

REPUBLIQUE DU CAMEROUN
Paix - Travail - Patrie

MINISTRE DE L'ECONOMIE, DE LA PLANIFICATION
ET DE L'AMENAGEMENT DU TERRITOIRE

SECRETARIAT GENERAL

DIVISION DES AFFAIRES JURIDIQUES

CELLULE DES ETUDES, DE LA REGLEMENTATION
ET DE LA LEGISLATION



REPUBLIC OF CAMEROON
Peace-Work-Fatherland

MINISTRY OF THE ECONOMY, PLANNING
REGIONAL DEVELOPMENT

SECRETARIAT GENERAL

LEGAL AFFAIRS DIVISION

STUDIES, REGLEMENTATION AND
LEGISLATION UNIT

0000003483

N° _____ L/MINEPAT/SG/DAJ/CERL/CEA3

Yaoundé, le

24 JUL 2024

Le Ministre,

A

Monsieur le Directeur Général de l'Organisation Non
Gouvernementale Actions pour la Biodiversité et
Gestion des Terroirs (ABIOGeT)
B.P : 127 Maroua/8698 Yaoundé
Tél : 678 07 62 10/696 70 27 91
-Maroua-

OBJET : Protocole d'accord entre l'Etat du Cameroun et l'Organisation Non
Gouvernementale Actions pour la Biodiversité et Gestion des Terroirs (ABIOGeT)
relatif à l'accompagnement des Communes dans l'élaboration et la mise en œuvre des
Plans Locaux d'Aménagement et de Développement Durable du Territoire (PLADDT).

Monsieur le Directeur Général,

J'ai l'honneur de vous transmettre ci-joint, pour action, le Protocole d'accord
relatif à l'objet sous rubrique, dûment signé en versions française et anglaise.

Veillez agréer, **Monsieur le Directeur Général**, l'expression de ma
parfaite considération./-

PJ : Deux (02) Protocoles d'accord dûment signés

Copie : DGPAT/MINEPAT



Alamine Ousmane Mey

REPUBLIQUE DU CAMEROUN
Paix - Travail - Patrie

REPUBLIC OF CAMEROON
Peace - Work - Fatherland



MEMORANDUM OF UNDERSTANDING

N° **00005** /MINEPAT/MINDDEVEL/ABIOGeT OF
RELATING TO THE DEVELOPMENT AND IMPLEMENTATION OF LOCAL
TERRITORIAL PLANNING AND SUSTAINABLE DEVELOPMENT PLANS
IN THE COUNCILS OF CAMEROON

12 JUL 2024

BETWEEN

THE STATE OF CAMEROON,

Represented by :

THE MINISTRY OF ECONOMY, PLANNING AND REGIONAL DEVELOPMENT
(MINEPAT)

THE MINISTRY OF DECENTRALIZATION AND LOCAL DEVELOPMENT
(MINDDEVEL)

AND

THE NON-GOVERNMENTAL ORGANIZATION
ACTIONS FOR BIODIVERSITY AND LAND MANAGEMENT
(ABIOGeT)



FEBRUARY 2024

Page 1 of 8

Memorandum of Understanding between The State of Cameroon and the NGO ABIOGeT

Between The State of Cameroon, represented by :

The Ministry of Economy, Planning and Regional Development,

hereinafter referred to as "MINEPAT", represented by its Minister, **Mr ALAMINE OUSMANE MEY**, P.O. Box : 660 Yaoundé, Tel : (237) 222 23 36 37, Fax : (237) 222 22 15 09, E-mail : sdacl@minepat.gov.cm,

The Ministry of Decentralization and Local Development,

hereinafter referred to as "MINDDEVEL", represented by its Minister, **Mr Georges ELANGA OBAM**, P.O. Box : 12 300 Yaoundé, Tel : (237) 222 213 992, Fax : (237) 222 213 992, E-Mail: contact@minddevel.gov.cm,

The two hereinafter referred to as "The State"

And,

The Non-Governmental Organization Actions for Biodiversity and Land Management

hereinafter referred to as "ABIOGeT", represented by its **General Director, Mr Clément SOFALNE**, P.O.Box : 127 Maroua, P.O. Box : 8698 Yaoundé, Tel : (+237) 678 07 62 10/696 70 27 91; E-mail: contact@abioget.org,

BELOW referred to as the "Parties".

PREAMBLE

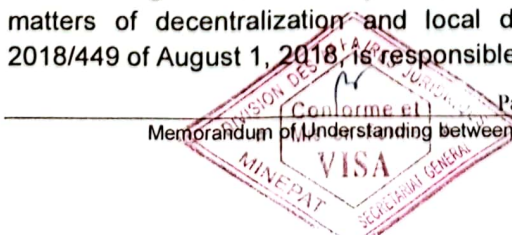
Considering that Cameroon's development vision for 2035 (MINEPAT, 2009) promotes a coherent land-use planning strategy as a means of integrated, mutually supportive and sustainable development and provides for the establishment of a legal and regulatory framework for land-use planning;

Considering that the territorial planning and development policy materialized in Cameroon by law no. 2011/008 of May 06, 2011 on the orientation of territorial planning and sustainable development in Cameroon prescribes the implementation of physical planning to correct natural or development-related disparities by seeking a judicious, balanced and as integrated as possible distribution of people, production activities, infrastructure and equipment throughout the territory;

Considering that the Ministry of Economy, Planning and Regional Development, which is responsible for regional development in accordance with decree no. 2008/220 of July 4, 2008, is responsible for among other things :

- the formulation of regional planning and development policies and their translation into programs and projects;
- the preparation and implementation of regional development plans;
- preparing and implementing development plans for land and sea border areas, in liaison with the relevant authorities
- support for the development of decentralized local authorities;
- sub-regional cooperation in land-use planning and forest ecosystem management;

Considering that the Ministry of Decentralization and Local Development, competent in matters of decentralization and local development, in accordance with Decree No. 2018/449 of August 1, 2018, is responsible for among other things:



- exercising the State's supervisory authority over decentralized local authorities.
- monitoring, implementing and evaluating government policy on decentralization, and promoting local development;
- drafting legislation and regulations relating to the organization and operation of decentralized local authorities;
- evaluating and monitoring the implementation of decentralization;
- monitoring and controlling decentralized local authorities;
- promoting the socio-economic development of decentralized local authorities;
- promoting good governance within decentralized local authorities.

Considering the decree n° 0000052/A/MINATD/SG/DAP/SDLP/SONG of March 15, 2017 of the Minister of Territorial Administration and Decentralization (MINATD), renewed following the decree n°000123/A/MINAT/SG/DAP/SDLP/SONG/BA of December 27, 2022 authorizing ABIOGeT to practice throughout the national territory as a Non-Governmental Organization, this NGO has expertise in :

- combating desertification and climate change by implementing reforestation programs;
- protecting forest ecosystems, conserving and managing water to improve living conditions for local populations;
- land development and management;
- improving forestry and agroforestry skills;
- biodiversity preservation, operational research and vector control;
- promoting women's and youth entrepreneurship, as well as green jobs;
- environmental education and awareness-raising;

Considering that through MINEPAT and MINDDEVEL, the Government is committed to facilitating the implementation of Local Land Use and Sustainable Development Plans in the Decentralized Territorial Communities;

Convinced that the signing of the Memorandum of Understanding between the Ministry of Economy, Planning and Regional Development, the Ministry of Decentralization and Local Development and the NGO ABIOGeT will consolidate their willingness to work together towards achieving common goals, developing planning and regional development initiatives for the socio-economic development of Cameroon's Municipalities, in accordance with the prescriptions of the National Development Strategy 2020-2030 (SND30),

In view of the above,

The Parties agree as follows :



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CHAPTER I GENERAL PROVISIONS

Article 1: SUBJECT

The subject of the present Memorandum of Understanding is to establish the practical arrangements for collaboration between the Parties for supporting Councils of Cameroon in the development and implementation of local territorial planning and sustainable development plans.

Article 2: Domains of intervention

The areas of intervention of the present partnership involve :

- development and dissemination of strategic and operational tools for regional planning and sustainable development for the benefit of Decentralized Local Authorities;
- monitoring and ensuring the vertical and horizontal consistency of strategic and operational tools for regional planning and sustainable development at national, regional and local levels;
- Support in the dissemination of the Regional Development Planning Schemes and Sustainable Development of Territory (STADDT);
- building the capacity of Councils of Cameroon and other stakeholders to draw up and monitor the implementation of Local Land Use and Sustainable Development Plans (PLADDT);
- the development of mechanisms for resilience and integrated sustainable land management in Councils of Cameroon, and the facilitation of their implementation;
- any other area within the competence or scope of intervention of MINEPAT and/or MINDDEVEL, jointly identified by the Parties and related to local planning issues.

Article 3 : Applicable Laws

- Law No. 99-014 of 22 December 1999 to govern non-governmental organizations;
- Law No. 2004-003 of 21 April 2004 governing town planning in Cameroon;
- Law No. 2011-008 of 06 May 2011 to lay down guidelines for territorial planning and sustainable development in Cameroon;
- Law No. 2019-024 of 24 December 2019 bill to institute the General Code of Regional and Local Authorities.

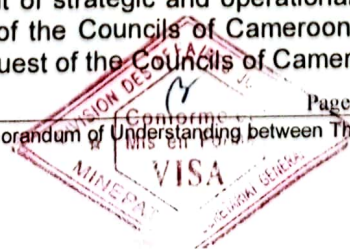
CHAPTRE II COMMITMENTS OF THE PARTIES

Article 4: Commitments of the Parties

4.1. ABIOGeT's Commitments

ABIOGeT is committed to:

1. To raise and mobilize the funding required to carry out projects in the areas covered by Article 2.
2. Carry out, with the support of MINEPAT and MINDDEVEL, extension activities and the development of strategic and operational land-use planning tools at the local level for the benefit of the Councils of Cameroon either with funding from ABIOGeT or at the express request of the Councils of Cameroon.



3. Build the capacity of Councils of Cameroon and other stakeholders in managing and implementing Local Land Use and Sustainable Development Plans (PLADDT).
4. Support Councils of Cameroon in strengthening resilience mechanisms and integrated sustainable development of their territories.
5. Strengthen the capacity of Councils of Cameroon to incorporate considerations of gender, gender equality, indigenous peoples and vulnerable populations in all projects developed and implemented under this Memorandum of Understanding.
6. Make available to MINEPAT and MINDDEVEL the reports on activities carried out under this Memorandum of Understanding.

4.2. Commitments of the Government (MINEPAT and MINDDEVEL):

The Cameroonian States is committed to:

1. Work together with ABIOGeT to disseminate strategic and operational land-use planning tools in the Councils of Cameroon.
2. Establish synergies with ABIOGeT in capacity-building activities for Councils of Cameroon in the preparation of Local Land Use and Sustainable Development Plans (PLADDT).
3. Monitor and evaluate the implementation of this Memorandum of Understanding, as well as the projects carried out under it.
4. Validates ABIOGeT's work annually plan for the implementation of activities under this Agreement.
5. Organize meetings of the Technical Monitoring and Evaluation Committee.
6. Ensure the conformity and quality of the land planning tools developed by ABIOGeT.
7. Work together with the NGO ABIOGeT in the mobilization of its partners for the implementation of activities within the scope of this Memorandum of Understanding.
8. Validate ABIOGeT's work program for planning and implementing activities under this Memorandum of Understanding.
9. Monitor and evaluate projects carried out by ABIOGeT within the framework of this Memorandum of Understanding.
10. Raise Councils of Cameroon awareness of local development planning tools.

Article 5: Relation between the Councils of Cameroon and ABIOGeT

To ensure the autonomous management of the Councils of Cameroon, the State of Cameroon does not guarantee any partnership between ABIOGeT and the Councils. The NGO will negotiate and sign partnership agreements with each of the Councils where appropriate.

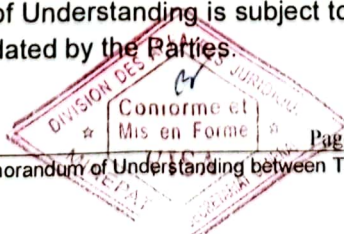
CHAPTRE III

IMPLEMENTATION AND FOLLOW-UP - EVALUATION OF COMMITMENTS

Article 6: Modalities of implementation

This Memorandum of Understanding shall be executed in accordance with the laws and regulations in force in Cameroon. To this end:

6.1. The dissemination and development of PLADDT within the framework of this Memorandum of Understanding is subject to the joint preparation, each year, of an Annual Work Plan validated by the Parties.



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6.2. The Parties agree to report annually on the implementation of this Memorandum of Understanding. Prospects for this collaboration may be defined if necessary.

Article 7 : Monitoring and Evaluation

7.1. Implementation, evaluation and monitoring of this Memorandum of Understanding is ensured by a Follow-up Technical Monitoring and Evaluation Committee whose is set up by decision of Minister of the Economy, Planning and Regional Development.

7.2. The Technical Monitoring and Evaluation Committee, responsible for validating the Annual Action Plan, will be composed as follows :

President: The Director General of Planning and Regional Development of MINEPAT;

Vice-president: The chief of Division of the Planning and Local Development of the Ministry of Decentralization and Local Development;

Members :

- Two (02) representatives of MINEPAT;
- Two (02) representatives of MINDDEVEL ;
- One (01) representative of CVUC ;
- Two (02) representatives of ABIOGeT.

7.3. The Technical Monitoring Committee is assisted by a Rapporteur representing MINEPAT.

7.4. Sessions of the Technical Monitoring and Evaluation Committee shall be held twice (02) a year at the invitation of its Chair, after prior consultation with the NGO ABIOGeT. The costs inherent in the work of the Committee shall be borne by each Party.

7.5. A semi-annual report on the evaluation of the execution of the Memorandum of Understanding shall be submitted by the NGO ABIOGeT simultaneously to MINEPAT and MINDDEVEL for appraisal.

7.6. Other organizational and operational procedures of the Technical Monitoring Committee are defined by decision of the Minister of the Economy, Planning and Regional Development.

CHAPTRE IV **MISCELLANEOUS AND FINAL PROVISIONS**

Article 8 : Duration of the Memorandum of Understanding

This Memorandum of Understanding is concluded for a period of five (05) years from the date of signature.

Article 9 : Renewal

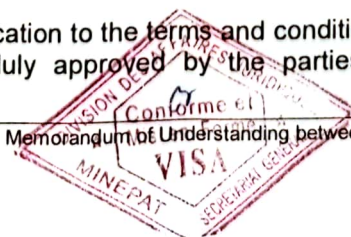
This Memorandum of Understanding shall be renewed upon satisfactory evaluation by the Technical Monitoring and Evaluation Committee. The new terms and conditions are specified in an amendment attached to the Memorandum of Understanding.

Article 10 : Revision

This Memorandum of Understanding may be revised at the written request of one of the Parties

Article 11: Modification

Any modification to the terms and conditions of this Memorandum of Understanding, which must be duly approved by the parties, will be the subject of an amendment. The



amendment will specify the modified elements, but will not call into question the general objectives defined above.

Article 12 : Termination

In case of non-compliance by one of the parties with any of its undertakings, the present Memorandum of Understanding may be terminated ipso jure by all three parties. However, each party may also withdraw from the agreement, provided six (06) months' notice is given, and provided this does not prejudice the execution of actions already initiated or the fulfilment of financial commitments entered into. Where applicable, the provisions of the present Memorandum of Understanding shall continue to apply after its termination, for as long as is necessary for the parties to duly fulfil the commitments binding them, and to complete the activities already undertaken.

Article 13 : Applicable law

This Memorandum of Understanding is governed by the laws in force in the Republic of Cameroon.

Article 14: Settling disputes

14.1 Any dispute arising from the interpretation or application of this Memorandum of Understanding shall be settled amicably between the parties.

14.2. Where the parties fail to reach an amicable settlement within sixty (60) days from the date either party has notified the other(s), such dispute may be referred to the Prime Minister for arbitration.

Article 15 : Equipment and logistics

Equipment and logistics acquired for the benefit of each Party during the execution phase of joint activities become the property of the Parties at the end of the Memorandum of Understanding.

Article 16 : Force majeure

16.1. For the purposes of this Memorandum of Understanding, any unforeseeable, irresistible event beyond the control of the Parties, likely to have a negative impact on the ability of each Party to meet its commitments, shall be deemed to be force majeure or fortuitous event.

16.2. The Party affected by a case of force majeure shall immediately notify the other Party by any means that can be evidenced in writing, producing the necessary supporting documents. However, the other party reserves the right to verify and check the reality of the facts.

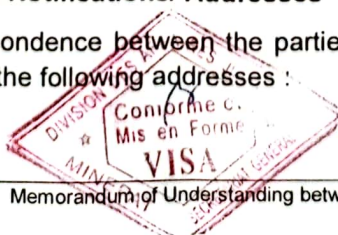
16.3. Should one of the parties invoke a case of force majeure, it will do its utmost to reduce as far as possible the harmful effects resulting from this situation.

Article17 : Language of the Memorandum of understanding

The language of the Memorandum of Understanding is French and English.

Article18 : Notifications/ Addresses

All correspondence between the parties under this Memorandum of Understanding shall be sent to the following addresses :



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For the Ministry of Economy, Planning and Regional Development (MINEPAT),
P.O. Box: 660 Yaoundé, Cameroon, Phone /Fax: +237 222 23 36 37 / 222 22 15 09.
For the Ministry of Decentralization and Local Development (MINDDEVEL),
P.O. Box: 12 300. Yaoundé, Cameroon, Phone : (+237) 222 21 39 92.
For the partner : Actions for Biodiversity and Land Management (ABIOGeT),
P.O. Box: 127 Maroua / P.O. Box: 8698 Yaoundé, Cameroon
Phone/Fax: (+237) 678 07 62 10/696 70 27 91.

Article 19 : Entry into force

The Memorandum of Understanding is drawn up in six (06) original copies in French and English, and it into force on the date of signature by the Parties./-

Done in Yaoundé, on 12 JUIL 2024

For ABIOGET



The Director General of Actions for Biodiversity and Land Management,




Clément Sofalme
Ingénieur Forestier
Aménagement et Environnement Forestiers

For The State Of Cameroon

The Ministry of Economy, Planning and Regional Development,

Alamine Ousmane Mey

The Ministry of Decentralization and Local Development,




Georges ELANGA OBAM

