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# **The Protection of Endangered Species of Wild FAUNA and FLORA in Cameroon: A *Critical Appraisal of the Legal and Institutional Frameworks***

**AYUK Macbert NKONGHO**

Faculty of Law and Political Sciences, University of DSchang - Cameroon.

**ABSTRACT:** The forest ecosystem englobes abundant natural resources in which the world population highly depends on for their existence. The forest with its natural resource endowments has been considered by many as the cultural heritage of most communities. Hence, it is a conditio sine-qua-non for forest stakeholders to ask for protections in these species in the forest. The Cameroon government has gone a long way in protecting forest ecosystem especially those pertaining to endangered species by enacting legal and institutional frameworks for its protection, although the degree of protection is questionable. Unfortunately, improper implementation and enforcement of regulatory instruments regulating these species has resulted to indiscriminate exploitation, with the resultant destruction of habitats as well as highly endangered species of wild fauna and flora causing a serious threat of extinction in the wild. The main aim of this article is to review how the various legal and institutional frameworks have been implemented and enforced in seeing that endangered species especially those of fauna and flora have been conserved in promoting sustainable forest management and sustainable livelihood of endangered species in the forest. The findings revealed that Cameroon forest is rich in biodiversity potentials of wild flora and fauna, though some are either threatened or endangered due to over-exploitation, which has become a major challenge in the forestry sector. It is in this regard that it is necessary in engaging a write up in this area of study.

**KEYWORDS:** Enforcement, Protection, Institution, Endangered Species, Law, Cameroon

## **I. INTRODUCTION**

In the world's ecosystems, forest is the richest and productive ecosystem. Forests act as carbon reservoir (storing carbon) and sinks (absorbing carbon). Thus, the critical role of forest in climate system has placed forest management squarely in the centre of climate change negotiations. The inclusion of forest and other carbon reservoirs and sinks introduce a level of complexity to the negotiation that would exist if controlling GHGs emissions were the only objective. Cameroon is often referred to as "Africa in miniature". This is because of the great cultural, ethnic and geographical diversity of the country. This natural diversity is believed to have favored Cameroon as one of the richest ecological region and biodiversity hotspots in the Congo basin. Cameroon's forest is estimated to cover 22.5 million hectares of which 14 million hectares are tropical rain forest and 8 million in the savannah biome. For several decades today, biodiversity decline in the tropics has received global attention. The threat to species extinction and ecosystems has greatly increased in recent times, which has resulted to the occurrence of endangered species of wild fauna and flora. The decline in biodiversity is a precarious problem for the conservation of the natural environment. Reserved forests in several countries such as Cameroon have been ruined when their vital ecological aspects have not been taken into consideration. In most developing countries, the purpose of conservation is to preserve biodiversity and so have failed to acknowledge the realities of their local socio-cultural and economic environments. Providing solutions to the problem of biodiversity degradation depend above all on the enforcement of legal and institutional mechanisms for the protection of endangered species in the forest. This study on its part is intended to examine how the legal and institutional policies/prescriptions have been effectively implemented and enforced to protect endangered species of wild fauna and flora. The paper also emphasizes the need for ecological planning and linking of local livelihoods with



ISSN: 2350-0328

# International Journal of Advanced Research in Science, Engineering and Technology

Vol. 5, Issue 1 , January 2018

environmental protection projects and initiatives by suggesting sustainable biodiversity practices likely to be beneficial for the protection of endangered species. In consequence, both national and international measures to avoid the detrimental impact of resource endowments have increasingly been discussed and implemented though with little achievements. Thus, in order for these natural resources to remain in the natural ecosystem, it is inevitable to adopt suitable conservation practices and create awareness amongst local population in association with forest department and other governmental authorities in the protection of endangered species.

## II. THE CONCEPT AND IMPORTANCE OF ENDANGERED SPECIES IN CAMEROON.

An endangered species is a type of plants or organisms that is threatened by extinction. Organism's species become endangered for two main reasons: loss of habitat and loss of genetic variation. While plants species become endangered for two reasons namely: overharvesting in the wild for its economic (commercial) value in both national and international market and development. Apart from economic value, other importance accorded to endangered species is:

### A. Environmental Monitors

Many individual species are uniquely important as indicators of environmental quality. For example, the rapid decline in bald eagles and peregrine falcons in the mid-20th century was a dramatic warning of the dangers of DDT—a strong, once widely used pesticide that accumulates in body tissues. (It hampered fertility and egg hatching success in these species.)

### B. Medicinal value

The drug digitalis, derived from purple foxglove, prevented the death of millions of people. Digitalis is used to treat congestive heart failure (CHF), fluid retention, irregular heartbeat, asthma, epilepsy, tuberculosis, headache, constipation, headache, and spasm. It can also heal wounds and burns. Apart from plants, animals have medicinal properties, too. For example leeches secretions prevent coagulation and inflammation, vipers – elements in their venom control blood pressure, scorpion – brain tumor research uses its venom, shark – utilized in the study of certain forms of cancer and muscle degeneration, bees – honey bee products prevent microbes from thriving, lizards – secrete a toxin that may benefit diabetes sufferers, frog – produces compounds that prevent infection.

### C. Agricultural value

Wild species of plants can be a source of vital genes to improve crops that are grown today. Among those genes that scientists splice from the DNAs of plants are pest or disease resistance, salt tolerance, and drought resistance. These properties can help counter the effects of global climate change. Animals such as gecko and spiders are also important natural pest control agents.

### D. Ecological value

Animal or plant extinction can drastically change an ecosystem. Just like humans, an individual plant or animal could not live by itself. It has to interact with the other organisms as well as its environment to survive. Removing one animal or plant species from the ecosystem will compromise the life of other organisms that interact with it. According to the U.S. Fish and Wildlife Service, one lost plant species can lead to the loss of 30 other insects, plant, and other animal species found in the higher levels of the food chain. These individual species of plant or animal are sometimes called the keystone species. If that species is removed, the whole ecosystem will be changed drastically. Examples to illustrate this importance of endangered species and how they link with other organisms are the following: gray wolf – controls the population of the elk while killer whale – affects the diet of bald eagles.

However, from the above importance of endangered species, protection both legal and institutional is inevitable in the conservation of these endangered species from extinction in the forest. This protection is examined in the contribution below.



ISSN: 2350-0328

## International Journal of Advanced Research in Science, Engineering and Technology

Vol. 5, Issue 1, January 2018

### III. LEGAL FRAMEWORK FOR THE PROTECTION OF ENDANGERED SPECIES IN CAMEROON.

This part provides a synopsis of legal instruments in ensuring the protection of endangered species in the forest. These legal instruments are both international and national.

#### A. INTERNATIONAL LEGAL

##### INSTRUMENTS FOR THE PROTECTION OF ENDANGERED SPECIES

The failure of the United Nation Conference on Environment and Development, also known as the Second Earth Summit held in Rio de Janeiro, Brazil in 1992 to deliver a global 'forest convention' is widely seen by experts as the starting point of various multilateral or bilateral treaties, agreements and organizations designed for protecting the environment and the sustainable use of natural resources especially those threatened to extinction. An analysis of the evolution of Cameroon's forestry policy will be incomplete if it is nationalized. Thus, international legal instruments are fundamental in the country's forestry policy. However, a critical analysis of each of these relevant instruments for purposes of ascertaining their strength and weaknesses is imperative in the protection of endangered species.

#### 1. 1973 Convention on International Trade in Endangered Species of Wild Fauna and flora.

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention) is a voluntary, multilateral agreement between governments concluded on 3 March 1973. It was drafted because of a resolution adopted in 1963 at a meeting of members of the [International Union for Conservation of Nature](#) (IUCN). The convention was opened for signature in 1973, and CITES entered into force on 1 July 1975. Cameroon adhered to this convention on the 5<sup>th</sup> of July 1981 which entered in to force on the 3<sup>rd</sup> of September 1981. CITES appears to be the most important instrument (Multilateral Environmental Agreement (MEA) between states as it addresses the patterns of trade and emphasizes on the conservation of species including endangered species of different categories. Its aims were to ensure that, international trade or commercial demands in specimens of wild animals and plants does not threaten their survival, which together with factors such as habitat loss, development, overexploitation may deplete populations and cause species extinction in the wild. It accords varying degrees of protection to more than 35,000 [species](#) of animals and plants. CITES regulates trade in listed species and hybrids, including parts and products, through a permitting system or by subjecting international trade in specimens of selected species to certain controls. These species which covered by CITES are listed in three Appendices, according to their degree of protection they need. The Appendix that lists a species or population reflects the extent of the threat to it and the controls that apply to the trade. Appendix I include all species presently threatened with extinction and, that are or may be affected by trade. No CITES import permit is required. Commercial trade in wild-caught specimens of these species is illegal. Trade in specimens of these species is permitted only in exceptional circumstances in order not to endanger further their survival and must only be authorized in exceptional circumstances. Appendix II shall include export permits or re-export certificate issued by the Management Authority of the state of export or re-export is required while Appendix III includes species that a country already regulates and the country needs the cooperation of others to prevent unsustainable or illegal exploitation. International trade in Appendix-III species requires a permit from the exporting country. The joint programmed between CITES and the International Tropical Timber Organization (ITTO) will support the efforts of the countries concerned to strengthen their capacities to implement the Convention especially, trade in endangered species. By acceding to the Convention, Cameroon recognized the need to protect endangered species of wild fauna and flora through its national legislation.

Despite the fact that CITES has been described as 'one of the most effective regulatory structures since it provides sanctions for non-compliance, the convention has not been successful. In the short and medium term, it is not likely that CITES will play a major role in preventing and suppressing the illegal timber trade. The main focus of the treaty is on species protection; however, many of the timber species protected are not illegally logged or heavily traded. Conversely, many species that are traded illegally are not endangered and thus do not qualify for CITES protection. The survival of species is further endangered as time goes on. CITES contains no specific provisions for delisting species when protection is no longer required or if the species is extinct. In Cameroon for example, some endangered species considered as special forest products such as ebony are illegally exploited for commercial purposes resulting to unsustainable management of this precious natural resource in the wild. Apart from annual quotas based on no



ISSN: 2350-0328

# International Journal of Advanced Research in Science, Engineering and Technology

Vol. 5, Issue 1, January 2018

inventory to regulate trade in specimens of this specie, the government is silent without any other measures to ensure effective management.

## 2. 1992 Convention on Biological Diversity.

The convention on biological diversity (C.B.D) otherwise known as Biodiversity Convention is an international legally binding treaty, which was opened for signature in Rio de Janeiro, Brazil on 5<sup>th</sup> June 1992 at the Second Earth Summit of the United Nations (UN) Conference on the Environment and Development and entered into force on 29<sup>th</sup> December 1993. This convention was ratified by Cameroon on 14 October 1992 and entered into force on 17<sup>th</sup> January 1995. The Convention on Biological Diversity (CBD) is the main international legally binding agreement designed to sustain the rich diversity of life on earth. Accelerated loss of biodiversity and continuous enormous threats faced by species as well as ecosystems globally. This convention, which is management oriented, has three main goals: Conservation of biological diversity, Sustainable use of its components, and fair and equitable sharing of benefits arising from genetic resources. The objectives of the C.B.D are to develop national strategies for the conservation and sustainable use of biological diversity of endangered species. It recognizes for the first time in international law that, the conservation of biological diversity is 'a common concern of human kind' and is an integral part of the development process. The agreement covers all ecosystems species especially endangered species and genetic resources. The Convention is predominantly concerned with habitat protection by trying to balance the need for economic development with the protection of biodiversity, especially through nomination of reserves in developing countries. Specifically, the Convention calls on Parties to take active steps for rehabilitating and restoring degraded ecosystems, to create and enforce laws and regulations to protect threatened species or endangered species, establish special protection areas, and conduct environmental impact assessments of development projects.

The Convention has frequently been criticized for being largely inspirational and achieving little, if any, practical outcomes. The protection regime under the Convention is remarkably weak in a number of ways. First and foremost, the protection mechanisms are secondary to 'economic and social development and poverty eradication', which are recognized as 'the first and overriding priorities of developing countries'. The Convention also ensures that Parties maintain full sovereignty 'to exploit their own resources according to their own environmental policies' (Article 3). Consequently, critics argue that biodiversity protection 'will continue to be limited by other developmental priorities within the individual nations. Second, unlike CITES, the Convention does not protect any particular species and while the Convention advocates protection of natural habitats, it contains no specific and enforceable measures to achieve this end. Haven attempted a synthesis on both the international and national legislation on the protection of endangered species, it will be necessary to examine the institutional framework in the protection of endangered species.

## B. NATIONAL LEGAL INSTRUMENTS FOR THE PROTECTION OF ENDANGERED SPECIES

Cameroon has not yet enacted a specific legislation on the protection of endangered species. However, the obligation to implement CITES and CBD has added greater impetus in enacting and applying national laws related to endangered species. The most relevant pieces of legislation related to endangered species conservation include Law No. 96/12 of 5 August 1996 Relating to Environmental Management (hereinafter 1996 Law), Law No. 94/01 of 20 January 1994 to lay down Forestry, Wildlife and Fishery Regulations (hereinafter 1994 Law) and its instruments of implementation. The following sections provide an overview of the endangered species protection aspects of the above pieces of legislation.

### 1. Forestry and Wildlife legislation

The 1994 Law and its decrees and orders of implementation comprises of three aspects of protecting endangered wildlife species, which include classification of animal species in the national territory, hunting regulations and penal provisions. Sec. 3 of the law defines wildlife as all the species belonging to any natural ecosystem as well as all animal species captured from their natural habitat for domestication. For the purpose of protection, wildlife is classified into class A, B and C. The highest level of legal protection is given to class A species which consists of rare species or species that are threatened with extinction. These species are totally protected and it is forbidden to kill them. However, sec. 2(2) of Order No. 0648 provides for an exemption for capturing or keeping class A species where authorization is obtained from the government for management purposes or within the framework of scientific research or for reasons of protection of persons and their property. Concerning hunting, the 1994 Law stipulates that for hunting to be carried out on certain endangered species, a valid hunting permit needs to be obtained. The law spells out three types of permit,



ISSN: 2350-0328

# International Journal of Advanced Research in Science, Engineering and Technology

Vol. 5, Issue 1, January 2018

which include permit for small, medium-sized and big game. The permit allows the holder to kill a certain number of endangered animals. Three types of hunting are practiced in Cameroon. These are traditional hunting which is also known as subsistence hunting, sport hunting and commercial hunting. Even though three types of hunting are practiced, only two are legally recognized. The legally recognized types are traditional hunting and sport hunting. In sec. 2(20) of the 1995 Wildlife Decree, traditional hunting is defined as hunting carried out using weapons made from material of plant origin. This type of hunting has to do with the acknowledged rights of the local community to live on the products derived from the forest. Sec. 24 of the Decree stipulates that traditional hunting is supposed to be practiced by the local populations for nutritional purposes and species or products of this type of hunting shall under no circumstances be sold. Traditional hunting is authorized for rodents, small reptiles, birds and other class C animals and it is supposed to be carried out throughout the national territory except on the property of third parties and in protected areas. Moreover, Sec. 2(19) of the 1995 Wildlife Decree introduces the notion of Community Hunting Ground (CHG) as “a hunting ground in a non-permanent State forest that is the subject of a management convention between a local community and the service in charge of wildlife.” The local community has the right to use and not to own the resources. The right to sustainably manage and benefit from resources in a hunting concession is in accordance with sustainable use requirement as provided in Art. 10(c) of the CBD. This participatory approach of endangered wildlife management is a laudable effort to implement Art. 10(c) of the CBD since this serves as an incentive for the local people to participate in protecting endangered species. In order to prevent wanton exploitation of endangered wildlife species, the 1994 Law restricts traditional hunting weapons to those made only from plant material and prohibits the use of animals obtained from traditional hunting for commercial purposes. The law prohibits some methods of hunting except where special authorization is obtained from MINFOF. For example, Art. 106 and 107 of the law forbids hunting with military weapons, projectiles containing explosives, trenches, Dane guns, chemical products; and provides that MINFOF may regulate the caliber and model of arms to be used in hunting certain animals especially endangered wildlife species. All hunting other than traditional hunting requires a license. Sec. 34 of the 1995 Wildlife Decree sets forth the types of licenses available and Order No. 0649 establishes killing limits applicable to certain groups of animals considered to be endangered in the forest.

The law defines poaching as any hunting activity carried out without a permit during the end of the hunting period, in protected areas or with prohibited vehicles or weapons. Within the context of the decree, a poacher is anyone found at any time and at any place in possession of part of a live or dead protected animal of class A and B. Explicit definitions of poaching as such may facilitate enforcement of the wildlife laws. Anyone who violates the law is required to pay a fine ranging from 5,000 to 10,000,000 CFA Francs (8 to \$16,559) and be imprisoned from 10 days to 3 years. The law further provides that the sentences shall double in case of repetition of the offence or in case the offence is committed by any sworn official of the competent services or by judicial police officers. Permits or licenses may facilitate law enforcement by allowing identification of hunters and providing effective sanctions for offences such as permit suspension or cancellation. In addition, they constitute a source of revenue since a fee is charged for their issuance or renewal. These provisions of the 1994 Law and associated legal instruments are in conformity with Art. 8(k) of the CBD which requires State Parties to enact legislation for protecting threatened or endangered species and their populations in the forest.

## 2. Environmental legislation

As the first comprehensive law on environmental management in Cameroon, it addresses diverse aspects of the environment most especially forest natural resources. the protection of nature, the preservation of animal and plant Species and their habitat, the maintenance of biological balances and ecosystems and the conservation of biodiversity and genetic Diversity against all causes of degradation and threats of extinction are of national interest. It shall devolve on the administration and each citizen to safeguard the natural heritage. The law acknowledge the fact that biodiversity and natural resources have profound advantages, the reason why these natural resources endangered species should be effectively protected by imposing on both the government and the citizens the duty to safeguard and protect forest natural resources ecosystem. These processes are done through an inventory system after having conducted an environmental impact assessment on the zone. Impact assessment that does not comply with the prescriptions of the specifications towards the conservation of endangered species shall be null and void. This is because EIA is a compulsory requirement for major development projects; it contributes in minimizing threats on biodiversity. The 1996 Law lays down penal sanctions which are mainly fines and imprisonment to ensure enforcement and compliance. The local population shall be encouraged to participate through; free access to information; representation within advisory bodies; sensitization, training, research and education while issues of implementation



ISSN: 2350-0328

## **International Journal of Advanced Research in Science, Engineering and Technology**

**Vol. 5, Issue 1 , January 2018**

and enforcement on the protection of endangered species are left to be determined by other regulatory instruments. With respect to biodiversity conservation through the protection of endangered species of wild fauna and flora, sec. 62 states that “the conservation of biodiversity and genetic diversity against all causes of degradation and threats of extinction are of national interest”. In this regard, it is the government’s responsibility to ensure that the country’s biodiversity is conserved and sustainably used. This is articulated in sec. 64(1) of the 1996 Law which provides that Cameroon’s biodiversity shall be sustainably managed and used especially through an inventory of existing species particularly those that are endangered, management plans of species, preservation of species’ habitat and a system on the control of access to genetic resources. Sec. 64(2) provides that “biodiversity conservation through protection of the fauna and flora, the creation and management of natural reserves and national parks shall be governed by the laws and regulations in force”. Sec. 64(3) provides for the responsibility of the State to designate any part of the national territory as an ecologically protected area.

#### **IV. INSTITUTIONAL FRAMEWORKS FOR THE PROTECTION OF ENDANGERED SPECIES.**

Institutional frameworks play a crucial role in the management and conservation of endangered species. The competent institutions in the protection of endangered species, as well as other independent bodies that assist in the realization of its objectives, constitutes the bases of our discussion in this contribution.

##### **A. Ministry of Forestry and Wildlife (MINFOF)**

The state has the responsibility in ensuring the protection of forestry, wildlife and fisheries heritage. In ensuring this, the state can only act through institutions. In Cameroon, MINFOF is the major public administrative institution (units) in the protection of endangered species. MINFOF is responsible for implementation of main parts of the CBD such as designation of protected areas and conservation as well as sustainable use of forest biodiversity in which endangered species exist. Besides, It is in charge of overseeing the development, evaluation of Government’s policy, as well as implementation and enforcement of regulations in the management and conservation of endangered species of wild fauna and flora in compliance with MEAs duly signed and ratified. The Ministry coordinates and carries inventory, and issuing of permits for sustainable exploitation, transportation and trade in endangered species. It is also responsible in the application of the administrative sanctions to violators of the law in protecting endangered species conservation. This ministry in order to effectively carry out its functions has been decentralized with the regional delegate of forestry and wildlife, in charge of coordinating all the ministerial activities at the regional level. The divisional delegate ensures the participation of rural population in forest management. These endangered species are controlled and regulated through its officials working in these services. Despite the above measures, this ministry as young as it is, still experience some fundamental weaknesses confronting endangered species protection in include inadequate financial resources, logistical problems, corruption, jurisdictional conflicts and poor coordination.

##### **B. Ministry of Environment and Nature Protection (MINEP)**

The Ministry of Environment and Protection of Nature set up by Decree No. 2004/320 of 8December 2004 is responsible for the development, coordination and implementation of the national environmental policy on endangered species, It coordinates and monitors regional or international co-operation regarding the environment; defines measures for the rational management of natural resources from extinction in the forest. Disseminates information to stimulate participation in the management and preservation of the environment; develops sector-based master plans for the protection of the environment in collaboration with the interested ministries; and, negotiates agreements and international conventions relating to the protection of the environment and their implementation. MINEP plays a central role in environmental management and is the focal institution for biodiversity conservation. Its main functions include development, coordination and monitoring of national, regional and international environmental policies. The ministry is also responsible for negotiating international environmental agreements and ensures that they are implemented. MINEP has formulated Guidelines on Environmental Measures that define major principles to be followed and considered during the implementation of forestry projects. In any case, private institutions, local communities also add a layer towards the implementation and enforcement of regulatory instrument in the protection of endangered species. The 1994 Law and its subsequent Decrees. Forestry legislation outlines the transfer of management responsibilities and powers to the local communities and local councils, which were perceived by the local communities as a response to the environmental injustice and to their historical frustrations. Despite the above



ISSN: 2350-0328

# International Journal of Advanced Research in Science, Engineering and Technology

Vol. 5, Issue 1 , January 2018

measures, some fundamental weaknesses confronting these institutions include inadequate financial resources, logistical problems, corruption, jurisdictional conflicts and poor coordination. Even though MINEPDED is the CBD focal point; it has limited powers to execute its responsibilities. This is because; it does not provide any provision specifically on the protection of endangered species.

## C. Private Bodies engaged in the protection of endangered species.

Local communities and civil society's bodies such as NGOs has assisted MINFOF in the effective implementation and enforcement of forestry regulation in the protection of endangered species in the forest. This participation is done through persistent reports and complains on various cases of illegal exploitation of forest products to the forestry administrations and/or the public prosecutor; create awareness on the endangered nature of some forest species. For example, the International Union for the Conservation of Nature and Natural Resources (IUCN), has played an important role in development of policies and for drafting the World Heritage Convention, CITES. IUCN is also involved in the technical review of proposals for CITES listings. The IUCN maintains a catalogue of threatened species known as the IUCN Red List. This list serves to identify and catalogue a great range of fauna and flora threatened by extinction. The list is not enforceable in any way, but helps countries identify endangered species, and the list is often seen as a precursor to listing species in the CITES appendixes. The inclusion of this species in its REDLIST creates awareness to national government to implement laws regulating international trade in this endangered species which its sustainability in the wild is questionable.

Moreover, the Independent Observer (IO) is an international NGO, in 2001 to work with the Cameroon Inter-Ministerial Committee for Forest Management and the allocation of forest concessions. The project of "Independent Observation in support of Law Enforcement" was launched because; illegal activities in the forest sector posed a serious problem to Cameroon. It is an institutional arrangement aimed at improving law compliance in the forestry sector in Cameroon. The Independent Observer (IO) works closely with different units of the Cameroon Ministry for the Environment and Forestry (MINEF). It prepares and carries out missions and follow-up actions. A Reading Committee reviews all field reports of the IO documenting its findings of forest activities. In order to increase the transparency of the process, aimed at promoting law enforcement in the forestry sector, the reports produced by the Independent Observer are placed on the Global Witness' website, while the reports to be produced by law enforcement services at MINEF should serve the administrative and judicial procedures initiated, towards the protection of endangered species.

However, after examining the various legal and institutional frameworks for the implementation and enforcement of legal prescriptions for the protection of endangered species, if there were to be a question, then it would be why do we still experiencing illegal trade in endangered species in the national and international market The answer to this question constitutes the thrust of the following contributions below.

## V. POTENTIAL CHALLENGES AFFECTING THE PROTECTION OF ENDANGERED SPECIES UNDER CAMEROONIAN LAW.

Despite the remarkable progress recorded in the area of protection and conservation of endangered species in Cameroon, the number and species of wild fauna and flora continues to decline. Protecting these species has not been in the positive phase. These obstacles arising from the effective protection of these species, can be viewed in various regards, which can be extended at the level of the laws put in place, institution created, and other possible impediments.

### A. Legal Impediments

There is a plethora of laws and its implementation decrees in the protection of endangered species in Cameroon but inadequate enforcement constitutes a great challenge. For instance, in accordance with the law, courts are the main institutions for enforcing environmental and forestry laws but the incidence of prosecution especially before 1994 was insignificant given that it occurred in about 10 out of every 3,000 violations of the law. Serious prosecution of illegal endangered forestry and wildlife species cases only started from 2000 due to administrative red tape. Non-governmental organizations (NGOs) such as the Last Great Ape Organization (LAGA) and the Wildlife Conservation Society (WCS) have been assisting the government in enforcing the wildlife legislation and several prosecutions of violations have been registered but with little success. Moreover, the law grants MINFOF authority to settle transactions by compounding without any court proceedings. This authority as such is a source of irregularity and corruption given that



ISSN: 2350-0328

# International Journal of Advanced Research in Science, Engineering and Technology

Vol. 5, Issue 1 , January 2018

there is lack of transparency in environmental and forestry governance in the protection of endangered species in Cameroon. The 1994 Law has also been criticized for its taxation of endangered wildlife and forestry species for commercialization, auctioning of carcasses and channeling much of the funds collected to the public treasury instead of endangered species protection.

Cameroon has not enacted specific national legislation to implement international endangered species-related agreements such as the CITES and CBD. The 1994 forestry law, which was enacted, does not fully conform to the agreements' requirements given that they were not enacted primarily for their implementation. The lack of specific national legislation implementing endangered species-related multilateral agreements greatly diminishes the effectiveness of the agreements. It is only through national legislation that is adequate, effectively and efficiently enforced that endangered species-related agreements can achieve their objectives.

## B. Institutional Impediments

One major challenge is that endangered species and biodiversity protection responsibilities are spread across many ministries and consequently, there is bound to be duplication of functions and conflict of authority. Indeed there is still a relatively long distance to be traveled on the road to effective institutional enforcement of forestry laws in Cameroon. Monitoring and enforcement of legislation is weak, with critics arguing that there is little will at the top to tackle the high levels of illegal logging that and hunting of protected species characterize the Cameroonian forest sector. There is no point in felling wood if it cannot be transported. This fact is one of the most important that REM has repeatedly told MINFOF. Any law enforcement that aspires to be effective must, therefore, control timber transport channels in order to have a dissuasive effect upstream. MINFOF has established a system of road checkpoints for this purpose, consisting of teams of forest law enforcement officers posted along the main roads with the task of checking vehicles carrying timber. During 2008, REM conducted a thematic mission into road checkpoints, which brought to light a number of dysfunctions in the system and it should be noted that most of these problems still exist today. They relate primarily to a failure to use the data collected at road checkpoints, complicity of some officers with illegal activity or recurrent interventions on the part of their hierarchy, the absence of road checks during the night, and poor working conditions. In fact, some checkpoints that are supposed to be operational 24 hours a day have no electricity. Numerous cases of litigations are recorded each year at the PSRF's main road checkpoints but they are never followed up, as illustrated by the 26 cases reported in 2008 to the PSRF Verification and Follow-up of Infractions Section. In fact, the PSRF's forestry staffs in post at the checkpoints are not authorized to commence litigation. The cases of litigation noted are thus transferred to MINFOF's sworn officers who, in the majority of cases, avoid issuing statements of offence, thus preventing follow-up to litigation. The PSRF thus reports that follow-up of litigation at checkpoint level is difficult because the cases recorded are not transferred up the chain of command and there is a lack of cooperation from MINFOF's Departmental Delegates, coupled with lack of information and compounding.

## C. Other Impediments

Apart from the legal and institutional setbacks experienced in the protection of endangered species in Cameroon, the area has also faced other possible challenges which all of these has one way or the other hinders or affects the effective conservation and preservation of endangered species in the forest. These obstacle ranges from corruption, illegal exploitation, inefficient personnel's, lack of resources and other practical problems. With all these put in place, there has really been a wallow in these domain of protection of these species which the country considers as special and important for the wellbeing of its population and nature as a whole. As a result of these practical infelicities experienced in this area of protection, one is been threatened in asking whether with these irregularities of the sector, nothing can be done in solving the problems faced by the sector in protecting these species. In order to answer the said worries and controversies of the sector, a set of recommendations has been exploited in seeing that these species should not be totally extinct, but rather provide a form protection so that country will continue in experiencing sustainable management of these species in the forest.

## VI. CONCLUSION AND THE WAY FORWARD

Based on the importance accorded to endangered species of wild fauna and flora, and coupled with high rate of exploitation in the forest, protection from extinction is indispensable. In order to protect these species, mechanisms



ISSN: 2350-0328

# International Journal of Advanced Research in Science, Engineering and Technology

Vol. 5, Issue 1 , January 2018

have been developed by many researchers. During our study it is seen that the legal and institutional frameworks put in place though not highly effective with other protective strategies will give higher protection for the purpose of sustainability of this species in the forest. In this paper we show that the protection of these species is a problem while trying to balance with the socio-economic and environmental benefits [services] of this species. The proposed recommendations will ensure the effective and efficient protection of this species from extinction in the forest.

The main recommendation is in line with the continuous drive in reinforcing the forestry legislation on the effective implementation and enforcement of policies in the protection of endangered species in the forest. Environmental law should be adequately incorporated into the curricula of professional institutions in charge of training forestry and environmental administrators. There should be a need for adequate domestic legislative, regulatory and institutional measures that effectively implement biodiversity-related agreements.

Some other suggestions include: Establish a monitoring body to oversee the implementation and enforcement of regulations by the government, The international community should step up its role to demand and ensure that the governments should managed its resources sustainably, and insist on compliance with the international legal instrument in the protection of endangered species. Also, the establishment of a system of good governance in the forestry sector sensitizes, educate and encourage local population on the importance of protecting species threatened to extinction in the forest, creation of adaptable reserve zones for threatened species. Environmental friendly practices are highly recommended as best practices for sustainable management and conservation of forest natural resources hotspots more especially endangered species in the forest.

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