IMPLEMENTATION OF DECENTRALIZATION IN CAMEROON: PROBLEMS, CHALLENGES AND STRATEGIES

Presentation by
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DECENTRALIZATION

1) Definition

Decentralization, a State administration technique, is legally subjected to the respect for 3 (three) main conditions:

- the existence of a sphere of specific skills for the benefit of local councils;
- responsibility for local affairs by local authorities independent of the central power for their appointment and their assessment as well as for their dismissal;
- enough autonomy of such local authorities in managing their own affairs.

Decentralization therefore presupposes the existence and responsibility of State decentralized structures, establishes the management of local affairs by local and elected officials and recognizes the relevance and efficiency of convenient management.

2) Decentralization practices in Cameroon

Municipal administration in Cameroon dates back to the colonial period.

a. In 1922, in the British Cameroon, the colonial authority created the Native Court. Native Authorities had the right to legislate and levy taxes under the control of District Officers. This was the indirect rule policy.

b. 19 years later, this movement started in the French-speaking Cameroon with the introduction of mixed councils in which the Mayor was appointed and the Municipal Council elected.

In 1955, a new stage was reached with the legal distinction between two types of councils:

- the “Commune de plein exercise” (CPE) where the Municipal Council was elected and in turn elected from within the Mayor and his Assistants;
- the “Commune de moyen exercise” (CME) whose Mayor and Assistants were appointed.

Such organization prevailed until 1974, fourteen years after independence.
A/ POST-INDEPENDENCE REFORMS

The 1974 reform

It was the direct consequence of the constitutional reform that led to the unification of Cameroon. It entailed standardization of the legislation of the former West Cameroon and East Cameroon.

It was at this moment that the council was defined as a decentralized local government and legal person established in the public interest with legal personality and financial autonomy. Although the principle of election of the Municipal Council was adopted, the instituted system caused the coexistence of two methods of designation of the executive:

- in rural councils Municipal Administrators were appointed;
- in urban councils, Mayors were elected by Municipal Councils, except in some major cities where Government Delegates were appointed.

The 1987 Law transformed these major agglomerations into urban councils, having district councils run by elected Mayors.

The 18 January 1996 constitutional amendment

The 1996 constitution established the decentralized nature of the State, defined the legal system and stated the general principles of decentralization in Cameroon. It instituted especially a second category of regional and local authority, the Region.

In implementation of these constitutional provisions, three important laws were passed in 2004, including the law on the orientation of decentralization, a study of which enables a good knowledge of the objectives, stakes, strategies, tools and the actors of decentralization in our country.

B/ DECENTRALIZATION IN CAMEROON

Objectives and stakes

Cameroon has about seventeen million inhabitants, two official languages, more than two hundred local languages, all within a territory of 475,000 square kilometres. It is thus such a complex mosaic that development policies can not be efficient when implemented in a uniform manner in the sociological components.

The decentralization mode implemented should therefore enable each group to choose a poverty reduction strategy, in a participatory approach, taking into account its specificities, environment, potential, culture and constraints. At the same time, the central State has to take all appropriate measures to ensure respect for national unity and safeguard of territorial integrity. Likewise, it is responsible for ensuring the
harmonious development of all the regional and local authorities on the basis of national solidarity, considering the natural disparities that exist from one local council to the other.

As a result of such dual concern, the role and resources of each actor must be strictly spelled out by the laws and regulations.

**Actors of decentralization**

The legislative body of regional and local authorities and their executives are responsible for promoting the economic, social, health, educational, cultural and sports development of such local councils, based on a role distribution principle established by the law.

The central power is responsible for designing the decentralization policy as well as regulating same to guarantee maximum functioning. In this connection, the Ministry of Territorial Administration and Decentralization (MINATD) ensures supervision of the decentralization policy. It is especially responsible for:

- drafting and monitoring the implementation of the law on the organization and functioning of Regional and Local Authorities (RLAs);
- exercising supervisory authority over RLAs under the authority of the President of the Republic;
- strengthening the financial autonomy of councils.

It exercises supervisory authority over the Special Council Fund for Mutual Assistance (FEICOM) and the Local Government Training Centre (CEFAM).

The National Decentralization Council chaired by the Prime Minister is responsible for monitoring and assessing the implementation of decentralization.

The Inter-ministerial Local Service Committee is an inter-ministerial consultation body whose duty is to ensure preparation and monitoring of transfer of authority and resources to RLAs.

**Difficulties and strategies**

Implementation of decentralization is encountering several difficulties, including the following:

- inadequate specific financial resources in most RLAs (29% of councils are incapable of self-financing);
- lack of a local governance and participatory democracy culture;
- quantitative and qualitative lack of human resources at local level;
- poor organization of civil society which should be important partners of RLAs;
- ill-adaptation of State deconcentrated services which are called upon to support RLAs in the realization of their development goals.

In the face of such problems, Cameroon opted for a pragmatic and gradual approach. As such, the transfer of authority from the State to RLAs is underpinned by three principles, namely:

the *subsidiary status principle*: authority is transferred and exercised at the territorial level which is most suitable or closest to the people concerned. As such, the authority devolved on Regions is different from that devolved on Councils, not forgetting those devolved on the State;

the *graduation principle*: transfer of authority is spread over time and is done in packages or levels;

the *additionality principle*: authority transferred by the State does not exclude the fact that the latter continues to exercise same. In effect, authority is exercised concurrently by the State, Regions and Councils.

With regard to transfer of resources, the State is called upon to provide RLAs with the necessary resources to exercise the authority conferred on them. Such resources include:

- human resources, with respect for the graduation principle;
- material resources;
- financial resources, especially through the transfer of taxes, the grant of subsidies or both.

Successful implementation strategies include the following:

- training of local government staff by CEFAM;
- training sessions organized by for Mayors in view of building the leadership capacities of local elected officials;
- redistribution of council additional tax proportionately to the population and at the discretion of FEICOM;
- modernization of territorial administration and reorganization of State deconcentrated services (soon underway);
- fostering of council mutual assistance and decentralized cooperation;
- ongoing study on the local fiscal system and a well adapted financial system;
- legislative measures that will put an end to plurality of functions, so that RLA executives could be available full time.

Following the actions undertaken within the context of decentralization, notably the generalization of the method of election and transfer of authority hitherto exercised by the central power, Cameroonian showed great passion for the management of local
affairs. Their interest is expressed especially through the very high rate of renewal of local elected officials during elections.

However, despite the strategies implemented to avoid errors, it should be pointed out that the financing of decentralization is still a major cause for concern, due to the lack of resources both at local and central levels. This therefore calls for more mobilization of the major stakeholders who are the business community, civil society and development partners.

In our careful and gradual process, we believe that a good mastery of the council stage of decentralization would make it easier to master the regional level.