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**Assessment of pangolin integral protection
decision regard by CITES in Central Africa
through Cameroon case study**

July 2018

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Acronyms

AFC	African Financial Community
CAR	Central African Republic
	Convention on International Trade in Endangered Species of Wild Fauna and
CITES	Flora
COP	Conference of Parties
CPI	Corruption Perception Index
CSO	Civil Society Organization
DRC	Democratic Republic of Congo
EAGLE	Eco Activists for Governance and Law Enforcement
IUCN	International Union for the Conservation of Nature
JPO	Judicial Police Officer
LAGA	Last Great Ape
MINAT	Ministry of Territorial Administration
MINFOF	Ministry of Forests and Wildlife
MINJUSTICE	Ministry of Justice
NGO	Non-Governmental Organization
RRI	Rapid Results Initiatives
SMART	Specific, Measurable, Achievable, Realistic, Time Limited
SNLCC	National Strategy to Fight against Corruption
TFP	Technical and Financial Partners

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Executive summary

Following recommendations of several organizations among which IUCN, CITES States Parties have decided to give integral protection to pangolin at the 17 States Parties Conference held in Johannesburg in 2016. Almost two years after this decision, he has to evaluate the effectiveness of pangolin protection measure in Central Africa from Cameroon study case.

To achieve this, four approaches were used to evaluate the implementation of this decision. First, the arrangements made to adapt the decision of CoP 17 of CITES to the Cameroonian internal law were studied. Secondly, the awareness raising efforts of public authorities and their partners on pangolin integral protection measure were examined. Then, the court decisions on the application of pangolin integral protection measure made between January 11th, 2017 and April 30th, 2018 were analyzed. Finally, the visit of bushmeat marketing sites (markets and restaurants) of Yaounde and Ebolowa cities was carried out.

The results of these steps led to several observations at the legal, media, judicial and trading levels. On the legal side; Decree No. 0648 / MINFOF of 18th December 2006 fixing the animals protection list of classes A, B and C in Article 6 already provided for an indirect protective measure of pangolins at the same time as other wildlife species declared endangered by mechanisms recognized as those of IUCN (the red list) even if inventories had not been made in Cameroon to confirm.

However, after the CoP 17 of Johannesburg in 2016, the Ministry in charge of forests in Cameroon (MINFOF) classified in 2017 pangolin among the integrally protected species of Class A through the Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF of 11th January 2017 on the exportation of Red-tailed grey parrot and pangolins.

This decision results in pangolin marketing and exploitation, for other purposes than scientific prohibited. On the media front, it has been noted that State authorities and their Non-Governmental partners (NGOs in particular) endeavored to conduct extensive awareness campaigns on pangolin integral protection measure. At the judicial level, the court decisions rendered do not comply with the normative provisions and regulations for Class A animals' protection to which pangolin now belongs. At the commercial level, despite many awareness campaigns, the species continues to be marketed, sometimes openly in various forms (carcasses, cooked cuts or scales) has been noted on the visited sites of Yaounde and Ebolowa markets.

The non-respect of legal and regulatory provisions imposing pangolin integral protection in Cameroon, is subject of several explanatory hypotheses, the main ones being, governance perpetuation problems (impunity, administrations responsible partitioning for the application measure, corruption, lack of accountability, etc.) and the existence of pangolin consumption culture that negatively impact conservation efforts for endangered animals in general and pangolin in particular.

To change the situation, several recommendations are made to various actors likely to improve concrete pangolins protection in Cameroon and Central Africa.



BACKGROUND AND STUDY OBJECTIVE

1.1 African pangolins are overexploited

Over the last decades, overexploitation of wild animal and plant species has diversified considerably, threatening the stability of new species¹ such as pangolins from Asia and Africa.

Pangolin is concerned by this problem of species overexploitation and it's abundantly hunted for marketing of its meat and its scales. A study indicates that between 1972 and 2014, Asian demand for pangolin scales has sharply increased and the species price on Central African markets has also increased². The two phenomena would be correlated: the supply of Asian pangolins can no longer meet the demand of Asian countries, and they have turned to Africa to complete the gap³.

This would explain the fact that pangolins hunting in Central Africa have increased by 150%⁴ between 1972 and 2014 on one hand, pangolins passed from 0.04% of vertebrates slaughtered in the region in 1972 to 1.83% in 2014, and that pangolin price on the local market has increased by a factor of 2.3 to 5.8, on the other hand. Today, 41,000 to 2,710,000 pangolins would be slaughtered each year in Central Africa⁵.

1.2 African pangolins are classified as integrally protected by CITES

As a result, while on the four pangolin species⁶, only giant pangolin was integrally protected (internationally and nationally)⁷. Many recommendations have been made by many organizations to consider all the four species as particularly endangered⁸.

In response to this evolution situation on pangolins status (those of Central Africa in this case) and considering all the IUCN recommendations, the CITES States Parties, meeting in Johannesburg from 24th September to 5th October 2016 on the 17th Conference of Parties occasion, reached a consensus to classify all pangolin species at the same time as some other species (including the Red-tailed grey parrot) in CITES Appendix I.

1.3 Question studied

Almost two years after CITES decision to integrally protect pangolin, it was a question of studying how this new pangolin protection status adopted by CITES had impacted the regulation and practices relating to pangolins in Cameroon, considering that the particular case of Cameroon often considered as «Africa in miniature», could shed light on the CITES decision impacts in Central Africa in general.

¹Read about Bruno Scala, Biodiversité en danger : la liste rouge de l'UICN s'allonge, Futura, 11/2011,

<https://www.futura-sciences.com/planete/actualites/botanique-biodiversite-danger-liste-rouge-uicn-allonge-34609/>

²See. Daniel J. Ingram et al., Accessing Africa-Wide Pangolin Exploitation by Scaling Local Data, Conservation Letters, March / April 2018, 11 (2), 1-9.

³Read about this topic, Heinrich S. and al. , The Global Trafficking of pangolins: A comprehensive summary of seizures and traffickings road from 2010-2015, TRAFFIC 2017, Southeast Asian Regional Office, Pataling Jaya, Selangor, Malaysia and Juliette Heuzebroc, China: Record capture of twelve tons of pangolin scales , National Geographic November 30th, 2017,

<https://www.nationalgeographic.fr/animaux/2017/11/chine-saisie-record-de-12-tonnes-decailles-de-pangolins>

⁴The study considered Central Africa as consisting of Cameroon, Gabon, Equatorial Guinea, CAR, DRC and Republic of Congo.

⁵See. Heinrich S. et al. The Global Trafficking of pangolins: A comprehensive summary of seizures and traffickings road from 2010-2015, Cited above.

⁶According to IUCN, there are eight pangolin species, four of which are located in Africa.

⁷The giant pangolin is listed in Appendix I of the CITES list and among the class A animals that enjoy integral protection status by the Cameroonian legislator.

⁸These recommendations come mainly from IUCN, which already considers the four species of pangolins in Africa vulnerable of extinction. See the IUCN list <http://www.iucnredlist.org/amazing-species>.

CITES Appendices

CITES protects species of flora and fauna through the lists included in one of its three Appendices.

Appendix I include the most endangered species whose international trade is prohibited.

Appendix II includes species that, although not necessarily endangered, could become so if trade in their specimens is not tightly controlled. It also includes so-called «similar species», that is, those whose specimens trading resemble those of species listed for conservation reasons.

Annex III is the list of species listed at the request of a Party that already regulates trade and who needs the cooperation of other Parties to prevent illegal or unsustainable exploitation.

See. <https://cites.org/fra/app/index.php>



STUDY METHODOLOGY

The CITES decision impact on pangolins in Cameroon has been assessed according to four axes:

2.1 Legal and regulatory impacts

The assessment of legal and regulatory impacts was done in two stages. First, it consisted of listing and analyzing the legal acts produced by MINFOF (whether taken before or after CoP 17) likely to support the implementation of pangolin integral protection measure agreed at CITES CoP 17th of 2016.

Then went on proceeding the coherence of these legal acts with other texts prior to the CITES decision which could complement or even favor the effective application of the firsts.

The different wild animal's classes protection in Cameroon

Animal species living on the national territory are divided into three protection classes A, B and C, in accordance with the terms and conditions Decree set by the Ministry in charge of wildlife.

Class A having integrally protected animals, which cannot in any case be slaughtered (except in case of self-defense or administrative slaughtering).

Class B whose animals are partially protected which cannot be hunted, captured or slaughtered without obtaining a hunting license.

Class C which includes other animals whose capture or slaughter is regulated in accordance with established procedures by the decree of the Ministry responsible for wildlife.

Article 78 Law of 20th January 1994

2.2 Media Impacts

The media impact analysis aims to appreciate the awareness-raising efforts provided by the bondholders regarding the implementation of pangolin integral protection measure (MINFOF and its partners). To achieve this, there was media pieces and various publications review aimed at raising public awareness on pangolin new status and the consequences of this new status. Thus, press articles (paper and digital) as well as video and audio tapes dealing directly and indirectly with pangolin integral protection was identified.

To complete the media impacts analysis, people targeted by the study were asked (bushmeat sellers) if they were informed of pangolin species integral protected status.

2.3 Judicial Impacts

Judicial impact assessment of pangolin integral protection measure was done through an analysis of wildlife offenses cases involving pangolin between January 11th, 2017 and April 30th, 2018 (post-transcription of the CITES decision in the legal and regulatory texts of Cameroon).

It has been reported here, the number of cases involving pangolin brought at the level of competent jurisdictions and the trend of rendered decisions in accordance with regulatory and normative provisions.

2.4 Trade Impacts

Trading impact were evaluated through a survey conducted on eight (08) sites distributed in Yaounde and Ebolowa cities on eventual attitudes changes in the two essential links of pangolins exploitation chain in Cameroon namely:

- Bushmeat traders in the market,
- Bushmeat Restaurant owners’.



RESULTS

3.1 MINFOF incorporated the CITES decision in the internal standards for wildlife protection.

3.1.1 *The indirect pangolin protection measure existing prior to CITES CoP 17*

The first integral protection device for pangolin in Cameroon stems from the precautionary option advocated in 2006 to anticipate the extinction risks of certain wildlife animal species in case of uncertainty about their actual status.

When revising the endangered animal species list⁹, it was clearly advocated in Article 6 of the Decree No. 0648 / MINFOF of December 18th, 2006 fixing the animals protection lists of classes A, B, C, to automatically classify in Class A, species belonging to the so-called endangered groups, vulnerable to the IUCN classification.

Since 2014, all pangolin species are declared endangered by IUCN, the species, pursuant to Article 6 of Decree No. 0648 / MINFOF, was automatically considered as Class A animal in Cameroon and therefore integrally protected.

3.1.2 The direct protection device adopted after CITES CoP 17

Cameroon being a Party to CITES and among the most concerned countries worrying by pangolins status data, regulatory provisions have been adopted to align the internal standard with this international requirement through **Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF of 11th January 2017 on the exportation of Red-tailed grey parrot and pangolin.**

The consequences of signing this Circular Letter are as follows:

- Granting to pangolin the status of integrally protected animal in Cameroon by classifying it among Class A animals, within the meaning of Article 78 of Law 94-04 of 20th January 1994;
- The subordination capture and possession of all pangolin species should be a special authorization from the Ministry in charge of wildlife¹⁰;
- This authorization issued by the Ministry in charge of wildlife can only be done for development purpose, scientific research or people's and their property protection¹¹, in accordance with the provisions of Article 2 Decree No. 0648 / MINFOF of 18th December 2006 fixing the animals protection list of classes A, B, C
- Prohibition of exploiting all pangolin species for trading purposes.

3.1.3 Sanctions provided in case of violating provisions of the Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF of 11th January, 2017 related to the exportation of Red-tailed gray parrot and pangolin.

To ensure Class A animal's protection, Cameroon legislator is laying a strong presumption that automatically renders guilty of slaughter or capture, any person found on the national territory in possession of all or part of a protected animal alive or dead at any place and at any time¹².

In application of these two provisions of Law No. 94-01, the penalty for slaughter, capture, possession or marketing of pangolin is a fine of 3,000,000 to 10,000,000 CFA francs and imprisonment from one (1) to three (3) years or only one of those penalties for the person who slaughters or captures pangolin¹³. These penalties are doubled in case of recidivism. Recidivism is noted "when during the twelve months preceding the commission of a law breach, and / or wildlife regulations, the same offense was found against the offender"¹⁴.

In addition, offenses involving all pangolin species will no longer be subject to transaction as in the past in accordance with the requirements of Article 78 of Decree No. 95/466 / PM of 20th July 1995 laying down the terms and conditions of wildlife regime application. Indeed, paragraph 4 of this article prohibits the use of transaction when wildlife offense found involves in Class A animal integrally protected.

⁹This was the update Decree No. 0565 / A / MINEF / DFAP / SDF / SRC fixing the animals list of classes A, B and C, by distribution of animal species whose slaughter is authorized as well as the slaughtering latitude by type of sport hunting license.

¹⁰Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF of 11th January 2017 on the exportation of Red-tailed grey parrot and pangolin

¹¹However, considering the harmless nature of pangolin and his inability to destroy farm products (pangolin being an anteater), self-defense exception (people and property protection) referred to Article 2 above can't be justified.

¹²See. Article 101 of Law No. 94-01 of 20th January 1994 on Forest, Wildlife and Fisheries Regime «Anyone found, at any time or in any place, in possession of all or part of a protected animal of class A or B, living or dead, is deemed to have captured or killed «. Again, read about Talla Marius, « Le régime de la faune sauvage au Cameroun, entre conservation, marchandisation et difficultés d'application, Clé, Yaoundé 2010, p. 41-41».

¹³See. Article 158 of Law No. 94-01 of 2nd January 1994 on Forest, Wildlife and Fisheries Regime.

¹⁴See. Article 72 of Decree No. 95/466 / PM of 20th July 1995 laying down the terms and conditions of wildlife regime application.

Cameroonian transaction wildlife law

Cameroonian law allows the possibility of dealing in case of certain wildlife offenses commission.

Transaction is a procedure initiated by the violator of wildlife legislation who wishes to amicably repair the damage resulting from his criminal act by the payment of certain fees, the amount of which is fixed by the administration.

If this is possible for offenses involving Class B and C animals, Cameroonian legislator prohibits the use of this practice for Class A animals.

See. Article 146 of Law No. 94-01 of 20th January 1994 and Articles 2 (17) and 78 of the Decree of 20th July 1995.

3.2 Media relayed measure of pangolin integral protection in Cameroon under the influence of MINFOF and TFPs

Many media productions (press articles, reports, radio and television programs, etc.) demonstrate public awareness efforts, MINFOF in occurrence and NGOs on pangolin integral protection issue.

Articles related are identified as follows:

- Frank Bafeli, 17 février , Journée mondiale du pangolin, une espèce menacée, <http://www.camer.be/66377/11:1/cameroun-17-favrier-journae-mondiale-du-pangolin-une-espace-menacae-de-disparition-cameroun.html>;
- Yvette Mbassi-Bikélé, Pourquoi la vente de pangolin est interdite, Cameroon Tribune, <http://www.camer.be/55259/11:1/cameroun-pourquoi-la-vente-de-pangolin-est-interdite-cameroun.html> ;
- Alliance Nyobia, Trafic de pangolins : 5 tonnes d'écailles saisies, Cameroon Tribune, 20 janvier 2017 ? http://www.cameroun24.net/actualite-cameroun-Trafic_de_pangolin_3A_5_tonnes_d_E2_80_99_C3_A9cailles_saisies-1-1-36866.html?pr=51057&lang=fr
- Actu Cameroon, Du répit pour les pangolins menacés par le braconnage, 29 Septembre 2009, <https://actucameroun.com/2016/09/29/du-repit-pour-les-pangolins-menaces-par-le-braconnage/>
- Frank Befeli, LAGA, Enforcing Laws protecting the pangolin, <http://www.camer.be/56726/11:1/cameroun-cameroon-enforcing-laws-protecting-the-pangolin.html>

Video reports dealing with pangolin integral protection are as follows:

- Cameroun Pangolin histoire d'une chasse <https://www.youtube.com/watch?v=BPfbjNYt0k8>
- Cameroon, 5 tons of pangolin scales, 2 chineses arrested <https://www.youtube.com/watch?v=Ivy7JRdIIMY>

Video and audio reports dealing with pangolin integral protection issue are broadcast on media at prime time like in speaking news.

The impact of media productions aimed at raising public awareness can be considered as medium-range. However, this limit is offset by awareness campaigns organized by public authorities. In addition to these media productions, MINFOF officers and their NGO partners conducted several awareness campaigns in Cameroon's bushmeat markets to inform sellers about pangolin status and its implications.

For Yaounde and Ebolowa cities alone, all the sellers questioned (including those selling pangolin and its scales) have acknowledged that they are aware of the prohibition to market pangolin both from television reports, radio and MINFOF officers' sensitization campaigns.

3.3 Cameroonian traders don't respect pangolin integral protection measure resulting from the Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF.

Five (05) sites in Yaounde and three (03) sites in Ebolowa, distributed among restaurants and markets proportions presented in Table 1 below were visited:

Table 1: Distribution of sites visited by cities

Site	City		Total
	Yaoundé	Ebolowa	
Restaurant	3	2	5
Market	2	1	3
Total	5	3	8

Pangolin was objectified in 7 (87.5%) sites visited, and the number of sellers in each site ranged from 1 to 9 with an average of 4 sellers per site. Pangolin was sold in various forms namely:

- Alive 31%,
- As whole carcasses 25%,
- In the form of pieces of meat prepared and offered to customers 44%,
- And in trophies (scales) 6%.

The number of pangolins exposed ranged from 1 to 5 with an average of two (2) pangolins per seller as shown in Table 1 below:

Table 1: Pangolins Distribution by site and city

Site	City		Total
	Yaoundé	Ebolowa	
Restaurant	3	2	5
Market	2	1	3
Total	3	8	

The average price of pangolin was according to the state in which it was sold, presented in Table 2.

Table 2: Average pangolin price

pangolin state	Average price (FCFA) ¹⁵	Margin (FCFA)	Observations
Alive	13500	4500-15000	Weight depending
Died in whole	7000	3000-14500	Weight depending
Died in pieces	1500	500-2000	size depending
Trophies (scales)	3000	-	scale size and quantity depending

1 USD=530 FCFA

In Ebolowa city, sellers interviewed spontaneously specify that pangolin is a protected species, and that the MINFOF officers carry out «Descents» to control the respect of this protection.

The penalties provided by law were also known by these sellers which are fine of 1 million FCFA and sentenced to minimum 6 months' imprisonment. However, some sellers claimed that they had never had problems with MINFOF officers.



Restaurant in Yaounde suburbs offering pangolin on the menu.

3.4 Cameroonian judicial authorities do not apply for pangolin the penalties provided for Class A animals offenses

Since the signing of Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF, sworn MINFOF officers found 12 offenses involving pangolin.

All the seizures made focused on pangolin scales trade of 6 to 5000 kgs and a total of 5,489,000 kgs.

The 12 cases were subjected to a judicial investigation from competent courts. However, only 8 of them have already resulted in a court decision and 4 are still pending in front of the courts.

Of the 8 court decisions rendered in cases involving pangolin, none is in accordance with the law, to the extent where the most severe sanction is a custodial sentence of 3 months and the others are conditional sentences.

The summary of these cases is contained in the table below:

N°	Entry date	Quantities	Court decision date	Amount of Damages and interest	finances	freedom deprivation Sentence
1	17/01/2017	5 tons of pangolin scales	27-03-2017	226.405.000 Francs CFA	13.335.550 Francs CFA	3 months in prison
2	14/4/2017	118kg of pangolin scales	10/07/2017	1.000.000 Francs CFA	50.000 Francs CFA	Any
3	08/06/2017	45 kgs of giant pangolin scales	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts
4	14/8/2017	10kg of pangolin scales	10/11/2017	1.000.000 Francs CFA	450.000 Francs CFA	2 months in prison suspended for 3 years
5	29/08/2017	6 kg of pangolin scales	05/12/2017	1.500.000 Francs CFA	0	4 months in prison
6	12/09/2017	20 kg of Pangolin scales	03/11/2017	1.000.000 Francs CFA	0	60 days in prison
7	10/10/2017	71 kg of Pangolin scales	12/12/2017	2.700.000 Francs CFA	0	3 months in prison suspended for 3 years
9	18/10/2017	10 kg of pangolin scales	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts
10	15/11/2017	10 kg of pangolin scales	19/12/2017	2.625.000 Francs CFA	150.000 Francs CFA	6 months in prison suspended for 3 years
11	21/11/2017	128 kgs of pangolin scales	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts
12	31/1/2018	80 Kg of pangolin scales	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts	Proceedings pending in front of the courts

As a result, of the 12 cases related to illegal pangolin trophies (scales) trafficking enlisted in courts after January 11th, 2017, court decisions have been issued in only eight cases and four remain pending in front of the courts: in other words, it seems that there are delays in delivering justice in Cameroon, which negatively impact on the application of pangolin integral protection measure.

N.B: The arrest and opening of criminal proceedings for offenses involving pangolin is an unprecedented action in Cameroon because such steps was not done before the signing of the Circular Letter No. 0007 / LC / MINFOF / **DFAP** / **SDVEF**, its only concerns giant pangolin.



Pangolin carcass before cooking in a restaurant in Yaounde suburbs



4 EXPLANATORY HYPOTHESES

Pangolins integral protection decided by CITES has been transcribed in Cameroonian law by the MINFOF initiative.

In addition, it has been the subject of considerable media coverage. However, this integral protection measure was not respected by traders nor judicial authorities.

Some hypotheses may explain this lack of application for pangolins new standard in Cameroon by traders on one hand, and judicial actors (OPJ and magistrates) on the other hand.

4.1 Awareness very little focused on the deterrent aspects and non-appropriation evolution stakes of pangolin regulation by magistrates

The pangolin protection measure inspired by CITES and issued by MINFOF in 2017 through Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF of January 11th, 2017 relative to the exportation of Red-Tailed Gray Parrot and pangolin reinforced an indirect protection device already existing since 2014¹⁶, priori ignored by traders, JPO and magistrates. With the signing of the Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF of January 11th, 2017, a high level of media coverage and numerous awareness-raising campaigns have been organized without reversing the trend of traders' habits and to inspire magistrates to repress violations of this law by strictly enforcing the law. Justifications for this situation are as follows:

- The traders did not respect the new standard for pangolins because Awareness-raising approaches to inform the former did not include convincing deterrents such as condemning offenders to the new regulations (albeit symbolic). Otherwise, mediation, beyond the sole needed to protect pangolin, should also highlight the judicial consequences to violators of the new regulations.
- Magistrates did not apply the new regulations on pangolin because, concerning this species in particular, MINFOF has not sufficiently relayed the stakes of conservation of this species, the evolution of the new regulations and their consequences at the end of the judicial system (magistrates) chain. This hypothesis is all well plausible that much hard sanctions have been applied for slaughter, capture, possession or marketing of other Class A species¹⁷.

¹⁶This protective device arises from the interpretation of Article 6 of Decree n° 0648 / MINFOF of 18th December 2006 fixing the animals' protection list of classes A, B, C mentioned above.

4.2 The confrontation between the requirements of pangolin integral protection measure and certain practices and habits

Certain practices and habits also complicate the application of pangolin integral protection measure in Cameroon. Beyond the (very lucrative) opportunity that now exists to market its scales, pangolin is a source of protein for forest areas of Central Africa in general and Cameroon in particular. Indeed, the harmless nature of the animal and its nonchalance facilitates its capture and therefore makes it more accessible than other species.

This reality pushes actors (traders and ordinary citizens) to reject the conservation principle of this species even though it is endangered. To this, is added the fact that pangolin is used for cultural purposes in some tribes of Central Africa region. This may partly justify the weak sanctions applied in case of pangolin integral protection measure violation by the courts.

Another cultural reality revealed by Jean Claude Nguingui may reduce the effectiveness of pangolin integral protection measures application in Cameroon and in the Central Africa region. The author explains that the blood ties and belonging to the same social group often override the sense of duty.

Wildlife officers sometimes refrain from apprehending a poacher or illicit trafficker caught in act because they belong to the same tribe or community. The redistribution of orbearance is not the pecuniary or in-kind benefits, but only the admiration honor and respect shown to the author abstention in his community . This reality is common enough for other animals of Class A may also apply to pangolin and thus reduce the effectiveness of the integral protection measure for the species.

¹⁷Read about, LAGA, Cameroun: « Un trafiquant d'ivoire condamné à payer 44 millions de FCFA, 237online.com, 05 avril 2015,

<https://www.237online.com/article-46454-cameroun-un-trafiquant-d--039-ivoire-condamn-eacute--aggrave--payer-44-millions-de-fcfa.html>

et Josianne Rose Ndangue, Cameroun-Trafic d'ivoire : Deux trafiquants condamnés à payer 253 millions de FCFA au Ministère des Forêts et de la faune, Cameroon-info.net, 06 juin 2017,

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¹⁸This is true for some tribes of Central Africa as the Lele of Kasai (DRC) practice pangolin hunting for cultural reasons (see Luc de Heusch, « La capture sacrificielle du pangolin en Afrique centrale », *Systèmes de pensée en Afrique noire*, 6 | 1984, 131-147). It would be interesting to extend this study in other Central Africa countries.

¹⁹Jean Claude Nguingui, « Gouvernance des aires protégées dans le Bassin du Congo : principes et pratiques », in De Dapper M., (sous dir.), *Tropical forests in a changing global context, International Symposium, Brussels, 2005.* .

4.3 Insufficient means to apply pangolin protection measure

MINFOF has consistently reported insufficient capacity to enforce pangolin integral protection measure. These capacities refer to financial and material resources (money, equipment and other logistics needed to plan and execute «punch» operations) and human (appreciated in terms of officers' quantity and qualification insufficient in number). To illustrate this position, MINFOF stakeholders asked to comment on the issue explained that, the budget allocated to the fight against poaching to deconcentrated structures (Regional Delegations) is derisory (500 000 FCFA per year). It has been revealed that for a whole regional service of anti-poaching, the budget allocated to it is 500 000 FCFA. This would contribute to discourage MINFOF officers.

In addition, according to the NGO LAGA, beyond the eternal financial incapacities, the question of seizure living pangolins in markets and their reintroduction into wild environment is undoubtedly one of the main challenges for MINFOF. Currently, there are no facilities for living pangolins seized as existing for some animal species of Class A (chimpanzees and gorillas in particular). The only option is to release them in wild or protected areas, which in practice would return to the starting situation.

4.4 The existence of governance issues impacting pangolin protection measure application

Governance indicators in this case, are the Corruption Perception Index (CPI) which ranks Cameroon among the worst off countries for this matter. In 2017, Cameroon scored 25/100 and ranks 153 out of 180 countries ranked. This classification expressly indicates the existence of corruption problems, and therefore bad governance at a worrying level in the country.

This situation influences all sectors in the country, including forests and wildlife, and therefore the effectiveness of pangolin integral protection. As an illustration, an assessment of CPI in the forest and wildlife²⁰ sector for the year 2017 indicates that, the intensity of corruption perception in this sector has not only increased considerably but is also largely influenced by the reality of other sectors that directly or indirectly interacts with that of forests and wildlife . In this case, some NGOs involved in strengthening the effective enforcement of wildlife law argue that, the problem of fight against illicit pangolin trafficking penalties are inversely proportional to the offender's wealth (therefore the ability to pay).

²⁰See. Talla Marius and Wete Soh L. *Systematization of corruption in the forest and wildlife sector in Cameroon: A failure efforts to promote good governance? FODER. Yaounde, Cameroon 2017, 15p.*

In addition, the dysfunctions of the system characterized by administrative delays, low level of transparency or lack of accountability by public officials also have consequences for the policies and conservation efforts of pangolins.

As an illustration, currently, MINFOF has major difficulties in dealing with the issue of pangolins seized in bushmeat markets (see above). An organization specialized in pangolins conservation following this approach does not obtain for almost a year the authorization to exercise in Cameroon (formally granted by MINAT) despite its field competence. This administrative slowness contributes in complicating the implementation of pangolin integral protection measure in Cameroon.



Pangolins carcasses exposed at the Nkoldongo market (Yaounde)

Governance is said to be «good» when a decision on process (judicial, managerial, etc.) is taken according to at least four criteria: the decision is made (1) by a maximum of the affected stakeholders (inclusive), (2) closer to the stakeholders on the field (subsidiarity), (3) after all available information has been shared among the stakeholders (transparency), and (4) so that decision-makers are responsible for their decisions to the community (Accountability).

Governance is said «bad» when these four criteria are reversed: the decision is made excluding most of the relevant stakeholders (exclusion), as far as possible from the field and closer to the most powerful stakeholders (centralism), sharing as little information as possible both downstream and upstream of the decision (opacity) and so as to avoid having to be accountable in front of whoever, especially justice (impunity).

For example, a «corrupt» decision meets at least three of the four bad governance criteria discussed.

5

RECOMMENDATIONS

Soon two years after the signing of the Circular Letter No. 0007 / LC / MINFOF / DFAP / SDVEF of 11th January 2017 on the exportation of Red-tailed grey parrot and pangolin, three major findings have been made:

- The marketing, circulation and possession of pangolins for other purposes than scientific ones prosecute in Cameroon, at least in Yaounde and Ebolowa cities,
- People involved in pangolin trade know that they engage in illegal practices,
- The judicial authorities do not sanction these illegal activities in accordance with the standards established by the Cameroonian State.

Several hypotheses (likely to be explored further) could explain these findings were formulated. However, action plans to improve this situation can already be formulated for the attention of Cameroonian and international community.

5.1 To MINFOF

Due to its central role in wildlife issues in Cameroon, MINFOF has an important role to play in improving the mechanism to make pangolin integral protection measure effective.

- **Put in place a better organization of controls exercised on markets:** organized controls to fight pangolin traffic in Cameroon consist at actual state a simple game of «Cat and mouse» between MINFOF officers and illegal traders. Another objective approach should be advocated. NGOs involved in strengthening the effective enforcement of wildlife legislation proposes the SMART approach based on the following procedure:
 - Market descend,
 - Organize sensitization meetings with bushmeat sellers who were found in possession of pangolin. The meeting will consist essentially of reminding them on legal provisions, the penalties incurred and the sentences already handed down,
 - Register personal information on their identity documents,
 - Organize unexpected (several times a month) new controls,
 - Call all sellers found in possession of pangolins,
 - Check if their information is contained in the peoples' database information collected,
 - Bring the seller whose personal information is in the identity documents database to justice.
- **Strengthen internal corruption control:** Corruption is also a reality in the forest and wildlife sector. A few years ago (2012), as part of the implementation of SNLCC, several activities aimed at reducing the phenomenon were initiated by MINFOF through the implementation of the RRI. These activities had produced encouraging results. However, the process had to be abandoned when it was now a question of changing the fight against

corruption from the periphery to the center of forest and wildlife sector²¹. Strengthening the fight against corruption in the forest and wildlife sector will contribute significantly in promoting the application of pangolin integral protection measure in Cameroon. In the same vein, MINFOF should strengthen governance efforts on aspects related to information spreading on initiatives results of fight against pangolins trafficking.

- **MINFOF should relay the political will on the application of pangolin integral protection measure at the judicial system level:** court decisions analysis in cases involving pangolin show that the political will to apply the effective measure of pangolin integral protection is not the same in the application law chain. It is strong in MINFOF if one sticks to the adopted texts and to the reality of the lawsuits opening against the offenders but still weak at the end of the judicial chain if one considers the decisions of justice rendered in this matter.
- The challenge for MINFOF is to reverse this trend in the courts to reach a level where the issues of pangolin integral protection are at least as well shared by the magistrates. This involves actions initiated at the summit (at ministries level) and supported below (by MINFOF delegates) under the conditions laid down, on one hand, by Law No. 94-01 of 20th January 1994 on Forest, wildlife and fisheries Regime, and on the other hand by the numerous texts law application. This would ultimately promote better follow-up of pangolin cases in court.

5.2 To judicial chain actors

MINFOF through its sworn officers is at the beginning of judicial process for pangolin integral protection measure application. Those sworn officers are the ones in charge of the enforcement procedure. The judicial system understood as all magistrates responsible for delivering justice on behalf of Cameroonian people is at the end of the chain. In this, they (magistrates) have an important role in the effective application of pangolin integral protection measure. In order to fully play this role, they should:

- **Set up a unit (or at least designate a Focal Point) which receives and relays international legal instruments progress to which Cameroon is Part on wildlife (CITES in this case).** This would help to decompartmentalize the two administrations whose collaboration is fundamental for the successful application of pangolin integral protection measure. It would also help magistrates to be regularly updated on international devices progress to which Cameroon is Part on wildlife questions and pangolin species protection.
- **Enhance transparency on judicial proceedings:** the challenge here is to strengthen collaboration with MINFOF on animal protection cases under the conditions provided by the law and pangolin in particular. Indeed, if the MINFOF, under the conditions provided by the law and through its sworn officers can intervene at different levels of judicial proceedings that He initiated, this would improve judicial aspect efficiency of pangolin integral protection and widely endangered animal species.

²¹Read, Talla Marius, Romain Calaque, *Durabilité de la foresterie en Afrique Centrale? En luttant contre la corruption! Leçons tirées des IRR au Cameroun, Yaoundé, Juillet 2015, 32p.*

- **Encourage contributions from CSOs and NGOs:**

NGOs can play key role in efforts to implement pangolin integral protection measure. The example of NGO LAGA contribution is quite eloquent. Since 2004, this organization has supported MINFOF in strengthening the application of wildlife legislation in Cameroon and beyond through the **EAGLE** network. This participation was significant in prosecution and sanction of those involved in illegal trafficking of endangered animal species.

5.3 To bushmeat traders collectives (associations, trade unions, etc.)

Some bushmeat traders (those respectful to the regulations) can be to an extent be great actors in the application of pangolin integral protection measure in Cameroon, if certain initiatives are carried out to achieve this aim. Without completeness, these initiatives may consist of:

- **Organization of traders against illegality** the challenge here is to make traders respectful of adopted devices for the protection of endangered species and particularly pangolin, numerous currently passive actors and, fewer active actors against traders who act in violation of wildlife law.

- **Collaboration with MINFOF:** collaboration with MINFOF would then be the logical continuation of the process mentioned above. In practice, it would involve creating a framework of exchange with MINFOF whose main objective could be to report illegal trade cases of endangered species including pangolin.

5.4 To CSOs

CSOs can also play a major role in improving the application of pangolin integral protection measure. They can for example:

- **Support the initiatives of traders' organization against pangolin illegal traffic:** They would then start by informing traders about the social, sanitary, economic and environmental consequences of illegal hunting of bushmeat in general and pangolin in particular. Subsequently, they would accompany the organizational dynamics of traders against illegal trafficking of wildlife and pangolin. Various approaches can be used to achieve this: training, technical advice, coaching, etc.
- **Advocacy:** These advocacies can be conducted with national, regional and international authorities to implement the recommendations made below but also to obtain other solutions to difficulties encountered in efforts to make effective application of pangolin integral protection measure.

5.5 To the TFPs (International Technical and Financial Partners)

In order to contribute the implementation of pangolin integral protection measure in Cameroon and Central Africa, TFPs as the main partners of the Government should:

- **Support technically and financially the authorities (MINFOF and MINJUSTICE) initiatives** to implement recommendations addressed to them above,
- **Support financially CSOs and NGOs** that invest in supporting MINFOF and MINJUSTICE on the recommendations implementation for these two administrations,
- **Play a relay and advocacy role** advocacy both internal (Republic Presidency) and international, to address the difficulties faced by MINFOF and other actors involved in the application of pangolin integral protection measure. In this, they contribute in finding solutions to problems faced by national actors whether they are institutional or non-institutional.

5.6 Decentralized territorial communities

In Cameroon, markets management is decentralized territorial communities (municipalities) responsibility. In 2009, MINFOF signed a Decision on bushmeat trade organization (Decision No. 000857 / D / MINFOF of 10th November 2009 on bushmeat organization). This decision provided plan space for bushmeat marketing in markets. One of the challenges of this strategy was to limit bushmeat trade outside government-controlled as is currently the case. Since then, this measure has not been applied and may indirectly contribute in complicating the implementation of pangolin integral protection measure. Also, the municipalities should:

- **Apply guidelines of the Decision No. 000857 / D / MINFOF of November 10th, 2009** on bushmeat organization in collaboration with MINFOF,
- **Ensure market supervising and control** so that prohibited animal species are not marketed,
- **Collaborate with MINFOF** in its efforts on law enforcement of pangolin integral protection measure.





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Action for Environmental Governance (AGE) is a Cameroonian law association (Declaration Receipt No. 00001317 / RDA / J06 / SAAJP / BAPP) whose mission is to contribute in improving natural resources (wildlife and forests), mines and land governance.

To achieve this, the association conducts studies (research) on various thematic in relation to its intervention sectors in order to propose concrete and realistic actions to improve natural resources and land governance state.

In addition, the association uses its expertise in innovative governance improvements approaches such as management change, conflict management, training and technical advice to evolve conservation efforts targeting natural resources (Fauna, Forestry and Mining) and the equitable application of land and land use policies.

