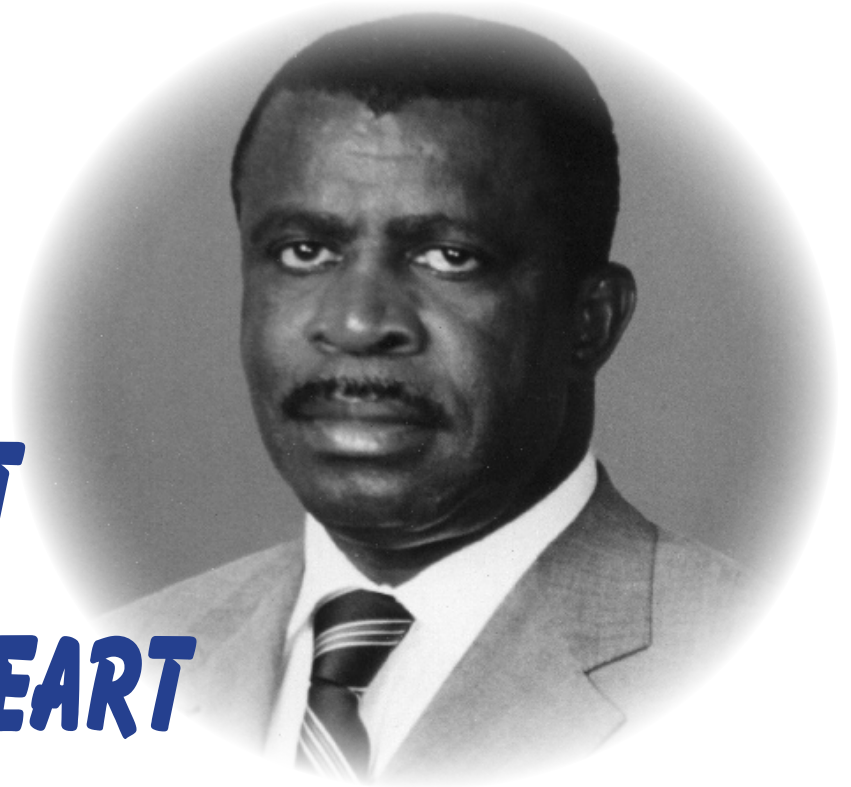


Wildlife Justice

A bi-monthly wildlife law enforcement journal

N° 001 - March 2006

EFFECTIVE WILDLIFE LAW ENFORCEMENT DEEP IN THE HEART OF GOVERNMENT POLICY



**NATIONAL CONTROL BRIGADE FOR FOREST
AND WILDLIFE SWORN IN
AN ADDED BOOM
FOR WILDLIFE LAW ENFORCEMENT, p. 5**

**«THE PUNISHMENT METED OUT TO
WILDLIFE LAW DEFAULTERS ARE
EXEMPLARY AND DETERRING... »**

H.E. Egbe Achuo Hillmann
Minister of Forestry and Wildlife

**“ JUSTICE MINISTRY IS QUITE
COLLABORATIVE IN PROSECUTING
WILDLIFE LAW VIOLATORS ”**

Grace Mbah,
West Province Delegate for Forestry and Wildlife

WILDLIFE LAW ENFORCEMENT WAKES UP !



This is the first issue of *Wildlife Justice* magazine. *Wildlife Justice* is a bi-monthly magazine on issues of wildlife law enforcement and application of the wildlife law.

The target audience of the magazine is the professionals expected to drive this process forward – policy makers, field agents police officers, magistrates, judges and so on.

The aim is to improve the professional understanding of the different aspects of wildlife crime and the wildlife law enforcement process, and present updates on the latest developments in the field. We wish to have more and more officials using this medium to express themselves, share ideas and communicate with the different stakeholders.

The first issue of *Wildlife Justice* is dedicated to government policy as a tribute to deep change in wildlife law enforcement achieved during the last few years. Results speak for themselves, and are first and most a fruit of government policy.

The Convention on International Trade in Endangered Species (CITES) in its last meeting of the Conference of the Parties (COP), provided some very sobering facts on the state of the world's endangered species. Among others, the gorilla and chimpanzee population has declined by 50% between 1983 and 2000 due to illegal commercial hunting. At this rate these primates are most likely to disappear all together in less than 20 years. Ape loss including the declining elephant population fuelled by illicit ivory commerce is a threat to the natural resource base of the developing world. Illegal wildlife trade now ranks third after arms and drugs in the list of the world's most lucrative illegal trade activities.

Africa and especially Central Africa is under threat as it is home to most of the endangered species whose continuous illegal exploitation seriously mitigates sustainable development efforts in this impoverished part of the world. Mindful of this threat to wildlife patrimony, the countries of the Central African subregion in the Head of States Forest Summit held in Yaounde 1999 came up

with the Yaounde Forest Declaration which recognizes illegal trade in wildlife products as a serious threat to development and conservation and resolved to put down legislation to fight wildlife crime and protect endangered wildlife species such as apes.

Prior to this, Cameroon's 1994 wildlife law indicates its political commitment to protect its wildlife. In this effort, Cameroon through its Ministry of Forestry and Wildlife (MINFOF) is supported technically and materially by the international conservation community. The nation-wide wildlife law enforcement operation launched since 2003 against trade in protected wildlife species, targets mainly big dealers, the primary generators of the illegal trade in protected species, ivory trade and pet trade.

Since launching the nation-wide operation in 2003 to date, many wildlife cases have appeared in the courts across the country with dealers receiving serious sanctions in accordance with the 1994 wildlife law and its 1995 Enabling Act. This effort has gained praises for Cameroon at several international conservation for a as a pace setter in effective wildlife law enforcement and by implication sustainable wildlife management in the Central African sub-region. For this reason and more,

Cameroon was elected during the last meeting of the Council of the Great Ape Survival Project (GRASP) in Kinshasa, Democratic Republic of Congo to chair the Council for the next two years. The partnership established by MINFOF and other Ministries, as well as, the international conservation community is real, effective and ongoing. With this partnership in effective wildlife law enforcement, conservation and sustainable wildlife management in Cameroon in particular and Central Africa in general stand a chance. "Wildlife Justice" is therefore launched to complement media efforts in fostering Government's efforts in creating the necessary deterrence in trade in protected animals species which hitherto, has been a missing ingredient in the conservation formula in sub-Saharan Africa.

Ofir Drori
Director-LAGA

DIRECTOR OF PUBLICATION

Ofir Drori

EDITOR-IN-CHIEF

Vincent Gudmia Mfonfu

EDITORIAL TEAM

Max Saintclair Mbida

Vincent Wong

Akwen Cynthia

Marius Talla Tene

Horline Njike

GRAPHICS

Max Saintclair Mbida

PRINTING

AMA-CENC

P.O. BOX 267 Yaounde

Tel. (+237) 231 08 34

DISTRIBUTION

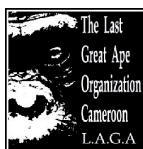
Communication Department-LAGA

Tel: (+237) 786 26 93

FINANCED BY

The British High Commission, Yaounde

The Born Free Foundation



Tel: (+237) 651 66 59

BP: 4916, Nlongkak, Yaounde

Email: lastgreatape@yahoo.com

Website: www.lastgreatape.org

WILDLIFE ENFORCEMENT AT STAR BUILDING

**PM PLEDGES SUPPORT
FOR WILDLIFE LAW ENFORCEMENT**

11th of June 2005 saw the presence of some unusual visitors at the Star Building, the office of the Prime Minister of Cameroon, a wildlife law enforcement outfit in the persons of LAGA's Director and Communication officer and the Focal Point at the Ministry of Justice. The visit was not to investigate wildlife crime in the Star Building but to acquaint the Prime Minister (PM) with LAGA's activities and solicit more effective institutional support for effective wildlife enforcement activities through heightened inter-ministerial collaboration.



H.E. Ephraïm INONI
Prime Minister, Head of Government leads the wildlife law enforcement process

The motives for the visit to the PM sums up its mission which centers on capacity building of government institutions in effective wildlife law enforcement in Central Africa and beyond. Wildlife law enforcement is sensitive, complex in nature and involves many stakeholders especially at government level. The organisation is moving on, rebuilding its efforts within a government process of effective wildlife law enforcement in action since 2003. It is preparing for the phasing out stage by providing basic training for the Control Brigade within MINFOF.

At every stage LAGA has shown proven commitment to aiding government efforts in applying its wildlife policy and implementing its wildlife law. This mostly takes the nature of inter-ministerial cross cutting collaboration involving MINFOF, the Ministry of Environment and Nature Protection (MINEP), the Ministry of Justice and the General Delegation for National Security.

Collaboration with these four Ministries, building their capacity individually for successful wildlife enforcement has been largely successful. However, like any

enterprise, this collaboration is perfectible. This was the main reason for the visit to the PM – to seek the PM's support, get him to recognize the laudable work of the Ministries and above all encourage them to increase their collaboration by bridging institutional gaps. This will facilitate smooth transfer of information and technology flow and harmonization of the process.

Wildlife law enforcement is improved through media coverage of law enforcement activities and operations. The international conservation community is wholly committed to providing the assistance for media action on successful wildlife enforcement operations while leaving censorship of designed media messages on wildlife law enforcement action to the discretion of government. All this to keep Cameroon on an even level with the 1999 Yaounde Central African Heads of State Forest Declaration ensuring that

Cameroon keeps its enviable role as leader in wildlife law enforcement within the sub-region.

Max Saintclair MBIDA

«THE PUNISHMENT METED OUT TO WILDLIFE LAW DEFAULTERS ARE EXEMPLARY AND DETERRING... »

H.E. Egbe Achuo Hillmann
Minister of Forestry and Wildlife

An ivory dealer from Guinea Conakri was arrested in Douala recently in two different operations carried out by the National Forest and Wildlife Control Brigade of the Ministry of Forestry and Wildlife (MINFOF) in collaboration with the Delegation of MINFOF for the Littoral Province, the Forces of law and Order and the Last Great Ape Organisation (LAGA).

This was followed yet by another operation in Yaoundé whereby a notorious dealer in protected wildlife products was arrested within the last two months. All of them are behind bars awaiting a rapid trial in accordance with the provisions of the 1994 wildlife law. Following these successive operations, H.E. Egbe Achuo Hillmann talked to **Wildlife Justice** Editor-in-chief Vincent Gudmia Mfonfu on government measures to ensure the effective application of the wildlife law. Excerpts:

Since 2003, wildlife law enforcement in Cameroon has become quite rigorous. Can we know why?

The law in this domain has been existing. The wildlife law is as old as the law on forestry, because it is a component of the law of 1994. If emphasis is being laid on the fight against commercial hunting, it is a question of moment. The law has been existing. Circumstances now have prompted some momentum to be mounted in combating illegal trade in protected wildlife species. I must say we have received a lot of support from international non-governmental organisations (NGOs) like LAGA which is in the field doing beautiful work in fighting illegal trade in protected wildlife species.

Our staff on the field are also very alert and the population too have been sensitized to always denounce illegal commercial hunting so that the authors are easily identified and brought to justice. The courts are also doing a very nice job. The cases that have been identified and sent to court are well tried and I want to say that the sanctions or punishment that are meted out to wildlife law defaulters are exemplary and deterring and so I can say that the fight is really rigorous now.

But why the intensity now than ever before? I will say it is a question of moment. The Ministry is more alert and we are making sure that we attain the objectives set for us in the various texts that govern the wildlife sector:

Why these repressive measures at a time when people are seeking to alleviate poverty in the wildlife sector?

Hunting activities as a whole are governed by laws, and no person says that animal should not be hunted. That is not it! The thing is that we have protected species which cannot be killed except with the authorisation of the Ministry in charge of wildlife. There are hunting zones that have been carved out all over the country. We have the necessary permits. You can go hunting in such zones and pay the necessary taxes. If you have a permit to shoot lions, nothing prevents you from doing that, but it is prohibited to going hunting the illegal way.

There are also species which are common. They are not protected. You can gun them down, but this has to be done in accordance with the law. The Government has recognised that game is a source of proteins for Cameroonians and so the law also recognises that. The hunting activities are governed by laws and principles which must be respected.

There are species that are near extinction. These protected species must be allowed to reproduce, and if we allow everyone to access them, then within some years the species will disappear.

“ JUSTICE MINISTRY IS QUITE COLLABORATIVE IN PROSECUTING WILDLIFE LAW VIOLATORS ”

Grace Mbah, West Province Delegate for Forestry and Wildlife

Since 2003, the government of Cameroon within the framework of implementing the 2003 Africa Forest Law Enforcement and Governance (AFLEG) Declaration launched a nation-wide operation aimed at effectively applying the 1994 wildlife law by bringing defaulters to book. In an exclusive interview with Vincent Gudmia Mfonfu, the MINFOF delegate for the West province, Grace Mbah makes an appraisal of the operation in her area of jurisdiction.

What is the strategy for attaining the goal of the nation-wide anti-poaching campaign in the West province ?

As far as my province is concerned we are trying to implement the strategy that has been put into place by the government in the sense that we have our usual control activities. We have presently a number of control posts along the roads that pass through the province where we have our staff controlling all wildlife products. From time to time we seize illegally acquired wildlife products and not only auction them but prosecute the dealers.

Further from that, we also do unannounced control. Sometimes we are informed that there is illegally exploited wildlife produce somewhere and we go out unannounced and try to seize the produce, as well as arrest the dealers for prosecution.

Then we also have the provincial anti-poaching committee headed by the West Province governor and we hold anti-poaching meetings where relevant ministries discuss with the governor issues concerning anti-poaching activities in the province.

The West province is said to be the cross-road for illegal movement of wildlife products. Is that the case actually ?

Yes, the West province is actually a transit zone for illegal transactions in wildlife products. The province per se does not have all types of wildlife because it is a transitional zone between the forest and the savanna, and as far as class A animals (elephants, drills, gorillas,



Mrs. Mbah Grace MINFOF Delegate West Province, inspecting arrested wildlife species trophies

chimpanzees, crocodiles etc) are concerned, we don't really have them here, but then, the West province as already mentioned is a transit zone in the sense that sometimes we have people who have illegally exploited from other provinces like Adamawa passing through Banyo and heading for the bigger towns and that is where we have the opportunity to intervene. We also have sometimes people who exploit in the forest zone and are passing through the West and we are having another opportunity to intervene.

The West province has just pockets of forests in the Noun and Nde divisions and the province has one game reserve which is found in

Santchou, but the elephants once found there are no more or less extinct. And so, the province is, so to speak, void of class A animals.

We know the 1994 law does not talk about “bush meat” which gives the wrong signal that government and her allies are against people making a living out of wildlife exploitation. What is your perception ?

Sometimes there is some confusion, whereby, people just think that the forestry service is there to prevent them from making a living out of wildlife exploitation. I think the wildlife we have in the country are classified. We have class C animals which can be hunted on permit. That means the provincial delegations are authorized by the law to give permits to people who want to hunt class C animals.

Then we have class B animals that are partially protected and we have class A that are totally protected.

Those ones cannot be hunted and the permits are authorized exclusively by the Minister of Forestry and Wildlife. But what happens in the field is that people just take upon themselves to hunt these animals without permits. The law says all our wildlife is protected by the national law and you cannot take upon yourself to hunt them without the necessary permits.

There is also subsistence hunting, which means, if somebody hunts something like a cane rat for domestic use, the forestry service don't go after them. We cannot arrest such a person because cane rats are not endangered.

Vincent Gudmia MFONFU

NATIONAL CONTROL BRIGADE FOR FOREST AND WILDLIFE SWORN IN AN ADDED BOOM FOR WILDLIFE LAW ENFORCEMENT

Decidedly, the Ministry of Forestry and Wildlife (MINFOF) is bent on wildlife law enforcement. 13th September 2005 witnessed the swearing in of the first ever National Brigade for Control of forests and wildlife in the Yaounde High Court by the president of that Court. This event involving civil servants of MINFOF being sworn in by an authority from the Ministry of Justice is a beautiful example of the inter-ministerial cooperation so crucial for wildlife law enforcement and environmental management in general.

Headed by a Chief of Brigade, Mr. Eben Ebaï Samuel, the thirteen national controllers appointed in keeping with article 141 of law No 94-01 of 20th January 1994, were reminded of the tasks that await them and the delicate role they play in government's strategy in forestry and wildlife matters. The tasks are varied and complex indeed and include the enforcement of forestry regulations, investigation of all wildlife crimes in liaison with the Legal Unit, working out a national wildlife law enforcement strategy, regulating hunting activity, setting up a network of informants on wildlife crime, building up cases for eventual administrative sanctions, amongst others.

After the swearing in remarks, sub-Procurer, Tejiozem Rogatien, further reminded the Control Brigade of the importance of wildlife in human existence at the geographical, social and economic level. In this light the Controllers were urged to sensitize the population on precautions, preventive actions, participation and partnership amongst stakeholders in protecting the environment. As judiciary police



MINFOF sworn in officials ready to track down wildlife crimes

officers, the controllers were once more reminded of their main duty which consists in investigating, establishing and following up wildlife crime cases in the legal framework. Finally, the controllers have to be of sound moral character as Articles 132 and 144 of the penal code mete out severe legal sanctions to heedless controllers who falsify case files or who steal public funds as spelt out in Article 184.

The Chief of Brigade Eben Ebaï Samuel revealed himself and his colleagues are being perfectly up to their task and conversant with the intricacies of their job. He recalled the exigencies of the job, insisting that wildlife crime is a legal matter and must be followed up legally by legally authorized agents like himself and his Brigade colleagues who have to be legally sworn in before taking duty. He was however quick to point out the role of the controller which in no way diminishes the authority of other judiciary police

officers.

Eben Ebaï samuel also acknowledged the latitude of the controller's powers in investigating and establishing wildlife crime. He equally reiterated the importance of the job which represents public authority and serves as a subsidiary to the public prosecutor.

The controllers carry a heavy burden of responsibility indeed. They are literally at the forefront of government enforcement strategy in the wildlife conservation. Theirs is a job that could and should benefit enormously from stakeholder cooperation especially the kind of specialized assistance offered the international community. Properly handled, the initiative for approving a National Control Brigade could turn out to be one of government's most decisive conservation moves yet.

Max Saintclair MBIDA

NATIONAL FOREST AND WILDLIFE BRIGADE CONTROL BEREAVED

Conservation community joint the officials of the National Forest and Wildlife Control Brigade of the Ministry of Forestry and Wildlife (MINFOF) on February 12, 2006 in mourning the National Controller N°1, Afene Obam James, whose sudden death on February 12, 2006 in Yaoundé shocked the nation.

Speaking on the occasion of his death celebration, the Head of

the National Forest and Wildlife Control Brigade, Ebai Eben said his untimely death was a great loss to the Ministry as it was difficult to replace a man with such wealth of experience in forest mapping, monitoring and control.

Hear him: «late Afene Obam was a good collaborator and very experienced in matters concerning wildlife and forest control».



Late Afene Obam James
National Controller N°1

ECOGUARD KILLED DETTERING WILDLIFE CRIME

A devout game guard, Tambe Agbor Bruno was shot dead by a gang of poachers at the Bayang-Mbo Wildlife Sanctuary Project of the Wildlife Conservation Society

(WCS).

The WCS Director, Dr Fotso described the incident as «a whole set back to the conservation community».

He expressed the wish

that those responsible for his death would be brought to justice.

«We rely on government taking strong action to investigate the crime» concluded Dr Fotso.

Wildlife law enforcement booklet and CD's sent free to Wildlife Justice readers

In order to facilitate the understanding of the 1994 wildlife law and effective application, the Ministry of Forestry and Wildlife, with the technical support of the Last Great Ape Organisation (LAGA) has come up with a field guide on the law, accompanied by a CD.

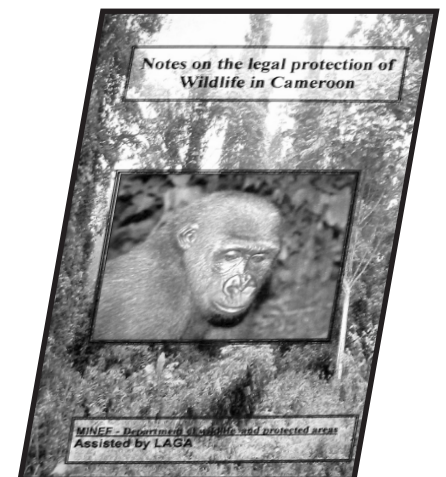
The book is containing the principal text of the law concerning protected species as well as procedures and

explanations. The SD, developed by Marius Talla is a searchable database of the law as well as CITES and is a professional tool for any official involved in the wildlife law enforcement process.

The educational materials are provided free to. For more information, contact the LAGA office at:

Tel: (+237) 651 66 59

Email: lastgreatape@yahoo.com



"WE SENSITISE LAW ENFORCEMENT OFFICIALS ON HOW TO APPLY WILDLIFE LAW"

Mbomblang Joseph, North West Delegate for wildlife

Mbomblang Joseph, North West provincial delegate for forestry and wildlife (MINFOF), in an interview with Vincent Gudmia Mfonfu, talks about measures being taken by his delegation to end illegal trade in protected animal species.

What are the measures being taken to check illegal trade in wildlife products, especially those derived from protected animal species?

Since our arrival, we have organised several sensitisation campaigns to explain the 1994 wildlife law and its enabling act of 1995. We have been in Kumba and Wum, seizing products derived from protected animal (gorillas, chimpanzees, elephants, etc.). We have banned hunting. You can hunt only if you have a permit. There are already two persons with permit to hunt and so we encourage many more to come and seek permits.

Your delegation recently arrested an ivory dealer from a friendly neighbouring

country in Bafut who is now awaiting judgement as provided for by the 1994 wildlife law. Can you brief us on how this operation is being carried out?

What we did was, we made barriers on the highways where all vehicles were controlled. When we controlled and found bags of products derived from wildlife (meat or trophies) no one owned up. We had two cases of that nature and when we asked who had the bags no one afforded to utter a word.

But in the case of the ivory dealer, we did the tracking with the help of the Last Great Apes Organisation -LAGA-, an

organisation working with the Ministry of Forestry and Wildlife – MINFOF - with a focus on effective wildlife law enforcement. The assistance of the Last Great Ape Organization - LAGA - technically

implying that many elephants were killed. As such, we took our decision and we did all we were expected to do according to the stipulations of the law and all the documents are presently in court.



The Minister of Forestry and Wildlife, H.E. Egbe Achuo Hillmann, congratulates Joseph Mbomblang for efforts in wildlife law enforcement in the North West province

led to the arrest of a Nigerian dealer in ivory. We seized the ivory and took him to the office where he was interrogated. A case file was thereafter established against him and forwarded to the court where it is being followed up while the dealer is under detention.

We are now just waiting to be called up to defend the interest of MINFOF which we represent in this province.

It is going to be the first case to lay hands on someone who has caused disaster in the wildlife sector – disaster because the ivory seized weighed differently and never had the same dimensions,

What is the level of your collaboration with officials of the Ministry of Justice and the General Delegation for National Security in the effective application of the wildlife law?

The collaboration is already there, because we go to the field, we stop to see the Procureur de la République. As concerns the forces of law and order, we organised seminars to explain to them the law which governs wildlife. We also have to sensitise law enforcement officials on how to apply the law on offenders.

Vincent Gudmia Mfonfu

LION SKIN DEALER ARRESTED IN THE NORTH

A dealer in lion skins and skins of other endangered species has been arrested in the North province following a successful wildlife law enforcement operation. This arrest is part of a nation-wide operation launched by the government in 2003 aimed at the effective application of the 1994 wildlife law and its Enabling Act of 1995. The idea behind this exercise is to discourage trade in protected wildlife



Trade in lion skins greatly account for the decline in lion population

species by bringing offenders to justice amidst wide media coverage in order to create the necessary deterrent factor in wildlife crimes, hitherto a missing ingredient in the conservation formula.

The illegal products recently seized from the dealer include 2 lion skins and 4 leopard skins. The dealer who is currently under detention in Garoua appears to part of a large and well organized illegal network of traders in endangered wildlife species in Cameroon linked to Nigeria where 4 lion skins were suspected to have been sold few days to his arrest. The operation was carried out by the North Provincial Delegation and the newly created National Forestry and Wildlife Control Brigade. This in collaboration with the Ministry of Justice and the General Delegation for National Security (Forces of Law and Order) with the technical support of the last Great Ape Organisation (LAGA). The

operation shortly after the Central and West African sub-regional meeting on Conservation Strategy Conference by Cameroon. It should be noted that the Convention on International Trade in Endangered Species (CITES) for which Cameroon is a signatory has revealed

that the world's lion population has dropped by an alarming 50 percent in the last decade. During that lion conservation meeting, Cameroon identified trade in lion skins as a major cause in the lion population decline. Cameroon thus seized the opportunity to underscore the importance of the effective application of the national law reflecting the provisions of CITES.

The lion is a highly protected wildlife species under the Cameroon wildlife law. Consequently, the arrested lion dealer has been detained and court proceedings opened against him. If found guilty, he is liable to a full sanction the 1994 wildlife law on protected wildlife species. The law provides for a fine of between 3 to 10 million FCFA and or 1 to 3 years imprisonment for whoever kills, captures or possesses a protected animal species or its parts.

Vincent Gudmia MFONFU

WILDLIFE LAW ENFORCEMENT HEATS UP

APE DEALER HEAVILY FINED AND GIVEN 1 YEAR SUSPENDED SENTENCE

A prominent businessman has been found guilty of violating the 1994 wildlife law by illegally keeping wildlife species. Consequently, he has been ordered by the local court to pay a sum of over 4 millions CFA in accordance with the provisions of the law. Article 101 of the law frowns severely on "any person found in any time in any place in possession of part of dead or live protected animal". "such a person", the law continues, is considered "to have captured or killed it" and will be liable to a fine of 3-10 millions CFA francs and/or imprisonment of 1-3 years.

The dealer, accordingly to the Court ruling, will be sent to prison for 1 year if the same crime is committed again within 3 years.

This sanction is part of the nation-wide operation launched in 2003 by government aimed at the effective application of the 1994 wildlife law.

The nation-wide operation is organized by the Ministry of Forestry and Wildlife in collaboration with the Ministry of Justice, the General Delegation of National security with the strong support of the Last Great Ape Organisation (LAGA), the Limbe Wildlife Centre and the Cameroon Wildlife Aid Fund (CWAF).

One very satisfied actor in the Bafang hotel operation is Mrs. Mbah Grace Anyieh, Provincial Delegate for Wildlife and Forestry in the West Province. Actively involved in the whole exercise from the start, she promised hard times for wildlife law violators in her province and expressed the desire for more involvement from international conservation partners to help government process in wildlife law enforcement.

The Cameroon Wildlife Aid Fund (CWAF) and the Limbe Wildlife Centre meanwhile are providing lifetime support for the liberated animals.

AYUK Augustine AYUK

REGULATION ON IVORY TRANSFORMATION AND TRADE IN CAMEROON

On the 22nd of September 2004, the Forestry and Wildlife administration signed a decree laying down rules on the obtention of a permit on the transformation of ivory into local crafts in Cameroon as stipulated in articles 1001,1 and 2 of the law of 20th January on forests, wildlife and fishery which states that: «The transformation of ivory into commercial purposes shall be subject to obtaining a licence issued by the administration in charge of wildlife, in accordance with the conditions fixed by order of the Minister in charge of Wildlife» and on Resolution 10.10 of the Conference of Parties of the Convention on International Trade in Endangered Species (CITES) and of decisions 12.36 to 12.39 of the CITES Secretariat. The Ministerial Decree has been rendered public in the light of the above mentioned text.

A problem arises here for the authorities in charge of wildlife law enforcement and its collaborators in the all too common case misinterpret this text. Either by ignoring the fact that it is not only Article 100 which regulates the possession, transformation and trade in ivory or by forgetting that the law is superior to the Decree which only comes to make clarifications which facilitate enforcement of the prescriptions of the law.

Thus, this Decree serves as complement to the other provisions of the law and in no way acts as a restraint on the conditions of possession, or transformation or trade in ivory as laid out in the law of 1994.

CONTENT OF THE DECREE

The text under discussion deals specifically with the transformation of ivory into local crafts solely under Article 100. This article states the conditions for all activity concerning ivory which mainly has to do with obtention of a license issued by the administration in charge of wildlife plus several other documents as contained in Article 3 of this Decree such as:



Locally processed ivory products for international trade

- Document indicating the origin and quantity of transformed ivory during the two years preceding the introduction of the request for official document in the case where the individual concerned is already involved in the activity;

- A contract with one or more licensed hunting guides involved in processing ivory.

This Decree in no way compromises the other conditions of the possession or circulation of live or dead animals or animals parts contained in the provisions of the law, notably Articles 98 which states: “The possession or circulation of live protected animals, their hides and skins or trophies within the national territory shall be subject to the obtainment of a certificate of origin issued by the services in charge of wildlife” and 101 which states: “any person found, at any time or any place, in possession of a whole or part of a live or dead class A or B protected animal, as defined in section 76 of the present law, shall be considered to have captured or killed the animal”. In this light, the possession of the 1995 decree which conditions necessary for practicing the said activity.

1) The possession of ivory remains subject to the presentation of

a certificate of origin. Art 98 and 101;

2) The trade and transforming of ivory into local crafts necessitate a license which can only be declined on presentation of a document justifying the origin of ivory tusks. Art. 3 of the Decree requires the production of documents indicating the origin and quantity of ivory...” which implies the presentation of some kind of certificate of origin.

The certificate of origin justifies the keeping of ivory and its linked to articles 78, 82 and 83 of the law which does not authorize the killing of protected animals like elephants except in well defined and exceptional circumstances during an official administrative battle when protected animal constitute a danger for people and property. It is to be noted here that Art. 78 subordinates the killing or capture of class A animals even in the circumstances provided in Art 82 which requires the authorization of the Minister in charge of wildlife. For further reference, see “The wildlife law as a tool for protecting threatened species in Cameroon”.

3) Keepers of stocked ivory as mentioned in the Decree have 6 months to apply for a license. Consequently, the stock remains illegal as long as its keeper has not presented a certificate of origin.

This means that the keeper of such ivory can be presented by the law for illegal possession of protected animal trophies: Art. 5 "Economic operators in eventual possession of ivory stock on the date of signature of the present Decree are obliged to declare themselves at the services of the Ministry of wildlife accompanied by an explanatory report on the mode of obtention of the trophies within 6 months in order to regularise their situation" If the keeper cannot prove the origin of the ivory in his keeping, he is necessarily considered as a trafficker acting illegally.

THE SUPERIORITY OF THE LAW

OVER THE DECREE

The decree determines the mode of implementation of the provisions of a superior legislative text. It simplifies the implementation of articles which necessitate precise clarification concerning the mode of implementation.

This principle of law equally serves special texts like those on wildlife. The effect is that the decree is obliged to conform to the text which precedes and commands it. In our case, the decree of 02 September has of necessity to be in perfect conformity with the law. Thus to think for example that because the decree

does not specifically mention the certificate of origin in its provisions means to ignore the exigency of presenting this document for the keeping of a whole or part of a live or dead class A or B protected animal is entirely erroneous. In effect, this exigency remains alongside other new ones mentioned in the present decree.

The modalities required in Art. 100 as determined by the present Decree are nothing but and adjunct to preceding exigencies defined in Articles 98 and 101 of the 1994 law.

*Horline NJIKE
Legal Department, LAGA*

INTERNATIONAL AIRPORTS

MARKET PLACE FOR WILDLIFE TRAFFICKERS

If you thought that international airports handle only passengers and luggages, then you should think again. Some of those sophisticated passengers you see at international airports are adding some very interesting items to their luggage-items of protected wildlife species especially ivory. Yes! International airports have become a favoured venue for high profile wildlife trafficking. The activity has equally become a target for wildlife law enforcement as the nation-wide operation launched in 2003, prior to the Brazzaville Central African Head of States summit to assess the level of the implementation of the Yaounde Forest Declaration, sets its sights on applying the 1994 wildlife law by bringing wildlife law violators to justice. The MINFOF-LAGA operation is about threatened species and illegal dealers who animate the illegal trade in ivory and pet trade.

Security forces of the nation-wide operation seek to establish an effective deterrent factor for wildlife crime in Cameroon. This is consistent with the 1999 Forest Summit which brought together Central African Heads of State in Yaounde, Cameroon. Notably, the Summits Declaration revived the Organisation of African Wildlife Conservation (OAFSA) Central Africa and resolved to combat commercial poaching in the sub-region.

The Brazzaville Summit that followed the 1999 Forest summit



International Trade in Ivory accounts for the decline in elephant population

saw Cameroon's Minister of Forest and Wildlife Egbe Achuo Hillman, emerging with a renewed determination to put order in wildlife law enforcement sector. This is how airports came to be identified as a major bargaining and exit point for illegal wildlife species. The Great Ape Survival Project (GRASP) identifies "commercial bush meat trade as, by far the greatest threat to wildlife", given that the wildlife species especially ivory come from illegal hunting. This is no idle matter.

Accordingly, MINFOF, the related Ministries and LAGA are hard at work investigating and prosecuting cases of wildlife crime. This reinforces Cameroon's image of a serious and conscientious example in wildlife law

enforcement within the sub-region and at the international level.

Cameroon is not only party to the Convention on International Trade in Endangered Species (CITES) which carries strict restrictions on trading in protected wildlife species, but represents the West and Central African sub-regions in the CITES Standing Committee.

So, wildlife traffickers be on guard! As you negotiate the purchase of that lucrative bit of ivory at the airport know that the law is watching you and just itching to bring you under its claws. It is no fun paying out a 10 million FRSCFA fine even for big time traffickers and a three year jail sentence is an even worse prospect.

INTERNATIONAL SUPPORT

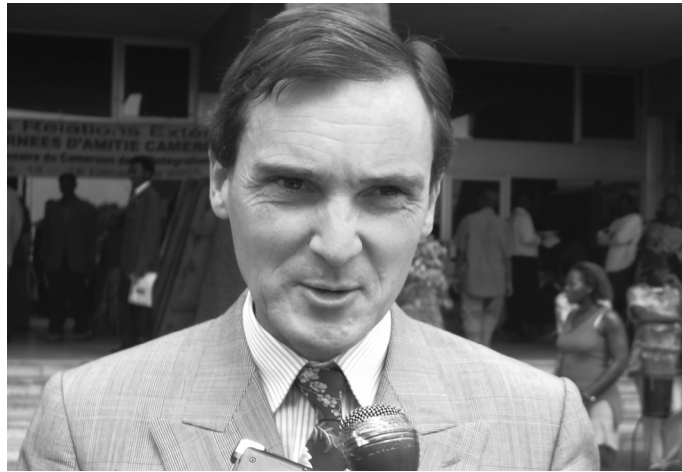
BRITISH GOVERNMENT SUPPORTS WILDLIFE LAW ENFORCEMENT

Environmental crime is a serious and growing international problem. Criminals violate national and international laws enacted and promulgated by various heads of states including that of Cameroon, President Paul Biya, to protect the environment. These criminals are, among other things, pushing valuable and endangered wildlife species closer to extinction and

thus impacting significantly the biological integrity of the earth. Across the world, environmental crime takes a number of forms, including trafficking in endangered wildlife species which now ranks second in international illegal trade after drugs.

The incentives to carry out illegal trade in protected wildlife species are financial, coupled with a perception on the parts of the criminals that they are unlikely to be caught and made to face penalties. This has resulted in all unfaithful competitive advantage for the criminals over legitimate and law-abiding businesses.

It is against the background of these considerations that the Cameroon's government put in place the 1994 law and its 1995 enabling act to govern wildlife exploitation. In order to effectively apply this law, the government, with the technical support of the Last Great Ape Organisation (LAGA) in 2003 launched a nation-wide operation aimed at arresting and bringing dealers in protected wildlife species products to justice amidst wide media publicity. This, with the intention to create a deterrent factor in wildlife crimes hitherto a missing ingredient in the conservation formula in Sub-Saharan Africa. The law itself states that any person found in possession of part of dead or live protected wildlife species is liable to a prison sentence of up to



Richard Wildash, Out-going British Commissioner in Yaoundé,

3 years and or a fine of up to 10 million FCFA. This law reflects the Convention on International Trade in Endangered Wildlife Species (CITES) to which Cameroon is a committed party.

International support

The nation-wide government operation on effective wildlife law enforcement is receiving the strong support of the international conservation community, including the American and British Governments. To the out-going British Commissioner in Cameroon, Richard Wildash, this operation "is a very important area for the British government". Hear him, "We think that it is a crucial part of the effort we need to intensify to conserve biodiversity".

Speaking on the occasion of the Europe-Cameroon Friendship Day on economic integration for African countries organised in Yaounde recently, Wildash told journalists: "We have a number of projects on wildlife management that we are working on. Those at the government level with ministries responsible but also, particularly with non-governmental organisations (NGOs) like the Last Great Ape Organisation (LAGA)

which are active on the ground". As regards the anticipated results of such British support, Wildash said: "We expect them to do their work on public education, to inform the public and in effective law enforcement to fight cases in the courts so that those who destroy wildlife resources are brought to justice".

The prosecution of dealers in protected wildlife species has been strongly recommended by the international conservation community as the only short-term measure to stop illegal trade in protected animal species without which, as they put it, "we risk their total extinction in the next 10 years".

Vincent Gudmia Mfonfu



Richard Wildash facing the press

US AMBASSADOR, H.E. NIELS MARQUADT

LAUDS MEDIA EFFORTS IN NATURE CONSERVATION

There is a saying that states «information is power». While addressing the conservation community in Yaoundé, on February 2nd, 2006, on the occasion of the 35th anniversary of World Wetlands Day, the United States ambassador in Yaoundé, His Excellency Niels Marquadt, had this in mind when he stated that, “journalists have a very important role to play in informing the public in Cameroon about environmental issues that we are facing together”, adding that, “only through collaboration and the sharing of information

can the conservation community realise their respective goals and objectives”.

The US ambassador seized that opportunity to highlight the contribution of his government to conservation in Cameroon and expressed appreciation for the great support of the European Union towards the Congo Basin Forest Partnership (CBFP). CBFP includes a team effort to safeguard biodiversity within the Congo Basin which contains the second largest rain forest after the Amazon Basin. It involves six countries in the Congo Basin and aims at mobilising new resources and strengthening international efforts towards biodiversity conservation in the Congo Basin.

CARPE

The Central African Regional Programme for the Environment (CARPE), launched in 1995 to last 20 years is the channel through which US conservation funds are made available for the CBFP which has planned activities for two landscapes (biodiversity hotspots) being implemented in Cameroon within the Lobeke Trinational of Sangha and the Dja-Boumba-Bek-Nki of the Trinational



R. Niels Marquadt
American Ambassador in Yaounde

Dja-Odzala-Minkébe transboundary protected areas where land use plans are being designed. In actual fact, CARPE activities are being carried out in 12 key biodiversity landscapes in 7 countries in the Congo Basin including Cameroon, covering an area of more than 70 million hectares.

In his keynote address on the occasion, H.E Niels Marquadt made a promise to visit the two landscapes this year in the company of media practitioners. Hear him,

“it is my intention to visit these landscapes with the media this year to continue the sensitisation of the public of Cameroon and the region to work hard”. “For the sake of future generations, for the sake of understanding, for the sake of our wildlife, it is crucial that countries and corporate partners, governments to improve the quality of our environment”, he added.

PRESIDENT BUSH

Citing President George Bush, the Ambassador said, “There is a role for everyone to play in protecting Cameroon’s environment; only by working together that

governments, non-governmental organizations, journalists, students and individual citizens can ever accomplish such an important task as protecting the environment”.

He went further to laud the efforts all stakeholders, including journalists were making to ensure the conservation and sustainable management of biodiversity in the Congo Basin for which Cameroon is an integral part. Concluded the ambassador, “I salute the work each and every one of your respective

profession are doing to protect the environment; whether you are protecting the great apes; whether you are writing articles for Cameroon’s newspapers or broadcasting to the Cameroonian people on radio or television to raise awareness of the values of forest and wildlife; I salute your efforts to contribute to environmental conservation in Cameroon and Central Africa”.

GRASP

It would be recalled that the government of Cameroon was elected to chair the Council of the Great Apes Survival Project (GRASP) of the United Nations Environment Programme (UNEP) and the United Nations Educational, Scientific and Cultural Organisation (UNESCO) for the next 2 years at the last GRASP Council meeting in Kinshasa Democratic Republic of Congo in 2005. one of the major resolutions taken during that meeting as contained in a Declaration on the conservation of great apes signed there, focused on the wide and effective use of media to raise public awareness on the importance of apes in the forest ecosystem in ape range countries.

CARPE has expressed a burning desire to join the Last Great Ape Organisation (LAGA) in mobilising the media to this end.

Vincent Gudmia MFONFU

CAMEROON ELECTED TO CHAIR GRASP

The nation-wide operation launched in 2003 by government aimed at the effective application of the 1994 wildlife law by bringing offenders to justice has witnessed over 50 cases so far prosecuted with severe sanctions.

The most recent ones include the arrest of foreigners involved in illegal trade in ivory, and apes in the North-West, Littoral and South-West provinces, some of whom are already serving jail terms.

The recent cases are coming in the wake of Cameroon’s active presence at the inter-governmental conference in the conservation of great apes in Kinshasa Democratic

Republic of Congo, organized by the Great Apes Survival Project (GRASP) of the United Nations Environmental Programme (UNEP) and the United Nations Educational, Scientific, and Cultural Organisation (UNESCO).

A strong emphasis was laid on great apes conservation in the final Declaration at the end of the conference which saw Cameroon elected as chair of the GRASP Council for the next two years. This is in recognition of Cameroon’s strong role in fostering wildlife law enforcement as laid out in the Declaration of the Africa Forest Law Enforcement and Governance (AFLEG) and the CITES

regulations.

Wildlife crime is a chain that involves all kinds of actors, from the lowly forest dwellers to the sophisticated city dweller who act as link for big international dealers. If wildlife law enforcement is to effectively take hold, vigilance must be exercised at every level and no favors shown to any member of the criminal chain no matter their status and connection.

After all the negative impact of biodiversity loss from illegal activities knows neither status nor connections and affects all life equally.

Vincent Gudmia MFONFU