

Community Management Groups as an Effective Legal Paradigm for Local Level Participation in the Management, Conservation and Wise Use of Wetlands: Case Study of Cameroon

*Nah Anthony Tetinwe**

Assistant Lecturer, University of Dschang, Dschang, Cameroon

Abstract

Most natural resources and ecosystems such as wetlands are witnessing accelerated degradation in Cameroon with similar trends in other countries across the world. Some of them are threatened despite the fact that they are vital to the daily life of the population especially rural communities, who have relied on them for as old as human existence itself. Just like in other countries, planning for the management, conservation and wise use of wetlands (MCWUWs) in Cameroon is hampered by an inappropriate and inadequate legal framework due to insufficient political commitment by the Government to put in place appropriate policy, legislative and institutional frameworks, compounded by a low level of awareness by the population of their importance. This paper focuses on community management groups (CMGs) as an effective legal paradigm for local level participation in the MCWUWs. In underscoring the need for a legal paradigm shift in the MCWUWs, the principal objective of this paper is to demonstrate that CMGs can be an effective legal tool for local level participation in the MCWUWs. Focusing on Cameroon, the paper makes a content analysis of relevant policies, legislations and bench research, including on the spot observations and intuition in assessing the role of CMGs as an effective legal paradigm for local level participation in the MCWUWs. The paper concludes that the degradation and disappearance of wetlands is due to an inappropriate and inadequate legal framework owing to insufficient political commitment by Governments to design appropriate policy, legislative and institutional frameworks for their management, conservation and wise use, compounded by a low level of awareness by the population of their value; and that CMGs can be an effective legal model for local level participation in the MCWUWs. These legal lacunae and the low level of societal awareness of the importance of wetlands require the need for Governments to initiate necessary policy, legislative and institutional frameworks that recognise the crucial role local communities through CMGs can play in the MCWUWs.

Keywords: *Appropriate Cameroon, communities, conservation, effective, groups, legislative, local, institutional, management, paradigm participation, policies, tools, use, wetlands, and wise*

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

INTRODUCTION AND BACKGROUND

Contextualising the Study

Environmental issues remain at the top of global and national concern compounded by numerous challenges in reaching full consensus on common environmental policies and actions via international agreements, domesticating and implementing them to achieve a more sustainable world. At the same time, local communities are at the centre of natural resources and environmental governance and any actions and interventions

should primarily serve their interests above all other interests. This is however hardly ever the case in many resource rich countries. Although there is an international treaty on wetlands; these important ecosystems are witnessing an accelerated degradation in Cameroon with similar trends in other countries across the world. The Ramsar Convention on Wetlands of International Importance especially Waterfowl Habitat [1] defines wetlands as areas of marsh, fen, peat land or water, whether natural or artificial, permanent or temporary, with water that is static or flowing,

fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters [2]. Water is indispensable for human survival and this explains why there is increasing recognition at the international and national level of the right to water [3] and its sustainable use. From this definition, the term “wetlands” is applied to a broad range of different habitats and ecosystems including swamps, flood plains, seasonally flooded grasslands, the edges and shallow waters of rivers and lakes, estuaries and coastal marshes, as well as mangroves and peat bogs. From a doctrinal perspective, there have been a lot of difficulties unanimously agreeing on what constitute wetlands for the simple and convincing reason that wetlands are complex and found in a diversity of milieu, location, form, size, hydrological functioning and uses [4]. In fact, it may be said that the category of wetlands is yet to be closed [5]. Of all the natural resources in the world, water features as the most indispensable. Freshwater is our most precious natural resource and its wise management is essential to the achievement of sustainable development but despite this importance, globally we continue to abuse it [6]. This may explain why the right to water is increasingly recognised universally as a fundamental human right which States are urged to recognise and enforce in their internal legal order with the cooperation and support of the international community. Forming part of economic and social rights, the right to water consists in the provision of sufficient, physically accessible and at an affordable cost, clean and quality water acceptable for personal and domestic use of everyone [7]. Despite their environmental, ecological, social and economic significance, human activities and climatic changes are contributing to the degradation of wetlands faster than any other ecosystem [8].

Representing approximately six percent of the global land surface [9], the importance of wetlands, the causes of their degradation and consequences of such degradation have been extensively investigated and documented, which is not the focus of this paper. However, it is imperative to make a brief examination of these issues. Wetlands are important ecosystems and are known to perform crucial

functions – providing vital products and services essential for environmental and ecological integrity, socio-economic and human wellbeing. The quantification of these functions reveals enormous environmental and ecological importance (water discharge and recharge, drought and flood control and soil erosion prevention, water purification, nutrient and toxic retention, climate change mitigation and adaptation, home for biodiversity, prevention of saline water intrusion), socio-economic (energy production, research and education, transport and communication, tourism and recreation, sources of water and grazing grounds, livelihoods and food security) and cultural values [10]. Most importantly, wetlands are hotspots for biodiversity. They are known to be very productive, providing water upon which large numbers of plants and animal species depend for survival; they are important locations of plant genetic diversity and support large numbers of bird, mammal, reptile, amphibian, fish and invertebrate species [11]. In fact, wetlands are a melting pot for fauna and flora whether genetic or otherwise, of migratory species of wild flora and fauna, and to a large extent, natural heritage [12]. The Contracting Parties to the Ramsar Convention in identifying the fundamental ecological functions of wetlands as regulators of water regimes and as habitats supporting flora and fauna, especially waterfowl, iterated the interdependence of man and his environment [13]. Recognising that wetlands constitute a resource of great economic, cultural, scientific, and recreational value, the loss of which would be irreparable, the parties resolved to stem the progressive encroachment on and loss of wetlands now and in the future. In fact, the conservation of wetlands and their resources can be ensured by combining robust national policies and legislations with coordinated international action.

The Central African Sub-region which Tamasang refers to as the “*Coeur Vert de L’Afrique*”, to which Cameroon belongs, possesses huge environmental resources including a significant surface area covered by wetlands, which has been documented as having 43 sites from nine contracting parties to the Ramsar Convention, making a total of

2.182 sites already designated for Ramsar List throughout the world [14]. Cameroon is blessed with an abundance of wetlands and to demonstrate the country's recognition of the importance of wetlands, Cameroon ratified the Ramsar Convention, the Convention on the Conservation of Migratory Species of Wild Animals (CMS) [15], Convention on the Protection of World Heritage, Culture & Nature, 1972 [16], the Convention on Biological Diversity (CBD) [17] – the cluster international hard law instruments protecting wetlands, including the Abidjan Convention relating to cooperation in the domain of protection and valorisation of marine and coastal zones of West and Central Africa [18]. Cameroon's wetlands situation within the African Continent generally and the Central African Sub-region specifically is interesting given that the country is often referred to as Africa in miniature in all respects including its biodiversity resources in general and wetlands resources in particular [19]. Within the sub-region, Cameroon ranks second after the Democratic Republic of Congo, in biodiversity wealth in general and third in the number of wetland sites designated for the Ramsar List [20] and many more are in the pipeline of being identified as such. However, their values have not been specifically and adequately recognised and captured in policy and legislative enactments.

The human population explosion, coupled with unsustainable socio-economic development has led to their degradation, triggering a decline in the goods and services provided by these ecosystems. Reclamation and conversion of wetlands for agriculture, human settlement and industrial development constitute a big threat to wetlands management and conservation [21]. Perception of wetland values varies [22]. Large areas of wetlands in Cameroon are being converted to agriculture, grazing, land reclamation or encroachment for development activities and housing, firewood and other construction materials. In some communities, wetlands are considered as common property or ownerless property that can be exploited for agriculture, fishing, grazing and harvesting of natural products [23]. However, in recent times in most local communities, most wetlands are being carved

out and appropriated by community members due to the increasing value attached to land generally and to wetlands ecosystems in particular. In fact, pressure on wetlands continues to mount both in rural and urban areas, leading to large-scale drainage and conversion for alternative uses without regard to ecological and environmental values. In urban areas such as Douala and Yaounde, wetlands are cheap areas for reclamation and infrastructure development, while some are turned into industrial sites or are slowly filled in with semi-slumps, unregulated garbage and sewage disposal and uncoordinated implementation of development activities. As a result, a great number of wetlands in Cameroon and the world in general are continuously being degraded. They face severe and diverse threats (including unsustainable human activities, lack of coordinated and holistic policy guidelines, climate change [24]. Unplanned urbanisation and industrialisation, societal ignorance of wetland values, functions and fragility, and inadequate management structures are exerting increasing pressure on wetlands and are the main causes of their degradation and loss [25]. These have induced changes that have eroded the ecological and socio-economic values and services provided by wetlands and raising the question of the viability of the wise-use concept which in Ramsar terms means the sustainable utilisation of wetlands for the benefit of mankind in a way compatible with the maintenance of the natural properties of the ecosystem.

All these developments have taken place in the absence of an appropriate and comprehensive national legal framework that regulates the management, conservation and wise use [26] of wetlands (MCWUWs), compounded by the limited understanding of their values and what the impacts of their modification and degradation may be. In fact, most wetlands are under threatened conditions due to unsustainable use which will continue in the absence of an appropriate and comprehensive legal framework or customary rules (especially as most traditions and customs continue to lose their values and the inability of the legislator to legislate on wetlands) to regulate their use. Their management, conservation and wise use therefore deserve proper legal attention. In

many cases socio-economic developments would do more environmental and ecological harm than good. Population growth continuously presents problems for the preservation of the environment and wetlands ecosystems in particular, requiring that adequate policies, legislative and institutional measures be adopted, as appropriate, to address these problems. Through fuller knowledge and wiser action, we can achieve for this generation and our posterity a better life in a safe environment. Based on current trends we are not doing well in responding to the environmental challenges we are facing, necessitating an urgent need for better management and wise use of wetland ecosystems to achieve sustainable human development [27]. The protection and improvement of the human environment especially wetlands for the present and future generations has become an imperative goal for mankind – a goal to be pursued together with, and in harmony with, the fundamental goals of socio-economic development.

Local participation and stewardship of natural resources and environmental governance is one of the most effective legal tools or strategies for attaining sustainability. Examples of successful outcomes of environmental and natural resources stewardship with the participation of local communities are bound around the world. In fact, local participation in environmental and natural resources stewardship has long been given legal recognition by early international legal instruments on sustainable natural resources and environmental governance. Principle 22 of the Rio Declaration provides that indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices and that States should recognise and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development [28]. In the same vein, the Stockholm Declaration of the United Nations Conference on the Human Environment [29] in paragraph 7 of its preamble provides that the achievement of environmental protection goal will demand the acceptance of responsibility by citizens and communities and by enterprises and institutions at every level, all sharing equitably in common

efforts. The introduction of participatory and community-based natural resource management (CBNRM) across the world has gained momentum mostly forestry management such as community forestry in Cameroon. However, such legal techniques have not been exploited for wetland ecosystems. Thus, it is essential to strengthen the participation of local community through community management groups (CMGs) in the MCWUWs. Community-based wetland management needs to be promoted in Cameroon with particular emphasis on the development and implementation of national wetland policy and legislation that specifically recognise the crucial role of CMGs in their management and conservation. The importance of community role in wetland management and conservation programmes should recognize their own skill and knowledge [30].

This paper argues that despite the diverse socio-economic, ecological and environmental benefits that wetlands provides, unsustainable activities, misconception and low societal awareness about their values, and most importantly, inappropriate and inadequate to put in place appropriate policy, legislative and institutional frameworks for their management due to insufficient political commitment by Governments are contributing to their degradation in Cameroon and beyond. For the short-term economic benefits, the exploitation of these ecosystems is good but the environmental, ecological and socio-economic implications in the long run are likely to be disastrous. The objectives of this paper are to demonstrate the need for comprehensive legal frameworks that promote community based MCWUWs; showing the importance of CMGs' role in their management, conservation and wise use through community integrated projects, taking Cameroon as a case study. The paper thus, underscores the need for Governments to initiate necessary legal frameworks that recognise the crucial role local communities through CMGs can play in the MCWUW ecosystems.

Conceptual and Theoretical Frameworks

The participation of local communities in natural resources and environmental governance has given rise to legal conceptualisation and theorising. Thus, going by the CBNRM concept which combines

conservation objectives with the generation of economic benefits for rural communities, the main assumptions are that: locals are better placed to manage and conserve natural resources and the environment and will be committed to sustainably manage and conserve a resource or ecosystem that is linked directly to their livelihood and survival. In addition, the theory of decentralisation and participation in environmental and natural resources governance requires the state to achieve sustainability objectives through collective actions by ensuring broader stakeholders' participation. In line with the above concept and theory, the participation of CMGs in the MCWUWs is sacrosanct. In fact, this researcher firmly opine that the respect of the principles and beliefs presented in the above concept and theory with respect to the participation of CMGs can, in the context of wetland management, enhance the conservation and wise use of wetland ecosystems in Cameroon and other countries that share similar ecosystems and problems.

Methodology

This paper is anchored on doctrine and content analyses of relevant legislations, regulations and policy documents, assessing their adequacy and appropriateness in recognising the crucial role local communities through CMGs can play in the MCWUWs. The researcher also makes use of desk research consisting of reading and reviewing records, including on the spot observations and intuition in order to complement and support the arguments contained in this paper. Thus, the paper offers useful insights on the significant role local communities through CMGs can play in the MCWUWs in Cameroon and other countries that share similar ecosystems.

THE LEGAL FRAMEWORK FOR WETLANDS PROTECTION: OPPORTUNITIES AND CHALLENGES FOR THE PARTICIPATION OF COMMUNITY MANAGEMENT GROUPS IN THEIR MANAGEMENT, CONSERVATION AND WISE USE

Cameroon is an advocate of an environmentally safe world and has given due consideration to environmental protection and management which wetlands constitute a

component. Policies, legislative and institutional frameworks are the bases for the protection and sustainable management of the Earth's ecosystems such as wetlands. The capacity of wetlands to produce vital renewable resources must be restored, improved and maintained; and for this to be attainable, there is the need for the law to recognise the crucial role local communities through CMGs can play in the MCWUWs and therefore, guarantees such participation. The MCWUWs are guaranteed by international (global, regional and sub-regional) and national legal frameworks.

Relevant International Wetlands Related Legal Frameworks: Anchor Points for the Participation of Community Management Groups in their Management, Conservation and Wise Use

In keeping with Principle 7 of Rio Declaration on Environment and Development [31] which provides that States are under the obligation to cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem, some international 'hard laws' [32] and 'soft laws' [33] or "Voluntary" standards have been arrived at by the international community within the United Nations system to manage, conserve and ensure the wise use of wetlands. Such international hard laws and soft laws are herein catalogued under global legally binding instruments and globally non-legally binding instruments respectively. This section makes a critical examination of their content in order to identify if they contain provisions relevant for the participation of local communities through CMGs in the MCWUWs.

International Legally Binding Instruments Appropriate for the Management, Conservation and Wise Use of Wetlands: Strongpoints for the Participation of Community Management Groups

To demonstrate the country's recognition of the importance of wetlands, Cameroon has ratified a series of relevant global instruments such as the Ramsar Convention as amended in 1982 and 1987 and the CBD—the two main international hard law instruments protecting wetlands. The Bonn Convention on CMS and the Convention on the Protection of World Heritage, Culture & Nature including the

Abidjan Convention relating to cooperation in the domain of protection and valorisation of marine and coastal zones of West and Central Africa are also instructive.

The Ramsar Convention provides the legal framework for intergovernmental cooperation to specifically protect wetland ecosystems and the conservation of their biodiversity. In providing a common framework for the conservation & wise use of wetlands & their resources, the Convention enjoins Contracting Parties to designate suitable wetlands within their territories for inclusion in a List of Wetlands of International Importance. The inclusion of a wetland in the List does not prejudice the exclusive sovereign rights of the Contracting Party in whose territory the wetland is situated. Contracting Parties are under the obligation to formulate and implement their planning so as to promote the conservation of the wetlands included in the List, and as far as possible the wise use of wetlands in their territory [34]. Each Contracting Party is obliged to promote the conservation of wetlands and waterfowl by establishing nature reserves on wetlands, whether they are included in the List or not, and provide adequately for their wardening [35]. Where a Contracting Party in its urgent national interest, deletes or restricts the boundaries of a wetland included in the List, it would be expected as far as possible to compensate for any loss of wetland resources, and in particular it would be expected to create additional nature reserves for waterfowl and for the protection, either in the same area or elsewhere, of an adequate portion of the original habitat [36]. The Convention calls on Contracting Parties to encourage research and the exchange of data and publications regarding wetlands and their flora and fauna; promote the training of personnel competent in the fields of wetland research, management and wardening [37]. Contracting Parties are called upon to consult with each other about implementing obligations arising from the Convention especially in the case of a wetland extending over the territories of more than one Contracting Party or where a water system is shared by Contracting Parties (transboundary wetlands [38]) and are also expected to coordinate and support present and future

policies and regulations concerning the conservation of wetlands and their flora and fauna [39].

It is rather unfortunate that scanning through the Ramsar Convention, one does not find any article recognising the role of local communities in the MCWUWs. This is even more disappointing because local communities have a direct interest in the MCWUWs as they practically depend on wetlands which are enough justification for recognition as crucial stakeholders in their management, conservation and wise use. Furthermore, local communities possess traditional knowledge and practices that are relevant for environmental management, protection and conservation which this Convention has completely ignored. Moreover, local communities through CMGs can very well play the wardening role over wetlands.

The Convention on the Protection of World Heritage, Culture & Nature, 1972 [40] may also be utilised to protect degrading wetlands which fit well under the definition of “natural heritage” under articles 1 and 2 of the Convention according to which the following are considered as “natural heritage”: natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view; geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation; natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty. The World Heritage Convention just like the Ramsar Convention fails to recognise the crucial role local communities through CMGs can play in the MCWUWs. However, article 5 of the World Heritage maybe interpreted to give CMGs an opportunity to participate in the protection and conservation of wetlands constituting a natural heritage. In fact, the article enjoins each State Party to the Convention to adopt a general policy which aims to give cultural and natural heritage a function in the life of the

community and to integrate the protection of that heritage into comprehensive planning programmes; to take appropriate legal measures necessary for the identification, protection, conservation, presentation and rehabilitation of such heritage; to set up within its territories, where such services do not exist, one or more services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions among other measures. Thus, the above relevant provisions of the World Heritage Convention provide appropriate legal basis for the participation of local communities through CMGs in the MCWUWs.

The CBD is also instrumental for the protection of wetlands. It offers the widest range of legal measures for promoting biodiversity conservation which include wetlands and requires contracting Parties to develop and adopt detailed measures to achieve its objectives [41]. In its preamble, the CBD recognises the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources including wetlands, and the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices relevant to the conservation of biological diversity and the sustainable use of its components. Wetlands also affords indirect protection under article 1 of the CBD which lays down the objective of the Convention to include the conservation of biological diversity and the sustainable use of its components and under article 2 of the Convention, “Biological diversity” means the variability among living organisms from all sources including, inter alia, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems. Wetlands sit very well within this definition.

Article 8 (a) of the CBD urges Party States to establish a system of protected areas or areas where special measures need to be taken to conserve biological diversity; (d) to promote the protection of ecosystems, natural habitats

and the maintenance of viable populations of species in natural surroundings; (f) rehabilitate and restore degraded ecosystems and promote the recovery of threatened species, inter alia, through the development and implementation of plans or other management strategies; (j) subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilisation of such knowledge, innovations and practices. Article 10 (d) in order to ensure the sustainable use of components of biological diversity, urges Party States to support local populations to develop and implement remedial action in degraded areas where biological diversity has been reduced. Wetlands as a component of biological diversity enjoy the legal protection offered by the spirit of these articles. Thus, these provisions constitute strong legal basis for the participation of local communities through CMGs in the MCWUWs and can be interpreted to allow for such participation.

As a result of international concern over a wide range of threats, (including habitat shrinkage in breeding areas, excessive hunting along migration routes, and degradation of their feeding grounds), the CMS, also known as the Bonn Convention recognises that states must be the protectors of migratory species that live within or pass through their national jurisdictions, and aims to conserve terrestrial, marine and avian migratory species throughout their ranges [42]. CMS Parties strive towards strictly protecting these species, conserving or restoring their habitats such as wetlands, mitigating obstacles to migration and controlling other factors that might endanger them by concluding global or regional agreements ranging from legally binding treaties to less formal instruments, which can be adapted to the requirements of particular regions. It is rather unfortunate that the CMS has not recognised the significant role local communities can play in the protection of

migratory species found in wetland ecosystems despite their heavy reliance on wetlands which in some cases is unsustainable and environmentally unfriendly in recent times. In fact, local communities present both a danger for migratory species found in wetlands and an opportunity for their management, conservation and wise use.

The Indigenous and Tribal Peoples Convention, 1989 [43] under Article 6 (1) encourages Governments to: (b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them; and (c) establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose. Article 7(1) gives them the right to participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly. Article 15(1) provides for the safeguard of the rights of the peoples concerned to the natural resources pertaining to their lands such as the rights to participate in the use, management and conservation of these resources, while article 15(2) (a) gives them the right to participate in the benefits of such activities, and to receive fair compensation for any damages which they may sustain as a result of such activities. To crown it all, Governments are urged under Article 2(2) to ensure that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population. These provisions provide relevant legal basis for the Government to recognise and encourage the participation of local communities through CMGs in the MCWUWs in Cameroon.

At the regional level, the 2003 revised African Convention on the Conservation of Nature and Natural Resources under article XVII (3) calls upon the Parties to take necessary measures to enable active participation by the local communities in the process of planning and management of natural resources upon which

such communities depend with a view to creating local incentives for the conservation and sustainable use of such resources. Specifically, in the context of wetlands management, article VII (2) enjoins Parties to establish and implement policies for the planning, conservation, management, utilisation and development of underground and surface water and to endeavour to guarantee for their populations a sufficient and continuous supply of suitable water, taking appropriate measures with due regard to: (a) the study of water cycles and the investigation of each catchment area; (b) the integrated management of water resources; (c) the conservation of catchment areas and the co-ordination and planning of water resources development projects; and (d) the inventory and management of all water resources, including the administration and control of all water utilisation. Although Cameroon has not signed nor ratified this Convention, community-based management of natural resources upon which such communities depend, is an effective legal paradigm for natural resources management that has been recognised by the Convention and can therefore be employed for the MCWUWs in Cameroon. In fact, they provide a good anchor point for the participation of local communities through CMGs in the MCWUWs across the world.

The Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan Convention) [44] covers the marine environment, coastal zones and related inland waters falling within the jurisdiction of the States of the West and Central African Region, from Mauritania to Namibia inclusive, which have become Contracting Parties to the Convention [45]. The Convention is a legal commitment of Governments of this region to deal individually and jointly with their common environmental problems in the context of water (both Marine and Coastal) ecosystems protection. The Convention is a comprehensive umbrella agreement for the protection and management of the marine and coastal areas. It lists the sources of pollution which require control: pollution from ships,

dumping, land based sources, exploration and exploitation of the sea-bed, and pollution from or through the atmosphere [46]. The absence of a specific wetland legislation and the existence of dotted related water laws and regulations in Cameroon is in contradiction of article 4(3) of the Abidjan Convention which calls on contracting Parties to establish national laws and regulations for the effective discharge of the obligations prescribed in the Convention, and to endeavour to harmonise their national policies in this regard. Also, despite the critical role local communities play in environmental protection, the Abidjan Convention has not provided for their participation in the protection of areas covered by the Convention and its Protocol.

Some International Non-legally Binding Instruments Suitable for the Management, Conservation and Wise Use of Wetlands: Strongholds for the Participation of Community Management Groups

A good number of international non-legally binding instruments suitable for the management, conservation and wise use of wetlands exist. The following paragraphs attempt a critical content assessment of these instruments with the aim of identifying strongholds for the participation of local communities through CMGs in their management, conservation and wise use.

Although the Rio Declaration does not directly provide for the participation of CMGs in the MCWUWs, it indirectly implies such participation under some of its Principles. In this respect, Principle 22 provides that indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices and urges States to recognise and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development. Principle 10 of the is also to the effect that environmental issues are best handled with participation of all concerned citizens, at the relevant level; and that at the national level, each individual have the opportunity to participate in decision-making processes. These Principles can be interpreted to guarantee the

participation of local communities through CMGs in the MCWUWs. In fact, they provide a stronghold for the participation of local communities through CMGs in the MCWUWs across the world.

Agenda 21 of Rio Declaration provides for the need to strengthen the role of major groups in natural resource, environmental management and sustainable development. Chapter 26 specifically provides for the need to recognise and strengthen the role of indigenous people and their communities in this respect. For instance, Chapter 26, Paragraph 2 provides that in view of the interrelationship between the natural environment and its sustainable development and the cultural, social, economic and physical well-being of indigenous people, national and international efforts to implement environmentally sound and sustainable development should recognise, accommodate, promote and strengthen the role of indigenous people and their communities; while Paragraph 3(c) provides for the involvement of indigenous people and their communities at the national and local levels in resource management and conservation strategies and other relevant programmes established to support and review sustainable development strategies, such as those suggested in other programme areas of Agenda 21. Paragraph 5(d) encourages the United Nations organisations and other international development and finance organisations and Governments to contribute to the endeavours of indigenous people and their communities in resource management and conservation strategies (such as those that may be developed under appropriate projects funded through the Global Environment Facility and the Tropical Forestry Action Plan) and other programme areas of Agenda 21, including programmes to collect, analyse and use data and other information in support of sustainable development projects. Paragraph 6 enjoins Governments, in full partnership with indigenous people and their communities, where appropriate to: (a) develop or strengthen national arrangements to consult with indigenous people and their communities with a view to reflecting their needs and incorporating their values and traditional and other knowledge and practices in national

policies and programmes in the field of natural resource management and conservation and other development programmes affecting them; and (b) cooperate at the regional level, where appropriate, to address common indigenous issues with a view to recognising and strengthening their participation in sustainable development.

In addressing the conservation and management of resources for development, Chapter 18 of Agenda 21 recognises and stresses on the need to protect the quality and supply of freshwater resources through the application of integrated approaches to the development, management and use of water resources; protection of water resources, water quality and aquatic ecosystems; drinking-water supply and sanitation; water and sustainable urban development; water for sustainable food production and rural development; etc. These general provisions of Agenda 21 are very useful and provide good anchor points for the participation of local communities through CMGs in the MCWUWs in Cameroon and should therefore be given due consideration by law and policy makers in Cameroon.

It should be noted that the Rio Declaration and Agenda 21 though not legally binding, include provisions which at the time of their adoption were either understood to already reflect customary international law or expected to shape future normative initiatives. Moreover, the Rio Declaration, by expressly reaffirming and building upon the Stockholm Declaration, reinforces the normative significance of concepts common to both instruments.

At the sub-regional level, the COMIFAC's [47]Convergence Plan [48] protects wetlands under Strategic Area 4 for Biodiversity Protection zones in Central Africa where it specifically recognises and provides for the need to ensure the conservation of marine and coastal ecosystems, mangroves and wetlands, endangered species and water resources. Under Strategic Area 7 for Capacity Building, Stakeholder Participation, Information and Training, the Convergence Plan recognises the need to design and adopt a sub-regional strategy to involve the local population and the civil society in resource management. This provides a strongpoint for the participation of

local communities in the MCWUWs in member countries.

The member States of the Convention on the Lake Chad Basin Commission (LCBC) [49], signed in Fort Lamy, Chad, 1964, recognised to need to formulate principles for the utilisation of the resources of the Basin for economic purposes, including the harnessing of the water. However, this Convention is devoid of the important role local communities through CMGs can play in the MCWUWs. In the same vein, the Memorandum of Cooperation between the Bureau of the Convention on Wetlands and the Lake Chad Basin Commission signed at Valencia, Spain, on 23rd November 2002 is instructive with respect to the MCWUWs but is void of any recognition of the crucial role local communities can play in the MCWUWs.

At the international level, a legal framework that recognises and encourages the participation of local communities in the MCWUWs exists although some of the legally binding and non-legally binding instruments are silent with respect to local level participation in the MCWUWs. However, implementation, compliance and enforcement of those that recognise such local participation remain a challenge.

The Legal Framework for the Protection of Wetlands in Cameroon: Opportunities and Challenges for the Participation of Community Management Groups in their Management, Conservation and Wise Use

Cameroon is a signatory and has ratified a good number of international treaties relevant for the protection of wetlands and is therefore bound by the doctrine of "*Pacta Sunt Servanda*" [50]and the 1969 Vienna Convention on the Law of Treaties and according to this treaty and doctrine, a State is under the obligation to implement in good faith its international obligations. This same obligation is sanctioned by article 45 [51] of the Cameroon Constitution. Perusing through the Cameroonian legal landscape, one does not find any policy and legislation specifically fashioned or primarily designed for the MCWUWs. In the same vein, one does not find any institutional structure established to manage and ensure the conservation and wise

use of wetland ecosystems in Cameroon. In consequence, the role of local communities through CMGs in the MCWUWs is missing in Cameroon. However, water bodies receive indirect protection through an array of policy and legislative initiatives and institutions, but these are not significantly adequate and appropriate as they do not have the same clout as specific and direct policy and legislation on wetlands and appropriate institutional structures. In the absence of specific and direct wetland policy and legislation, Cameroon has a plethora of relevant policy and legislative instruments on environmental protection and a myriad of policy and regulatory instruments in key economic and development sectors which can be exploited to improve wetland protection and specifically to enhance the participation of local communities through CMGs in the MCWUWs. However, the crucial concern is how comprehensive and appropriate are these policy and legislative instruments in ensuring the participation of local communities through CMGs in the MCWUWs in Cameroon especially as they were not specifically designed to protected wetlands. The following paragraphs make a critical content assessment of the relevant policy documents, legislative and regulatory instruments with the aim of identifying the anchor points for the participation of local communities through CMGs in their management, conservation and wise use.

The 1996 Environmental Management Framework Law [52] addresses the protection of wetlands under articles 25 to 30 under the general heading: continental waters and flood plains. In the same vein, articles 62 to 69 of the Law give wetlands an indirect protection within the framework of natural resources management and biodiversity conservation. These notwithstanding, the Law under these articles is silent on the crucial role local communities through CMGs can play in the management, conservation and wise use of water bodies. However, in the context of general environmental protection, the 1996 Environmental Management Framework Law under article 8(2) recognise the role of communities or grassroots associations in contributing to all actions of public and semi-public institutions working for environmental

protection. In the same light, the Law in defining the principles of rational environmental and natural resources management under article 9(e) elaborates on the principle of participation according to which each citizen is under the obligation to safeguard the environment and contribute to its protection and that decisions on the environment should be taken after consultation with the groups concerned. The law equally gives value to traditional knowledge and recognises the right of local populations over this knowledge under article 9(f) concerning the principle of substitution according to which in the absence of a written general or specific rules of law on environmental protection, the identified customary norm of a given land, accepted as more efficient for environmental protection applies. This paves the way for involving local and indigenous communities and most importantly for the adoption of traditional knowledge and favourable cultural practices to inform measures in protecting specific ecosystems with which communities have had a relationship over ages for their livelihood [53] such as wetlands. Articles 72 to 74 also guarantees the participation of the populations in environmental management through access to environmental information, consultative mechanisms, their representation in environmental advisory bodies, sensitization, research and education on the environment and may make use of traditional means of communication. In the context of wetlands management, these legal provisions provide strong points for the participation of local communities in environmental management and could thus, be interpreted to guarantee the participation of local communities through CMGs in the MCWUWs in Cameroon.

The 1998 Law on water management [54] in the context of environmental management and protection of public health lays down the general legal framework for water [55]. The law in article 2 makes a general declaration that water is a common heritage of the Nation which the State assures the protection and the management, facilitating the access of it to all. In the absence of specific reference to wetlands, the definitions of the various kinds of water under article 3 could be interpreted to

include wetlands. Furthermore, in the absence of a specific wetlands law, article 4 of the 1998 Water Law protects all kinds of water bodies against spilling, flow, draining, infiltrations, direct or indirect deposits in waters, of all solid, liquid or gaseous matter and, in particular, all industrial, agricultural wastes; and all wastes even previously subject to a mechanical examination as well as waters or other fluids containing such matters or substances; of oils, lubricants and other matters resulting from cleaning and the maintenance of motor vehicles, of combustion machines and other similar engines; of pesticides; mud or slushes. Article 10 also provides that the exploitation of all surface and underground waters for industrial and commercial ends must be submitted for a prior authorisation and the payment of a royalties; and that all exploitation of all surface and underground waters for industrial and commercial ends must be preceded by an impact assessment in order to determine the direct or indirect impact of the exploitation on the ecological balance of the zone concerned or of all other region, the quality of life of the populations as well as on the environment in general. Apart from these general environment protection provisions, the 1998 Water Law does not provide for the participation of the population or local communities in the management, conservation and wise use of surface and underground waters in Cameroon. Thus, the participation of local communities through CMGs in the MCWUWs is not captured in the 1998 Water Law. In fact, the 1998 Water Law is not exhaustive enough to address wetlands.

Article 3 (1) and (2) of Decree No. 2001/165/PM of 08 May 2001 on the modalities for the protection of surface water and underground water against pollution protects all surface and underground waters against all forms of pollution such as: spilling, flow, draining, infiltrations, direct or indirect deposits in waters, of all solid, liquid or gaseous matter and, in particular, all industrial, agricultural wastes; and all wastes even previously subject to a mechanical examination as well as waters or other fluids containing such matters or substances; of oils, lubricants and other matters resulting from cleaning and the maintenance of motor

vehicles, of combustion machines and other similar engines; of pesticides; mud or slushes. Although wetlands are herein included, this Decree is not also exhaustive enough to provide for the participation of local communities through CMGs in the management, conservation and wise use of surface and underground waters. The same legal lapses are inherent in Decree No. 2001/163/PM of May 08, 2001 regulating the perimeters of protection, around catchment, treatment and storage of waters and Decree No. 2005/493 laying the procedures for the management of public drinking water and liquid sanitation in urban and suburban areas.

The 1996 National Environmental Management Plan (NEMP) revised in 2012 as NEMP II provides the policy framework for intervention in environmental matters. It identifies in a global manner both the problems concerning the degradation of the environment and the objectives and strategies for the sustainable management of the environment for a sustainable economic, social and cultural development. Its overall objective is to develop policies, strategies and actions for environmental protection and the rational management of resources to contribute to sustainable development. Among its five priority areas, there is the participatory land use management, sustainable management of natural resource and restoration of degraded land [56]. The NEMP II is a participative approach in the natural resource management that takes into account the ecological realities of different regions of Cameroon. In a visionary approach, it recognises the protection of the environment as an integrate part of the process of development and thus envisions the pathway for growth as one with a green economy which reduces carbon emissions and pollution and prevents biodiversity loss [57]. Based on this new orientation, the NEMP II provides for 4 key programmes with 11 strategic components in response to the current threats and regressive trends in the state of the environment [58]. The long-term objectives of these programmes are to significantly reduce the loss of biodiversity, mitigate the impacts of climate change and desertification, fight against pollution and noise, and promote sustainable development.

A fifth cross cutting programme is focused on institutional development and the improvement of working conditions [59]. The NEMP II has been operationalised through several strategies some of which are currently being revised or updated. Unfortunately, the MCWUWs do not feature among these programs despite their importance and current state of degradation.

In like manner, the 2000 National Biodiversity Strategy and Action Plan (NBSAP) which served as a reference for biodiversity interventions adopted an ecosystem approach in defining priority actions to be undertaken in realisation of the objective to stop the loss of biodiversity [60] but does not specifically address wetlands. An assessment of the national implementation of this document highlights the absence of wetlands protection and more specifically the participation of local communities in the MCWUWs. The elaboration of the National Integrated Water Resources Management Plan—a process that began in 2007, aims to develop a tool for sustainable development and management of the country's water resources. It is a participatory process that considers water management according to appropriate water management units (catchments, sub-catchments, aquifers, etc.) and according to different competing water uses [61]. The completion of this Plan would be a good policy step in redressing the degradation of wetlands in the country. Policy makers would however do well to guarantee the participation of local communities through CMGs in their management, conservation and wise use.

Apart from making reference to general environmental protection, the various development and poverty reduction policy papers (such as the Poverty Reduction Strategy Paper (PRSP), Cameroon Vision 2035, Rural Sector Development Strategy, Growth and Employment Strategy Paper (GESP), Indicative Land Use Framework, etc.) have not made any particular reference to wetlands despite the heavy reliance on such ecosystems by the population and the critical role they play in economic development in general and rural communities in particular. It is evident that the lack of specific reference to

wetland ecosystems in such policy documents is due to the non-valorisation of such important ecosystems and inadequate inclusiveness of economic and development goals with effective environmental protection exigencies in Cameroon.

In line with article 14(1) of the 1996 Environmental Management Framework Law which provide for the inclusion of environmental concerns in all economic, energy, land and other plans and programmes by the Administration in charge of the environment, sectorial policies and legislations on natural resources and environmental management have done well to integrate general environmental protection concerns but are void of specific references to wetlands protection and the participation of local communities through CMGs in their management, conservation and wise use. It is obvious that although there is a plethora of policies and legislations relevant to the management and conservation of wetlands in Cameroon, water bodies in both rural and urban areas are in extremely poor conditions. They are witnessing rapid degradation. There are endless examples in Cameroon and across the world of such devastating state of wetlands. This trend in the state of wetlands in Cameroon can be largely attributed to inadequate legal framework despite the importance of these ecosystems to the environment and mankind.

CHALLENGES FOR THE PARTICIPATION OF LOCAL COMMUNITIES THROUGH COMMUNITY MANAGEMENT GROUPS IN THE MANAGEMENT, CONSERVATION AND WISE USE OF WETLANDS IN CAMEROON

The broad variety of functions and services provided by wetlands make their management a complex challenge [62]. Most wetlands in Cameroon are located at local levels but the role of local communities is missing in their planning, management, conservation and wise use in the country. A good number of factors contribute to the non-recognition of the critical role local communities can play in the MCWUWs in Cameroon such as specific wetlands policy and legislation, technical,

institutional, financial and human capacities and absence of political will.

Absence of Policy and Legislation Primarily Designed to Protect Wetlands

The major issues facing the effective protection of wetlands in Cameroon is the severe policy and regulatory deficit, such as the absence of detailed wetland management plans/strategies and the non-existence of a specific wetland legislation that could recognise the crucial role local communities through CMGs can play in the MCWUWs in Cameroon. A sound national wetlands policy supported by strong regulatory and institutional frameworks will provide a clear roadmap to enhance compliance and enforcement of the MCWUW in line with the Constitution, Vision 2035 and other key policy development instruments ensuring sustainable development.

Wetlands are not Adequately Captured in Socio-economic Development and Other Environmental Priorities

Larger-scale development processes across the country, such as infrastructure development and other economic activities such as agriculture and industrial wastes, are threatening wetlands and other water bodies. Wetlands are not also adequately reflected in environmental policies in Cameroon. Given that wetlands are one of the major carbon sinks and carbon reservoirs ecosystems and therefore relevant for climate change mitigation, the Government could take advantage of the climate change mitigation and other environmental and socio-economic development opportunities offered by wetlands by accessing international carbon finance for land use changes in order to enhance the participation of local communities through CMGs in the MCWUWs. This potential is not yet sufficiently taken into consideration by policy makers in Cameroon.

Human Resources and Technical Capacities

Human resources and technical capacities constitute big challenges militating against the effective participation of local communities in the MCWUWs in Cameroon. The management and conservation of wetlands need considerable human resources and

technical capacities to ensure management, surveillance, regularly monitor their status and fund restoration and maintenance activities. There is often a lack of monitoring and enforcing mechanisms and unsustainable use tend to go unnoticed and if noticed, unpunished. There is also little by way of research to demonstrate the importance of wetlands and how they may be sustainably used. Availability of data is a serious challenge in the MCWUWs. The data and information available in the country are still limited and fragmented. In order to guide the planning processes for the MCWUWs, regular monitoring of the status of wetlands is necessary [63]. Information on wetland management needs to be made publicly available, especially to the local communities.

Limited Financial Capacity

Funding of wetlands management and conservation is lacking in Cameroon. Awareness, planning, sustainable management and conservation of wetland ecosystems are not yet sufficiently embarked on, as they require substantial financial resources currently not available. There is a need to seek and tap from potential funding sources to support the management and conservation of wetlands in the country. For example, within the framework of climate change investments, carbon finance and other funding instruments could be resorted.

Insufficient Political Will

One is at ease to say that policy makers and the legislator in Cameroon are not assuming the responsibilities the State commits under international environmental law relating to the protection of wetlands. Legislating, implementing and enforcing wetlands policy and legislation are for the most parts a matter of political will which seems to be deficient in Cameroon. In fact, despite the above policy and legislative efforts, Government's actions are highly inadequate.

Policy, legislative and institutional deficit, such as a detailed wetland management plan and appropriate legislations and institutions to implement the plans are some of the major factors that have severely hampered the effective MCWUWs in Cameroon. In view of

the above challenges and threats, this paper sets out to demonstrate the need to put in place appropriate policies/plans/strategies, laws and other measures to respond to wetland degradation and to recognise the crucial role local communities through CMGs can play in the MCWUWs in Cameroon. A country-wide and community-based planning perspective is indispensable in order to ensure the effective MCWUWs.

CONCLUSIONS AND THE WAY FORWARD

Conclusions

Wetlands are vast, complex and extremely important ecosystems but the society possesses little awareness of their values and therefore cannot foresee the impacts that result from unsustainable exploitation and use of wetlands and their associated resources. Cameroon is blessed with an abundance of wetlands, but these fragile ecosystems are being degraded at an alarming pace. Legal and policy efforts in ensuring effective MCWUWs in Cameroon and beyond remain insufficient. In fact, no comprehensive national wetland management and conservation plan has been developed in Cameroon. One may explain the rapid degradation of wetland ecosystems in Cameroon to an inappropriate and inadequate legal framework, owing to insufficient political commitment by the Government to develop appropriate policies, legislative and institutional frameworks for their management, conservation and wise use, compounded by a low level of awareness by the population of their importance. Apart from the short-term economic benefits derived from the exploitation of wetlands, very little is known about the environmental, ecological and other values of these ecosystems in Cameroon and beyond. The existing wetland problems are accelerated by the tendencies of concerned State institutions to ignore their importance. These lacunae underscore the need for Governments to initiate necessary policy, legislative and institutional frameworks that recognise the crucial role that local communities through CMGs can play in the MCWUWs. Local communities are indispensable in the sustainable management of wetlands. This is so because they have practically depended on these ecosystems for

their livelihood and survival for as old as human existence and therefore cannot be excluded from their management. Moreover, local level management or community-based management is a viable option because no centralised management system can effectively control the large and dispersed wetland surface areas across the country. Thus, CMGs can be an effective legal tool for local level participation in the MCWUWs. This finds theoretical and conceptual support under the theory of decentralisation and participation in environmental and natural resources governance which recognises and encourages local participation and the concept of CBNRM which combines conservation objectives with the generation of economic benefits for rural communities, with the main assumptions that locals are better placed to manage and conserve natural resources and the environment and will be committed to sustainably manage and conserve a resource or ecosystem that is linked directly to their livelihood and survival. Community-based organisations are capable of contributing effectively to such management which has positive livelihood impact as it can improve and widen the employment and income base of local communities. In this respect, Governments would do well to develop and implement sustainable management and conservation policies/plans/strategies for wetlands that: recognise and promote local support for the MCWUWs; improve community-based MCWUWs by assisting communities in making better wetlands management, conservation and wise use decisions; ensure a fair and equitable distribution of benefits to all people with a stake in the management, conservation and use of wetlands.

Recommendations

A key task for the Government is to develop and implement national policy/plan/strategy supported by strong legislative initiatives on wetlands developed through a rigorous multi-stakeholder consultative process with the main objectives being to ensure their conservation and wise use. This requires the Government to carry out the following actions: a national inventory of all wetlands in Cameroon; draw up suitable management and conservation

plans; enhance understanding of the values of wetlands among actors and users; build wetland-management capacities; maintain and/or improve the functions and values of wetlands; and promote research on wetlands. More importantly, such policy/plan/strategy and legislation should recognise the crucial role local communities through CMGs can play in the MCWUWs and therefore guarantee their participation through community integrated projects which are ideal strategies for natural resource management and environmental protection.

There is also the need to establish a national wetland management and conservation agency in charge of formulating national policies/strategies/action plans, measures and legislations on the MCWUWs in Cameroon, with the power to legally follow up their implementation, and should also act as a focal point of the Ramsar Convention in Cameroon.

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13. See the preamble of the Ramsar Convention on Wetlands of International Importance especially Waterfowl Habitat, 1971 as amended in 1982 and 1987.
14. Tamasang C.F., (2014), op. cit., p. 30.
15. See the Convention on Migratory Species of Wild Animals (CMS), also known as the Bonn Convention, adopted in 1979 and ratified by Cameroon on 01 November 1983.
16. See the United Nations Convention Concerning the Protection of the World Cultural and Natural Heritage adopted by the General Conference at its seventeenth session Paris, 16 November 1972. Ratified by Cameroon on 07 December 1982.
17. Convention on Biological Diversity, June 5, 1992, 1760 U.N.T.S. 79 (entered into force Dec. 29, 1993). Ratified by Cameroon on 29 August 1994.
18. See the Abidjan Convention relating to cooperation in the domain of protection and valorization of marine and coastal zones of West and Central Africa, 1981, ratified by Cameroon on 01 March 1983.
19. Tamasang C.F., (2014), op. cit., p. 30.
20. Cameroon has 7 designated Ramsar sites coming after Congo with 10 and Gabon with 9. See Tamasang C.F., (2014), op. cit., pp. 31-32. Some are underway for their inclusion.
21. Kang A., op. cit., p. 3. See also Kwame S.A., op. cit., p. 10.
22. A survey of people in some of the wetland areas in Cameroon found mixed feelings about wetlands. In one area, some people felt that wetlands should be used for cattle grazing while others felt that wetlands were not very useful except for the provision of materials for thatching and making crafts. Some felt that wetlands are communal areas which should not be monopolised by a few individuals while in other areas, some prefer to reclaim wetlands to grow crops; they consider wetlands as wastelands which could be put to better use especially for agriculture. Wetlands are considered by most communities as breeding grounds for mosquitoes and other harmful insects and diseases, dangerous and unhealthy places. In fact, people viewed wetlands as "wastelands" which can be converted for other economic gains. See Jianwe C., "Ramsar Convention and Wetland Conservation in China", Area Studies - China: Regional Sustainable Development Review – Vol. III, Encyclopedia of Life Support Systems (EOLSS), p. 2; Mafabi P., "Policy development for wetland management", National Wetlands Conservation and Management Programme, Kampala, p. 140. Few people in these areas acknowledged that wetlands played a vital role in groundwater regulation. Environmentalists hold the strong opinion that wetlands should be conserved and protected by law.
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26. Wise use of wetlands is the maintenance of the ecological character, achieved through the implementation of ecosystem approaches, within the context of sustainable development.
 27. Brels S., Coates D. & Loures F., *op. cit.*, p. 4.
 28. See Principle 22 of Rio Declaration on Environment and Development, Rio de Janeiro, 14 June 1992, arrived at during the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro, June 3-14, 1992.
 29. See the Declaration of the United Nations Conference on the Human Environment Stockholm, 16 June 1972.
 30. See Shrestha U., (2011), "Community Participation in Wetland Conservation in Nepal", *Journal of Agriculture and Environment* Vol. 12, Review Paper, pp. 140.
 31. See Rio Declaration on Environment and Development, Rio de Janeiro, 14 June 1992, arrived at during the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro, June 3-14, 1992.
 32. Hard law instruments consist of Conventions, Protocol, Covenants, Charters, Pacts, Constitutive Instruments, Final Acts, etc. See Tamasang C.F., (2014), "Constructing Synergies for the Conservation and Wise Use of Wetlands in the Central African Sub-region: Legal and Institutional Pathways", *Revue Africaine de Droit Public (RADP)*, Vol. III No 05, Les Éditions Le kilimandjaro, p. 29.
 33. Soft law instruments consist of: Declarations, Resolutions, Recommendations, Directives, Statements, Guidelines, Stipulations, Targets, Plans, Memorandum of Understanding, etc. This plethora of public, private, and public-private initiatives at various levels of governance interact with each other. Such International environmental "soft law" or "Voluntary" standards have persuasive authority and may harden into binding requirements in the future. See *ibid.*
 34. Article 3 (1).
 35. Article 4 (1).
 36. Article 4 (2).
 37. Article 4 (3) and (5).
 38. Whereas national wetlands are those circumscribed within the territory of one state, transboundary wetlands are those that cross international borders or are located on boundaries between two or more states. In this respect, the Lake Chad Basin Commission (members include: Cameroon, Nigeria, Chad and Niger) has been created to ensure the sustainable management of the lake.
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 42. See the preamble of the Convention.
 43. Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169), 1989 (Entry into force: 05 Sep 1991).
 44. The Abidjan Convention and the Action Plan were adopted by the Governments in 1981; the Convention entered into force in 1984. The Convention countries are: Angola, Benin, Cameroon, Cape Verde, Congo, Cote d'Ivoire, Democratic Republic of Congo, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mauritania, Namibia, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone and Togo. Cameroon ratified the Convention on 1 March 1983.
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 47. The Central African Forests Commission established by the Treaty on the Conservation and Sustainable Management of Forest Ecosystems in Central Africa, 2005. COMIFAC is the Central African regional body in charge of forests and environmental policy, coordination and harmonisation, with the objective to promote the conservation and sustainable management of the Congo Basin's forest ecosystems.
 48. The Convergence Plan for the

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49. The Lake Chad Basin Commission was created in 1964 by the four countries bordering Lake Chad: Cameroon, Chad, Niger and Nigeria. The Republic of Central Africa joined the organization in 1996, Libya was admitted in 2008. Observer status is held by Sudan admitted, Egypt, the Republic of Congo and the Democratic Republic of Congo. The aims of the commission are to regulate and control the use of water and other natural resources in the basin and to initiate, promote, and coordinate natural resource development projects and research. See https://en.wikipedia.org/wiki/Lake_Chad_Basin_Commission
 50. *Pactasuntservanda* is a Latin expression which means agreements must be kept. It is a principle in international law which says international treaties should be upheld by all the signatories. The rule is based upon the principle of good faith. The basis of good faith indicates that a party to a treaty cannot invoke provisions of its domestic law as a justification for a failure to perform. Known as the umbrella clause, *pactasuntservanda* is a principle found in many international treaties and conventions that requires each contracting state to observe all obligations it has assumed with respect to subject matter. The principle could further be explained to mean the duty of every state to conscientiously and completely fulfil its international obligations. In modern times the principle has been incorporated in the UN Charter and numerous international documents. For example, the Preamble and Article 2 of the UN Charter emphasise the duty of states to respect and carry out obligations arising from agreements and other sources of international law. The principle was legally established in the Vienna Convention of the Law of Treaties, which proclaimed that “every existing agreement is compulsory for its participants and must be conscientiously carried out by them.” Failure to observe the principle is considered a breach.
 51. See article 45 of Law No. 96-06 of 18 January 1996 to amend the Constitution of 2 June 1972 which provides that duly approved or ratified treaties and international agreements shall, following their publication, override national laws, provided the other party implements the said treaty or agreement.
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 53. Republic of Cameroon, 2012, “National Biodiversity Strategy and Action Plan”, Version II, p. 44.
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