



THE CHALLENGES WITH INVOLVING THE JUDICIARY IN THE FIGHT AGAINST ILLEGAL LOGGING IN CAMEROON: POSSIBLE SOLUTIONS

Project CV4C Webinars

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Presentation plan



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Introduction

The possible levels of judicial involvement

- court officials (lawyers, bailiffs, etc.) and prosecutors (judicial police officers)
- Magistrates, namely judges and prosecutors

Forms of judicial involvement

- Investigations and investigations into forest, wildlife and environmental crime
- Lawsuits for punishment or compensation for infringements of forestry, wildlife and environmental protection laws (Litigation)

Constraints of judicial involvement

Technical constraints

- Shortcomings of judicial police officers with special competence in criminal proceedings
- Magistrates' insufficient mastery of the legal framework applicable to forests, wildlife and the environment more generally by magistrates
- Litigants' poor knowledge / mobilisation of remedies available
- Dissuasive court costs

Procedural constraints

- The priority given by sectoral administrations (transactions and administrative sanctions) to non-judicial approaches
- Poor communication/collaboration between the judicial officers and MINFOF officials both at the strategic/decision-making level and in the practice of resolving environmental disputes.
- Willing of the judicial power, in particular public prosecutors, to invest in monitoring the enforcement of laws related to environment and natural resources;
- Only judges and magistrates of court of the first instance can be involved because of the criminal nature of forest and wildlife crime.
- The difficult execution of court decisions which has an impact on the procedure for executing decisions related to forestry, wildlife, and the environment



Opportunities and possible solutions

Update of the SIGICOF platform as a communication tool between MINFOF and the justice depts including the jurisdictions

Skills of administrative jurisdictions in forestry, wildlife and environmental matters

The specialisation of some magistrates and investigating officers on the environment and human rights

The creation of a special unit of investigative officers from the general unit to investigate environmental crime

Mobilisation of available legal remedies for prosecuting environmental and natural resource crimes by actors other than the administration

Harmonise general criminal proceedings and the proceedings for forest, wildlife and the environment crimes

Reform forestry, wildlife and environmental litigation procedures to give more space and authority to the judiciary from the research phase



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Conclusion

- Greater involvement of the judiciary in the fight against illegal logging in Cameroon is crucial for sustainable forest management, improving the quality of forest governance and the effectiveness of environmental justice
- Boldness, determination on the part of the actors of the judicial system, CSOs and local populations + sufficient and constant resources necessary for a lasting paradigm shift in the fight against natural resources crime
- Scaling up experiences in combating wildlife crime and promoting the environmental rights of local communities and indigenous peoples would help strengthen the social responsibility of logging companies



Thank you for your attention

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