

Assessing the Level of Administrative Tolerance and its Impact on Environmental Pollution in Cameroon

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Abstract: This research aims to examine the relationship between administrative tolerance and environmental pollution in Cameroon. Administrative tolerance refers to the degree to which government authorities overlook or permit environmental violations, which can have a profound impact on pollution levels. Despite the existence of environmental protection laws in Cameroon, weak enforcement, corruption, limited resources, and unclear regulations have allowed industries and individuals to engage in activities that harm the environment. This tolerance has led to severe consequences, including air and water pollution, deforestation, and improper waste management, particularly in urban areas like Yaoundé and Douala. The researcher employs qualitative research methodology and doctrinal methods. Through case studies and analysis, this research highlights the role of administrative inefficiencies in exacerbating environmental degradation. It also discusses the challenges contributing to administrative tolerance, such as political pressures and lack of public awareness. Finally, this research proposes solutions to mitigate the impact of administrative tolerance, including strengthening legal frameworks, improving enforcement, fostering public awareness, and promoting transparency in environmental governance. The findings suggest that reducing administrative tolerance is critical for improving environmental sustainability in Cameroon.

1.1. GENERAL INTRODUCTION

Environmental pollution has become one of the most pressing challenges in many developing countries, including Cameroon. As industrialization, urbanization, and population growth continue to accelerate, the negative effects on air, water, and land quality have reached alarming levels. Despite the establishment of numerous environmental protection laws and policies, Cameroon continues to face significant environmental degradation, particularly in its urban centers and industrial zones. One of the underlying factors contributing to this persistent environmental crisis is administrative tolerance, a concept that refers to the degree to which government officials and institutions tolerate or overlook actions that violate environmental regulations¹.

In Cameroon, administrative tolerance often manifests in weak enforcement of environmental laws, a lack of accountability, and sometimes even corruption. This leniency towards environmental violations allows industries to bypass regulations, engage in harmful practices, and neglect their environmental responsibilities. As a result, pollution levels continue to rise, affecting public health, biodiversity, and the overall quality of life. Administrative tolerance in this context not only undermines the rule of law but also creates a culture where environmental protection is secondary to economic and industrial growth².

This study seeks to explore the level of administrative tolerance in Cameroon and its direct impact on environmental pollution. By understanding the factors that contribute to this tolerance, the study aims to provide insights into the potential consequences for the environment and public health.

¹ The United Nations Conference for Human Environment (1972)

² The United Nation Convention on Environmental Protection (1992), see also the Universal Declaration of Human Rights (1948).

Furthermore, it will propose strategies to strengthen governance and improve the enforcement of environmental regulations, to foster sustainable development and reduce pollution in the country³.

1.2. THESIS STATEMENT

In Cameroon, despite the establishment of various environmental protection laws and policies, the country continues to grapple with significant environmental pollution, particularly in urban centers and industrial zones. Air, water, and soil pollution levels remain alarmingly high, leading to detrimental effects on public health, ecosystems, and economic activities. A key factor contributing to this ongoing environmental crisis is the level of administrative tolerance exhibited by government authorities toward environmental violations.

Administrative tolerance in Cameroon often manifests as weak enforcement of environmental laws, a lack of accountability, and instances of corruption among local authorities and enforcement bodies. This leniency toward environmental violations allows industries, businesses, and individuals to bypass regulations, contributing to an unchecked rise in pollution levels. Furthermore, inadequate resources, unclear regulatory frameworks, and political pressures compound the issue, undermining the effectiveness of the country's environmental governance.

The failure to address this problem not only exacerbates environmental degradation but also jeopardizes the long-term sustainability of natural resources, public health, and the socio-economic well-being of the population. There is a clear need to investigate the relationship between administrative tolerance and environmental pollution in Cameroon to understand its root causes, implications, and potential solutions. This study will seek to fill this gap by assessing the impact of administrative tolerance on environmental pollution and offering recommendations to enhance governance, strengthen the enforcement of environmental laws, and promote sustainable development.

1.3. RESEARCH QUESTION

Main Research Question:

- What is the relationship between administrative tolerance and environmental pollution in Cameroon?

Specific Research Questions:

- To what extent does administrative tolerance contribute to the persistence of environmental pollution in Cameroon?

1.4. RESEARCH OBJECTIVES

Main Objective:

- To assess the relationship between administrative tolerance and environmental pollution in Cameroon, and to examine the factors influencing the persistence of environmental degradation in the country.

Specific Objectives:

- To evaluate the extent to which administrative tolerance affects the enforcement of environmental regulations and contributes to environmental pollution in Cameroon.

1.5. RESEARCH METHODOLOGY

The research will adopt a qualitative research methodology to explore the relationship between administrative tolerance and environmental pollution in Cameroon⁴. The qualitative approach is well-suited to understanding the underlying factors, perceptions, and experiences that contribute to administrative tolerance and its impact on environmental pollution in Cameroon. This research will use an exploratory case study design to gain in-depth insights into the impact of administrative tolerance on environmental pollution in Cameroon. This design will allow for a detailed

³ Ibid.

⁴ Talor and Francis, <https://www.ncbi.nlm.nih.gov>. Accessed, 21/3/2025.

understanding of specific cases where the effects of pollution and administrative practices are most visible⁵.

The primary population for this research will include government officials involved in environmental policy and regulation at local and national levels⁶. Representatives from environmental regulatory bodies, such as the Ministry of Environment, Protection of Nature, and Sustainable Development, Stakeholders from industries contributing to environmental pollution, Representatives from local non-governmental organizations (NGOs) focused on environmental advocacy and sustainability and local community members, particularly those living in areas affected by pollution⁷.

The data collection method will be based on in-depth, semi-structured interviews conducted with key stakeholders such as government officials, and NGO leaders. These interviews will explore participants' views on administrative tolerance, the enforcement of environmental laws, and their perspectives on the level of environmental pollution in their sectors. The semi-structured format will allow for flexibility in exploring key themes while consistently focusing on research questions. Relevant policy documents, reports, and records from government bodies, environmental organizations, and industry sectors will be reviewed to understand the legal framework surrounding environmental protection and the level of enforcement⁸.

1.6. LITERATURE REVIEW

Smith, R., & DeSombre, E⁹" these authors in their work examines how governance challenges in the Global South influence the enforcement of environmental policies. Smith and Desombre's work on environmental policy and administrative tolerance in developing nations highlights the challenges of implementing effective environmental policies in these countries. They argue that market-based instruments, such as tradable permits and pollution charges, may not be effective in developing countries due to limited institutional capacity, lack of transparency, and inadequate monitoring and enforcement mechanisms. In addition, the authors emphasize the need for developing countries to have a robust institutional framework, including a well-functioning legal system, reliable monitoring and enforcement mechanisms, and a culture of compliance, to support effective environmental policy implementation. In the same light, Smith and Desombre note that corruption and administrative neglect are significant obstacles to effective environmental policy implementation in developing countries, and that these issues need to be addressed through strengthened institutions and governance. Furthermore, they stress the importance of setting realistic environmental targets and engaging in collective decision-making processes that involve stakeholders and ensure a commitment to environmental protection. And finally the authors suggest that environmental policy should be tailored to the specific context of each country, taking into account its economic, social, and environmental circumstances. This work is relevant because the author calls for sustainability of the natural environment for the benefit of the future generation¹⁰.

Tadesse, G¹¹. In his work Administrative tolerance and environmental governance in Sub-Saharan Africa. This paper explores how tolerance within administrative structures in Sub-Saharan Africa shapes environmental policy implementation and outcomes. He continues with his postulation that administrative tolerance in Sub-Saharan Africa's is crucial for effective governance and public service delivery. The region's governance landscape is characterized by parallel institutions, including formal laws and traditional institutions, which often complement each other his postulation was supported with the literature of Environmental pollution is a pressing global issue, posing significant threats to ecosystems and human well-being. It's often caused by human activities

⁵ Legal research methodology (indian law institute, new delhi 2nd, 2001) p.111.

⁶ p m bakshi, *legal research and law reform, in s k verma and m afzai wani*, 2nd edition (2009) p.231

⁷ Smith, R., & DeSombre, E⁷. "Environmental policy and administrative tolerance in developing nations" (2009).

⁸ Besjournals.onlinelibrary.wily.com. 20/06/2025

⁹ Ibid.

¹⁰ United Nations Program on Environmental program, <http://ww.imo.org>. Accessed, 2023

¹¹ Tadesse, "Administrative tolerance and environmental governance in Sub-Saharan Africa (2020).

such as urbanization, industrialization, and economic development, which can lead to serious environmental degradation¹². Administrative tolerance refers to the ability of administrative structures to accommodate and manage environmental issues, such as air pollution. Effective governance and public administration are crucial in addressing air quality concerns. Some potential aspects to consider when exploring the impact of administrative tolerance on air quality include Setting Quality Tolerance Limits: Establishing clear limits and standards for air quality can help identify systemic issues and trigger evaluations to determine if action is needed. Monitoring and Enforcement: Robust monitoring and enforcement mechanisms are essential for ensuring compliance with air quality regulations and reducing pollution. Public Participation: Engaging citizens and stakeholders in decision-making processes can promote transparency and accountability in air quality management. This paper relevant because it assesses the relationship between administrative tolerance and the enforcement of pollution laws in Cameroon. This literature is also important as it investigates how tolerating environmental law violations in urban centers exacerbates air and water pollution in Cameroon with negatives effects on both human and biodiversity.

Howard's Schiffman,¹³ emphasis was on sustainability of the natural environment and he called for both national and international mechanisms to be put in place for the proper protection of both the natural and the marine environment. To him, one of the most remarkable developments in the field of international law in the latter half of the twentieth century was the increasing concern for the status of environmental pollution. Outmoded ideas that the oceans were somehow bottomless dumping grounds with limitless assimilative capacity and a ceaseless ability to surrender their resources have been replaced with a new, and more scientifically oriented, awareness of the oceans' environmental and ecological health.

The oceans are indeed focal points of this recent and growing environmental consciousness¹⁴. The environmental degradation of the oceans is by definition a global problem. Overfishing, vessel and land-based pollution, unsustainable and environmentally unfriendly exploitation of mineral resources, as well as the destruction of marine biodiversity are the concerns of all humanity¹⁵. The issues raised by marine mammal conservation are unique in the discourse. In future years, the impact of climate change on the marine environment promises to present even further challenges¹⁶. The various problems of marine conservation are potentially devastating to human beings. The significance of the oceans to industry, nutrition, and the sciences cannot be overstated. The oceans contribute to our food, medicines, energy, transportation, commerce, defence, and even recreation. Both the shallow coastlines and the murky depths support an intricate and interconnected web of life that is only beginning to yield its secrets. While the importance of the oceans is manifest¹⁷, so too must the international legal order be prepared to address the inevitable conflicts and problems that arise from competing maritime interest indeed, the modern law of the sea and international environmental law have given rise to a proliferation of legal instruments that will help countries utilize the oceans in a responsible way. To him 80% of marine pollution came from land based source which is has a devastating effect on aquatic species. This work is very relevant because it aimed at fighting both land based and marine pollution to provide a healthy environment for it inhabitancy.

Marie Ngo Nonga,¹⁸ laid emphasis on the legal protection¹⁸ of the environment. Ngo was actually worried about the degradation of the Cameroon ecosystem and turns to examine the laws protecting

¹² Fotsing, P. "Environmental pollution and administrative tolerance in Cameroon: An empirical study". (2020).

¹³ Howard Schiffman, *International Law and the Protection of the Environment* (3rd ed, New York Foundation, 2009) pp1-4

¹⁴ Encyclopedia of life support systems <https://www.eolss.net>

¹⁵ The Law Regarding Protection of the Environment during Wartime (1968) section 48.

¹⁶ NSUworks-Nova <https://nova.edu>.

¹⁷ O.pcit p, 12.

¹⁸ Marie Ngo Nonga, *La problematique de la protection juridique de l'environnement marin et la securite maritime au Cameroon*, Yaounde 2 Soa (2014).

both the terrestrial and marine environment, whether the laws are in adequate or a question of poor implementation or insufficient laws in the protection of the Cameroon marine ecosystem¹⁹. After her findings, she concluded that the problems plaguing the marine environment of Cameroon is not the issue of insufficiency of laws but rather the problem of implementation of legal instruments²⁰. She further elaborated that threats to Maritime Security in the Gulf of Guinea need proper protection because of its geo-strategic location and resources the Gulf offers have not been fully exploited due to the existing vulnerabilities in the region²¹. Rather than contributing to the socio-economic growth and development, these vulnerabilities have been sources of insecurity, internal civil crises and international border disputes in the region²².

According to Ngo, the increasing population along the coast is also a threat to both the terrestrial and the marine ecosystem as so many people use the marine ecosystem as their dumping ground most especially the inhabitants along the coast of Limbe, Douala, Idenau and Kribi dumped waste on land which ends up in the marine environment.

1.7. SIGNIFICANCE OF THE RESEARCH

This research is significant for several reasons, as it addresses both practical and theoretical gaps in understanding the relationship between administrative tolerance and environmental pollution in Cameroon. By investigating how administrative practices impact environmental outcomes, this study offers valuable insights that can contribute to improving governance, policy enforcement, and environmental sustainability in the country.

The research will provide crucial insights into the inefficiencies within the environmental regulatory framework in Cameroon, particularly regarding administrative tolerance. It will shed light on how administrative tolerance (i.e., the lax enforcement of environmental laws) directly influences the persistence of pollution in the country. The findings could inform policymakers about the gaps in enforcement mechanisms, helping them understand where and why current environmental policies and regulations fail to be fully implemented. This research could serve as a foundation for designing more robust and efficient enforcement strategies, reducing environmental violations, and ensuring the sustainable management of the country's natural resources²³.

The research will also raise public awareness about administrative tolerance's impacts on the environment. By examining the role of local communities, environmental NGOs, and other stakeholders in holding the government accountable, the research can highlight the importance of civic engagement in environmental governance. Furthermore, the research will provide recommendations on how to improve public awareness programs and community participation in environmental decision-making. Increased awareness and advocacy will help to foster a culture of accountability and transparency, which can, in turn, reduce the tolerance for environmental violations²⁴.

Corruption is often identified as a significant factor enabling administrative tolerance, particularly in resource-rich countries like Cameroon. This research will explore how corruption within environmental regulatory bodies exacerbates environmental pollution, undermining efforts to protect natural resources. By revealing the link between corruption and poor environmental governance, the research could contribute to anti-corruption initiatives, encouraging local and international stakeholders to take a stand against the practices perpetuating environmental

¹⁹ Jstor <https://www.jstor.org>

²⁰ Marie Ngo Nonga, *La problématique de la protection juridique de l'environnement marin et la sécurité maritime au Cameroun* (2014) p.1 PhD thesis, Yaounde 2 Soa.

²¹ Oliver C. Ruppel *Environmental law and policy in Cameroon-Towards making Africa the tree of life* 2nd edition, University of Yaounde 2 (2018)

²² Christopher F. Tamasang and Sylvian N. Atanga, *Environmental Impact Assessment under Cameroonian Law* University of Yaounde 2 (2018)

²³ Note that the term „air“ was replaced by „environment“. See also article 1 of the Paris Convention for the prevention of Marine Pollution from Land-Based Sources,

²⁴ PNAS, <http://eco-intelligent.com>. 21/3/2024. See also Lynam, <http://journals.plos.org>. 21/3/2025

degradation. It will also help to demonstrate the importance of ethical governance in addressing complex environmental challenges²⁵.

Given that environmental pollution has far-reaching consequences for public health, biodiversity, and economic development, this research will contribute practical recommendations for mitigating pollution levels in Cameroon. The study can inform practical interventions that reduce environmental harm by identifying the root causes of administrative tolerance and proposing actionable strategies to strengthen law enforcement. The recommendations could be valuable to local government authorities, businesses, and NGOs working in Cameroon's environmental sector, helping to promote sustainable development and enhance environmental resilience²⁶.

These research findings may be of interest to international development organizations, environmental NGOs, and donor agencies involved in Cameroon's environmental protection initiatives. The research could guide international partners in developing collaborative programs that promote stronger environmental governance and address the impacts of administrative tolerance. Additionally, it may serve as a case study for other countries facing similar challenges in balancing administrative tolerance and environmental protection, contributing to the broader discourse on sustainable development²⁷.

1.8. KEY PROVISIONS OF THE CURRENT LEGAL AND REGULATORY FRAMEWORK ON ENVIRONMENTAL PROTECTION IN CAMEROON

Cameroon has developed a comprehensive legal and regulatory framework for environmental protection over the years, aiming to regulate human activities that have significant impacts on the environment, such as industrial operations, agriculture, and infrastructure development. This framework consists of various laws, decrees, and regulations that provide a legal basis for addressing environmental pollution, natural resource management, and the conservation of biodiversity²⁸.

1. The legal and regulatory framework of environmental pollution in Cameroon

A. The Constitution of Cameroon (1972, Revised in 1996)

- **Right to a Healthy Environment:** The Constitution of Cameroon, as amended in 1996, recognizes the right to a healthy environment as a fundamental right. This is particularly relevant in the context of environmental protection because it establishes a constitutional obligation for the government to protect the environment for the benefit of the people and future generations²⁹.
- **Environmental Responsibility:** The Constitution asserts that the state must ensure that natural resources are managed responsibly and sustainably. This principle is embedded within broader national development goals, which should include environmental sustainability as an essential component of development³⁰.

B. The 1996 Environmental Management Law (Law No. 96/12 of August 5, 1996)

The Environmental Management Law is the cornerstone of Cameroon's legal framework for environmental protection. This law establishes the guiding principles and mechanisms for the protection of the environment, addressing pollution, the preservation of biodiversity, and the management of natural resources. Key Provisions of Environmental Management Law:

²⁵ Besjournals.onlinelibrary.wily.com. 20/06/2025

²⁶ Ibid.

²⁷ Law No. 98/005 of 14 April, laying down regulations governing Water Resources in Cameroon, Decree No. 2001/164/pm dated 8th May 2001 regulating the utilization of Water Resources and Decree No. 2001/165/pm dated 8th May 2001 on the protection of Water Resources.

²⁸ The Law Regarding Protection of the Environment during Wartime (1968)

²⁹ Marie Ngo Nonga: La problematique de la protection juridique de l'environnement marin et la securite maritime au Cameroon. (2014).

³⁰ Belgore MB "jurisdiction with references to forum convenience and concept of the sea worthiness, judicial lecture continuing education for the judiciary" MIJ publisher ltd, (1991),pp45-78

- **Principle of Sustainable Development:** The law emphasizes the principle of sustainable development, ensuring that environmental protection is integrated into all aspects of economic and social development³¹.
- **Environmental Impact Assessments (EIA):** One of the central elements of the law is the requirement for Environmental Impact Assessments (EIAs) for all development projects that may have significant environmental impacts³². These assessments are designed to evaluate the potential environmental consequences of projects before they are implemented. They aim to prevent environmental harm and promote mitigation measures.
- **Pollution Control and Waste Management:** The law establishes measures for preventing and controlling pollution, including air, water, and soil pollution. It sets out responsibilities for industries and other operators to reduce their environmental footprint. The law also includes provisions for solid waste management, encouraging the reduction of waste generation, recycling, and proper disposal methods.
- **Environmental Monitoring:** The law mandates the creation of institutions responsible for monitoring and enforcing environmental laws. This includes regular assessments of environmental quality and the evaluation of the effectiveness of environmental protection measures.
- **Regulation of Hazardous Substances:** The law sets forth regulations for handling hazardous substances, including chemicals and industrial waste, to prevent pollution and health risks to humans and wildlife.
- **Penalties for Non-Compliance:** The law stipulates penalties for violations of environmental regulations, including fines, closure of facilities, and criminal sanctions. These penalties are designed to enforce compliance and deter environmental damage.

2. The Forests, Wildlife, and Fisheries Law (Law No. 94/01 of January 20, 1994)

This law regulates the management, conservation, and sustainable use of Cameroon's forests, wildlife, and fisheries. Cameroon is home to a significant portion of the Congo Basin rainforest, and the law is vital for maintaining biodiversity and protecting endangered species. Key Provisions of the Forests, Wildlife, and Fisheries Law:

- **Forest Management:** The law sets out a framework for sustainable forest management, including the creation of forest reserves and protected areas. It also regulates timber exploitation by requiring licenses and quotas to prevent overharvesting.
- **Wildlife Conservation:** The law provides for the conservation of wildlife species, particularly endangered species, and establishes national parks and wildlife reserves. It bans poaching and illegal hunting and provides for the monitoring of wildlife populations.
- **Fisheries Management:** The law regulates the exploitation of marine and freshwater fish resources, aiming to prevent overfishing and ensure the sustainability of fish populations.
- **Community Participation:** It recognizes the role of local communities in the management and conservation of natural resources and encourages participation in sustainable forest and wildlife management practices.

3. The 1996 Law on Water (Law No. 98/005 of April 14, 1998)

Water management is an important part of environmental protection in Cameroon, especially considering the country's rich water resources, including rivers like the Wouri and the Sanaga. This law regulates water use, pollution control, and conservation. Key Provisions of the Law on Water:

³¹ Law no 96/12 of August 1996 relating to Environmental Management

³² Law no 96/12 of August 1996 relating to Environmental Management.

- **Water Quality Control:** The law regulates the quality of water in rivers, lakes, and groundwater, setting limits on the levels of pollutants that can be discharged into water bodies. It also stipulates that industries must treat their wastewater before release.
 - **Water Resource Management:** The law establishes mechanisms for the sustainable management of water resources, ensuring equitable distribution and conservation of water for domestic, industrial, and agricultural purposes.
 - **Water Pollution Prevention:** The law imposes requirements on industries and municipalities to prevent water pollution using proper waste disposal systems and treatment technologies.
- 4. The 2011 Law on the Protection of the Environment (Law No. 2011/022 of December 14, 2011)**

This law provides for the protection and preservation of the environment in the context of the evolving challenges posed by climate change, biodiversity loss, and increasing pollution. It complements the earlier 1996 Environmental Management Law and aims to modernize environmental governance. Key Provisions of the Law on the Protection of the Environment:

- **Climate Change Mitigation and Adaptation:** The law acknowledges the global issue of climate change and outlines Cameroon's commitment to reducing greenhouse gas emissions, enhancing resilience to climate change, and promoting green technologies and sustainable practices³³.
- **Environmental Education:** The law encourages public awareness and education on environmental protection to ensure that citizens are involved in conservation and waste reduction practices³⁴.
- **Waste Management Framework:** This law provides a more structured approach to waste management, including the prevention, recycling, and disposal of solid waste. It also deals with hazardous waste and its safe disposal³⁵.
- **Institutional Framework:** The law establishes institutions tasked with enforcing environmental regulations, including the Ministry of Environment, Nature Protection, and Sustainable Development (MINEPDED). These agencies are responsible for overseeing environmental protection efforts and ensuring compliance with environmental laws³⁶.

5. The National Environmental Management Plan (NEMP)

The National Environmental Management Plan is a strategic tool adopted by the Cameroonian government to implement environmental policies at the national level. The plan sets out priorities for sustainable development, including combating deforestation, managing pollution, and conserving biodiversity. Key Provisions of the NEMP:

Action Plans for Sectorial Integration: The NEMP integrates environmental protection into key economic sectors like agriculture, energy, and transport to reduce their environmental impacts.

Promotion of Sustainable Practices: It emphasizes promoting sustainable development using clean energy technologies, improved waste management, and sustainable agricultural practices.

Stakeholder Participation: The plan encourages multi-stakeholder collaboration, involving local communities, the private sector, and civil society in environmental management efforts.

Institutional Framework for Environmental Protection

³³ The Law Regarding Protection of the Environment during Wartime (1968) section 45

³⁴ Patricia B Alain B and Catherine R, *International law and the environment* (3rd edition Oxford University press 2009) pp.23-28

³⁵ Bhaskar kura, PhD and Raghuram Tadimalla, "Pollution prevention technology for shipyard" (university of New Orleans 2003), p.222

³⁶ Redgwell, Boyle and Anderson, *Human Rights Approaches to Environmental Protection* (2nd ed. Oxford university press 1996), p.42

Various institutions have been put in place to regulate pollution in Cameroon. These institutions are The Ministry of the Environment, Nature Protection and Sustainable Development, The Municipalities, The Ministry of Town Planning, The Ministry of Urbanization, and The Ministry of Public Health, etc. Each shall be examined in turns.

The ministry of environment, nature protection and sustainable development (MINEDEP)

The Ministry of the Environment and Nature Protection (MINEP), now Ministry of the Environment, Nature Protection and Sustainable Development (MINEDEP) was created in 2004 by a presidential decree organizing the government. It was formerly the Ministry of the Environment and Forestry but because environmental issues were and are still topical, the President decided to split this ministry into two to give more attention to environmental problems. MINEDEP is an overseer. It acts as a watchdog. It oversees the activities of other ministries which have environmental issues to manage. For instance, it works in collaboration with the Ministry of Mines and Industrial Development, and the Ministry of Water Resources and Energy. It ensures that the latter supplies water that is fit and good for drinking to the public. MINEDEP also works with the Ministry of Housing and Urban Development to make sure that when it is carrying out its activities, the environment is not polluted. MINEDEP is also enjoined to send out its workers to all industries to make sure that their working milieu is clean and bacteria-free. Furthermore, these controllers must insist that industries should use raw materials which do not pollute the environment or if they do, that the impact should be mitigated. MINEDEP's controllers also make sure that all industries have a hygiene and safety unit which will promote safety activities in their working premises. Lastly, it ensures that any individual or corporate body that breaks any law regulating the environment should be brought to book. Collaborates with other agencies to define measures for the rational management of natural resources; Effective control of investigation and pollution in the field; Specifies the criteria (project specific) and supervises environmental impact assessments.

The Municipalities

The Law of 2004 regulating municipalities defines a municipality in Section 2(1) as “a decentralized local authority”. One of the principal duties of municipalities is to clean the town and equally improve the living conditions of their inhabitants. This duty to clean towns is further assigned to municipalities by the Environmental Code. Section 46 (1) of this code states, that "Decentralized territorial municipalities shall eliminate household waste, possibly, with the competent state services, in keeping with the laws in force”. Section 110 of the 2004 Law further stipulates municipalities must manage city lakes and rivers. It is due to the lack of effective execution of this duty by municipalities that we have water pollution in most towns of Cameroon. Due to the lack of constant cleaning of towns and municipal officials educating the populace on how to clean their premises, most households dump most of their waste into streams and rivers. Most workers of municipalities in big towns mostly execute only jobs that fetch money from them. The municipality workers do not go out to control or prevent the dumping of waste into streams, gutters, and roads.

As already noted, the municipalities must send out their workers to the neighbourhoods to educate people on how and why they must clean their surroundings (Not to build a pit latrine too near their houses and not to empty their toilets into streams and rivers when they are full). A fine is supposed to be levied against the defaulter, but this is not often done. Another reason is the lack of personnel. Most Municipalities do not have sufficient personnel to do this job.

The Ministry of Town Planning

Local municipalities in Cameroon were created by Law no 93/32 of 25 November 1993 and Decree No. 95/082 of 24 April 1995. This law was followed by an amendment to the 1972 constitution of the country in 1996 that changed the form of the state to a decentralized, unitary state comprising a central government, and regional and local municipalities. With the local municipalities now in existence, the legal framework for decentralization prescribed by the 1996 constitution to grant local authorities the administrative and financial independence needed to function separately from

the central government did not come until eight years later (that is 2004) when three pieces of legislation relating to decentralization were passed by the national assembly. This was followed by legislation in 2009 on the local fiscal system. As identified by Kofele-Kale, the four pieces of legislation included law no. 2004/017 of 22 July 2004 on the Operation of Decentralization, which lays down the general rules applicable to decentralization, law no. 2004/018 of 22 July 2004 to lay down Rules Applicable to Municipalities, law no. 2004/019 of 22 July 2004 to lay down Rules Applicable to Regions, and law no. 2009/019 of 15 December 2009 on the local fiscal system. Despite the adoption of the law on decentralization, its implementation did not take effect because of processing by the government. This process to transition to a decentralized nation continued until 2019 when another piece of legislation relating to decentralization was signed into law only after political pressure and instability in the English-speaking part of the country seeking greater autonomy and secession from the republic. This means the entire process of making decentralization a reality in Cameroon, as required by the 1996 constitution, took twenty-three years. Therefore, between the period of 1996 and 2019, Cameroon was referred to as a decentralized state only in theory since the structures to implement it did not exist. As a result, the local municipalities were still operating under a centralized system of governance where the appointed local representative of the president of the republic supervises the elected officials and makes decisions on their behalf regarding the management of their municipality. One area where the negative impact of the centralized system of governance is most visible is in town planning. Town planning in Cameroon is regulated by law no. 2004/003 of April 2004³⁷.

In 2019, the legal framework for the implementation of the 2004 law on decentralization was finally signed. Law no. 2019/024 of 24 December 2019 instituted the general code of regional and local authorities. In Chapter II, Sections 8–12, it finally devolves to local authorities the powers and appropriate resources needed for their social, economic, cultural, environmental, health, educational, and sports development. One major change identified is that the decentralization law in Section 2 (3) gave all local municipalities' equal status. As confirmed by Kofele-Kale, the law abolishes the legal distinction between urban and rural municipalities. Section 158 of this law, for example, devolves to local municipalities Spatial Planning, Regional Development, town planning, and housing authority³⁸.

Courts

The court serves as a deterrent which can either be administrative or court measures which often are the judicial courts which award sanctions on their merits. The sanctions may be imprisonment or the payment of damages. Administration sanctions include the withdrawal of license, suspension and ban or dissolution. The Court of First Instance in Cameroon has jurisdiction in criminal matters to hear and determine matters including the environmental crimes committed in violation of section 261 of the penal codes to try misdemeanours or simple offences and in civil matters, to hear matters where the damages do not exceed 10,000,000FCFA. This court tries offences punishable with imprisonment for up to ten years or a fine of up to 25000FCFA. However, when civil claims are tried jointly with criminal action, the monetary jurisdictional limit need not be respected³⁹. This court is competent to rule on matters concerning urgent orders, such as injunctions, and to entertain actions for the recovery of commercial debts through simplified procedures. As such, this court is competent to hear and try offences relating to environmental degradation, for instance, activities governed by the sectorial codes without licenses or titles and communication of false documents⁴⁰.

By a commercial order signed by an examining magistrate, by the inquiry control chamber, or by the procedure application to offences committed *flagrante delicto*, when the law so provides. It should be noted that, unlike Great Britain, France, USA, which have admiralty courts separate from

³⁷ Redgwell, Boyle and Anderson, *Human Rights Approaches to Environmental Protection* (2nd ed. Oxford university press 1996), p.42

³⁸ *Ibid.*

³⁹ Law no 2019/09 of 25 April 2019 amended the 1999 petroleum code.

⁴⁰ *Ibid.*

criminal and civil jurisdiction, Cameroon does not yet have a court with pure admiralty jurisdiction. It is still the court of first instance that is competent in both criminal and admiralty matters, this explains why the sanctions and damages awarded to defaulters still need to be improved this is because this court has a limit to award damages of more than 10,000,000frs this justify the reasons why the high courts has jurisdiction over issues patterning to maritime pollution and awards damages up to 50,000,000frs to defaulters of the marine ecosystem thereby protecting and preserving the Cameroon marine ecosystem. The penal code stipulates that the maximum number of fines applicable to corporate bodies that violate the law and pollute either the natural environment or the marine ecosystem shall be five times the damage provided for natural people. When a corporate body is guilty of an offence punishable with imprisonment only, the fine to be paid shall be from CFAF 1000,000 (one million) to CFAF 500,000,000 (five hundred million).

Non-Governmental Organizations

Non-Governmental Organizations often get their finances from donors who can either be national or foreign. NGOs are national or international non-profit making organisations. Bettati defines it as “an association, group or movement formed by individuals or moral persons drawn from the same or different States governed by law, with a non-lucrative goal.”

NGOs are recent actors in the international environmental scene. The first NGOs were created in the 21st century and were principally for humanitarian and charitable purposes. They started getting interested in ecological problems when large industries began polluting the environment with the smoke and the waste they produced. They mainly aimed to criticize and raise international awareness concerning this environmental hazard. At the time of the Rio Conference of 1992, more national and international NGOs were created. Their sole aim was to contribute to protecting the environment and sustainable development. They did this by lobbying internationally and nationally to protect the environment. They alert the world about the peril of degradation and propose strategies to fight environmental harm using international legal instruments. Unofficially, most of them serve as “watchdogs” in the process of adoption and implementation of international environmental law.

The creation of NGOs in Cameroon is recent because Cameroonians did not know their importance. The importance of NGOs was realized in Cameroon only in the 21st century. This realization led to the creation of many NGOs. NGOs have a valuable contribution to make and a legitimate role to play in environmental protection, Section 6(1) of the code states that “public and private institutions shall, within the context of their competence, sensitize all the populations on environmental problems.” Subsection (2) provides that “the institutions shall consequently include programs in their activities to provide better knowledge of the environment”. Drawing attention to the definition of an NGO given in the foregoing, it falls within this section of the code. Therefore, NGOs must inform and sensitize the population about environmental problems. As we noted earlier in this chapter, if the populace is informed about environmental problems, they will participate in the enforcement of the law because they know their rights and equally the importance of protecting these rights in the environment. This sensitization can equally be done by NGOs, as Section 6(1) (2) of the code states.

2. Administrative disposition, policies, procedures and processes regarding environmental pollution in Cameroon

Cameroon’s approach to environmental pollution management is governed by a set of administrative dispositions, policies, procedures, and processes aimed at mitigating the adverse effects of pollution on the environment and public health. These administrative measures focus on compliance, monitoring, enforcement, and remediation in line with the country’s legal and regulatory frameworks.

A. Administrative Dispositions for Pollution Control

Administrative dispositions in Cameroon are set out by various governmental institutions tasked with managing and monitoring environmental pollution. Key institutions and their roles include:

Ministry of Environment, Nature Protection, and Sustainable Development (MINEPDED): MINEPDED is the primary government body responsible for environmental protection in Cameroon. The ministry plays a crucial role in coordinating environmental pollution management through policy formulation, enforcement of environmental laws, and overseeing the implementation of environmental programs. It is responsible for issuing permits for certain activities that may cause pollution (e.g., waste disposal, industrial activities, and emissions) and ensuring that these activities comply with environmental standards⁴¹.

Cameroon Environmental Management Agency (CAMEC): This agency supports MINEPDED in carrying out environmental protection tasks, including pollution control. The agency handles issues related to environmental impact assessments (EIAs), pollution monitoring, and promoting sustainable practices⁴².

Local Governments: Municipalities in Cameroon, particularly in urban areas like Douala, Yaoundé, and Bamenda, play a critical role in managing pollution at the local level. Local government authorities are responsible for solid waste management, sanitation, and regulating small-scale pollution sources, including local industries and households⁴³.

National Environmental Management Council (CNEE): The CNEE is a technical body that advises the government on environmental management issues and helps review and monitor environmental policies and practices. This includes evaluating EIAs, making recommendations for pollution control strategies, and promoting environmental awareness⁴⁴.

B. Environmental Policies Regarding Pollution Control

Cameroon has developed several policies to manage and reduce pollution, to create a sustainable and healthy environment for its citizens. Key policies include:

National Environmental Policy (NEP): The National Environmental Policy, which was developed in the 1990s, outlines the country's commitment to sustainable environmental management. It emphasizes the need for pollution control, the reduction of harmful emissions, and the protection of natural resources. The NEP integrates environmental considerations into all national development plans and aims to promote cleaner production and consumption practices.

National Policy on Waste Management: This policy addresses waste management issues, including waste reduction, recycling, and proper disposal methods. It sets out guidelines for managing municipal waste and hazardous waste from industrial and agricultural activities. The policy is designed to reduce pollution from waste and enhance waste management infrastructure at local and national levels⁴⁵.

Climate Change Policy: While the primary focus of this policy is on climate change mitigation and adaptation, it includes provisions for reducing pollution from greenhouse gases, particularly from the energy and transportation sectors. It advocates cleaner technologies, the reduction of industrial emissions, and the promotion of renewable energy sources to decrease air pollution.

Pollution Control and Environmental Impact Assessment Policy: This policy requires industries and large-scale projects to conduct Environmental Impact Assessments (EIAs) before they begin operations. The policy helps assess the potential pollution risks associated with development projects and ensures that measures are in place to mitigate or prevent environmental damage.

⁴¹ Law No 2016/027 of 12 July 2016

⁴² Richa Singh, Minakshi Solanki, and Siddharth Singh "Plastic Waste Management in Africa - An Overview" published by Centre for Science and Environment (2023)

⁴³Yenkuh, N.R.E "The Manifestation Of Environmental Pollution In Cameroon: A Legal Appraisal" International Journal Of Legal Developments And Allied Issues . (2021) see also Etong, Armand "Environmental law and policy in Cameroon: legal compliance and challenges" (2021)

⁴⁴ Ibid.

⁴⁵ "The Manifestation Of Environmental Pollution In Cameroon: A Legal Appraisal" by Yenkuh, N.R.E. (2021) in International Journal Of Legal Developments And Allied Issues

"Environmental law and policy in Cameroon: legal compliance and challenges" by Etong, Armand (2021)

Forestry and Wildlife Protection Policies: These policies are critical for addressing pollution resulting from logging, mining, and industrial activities in the forest and wildlife areas. They aim to reduce the degradation of biodiversity and forest ecosystems, which are increasingly threatened by pollution from human activities.

C. Procedures for Pollution Control and Prevention

There are well-defined procedures that guide how pollution control and environmental protection efforts are carried out in Cameroon. These procedures ensure compliance with the country's environmental laws and regulations.

C. Environmental Impact Assessments (EIAs):

Procedure: Before undertaking any major project (e.g., industrial plants, roads, oil extraction), an Environmental Impact Assessment is mandatory. Developers are required to submit an EIA to MINEPDED or the appropriate local authority for review.

Evaluation: The EIA evaluates potential environmental risks, including air, water, and soil pollution, biodiversity loss, and public health impacts. If the project is likely to cause significant harm, the authorities may require modifications or even deny approval.

Mitigation Plans: Developers are required to include mitigation strategies to minimise environmental harm, such as waste treatment plants, air filtration systems, or restoration programs.

Public Participation: The process involves consultations with local communities and stakeholders to ensure transparency and gather feedback from those affected by the project.

Monitoring and Inspections:

Regular Monitoring: The government, through MINEPDED and other agencies like CAMEC, conducts regular environmental monitoring to assess pollution levels in air, water, and soil. This includes testing pollutants from industrial activities, agricultural runoff, and waste disposal sites.

Routine Inspections: Environmental inspectors are deployed to facilities such as factories, power plants, and waste treatment plants to ensure compliance with pollution control regulations. These inspections include checks on emissions, waste management practices, and environmental safety procedures.

Pollution Control Permits:

Industrial facilities and projects that generate pollution must obtain pollution control permits from MINEPDED. These permits outline the specific pollution standards the facility must adhere to, such as maximum permissible levels for air emissions, water discharges, and solid waste. Failure to comply with these standards can result in penalties or closure of the facility.

Waste Management Procedures:

Solid Waste: Municipalities are responsible for managing solid waste in urban areas, which involves waste collection, transportation, and disposal. A key procedure is the separation of waste into categories (e.g., biodegradable, recyclable, hazardous) to reduce landfill use and encourage recycling.

Hazardous Waste: Industries generating hazardous waste must have special waste management plans in place to handle the safe disposal of chemical, electronic, and industrial waste. This includes safe storage, transport, and disposal by international best practices.

D. Processes for Pollution Enforcement and Remediation

The enforcement of environmental laws and remediation of pollution incidents are critical components of Cameroon's pollution control framework. The following processes are in place:

- **Sanctions and Penalties for Non-Compliance:** The government has established sanctions for businesses and individuals who violate environmental regulations. These can include fines,

temporary shutdowns, or revocation of operating licenses. In extreme cases, criminal prosecution may be pursued for significant environmental damage.

- Penalties are outlined in the Environmental Management Law and other relevant regulations, which provide a legal basis for enforcement actions.

Remediation of Polluted Sites:

- In cases where pollution has already occurred, the government requires companies or individuals responsible for the damage to take corrective actions. This may include cleaning up contaminated sites (e.g., oil spills, waste dumps) or implementing measures to prevent further pollution.
- Remediation processes often involve environmental restoration programs, reforestation, soil rehabilitation, and water purification efforts to mitigate the impact of pollution on ecosystems and local communities.

Public Awareness Campaigns:

- Public education and awareness are central to Cameroon's pollution control efforts. The government, alongside NGOs and community organizations, conduct campaigns to inform the public about the importance of waste management, pollution prevention, and the legal consequences of environmental violations.
- Schools, media outlets, and local authorities are key actors in these campaigns, aimed at changing public attitudes and promoting environmentally friendly behaviors.

1.9. LAPSES IN THE LEGAL, ADMINISTRATIVE AND REGULATORY FRAMEWORK ON ENVIRONMENTAL POLLUTIONS IN CAMEROON.

1. Examining the legal and regulatory provisions in light of on-ground realities

Despite the existence of multiple legal instruments, such as Law No. 96/12 of 5 August 1996 on Environmental Management, Cameroon continues to face serious pollution challenges. The gap lies in disconnect between well-drafted laws and the actual environmental realities on the ground. Many local councils lack the resources or political will to operationalize these laws effectively.

2. Examining the enforceability of the various problems

Enforcement mechanisms remain weak due to corruption, inadequate staffing, insufficient funding, and political interference. Regulatory agencies often lack the autonomy or tools necessary to hold violators accountable, especially when large corporations or influential individuals are involved.

1.10. ASSESSING THE LEVEL OF IMPLEMENTATION OF ADMINISTRATIVE, LEGAL AND REGULATORY PROVISIONS BY INDIVIDUALS AND COMPANIES IN CAMEROON AND WHY THE GAP

1. The level of compliance by individuals and households

Compliance at the household level is generally low due to limited awareness, poor waste management infrastructure, and weak enforcement. Many residents continue to dump waste in unauthorized areas, largely because of the absence of accessible alternatives.

2. The level of compliance by companies

Private companies show mixed levels of compliance. While some multinationals adhere to environmental standards due to external pressure, many local enterprises exploit regulatory loopholes or rely on bribes to evade compliance.

3. The level of compliance by industrial concerns

Industrial actors, especially in heavy industries like manufacturing and petrochemicals, are among the worst polluters. Weak monitoring systems, infrequent inspections, and lenient penalties contribute to widespread non-compliance.

1.11. ASSESING THE LEVEL OF IMPLEMENTATION OF ADMINISTRATIVE, LEGAL AND REGULATORY PROVISIONS BY INDIVIDUALS AND COMPANIES IN CAMEROON AND WHY THE GAPS

1. The level of compliance by individuals and households

The level of compliance by individuals and households in Cameroon remains relatively low. While there are laws that mandate proper waste disposal and prohibit pollution (e.g., Law No. 96/12 of 5 August 1996 on Environmental Management), public awareness and behavioural change have not kept pace. Many households still engage in illegal dumping, open burning of waste, and disposal into drainage systems due to a combination of factors, including:

- Limited public education on environmental rights and responsibilities;
- Lack of adequate infrastructure, such as public bins or routine waste collection services;
- Weak enforcement at the community level, with municipal councils lacking the capacity to monitor and penalize offenders;
- Poverty and urbanization pressures, especially prevalent in informal settlements, where regulation is largely absent.

These gaps reflect a failure not only of individual responsibility but also of state and municipal institutions to create enabling conditions for compliance.

2. The level of compliance by industrial concerns

Industrial actors in Cameroon, particularly in sectors like agro-processing, oil and gas, and manufacturing, often exhibit poor compliance with environmental standards. Although environmental impact assessments (EIAs) and pollution control regulations exist, they are frequently bypassed or inadequately enforced. Reasons for this include:

- Regulatory capture and corruption, when industries avoid compliance through informal payments or political connections.
- Insufficient monitoring mechanisms, with few inspections or follow-up audits by environmental agencies;
- Outdated technology and poor investment in cleaner production practices.
- Inadequate penalties fail to deter repeat offenders.

The gap in industrial compliance stems from a lack of political will, under-resourced regulatory bodies, and a culture of impunity. This not only leads to environmental degradation but also undermines public confidence in legal institutions.

1.12. THE EFFECTS OF ADMINISTRATIVE TOLERANCE ON ENVIRONMENTAL POLLUTION IN CAMEROON

1. On the ecosystem

Administrative leniency results in increased deforestation, water pollution, and poor air quality. Rivers are choked with waste, wildlife habitats are threatened, and biodiversity is steadily declining.

2. On local and international regulations

Tolerance undermines national environmental laws and diminishes Cameroon's credibility in implementing international agreements such as the Paris Agreement or the Basel Convention. It hampers the country's ability to attract green investments or climate funding.

3. On mindsets and culture

Continuous inaction by authorities cultivates a culture of impunity, where both citizens and businesses view environmental violations as non-consequential. This erodes public trust in institutions and normalizes harmful behaviours toward the environment.

1.13. Conclusion

The assessment of administrative tolerance and its impact on environmental pollution in Cameroon reveals a concerning trend. Weak enforcement of environmental laws and regulations, coupled with

inadequate institutional capacity, has led to increased environmental degradation and pollution. The lack of effective administrative tolerance has resulted in significant environmental and health problems, affecting the well-being of Cameroonians and the country's ecosystems.

1.14. Recommendations

This work strongly recommends the Cameroon government during Policy and Legislative Reforms to strengthen Environmental Laws and Regulations: Review and update existing laws to ensure they are comprehensive, clear, and enforceable. In addition, the government of Cameroon should increase Penalties for Non-Compliance: Implement stricter penalties for environmental offenses to deter polluters.

When it comes to institution and capacity building, the government should enhance institutional Capacity Building by enhance institutional Capacity training and resources to environmental agencies to improve enforcement and monitoring as well as foster cooperation among government agencies, NGOs, and local communities to address environmental issues.

When it comes to public awareness and participation, the government should raise awareness and educate citizens about environmental issues and promote sustainable practices of waste management and measures to curb waste within the society encourage public participation: Involve local communities in environmental decision-making processes.

Within the domain of sustainable development, the government should encourage sustainable practices in industries, agriculture, and urban planning; support the adoption of clean technologies and renewable energy sources. When it comes to monitoring, the government should develop effective monitoring systems to track environmental pollution and enforcement efforts. The government should regularly review and update policies by conducting regular reviews on environmental policies and laws to ensure they remain effective.

Furthermore, the government should grant fiscal, incentives subsidies, or revenue-sharing schemes to local governments that meet or exceed environmental performance targets. This could include waste reduction, forest conservation, or clean air initiatives. The government should reduced tax rates or equipment subsidies to companies that install pollution-control technologies, switch to renewable energy, or exceed emission standards and also invest in education and training programs for administrators, inspectors, and policymakers at all levels to enhance understanding of environmental laws, compliance mechanisms, and sustainable development principles.

Finally, the government should encourage collaboration between government agencies and private entities to implement environmental projects such as waste to energy facilities or reforestation campaigns while sharing risks and benefits.

By implementing these recommendations, Cameroon can reduce environmental pollution, promote sustainable development, and improve the well-being of its citizens.

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