes in Cameroon. By examining its legal foundation, institutional functions, practical operations, and challenges, the study seeks to evaluate the extent to which the Board contributes to effective land governance and access to justice. The analysis is particularly significant in a country where land disputes continue to pose serious threats to peace, development, and the rule of law.<sup>12</sup>

## 2. Conceptual Clarification

### 2.1 Assessment

<sup>1</sup> Ngwasiri, C. N. (2015). Land tenure and conflict in Cameroon: Exploring the roots of land disputes. *African Journal of Legal Studies*, 8(2), 87–110.

<sup>2</sup> World Bank. (2019). *Cameroon land governance assessment framework (LGAF) report*. World Bank Publications.

<sup>3</sup> Fonjong, L. N., & Fokum, V. Y. (2017). Women's land rights and rural development in Cameroon. *African Geographical Review*, 36(1), 55–69.

<sup>4</sup> United Nations Human Settlements Programme (UN-Habitat). (2018). *Land and conflict prevention*. UN-Habitat.

<sup>5</sup> Constitution of the Republic of Cameroon, 1996.

<sup>6</sup> Tamanjong, E. M. (2014). Access to justice and land litigation in Cameroon. *African Human Rights Law Journal*, 14(2), 421–445.

<sup>7</sup> Sone, P. M. (2018). Customary land tenure and judicial interpretation in Cameroon. *Commonwealth Law Bulletin*, 44(3), 389–407.

<sup>8</sup> Republic of Cameroon. (1974). *Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure*.

<sup>9</sup> Njoh, A. J. (2006). *Tradition, culture and development in Africa: Historical lessons for modern development planning*. Ashgate Publishing.

<sup>10</sup> Fombad, C. M., & Abeng, A. T. (2019). Institutional weaknesses in land administration in Cameroon. *Journal of African Law*, 63(2), 203–225.

<sup>11</sup> World Bank. (2020). *Improving land administration and dispute resolution in Cameroon*. World Bank Policy Note.

<sup>12</sup> African Union Commission. (2010). *Framework and guidelines on land policy in Africa*. AU, UNECA & AfDB.

Assessment refers to a systematic and critical evaluation of an institution or mechanism with a view to determining its effectiveness, relevance, and impact in achieving defined objectives.<sup>1</sup> In this study, assessment entails a critical examination of how effectively the Land Consultative Board performs its mandate in resolving land disputes, including an appraisal of its practical contributions, limitations, and outcomes.

## 2.2 Role

The term role denotes the functions, responsibilities, and expected contributions assigned to an institution within a legal and administrative framework. As used in this study, role refers to the specific duties and operational significance of the Land Consultative Board in facilitating, influencing, or contributing to the resolution of land disputes in Cameroon.

## 2.3 Land Consultative Board

The Land Consultative Board refers to an administrative body established under Cameroon's land tenure system to provide advisory opinions, technical expertise, and mediation in land-related matters.<sup>2</sup> The Board typically comprises representatives of administrative authorities, land services, and traditional institutions, and operates mainly as a consultative mechanism whose recommendations are generally non-binding but influential in land dispute resolution processes.<sup>3</sup>

## 2.4 Resolution

Resolution denotes the process through which a dispute is settled or brought to a conclusion, either through consensual or authoritative means.<sup>4</sup> In the context of this study, resolution includes mediation, conciliation, administrative decision-making, and judicial determination of land disputes, particularly where the Land Consultative Board plays a facilitative or advisory role.

## 2.5 Land Disputes

Land disputes refer to conflicts or disagreements between two or more parties concerning rights,

<sup>1</sup> Babbie, E. (2016). *The practice of social research* (14th ed.). Cengage Learning.

<sup>2</sup> Katz, D., & Kahn, R. L. (1978). *The social psychology of organizations* (2nd ed.). Wiley.

<sup>3</sup> Republic of Cameroon. (1974). *Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure*.

<sup>4</sup> Fombad, C. M., & Abeng, A. T. (2019). Institutional weaknesses in land administration in Cameroon. *Journal of African Law*, 63(2), 203–225.

interests, boundaries, or control over land.<sup>5</sup> In Cameroon, land disputes commonly arise from competing claims between customary landholders and statutory title holders, boundary uncertainties, inheritance claims, and disputes linked to land registration or state expropriation.<sup>6</sup> These disputes constitute the primary subject matter addressed by the Land Consultative Board.

## 2.6 Cameroon

Cameroon, for the purpose of this study, refers to the sovereign state whose land tenure regime is characterized by legal pluralism, combining statutory land law with customary land tenure systems.<sup>7</sup> This plural legal context significantly shapes the nature of land disputes and informs the institutional role and functioning of the Land Consultative Board.<sup>8</sup>

## 3. Theoretical Framework

A theoretical framework provides the analytical lens through which a study is examined. It helps to explain the relationship between institutions, legal norms, and social realities. This study is anchored on the Legal Pluralism Theory, which is particularly suitable for analyzing land disputes and dispute resolution mechanisms in Cameroon.

### 3.1 Legal Pluralism Theory

Legal pluralism refers to the coexistence of multiple legal systems within a single social or political space.<sup>9</sup> These systems may include statutory law enacted by the state, customary law derived from tradition, religious norms, and administrative practices.<sup>10</sup> Rather than operating in isolation, these systems often overlap, interact, and sometimes conflict in regulating social relations.

In Cameroon, land governance is a classic example of legal pluralism. Statutory land law principally established under the 1974 Land Tenure Ordinances exists alongside customary

<sup>5</sup> Boulle, L. (2005). *Mediation: Principles, process and practice*. LexisNexis.

<sup>6</sup> Wehrmann, B. (2008). *Land conflicts: A practical guide to dealing with land disputes*. GTZ.

<sup>7</sup> Ngwasiri, C. N. (2015). Land tenure and conflict in Cameroon. *African Journal of Legal Studies*, 8(2), 87–110.

<sup>8</sup> Fombad, C. M. (2013). Cameroon's land law reforms and the challenge of customary land tenure. *Journal of African Law*, 57(1), 1–25.

<sup>9</sup> Griffiths, J. (1986). What is legal pluralism? *Journal of Legal Pluralism and Unofficial Law*, 18(24), 1–55.

<sup>10</sup> Merry, S. E. (1988). Legal pluralism. *Law & Society Review*, 22(5), 869–896.

land tenure systems that continue to govern land ownership, inheritance, and use at the community level.<sup>1</sup> While statutory law emphasizes land registration and state control, customary law recognizes communal ownership, ancestral ties, and traditional authority over land.<sup>2</sup> This duality has created significant ambiguities and contradictions, which are a major source of land disputes.

Legal pluralism theory is particularly relevant to this study because it explains why land disputes in Cameroon are often complex and persistent. Many disputes arise where customary land rights are not formally recognized under statutory law, or where administrative decisions conflict with long-standing traditional land practices.<sup>3</sup> Courts and administrative authorities frequently struggle to reconcile these competing norms, leading to prolonged disputes and perceptions of injustice.

Within this plural legal context, the Land Consultative Board operates as an intermediary institution. Its composition often including administrative officials, technical land experts, and traditional authorities reflects an attempt to harmonize statutory and customary legal orders.<sup>4</sup> Through advisory opinions, mediation, and technical assessments, the Board seeks to reconcile competing claims by considering both legal title and customary occupation or use.<sup>5</sup>

The Legal Pluralism Theory therefore provides a useful framework for assessing the role of the Land Consultative Board. It allows the study to evaluate whether the Board effectively bridges the gap between formal state law and customary land norms, and whether its consultative approach enhances legitimacy, fairness, and acceptance of land dispute resolutions.<sup>6</sup> The theory also helps to explain the limitations of the Board, particularly where statutory law ultimately prevails over customary claims or

where the Board's recommendations lack binding force.

By applying Legal Pluralism Theory, this study critically examines how the Land Consultative Board navigates competing systems in Cameroon and assesses its effectiveness as a mechanism for resolving land disputes in a legally plural society.

#### 4. Methodology

This study adopts a qualitative research methodology, employing socio-legal methods to critically assess the role of the Land Consultative Board in resolving land disputes in Cameroon.<sup>7</sup> The doctrinal method is employed to examine relevant constitutional provisions, land tenure legislation, subsidiary regulations, and judicial decisions governing land administration and dispute resolution.<sup>8</sup> This approach enables a systematic analysis of the legal framework establishing and regulating the functions of the Land Consultative Board.

The socio-legal approach complements the doctrinal analysis by examining how the Land Consultative Board operates in practice within Cameroon's legally plural land tenure system.<sup>9</sup> This method facilitates an understanding of the interaction between statutory land law and customary land practices, particularly in the resolution of land disputes. It also allows for an evaluation of the practical effectiveness of the Board beyond its formal legal mandate.

Data for the study are obtained primarily from secondary sources, including statutes, case law, scholarly books, peer-reviewed journal articles, policy documents, and reports from relevant national and international institutions on land governance in Cameroon.<sup>10</sup> These materials are sourced through desk-based research.

Data analysis is conducted using qualitative content analysis and thematic analysis. Legal texts and judicial decisions are interpreted using established principles of statutory and judicial interpretation, while scholarly materials are analyzed to identify recurring themes relating to

<sup>1</sup> Republic of Cameroon. (1974). *Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure*.

<sup>2</sup> Fombad, C. M. (2013). Cameroon's land law reforms and the challenge of customary land tenure. *Journal of African Law*, 57(1), 1–25.

<sup>3</sup> Nguasiri, C. N. (2015). Land tenure and conflict in Cameroon. *African Journal of Legal Studies*, 8(2), 87–110.

<sup>4</sup> Sone, P. M. (2018). Customary land tenure and judicial interpretation in Cameroon. *Commonwealth Law Bulletin*, 44(3), 389–407.

<sup>5</sup> *Ibid.*

<sup>6</sup> Fombad, C. M., & Abeng, A. T. (2019). Institutional weaknesses in land administration in Cameroon. *Journal of African Law*, 63(2), 203–225.

<sup>7</sup> McConville, M., & Chui, W. H. (2007). *Research methods for law*. Edinburgh University Press.

<sup>8</sup> Hutchinson, T., & Duncan, N. (2012). Defining and describing what we do: Doctrinal legal research. *Deakin Law Review*, 17(1), 83–119.

<sup>9</sup> Banakar, R., & Travers, M. (2013). *Law and social theory*. Hart Publishing.

<sup>10</sup> World Bank. (2019). *Cameroon land governance assessment framework (LGAF) report*.

the functions, effectiveness, and challenges of the Land Consultative Board.<sup>1</sup>

The scope of the methodology is limited to the institutional role of the Land Consultative Board in land dispute resolution within Cameroon. Although the study acknowledges broader land governance mechanisms, it does not engage in comparative analysis with other jurisdictions. The study is also constrained by limited access to empirical data and official statistics on land disputes; however, reliance on authoritative legal and scholarly sources ensures the credibility and reliability of the analysis.<sup>2</sup>

## 5. Legal Framework of the Land Consultative Board in Cameroon

The legal framework governing the Land Consultative Board (LCB) in Cameroon is anchored in statutory law, government decrees, and judicial interpretation. Together, these instruments define the Board's mandate, jurisdiction, and procedures, forming the foundation for its role in resolving disputes across statutory and customary land tenure systems.

### 5.1 Statutory Basis

The LCB was created under Ordinance No. 74-1 of 6 July 1974, which established Cameroon's land tenure regime, categorizing land, prescribing acquisition and registration procedures, and setting mechanisms for dispute resolution.<sup>3</sup>

Its functions were elaborated in Decree No. 76-165 of 27 April 1976, which regulates land certificate issuance, objections to registration, and consultative procedures. The decree empowers the Board to examine applications, mediate disputes, and provide technical assessments to administrative authorities prior to final decisions.<sup>4</sup>

Further refinement came with Law No. 19 of 26 November 1983, which clarified the Board's consultative role in registration disputes and competing claims, underscoring its involvement

as a prerequisite to judicial intervention.<sup>5</sup>

### 5.1.1 Jurisdiction of the Board

Under this statutory framework, the LCB exercises advisory and mediatory jurisdiction over:

- ❖ Objections to land registration;
- ❖ Conflicts involving unregistered land or customary claims vis-à-vis statutory titles;
- ❖ Situations requiring technical or customary input before land allocation.

Although its recommendations are non-binding, administrative authorities and courts frequently rely on its findings, particularly in cases involving overlapping claims or contested customary rights.<sup>6</sup> While the Board provides recommendations, its decisions are not legally binding. However, administrative authorities and courts frequently rely on its technical findings, particularly in cases involving overlapping claims or unclear customary rights.<sup>7</sup>

### 5.1.2 Judicial Interpretation

Cameroonian jurisprudence has reinforced the Board's significance. In *Sendze Veronica v. The State of Cameroon* (2018), the Supreme Court emphasized its consultative role, noting that disputes within its mandate should be referred for assessment before judicial determination.<sup>8</sup>

Similarly, in *Noumsi Jean Bosco v. The State of Cameroon* (2004) and *Yongo Marc v. The State of Cameroon and Delangue Koloko Michel* (2005), the Court annulled land certificates issued without compliance with statutory procedures, underscoring the necessity of LCB involvement to safeguard procedural legality and prevent administrative errors.<sup>9</sup>

### 5.2 Harmonization of Customary and Statutory Law

<sup>5</sup> Republic of Cameroon. (1983, November 26). *Law No. 19 amending Ordinance No. 74-1 of 1974*. Republic of Cameroon. (1983, November 26). *Law No. 19 amending Ordinance No. 74-1 of 1974*.

<sup>6</sup> Fombad, C. M., & Abeng, A. T. (2019). Institutional weaknesses in land administration in Cameroon. *Journal of African Law*, 63(2), 203–225.

<sup>7</sup> Mongbat, A. (2021). Retour sur une problématique classique: la qualification du titre foncier comme acte administratif faisant grief dans la jurisprudence de la Chambre administrative de la Cour suprême du Cameroun. *Les Annales de droit*, 15, 71–100.

<sup>8</sup> *Sendze Veronica v. The State of Cameroon*, Supreme Court (Administrative Bench, 2018).

<sup>9</sup> *Noumsi Jean Bosco v. The State of Cameroon* (MINDCAF, 2004); *Yongo Marc v. The State of Cameroon and Delangue Koloko Michel* (2005), Supreme Court (Administrative Bench).

<sup>1</sup> Braun, V., & Clarke, V. (2006). Using thematic analysis in qualitative research. *Qualitative Research in Psychology*, 3(2), 77–101.

<sup>2</sup> Babbie, E. (2016). *The practice of social research* (14th ed.). Cengage Learning.

<sup>3</sup> Republic of Cameroon. (1974, July 6). *Ordinance No. 74-1 to establish rules governing land tenure*.

<sup>4</sup> Republic of Cameroon. (1976, April 27). *Decree No. 76-165 laying down conditions for obtaining land certificates*.

Cameroon's dual tenure system—statutory and customary—renders the LCB a crucial institutional bridge. By considering ancestral occupation, traditional boundaries, and local practices, the Board mitigates tensions between parallel systems. This harmonization is particularly vital in rural areas where customary tenure predominates and formal registration remains limited.<sup>1</sup>

### 5.3 International and Regional Consideration

Although primarily domestic, the Board's operations are also indirectly influenced by regional and international standards on land governance and dispute resolution. Decisions by the African Commission on Human and Peoples' Rights, such as in *Bakweri Land Claims Committee v. Cameroon* (2004), emphasize the necessity of exhausting domestic remedies, which includes administrative avenues like the Board, before seeking international adjudication.<sup>2</sup>

## 6. An Overview of the Land Consultative Board

The Land Consultative Board is an administrative institution established within Cameroon's land tenure system to assist in the management and resolution of land-related matters, particularly disputes arising from competing claims to land. Its creation is rooted in the post-independence land reforms aimed at asserting state control over land while accommodating existing customary land practices. The Board operates as a consultative and technical body within the broader framework of land administration in Cameroon.

The legal foundation of the Land Consultative Board is traceable to the 1974 Land Tenure Ordinances, which reorganized land ownership and administration in Cameroon by classifying land into private land, public land, and national land.<sup>3</sup> These ordinances sought to harmonize statutory land regulation with customary landholding systems. In implementing these reforms, the legislature recognized the need for a specialized body capable of providing expert advice and mediation in land disputes, particularly those involving national land and

contested claims between customary occupants and statutory claimants.

Institutionally, the Land Consultative Board is usually constituted at the divisional or local administrative level and comprises representatives of the administration, land services, and traditional authorities.<sup>4</sup> Its composition reflects an attempt to integrate technical expertise with local knowledge of land history, customary boundaries, and traditional land use. This plural composition positions the Board as an intermediary between formal state institutions and local communities.

The primary function of the Land Consultative Board is consultative. It provides advisory opinions on land disputes referred to it by administrative authorities or arising during land registration, boundary demarcation, or allocation of national land.<sup>5</sup> In the course of its work, the Board may conduct field visits, examine documentary evidence, hear parties to a dispute, and assess competing claims based on both statutory provisions and customary practices. Although its recommendations are generally non-binding, they often carry significant persuasive authority in administrative decision-making and, in some instances, judicial proceedings.

Beyond dispute resolution, the Land Consultative Board plays an important preventive role in land governance. By clarifying land boundaries, advising on land allocation, and mediating disputes at an early stage, the Board contributes to reducing the escalation of land conflicts into protracted litigation or violent confrontation.<sup>6</sup> This preventive function is particularly relevant in rural areas where access to formal courts is limited and land disputes are closely tied to social identity and community relations.

Despite its strategic importance, the effectiveness of the Land Consultative Board is influenced by several factors, including resource availability, administrative efficiency, and the legal status of its recommendations. Nevertheless, it remains a central institution in Cameroon's land dispute resolution architecture,

<sup>1</sup> Sone, P. M. (2018). Customary land tenure and judicial interpretation in Cameroon. *Commonwealth Law Bulletin*, 44(3), 389–407.

<sup>2</sup> *Bakweri Land Claims Committee v. Cameroon*, Communication 260/02, African Commission on Human and Peoples' Rights (2004).

<sup>3</sup> Republic of Cameroon. (1974). *Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure*.

<sup>4</sup> Republic of Cameroon. (1976). *Decree No. 76-165 of 27 April 1976 laying down conditions for obtaining land certificates*.

<sup>5</sup> Fombad, C. M. (2013). Cameroon's land law reforms and the challenge of customary land tenure. *Journal of African Law*, 57(1), 1–25.

<sup>6</sup> Wehrmann, B. (2008). *Land conflicts: A practical guide to dealing with land disputes*. GTZ.

embodying the state's effort to manage land conflicts through dialogue, technical assessment, and institutional coordination within a legally plural context.<sup>1</sup>

## 7. The Role of the Land Consultative Board in the Resolution of Land Disputes in Cameroon

The Land Consultative Board plays a central role in the resolution of land disputes in Cameroon by functioning as a consultative, mediatory, and technical institution within the land administration system. Its role is particularly significant in a legal environment characterized by the coexistence of statutory land law and customary land tenure systems established under the 1974 land reforms.<sup>2</sup> Through its operations, the Board contributes to the peaceful, equitable, and informed resolution of land-related conflicts.

### 7.1 Advisory Role in Land Dispute Resolution

One of the Board's primary roles is to provide advisory opinions to administrative authorities on land dispute matters, especially those involving objections to land registration and rights to unregistered land.<sup>3</sup> Under Ordinance No. 74-1 of 6 July 1974, as supplemented by subsequent statutory interpretation, the Consultative Board is tasked with addressing disputes before they proceed to formal litigation.<sup>4</sup> This statutory advisory role helps reduce the burden on courts by addressing disputes administratively and technically at an early stage.

### 7.2 Mediation and Conciliation Between Disputing Parties

The Consultative Board acts as a conciliation and mediation forum where disputing parties can negotiate solutions without resorting to complex litigation. This function aligns with statutory expectations that land disputes particularly those over unregistered land should

first be brought before the Board.<sup>5</sup> In practice, this often results in more culturally acceptable and socially sustainable outcomes than formal court orders.

### 7.3 Technical Assessment and Fact-Finding

Another important role is the provision of technical assessments through field visits, boundary verifications, and evidence evaluation. These assessments inform both administrative decision-makers and courts about factual and customary dimensions of land disputes. For example, in statutory interpretation by Cameroonian courts, where questions arise about jurisdiction, courts have emphasized that disputes falling within the Board's mandate such as objections to registration or unregistered land claims should be addressed by the Board before courts can properly exercise jurisdiction.<sup>6</sup> This underscores the Board's technical gatekeeping role.

### 7.4 Harmonization of Customary and Statutory Land Claims

Cameroon's land system exhibits legal pluralism, combining statutory land law with customary practices. The Board plays a harmonizing role by considering customary land rights alongside statutory requirements.<sup>7</sup> Through the participation of traditional authorities and reliance on local land history, the Board helps reconcile conflicts between customary landholders and statutory title holders. This role enhances the legitimacy and acceptance of dispute resolution outcomes at the community level.

### 7.5 Preventive Role in Land Conflict Management

By handling disputes early in the dispute resolution process, the Board helps prevent escalation into protracted court battles that are costly, delayed, and potentially disruptive to community cohesion. In *Bakweri Land Claims Committee v. Cameroon* (Communication 260/02), although the African Commission on Human and Peoples' Rights did not directly address the Board, the decision highlighted the need to exhaust domestic remedies, including locally

<sup>1</sup> Fombad, C. M., & Abeng, A. T. (2019). Institutional weaknesses in land administration in Cameroon. *Journal of African Law*, 63(2), 203-225.

<sup>2</sup> Republic of Cameroon. (1974). *Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure*.

<sup>3</sup> African Journal of Law, Political Research and Administration. (2024). *Land Consultative Boards and statutory functions in Cameroon* (Vol. 7, Issue 1).

<sup>4</sup> Republic of Cameroon. (1974). *Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure*; Republic of Cameroon. (1976). *Decree No. 76-165 of 27 April 1976 laying down conditions for obtaining land certificates*.

<sup>5</sup> African Journal of Law, Political Research and Administration. (2024). *Land Consultative Boards and statutory functions in Cameroon* (Vol. 7, Issue 1).

<sup>6</sup> *Final Judgment, Santa Rural Council*, Supreme Court (Cameroon).

<sup>7</sup> Fombad, C. M. (2013). Cameroon's land law reforms and the challenge of customary land tenure. *Journal of African Law*, 57(1), 1-25.

available legal mechanisms and administrative authorities, before pursuing international avenues a principle consistent with the Consultative Board's preventive function.<sup>1</sup>

#### 7.6 Support to Administrative and Judicial Decision-Making

Though its opinions are not strictly binding, courts in Cameroon often look to the Board's technical assessments when determining disputes involving land classification, registration objections, or competing claims. Appeal courts have frequently referenced the Board's jurisdictional lead in land certification disputes, implicitly acknowledging that the Board's findings should inform judicial decision-making.<sup>2</sup> Through this indirect influence, the Board shapes both administrative and judicial outcomes in land dispute resolution.

### 8. Challenges

Despite its importance, the Land Consultative Board faces several legal, institutional, and operational challenges that undermine its effectiveness in resolving land disputes. These challenges affect its authority, jurisdictional clarity, institutional capacity, and coherence within Cameroon's land governance framework.

#### 8.1 Non-Binding Nature of the Board's Recommendations

A fundamental challenge confronting the Land Consultative Board is the non-binding character of its recommendations. Although the statutory land regime empowers the Board to examine disputes relating to unregistered land and objections to land registration, its conclusions are merely advisory. They acquire legal force only when adopted by administrative authorities or upheld by courts. This limitation weakens the Board's authority, particularly where disputing parties are unwilling to comply voluntarily.<sup>3</sup>

#### 8.2 Overlapping Jurisdiction and Institutional Ambiguity

There is persistent jurisdictional overlap between the mandate of the Land Consultative

Board and the formal judiciary. While the statutory framework envisages that disputes over unregistered land and objections to registration should first be examined by the Board, courts have at times entertained such disputes directly. In *Sendze Veronica v. The State of Cameroon*, the Supreme Court acknowledged the administrative nature of land disputes linked to land registration but highlighted procedural inconsistencies in how such disputes reach the courts.<sup>4</sup> This ambiguity has encouraged forum shopping and inconsistent outcomes.

#### 8.3 Limited Financial and Logistical Resources

The Board's operations are severely constrained by inadequate funding and logistical support. Effective resolution of land disputes requires field inspections, boundary demarcations, and technical investigations, all of which depend on sufficient resources. In many administrative units, the Board lacks transport, technical equipment, and administrative support, resulting in delays and incomplete investigations that undermine confidence in its processes.<sup>5</sup>

#### 8.4 Inadequate Technical Expertise and Capacity Building

Land disputes often involve complex legal, cadastral, and customary issues. However, members of the Land Consultative Board frequently lack specialized training in land law, surveying techniques, and alternative dispute resolution mechanisms. The absence of continuous capacity-building programs reduces the Board's effectiveness, particularly in technically complex disputes involving overlapping claims and unclear boundaries.<sup>6</sup>

#### 8.5 Political and Administrative Interference

Situated within the administrative hierarchy, the Land Consultative Board remains exposed to political and elite influence that compromises impartiality and weakens credibility. Local actors and powerful claimants often exert pressure on its members, distorting outcomes and undermining trust in land governance. Scholarly analysis highlights that such systemic interference erodes confidence in administrative

<sup>1</sup> *Bakweri Land Claims Committee v. Cameroon*, Communication 260/02, African Commission on Human and Peoples' Rights (7 December 2004).

<sup>2</sup> *Final Judgment, Santa Rural Council*, Supreme Court (Cameroon).

<sup>3</sup> Republic of Cameroon. (1974). *Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure*.

<sup>4</sup> *Sendze Veronica v. The State of Cameroon*, Supreme Court (Administrative Bench).

<sup>5</sup> World Bank. (2019). *Cameroon land governance assessment framework (LGAF) report*. World Bank Group.

<sup>6</sup> Ngwasiri, C. N. (2015). Land tenure and conflict in Cameroon: Exploring the roots of land disputes. *African Journal of Legal Studies*, 8(2), 87–110.

institutions, making institutional safeguards and legal reforms essential to insulate the Board from undue influence, strengthen its independence, and restore public trust in Cameroon's land dispute resolution framework.<sup>1</sup>

#### 8.6 Weak Enforcement and Follow-Up Mechanisms

Even where the Board successfully facilitates amicable settlements, the absence of formal enforcement and monitoring mechanisms poses a serious challenge. Agreements reached through conciliation are often not legally formalized or followed up, allowing parties to renege on commitments. This weakness contributes to recurrent land disputes and eventual resort to litigation.<sup>2</sup>

#### 8.7 Tension Between Customary Practices and Statutory Law

Although the Board is designed to harmonize customary and statutory land claims, tensions persist between these systems. Customary land rights are often undocumented and conflict with statutory requirements for land registration. Judicial decisions on overlapping land certificates demonstrate that courts tend to prioritize statutory compliance over customary claims, complicating the Board's role in balancing these competing legal frameworks.<sup>3</sup>

#### 8.8 Judicial Scrutiny of Administrative Land Decisions

Cameroonian case law illustrates the judiciary's rigorous scrutiny of administrative land decisions. In *Noumsi Jean Bosco v. The State of Cameroon (MINDCAF)* and *Yongo Marc v. The State of Cameroon and Delangue Koloko Michel*, the Supreme Court annulled land certificates obtained through procedural irregularities, emphasizing strict compliance with statutory land registration procedures.<sup>4</sup> While these cases reinforce legal accountability, they also highlight the limited influence of the Board where administrative decisions are challenged before courts without effective integration of its recommendations.

<sup>1</sup> Fombad, C. M. (2013). Cameroon's land law reforms and the challenge of customary land tenure. *Journal of African Law*, 57(1), 1–25.

<sup>2</sup> Wehrmann, B. (2008). *Land conflicts: A practical guide to dealing with land disputes*. Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ).

<sup>3</sup> Sone, P. M. (2018). Customary land tenure and judicial interpretation in Cameroon. *Commonwealth Law Bulletin*, 44(3), 389–407.

<sup>4</sup> *Noumsi Jean Bosco v. The State of Cameroon (MINDCAF)*; *Yongo Marc v. The State of Cameroon and Delangue Koloko*.

#### 8.9 Limited Public Awareness and Accessibility

Many landholders, particularly in rural areas, remain unaware of the existence, mandate, or procedures of the Land Consultative Board. As a result, disputes are often taken directly to courts or informal mechanisms, bypassing the Board. This undermines its role as a primary forum for administrative land dispute resolution, as envisaged under the statutory land framework.<sup>5</sup>

### 9. Findings

The study establishes the Land Consultative Board (LCB) as a central actor in Cameroon's administrative resolution of land disputes, particularly in matters of registration, objections to certificates, and competing claims over unregistered land. Mandated to provide technical and consultative opinions, the Board promotes procedural legality and fairness, yet its advisory status and lack of binding authority severely limit its effectiveness. Judicial practice underscores that strict compliance with LCB procedures is indispensable, as land titles issued without due observance are routinely annulled, reinforcing the Board's pivotal role in safeguarding legality.

The findings further reveal the LCB's unique position as an institutional bridge between statutory law and customary tenure, often considering ancestral occupation and traditional boundaries in rural disputes. However, the absence of clear statutory guidelines on customary claims has led to inconsistent application, weakening its harmonizing capacity. Despite judicial recognition of its relevance, the Board suffers from structural deficits—limited autonomy, inadequate resources, and insufficient technical capacity—that undermine its credibility as an alternative to litigation.

Ultimately, the LCB functions more as a preventive mechanism than a definitive arbiter, contributing to early conflict management but unable to forestall escalation to courts. Its constrained authority highlights the urgent need for legal reforms, institutional strengthening, and clearer integration of customary claims to secure impartial, efficient, and sustainable land governance in Cameroon.

### 10. Conclusion

<sup>5</sup> Tamanjong, E. M. (2014). Access to justice and land litigation in Cameroon. *African Human Rights Law Journal*, 14(2), 421–445.

This study demonstrates that the Land Consultative Board (LCB) occupies a strategically important position in Cameroon's land dispute resolution framework, particularly in matters of registration, objections to certificates, and conflicts between statutory and customary claims. Through its consultative and technical functions, the Board contributes to procedural legality, administrative fairness, and early conflict management. However, its effectiveness is significantly constrained by its advisory status, lack of binding authority, and limited institutional capacity, which often allow disputes to escalate into litigation.

The analysis further highlights the LCB's role as an institutional bridge between statutory law and customary tenure, mitigating tensions inherent in Cameroon's pluralistic land system. Yet, the absence of clear statutory guidance on customary claims and inconsistent integration of traditional norms weaken its harmonizing function.

By clarifying the Board's mandate and exposing its operational limitations, this study contributes to the underexplored discourse on administrative land dispute resolution in Cameroon. It concludes that while the LCB remains indispensable, strengthening its institutional capacity, clarifying its legal mandate, and enhancing the authority of its recommendations are critical reforms for achieving efficient, equitable, and sustainable land governance.

## 11. Recommendations

Building on the findings, this study advances targeted reforms to strengthen the effectiveness of the Land Consultative Board (LCB) in Cameroon's land dispute resolution framework. These measures address structural and operational deficits, enhance institutional credibility, and promote equitable and sustainable land governance.

### 11.1 Strengthen the Legal Mandate

Legislative reform should accord greater legal weight to the Board's recommendations. Requiring administrative authorities to provide written justification when departing from its opinions would reinforce transparency, procedural fairness, and accountability in land administration.

### 11.2 Establish Clear Guidelines on Customary Claims

Statutory or regulatory instruments must define criteria for evaluating customary occupation, ancestral land use, and traditional boundaries. Such clarity would ensure consistency, reduce arbitrariness, and consolidate the Board's role as a bridge between statutory and customary tenure systems.

### 11.3 Enhance Institutional Capacity and Expertise

Improved financial resources, modern technical tools, and recruitment of qualified personnel in land law, surveying, and dispute resolution are essential. Regular training and capacity-building initiatives would elevate the quality and credibility of the Board's assessments.

### 11.4 Foster Institutional Coordination

Formal mechanisms for collaboration between the LCB, administrative authorities, traditional institutions, and the judiciary should be established. Effective coordination would minimize duplication, harmonize decisions, and ensure the Board's input is integrated across all stages of dispute resolution.

### 11.5 Expand Public Awareness and Accessibility

Targeted sensitization campaigns, particularly in rural communities, and simplified access procedures would encourage early engagement with the Board. Greater visibility and accessibility would reduce reliance on litigation and advance peaceful, efficient, and sustainable land governance.

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