

Case study 1 - The Promotion of a National Policy and Governance Agenda for Conservation : Lesson Learned from Cameroon

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Overview of the policy and governance context in Cameroon

The forest and wildlife policy in force in Cameroon is a combination of the consequences of its colonial history with Germany, Great Britain and France. After the reunification of the former Federated States of East and West Cameroon in 1972, the construction of a United Republic led to the nationalization of the judicial framework (forestry and land tenure) in order to begin to create harmony and coherence between the two systems, especially in terms of reconciling the fragile rights of local communities.

After the Rio Summit in 1992, the State's leading objective was that the government should meet its national and international obligations, i.e., to curb practices detrimental to the sustainable management of forest resources and to ensure eco-

nomie development of the country through forest exploitation. During this first period, forestry and wildlife policy could be summarized as follows: more emphasis was placed on regulating extractive activities like logging, with a few compulsory provisions on reforestation and a target of 20 percent of the country's surface area to be gazetted as protected areas. Local communities' user rights, which had been identified as being fragile and vulnerable to withdrawal (Obam, 1992), also began to be taken into account.

The Ministry of Environment and Forestry (MINEF) was created in 1992 and was the only government body in charge of the management of forestry and wildlife issues. The first forestry policy document was drafted in 1993, leading to the development and adoption of Law N° 94/01 of 20 January 1994, which lays down forestry, wildlife and fisheries regulations in Cameroon. This law is considered one of the most progressive in Central Africa for the following reasons :

firstly, the way forest concessions were allocated, taxed and managed changed significantly, giving way to the introduction of market pricing for timber through competitive auctioning of concessions. There are provisions for two independent observers to monitor transparency and compliance both during the allocation of forest concessions (first level) and during the exploitation of the timber in the field (second level). Secondly, the classification of the national forest heritage into Permanent Forest Estate (PFE) and Non-permanent Forest Estate (NPFE) is another important innovation. The PFE is the private domain of the State, and designated to remain forested in the long term. This includes production forests dedicated to timber exploitation, protection forests for the conservation of natural resources, research forest and recreation forest.

In 1995, the National Forestry Action Programme (PAFN) was presented as part of the broad National Programme for Environmental Management – PNGE (MINEF, 1995). The 1995 forestry policy, which is still in force, has the following five objectives:

- To ensure the protection of the forest heritage and to participate in the safeguarding of the environment and the preservation of biodiversity in a permanent way;
- To improve the populations' involvement in conservation and the management of the forest resources in such a way as to raise their standard of living;
- To enhance the forest resources in order to increase the share of forest production in the GDP while maintaining its productive potential;
- To facilitate the renewal of the resource by regeneration and reforestation in order to perpetuate the potential;
- To rekindle or reactivate the forest sector by putting an efficient institutional system in place with the participation of all stakeholders.

Another important crossroads in the history of Cameroonian and Central African forest management is March 1999 when presidents and leaders from Central Africa met in Yaoundé and made a commitment to enhancing forest management.

Cameroon immediately adopted an action plan in November 1999 that was revised in June 2000. It focused on the following themes: controlling illegal forest exploitation including poaching; and the increasing involvement of local populations in forest conservation. In 2002, at the World Summit on Sustainable Development (WSSD, Johannesburg), they signed up to the Congo Basin Forest Initiative which included commitments to better timber harvesting and processing technologies; ecotourism; increasing capacity for natural resource management in both the public and private sectors; and improving legal and law enforcement infrastructures. Targets are provided by an updated regional master plan being developed by the Central African Forest Commission in which Cameroon has played a key role.

Cameroon also adopted the Forest and Environment Sector Programme (FESP) in 2004 which has been supported by donors since 2005. The FESP is a ten-year programme (2005–2015). It is a comprehensive and coherent policy document that facilitates sustainable forest management in Cameroon. Based on both forest and environmental legislation, the FESP prioritizes five components: 1) environmental management, including environmental monitoring and awareness; 2) production (concession contracting and supervision, promotion of industrial processing, etc.); 3) wildlife and protected areas (focusing more especially on the development of a network of protected areas properly financed and managed with local participation; 4) community forest management, with three sub-components: community forest management, community forest regeneration and fuel wood supply in the northern regions; and 5) institutional strengthening, training and research, focusing on the Ministry of Forestry and Wildlife (MINFOF) and the Ministry of Environment and Nature Protection (MINEP).

Environmental policy and governance successes over the past ten years

Although the current forestry and wildlife policy and laws in Cameroon are an exceptional achievement in the Central African sub-region, the

major challenge is to develop governance structures that will enable their effective implementation by all stakeholders.

However, although this may still appear an uphill task, efforts have been made both by the Cameroonian Government and its multilateral, bilateral and international partners. Several assessments of their implementation have already been carried out (Bikié et al., 2000; I&D, 2000; Global Witness, 2002; MINFOF, 2005; FGF, 2006; Karsenty et al., 2006). From these reports, some of the country's efforts, and positive results that have strengthened environmental governance, can be highlighted :

- The allocation of forest concessions to concessionaires through public bids with the presence of an independent observer to facilitate transparency and competitiveness in the process;
- The recruitment of an independent observer in charge of monitoring forestry activities in the field which has helped in the reduction of illegal logging, poaching and the fight against corruption;
- The implementation of transparent practices such as the tri-monthly publication of forestry infractions and sanctions and the publication of the amount of annual forestry royalties dedicated to local councils (40 percent) and local communities (10 percent).
- The increased contribution of the forestry sector to the GDP. To make it workable, accessible and transparent, a special institution – the Forestry Revenue Security Programme (PSRF) – was put in place to trace and collect revenue from the sector.
- The Last Great Ape Organization (LAGA)/MINFOF agreement to fight commercial poaching and all related trade in endangered animal species by ensuring the prosecution of large-scale illegal wildlife exploiters, and running public awareness campaigns to increase the enforcement of wildlife law and the risks and penalties for wildlife crimes. Thanks to the activities implemented under this agreement, over 50 court cases have been initiated and wildlife crime is gradually being perceived as being as bad as other types of crime in Cameroonian society.
- The WRI-Global Forest Watch/MINFOF agreement to monitor forest cover by tele-detection has enabled the mapping of different land-use options and delimiting forest concessions while at the same time controlling the implementation of management plans.
- The Ministry also put in place a computerized system of forest management information (SIGIF) followed later by the Global Law Information Network (GLIN). The “Network” is a public database of laws, regulations, decisions, judicial and other complementary legal sources, compiled by the governmental agencies and international organizations. This system will surely reinforce access to information by all stakeholders.
- Involvement in the Forest Law Enforcement, Governance and Trade (FLEGT) process. In a bid to facilitate good governance in forest management, the Cameroonian Government hosted the First African Ministerial Conference on African Forest Law Enforcement and Governance (AFLEG) in Yaoundé in October 2003. The outcome of this very important meeting was to provide Cameroon with the necessary conditions to start its negotiations with the European Union (EU) for a Voluntary Partnership Agreement (VPA) that will make it possible to reduce or even eradicate the illegal logging and trade in timber exported to the EU.
- Cameroon also contributed to the setting up of a network of forest policies in the Congo Basin (REPOFBAC). Its main objectives were to promote information exchange between governments, while at the same time identifying priority areas for action, including forestry planning, the valuation of non-timber forest products, community participation, and decentralization.
- The Cameroon Ministry of Forests and the Environment annually publishes the names of forestry corporations that are guilty of illegal practices in forest concessions.
- The Government's desire to ensure transparency and participation in the management of protected areas through co-management has received a strong boost from framework and individual agree-

ments signed with the World Wide Fund for Nature (WWF), aimed at improving the management of Cameroon's wildlife and protected areas.

Some shortcomings in forest governance

Despite the above-mentioned advances, there are important weaknesses and outstanding challenges with regard to forest and wildlife law enforcement and governance :

- The persistence of corruption in the forestry sector has been a matter of debate and frequent criticism for several years. A World Bank report, for instance, indicated that during the October 1997 allocation of concessions, the specified allocation criteria were not fully respected. Because of behind-the-scenes shady dealings, competition among the bidders was not fair and as a result, a huge amount of forestry revenue for the State, the local councils and local communities was lost. The costs of corruption are estimated at 0.5–5 percent of the “coût de revient” of a logging company in Cameroon (Karsenty et al., 2006).
- The weak decentralization policy for timber extraction, intended to enable local communities to increase their benefit from forest exploitation. This approach was put in place to help communities to exploit and sell their forest resources by themselves rather than going through local mayors who are frequently guilty of mismanagement. Though this was a good approach in theory, in practice, the process seems to be controlled by local elites and authorities. Also, many studies have shown that the share of forest taxes transferred by the State to local councils (40 percent for the councils and 10 percent for communities) continues to be rarely invested in local development. This contributes to the failure of the State to meet the second objective of its 1995 forest policy, thereby putting into question the social legitimacy of its forest regulation and policies. The lack of transparency and accountability in the use of forest royalties (40 and 10%)

by local councils remains a serious thorn in the side of equitable revenue sharing.

- The weak institutional performance of the administration. The fact that many illegal forestry activities are neither reported nor sanctioned could be explained by the lack of capacity (human, organizational, material) within the MINFOF. This also raises the issue of ownership of forestry reform by the administration. The multiplicity of administrative bodies in charge of forestry and environment is one of the causes of weak performance. The conflict between MINFOF and MINEP is an interesting illustration. MINFOF and MINEP have failed to put in place a functional framework for involving other stakeholders in the implementation of the FESP. The same lack of coordination leads to inconsistencies between the data on logging activities (SIGIF database from MINFOF) and the data on forestry revenues collected by the PSRF in the Ministry of Finance.
- Insufficient funding to facilitate the enforcement of forestry laws and policies. One of the reasons for the poor performance mentioned above is the lack of sufficient and long-term funding for the forestry sector. Though a Special Fund for Forestry Development (FSDF) was put in place following the enactment of the 1994 Law, the disbursement of money from the State Treasury to this fund doesn't always comply with the law, partly because of the weak political position, and hence bargaining power, of the Forestry and Wildlife Minister. In 2005, 3.5 billion CFA were to be disbursed to the FSDF, but only 1.5 billion eventually got there.

The CARPE strategy for promoting a policy and governance agenda in Cameroon: activities undertaken and results achieved

After the WSSD, CARPE's activities were

concentrated on six countries and the programme's strategy was updated. Three intermediate results were anticipated, including forest governance and policies strengthened. To address this, CARPE relied on its partners to put in place a coalition of technical and strategic members to work towards improving environmental governance in the region, and strengthening their capacity to monitor natural resources. Under this approach, it was also anticipated that NGO/civil society initiatives would specifically address illegal logging, bushmeat poaching, and other natural resource governance abuses by bringing public attention to a given problem and generating public support at the national level for remedial actions by government through policy/legislative reform or change. To facilitate the host country's participation, the Country Team group has worked in close collaboration with members of parliament, representatives from the Ministry of Forestry and Wildlife and the Ministry of Environment and Nature Protection, etc., under the supervision of CARPE Focal Points (FPs). The Country Team is a think-tank on pertinent issues related to policy and governance in natural resource management (NRM), and its major objective is to involve all relevant partners in the planning, implementation and monitoring of NRM projects and programmes in the country to facilitate a change or reform in policies and laws. It has a wide range of activities including data collection and analysis, advocacy, communication, etc.

To make their work as effective as possible, the group meets three times a year. The first meeting helps to identify and agree on: priority areas on governance and policy issues; a range of broad-based activities; and the role and responsibility of each organization. At the second meeting, each Country Team member presents his/her report based on activities on which he was the lead. One of the objectives of this second meeting is to help partners to carry out any necessary adjustments before the end of the year. The last meeting helps to assess achievements as per the plans made during the first meeting, and also start planning for the activities of the next CARPE fiscal year.

Below are some of the results that CARPE and

its partners have achieved within the framework of the Country Team.

Improving the legal framework

The Country Team has contributed significantly in terms of promoting the Cameroon Government's accession to international conventions and in setting up norms and procedures for access to wildlife resources. For example, the Government's ratification of the Ramsar Convention in 2006 came immediately after the Country Team adopted an advocacy approach, contacting various stakeholders to explain the importance of the Convention. The Country Team also provided the necessary technical support through the elaboration of the RAMSAR Information Sheets that allowed the designation of a RAMSAR site around the Nyong area as a wetland of international importance upon accession. In addition, the Country Team organized a series of brainstorming meetings on the subject to present the usefulness of the Convention to Cameroon, Central Africa and the world. The Country Team also worked to elaborate norms and procedures that would ensure the devolution of forestry and wildlife management powers to local communities (Community Hunting Zones) by advocating this to the Ministry in charge of Forests and Wildlife. The group contributed in defining and facilitating a participatory process from which the draft norms and procedures for the attribution and management of Community Hunting Zones was developed. The Team also worked closely with the Ministry of Forestry and Wildlife to rally civil society organizations (CSOs) to participate in the review process of the Norms and Procedures for Community Forestry, and the Arrêté 122 for the setting up of an equitable access and benefit-sharing regime for forest resources. These texts have since been presented to the MINFOF for endorsement. To improve forest management in Cameroon, a working group was put in place to finalize the criteria and indicators in the Cameroonian context, merging the ITTO (International Tropical Timber Organization) and ATO (African Timber Organization) criteria. The CARPE Country Team played a key role here by working with other stakeholders to identify the most pertinent indicators.

The concept of “community forest” has been problematic since the process started ten years ago because some elites have been requesting forests purely for their own benefit. To avoid this unsatisfactory situation, the outdated manual for the designation, attribution and management of community forests is currently being revised. The Country Team members contributed directly to this process with their inputs during strategic, technical and awareness-raising meetings. For instance, members insisted on some critical aspects such as the responsibility for the Ministry of Environment and Nature Protection (MINEP) to assist communities in the realization of Environmental Impact Assessment studies. Through the CARPE and the Country Team support, CSOs were able to insist on some points which will certainly enhance the process. For instance, reducing the administrative burden through a decentralized system that will empower local MIN-FOF staff in remote areas was raised.

Information sharing

Governance and policy improvement in the sub-region have always faced the problem of sufficient accurate data due partly to the high costs of collection, analysis and dissemination.

Through Global Forest Watch (GFW), the Country Team has helped the Ministry of Forestry and Wildlife to collect and process data which has resulted in the publication of annual (Interactive Atlas) maps on the logging situation in Cameroon and this has helped the Government to take the necessary actions to improve governance in the forestry sector. The Interactive Forestry Atlas produced by GFW in close collaboration with the Ministry personnel was very helpful in tracking illegal logging. Other data collected on fraud and illegal exploitation of natural resources were also shared with the Ministry of Forestry and Wildlife and with the Head of the Cameroonian government (the Prime Minister). We had at least two meetings each year with the Minister of Forestry and Wildlife not only to share information in our possession but also seek advice and support from him on the way forward.

The Country Team has also been instrumental in organizing the annual field trip with donors to as-

sess the main programme in the forestry sector (PSFE). Findings from this trip are shared with the public and policy makers.

To enhance communication and information sharing, the CARPE FP also organized a gathering of journalists involved in environmental issues in Cameroon. This was the first ever workshop seeking to enhance the capacity of media practitioners in effective environmental reporting with the aim of promoting participatory management of resources in Cameroon. The workshop covered several topics including approaches for measuring standards through statistical analysis of media output; fighting corruption; and informing the public of sustainable forest and wildlife management approaches.

Participation

To ensure effective good governance, the participation of all stakeholders, including civil society, is absolutely key. The Country Team promoted the participation of parliamentarians in the process. This participation has enabled decision makers to take into account rural communities' voices in forest management initiatives. One example is the Conference on Central African Moist Forest Ecosystems (CEFDHAC), a forum open to all relevant forestry stakeholders in the region. Ideas and reflections from the Conference contributed to decision making by political authorities involved in environmental and forestry issues in Central Africa. For instance, the Conference signed an MOU with the Central African Forest Commission (COMIFAC). The group's contribution to the CEFDHAC reform process was invaluable, notably because it will facilitate the sustainable management of the Central African forest ecosystems.

The Team was also involved in other coalitions or networks such as The Access Initiative (TAI) process, a global civil society coalition promoting public access to information, participation and justice in decision making that affects the environment. Under this project, a database of information was designed and several training workshops were conducted. Several networks such as the Network of African Women for Sustainable Development (Réseau Femmes Afri-

caines pour le développement durable – RE-FADD) working to improve resources management and transparency also received input from the Country Team.

Accountability

Accountability has improved in the forestry sector with the support of the CARPE Country Team. The Group has assisted local communities to set up management committees in charge of development plans from revenues received from the community-based wildlife management committees (Comités de Valorisation des Ressources Fauniques – COVAREFs) in South-east Cameroon. These committees are independent of local government administrative structures and accountable to communities because they have to justify investments (health centres, schools) against incomes received. Due to a lack of transparency in the existing management of forestry taxes, other committees are also following this example. Although mayors will still have to play a key role in the management of these royalties, they will be accountable to the committees in terms of the utilization of funds. The committee will also decide on the type of investment to make. The Country Team further contributed to the setting up of these committees with a rigorous and transparent supervision of the elections of their members.

Access to justice

Access to justice has been troublesome because most members of the judiciary have not fully mastered the provisions of the 1994 forestry code and its subsequent 1995 implementing Decree and hence they are scarcely competent to dispense justice. Also, it was believed that some members of the judiciary were corrupt, and therefore wildlife traffickers and illegal loggers could easily “negotiate” in court to obtain favourable judgements.

To address these problems, the Country Team organized two major training sessions with magistrates to explain the forestry code where about 20 individuals were trained.

Some partners such as LAGA investigated cor-

ruption within the judiciary in relation to wildlife trafficking. For the first time, this resulted in the conviction in May 2008 of a Senior Magistrate who was helping traffickers. The magistrate had been receiving money and ivory in exchange for his illegal services to them.

Also, with CARPE financial and technical efforts for special projects (CEW) and with the interactive forest atlas regularly produced by GFW, we helped the Ministry to track the illegal bushmeat trade and illegal logging. This resulted in several court cases, and eventually some convictions (see Annex 1).

Access to justice is also hampered by the general public’s lack of knowledge of the law. CARPE and the Country Team liaised with Citizen Initiative Governance (CGI), a non-profit-making association that publicizes citizens’ rights. CGI is currently setting up small offices in three regions including the east and the south where more attention needs to be paid to levels of forest exploitation. The purpose of these offices is to assist local communities in court cases. Most communities, NGOs and CGI staff themselves have appreciated the Country Team’s help in setting up these offices. Lawyers from this association will help the communities in cases which include, but are not limited to, land disputes, forest infractions, alienation of human rights etc.

Lessons learned

- Good governance in NRM is not well established and this has had a negative impact on natural resource exploitation in general and the forest sector in particular. This is because it takes a lot of time and energy to deal with the problem, especially as it is a phenomenon that is deep-rooted in the psyches of some stakeholders;
- To achieve good governance, it is important to start by enhancing the existing legal framework because some laws governing natural resource management have only recently been put in place and at times do not fully take into consideration the context where they will be implemented;

- Some stakeholders, including local communities, have been less supportive of the legal governance framework because it is difficult to have a very good and comprehensive understanding of laws which are written in English or in French;
- Working with different stakeholders within the framework of the Country Team without funding is a continuous challenge in a region where most stakeholders are used to working for cash. CARPE needs to explore the possibility of funding the existing targeted governance activities of some CSOs, aimed at achieving policy and legislative change and reform;
- Building CSO capacity is a prerequisite for effective governance; most CSOs do not have the means or capacity to play their role fully. The CARPE Small Grants Program for CSOs is gradually filling this gap;
- Although the Small Grants Program is an effective way to support CSOs, it can also be a source of conflict if not well managed. This is because CSOs often compete for cash, often blackmailing each other. Also, some of them seem not to understand that transparency in small grants management needs some stringent measures on the part of managers which at times might be looked upon as “unconventional”;
- The decentralized approach put in place to make local populations more responsible for forest resources can be efficient if local élites do not prevent the people’s participation in both forest management and forest revenue investment;
- Community representatives like members of parliament must use their influence to question the executive arm of government on natural resource management during sessions of the National Assembly as this would certainly improve governance practices;
- Local radios have been set up throughout the forest area, but did not really play the expected role in governance due to a shortage of efficient technical staff and the necessary funds. In order to allow them to play their role fully, these shortages should be addressed;
- Both the COVAREF and the community fo-

rest could improve forest governance if local populations were fully involved in these processes. It is necessary to facilitate the legalization of the COVAREF and to finalize the community forest manual by including those civil society observations which support communities’ rights in this process.

Recommendations

The 1994 Forestry Law aims to enhance forest management in Cameroon but still has not been fully implemented to date, therefore non-practical segments of the law need to be reviewed. The fact that the right of indigenous or local populations to use land and forest resources is restricted could impact negatively on their willingness to control and contribute to sustainable forest management.

If reviewed, the forestry Law should strongly consider other sectors such as mining which could impact the forest cover and biodiversity.

It is important to implement systematic audits in the use of forestry taxes by decentralized structures (mayors).

It is also necessary to conduct Environmental Impact Assessments with recognized international standards for all projects that may have forest cover/biodiversity impacts.

Conservation initiatives in Cameroon are supported mostly by contributions from the international community, and as such are constrained in their effectiveness by their short-term nature. To achieve stronger policy reforms in particular and establish conservation programmes in general, Cameroon needs to increase the efficiency of the self-financing mechanisms that the Forestry Revenue Securing Programme (PSRF) has already put in place.

Annexe 1

16 Sociétés forestières suspendues

Décision No. 0145/D/MINFOF/CAB
Du 20 mars 2008

Le ministre des Forêts et de la Faune décide :

Art. 1. Les sociétés qui ne se sont pas présentées pour justifier de la provenance de leurs bois à l'issue des saisies effectuées au Port de Douala en octobre 2007 sont, à titre conservatoire, suspendues de leurs activités à compter de la date de signature de la présente décision. Il s'agit de :

- BK BUSINESS
- CAMFOREST
- EGB
- LL
- SOCIETE NOUVELLE FORESTIERE (SNF)
- TLC
- TT
- ETS JA BOIS (EJB)
- FZ
- ROCKFIELD TRADING CAMEROUN (RTLIC)
- STE FORESTIERE ET DES SERVICES DU CAMEROUN (SFSC)
- TCS
- ETS TF BOIS (TF BOIS)
- TRANSATLANTIQUE CAMEROUN (TRANSCAM)
- TRANSPORT REPRESENTATION COMMERCIALE (TRECOM)
- ETS WOOD SUPPLY AND SERVICES (WSS)

Art. 2. La suspension ne pourra être levée qu'après production des justificatifs valables de la provenance des produits saisis.

Art. 3. Le directeur des Forêts, le directeur de la promotion et la transformation des produits forestiers, le chef de brigade nationale de contrôle, le chef de la cellule juridique, les délégués provinciaux et le coordonnateur du programme de sécurisation des recettes forestières sont, chacun en ce qui le concerne, chargés de l'application de la présente décision.

Art. 4. La présente décision sera enregistrée et communiquée partout où besoin sera.

(é) Elvis NGOLLE NGOLLE

Cameroun Tribune : Mardi, 25 mars 2008

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