

Reconciling the Rights of Local Communities and the Creation of Protected Areas for the Conservation of Biodiversity in Cameroon: Case Study of the Tofala Hill Wildlife Sanctuary

*Nah Anthony Tetinwe**

Assistant Lecturer, Faculty of Law and Political Science, University of Dschang, Cameroon

Abstract

Despite the significant contribution of protected areas in halting the degradation of natural resources and conserving biodiversity in Central Africa, the proliferation of this mechanism, is also being questioned by local communities who feel threatened with the dispossession of their lands by governments in complicity with conservators and non-governmental organizations (NGOs). Protected areas have stirred up conflicts, with social and economic impacts that affect catchment communities who rely on forest resources found within these areas, who have seen their livelihood opportunities eroded. This article closely examines the implications of creating protected areas on the rights of local communities in Cameroon, with a particular focus on the Tofala Hill Wildlife Sanctuary (THWS) in the Wabane and Alou Sub-Division, in the South West Region of Cameroon. The article holds that rather than promote communal land rights and participation in natural resource management, protected areas for and conservation has strengthened state's supremacy over local communities in the management of natural resource.

Key words: Rights, local communities, protected areas, conservation, biodiversity, Cameroon, Tofala Hill Wildlife Sanctuary, Wabane and Alou Sub Divisions, South West Region.

***Author for Correspondence** E-mail: nahantoine@yahoo.com

INTRODUCTION

Cameroon has an extensive network of protected areas in which there is a rich biodiversity. [1] A protected area is a zone geographically delineated and managed with a view to attaining the specific objective of conserving and realizing the sustainable harnessing of one or more given resources. [2] Several forests are being converted into protected areas at the initiative of conservation organizations and the government and motivated by international agreements, among them the Convention on Biological Diversity. [3] In the context of the Cameroon Forestry and Wildlife Law of 1994, protected areas can take on many different forms, such as national parks, sanctuaries, botanical, zoological gardens, forest reserves etc. [4] They are instruments that have been employed for conserving nature and associated resources [5] such as wildlife.

Today, there is a rapid increase in protected area declarations in locations where natural conditions provide evidence of significant increase for conservation. [6] Their creation has resulted in evictions and restricted access of local people to forest [7] as dictated by their norms, representing a serious violation of the rights and interest of indigenous peoples, as defined in the WWF Statement of Principles on Indigenous People and Conservation [8], which recognize the rights of indigenous people to the lands, territories and resources they traditionally occupied and protected. [9] Indigenous peoples retain their standard rights of usage, and these rights can only be abrogated in return for compensation. [10] The violation of this fundamental principle of international environmental law is evident with the declaration of the THZS. Some members of the affected communities have opposed the initiative, especially since use of

forest resources which have for many years been their main source of subsistence is now limited and access restricted.

Little consideration is given to the access and use rights possessed by local communities or to the preexisting economic dynamics [11] when creating protected areas, [12] giving rise to strifes and management difficulties. [13] The strained coexistence of local communities and protected area projects has been the subject of numerous controversies in Cameroon and beyond. Under the influence of the Rio Earth Summit, [14] the Government 's new urge for protected areas, expressed in the target of classifying 30% of national land as protected zones, served to reinforce the threats bedeviling communities living in forest. [15] Their cultural social and economic survival is at stake. [16]

It would seem that establishing local peoples' involvement in strategies for protecting biodiversity has not been achieved in Cameroon, even though it is being sought. [17] Local communities feel threatened with the dispossession of their lands by the government in complicity with conservators and NGO. [18] S. Nguiffo paints the scenario in the following words:

Both indigenous populations and conservation projects nurse numerous grievances against each other: the projects consider that the resident populations take too much game from protected areas,... while indigenous peoples feel they are being excluded from humanity in the name of preserving... biodiversity for present and future generations. The opposition... between the world view of conservation projects and that of indigenous populations is blatant... we therefore find ourselves, in so many of these cases, with one forest and two dreams: one being that of conservation organizations, who are concerned about preserving species, and the other being that of the indigenous communities, whose modes of living are inextricably linked to the forest.[19]

This article attempts a national study of local communities' rights to forests over which

protected areas have been declared with a particular focus on the Tofala Hill Wildlife Sanctuary [20] in the Wabane and Alou Sub Divisions in the South West Region. It analyses the legal frameworks of protected areas and responds to the following worries: How are the traditional access and use of natural resources by local communities altered with the creation of protected areas? What implications do these initiatives have on the livelihood of local communities? How can management framework of protected areas and conservation initiatives be designed to strengthen local communities' rights? The overall objective of this paper is to analyze the implications of the creation of protected areas on the livelihood of catchment communities in Cameroon. The data in this study was obtained from three main sources: interviews with some natives of the affected communities; a literature review of the relevant legal instruments and bench research; and personal observation which complemented the other data.

Contextualizing the Study

A cursory at the situation reveals two principal contradictory visions and/or dreams for the same forest. One of these is the age-old dream of the catchment communities, whose survival depends on the forest in which they hunt, farm and collect non timber forest products (NTFPs), and the other is the vision of a number of strangers (the State, donors and conservation organizations and projects) who, prompted by noble concepts of conservation, jeopardize the livelihood of the local communities, giving the latter the impression that the forest is being protected from them. [21] This scenario is a picture of the situation faced with the creation of the THWS.

Brief Presentation of the Study Site (The THWS)

With an area of 8087 hectares, [22] the THWS was created on 29th September 2014, in the Wabane and Alou Sub Divisions, in the Lebialem Division in the South West Region of Cameroon by Decree No 2014/3212/PM. [23] It was until 2004, with the discovery of the Tofala sub- population of the Cross River gorillas by ERuDeF [24] that some

international and national attention began to be placed on this landscape. [25] This site is home to endangered and threatened species of birds, [26] mammals, great apes, reptiles and amphibians. [27] The area harbors two great apes species: the critically endangered Cross River gorillas (*Gorilla gorilla diechli*) and the most endangered Nigeria-Cameroon chimpanzees (*Pan troglodytes ellioti*). [28] Other large animals found within this site include: Drills (*Mandrillus leucophaeus*), Bush baby (*Peridicticus pottos*), Putty-nosed monkey (*Cercopithecus nictitans*), the Red-eared monkey (*Cercopithecus erythrotis*), Mongoose and Red River hog (*Potamochoerus porcus*). [29] The location of this landscape within the Gulf of Guinea's "Highlands and forest" confers an exceptional high biodiversity to this area. [30]

Socio-economic activities in the catchment communities are farming (with principal crops being palms, cocoa, plantain and cocoyam), hunting / poaching of wildlife species and harvesting of NTFPs. They are also involved in aspects of petty trading, minor scale fishing and local craft making like weaving of local baskets for income generation. [31] Bechati, Nkon, Bangang, Folepi, Banti, Egumbo, Bamumbu Fossimondi and Mock M'mbin make up the communities living near the sanctuary. Like catchment communities, these communities live on forest products, and find themselves in precarious situations, facing numerous problems in the face of conservation activities. The land and forest in which they undertake their livelihood activities remains the most important resource for them as they perceive it as being critical to their social and economic survival.

Forest-based Activities of Local Communities and their Impact on Conservation at the THWS

Local communities' current major livelihood activities are highly dependent on forest resources. About 86% of these activities are exercised in the forest, [32] constituting the main threat to biodiversity especially wildlife as a result of their habitat destruction. [33] Threats to the continued survival of protected species such as the Cross River gorillas in the

THWS are similar to those localities.

Agriculture

The major occupation of the communities is farming. The lower elevation forest is being invaded and many oil palm and cocoa plantations have been established. [34] The Lebialem forests Complex are under considerable pressure from forest clearance for agriculture. [35] The traditional methods of farming (shifting cultivation and slash and burn) practiced in this area are the main causes of continuous forest encroachments and constituting the biggest and most visible threat to the Cross River gorilla conservation. [36] The conservation process needs to be handled with care to avoid the situation faced by the Santchou Wildlife Sanctuary. [37]

Hunting

Hunting is equally important to the indigenes of these communities. Hunting which was usually for subsistence today is a main source of income for the people due to high demand, leading to its intensification and the excessive exploitation of even threatened species. [38] It is carried out using various weapons including fire arms and guns [39] usually during the day or night. [40] Trappings are also carried out in all the communities using equipment such as metal or wire snares. [41] The population of drill has declined as hunters combine the use of dogs and guns. [42] With the exception of the Cross River gorilla and the Ellioti chimpanzee with a reduced level of hunting, most of the mammals are still heavily hunted. [43]

Harvesting of Non Timber Forest Products (NTFPs)

NTFPs refer to the extraction of products from the forest other than animals and involve the harvesting of leaves, herbs, seed, bark of trees usually for household consumption, health, sale and for home construction. The most harvested NTFPs include Bitter Kola, Eru (Gnetum), Bush Mango (*Irvingia gaboneensis*), Alligator pepper (*Aframomum melegueta*) and Njangsanga (*Ricinodendron heudelotii*). [44] The harvesting methods are usually unsustainable and involve picking, debarking and cutting of leaves and stems. [45] These methods are unsustainable.

Forest-based activities of the local communities constitute a major threat to conservation effort in the sanctuary. A concern is whether parts of the area might be assigned to production forest. A concerted and collaborative effort is needed to draw up a conservation plan for this area to mitigate the growing threats.

The Legal Framework on Protected Areas and their Implications for Affected Local Communities

The 1994 Forestry and Wildlife Law [46] herein referred to as the 1994 law complemented by the 1995 Decree to lay down the conditions for the implementation of wildlife regulations [47] contain the rules governing protected areas in Cameroon. [48] The government via the Ministry of Forestry and Wildlife (MINFOF) is the central actor in the management of protected areas in Cameroon. It relates with all the actors involved in the management of protected areas and makes rules and regulations in this domain. They are usually autocratic rather than participatory as they are decided at the top by government officials and presented to the conservation projects for implementation. [49] Conservation projects and their workers act as intermediaries between the government and the communities. [50] The law contains several provisions intending to bring about catchment communities' involvement in managing natural resources in forest. [51] Analyses of these legal rules and their implications for affected local communities shall be considered under the following: consultation of the affected communities' participatory or co-management; recognition of the affected communities' right to traditional use of the sanctuary, and recognition of the affected communities' land rights.

Consultation of the affected Communities

The 1995 decree is to the effect that the public shall be informed and with the right to contest the setting up, extension, classification or declassification of a national park, integral ecological reserve, game ranch, sanctuary or zoological garden. [52] In the context of the THWS, these provisions were taken into

account with regard to the affected villages. In November 2011, "Public Notice" No. 0059 PN/MINFW/SG/DWPA of Nov. 2011 was signed by the Minister of Forestry and Wildlife and distributed to the concerned communities and local administrative authority offices in Menji and within Alou and Wabane Sub-divisions. The issuing of the Public Notice gave the communities and other key stakeholders a statutory 30 day period to lodge I their complaints and /or objectives. It also paved way for formal consultations with affected communities and other key stakeholders. [53]

A series of community and elite meetings were held with all the affected communities of the THWS and were focused on developing community conservation agreements and validating the commitment of the local communities. [54] From January 2012 through to July 2012, a series of elite consultation meetings were held to explain the logic of the sanctuary. [55] There were also village to village consultation process, farm incursion assessment for compensation determination and holding of the Divisional Classification Commission to setting of final disputes and claims. [56] The village to village sensitization meetings were concluded smoothly in Egumbo, Banti, Folepi, Besali, Fossongu, M'mockbie, Fossimondi and Nkong with non-cooperation in Bamumbo and Bangang. [57]

Furthermore, the following other key activities were conducted in 2012 namely:

- A technical meeting to review the community/stakeholder complaints/objection was held. A total of 19 complaints/ objections were received from 8 of the eleven concerned villages. The highest number (over 50%) of complaints was related to current farms and the community needs for future farmland within the proposed THWS.
- A farm reconnaissance survey to get a more detailed understanding of farming within the proposed THWS was undertaken.

Consultations with key local elites, traditional leaders, local government administrators and

other stakeholders from the communities adjacent to the proposed THWS were undertaken. Other consultations with key external elites were undertaken in Yaoundé, Bamenda, Dschang, Mundemba and Buea, with the main purpose of the consultations being to sensitize these key stakeholders on the on-going sanctuary creation process, clarify the issues and misconceptions/misinformation related to the creation of the THWS; as well as to manage the key stakeholder expectations of the benefits to be derived from the establishment of the sanctuary. [58]

Participatory or Co-management

Inspired by the Rio Declaration [59] and the African Charter of Rights [60] the Cameroon's Framework Environmental Law [61] established the principle of public participation in the management of its natural resources. [62] This legal requirement is recognition of Principle 14 of the 1972 Stockholm Declaration [63] which provides that rational planning constitutes an essential tool for reconciling any conflict between the needs of development and the needs to protect and improve the environment.

Participation in governance or co-management is the ability of forest people to meaningfully participate in decision-making with respect to the design and implementation [64] of conservation processes. [65] The question of treating the affected communities as 'legitimate and equal partners' in the management of the sanctuary's conservation strategies is yet to be given effect to. Although Cameroon forestry policy has undergone major policy shifts from a centralized form of management to a more decentralized system that seek to incorporate the local communities, many opinions have emerged as per the success of this approach. [66] The full potentials of locals in participating in forest management activities have not been explored. [67]

Recognition of the Affected Communities' Rights to Traditional Use of the Sanctuary

The 1994 Law governs usage rights that apply to local communities, which is to the effect that the latter enjoy the right to exploit all

forest products – animal and fish - apart from protected species, for personal use. [68] The implications of this legal provision is that every inhabitant of the forestry zone is entitled to usage rights; protected species alone are, in principle, excluded from the application of usage rights; products taken in accordance with usage rights must be destined for personal use. All commercial use is, therefore prohibited. [69] The law specifies, however, that the exercise of usage rights can be restricted if these rights are in conflict with the objectives set for the said forest (which would appear to be the case, in the mind of the legislator, for protected areas). It is interesting to note that in this case, the law makes provision for the establishment of compensation for indigenous people. [70]

The act of classifying a forest estate takes into account the social environment of the indigenous peoples, who retain their customary usage rights. [71] The THWS is an area protected for wildlife according to the nomenclature set out in Article 24 (a)(v) of the 1994 Law. Within this framework, the sanctuary forms part of State forest which is 'set aside for conservation'. [72] Habitation or other human activities (hunting, farming and fishing) are regulated or forbidden [73] in protected forest (which includes protected areas). [74] MINFOF has broad power to regulate, control and prohibit hunting. [75]

The law identifies two types of hunting; [76] sport hunting and traditional hunting. Traditional hunting is the only form of hunting available to local communities. It is carried out freely throughout the national territory, except on the property of third parties and in protected areas where it is subject to special regulations defined in accordance with the management plan of the area. [77] It is authorized for rodents, small reptiles, birds and other class C animals whose list and quota are fixed by order of the minister in charge of wildlife. [78] Products of traditional hunting are to be used exclusively for food and shall, under no circumstances, be marketed. [79] The above requirement places traditional hunting within the context of usage rights.

The nature of traditional hunting has been the topic of numerous controversies, relating to the types of tools used. The law defines “traditional” implements as those made of plant materials, which excludes steel wires. [80] Can spearheads made of metal be recognized as “traditional” implements? In fact, people are restricted to using spears to hunt. [81] The law on hunting seems to make traditional – and most commonly used – hunting methods illegal, such as the snares made from steel wire, or metal-tipped arrows. Similarly, hunting with rifles, is widespread amongst the villages that use locally made guns and gun powder. The vagueness surrounding the definition of ‘traditional’ could serve to place additional restrictions on the practice of usage rights by affected communities as regards hunting.

There are flagrant contradictions between protected area legislation and local culture. For instance, the harvesting and sale of forest products constitute a major source of revenue for the villagers. These activities violate the rules governing usage rights, which only permit the taking of forest products for personal use. [82] Legal protection is rarely sufficient to guarantee the continued integrity of conservation. Protected areas can lose popular support, credibility, fostering their rapid deterioration, [83] and will eventually be compromised unless they at least are not completely inimical to, the needs of the local population. [84] This places a question mark on the management principles for protected areas which assume that ‘legal recognition of rights is not included in the mandate of administrators of protected areas’. [85]

Recognition of the Affected Communities Land Rights

The forest is considered an ancestral heritage and concept of protected areas is unknown to the villagers. The local populations think they are despoiled from their ancestral land at the profit of the animals. [86] A typical villager finds it difficult to understand the restriction imposed on their forest activities when, in their culture, no one other than their ancestors owns the forest and the only restrictions to the use of forest and its products known to them are those related to taboos.

The question of forest peoples’ rights to land in Cameroon is more delicate. [87] The rule under the land tenure law that all land that is not held under private title belongs to the State is contrary to customary rules, which define the principles of land acquisition and transfer between all the different forest people. [88] In fact, Cameroon law and jurisprudence favour modern law over custom. [89] Thus the Supreme Court, after independence asserted: ‘In every case relating to custom, where legislated, the law takes precedence over custom’. [90] The discord or lack of harmony between modern law and customary norms relating to the use of land constitutes a fundamental problem to communities affected by conservation. As a matter of fact the conflicting interests are unavoidable and the task is to harmonize contradictory users’ needs. [91]

Insecure community tenure rights over land and resources are sources of conflicts when competing users fight for control over these resources. [92] The African Commission on Human and Peoples’ Rights in 2010 issued a landmark decision in the case of the Endorois people against Kenya, demonstrating a clear understanding that denying community land tenure security violates human and indigenous peoples’ rights. [93] The African Commission found in the Endorois’ favour that there had been a violation of Articles 14 (right to property), 21 (right to free disposition of natural resources, and restitution and compensation for disposed peoples) of the African Charter and Peoples’ Rights. [94]

The ruling in the *Endorois case* [95] underscores the importance of securing community land tenure rights as the foundation of a more promising, sustainable and rights-based approach to development. [96] One of the first conditions for success in legislative reform lies on the consideration of the legitimate aspiration of the local population. [97] They need to be placed at the center of resources exploitation and conservation.

Many organizations implement conservation policy in their project areas in an autocratic

manner with only a few locals benefiting from conservation projects. [98] This management approach places the organizations and the communities at parallel, leading to the determination of relations between conservations and local communities. [99] In this respect, indigenous people in Cameroon have called for a new bottom-up and rights based approach to forest protection that recognize their rights and community control over forest and conservation areas. [100] An indicator to the government and conservation organization to rethink their strategy and consider community concerns in the management of protected areas.

Reactions and Results of Creating Protected Areas on Affected Communities

Protected areas constitute a gross violation of the rights of catchment communities and are affecting their livelihoods, leading to strained relationship between conservators and local communities. The nature of the strained relationship could be described as ‘conservation initiatives vs. community interests’. Local beliefs and perceptions do not support conservation. [101] The communities living around the THWS since the introduction of sanctuary have felt their access to their traditional forest shrinking, concluding that ERuDeF has colluded with the government to rob them of their forest. According to some opinions, [102] the recommendation and decision to create the sanctuary is an act of oppression. In this line conservation strategies must be able to capture their interest and values of these communities. [103]

The creation of the sanctuary marks the beginning of a gradual rupture of the livelihood of affected villages as it implies the takeover of hunting and agricultural lands previously cultivated for livelihoods. This has led to resistance by some of the members of the affected communities. [104]

According to them, the objective of the project is to be hunting and agricultural expansion. [105] By the same token, this reinforces their belief that everything that happens does so with the support of EruDeF and accuses the latter for being jealous of them. They see

conservation as a threat to the free rights which have been transferred to them by their ancestors. [106] Some community members also believe their ancestors reside in the forest and they feel that staying away from the forest will mean detaching from their ancestor which is against their tradition. [107]

To them, it is difficult to conceive of a normal life without access to the forest. The situation these communities face seems to be contradictory to the United Nations Declaration on the Rights of Indigenous Peoples according to which indigenous peoples have the right to land, territory and resources which they have traditionally possessed and resided in. [108] Failure to implement this declaration reemphasizes the differences and inability to implement laws. [109] Even under the United Nations Convention on Biological Diversity, States are called upon to protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements. [110]

It seems evident, that the future of projects like the THWS depends very much on the degree of involvement of the catchment communities. For instance, the Metchewo Forest Reserve in the Haut Nkam in the West of Cameroon has now practically disappeared because of demographic pressure and also because when creating this reserve, the colonial administration ignored the interest of the resident populations into account. [111] In the case of Campo, the Bagyeli regard the setting up of the park as a loss of liberty. This is the type of factor that led Adams and McShane of WWF to conclude that: Parks and other protected areas will eventually be overrun by people’s need for land unless the parks serve, or at least are not completely inimical to the needs of the local population. [112]

Protected Areas vs. Local Communities Rights: Towards a New Model of Conservation Management Involving Local Community Participation as a Way Forward

The creation of protected areas involves tenure and management changes that may be

counterproductive for both communities and conservation objectives. If the promotion of conservation in communal forest must succeed, it is essential that local communities have the rights to retain a certain degree of management power over those resources. [113] This requires designing new management schemes that guarantee greater local participation in their management. The following management approaches are vital for effective biodiversity conservation which at the time strengthens the rights of local communities:

Co-management or Participatory Management of Protected Areas

Protected areas usually exclude local people in the management process and are considered as “no-go areas”, resulting to forceful eviction of local communities. [114] This management method which consists of closing up the forest from its people has proven to be ineffective, requiring new approaches which will seek not only to cater for biodiversity conservation but also the livelihood of the catchment communities. [115]

Mutual understanding among government, NGOs and communities is a key factor in community participation in the management of protected areas. [116] Participatory or co-management sets the stage for greater community participation in the management of protected areas, with greater hope for conservation success. This requires both opportunities for locals to be involved in decision-making and implementation of conservation projects. In the Endorois’ case, the community did not want to close the existing wildlife reserve; instead, it sought a greater stake in its management and the opportunity to improve the care taking of Lake Bogoria’s ecosystems in accordance with the community’s traditional knowledge. [117] This legal victory provided a perfect solution of meeting ecosystem conservation objectives and securing the land rights of the Endorois.

Under co-management, local associations can be formed in local community which oversee and control the rate of resource exploitation. Through this, the control of excessive

exploitation can be ascertained and checked without compromising the right to local use. The local people can also be used in monitoring activities in protected areas as they can easily identify illegal uses such as poaching. Traditional knowledge of the indigenes should be seen as an opportunity to include them as partners in the management process. [118]

It would appear that at the current stage of the THWS’s implementation, participation of the local people is not considered. Such consideration is critical for the long term sustainability of Wildlife conservation and the livelihood of the people [119].

Local Community Protected Areas or Community – based Wildlife Management

In Cameroon, the management of protected areas still follows the traditional model which regards them as islands managed in isolation, excluding the right to use resources, imposing restrictions, and resettling people outside protected areas. [120] This top-down approach, takes little consideration of social or economic consequences on affected communities. [121] At the Earth Summit of Rio in 1992, it was concluded that there can be no conservation without development, and that sustainability also implies sustainable livelihoods. [122] A common aspect of rural livelihoods in many developing countries is the reliance of people on bushmeat (hunted wild animals) both for their protein intake and as a source of income. [123] It became increasingly more apparent that excluding traditional users from their wildlife resources was often no longer a viable, realistic or acceptable management option. [124] Instead, it was decided that ways had to be found to integrate livelihood resource use patterns with conservation objectives. [125] In fact, several studies suggest that community based wildlife management is most effective when traditional resource users are involved in management and planning, thus enhancing their rights to the resource, improving their livelihoods, considering their needs, encouraging interactive communication and strengthening local institutional capacity. [126]

The THWS requires the community-based wildlife management new approach encouraged by international NGOs such as JUCN. [127] The approach is considered as an effective and ethical way of integrating conservation goals with the aspirations of the rural poor as it is considered as the 'right' approach to conservation. [128]

There is currently extensive debate on the need to rethink official protected area schemes to make them more responsive to the interests of local communities. [129] The THWS can be made a community managed wildlife sanctuary. There are many examples of Community Based natural Resources Management success such as the *Endorois case* cited above. This approach will recognize and make use of the following tools which guarantee the rights of local communities and at the same time guarantee the long term resources of conservation initiatives:

Management based on community values such as (taboos and sacred shrines and temples) and institutions such as (traditional councils). Traditional beliefs are thought to have prevented the decline of primates in certain areas. [130] The belief that humans transform into chimpanzees and gorillas appears to influence hunting habits. [131] Despite the fact that local customary laws have been used for protecting biodiversity especially in sacred forests, Cameroon has failed to incorporate these laws into its biodiversity protection strategy. Customary laws in local communities relevant for safeguarding biodiversity should be identified through research and integrated into biodiversity protection strategy. [132] Local communities most often reject conservation strategies because they most often do not adequately accommodate their values and believe. [133] Thus, existing values must be recognized and buttressed, because they are the base on which conservation actions can be made more dynamic, without triggering conflict in communities. [134] ability to adapt policy to match indigenous knowledge and cultural value adds strength to conservation success if well harnessed.

Conclusion and Recommendation

The creation of protected areas for conservation is at conflict with the rights of local communities who are economically and socially dependent on forest resources. Acknowledging that human activities constitute the main threat to conservation, this has prompted the government to resort to conservation efforts through the creation of protect areas. Most forest people perceive the long-term objectives of conservation as a threat to their livelihood and in consequence are not willing to support conservation. It would seem that recognizing the rights of local communities and enabling their involvement in strategies for protecting biodiversity has not been effectively achieved, even though it is being sought. The tensed coexistence of local communities and protected area initiatives has been the subject of numerous strives in Cameroon in general and in the communities habouring the THWS in particular. These are legitimate priorities that need to be reconciled.

The economic, social, cultural and development rights of local population should also be taken into account to ensure a long term survival of conservation projects. Conservation efforts must double through the multiplication of protected areas, but local communities must be allowed to partake in their management in order to guarantee their rights. It would appear that at its current stage of development the THWS Projects has not taken into account the desires, interest and rights of resident populations. However, the fact that the management plan is still provisional provides a glimmer of hope for the affected villages, who can now hope that their rights and interest will be taken into account in the final management plan for the Project.

Apart from frequently proposed solutions such as: setting up of community hunting grounds; game-farming, game-ranches and zoological gardens; provision of alternative means of livelihood; integrating livelihood security programe into conservation strategies; this paper highly recommend the following that would not only reconcile the need to protect biodiversity through protected areas on the one hand and to guarantee the rights of local

communities on the other hand, but it would ensure the long term success of biodiversity conservation:

- Co-management or participatory management of protected areas and local community protected areas or community-based wildlife management as discussed supra. This would bridge the gap between local views and conservation views which can best be handled firstly, by implementing a more incentive conservation strategy which support local needs and values and secondly integrating conservation education into culture and traditional practices. Of course it is also important to assess which cultural and traditional practice will promote conservation.
- Management effectiveness for protected areas can be achieved without attempting to impose one standardized methodology but by enabling different methodologies to be incorporated.

The conservationists efforts is not yet sufficient to draw attention to and fill the existing gap between forest people views and conservation views towards protected areas. In reality, the participative management of protected areas is highly recommended. It constitutes the kind of management that permits equal benefit from natural resources endowment. These are things we can no longer ignore in the age of sustainability.

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 17. S. Nguiffo, op. cit., p. 197. See also J. M. Mengang, “Evolution of National Resource Policy in Cameroon”, Yale F&ES Bulletin, 102, p. 243.
 18. Nguiffo S., Ibid.
 19. Ibid.
 20. A sanctuary is an area within which only specially designed animal or plant species are given full protection. See Section 2(9) of Decree No. 95-466-PM of 20 July 1995.
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 22. Art. 1 of Decree No 2014/3212/PM of 29 Sep 2014 on creation of Tofala Hill Wildlife Sanctuary.
 23. Ibid.
 24. ERuDeF is an NGO based in Buea, established in 1999 to protect gorillas and chimpanzees in the Lebialem Highlands of Cameroon assisted the government of Cameroon to create the Tofala Hill Wildlife Sanctuary.
 25. L.Nkembi and B. Muh, “Consolidating the Conservation of Cross River Gorillas (gorilla gorilla diehli) and Nigeria-Cameroon chimpanzees (P. T. Elliotti) in the Lebialem-Mone Forest Landscape, Western Cameroon”. The Environment and Rural Development Foundation, Cameroon, Final Report to People’s Trust for Endangered Species, UK, 2012, p. 5.
 26. Which include: Bannerman’s turaco (Turaco bannermani), Banded wattled-eye (Platyseria laticincta), Cameroon Montane Greenbul (Andropadus montanus), Bannerman’s weaver (Ploceus bannermani), Red headed Picathartes (Picathartes gymnocephalus), Green Breasted Bush-Shrike (:alaconotus gladiator) and Bangwa forest wabbler (Bradypterus bangwaensis).
 27. L. Nkembi, R. Skeen and D. Ndeloh, “Conserving wildlife and protecting fragile environments”, The Lebialem Highlands Montane Birds’ Conservation Projects, South West Cameroon, Final Report, The Environment and Rural Development Foundation for the Rufford Foundation, UK, 2006, p. 7. See also M. F. Nkemnyi, “The Environment-Development Nexus and Great apes Conservation in Western Cameroon: the case of the proposed Tofala Hill Wildlife Sanctuary”, Project Report Prepared by Resource Centre for Environment and Sustainable Development (RCESD), Cameroon/Institute of Development Policy and Management (IOB_, University of Antwerp, Belgium, the Rufor Foundation, p.5.
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 31. Ibid. See also See V. Nodem, J, N. Bamenjo & B. Schwartz, Sub National Natural Resource Revenue Management in Cameroon: Forest and Mining Royalties in Yokadouma, East Cameroon, RELUFA, 2012, p. 11. See also USAID, op. cit., p. 6.
 32. M. F. Nkemnyi, op.cit., p.20.
 33. C. Ngoufack, S. A. Abossolo, and R. A. S. Batha, “Influence of farming activities in the cross river gorilla conservation in the Tofala Hills Wildlife Sanctuary (THWS), South-West region Cameroon, IJSET-International Journal of Innovative Science, Engineering & Technology, Vol. 2 Issue, 7, 2015, p. 314.
 34. L. Nkembi, R. Skeen and D. Ndeloh, op.

- cit., p. 9. See also M. F. Nkemnyi, *op. cit.*, p. 24.
35. B. Morgan et al., “Regional Action Plan for the Conservation of the Nigeria-Cameroon Chimpanzee (*Pan troglodytes ellioti*)”, IUCN/SSC Primate Specialist Group and Zoological Society of San Diego, CA, USA, 2011, p. 30.
 36. C. Ngoufack, S. A. Abossolo, and R. A. S. Batha, *op.cit.*, p. 313.
 37. *Ibid.*, p. 322.
 38. L. Nkengla, “Community-based forest management and changing gender roles in a patriarchal society in Cameroon: The case of Korup and Bechati forest areas”, PhD Thesis, Environmental Sciences, Brandenburg University of Technology in Cottbus, 2014., p. 112.
 39. Include automatic rifles, short guns both locally and factory made.
 40. L. Nkengla, *op.cit.*, p. 112.
 41. *Ibid.*, p. 113.
 42. *Ibid.*, p. 110.
 43. M. F. Nkemnyi, *op. cit.*, p. 21.
 44. L. Nkengla, *op.cit.*,p. 106.
 45. *Ibid.*, p. 109.
 46. Law No. 94/01 of 20th January of 1994 to lay down Forestry, Wildlife and Fisheries regulations.
 47. Decree No. 95-466-PM of 20th July 1995 to lay down the conditions for the implementation of wildlife regulations.
 48. G.P. Dkamela et al., “Lessons for REDD + from Cameroon’s past forestry law reform: a political economy analysis”, *Ecology and Society* 19(3): 30, 2014, p. 1, <http://dx.dio.org/10.5751.ES-06839-190330>, (accessed 20/07/2015).
 49. L. Nkengla, *op.cit.*, p. 77.
 50. *Ibid.*
 51. S. Nguiffo, *op. cit.*, p. 204.
 52. See generally Section 6.
 53. L. Nkembi and B. Muh, *op. cit.*, p. 14.
 54. *Ibid.*, p.13.
 55. *Ibid.*
 56. *Ibid.*
 57. *Ibid.*, p. 14.
 58. *Ibid.*, p. 15.
 59. Principle10.
 60. See Article 13 of the Charter.
 61. Law 96/12 of 5 August 1996: Framework Law on Environmental Management.
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 65. See N. S. Paudel, I. Monterroso and P. Cronkleton, “Secondary Level Organisation and the Democratisation. of Forest Governance: Case Studies from Nepal and Guatemala”, *Conservation and Society* 10(2), 2012, p. 125.
 66. L. Nkengla, *op. cit.*, p. 76.
 67. *Ibid.*, p. 161.
 68. See Article 8(1).
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 70. See Section 2(1) of the 1994 forest law.
 71. Article 26 of the 1994 Forestry law.
 72. Article 2(7), 1995 decree setting out the wildlife regulations.
 73. L. Nkengla, *op. cit.*, p.73.
 74. Article 24 (1) of the 1994 Forestry Law.
 75. G. Allen et al., “Empty Threat Does the Law Combat Illegal Wildlife Trade? A Ten-Country Review of Legislative and Judicial Approaches”, Full-Report, DLA Piper, UK, 2014, p. 8.
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 78. Section 24 (2), *ibid.*
 79. Section 24 (3), *ibid.*
 80. Traditional hunting is hunting carried out using weapons made from materials of plant origin. See Section 2 (20) of Decree No. 95-466-PM of 20 July 1995.
 81. H. Yasuoka, “Snare Hunting Among Baka Hunter-Gatherers: Implications for Sustainable Wildlife Management”, *African Study Monographs, Suppl.* 49, 2014. P.132.
 82. Article 8 (1) of the 1994 forestry and wildlife law.
 83. J. C. Owono, *op. cit.*, p. 259.
 84. *Ibid.*
 85. See The Principles and Guidelines on Protected areas and Indigenous /

- Traditional Peoples, Point No. 2.4 Cited by S. Nguiffo, op.cit., p. 210.
86. C. Ngoufack, S. A. Abossolo, and R. A. S. Batha, op. cit., p. 320.
87. S. Nguiffo, op. cit., p. 211.
88. Ibid.
89. Ibid.
90. See the Supreme Court of Cameroon, *Affaire Bessala Awona c/ Bidzogo Gènevièvr Cor. A No 445*, 3rd April 1962 Cited by S. Nguiffo, Ibid.
91. B. Foahom, op. cit., p.1.
92. J. Pritchard et al., op. cit., p. 8.
93. The decision is available at http://www.achpr.org/files/sessions/46th/communications/276.03/achpr46_276_03_eng.pdf.
94. J. Pritchard et al., op. cit., pp 9 & 11.
95. In 1973, the Endorois community was disposed of its ancestral lands – Lake Bogoria, located in the heart of Kenya’s Rift Valley, was to become a wildlife reserve. Severing the Endorois’ ties with their ancestral land not only threatened their socio-economic well-being, but also their spiritual and cultural survival as an indigenous people. The failure to consult the community or involve them or to compensate the community with adequate grazing land following their eviction severely depleted the livestock of the herding community.
96. J. Pritchard et al., op. cit., p. 11.
97. R. Ngoufo, H. D. Tsague and M. Waltert, op. cit., p. 25.
98. L. Nkengla, op. cit., p. 80. See also A. M. Larson and G. R. Dahal, “Forest Reform: New Resource Rights for Forest-based Communities?”, *Conservation and Society* 10 (2), 2012, p. 105.
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100. Ibid., p. 76.
101. F. N. Mbunya, “The Environment-Development Nexus and Great Apes Conservation in Western Cameroon: the case of the proposed Tofola Hill Wildlife Sanctuary”, *The Rufford Small Grants Foundation, final Report*, 2013, p. 2.
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104. L. Nkengla, op. cit., p. 93.
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127. C. Ngoufack, S. A. Abossolo, and R. A.

- S. Batha, Ibid, p. 321.
128. C. Blum, op.cit., p. 1.
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