

Wildlife Justice

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Bilingual wildlife law enforcement journal

The Great Apes

“Great apes are totally protected by the Cameroon wildlife law”
His Excellency Elvis Ngolle Ngolle Minister of Forestry and Wildlife

Cameroon elected as chair of GRASP Council for two years

“Great apes still have a chance to survive but their fate lies in our hands”,
Klaus Toepfer Executive Director United Nations Environment Programme (UNEP)



Apes and law enforcement: Cameroon in 2006



PUBLISHER
OFIR DRORI

EDITOR-IN-CHIEF
VINCENT GUDMIA MFOFNU

EDITORIAL TEAM
AKWEN CYNTHIA
HORLINE NJIKE

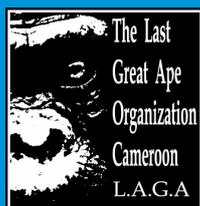
CONTRIBUTION
EUGENE N. NFORNGWA
OLIVE NAHKUNA MFOFNU
MAX SAINTCLAIR MBIDA

PRE-PRESS
EUGENE N. NFORNGWA

PRINTERS
AMA-CENC
P.O. BOX 267 YAOUNDE
TEL: (+237) 231 08 34

DISTRIBUTION
COMMUNICATION
DEPARTMENT-LAGA
TEL: (+237) 7862693

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BORN FREE FOUNDATION



Tel: (+237) 5221166
BP: 4916, Nlongkak, Yaounde
Email: lastgreatape@yahoo.com
Website: www.lastgreatape.org

Inner Picture: Chimpanzee smuggled in a sac seized in an operation in March 2006. Dealer prosecuted.

SAVING THE GREAT APES

Of all creatures the great ape is of special significance to man, sharing around 96-98% of genetic inheritance and serving as a unique bridge, linking humans to the natural world. Knowledge of great ape ecology and behaviour reveals important information on human evolution and man's place in the ecosystem. Yet they are racing towards extinction as a result of illegal commercial hunting and trade.

In this issue of Wildlife Justice we highlight the significance of the Global Strategy for the Survival of Great Apes and their habitats drawn up in Kinshasa, Democratic Republic of Congo (DRC) under the direction of the Great Apes Survival Project (GRASP). To this end we have consulted government and international legal experts and primatologists involved in ape conservation, as well as, reports of international conferences, field operations and political processes on the subject.

Efforts have been made to conserve great apes. Actions undertaken by GRASP partners and the range states to conserve the apes have however failed to arrest ape population decline. This is largely because most ape conservation programmes are uncoordinated and devoid of a sense of common purpose. Furthermore, while great apes are protected by law in all countries, weak law enforcement capacity, illegal trade on protected animal species, illegal logging, mining, disease and conflicts have undermined most efforts to save the ape.

Amongst its particular objectives, the Global strategy encourages range states to prepare and implement national action plans for the survival of the great apes and their habitat. The strategy equally urges member states to objectively assess existing national policy, legislation and conservation programmes to determine if they adequately protect great apes and their habitats.

The Global Strategy is a key indicator of the need for concerted coordinated effort in dealing with global problems and a laudable instance of international cooperation which alone can adequately address issues of common interest to mankind like the survival of its closest cousin- the great ape. Cameroon as leader in wildlife law enforcement in the world is already adopting the Global Strategy having elaborated, its National Plan on Ape Conservation with the support of GRASP.

Cameroon's election in Kinshasa in 2005 to chair the GRASP Council was obvious, given its involvement and positive results in ape conservation in the country and beyond. This position however, carries great responsibility.

Ofir Drori
Director, LAGA

GLOBAL STRATEGY FOR APE CONSERVATION

By *Vincent Gudmia Mfonfu

The first ever council of the Great Ape Survival Project (GRASP) held in the Democratic Republic of Congo (DRC) in 2005 adopted a Global Strategy for the survival of the great apes and their habitat which outlines the overall goal of the threat of imminent extinction facing most populations of great apes, and their natural habitats.

The Global Strategy has as objective to amongst others, encourage range States to prepare and implement national action plans for the survival of great ape populations and their habitat and ensure that range States have the necessary resources for this. Cameroon with the support of GRASP had long elaborated its national action plan on apes' conservation. The Strategy also seeks to promote and enforce a legal framework for the survival of great apes as contained in the 1994 Cameroon wildlife law.

The long term objectives of the global strategy are to encourage GRASP member countries to enforce relevant conventions and agreements such as the Conventions on International Trade in Endangered Species (CITES) and the Lusaka Agreement for the conservation of great apes and elimination of their illegal trading in the animals.

At the national level, the global strategy encourages the government of each range state to identify possible gaps in law enforcement and recommend measures needed to protect great apes and their habitat. For

example, customs officials, Wildlife Brigade officials etc, should be given increased manpower training, equipment and resources. In Cameroon for



HE Minister Ngolle Ngolle,
"Great apes are totally protected by law"

instance, a training workshop for wildlife law enforcement officials in the South West Province was organized this year at the Limbe Wildlife Centre (LWC) with the support of the Pandrillus Foundation. According to the Cameroon Minister of Forestry and Wildlife, His Excellency Elvis Ngolle Ngolle, apes are amongst the top wildlife species totally protected by the 1994 wildlife law, Hear him; "Great apes are totally protected by the Cameroon wildlife law and Cameroon was amongst the first ape range States to put in place a national action plan on ape conservation". He received LAGA officials in his cabinet

assuring them on Governments determination to save the remaining ape population.

The Global Strategy requires all law enforcement agencies and developed countries to have a major part to play in helping the great ape range States successfully implement their programmes for the conservation of the great apes. This is the case with the British and American governments, as well as, the World Bank in Cameroon. The strategy also holds that non-governmental organizations (NGOs) that have played an important role at national and international levels are encouraged to redouble their efforts. The great apes need strong and effective advocates. They need

publicity and high-profile events designed to generate public concern and out pouring of funds. They need NGOs with a strong profile in implementation and follow up, including, for example advocacy work such as effective law enforcement.

GRASP should not however, be seen as a major new funding mechanism or institution, but as a way of promoting the development and implementation of national great ape survival plans and projects and of assisting in the better coordination and targeting of resources.

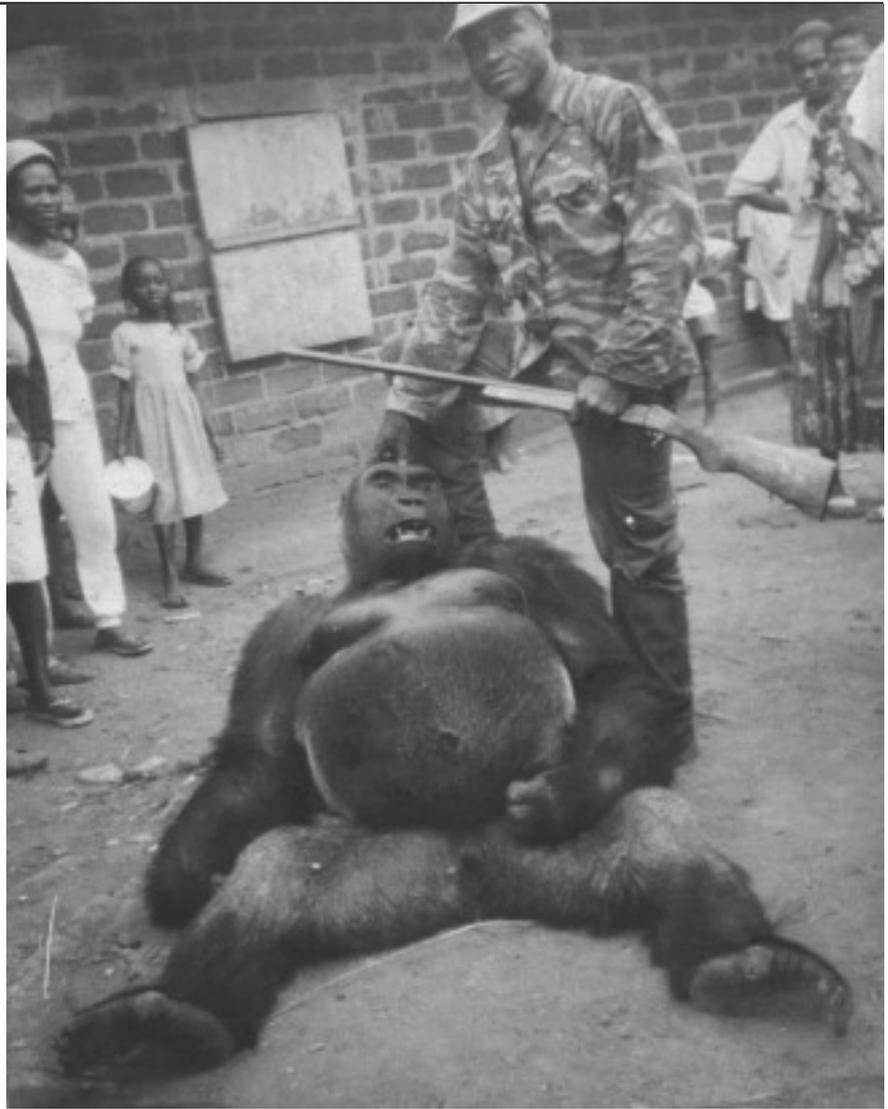
* *Communication Officer for LAGA*

CAMEROON ELECTED AS CHAIR OF GRASP COUNCIL FOR TWO YEARS

*BY *Vincent Gudmia Mfonfu*

Kinshasa the capital of the Democratic Republic of Congo (DRC) hosted the first ever Intergovernmental Meeting on the conservation of apes, as well as, the first council meeting of the Great Apes Survival Project (GRASP) from September 5th to 9th 2005 at the end of which Cameroon was elected to chair the GRASP Council for the next two years. The election was based on the fact that Cameroon has in effective wildlife law enforcement with at least one operation per week involving arrest and prosecution of wildlife law offenders proven its international leadership. Cameroon's Minister of Forestry and Wildlife who led the Cameroonian Delegation to the meeting, thanked the GRASP Council for electing Cameroon as current chair of the Council. The Minister gave an overview of the natural resource potential in Cameroon, highlighting the plight of primates and describing the range of actions taken by his government to conserve great apes and other endangered wildlife species. He said there were new areas to be classified for great apes protection, including new sanctuaries, law enforcement and a new national park. The Minister discussed the Cameroon National Action Plan on ape conservation initiated in 2003 with the support of GRASP. He noted however that nothing could be done to that effect without funding and lauded the support of the British Government in this direction.

Cameroon outlined its natural resource heritage and described threats to this heritage. The Forestry and Wildlife Minister outlined measures the government has taken to save gorillas and chimpanzees from extinction including: legal instruments to protect gorillas, which has resulted



***Gorilla poached in Abongmbang
3000 gorillas are killed each year for illegal commercial hunting***

in seizures and confiscations, as well as, prosecution of offenders, public awareness and education, great ape inventories and elaboration of a national action plan. The Minister said more could be achieved for great ape conservation through intensified wildlife law enforcement and improvement of local community livelihoods.

Officials of the Cameroon-based Commission of Central African Forest (COMIFAC) said it was the first time that COMIFAC was participating in an international meeting of that magnitude on ape conservation. They told delegates that the establishment of COMIFAC was intended to coordinate decision-making regarding forest ecosystems management and concluded that COMIFAC fully subscribes to the Kinshasa Declaration on ape conservation

signed by the delegates at the end of those meetings.

The role of the media in conservation was equally highlighted before delegates at the meetings by a representative of the DRC environmental media coalition, Anne-Marie Kalanga who reported that the coalition was moved by the burning desire to support GRASP and promote its messages through the mass media. On his part, the British Minister for Biodiversity, Jim Knight stressed that if we want to convince people to care about biodiversity, "great apes would make the best ambassadors as they are our closest animal relatives with definite social hierarchy and political systems".

** Communication Officer for
LAGA*

Apes and Law enforcement-Cameroon in 2006

The following are highlights of some of the ape enforcement operations carried out in 2006

-In January LAGA-MINFOF carried out an operation linking the trade in apes with the drugs trade in the Centre Province. Four large sacks of marijuana, weighing about 50Kg, were seized along with a young chimpanzee. Another kind of drug was also caught in possession of the dealer, which he admitted was cocaine. The drugs and wildlife dealer has been employing at least 4 poachers and has been trading other protected primates regularly. The ape dealer was sentenced to 3 years imprisonment in June 2006.



Ape dealer arrested, March 2006

-In March a dealer specialized in trading in protected wildlife species was arrested in Yaounde with a live chimpanzee. The dealer was observed regularly trading in protected wildlife species including apes between Belabo in the East Province to Yaounde in the Centre Province.

-In June an operation was carried against a shop in Yaounde identified to trade in large scale from its basement in various protected species including – apes, elephants and crocodiles in a systematic manner. Catalogue numbers were given to items described as Elephant skull, Chimpanzee bone, Gorilla skull and many other Class A animals. The owner is a very wealthy and well connected individual. This case presents a challenge to the fight against corruption.

-In the same month an operation took place against an Ape dealer in Kopongo Littoral Province. The operation was not fully successful, as while the chimp was rescued and the

complaint report channelled, the offender managed to escape. An arrest warrant was issued.

-In September, an American trafficking wildlife at an international level arrested possessing illegally live mandrill, live baboon and 9 others protected monkeys in Yaounde. Live animals are taken care of by CWAFF.

Also in September other ape operations included one against train station hidden storage room-involving the hand of a chimpanzee. This operation aims at exposing the new ways dealers are using to still carry on their illegal activities. The raided hidden storage room contains 6 refrigerators serving at least 3 different dealers in protected species.

-In October two ape dealers were arrested trying to sell a baby chimp. The dealers, well aware of their illegal act and the risk of arrest, made extensive efforts to conceal the animal, moving on a motorcycle in the cover of the night and using many methods trying to confuse our forces. They were trying to use the

complicity of a police station to release them in any case of arrest.

In October, Cameroon participated and presented a paper in the CITES Great Ape Task Force meeting in Nairobi. The meeting focused on trying to bring focal points in different range countries to work on the trade in great apes. The presentation by LAGA on great apes trade and action consisted of issues involving cases in Cameroon as well as many other countries in the region. Cameroon was considered as the only country so far carrying out intensive operations against trade in great apes.

-The Taiping Four affair exposes a different angle in combating illegal trade in apes - the political fight against the international players of the trade. The gorillas were expected back in Cameroon by this year ending which was postponed for early next year 2007 while preparations are ongoing for their return.

UNEP RAISES ALARM AT RATE OF APE EXTINCTION

By *OLIVE NAHKUNA MFONFU

The United Nations Environment Programme (UNEP) has raised alarm at the rate at which the great ape is becoming extinct in the world today. In what observers considered a shocking revelation, the UNEP Executive Director, Klaus Toepfer, speaking on behalf of the United Nations Secretary General, Kofi Annan during the first ever Intergovernmental meeting on ape conservation held in Kinshasa, Democratic Republic of Congo (DRC) in 2005 said, “the total number of great apes is now probably no more than 400,000, whereas 50 years ago it was at least 2,000,000”. He called on protecting remaining forest habitats to ensure great ape survival, noting that local communities are showing that they can

be enthusiastic conservationists when given the means and motivation.

Klaus Toepfer cautioned that, “great apes still have a chance to survive but their fate lies in our hands”, remarking that, “great ape conservation is not an easy task” and that, “one of the major challenges is balancing the survival needs of great ape populations with the economic and social well-being of local and regional populations”.

The Intergovernmental meetings came a week before the 60th Decision of the

United Nations (UN) General Assembly held at the UN Headquarters in New York where implementation of the Millennium Development Goals and the overall structure of the UN were explored. Toepfer identified poverty as the most

toxic element in the world and asserted that, “we can only overcome poverty if there are intact ecosystems

services available”, emphasising the importance of nature’s capital.

He said the great ape survival Project (GRASP) would not accomplish its set objectives without the dedication of its partners including the daily experience of Non-governmental Organizations, the feedback from range state governments and the full integration of academia.

The law states that anyone found in possession of part of dead or live protected species is liable to a prison term of up to 3 years and or pay a fine of up to 10 million CFA francs.

Great Apes: Fact sheet

The great apes, just like humans, are primates and all belong to the same taxonomic family (Hominidae), with seven living species currently recognized. Six are confined to various forested or wooded habitats in the Old World Tropics (the tropical parts of Africa and Eurasia). All of these are considered under threat of extinction, some critically so. The seventh is ubiquitous and enormously abundant, probably the most numerous large animal that has ever lived. That is *Homo sapiens*, our own species. The parlous state of the other members of the family Hominidae can be ascribed in its entirety directly or indirectly to the activities of humans.

Great apes share more than 96 percent of their DNA with humans. For chimpanzees the figure is as high as 98.4%. The African apes are in fact more closely related to humans than they are to orangutans. So close is our relationship that a taxonomist from another planet would probably classify humans as another African ape species.

The Apes of Cameroon

Gorilla

Cross River gorilla (*G. gorilla diehli*)
The Cross River gorillas are the most northern and western of all gorilla populations. They occur in Nigeria and in Cameroon. In Nigeria they are found in the Mbe Mountains, the Afi Mountain Wildlife Sanctuary and the Okwangwo Division of Cross River

National Park, and in the Takamanda Forest Reserve (contiguous with Okwangwo), Mone Forest Reserve. In Cameroon, they are found in the Mbulu forest in the southwest. Their population is estimated to be 200-250

Western lowland gorilla (*G. gorilla gorilla*)

The western lowland gorillas are found in Gabon, the Cabinda Enclave of Angola, the western part of the Republic of the Congo, the extreme southwestern part of the Central African Republic (CAR), south-central and southern Cameroon, and mainland Equatorial Guinea. Their current population is estimated to be 82,000 and declining

Chimpanzee

Nigeria-Cameroon chimpanzee (*Pan. troglodytes vellerosus*)

Occurs in southern Nigeria in small, highly fragmented populations and along the border with Cameroon. Their population numbers 5,000 – 8,000

Western chimpanzee (*P.t. verus*)

Occurs as one more or less continuous population southwards and eastwards from southeast Senegal, into southwest Mali and southern Guinea-Bissau. The sub species occurs more or less throughout Guinea, Sierra Leone, and Liberia, much of Côte d’Ivoire and extends into southwest Ghana. Their population numbers 21,000 – 56,000

Source: website GRASP UNEP

GREAT APE TASK FORCE

Against these background meetings grouping range states focal points of the Great Ape Task Force held in Nairobi Kenya, in 2006 to map the problems and propose solutions to the conservation of these animals. The great ape task force is an initiative of the Convention on International Trade in Endangered Species (CITES) whose idea, according to the Director of The Last Great Ape Organisation (LAGA), Ofir Drori, “is to take the issue of trade in the species as a great concern and to bring focal points in the different ape range states to work on it intensively”. To Ofir, “trade in great apes has been recognized a very serious concern than other species because of the magnitude of the trade and the rate of the species extinction”. It has been documented that each year at least 4,000 chimpanzees and 3,000 gorillas are killed for commercial hunting. At those meetings, Ofir presented the situation of trade in protected wildlife species in Cameroon.

Back in Cameroon, the Government in 2003 launched a nation wide operation aimed at the effective application of the 1994 wildlife law by bringing offenders to book. The law states that anyone found in possession of part of dead or live protected species is liable to a prison term of up to 3 years and or pay a fine of up to 10 million CFA francs.

*BSc in Environmental Science
University of Buea

Ape shelters of Cameroon

BY *AKWEN CYNTHIA

The wildlife law enforcement work including arrests and prosecution of offenders is also accompanied by the seizure of orphans of apes in the process. The seized orphans are the products of illegal wildlife trade. These rescued apes need to have life care for more than 50 years. This work is being carried out by the governments with the assistance of three main bodies namely: the Cameroon Wildlife Aid Fund (CWF), the Pandrillus Foundation and the Sanaga-Yong Chimpanzee Rescue Centre-In Defence of Animals-Africa (IDA-Africa). Their conservation activities are highlighted here below.

Mefou National Park and the Mvog-Betsi Zoo – Cameroon Wildlife Aid Fund (CWF)

Mefou National Park is situated about an hour from the centre of Yaounde. It contains 1,044 hectares of forest. At present there are eight electrified enclosures housing Chimps, Gorillas, Baboons, and various species of monkeys. Mefou is the perfect setting for visitors to see Cameroon's unique wildlife in a natural environment.

In the heart of Yaounde, the Mvog-Betsi Zoo is home to a large collection of primates and some of Cameroon's big cats, reptiles and birds of prey. CWF is a UK registered charity that assists in running the Mvog-Betsi zoo and Mefou National Park in Cameroon, in conjunction with the Cameroon government. CWF aims to ensure Cameroon's primates have a healthy future. Working with the government of Cameroon, local communities and other ecological groups around the world, CWF hopes to show people the amazing diversity of wildlife in Cameroon, and explain exactly how and why it should be protected.

Limbe Wildlife Centre (LWC) - Pandrillus

As part of the Limbe Botanical and Zoological Gardens one of the programme is the Garden,

Wildlife and Horticultural Services; under which operates the subprogramme - Wildlife Rescue and Rehabilitation. The aim of this subprogramme is to secure the ultimate survival of threatened and endangered species while raising and trying to change public attitudes in the Mount Cameroon region and beyond.

To that end, threatened primates from the Central African region are rescued and rehabilitated; public awareness raised to conserve Cameroon's unique wildlife; funds raised and donations secured to support the development of the institution. All the elements of this subprogramme are executed through the Limbe Wildlife Centre (LWC).

Pandrillus Foundation Organization took over the daily operations of the centre and direction of its progress for the future.

Sanaga-Yong Chimpanzee Rescue Center - In Defence of Animals (IDA-Africa)

Founded in 1999 the Sanaga-Yong Chimpanzee Rescue Center (SYCRC) is located in the Mbarague forest of the Centre Province of Cameroon near the confluence of the Sanaga and Yong rivers.

In Defense of Animals-Africa is both a project of In Defense of Animals and a non-governmental organization in Cameroon. Its mission is to assist

The wildlife law enforcement work including arrests and prosecution of offenders is also accompanied by the seizure of orphans of apes in the process. The seized orphans are the products of illegal wildlife trade. These rescued apes need to have life care for more than 50 years..

the government of Cameroon in saving Cameroon's chimpanzees and gorillas from extinction, wage a conservation campaign against the

illegal trade in wildlife meat, and provide sanctuary in a natural environment for orphan chimpanzee and gorilla products of illegal commercial hunting.

Efforts to stop the killing of chimpanzees and gorillas through education, sensitization and increased law enforcement include direct collaboration with other non-profit organizations and with the Cameroon government.

*Assistant Communication Officer for LAGA.

FORMER PRIME MINISTER SPEARHEADS RESCUE OF APES

By *Max Saintclair Mbida

The Forestry and Wildlife Administration in the North West Province has lauded efforts of former Prime Minister (PM) of Cameroon, Hon Simon Achidi Achu in wildlife conservation in Mezam Division in particular and Cameroon in general. The North West Forestry and Wildlife Delegate, Mbomgblang Joseph, was speaking in Hon Achidi Achu's Rock Farm in Santa this year at a meeting to assess the level of progress made so far in the enforcement of the 1994 wildlife law in that province.

The meeting which brought together senior officials of the North West Forestry and Wildlife Delegation and The Last great Ape Organisation (LAGA), came shortly after the rescue of a young chimpanzee and a baboon in Mezam Division – an exercise in which Hon. Achidi Achu played a crucial mobilizing role.

Acknowledging this important role, Mbomgblang said, “it is thanks to the effective enforcement of the 1994 wildlife law that the international community sees Cameroon as a leader in sustainable wildlife management in the Central African sub-region.... We strongly solicit the support of prominent political leaders like Hon. Simon Achidi Achu to ensure that Cameroon keeps its enviable role as a leader in wildlife law enforcement within the sub region”.

Hon. Achidi Achu has been quite committed to biodiversity conservation in and around his rock Farm Estate in Santa, where

he has been carrying out regeneration of endangered medicinal plants, raising small wild animals like “cane rats” and growing food crops such as irish potatoes, maize etc.

His assistance in the rescue of the two primates which are



Hon Simon Achidi Achu (left) and Mr. Mbomgblang Joseph Delegate of Forestry and Wildlife for the North West Province.

presently at the Limbe Wildlife Centre (LWC) is seen as part of the national operation launched by government in 2003 with the technical support of LAGA to

I will continue to give my little contribution towards its effective enforcement and wish to say that those who violate the law should be ready to face the consequences”.

effectively enforce the 1994 wildlife law by bringing offenders to justice.

The former PM has pledged his continuous support in this regard. Hear him: “the 1994 wildlife law is not intended to hurt Cameroonians but to help

sustainably manage our dwindling wildlife resources for present and future generations. I will continue to give my little contribution towards its effective enforcement and wish to say that those who violate the law should be ready to face the

consequences”.

The 1994 wildlife law stipulates that any person found in possession of whole or part of dead or live protected wildlife species like chimpanzee, gorillas etc is liable to a prison term of up to 3 years and or a fine of up to 10 million CFA francs.

Hon. Achidi Achu's example should serve as an eye-opener for any politician who chooses to take the law into his or her hands by keeping apes as pets

**Environmental
Communication Consultant*

THE NEW 2005 CRIMINAL PROCEDURE CODE IN WILDLIFE LAW ENFORCEMENT

By CHI Augustine MUAM (Ph.D)

The 2005 Criminal Procedure Code in keeping with its section 746 abrogates, inter alia, the 'Code d'Instruction Criminelle' which is derived from the French Ordinance of 14 February 1958 and its subsequent amendments, and the 'Criminal Procedure Ordinance', chapter 43 of the Revised Editions of the Laws of the Federation of Nigeria, 1958. The 'Code d'Instruction Criminelle' and the 'Criminal Procedure Ordinance' have respectively been applied in Francophone and Anglophone Provinces of Cameroon by virtue of Section 68 of Law No. 96/06 of 18 January 1996, amending Section 38 of the Cameroon Constitution of 2 June 1972. These two foreign laws would therefore cease to apply in the two halves of Cameroon following the coming into force of the new criminal procedure code in January 2007. The new code provides for two important institutions (Judicial Police Officers and Criminal Courts) that are relevant in the enforcement of the 1994 wildlife law and its 1995 Decree of application

JUDICIAL POLICE OFFICERS

In Cameroon 'wildlife' is state's property and it is for this reason that its exploitation is regulated by state, which is the 1994 wildlife regulations. Any activity contrary to the provisions of this law is considered criminal subject to criminal prosecution. A criminal procedure therefore can be said to be the totality of rules that govern a penal process that is intended to bring an accused person before a court of law for judgement where rules are applied. To ensure the proper functioning of such a process, the law designates officials responsible for its effective execution. According to articles 78, 79, 80 and 81 of the new code, the Police, Gendarmerie, and Public Servants and the State Counsel are assigned judicial police duties by special instruments.

When it comes to the notion of judicial police two concepts need to be distinguished. A police can refer to someone who intervenes in different situations, that is police power (*police administrative*) and judicial police (*police judiciaries*). The former is the governmental power to regulate matters of safety, health and welfare, nuisance, morals for the general public good presently exercised by Mayors of Urban and Rural councils. In recent practice this power has been extended beyond safety, health and morals to the conservation and management of natural resources such a Council Forest.

As regards 'judicial police', its role is to intervene when public order is disturbed and therefore repressive in nature than 'police power', which is rather preventive. According to article 79, the following shall have the status of Judicial Police Officer (JPO) Officers and non-commissioned officers of the gendarmerie, Gendarmes in charge even in an acting capacity

of a gendarmerie brigade or gendarmerie post; Superintendents of Police, Deputy Superintendents of Police, and inspectors of police who have passed the judicial police officer's examination and taken the oath; and

In accordance with article 81(1) Gendarmes who are not judicial police officers such as police inspectors and constables have the status of judicial police agents. In this status they assist JPO in the execution of their duties hence article 81(2) provides that Judicial Police



Gorilla hand seized in an enforcement operation, dealer prosecuted. Trade in parts of a chimpanzee and gorilla is crime

Agents have no authority to take decisions to remand in police custody.

JPO therefore qualify to prosecute the following wildlife offences thus enforcing provisions of the 1994 wildlife regulations: Investigating of wildlife trade offences such as conspiracy, fraud, criminal deception, false declaration to obtain trade permits or licenses etc;

Collecting evidence from offenders, their accomplices and witnesses, or any other persons who, in one way or the other, contributed to the offence;

Search and seizure of produce fraudulently exploited or circulated or of securing identify of the offender. The powers to seize should be exercised whenever an JPO has reason to suspect that a specimen is being or has been imported or exported, or is possessed or traded, in contravention of the law;

Search trains, vessels, vehicles, aircraft or any other means that may be used to transport the said products upon presentation of a special search warrant;

Enter houses and enclosures after consultation with local traditional authorities by day in case of *flagrante delicto*;

Bring proceedings against offenders;

Question and identify any offender who is caught in *flagrante delicto*; and

Receive complaints and reports against persons suspected of wildlife offences

THE STATE COUNSEL:

He is the boss of the Judicial Police. In other words, it is the State Counsel that

controls the work of Judicial Police Officers in the domain of penal prosecution. He ensures that rules governing the detention of wildlife offenders under police and gendarmerie custody are respected and has the powers to liberate those wrongfully or unlawfully detained. It is the State Counsel who is competent to initiate investigations and bring any offender before the competent court at government's expense and lodge appeals as provided for by law.

CRIMINAL COURTS

The New Code defines a trial court as 'a legal body responsible for hearing and determining any matter brought before it in compliance with the law and, where applicable, pronouncing the penalty or measure provided for by law'. In wildlife offences two courts are competent (Court of First Instance and the High Court). According to the new code the Court of First Instance shall have jurisdiction to try simple offences and misdemeanours as defined in Section 21(1) of the Penal Code. In other words the court is competent for light offences which fines do not exceed 5.000.000 francs, such as, possession of a hunting implement within an area where hunting is forbidden, provoking animals while on a visit to a game research or zoo, absence of proof of self-defence within the deadline of 72 hours in cases where animals constitute a danger or cause damage to persons and/or property; contravention of the provisions on hunting rights and hunting arms.

For the High Court it shall try related misdemeanours and simple offences of accused persons referred to it which fines exceed 5.000.000 francs. For example falsification or forgery of any document issued by the services in charge of wildlife as the case may be; killing or capture of protected animals either during periods when hunting is closed or in areas where hunting is forbidden or closed. The penalties shall be doubled where there has been a previous offence or where the offence was committed by sworn officials (JPO) or with their complicity, without prejudice to administrative and disciplinary sanctions for any hunting involving the use of chemicals or toxic products.

A very welcome innovation in the new code is that criminal proceedings in the Court of First Instance and High Court can be commenced, besides other methods, by direct summons (private prosecution) or by application of the procedure relating to offences committed *flagrante delicto*. This provision now will open room to private institutions such as to exercise the rights of plaintiff with regard to facts constituting a breach to the provisions of the 1994 wildlife law that cause direct and indirect harm to the common good.

**Senior Lecturer International environmental Law. Univesity of Douala*

THE ROLE OF TRADITIONAL LEADERS IN APE CONSERVATION; FON GANYONGA III OF BALI SETS THE PACE

By *Vincent Gudmia Mfonfu

Recently, a chimpanzee trophies dealer was arrested in Mezam Division and prosecuted in Bamenda. In the wake of that prosecution the Delegate of Forestry and Wildlife for the North West, Mbongmlang Joseph called on political and traditional rulers to wholeheartedly assist government in the effective enforcement of the 1994 wildlife law.

Traditional leaders have regrettably for decades not been consulted by policy makers on how to mainstream tradition into natural resource management policies and legislations at national level. This has left traditional leaders vacillating for years between hospitality and indifference on environmental matters.

Against this backdrop, His Royal Highness, Dr. Ganyonga III, Fon of Bali Nyonga, Mezam Division in the North West Province, stands out as a bold and far-sighted traditional leader with impeccable green credentials ready to challenge age-old traditional environmental practices in a bid to have a more progressive programme for his people's development. At the risk of incurring the wrath of tradition-bound subjects, this visionary and forward-looking traditional ruler is laying down a blueprint for collaboration between tradition and government effort in effective wildlife law enforcement in particular and environmental protection in general.

In an interview with Wildlife Justice Editor-in-chief, Vincent Gudmia Mfonfu, Fon Ganyonga III displayed a perfect mastery of problems inherent in environmental management within his Fandom, while remaining objectively aware of the insufficiencies of certain practices as on adequate and modern response to current global environmental problems. His environmental concerns within the traditional context are a very rare thing indeed amongst other traditional leaders in natural resource rich communities who rarely give a thought to the mismatch between traditional practices and modern environmental trends.

LAW ENFORCEMENT

In the mould of a true leader, even before acceding to the throne in 1985, Fon Doh Ganyonga III was already taking note of the disappearance of certain wildlife species within the Bali Fandom, notably what is popularly known as the "bush fowl", antelopes, Bannerman's turaco- the



Fon Doh Ganyonga III(middle) in a family photo with visiting United Nations Officials

bird that provides the red feather used for title awards in Bali Nyonga (Nkom, Fonteh etc) and the North West Province as a whole. This bird is a class A protected wildlife species by the 1994 wildlife law which the Fon quickly noticed as a bird that was gradually disappearing from the local landscape. He has pointed out to his subjects on several occasions the need to stop hunting this bird for its feathers, for it is already going extinct. On one occasion, he even reminded his subjects that, "at the rate at which the Bannerman's turaco is being hunted for its feathers, people might soon have to descend to presenting grasshoppers to confer traditional titles since the bird will have gone extinct".

At the same time, he never misses the chance to educate his people on the need to conserve certain rare animal species that are fast disappearing. He has repeatedly pointed out the harmful and environmentally unfriendly practices that have led to the disappearance of some animals like antelopes and leopards, discouraging the traditional practice where people are rewarded and honoured at the Fon's palace for killing and presenting rare and endangered species like leopards and lions. Incidentally, leopards and antelopes have disappeared from the precincts of Bali due to this practice. Thus in Doh Ganyonga's Bali nowadays, the traditional habit of rewarding hunters of rare species at the palace is banned. He keeps reminding such people that rare animal species are

going extinct alongside even the unendangered species.

WILDLIFE LAW

Most Bali people seem to have traditionally adopted an uncritical attitude towards wild animals, considering them as no man's property. Ganyonga thus agrees that his people do not have a conservation culture and require a drastic change of attitude to put them in line with current wildlife laws.

He recommends careful planning, education and sensitization of the masses on the 1994 wildlife law to effect a change of attitude towards protected species which the law covers. Ganyonga III confidently expects that more knowledge about the law induces more collaboration with wildlife law enforcement authorities for the good of the environment as a whole.

The severity of the sanctions against offenders of the wildlife law and the Fon's awareness that "ignorance is no excuse for breaking a law", His Royal Highness, Ganyonga III has set out to regularly draw the attention of his subjects to the significance of the 1994 wildlife law. He strongly recommends the setting up of a strong grass root network for effective wildlife law enforcement and environmental protection in which traditional rulers should play a leading role.

* *Communication Officer LAGA*

TAIPING FOUR AFFAIR AND GREAT APE CONSERVATION

*BY *Olive Nahkuna Mfonfu*

In the year 2002 four gorillas were smuggled from South Western Cameroon through Nigeria to the Taiping Zoo in Malaysia and later to the Pretoria Zoo in South Africa in contravention of regulations set by the Convention on International Trade in Endangered Species (CITES). They were taken from their country of origin through an organised network where large amounts of money exchanged hands.

It would be recalled that in 2002, four gorillas were smuggled from Cameroon through Nigeria to the Taiping Zoo in Malaysia and hence the name Taiping Four Gorillas Affair. In November 2003, a joint letter by the Cameroon and Nigerian Governments to the secretariat of the Convention on International Trade in Endangered Species (CITES) and copied Malaysian authorities during the 12th Conference of Parties (CoP 12) meeting, officially requesting the return of the four gorillas to Cameroon. That notwithstanding, the animals were illegally moved from the Taiping Zoo in Malaysia to the South African National Zoological Garden in Pretoria.

On October 20, 2005 a technical committee meeting was held in Pretoria between the governments of South Africa and Cameroon on the return of the four gorillas to Cameroon. In attendance at the Pretoria meeting was a 6-man Cameroonian Delegation drawn from the Ministries of Forestry and Wildlife, Environment and Nature Protection, External Relations and The Last Great Ape Organization. South African authorities at the meeting requested for the conducting of DNA tests from separate sources (Germany and

Britain) to prove the origin of the gorillas before deciding on their return to Cameroon.

The DNA tests demonstrated the origin of the animals as being Cameroon. The Director of the South African National Zoological Garden, Willie Labuschagne admitted at the Pretoria technical meeting that Cameroon is the country of origin of the four gorillas based on information supplied by the Gorilla International Registry and Studbook (GIRS).

On September 4, 2006, the Director of the South African National Zoological Garden in a press

will eventually make their triumphant re-entry into Cameroon”.

Asked how the South West province was prepared to receive the 4 gorillas back in the country, the South West Delegate for Forestry and Wildlife, Tabi Philip answered, “I cannot express how happy we are when we learnt that diplomatic negotiations between Yaounde and Pretoria had materialized leading to the return of the 4 gorillas. In the first place, those gorillas are coming back home, so they will be meeting their fellow brothers and sisters at the



One of the 4 smuggled gorillas in the Pretoria zoo South Africa

conference in Pretoria announced Malaysia’s decision to send the four gorillas back to Cameroon and December 7, 2006 was scheduled the tentative date for the return of the four gorillas for which the Cameroon government mobilized the necessary resources to give the animals a befitting official reception at the Douala international airport. The Inspector No. 2 in the Ministry of Forestry and Wildlife who was member of the 6-man delegation on the repatriation, Mr. Takang Ebai has expresses optimism on the return of the four gorillas to Cameroon. “I remain confident that the taiping four

Limbe Wildlife Centre (LWC). LWC with the help of Pandrillus Foundation has long improved on the facilities in the center when we heard that the gorillas were on their way back home. “We are eager and ready to receive them-come”. Strong diplomatic negotiations on the part of the Cameroon Government is part of her efforts in line with its determination as current chair of the Great Ape Survival Project (GRASP) Council to protect its primates and apes.

** Bsc Environmental Science, University of Buea*

“The Dja Wildlife Reserve is being depopulated of its wildlife heritage”:

H.E. Niels Marquardts- American Ambassador in Yaounde

*By *Vincent Gudmia Mfonfu*

During his recent visit to the Dja Wildlife Reserve in the company of Cameroon’s Minister of Forestry and Wildlife, the U.S. Ambassador in Yaounde, H.E. Niels Marquardts pledged the contribution of his government towards conservation work within the Dja Reserve and beyond.

He talked to Vincent Gudmia Mfonfu at the end of the visit on some issues related to wildlife law enforcement. Except:

*** What, Your Excellency, was the aim of your mission to the Dja Reserve?**

My mission was to understand better what the issues are with the conservation of the Dja Reserve. I think that the mission has been very well accomplished. I can now understand very clearly the natural tension, so to speak, in conservation and human activities and the importance of paying attention to both.

We have the Congo Basin Forest Partnership which, through the Central African Regional Programme for the Environment (CARPE), is supporting the Dja Reserve and the Lobékéké National Park. We have to keep abreast with the policy of the Cameroon government about to start a new phase of cooperation here in the Dja Reserve and we like to find a way to contribute to that development. We will work closely with government to seek more funds for



**H.E. Niel Marquardts-U.S.
Ambassador in Yaounde**

conservation activities in the Reserve.

*** With the support of the U.S. government, some ape dealers have been arrested and prosecuted in the West, Centre and South Provinces in accordance with provisions of the Cameroon 1994 wildlife law. Why is your government keen on the conservation**

of apes and law enforcement?

I want to say a special word about illegal trade in protected wildlife species, especially the great apes because I know The Last Great Ape Organisation (LAGA) has a special mission with the government of Cameroon to put an end to it. And my plea to the Cameroonian people is that those that have a choice to choose not to consume wildlife meat should do so. There are people here in Dja who have no choice and we must allow them to be the ones to benefit from the harvesting of selected meat in the forest, but for the people from the city, people who have money, people who have choices, I really hope they will stop eating wildlife meat indiscriminately because the Dja Reserve in particular and Cameroon in general is being depopulated of its wildlife heritage, and I wish this must stop if the true wildlife potential of the Dja in particular and Cameroon as a whole is to be realised.

The Reserve is home to great apes. And anybody who has ever experienced the great ape will understand that they are our closest cousins. It is necessary that we preserve them to live their lives in dignity and we find a way to have a balance between human activity and animal survival. After all, they are the natural gardeners of our rainforest.

***Communication Officer LAGA**

NEWS BRIEFS

*BY *AKWEN CYNTHIA*

CHIMP DEALERS ARRESTED IN MELEN
In October, two dealers in protected wildlife species have been arrested in the Melen Market area of Yaounde trying to sell a baby chimp. The dealers, well aware of their illegal act and the risk of arrest, made extensive efforts to conceal the animal, moving on a motorcycle in the cover of the night and using many methods trying to confuse the forces of law and order, to no avail.

The law stipulates that anyone found in possession of part of dead or live protected animals including chimpanzees is liable to a prison term of up to 3 years and or a fine of up to 10 million CFA francs.

The arrest and prosecution of the chimpanzee dealers is part of the nation-wide operation launched in 2003 by the government with the technical support of LAGA to effectively enforce the 1994 wildlife law by bringing offenders to justice.

PRIMATOLOGISTS MEETING IN UGANDA

June 25, 2006 witnessed the holding of the 21st Congress of the International Primatological Society (IPS) in Entebbe, Uganda with about 750 delegates in attendance, the majority of whom were primate field workers, many of them from African nations. IPS conferences are held every two years and alternate between countries with native primates. The theme of the 2006 conference was, “African conservation in Action”. President Museveni of Uganda was among

speakers at the opening ceremony of the conference.

MINFOF STRENGTHENS RELATIONS WITHCAMRAIL ON ILLEGAL WILDLIFE TRADE CONTROL

The Minister of Forestry and Wildlife, His Excellency Elvis Ngolle Ngolle has renewed relations with the Cameroon Railway Corporation, CAMRAIL in the control of illegal trade in protected wildlife species. This renewal was made in Yaounde on December 19, 2006 during the signing of a Memorandum of Understanding between the two institutions on the fight against commercial trade in protected wildlife in the country.

The Minister seized the opportunity to express gratitude to government partners in wildlife conservation.

This was the second agreement after the first signed between CAMRAIL and the former Ministry of Environment and Forestry (MINEF) in 2001 to control commercial hunting which was implemented by the Wildlife Conservation Society (WCS).

WILDLIFE CONTROLLERS SWORN IN COURT

The fight against illegal traders in protected wildlife species in the Littoral Province would soon be intensified as an oath-taking ceremony for four appointed officials of the Littoral Provincial Delegation of Forestry and Wildlife, empowering them as judicial policemen to

meticulously apply the 1994 wildlife law in order to ensure sustainable exploitation of wildlife resources in the country is being planned. The ceremony to be presided over by the President of the Bonanjo Court of First Instance in Douala is scheduled to take place on January 3rd, 2007.

BRITISH HIGH COMMISSION PROMOTING ECOTOURISM

The Second Secretary in the British High Commission in Yaounde, Ross Mathews is expected to present certificates to some ecotourism guides trained in birdwatching at the Ebogo Toursim Centre near Mbalmayo in the Centre Province on Monday 8th, 2007.

Ecotourism holds the promise of providing developing countries with both the funds and incentives needed to boost conservation efforts. The British support to the Ecotourism Industry in Cameroon is based on the fact that profit-earning potential of nature tourism is central to establishing it as a model of sustainable development—a preoccupation of the Cameroon and British Governments.

Revenue from Ecotourism has helped enormously in the management of National Parks and wildlife sanctuaries in Kenya and Uganda-experiences from which Cameroon could draw some inspiration and courage in the development of her Ecotourism Industry

**Akwem Cynthia is the Assistant Communication Officer for LAGA*