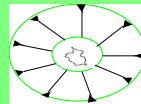


The Access Initiative Cameroon Report

Environmental Democracy in Cameroon

AN ASSESSMENT OF ACCESS TO INFORMATION, PARTICIPATION
IN DECISION MAKING, AND ACCESS TO JUSTICE IN
ENVIRONMENTAL MATTERS

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Project which was made up of the Bioresources Development and Conservation Programme-Cameroon, Foundation for Environment and Development and the Network for Environment and Sustainable Development-Central Africa. The study was conducted using the Toolkit version 2 developed by The Access Initiative, a global network of civil society organizations. This Report is an outcome of the commitment of these NGOs.

Finally, contributors to the review process of this report were made up of individual scientists, lawyers, members of other NGOs, and academicians in Cameroon, Uganda and Hungary. We highly appreciate their contributions to this work.

Unless otherwise noted, the opinions, interpretations and findings presented in this document are those of National Coalition NGOs involved in the TAI-Cameroon Project and not necessarily those of The Access Initiative. We equally take responsibility for any errors that may be found in this Report.

For additional information about The Access Initiative, including its members and leadership, please see www.accessinitiative.org.

1. EXECUTIVE SUMMARY:

KEY FINDINGS AND RECCOMENDATIONS FOR ACTION

The purpose of the assessment is to evaluate the status of implementation of Principle 10 in Cameroon. In this process the performance of the government in promoting access rights of citizens to information, justice and participation in decision-making in environmental matters were assessed. The assessment was carried out from July 2006 to July 2007 by a coalition of three non-government organisations namely: Bioresources Development and Conservation Programme-Cameroon (BDCCP-C), Foundation for Environment and Development (FEDEV) and Network for Sustainable Development in Central Africa (NESDA-CA).

Cameroon is a signatory to the Rio Declaration of 1992. The Rio Earth Summit recognised that human beings are at the centre of concerns for sustainable development and that they are entitled to a healthy and productive life in harmony with nature. Consequently, Cameroon and other parties uphold that in order to achieve sustainable development, environmental protection shall constitute an integral part of the development process. Principle 10 of this declaration goes further to assert that access to information, participation in decision-making and access to justice in environmental matters empower citizens to have a meaningful voice in decisions that affect sustainable development. Moreover, Paragraph 128 of the World Summit on Sustainable Development (WSSD) Plan of Implementation of 2002, to which Cameroon is also committed, is in line with Principle 10 of the Rio Declaration. The Partnership to Principle 10 (PP10) launched during the WSSD brings together governments, international institutions and civil society organisations to enhance access to information, participation, and justice for environmentally sustainable decisions.

The methodology used in this assessment was developed by The Access Initiative (TAI). It consists of a web-based interactive software tool kit. The tool kit (version 2) guides researchers in generating indicator databases for access to information, participation, justice and capacity building. The indicators and values used in the assessment are organized to produce information about the presence and quality of relevant laws as well as the effort to apply them and the effectiveness of government action. A total of 148 indicators were applied on 20 case studies. These are divided into 37 indicators on access to information, 41 on public participation, 42 on access to justice, 23 on general law and 12 on general capacity building. The remaining seven indicators fall within indicators 137 and 143 which were reviewed both in general law and general capacity building.

MAIN FINDINGS

The constitution is silent on access to information. It provides for the right of every citizen to a fair hearing before the courts. It guarantees the right to a healthy environment, freedom of expression and freedom of associations.

In general, the laws were reviewed under four categories. They were rated strong with respect to access to information, participation and general capacity building but were rated intermediate regarding practice. In all the categories, implementation was rated intermediate. As regards access to justice, while the laws were rated intermediate, implementation was rated strong, because of the different types of judicial fora that exist in the country.

The law relating to environmental management in Cameroon is highly supportive of access to environmental information. Other sector laws provide for access to information with varying degrees in the information types reviewed. There is provision for capacity building of government staff on the environment. The media and the civil society readily provided urgent information in the case of the Mungo Bridge Accident. In general, confidentiality of information on grounds of national security was found to be a hindrance regarding access to information.

The environment sector laws in general were supportive of public participation in decision-making processes on environmental matters. Nevertheless, laws on land issues such as dispute settlement and privatisation were rated weak. In the case studies on the construction of hydro-electricity dam and the cobalt/nickel mining project, the laws were rated strong but in practice the population's involvement was not very effective due to high cost of participation and inadequate capacity for their effective participation.

In access to justice case studies, requirements of the laws providing a forum to hear various claims were either strong or intermediate. However, there were weak and vague legal provisions on access to information and public participation claims. The media and civil society organisations facilitated access to justice in the claims. The limits regarding claims of confidentiality of information were wide and unclear.

Laws showed that the government was committed to providing civic and environmental education in the public school system but this was not reflected in practice.

CONCLUSIONS AND RECOMMENDATIONS

A major conclusion of this study is that Cameroon has made significant progress regarding laws on access rights of citizens but has not done as well at the level of implementation. This situation is mainly attributed to delayed instruments of applica-

tion and inadequate capacity building at all levels, which render implementation partial, difficult or impossible.

The above situation calls for revision of some existing laws, elaboration of decrees of application and enactment of new laws. At the level of implementation, there is need for deployment of effort to ensure effective participation, capacity building on the environment in general and especially on environmental laws for the civil society and public school teachers and enhancing law enforcement mechanisms.

To be successful, there is need for all the stakeholders to work actively and transparently to inform and engage the civil society in decision-making processes on the environment and to maintain a relationship of trust and confidence between government and the citizens. It is therefore recommended as follows:

- In order to make obvious her desire to effect a positive change from the *status quo* the government should join the Partnership for Principle 10. The creation of a National Committee on Principle 10, which will be a platform for dialogue between policy makers, regulators, civil society organisations and the media men and women, should be immediate and functional.
- Apart from the fact that there is a need for an access to information law in the long term, the awaited text of application for article 7(2) of the 1996 Law on Environmental Management, which will spell out the procedure for having access to environmental information, be approved as a matter of urgency. Laws on dispute settlement on the management of land, and privatisation should be revised to reflect the current concerns on the environment.
- Government should invest more in capacity building for her staff so that they will acquire the necessary skills for the effective practice of environmental democracy on the ground. This will include the judiciary that needs to be well trained in environmental law and techniques of handling environmental issues as well as enough grounding on environmental issues and principles.
- Enforcement of existing environmental legal instruments is a pre-requisite for effective environmental democracy in Cameroon. The Government is therefore requested to lay emphasis on the enforcement of these instruments that are already in existence. The focal ministry (MINEP) should take appropriate measures to contact other stakeholder ministries in respect to existing legislation under their competence.
- The civil society, working with the government should seek to promote the implementation of the rights of access to information, participation and jus

tice in environmental decision making through communication, environmental legal education, capacity building and legal assistance especially for local communities.

- Industrialists should adopt and integrate dialogue and environmental democracy in their decision making processes. The authority incharge of the environment should encourage this.
- MINEP should strengthen the national capacities of the various information sharing mechanism (CHM and BCH) in order to facilitate access to information.

2. LIST OF CASE STUDIES

This report involves 20 Case Studies selected from various sectors of the environment. While eight (8) Case Studies were reviewed for the Access to Information Category, seven (7) were reviewed for Public Participation Category and five (5) for Access to Justice. Explanations to these case studies are presented in Table 1, while case forms appear in Annex 1.

Table 1: Presentation of Case Studies.

CATEGORY: ACCESS TO INFORMATION	
Case Title/Name 1: Clearing House Mechanism	
Case Type : State of Environment Reports	
Who?	The Government of Cameroon through the Ministry of Environment and Nature Protection (MINEP) and in collaboration with international cooperation created the Clearing House Mechanism in order to facilitate public access to information on the environment in Cameroon
What?	The scope of access is greatly narrowed, and hence does not facilitate access to information by the public.
When?	2002
Where?	Cameroon
Why?	The lack of defined procedures and conditions for the exercise of this legal right, the want of a monitoring system or penalties to enable compliance and unclear conditions of confidentiality.
How?	There is non compliance with the time frame provided by law for the production of reports, the limited outlets for the report and its inaccessibility to a wide range of stakeholders. The existing legal and practical framework in building capacities was found to integrate isolated trainings on the environment but was void of any focus on staff and targeted groups of citizen training necessary for access to information.
Case Title/name 2: Maritime Pollution from Oil spillage in the Maritime region	
Case Type: Information in an Emergency	
Who?	The Government of Cameroon has the responsibility for informing citizens in emergency situations through the Ministry of Environment and

	Nature Protection, Ministry in-charge of Mines, Ministry of Territorial Administration and Decentralization (MINATD), National Hydrocarbons Corporation (SNH), National Ports Authority (PAD).
What?	A maritime pollution from oil spillage resulted from a collision between an oil tanker and a docked ship at the Douala Port. The accident occurred in a region already characterized by extensive exploitation, exploration, transportation of oil and periodic oil spills. The negative impacts of this oil spill were marine water pollution, loss of biodiversity and threats of health hazards to both man and animal. The law makes some provision for the public to have access to information relevant to oil spills in the marine environment but such information was never made available in this case.
When?	2002
Why?	Douala sea port
Why?	The very weak legal mandate to generate and disseminate this information coupled with the prohibition of such information to the public on grounds of confidentiality. No effort was made by the government to inform the public.
How?	The above situation resulted to high costs and non-affordability to access information.
Case Title/name 3: Mungo Bridge Accident	
Case Type: Information in an Emergency	
Who?	This is another case of an emergency as above with the responsibilities of the Government through ministerial departments such as the Ministry of Environment and Nature Protection, Ministry in-charge of Mines, Ministry of Territorial Administration and Decentralization (MINATD), Ministry of Transport, Ministry of Public Works.
What?	A petroleum tanker left Douala for the South West Province to deliver petrol. On crossing the Mungo River, it violently hit one of the wings of the bridge and caught fire. This resulted in the collapse of the bridge, death of the driver and his assistant and spillage of some petrol into the water causing pollution. The public was not availed with information on the accident.
When?	2004
Where?	Between Douala (Littoral Province) and Limbé (South West Province)
Why?	This denial of access to information was based on grounds of confiden-

	tiality, procedures for access yet to be defined and the lack of a monitoring system to ensure compliance.
How?	The effectiveness of the information in reaching out to the public and vulnerable groups remained weak. Incomplete nature of the information generated, rudimentary integrated management of information, irregular and late publication of some information and channels for dissemination do not target the affected rural and vulnerable communities.
Case Title/name 4: Land and Air Pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC)	
Case Type: Facility-level information	
Who?	A detergent producing company called Complexe Chimique Camerounaise (CCC).
What?	By-products from this company are very toxic and are not properly treated before being disposed of in the Bassa Industrial Zone of Douala. The population is not availed with information on these by-products and the potential danger they pose to their environment and health. Information campaigns targeting the local population were supposed to have been undertaken to prepare the population on how to face such eventualities.
When?	On-going.
Where?	Bassa Industrial Zone of Douala
Why?	The law mandates the government agency MINEP to collect and broadly disseminate information relating to environment and especially in this case information on land and air pollution. But this access right is limited given that there are no defined procedures and conditions to exercise this right, no monitoring system or penalties in case an official refuses to disclose information upon request from a citizen and unclear limits of confidentiality. The situation is worsen by a high degree of ignorance on the part of the citizens due to the absence of capacity building programs on how and where to access information.
How?	Pollutants from the detergent producing company were simply discarded into the environment without prior treatment to reduce adverse effects on the environment and human health.
Case Title/name 5: Logging Operations in Lomié Community Forest	
Case Type: Information from regular monitoring	
Who?	The government through the Ministry of Forestry and Wildlife (MIN-FOF) is responsible for decentralization in forest management by facilitating the creation of community forests in favour of local populations.

What?	The prescription for exploitation in community forests is small-scale logging operations but this was not the case with the Lomié Community Forest. Large-scale logging operations have been undertaken inflicting serious harm on the resources and the environment. Statutory provisions recognize citizen access to information generated from the monitoring of logging activities in the Community Forest of Lomie but these have never been respected.
When?	2002
Where?	Lomié Community Forest in the East Province of Cameroon.
Why?	Issues of confidentiality, the deferment by law of the procedures and conditions for access to environmental information to a subsequent regulatory instrument, lack of government efforts in the process of providing information contribute to poor access to information on monitoring of activities in this forest. Despite the existence of regulations on the administrative procedures and norms relevant to the attribution and management of Community Forests, some of these were not respected.
How?	Sub national government agencies are obligated to produce 6 monthly reports while the law is silent on the time frame for reports by central level officials. There was no access to any report to enable an assessment of the extent of compliance with this obligation. Furthermore the distributed 2002 State of Environment Report (SOE) contains no focus on community forests.
Case Title/name 6: Commercialization in Artisan Fishing in the Kribi Coastal Region (DEBARCADERE)	
Case Type: Information from regular monitoring	
Who?	The ministerial departments responsible are the Ministry of Livestock, Fisheries and Animal Industries, the Ministry of Environment and Nature Protection as well as the Mission de Développement de la Pêche Maritime (MIDEPECAM).
What?	The law requires free access to information generated on the impacts of the Debarcadere activities in the marine environment. Special reference is made on the use of large-scale fishing equipments, increased construction work, pollution on the beach, intensive exploitation of fish resources. Unfortunately such information has never been generated.
When?	On-going since 2006
Where?	Kribi
Why?	There are gaps on procedures and conditions on access to information, on the nature of confidentiality, on timeframes or monitoring and penalty system to

	to enable compliance.
How?	Insufficient government efforts in ensuring compliance, lack of a report on Debarcadere activities, and a highly rudimentary information management system.
Case Title/name 7: Monitoring Urban Potable water	
Case Type: Information from regular monitoring	
Who?	The Ministry in-charge of Water, the Ministry of Public health, the Ministry of Territorial Administration and Decentralisation (MINATD), Cameroon Water Corporation (CAMWATER) formerly Société Nationale des Eaux du Cameroun (SNEC).
What?	The quality of potable water has caused health hazards. Water borne diseases including cholera and diarrhea have been prevalent in some parts of Douala. Information on monitoring of the quality of water supply is not available.
When?	2003
Where?	Douala
Why?	Availability of information from monitoring the quality of potable water could enable citizens to envisage alternatives in situations where standards are unacceptable. Although the Framework Law on the Environment makes it mandatory for government agencies to publish and disseminate the information generated, specific regulatory instruments are silent on dissemination. The scope of this legal right is restricted by confidentiality provisions in the water law, the general lack of a monitoring system and the existence of repressive measures against public servants in violation of professional secrecy or disclosure of government documents.
How?	Government efforts do not facilitate the process of access to information by citizens.
Case Title/name 8: Urban Waste Management	
Case Type: Information from regular monitoring	
Who?	The Ministry of Urban Development and Housing (MINUH), the Ministry of Environment and Nature Protection (MINEP), the Ministry of Territorial Administration and Decentralisation (MINTD), the Yaoundé City Council and the agency known as Hygiène et Salubrité du Cameroun (HYSACAM) collaborate in urban waste management.
What?	The Communication Act and the Law Relating to Environmental

	Management widely recognize the right to information on the health and environmental impacts of urban waste and obligate Government Agencies to generate and disseminate information to the public. Unfortunately this does not happen in practice.
When?	Since 2003
Where?	Yaoundé City Council
Why?	Limitations exist on the generation and dissemination of such information. Such mandates have not been given to the responsible agencies in their texts of creation. The law does not provide for a monitoring system with penalties to ensure compliance while the general provisions of confidentiality are unclear.
How?	Non-respect of periodicity as well as timeframes in the publication of reports have characterized the process of access to information on urban waste management.
CATEGORY: PUBLIC PARTICIPATION	
Case Title/name 1: Farmer/Grazier Dispute in Wum	
Case Type: Policy-making	
Who?	Responsible agencies are: the Ministry of Territorial Administration and Decentralisation (MINATD), the Ministry of Lands and State Property, the Ministry of Livestock, Fisheries and Animal Industries (MINEPIA), the Ministry of Agriculture and Rural Development (MINADER) and the Ministry of Environment and Nature Protection (MINEP).
What?	<p>Crop farmers are in constant quest for new fields for crop production. The new land belongs to the state domain and huge portions have traditionally been used for cattle grazing on a communal basis. The land is devoid of any signs of human occupation except on small areas with temporary hamlets for the cattle owners, cattle trails, and watering points for cattle. This is the traditional and extensive system of cattle production involving large areas of rangelands.</p> <p>In the same vicinity are traditional crop farmers with extensive practices that involve little investment on the land to improve soil fertility and hence they resort to shifting cultivation practices. Rangelands for cattle grazing represent the last frontier for the expansion of their activities despite the existence of demarcations between cropland and grazing land. The end result is constant confrontations between crop farmers and graziers.</p>
When?	On-going since 1973

Where?	Wum sub division in the Mentchum Division
Why?	In order to have an insight on these recurrent disputes, the law to settle farmer/grazier disputes was visited to assess its provisions for public participation and its practical implementation. It emerged that there is some provision for public participation in the law, which are, however, frequently violated in practice.
How?	On the field the lack of public participation has been manifested in several ways: limited access to public registers, short notice to attend settlement fora, high cost of participation for the marginalized groups, and no capacity building for effective participation.
Case Title/name 2: Waste Disposal in SONARA	
Case Type: Policy-making	
Who?	Responsible agencies include: the Ministry in charge of mines, the Ministry of Environment and Nature Protection (MINEP) and Société Nationale des Raffineries (SONARA).
What?	Waste management in SONARA has not been given particular attention. Liquid wastes are channeled into the Atlantic Ocean after some treatment but the biggest problem lies in the disposal of its solid waste. Such waste is dumped untreated in a pit near Batoke village in the vicinity of the refinery without knowledge of the local populations. The decision-making process on the waste disposal site did not involve the population.
When?	On-going since 1995
Where?	Batoké Village in Fako Division
Why?	The noninvolvement of the local population in the process is attributed to lack of implementation of capacity building efforts from the management, inadequate budget allocation for public participation in the decision-making process and little or no effort by SONARA to encourage public participation in decisions that affect the population.
How?	The lack of public participation is manifested through the little concern expressed by the local community on the consequences of the waste disposal.
Case Title/name 3: Urban Waste Management in Yaoundé Urban Council	
Case Type: Regulatory	
Who?	Responsible agencies include: the Ministry of Environment and Nature Protection (MINEP), Yaoundé City Council and Hygiène et Salubrité du Cameroun (HYSACAM).

What?	The population of Yaoundé and its vicinities are not involved in waste management. Decisions on the placement of collection cans and the selection of dumping sites are taken without public participation. Public inputs will ensure compliance in the process.
When?	2006
Where?	Yaoundé
Why?	The regulatory framework favors public participation in the process but no efforts are made by Yaoundé City Council and HYSACAM in the implementation of the said regulations.
How?	This situation is manifested on the field by the disposal of waste out of the right places leading to blocking of roads and water ways, and little knowledge of health hazards associated with poor waste management.
Case Title/name 4: Management of Dja Reserve	
Case Type: Regulatory	
Who?	Responsible agencies are the Ministry of Forestry and Wildlife (MIN-FOF) and the local communities around the reserve.
What?	The issue of public participation in the regulatory decision-making process is questioned especially at the level of implementation. High costs involved in participation, lack of sensitization campaigns and capacity building have been noted.
When?	On-going since the creation of the reserve
Where?	Dja in the East Province
Why?	Issues of non-compliance to conservation activities have been witnessed.
How?	Poaching is rampant inside the reserve.
Case Title/name 5: Privatization of Ndu Tea Estate	
Case Type: Regulatory	
Who?	Responsible agencies include the Government through the Ministry of Territorial Administration and Decentralisation (MINATD), the Ministry of Agriculture and Rural Development (MINADER), Ministry of Finance, Cameroon Development Corporation (CDC), Cameroon Tea Estate and local populations.
What?	The decision to privatize Ndu Tea Estate of the Cameroon Development Corporation was taken without public participation. While local populations are claiming ownership of the land and requesting for compensation, the government is insisting that all land on the national territory belongs to the state who can allocate it for different uses.

When?	2006
Where?	Ndu in the North West Province
Why?	Claims on compensation for the land by local communities have never been satisfied and ex-workers are claiming emoluments owed them by the past management of the estate.
How?	The lack of participation is manifested by conflicts between local populations and the company (Cameroon Tea Estates) that have caused some destruction of property. Some petitions have been addressed to the government by the local communities.
Case Title/name 6: The Construction of Hydro-electric Dam	
Case Type: Project Level	
Who?	Concerned agencies are the Ministry of Environment and Nature Protection (MINEP), the Ministry in charge of Energy and the local communities
What?	There is a plan to construct a dam to augment the capacity for electricity production. The Environmental Impact Assessment (EIA) has been reviewed for public participation in the construction of this dam.
When?	2005
Where?	Lom-Pangar in the East Province
Why?	Impacts of the dam on local communities are real. Such impacts include loss of farmland to floods, deviation of access roads in the communities, health problems, emission of gases from decomposing vegetation submerged by water and loss of biodiversity.
How?	A review of the document revealed lots of efforts on public participation through sensitization of the target groups.
Case Title/name 7: The Cobalt/Nickel Mining Project	
Case Type: Project Level	
Who?	Concerned agencies are the Ministry of Environment and Nature Protection (MINEP), the Ministry in charge of Mines, the Mining Company (GEOVIC) and the local communities.
What?	The Environmental Impact Assessment (EIA) document has been reviewed for public participation in a cobalt/nickel exploitation project.
When?	2006
Where?	Lomié in the East Province

Why?	The local communities are impacted negatively by this project. These impacts include loss of biodiversity of the region, soil degradation, and water and air pollution.
How?	A review of the document revealed lots of efforts made on public participation.
CATEGORY: ACCESS TO JUSTICE	
Case Title/name 1: The Privatization of Tole Tea Estate	
Claim Type: Access to Information	
Who?	Ministry of Territorial Administration and Decentralisation (MINATD), Ministry of Agriculture and Rural Development (MINADER), Ministry of Finance (MINFI), Cameroon Development Corporation (CDC), Cameroon Tea Estate and local populations (Bakweri tribe)
What?	The local population (Bakweri) were not informed of the privatization process of the Tole tea estate and there was no dialogue between them and the government. The emerging land crisis between the Bakweri community and the Cameroon Tea Estate (CTE) authorities is a manifestation of the environmental injustice emanating from lack of access to information in the privatization of the tea estate. The administrative forum charge with settling the conflict is rather indifferent.
When	2002
Where?	Tole in the Fako Division, South West Province
Why?	Despite the enabling legal environment, access to justice in this claim type was violated for reasons of confidentiality.
How?	The lack of access to justice is manifested by the local populations through constant call for dialogue with the authorities, strikes by workers and violent confrontations.
Case Title/name 2: The Kilum-Ijim Mountain Biodiversity Conservation Project	
Claim Type: Access to Participation	
Who?	The Ministry of Environment and Nature Protection (MINEP), Bird Life International, and the local communities.
What?	The creation of the Kilum-Ijim Mountain conservation project was the responsibility of the Government of Cameroon and Bird Life International (an international NGO) without the inclusion of all stakeholders in this decision-making process, especially the local communities. The project implementation prohibited hitherto livelihood activities of the local people like grazing, farming etc from the area. This situation generated a series of court cases, which ended in 2005 in the Court of Appeal.

When?	2000
Where?	Oku in Bui Division of the North West Province
Why?	Where impacted communities and stakeholders are not allowed to participate in decision making and implementation of a natural resource project, participation becomes an environmental injustice.
How?	The lack of environmental justice in the case is manifested by the fact that despite some of the court decisions supporting the top down conservation policies, the grazers and crop farmers are still exploiting the area.
Case Title/name 3: Land and Air Pollution in Douala: the Case of Complexe Chimique Caperounaise (CCC)	
Claim Type: Environmental Harm	
Who?	Complexe Chimique Camerounaise (a detergent producing company), Ministry of Environment and Nature Protection (MINEP) and local inhabitants.
What?	This is an access to justice case emanating from land and air pollution perpetrated by CCC. The pollution is causing severe health and environmental problems to the inhabitants of the area and beyond. The people have been seeking for redress through MINEP and the Municipal authorities in vain.
When?	On-going
Where?	Douala in the Littoral Province
Why?	The case is infringing the constitutional rights of the citizens to a sound and healthy environment and at the same time causing irreversible harm to the entire environment. The administrative forum competent to provide redress has been ineffective.
How?	Activities of the company cause health problems to the surrounding populations and beyond.
Case Title/name 4: Farmer/Grazier Dispute in Wum	
Case Type: Non-compliance	
Who?	Ministry of Territorial Administration and Decentralisation (MINATD), Ministry of State Property and Land Tenure (MINDAF), Ministry of Livestock, Fisheries and Animal Industries (MINEPIA), Ministry of Agriculture and Rural Development (MINADER) and Ministry of Environment and Nature Protection (MINEP).
What?	There has been continuous resource disputes between the crop framers (indigenous Agem community) and grazers (Fulani cattle herders) in

	<p>in Wum, which at times lead to violent clashes and blood shed. . Unfortunately, the administrative forum, which is the competent dispute settlement body, has failed to conform to the provisions of the law especially the 1978 Decree on settlement of Farmer-Grazer disputes. Consequently, the forum gives unjust and biased decisions depriving the poor local farmers of arable land thus exacerbating the conflict. Despite the remoteness of the 1978 Decree, non-compliance in this case is causing grave environmental injustice.</p>
When?	On-going since 1930
Where?	Wum Cetral Sub-Division in the North West Province
Why?	<p>There is increasing competitive use of land, water and other natural resources by diverse users. This is aggravated by the perception of the indigenous Wum people that the Fulani herders are mere strangers. Destruction of properties (crops, cattle and houses), assaults and bloodshed, street protest and corruption are recurrent.</p> <p>Aggrieved parties present complaints and counter complaints to the administrative forum as required by the law. The administrators fail to comply with existing dispute settlement procedure thus perpetrating injustice. There is no compliance and enforcement of the administrative decisions. Consequently defaulters do not respect decisions, while successful claimants end up being frustrated.</p>
How?	The lack of access to justice is manifested by persistent conflicts, complaints, community protest and violence.
Case Title/name 5: Urban Waste Management in Bamenda: the Case of Bamenda Urban Council (BUC)	
Claim Type: Non-comparant	
Who?	The Ministry of Urban Development and Housing (MINUH), the Ministry of Environment and Nature Protection (MINEP), the Ministry of Territorial Administration and Decentralisation (MINATD), and Bamenda Urban Council (BUC).
What?	The Bamenda Urban Council (BUC) is responsible for waste management within the Bamenda municipality as required by the laws. Unfortunately, the BUC fails to fully execute her duties resulting in the accumulation of heaps of waste on the streets which attract stray dogs, rats and other scavengers. This is significantly affecting human health, movements, sanitation of the town and the entire environment. Aggrieved citizens have petitioned the administrative forum in vain.

When?	On-going
Where?	Bamenda in the North West Province
Why?	Councils laws, 1996 Environmental Management Law and the 2004 decentralization laws, mandate municipal councils to collect, manage and promptly dispose of waste within their municipalities in an environmentally sound manner. They plan and ensure the sanitation and environmental health of their areas of jurisdiction. But BUC falls short of these responsibilities.
How?	This situation is manifested on the field by non-treatment of waste before disposal, and the existence of disposal pits close to human settlements and rivers.

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4. INTRODUCTION

a. BACKGROUND

In 1992, Cameroon was at the Rio Earth Summit, at which 178 governments in the world recognized that good governance (transparent, inclusive, accountable decision-making) is a pre-requisite for sustainable development. By endorsing the Rio Declaration, these governments agreed to its Principle 10, which states that "Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided."

To make possible citizens involvement in environmental decision making, Principle 10 (P10) highlights three fundamental "access rights" that empower citizens, namely: access to information, opportunities to participate in decision-making and awareness for seeking redress and remedy. Recognizing the importance of this issue, Paragraph 128 of the World Summit on Sustainable Development Plan of Implementation, 2002 states: "Ensure access, at the national level, to environmental information and judicial and administrative proceedings in environmental matters, as well as public participation in decision-making, so as to further principle 10 of the Rio Declaration on Environment and Development, taking into full account principles 5, 7 and 11 of the Declaration." When these rights are both protected by law and embodied in government practices, decisions are more likely to be equitable and environmentally sustainable and more likely to be fully implemented.

A commitment to Principle 10 alone falls short of making these rights a reality in people's daily lives. The realization of the P10 commitment requires effective implementation of policies and systems that support access rights. TAI seeks to bridge the gap between commitment and national-level implementation of P10. Additional information about The Access Initiative can be obtained from its website: www.accessinitiative.org.

Furthermore, the Partnership for Principle 10 (PP10) launched by TAI partners at the 2002 World Summit on Sustainable Development in Johannesburg is a cooperation of government agencies, civil society groups, and international organizations working

together to identify and implement practical solutions that provide the public with access to information, participation, and justice for environmentally sustainable decisions. Partnership members share resources and hold each other accountable for their commitments. For more information about the Partnership for Principle 10, please visit the Partnership website at www.pp10.org.

The assessment of the implementation of Principle 10 was carried out by three non-governmental organisations of TAI Cameroon. These Organisations are: Bioresources Development and Conservation Programme-Cameroon (BDCP-C), Foundation for Environment and Development (FEDEV) and Network for Sustainable Development in Central Africa (NESDA-CA), with the cooperation of the Government. Environmental resources in Cameroon sustain livelihoods of a great majority of the population. This assessment will contribute to improve management of these resources for the benefit of the population.

Officially launched on 27th July 2006, and following a training workshop on TAI methodology, the present assessment falls in line within the 5 steps involved in the working of TAI (Box 1).

The present report is an accomplishment of step 4 above.

Box 1: Five steps involved in the working of TAI

Step 1: Build a National TAI Coalition

Each national TAI coalition brings together a diverse civil society membership to strategize, raise funds, conduct an assessment and advocate for change. Coalition members select an external national advisory panel - which includes government members - to help plan and review the assessment.

Step 2: Plan a TAI Assessment

Over the course of a three- or four-day TAI training workshop, the coalition begins planning its assessment by choosing case studies, drafting a work plan, and preparing an advocacy strategy.

Step 3: Conduct Research

Using TAI's new online software, TAI coalition members answer each research question through interviews, site visits, legal research, or review of official documents or media reports.

Step 4: Prepare Analysis and Publish

Results - Each coalition produces a national TAI assessment report, in which the team analyzes its findings and makes policy recommendations.

Step 5: Raise Awareness and Advocate for Change

Each coalition uses the findings of its TAI assessment to produce additional outreach materials, hold public meetings, and engage government officials.

Source: www.accessinitiative.org

The research was conducted using a software tool developed by TAI in its second version. It guides researchers in generating indicator databases for access to information, participation, and justice (known as Categories) and efforts by the government through a structured set of questions based on pre-determined qualitative values. Capacity building cuts across all three categories and was revisited briefly as a fourth category in this study.

In this assessment, 132 indicators on the TAI website have been used on the 4 categories in 20 Case Studies as follows: 37 indicators in 8 Case Studies on Access to Information, 41 indicators in 7 Case Studies on Public Participation, 42 indicators on 5 Case Studies on Access to Justice and 12 indicators on Capacity Building solely excluding those treated under the first three categories. Six (6) constitutional law indicators have been reviewed.

Several assessment methods were used by the research team to gather data and information to come up with the report. These included: assigning each category to each of the 3 coalition partners, personal contacts with various agencies and undertaking interviews, the use of letters of introduction signed by the Minister for Environment and Nature Protection by each researcher to facilitate the release of information, convening several fora for inputs, writing of Category Reports by Coalition Partners, consolidation of reports, and submission for review and inputs at both national and international levels. These 132 indicators generated over 801 counts or answers in the case studies reviewed. Over 25 laws were reviewed in the process with the Law No.96 -12 of 5 August 1996 Relating to Environmental Management being the most prominent in all categories.

Principle 10

By endorsing the Rio Declaration, Cameroon as well as the other governments present at the Rio Earth Summit in 1992 agreed to its Principle 10, which states that, "Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided."

This Principle was motivated by the fact that environmental issues must be addressed by all those affected by their outcome, not just by governments and industrial sectors. It captures the principle of equal rights for all those in the environment debate - including the public, community groups, advocates, industrial leaders, workers, govern-

ments, academics and health care professionals. When citizens are availed with information about the quality of their environment, they can become active participants in identifying and resolving issues at both local and national levels. Public participation renders decision-makers more accountable and environmental decision-making more transparent, thereby improving the quality of decision-making. Individuals should be given the opportunity to express their concerns and opinions, and public authorities should take due account of these. For access to information and public participation in decision-making to be effective, the public must have recourse to a court of law or administrative proceeding.

The Access Initiative

The Access Initiative (TAI) is a global civil society network dedicated to ensuring that citizens have the right and ability to influence decisions about the natural resources that sustain their communities. National TAI coalitions evaluate laws and government practice to measure their governments' performance in ensuring adequate protection of citizens' access rights. Organisations from Chile, Hungary, Thailand, Uganda, and the United States established TAI in 2000, and coalitions from India, Indonesia, Mexico, and South Africa joined the founding organisations in piloting the TAI assessment framework. Currently, NGO coalitions in 44 countries are involved in TAI. The lead organisations are shown in Box 2.

Box 2: Lead TAI Organizations

The Access Initiative (TAI) is a global coalition of public interest groups collaborating to promote national-level implementation of commitments to access to information, participation, and justice in environmental decision-making. TAI is led by six organizations (Source: The Access Initiative website).

- Corporación PARTICIPA (Chile)
- Thailand Environment Institute (Thailand)
- World Resources Institute (United States)
- Environmental Management and Law Association (Hungary)
- Advocates Coalition for Development and Environment (Uganda)
- Iniciativa de Acceso-México (México)

Source: www.accessinitiative.org

The Access Initiative-Cameroon

The assessment of the implementation of Principle 10 was carried out by three non-governmental organisations of TAI Cameroon. These Organisations are: Bioresources Development and Conservation Programme-Cameroon (BDCP-C), Foundation for Environment and Development (FEDEV) and Network for Sustainable Development in Central Africa (NESDA-CA).

It was officially launched on 27 July 2006 by the Secretary General representing the Minister for Environment and Nature Protection. Several activities have been undertaken within this initiative, including this assessment.

This report presents the results of the first assessment of the Government of Cameroon's performance to provide access rights in environmental issues to the public as required by Principle 10 of the Rio Declaration of 1992. TAI provides an assessment framework. The one currently used in this assessment is a Toolkit in its second version and provides support during the assessment process. Specifically, data are presented on access to information, access to justice and public participation on decision-making on environmental issues by researching into the laws and their implementation. Data are presented on capacity building as the fourth category.

Purpose of the report

To the public this report contributes to empowering the citizens with basic facts about their environment and the ability to seek for redress when those rights are violated. It could be used as an indicator to substantiate citizen's demand for a more effective environmental democracy in Cameroon while moving from arguing to bargaining with the Government for such rights.

To the Government, this report should be seen as a vital compass in our march towards environmental democracy in Cameroon. It serves as a tool for advocacy for Cameroon to join Partnership to Principle 10 (PP10). It could set priorities for national-level policy reform, establish guidelines for creating public participation systems and a tool for tracking government progress.

To the funding agencies, this assessment will be a proof of the effective use of their financial resources in fulfilling their objectives. To TAI, the assessment is the accomplishment of set goals. To the international community, the report indicates Government of Cameroon's commitments to meet the obligations vis à vis relevant conventions.

This report should also contribute in effecting change not only within Cameroon, but also through out the Central African sub-region especially as environmental problems

and concerns are not only limited to Cameroon.

It will assist the Francophone countries in the implementation of P10 especially the translated Toolkit version 2. These nations, with Cameroon, will move in the same direction in the management of trans-boundary reserves such as the Sangha Tri-National that involves Cameroon, Congo and the Central African Republic and the Dja-Odzala-Minkebe Tridom which covers the Republics of Congo, Gabon and Cameroon.

b. SOCIAL, ECONOMIC, ENVIRONMENTAL AND POLITICAL CONTEXTS

Location of Cameroon

Cameroon is located in the Central African Region. It shares boundaries with Nigeria to the west, Equatorial Guinea, Gabon and the Congo to the south, Republic of Central Africa to the east and Tchad to the north. The location of Cameroon in Africa and the map of Cameroon are shown on figures 1 and 2 below.

It has a total area of 475442 km² and is carved into 10 provinces; each administered by an appointed governor. Each province is divided into divisions and each division is made up of sub-divisions. Each of these administrative units is placed under an appointed administrative officer. Cameroon population was sixteen million and eighteen thousand (16,018,000)¹ inhabitants with a growth rate of 2.7% between 1995 and 2000 and a density of 34 inhabitants per km². Sixty-five percent (65%) of this population lives in rural areas. The regional distribution of the population ranges between 7.5 and 151.7 inhabitants per square kilometre. The Government policy on population consists in the promotion of family planning and favouring controlled migrations of populations from high density zones to low density zones.

Social Context

The country has a very rich diversity of socio-cultural groups with above 212 ethnic groups. The official languages are English and French but about 260 national languages are spoken by different ethnic groups. Cameroon is a secular state with three main religions: Christianity, Islam and traditional religions (animism). Although no national census statistics exist on religion, it is estimated that 50-60% of the population are Christians, 20-30% Muslims and 20-30% Animists.

Cameroon Tribune is the daily official newspaper coexisting with other independent print media. Other media contacts include the Cameroon Radio Television (CRTV) and private radio broadcasting stations. Internet services are being supplied by private individuals and in 2002, there were about 60.000 internet users either through individual computers or from those supplied by private internet service providers.

1. The Commonwealth Year Book

Figure1: Location of Cameroon in Africa



Source: www.safaris-in-africa.com/images/africa-map.jpg

Figure 2: Map of Cameroon



Source: www.cnn.com

Public spending on education was 3.8% of GDP in 2002/2003 while it accounted for the second place in the national budget in 2007. The pupil-teacher ratio in the primary education was 57:1 and 21:1 for the secondary in 2003. About 5% of the relevant age group is enrolled in tertiary education according to 2002/2003 statistics. Adult illiteracy rate for 2003 as quoted in the Commonwealth Year Book 2006 was 32.1%. The poverty rate has reduced from 50.5% in 1996 to 40.2% in 2001. Forty percent (40%) of the population lives below the poverty line evaluated at about US\$ 388 per adult per year with a commitment to the Millennium Development Goals of poverty reduction.

There are three referral hospitals, some 50 private hospitals including those run by religious bodies, and a wide network of public and private health centres. In 2002, 63% of the population used an improved drinking water source and 48% adequate sanitation facilities. At the end of 2003, 6.9% of the population aged 15 and 49 were HIV positive while the Demography and Health Survey III 2004 came up with 5.5%. The national coverage in rural electrification in 1998 was 18% and is supposed to attain a targeted value of 25-30% in the 2007 horizon. About 50.000 km of road network exists with 4120 km (8%) tarred and hence 92% as earth roads.

Economic Context

The Cameroonian economy is based on agriculture, livestock, fishery, industries and services. Cameroon belongs to the group of countries classified as "Low Income Countries" according to the World Bank (2004) and benefited from the measures to reduce the external debt within the framework of the Heavily Indebted Poor Country Initiative (HIPC).

Agriculture accounts for 30% of the GDP and maintains a leading position in the economy against 23% for the secondary sector, and 29% for the tertiary in 1998, while these same parameters in 2003 were 44%, 17%, and 39%, respectively. Timber contributes 6.8% of GDP. In general the rural sector (agriculture, livestock, environment and forests) employs over 60% of the active population in 2002.

Exports of goods and services account for 26% of the GDP and manufactured exports for 7% of total merchandise exports in 2003. The principal exports are crude oil, timber, cocoa, cotton, and coffee, while principal imports include manufactured goods, and food to a lesser extent. Crude oil is the largest foreign-currency earner and accounted for 44% of export earnings in 2002. In 1987, the nation witnessed a period of economic recession that led to the devaluation of its currency.

Social infrastructure is declining. To remedy this situation, Cameroon put in place an economic and financial programme in 1997/2000. In 2002 within the framework of the Heavily Indebted Poor Country Initiative which permitted the execution of a new programme known as 2nd generation focusing on the fight against poverty. Its actions

were centred on improvement on social services, rehabilitation and development of basic infrastructures, good governance, and the improvement of the living conditions of the most vulnerable groups in urban centres.

Political Context

Cameroon has been engaged, since the end of 1980, in some reforms as well as strategies and policies of development in the judicial system and institutional frameworks. Cameroon has undergone constitutional reforms since independence in 1960. The fundamental principles of 1996 constitution are: democratization, liberalization of the economy, and decentralization. Particular emphasis was placed on governance and the fight against corruption leading to the creation of a National Governance Programme adopted in 2003. Today all sector strategies and policies of development fall within the framework of the Poverty Reduction Strategy Document adopted in 2003, which is the reference framework for all development interventions in Cameroon.

Cameroon is a unitary State with an executive President who appoints the Prime Minister, Head of Government and also appoints the members of Government on the recommendation of the latter. The National Assembly has 180 members. There is provision in the constitution for an Upper House, the Senate, as well as a Constitutional Council and elected regional assemblies. By 2005, a law was passed to establish the Council and Regional Assemblies while that of the Senate is still pending. Political protest against one-party system was widespread in the early nineties which ushered in multipartism. On the international scene, the International Court of Justice at The Hague in 2002 ruled on the long disputed border areas between Cameroon and Nigeria.

Environmental Context

There is a high ecological diversity with 90% of African ecosystems, making Cameroon "Africa in Miniature". Biodiversity ranking in Africa places Cameroon in the 5th position after the Democratic Republic Congo, the Republic of South Africa, Madagascar and Tanzania. Mount Cameroon, with an altitude of 4095 km, is the highest in West Africa and contributes enormously to biological diversity. The nation is home to 40% of all animal species in Africa. The fauna comprises 409 species of mammals, 183 species of reptiles, 849 bird species, 190 species of amphibians and 39 species of butterfly. The flora is much diversified with about 3000 identified types of plants so far. There is a diversity of habitats with five (5) agro-ecological zones. The forest zone covers 45% of the national territory. Rainfall is abundant varying between 4000 and 200 mm from the south to the north, respectively.

Cameroon is endowed with numerous resources including those in the agro-sylvo-pastoral environment, aquatic, energy and minerals. It has a number of sites with economically significant mining potentials. Some of these minerals include: cobalt, nickel,

rutile, nepheline, iron, wolframite, and uranium. There are numerous gas and petroleum reserves. Energy sources include: abundant sunlight, wind, dams, biomass and the later accounting for 79.8% of domestic energy supply.

The nation is committed to sustainable development. This was reinforced following the Rio Summit in 1992 and the engagement of Cameroon through the adhesion to various conventions such as the United Nations Convention to Combat Desertification (UNCCD), the Convention on Biological Diversity (CBD) and the United Nations Framework Convention on Climate Change (UNFCCC). Cameroon has ratified other international, regional and sub-regional conventions. Some of these Conventions are the Ramsar Convention, the Abidjan convention on marine and coastal ecosystems, the Kyoto Protocol. Subsequently Cameroon elaborated the National Environmental Management Plan (NEMP) adopted in 1996, the Forestry Policy, the National Biodiversity Strategy and Action Plan adopted in 2002.

Within the framework of implementing the Convention on Biological Diversity, Law N° 94-01 of January 20, 1994, was elaborated to support the forest, wildlife and fishery systems: Art. 22(1) states: "the permanent forests must cover a minimum of 30% of the total area of the national territory, and must represent the ecological diversity of the country." In 2001, wildlife reserves covered 14% of the national territory and could attain 20% including forest reserves.

The population is conscious of the need to conserve the flora and fauna, conditions which have attracted other States, governmental and non-governmental organisations to be actively involved in the sub-sector. About 10 international NGOs and a large number of national NGOs are actively involved in conservation activities. The existence of the law on Liberty of Associations adopted in 1990, the law on NGOs and the accreditation instruments for NGOs by sector ministries create favourable conditions for partnerships in conservation.

c. TAI ASSESSMENT METHOD

TAI Methodology

TAI was established in late 2000 to develop a methodology that civil society organisations can use to assess national governments progress in implementing Principle 10 of the Rio Declaration and the Aarhus Convention. An overview of the standard methodology is presented in Box 3.

The methodology consists of a software tool (TAI Assessment Toolkit version 2) that guides researchers in generating indicator databases for access to information, participation, justice and capacity building (known as Categories) efforts by the government

through a structured set of questions based on pre-determined qualitative values. Every indicator is a focused question addressing a specific process, institution or issue. Values for each question are organized to produce information about the presence and quality of relevant laws as well as the effort put into and effectiveness of their implementation. While information about the categories is obtained through analyses on the laws, information on effort and effectiveness results from the assessment of the categories in a number of selected case studies. The majority of indicators is qualitative and serves as a basis for further analysis.

Box 3: TAI Methodology Overview

Each TAI assessment is based on **148 indicators**, or research questions, that NGO researchers use to assess their governments' provisions for transparency and accountability in decisions that affect the environment. TAI researchers apply the 148 indicators at both a **general, national level** and to **at least 18** case studies.

The indicators are divided into four categories:

1. **Access to information** - Information is the cornerstone of decision-making, providing the public with knowledge and evidence to make choices about and monitor the state of the environment.
2. **Public participation** - Participation allows citizens to express opinions, challenge decisions, and shape policies that could affect their communities and environment.
3. **Access to justice** - Mechanisms for justice enable citizens to seek legal recourse if their access rights have been denied or if they have suffered an environmental harm.
4. **Capacity building** - Both government agencies and civil society need particular knowledge, skills, and abilities to facilitate public access to information, participation, and justice. In addition to these four categories, the TAI indicators also fall within one of **three topics**:

1. **Law** indicators evaluate the national legislative and judicial framework related to access.
2. **Effort** indicators assess the government's actions to provide access, including the implementation of laws.
3. **Effectiveness** indicators assess whether the laws and government efforts resulted in effective access, as well as how the world changed because of the level of access achieved.

Case studies

TAI research teams apply the indicators to a **minimum of 18** case studies for each national assessment. Case studies fall into three of the four categories: Access to Information, Public Participation or Access to Justice. The fourth category, Capacity Building, is measured both within the other categories' case studies and through a general set of indicators. Similarly, law indicators fall into two types: those that are answered for particular cases and those that apply to the entire assessment.

Source: www.accessinitiative.org

Methodology used for Cameroon Assessment

In using the maiden web-based toolkit (Toolkit version 2.0 as opposed to the former desk top database software on CD-ROM) in Cameroon, several strategies were adopted:

- two-day training workshop on the methodology for research assistants;
- selection of case studies by the Country Advisory Panel (CAP) with the three Core Coalition Partners (3 NGOs: NESDA-CA, FEDEV and BDCP-C) and distribution of categories among the three Partners;
- meeting of Assistant Researchers to assign case studies and preparation to start the research.

Methods used by the research team to gather data and information involved:

- literature search, by collecting data and gathering information from various agencies and from the internet;
- sending questionnaires, formal correspondence and conducting interviews with key actors in the sector;
- use of letters of introduction signed by the Minister for Environment and Nature Protection and the National Coordinator of TAI Cameroon Project by each researcher to facilitate the release of information;
- convening several fora for discussion among research team members, with the CAP and with resource persons;
- writing of Category Reports by Coalition Partners;
- consolidation and synchronisation of all the Category Reports into a single report in conformity with the guidelines provided by TAI;
- submission of report for academic and scientific input;
- forwarding report to CAP for review and adoption;
- forwarding of draft for international review both at regional and global levels.

Twenty (20) case studies in various sectors were selected in the three main categories (access to information, public participation and access to justice) and assigned to ten

research assistants. All indicators in the various categories were reviewed. Each researcher was responsible for entering the data collected into the TAI website whose follow-up was assured by the TAI-Cameroon Coordinator, who was the Team Leader.

5. FINDINGS

Findings have been treated in the following order:

- a) review of the Constitution of Cameroon using indicators 1- 6;
- b) access to information according to indicators 10 to 46 (37 indicators);
- c) public participation according to indicators 50 through 90 (41 indicators);
- d) access to justice according to indicators 95 through 136 (42 indicators);
- e) capacity building according to indicators 137 to 148 (12 indicators).

Capacity building indicators (total of 52) that fall within case studies on access to information, public participation and access to justice were treated in these categories while those (total of 12) that fall within the above range have been addressed in the fourth category. It should be noted that indicators 137 to 143 (7 indicators) are also involved in general law together with other 16 indicators (1 to 9, 47 to 49, and 91 to 94). This gives a total of 148 indicators which are further described in annexes 1 through 6.

It was observed that responses to the effort indicators within the same case type in all categories were not identical, hence giving different values. This is attributed to the fact that government perception of the magnitude of the socio-political impact of each differed, hence giving rise to differences in efforts deployed. For example, efforts put by government in the two emergency cases in the access to Information Category are different.

Similarly, as regards the laws reviewed, different laws addressed diverse case studies and hence giving rise to dissimilar indicator ratings. Even when the same law was applied in distinct case studies, as it is the case with the 1996 Law relating to Environmental Management, different outcomes were also obtained. This is explained by the fact that different provisions of the same laws addressed differently the various case studies within the same case type.

a. CONSTITUTIONAL LAW ASSESSMENT

The 1996 constitution³ is an important foundation for citizens access rights. It sets the pace for the elaboration of national legislation. Under the Constitution, the scope and quality of access was assessed as the main TAI subtopics. Elements assessed were object of indicators 1 to 6 as presented in Table 2.

³Cameroon 1996 Constitution. Article 65 makes the preamble an integral part of the constitution

Table 2: An assessment of the Constitution of Cameroon

INDICATORS	RESPONSES
1. How clear and inclusive are constitutional guarantees to the right to a clean and/or safe environment? CORE	Every one shall have a right to a healthy environment. The protection of the environment shall be the duty of every citizen. The State shall ensure the protection and improvement of the environment.
2. How clear and inclusive are constitutional guarantees to the right of access to information held at public bodies? CORE	The Constitution is silent but it stipulates attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of United Nations and the African Charter on Human and People's Rights, and all duly ratified international conventions.
3. How clear and inclusive are constitutional guarantees to the right to direct public participation in government decision-making? CORE	As above
4. How clear and inclusive are constitutional guarantees to the right of access to justice, including redress and remedy? CORE	As above. In addition, the constitution ensures the right of every person to a fair hearing before the courts.
5. How clear and inclusive are constitutional guarantees to the right of freedom of expression? CORE	The constitution guarantees freedom of communication, of expression, of the press, of assembly, of association, and of trade unionism.
6. How clear and inclusive are constitutional guarantees to the right to freedom of associations? CORE	As above

b. ACCESS TO INFORMATION

i. Introduction to Access to Information

For citizens to be able to hold governments accountable they need valid, reliable information about their environment on matters such as poverty trends, well-being, corruption, growth, HIV-AIDS, and disasters. Without this information, a citizens right to choose his or her representative, or question a government action, is not fully exercised

due to the likelihood of making a poorly informed choice.

Accessible and understandable information and the means and ability to communicate are important for enabling people to participate in policy-making processes and the decisions that affect their lives.

Access to information is a pivotal empowerment tool and underpins effective interventions in the area of democratic governance which is central to sustained poverty reduction. It is vital for strengthening accountability, transparency, participation and rule of law. The standard definition for access to information is shown in Box 4.

Box 4. Standard Definition for Access to Information

Access to information is the ability of citizens to obtain information in the possession of public authorities. Citizens vested with the right of access and effectively informed are empowered to demand for accountability and responsibility on the part of Government.

Source: www.accessinitiative.org

The implementation of the right to freedom of expression and the right to information are prerequisites for ensuring the voice and participation necessary for an open democratic society. This means that the promotion and protection of both access to information and flow of information that exist between constituents - both men and women - and government, parliament, community groups, civil society organizations and the private sector are of equal importance.

Assessment of access to information was undertaken at two fronts: assessment of the law supporting access to information and assessment of access to information in a set of selected case studies looking at government effort and effectiveness. Table 3 gives information types covered by the case studies.

Environmental information includes information about air and water quality, for example, and information about whether any hazardous chemicals are stored at a nearby factory or information about the state of the environment. These are covered in the above case studies.

ii. Assessment of Law Supporting Access to Environmental Information

The scope and quality of the laws were assessed and the degree to which they support access to environmental information in general, as well as support for access to specific types of environmental information as mentioned in Table 3. The laws reviewed are

presented in Table 4.

Table 3: Information types Covered by the Case Studies

CASE STUDIES	INFORMATION TYPES
1.State of Environment Report: The Case of the Clearing House Mechanism	State of the environment
2. Maritime Pollution :The Case of Oil Spillage in the Maritime Region	Information in cases of emergency
3. Water Pollution: The Case of the Mungo Bridge Accident	Information in cases of emergency
4. Land and Air Pollution : The Case of Complexe Chimique Camerounaise (CCC) in Douala	Facility-level information
5. Logging Operations :The Case of Community Forests in Lomié	Information from regular monitoring
6. Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast	Information from regular monitoring
7. Urban Water Quality : The Case of Potable Water in Douala City	Information from regular monitoring
8. Waste Management:The Case of Waste in Yaoundé City	Information from regular monitoring

Table 4: Various Laws Reviewed under the Different Case Studies

1. State of Environment Report: The case of the Clearing House Mechanism
Law No. 96/12 of 5 August 1996 relating to Environmental Management
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Decree No. 2005/117 of 14 April 2005 organizing Ministry of Environment and Nature Protection
2. Maritime Pollution : The Case of Oil Spillage in the Maritime Region
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Law No. 96/12 of August 1996 on Environmental Management

Decree No. 98/031 of 09 March 1998 organizing emergency and rescue plans in case of natural catastrophes and major risk;
Petroleum Decree No. 2000/465 of 30 June 2000
Penal Code
Decree No.2005/104 of 13/4/05 relating to the organization of MINATD
3. Information in an emergency, the Mungo Bridge Accident
Law No. 96/12 of 5 August 1996 on the Framework Law for Environmental Management
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Decree No. 2005/104 of 13 April 2005 Organizing the Ministry of Territorial Administration and Decentralization
Penal Code
Decree no 98/031 of 9 March 1998 Organizing Emergency and Rescue plans in case of Natural Disasters and Major Risk
4. Facility-level information, Land and Air Pollution in Douala, The Case of Complexe Chimique Camerounaise (CCC)
The 1996 Cameroonian constitution
Law No. 96/12 of 5 August 1996 relating to environmental Management in Cameroon Art 7 (1) (2), 9(d), 43(1) and 72
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Decree No. 95- 531- PM of 23 August 1995 to determine the condition for implementation of forestry regulation
Decree No. 2005/099 of 6 April 2005 organizing Ministry of Forestry and Wildlife
Decree No. 2005/117 of 14 April 2005 organizing Ministry of Environment and Nature Protection
1998 Manuel of Procedures for the Attribution and Norms for the Management of Community Forests
Penal Code
Decree No. 96/237-PM 14 October 1996 defining conditions for the functioning of a special forestry development funds
5. Logging Operations:The Case of Community Forests in Lomié
The 1996 Constitution
Law No. 94-01 of January 1994 to lay down Forestry, Wildlife and Fisheries Regulations

Law No. 96-12 of 5 August 1996 on Environmental Management; Art 7 (1) (2), 9(d) and 72(i)
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Decree No. 95- 531- PM of 23 August 1995 to determine the condition for implementation of forestry regulation
Decree No. 2005/099 of 06 April 2005 organizing Ministry of Forestry and Wildlife
Decree No. 2005/117 of 14th April 2005 organizing Ministry of Environment and Nature Protection
1998 Manuel of Procedures for the Attribution and Norms for the Management of Community Forests
Penal Code
Decree No. 96/237-PM 14 October 1996 defining conditions for the functioning of a special forestry development funds
6. Commercialisation of Artisan Fishing: The Case of The Bebarcadere in the Kribi Maritime Coast
Law No. 94-01 of January 1994 to lay down Forestry, Wildlife and Fisheries regulations
Law No. 96-12 of 5th August 1996 on Environmental Management; Art 7 (1) (2), 9(d) and 72(i)
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Decree No. 95-413 of 20 June 1995 to determine the conditions for implementation of the fisheries regulations
Arrêté No. 00012/MINEPIA of 2 June 2006 Creating the Community Centre for Artisan Fisheries in Kribi (Debarcadere) Art 2. Page 2
Decree No. 2005/152 of 4th May 2005 Organising the Ministry of Livestock, Fisheries and Animal Industry
Decree No. 77/363 of 9 Sept 1977 Creating la Mission de Développement de la Pêche Artisanale Maritime (MIDEPECAM)
7. Urban Water Quality: The Case of Potable Water in Yaoundé and Douala Cities
Law No. 96/12 of 5 August 1996 Relating to Environmental Management
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Law No.98/005 of 14 April 1998 to lay down the regulations governing Water Resources
Decree No. 2005/087 of 29/7/2005 Organizing the Ministry of Energy and Water

Decree No. 2005/117 of 14th April 2005 organizing the Ministry of Environment and the Protection of Nature.
Decree No. 2005 /494/31 December 2005 creating the Cameroon Water Utilities Corporation
Penal Code
8. Urban Waste Management: The Case of Waste in Yaoundé and Douala Cities
Law No. 90/052 of December 19, 1990 on Freedom of Mass Communication
Law No. 96/12 of 5 August 1996 relating to Environmental Management
Law No. 2004/018 of 22 July 2004 regulating Councils
Decree No. 2005/190 of 3 June 2005 Organizing the Ministry of Urban Development and Habitat
Decree No.2005/104 of 13 April 2005 Organizing the Ministry of Territorial Administration and Decentralization
Cameroon Tribune No. 8777/4976 of 29/1/2007
Cameroon Tribune No. 8759/4958 of 3/1/200
Cameroon Tribune No. 8774/4973 of 24/1/2007
BOSANGI, HYSACAM journal

Key: Red highlights - Case study,
White highlights - Legal Instruments

Description of the Laws Studied

Laws and Regulations of General Application to all Case Studies

General Information: The Constitution of 1996 recognizes in its preamble, citizens' right to a healthy environment but is silent on any specific right on access to information on the environment. However, the Constitutional recognition of the African Charter on Human Rights which calls for public access to information has led to an array of statutory provisions that translate this call into a national reality.

Although there is no specific Information Act, the 1990 Freedom of Mass Communication Act recognizes citizen access to general information and confers on every citizen the right to any information generated by the Government. However, limitations within the Penal Code on grounds of unspecified conditions of confidentiality, the lack of procedural rules with conditions to give effect to these provisions have enabled highly restrictive administrative practices that narrow the scope of access to information.

The 2007 budget law as published in the National Daily, Cameroon Tribune, was also reviewed in this assessment for all the category types.

Environmental Information: The 1996 Law on Environmental Management is a comprehensive instrument that provides the general framework governing environmental issues. Articles 7(1), 9(e) and 72 provisions of this law empower all persons with the right to be informed or to have free access to environmental information on the negative effects of harmful activities on man, health and the environment, as well as on the measures taken to prevent or compensate for these effects.

By virtue of article 7(2), the exercise of the right conferred under Article 7(1) has been deferred to a subsequent regulatory instrument (decree). It should be noted that this decree is yet to be defined and published. By implication, the right to environmental information cannot be exercised for want of these defined procedures and conditions.

Laws and Regulations on Specific Information relevant to Case Study types:

The following laws and regulatory instruments were reviewed for each case study on access to information as listed in Table 4.

1. State of Environment Report: The case of the Clearing House Mechanism

The Clearing House Mechanism is required under Article 10(1) of the 1996 Law on Environmental Management to publish and disseminate information relevant to the environment as well as environmental information generated by other agencies. Specifically, article 16 mandates the Ministry of Environment and Nature Protection which is the supervisory authority for the Clearing House, to publish and disseminate widely on a bi-annual basis all reports on the State of the Environment. In addition, Art 65 of Decree No 2005/117 of 14th April 2005 organizing MINEP provides for capacity building of its staff. For want of a Training Manual or Guidelines to give effect to this provision no specification is available on training relevant to access to information.

2. Maritime Pollution : The Case of Oil Spillage in the Maritime Region

Article 10(1) of the 1996 Framework Law for Environmental Management obligates the state to publish and disseminate information relevant to the environment but is silent on how this information will be disseminated. It is also noted that article 12(2) of decree No. 98/031 of March 1998 relating to emergencies in case of disasters and major risk, requires the preparation of a report from the Crisis Committee but is silent on public access to such a report.

Specific to information from Oil Spills , Articles 53 and 104 of the Petroleum decree

No. 2000/465 of 30 June 2000 provides a list of information to be generated by oil exploiting companies. Information on oil spills is not specifically included in this list. Articles 105 and 106 of this decree is clear and specific on its prohibition of public dissemination by companies of information on oil spills except in exercise of the minister's discretion.

The agencies responsible in the event of oil spills are the Civil Protection Unit of the Ministry of Territorial Administration and Decentralisation (MINATD) and the Ministry in charge of Mines and the National Hydro Carbons Corporation (SNH). Although the attributions of the Departments of General Administration of these ministries provide for a general training of its staff, the laws organizing these ministries are silent on capacity building specific to access to information. Article 72 of the Petroleum Code of 2005 obligates exploration and exploitation companies (Under the supervisory authority of the Ministry of Mines) to improve staff knowledge on measures to protect the environment.

3. Information in an emergency: the Mungo Bridge Accident

Article 3 (3) of decree no 98/031 of 9 march 1998 organizing emergency and rescue plans in case of natural catastrophe and major risk states that "The competent authority shall be charged with raising the alert, providing immediate emergency help, notifying the hierarchy, mobilizing the human material and financial resources required, immediately convening a Crisis Committee, and informing the public"

This provision notwithstanding, it was observed that art 12 (1) of the same Decree no 98/031 expressly mandates the President of the Crisis Committee in the event of an emergency, to make regular reports on the committees activities only to the President of the Republic. Art 12(2) requires a general report from this committee but is silent on public access to such a report

The agencies responsible for emergencies as relates to the Mungo Bridge accident are the Ministry of Territorial Administration and Decentralization (MINATD) and the Ministry of Public Works. By virtue of art.52 of decree No 2005/104 of 13 April 2005 organizing MINATD, the Department of Civil Protection charged with the coordination of emergencies and risks is required to provide staff training on civil protection. There are no specific provisions for training on access to information.

4. Facility-level information, Land and Air Pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC)

Section 7 of the August 1996 law on environmental management in Cameroon states that all persons shall have the right to be informed of the negative effects of harmful activities on man, health and the environment as well as the measures taken to prevent

or compensate for these effects. In section 43, it goes further to state that any person who produces or owns waste, shall eliminate or recycle it, or have it eliminated or recycled in plants authorised by the administration in charge of classified establishments, after the obligatory opinion of the administration in charge of the environment.

Besides, the person shall inform the public of the effects of waste production, owning, elimination or recycling on the environment and public health, the rules of confidentiality and the measures intended to prevent or compensate its negative effects.

5. Logging Operations: The Case of Community Forests in Lomié

The Forestry Law No. 94-01 of January 1994 and its decree of implementation No. 95-531- PM of 23 August 1995 to determine the conditions for implementation of forestry regulations though specific instruments of great relevance to Community Forest Management are silent on the right to information. However, art 96(2) of decree No. 95- 531- PM and paragraphs 5.1.5, 5.1.6 and 5.1.7 of the April 1998 Manuel of Procedures for the Attribution and Norms for the Management of Community Forests mandate government to generate information and report on the exploitation of Community Forests. This information is expected to feed into the data base set up by the Sub- Director for Community Forests in the Ministry of Forestry and Wildlife (MINFOF) by virtue of art 36 of decree No. 2005/099 of 06 April 2005 organizing MINFOF .

Article 10(1) of the 1996 Law on Environmental Management requires the publication and dissemination of all information relevant to the environment as well as environmental information generated by other agencies. It is in harmony with this requirement that paragraph 5.1.7 of the 1998 Manual mandates government to generate and report on the exploitation of Community Forests. Specifically, the Provincial Delegates and Divisional Delegates of MINFOF are required to write reports on Community Forests every six months. These reports are forwarded to the MINFOF. The Decree organizing MINFOF and the 1998 Manual are however silent on the dissemination of this information.

The supervisory authority responsible for the Lomié community forest is the Ministry of Forestry and Wildlife (MINFOF) and its decentralized agencies. Art 60 of decree No. 2005/099 of 06 April 2005 organizing Ministry of Forestry and Wildlife mandates the Director of General Administration to coordinate the elaboration of a sector plan for training internal personnel and centralizing all staff training needs. The mandate does not provide for the execution of the training program elaborated.

In addition, art 8 of decree No. 96/237-PM of 14 October 1996 defining conditions for the functioning of a special forestry development fund and the annual departmental budget provide opportunities for infrastructural support for Community Forests as

found in Lomie yet the Departmental Budget allocations for 2007 as published in Cameroon Tribune is silent on any infrastructural budget for Lomie Community forest and its information needs.

6. Commercialisation of Artisan Fishing: The Case of The “Debarcadere” in the Kribi Maritime Coast

The agency responsible for the Community Centre for Artisan Fisheries in Kribi (dubbed the DEBARCADRE) is the Ministry of Livestock, Fisheries and Animal Industries (MINEPIA) and its decentralized agencies specifically the Mission de Développement de la Pêche Artisanale Maritime (MIDEPECAM) and the Divisional Services.

Although the Forestry, Wildlife and Fisheries law No. 94-01 of January 1994 and its Fisheries decree of implementation No. 95-413 of 20 June 1995 are silent on the right to information, decree No. 2005/152 of 4 May 2005 Organising the Ministry of Livestock, Fisheries and Animal Industry obligates this ministry in art 17, 24,41, 73,74, 77 and 83 to generate at all levels (central, provincial, divisional and district) all types of information and statistics relevant to artisanal fisheries and to set up a data bank at the central level. There is no specific mandate and time limit within which to disseminate the information so generated.

Specifically, Arrêté No. 00012/MINEPIA of 2 June 2006 creating the Community Centre for Artisanal Fisheries in Kribi (Debarcadere), in its general provision of Art 2 also confers on fishermen, the right to have access to information.

Further to this, the mandate of the Ministry in charge of Fisheries under art 62 and 64 of decree No. 2005/152 and the DEBARCADRE created by Arrêté no. 0012/MINEPIA generally provides for implementing government policy on training and drawing up of a sector plan for training of staff at the central and sub national level. However, this mandate does not provide for the execution of the training program elaborated.

7. Urban Water Quality: The Case of Potable Water in the Yaoundé and Douala Cities

The right to information on potable water is conferred by several statutory instruments and specifically by article 7(1), 9(e) and 72 of the law on Environmental Management, and art.6(1)(2) of Law No. 98/005 of 14 April 1998 to lay down the regulations governing Water Resources, which obligates any physical or corporate person owning facilities likely to pollute water to inform the public on the effect of its activities on water, environment and human health.

Multiple mandates also exist for monitoring potable water and generating information.

These are provided for under art 17 of the Law on Environmental Management; art 6(2) of Law No. 98/005 of 14 April 1998 governing Water Resources and the decree on Environmental Impact Assessments (EIAs) which empower the Government Agencies in charge of water to collect reports and information generated by institutions carrying out developmental projects likely to pollute the environment and health incidence. The Cameroon Water Utilities Corporation (CAMWATER) mandated to control the quality of potable water exploitation services under decree No. 2005 /494/31 of December 2005. (The Statutes of CAMWATER Corporation is still awaited); the Ministry of Energy and Water as the supervisory organ of the Water Corporation by decree No. 2005/087 of 29/7/2005; the Ministry of Public Health mandated to generate information related to Water and Sanitation Service; the Community Development and Rural Engineering Department of the Ministry of Agriculture, which is competent on Community potable water and; the Ministry of Territorial Administration and Decentralisation (MINATD) on disasters or epidemics resulting from the inaccessibility to or poor drinking water.

Although art 16(2) of the Law on Environmental Management obligates the Ministry of Environment and the Protection of Nature (MINEP) to publish and disseminate widely all reports on the State of the Environment (which should include information on monitoring water) the laws organizing other Government Departments as well as the Law on Water Resources are silent on public dissemination of any information generated on potable water

8. Urban Waste Management: The Case of Waste in the Yaoundé and Douala Cities

The right to information on the environmental and health impacts of urban waste is conferred by the Framework Law No. 96/12 of 5 August 1996 on Environmental Management . Per decree No. 2005/104 of 13 April 2005 organizing the Ministry of Territorial Administration and Decentralization (MINATD) and decree No 2005/190 of 03 June 2005 Organizing the Ministry of Urban Development and Habitat (MINUH) these ministries share responsibilities in the control and follow up of urban waste management by municipal authorities (urban councils). Although there is no express mandate for these agencies to generate reports, it is only implied that in exercise of control and follow up missions, critical reports on the state of urban waste and its environmental impacts are generated.

The decrees organizing the supervisory organs for waste management, are all silent on the dissemination of information. Furthermore, by virtue of art 16 and 110 of Law No. 2004/018 of 22 July 2004 regulating Councils, Urban Councils as decentralized collectivities of the Ministry of Territorial Administration and Decentralisation (MINATD) have the transferred mandate for follow up and control of urban waste (industrial and household) but again, this law is silent on dissemination of information.

As at December 2006, 5 major Urban Councils have contracted a private company ('Hygiene et Salubrite' known as HYSACAM) the responsibility of managing household waste.

Analysis of main findings on the laws on access to information

The main findings are presented in Annex 1. Responses to the 10 law indicators have been rated by colour appellation and also as strengths or weaknesses in each of the eight case studies. Various indicators have been presented with their descriptions. The nature of the indicator as qualified "core" by TAI is also indicated for the various indicators concerned. Figure 3 with eight pie charts are groupings of the responses in the eight case studies as obtained from parameter queries.

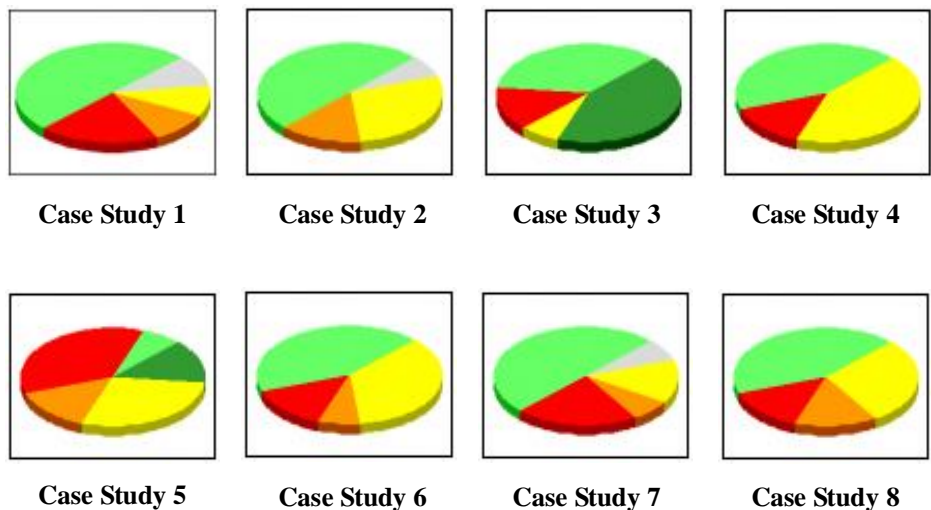








Figure 3: Assessment of the Laws Supporting Access to Information

Key:

- Case Study 1= State of environment Report: The Case of the Clearing House Mechanism
- Case Study 2= Maritime Pollution :The Case of Oil Spillage in the Maritime Region
- Case Study 3= Water Pollution: The Case of the Mungo Bridge Accident
- Case Study 4= Land and Air Pollution : The Case of Complexe Chimique Camerounaise (CCC) in Douala
- Case Study 5= Logging Operations :The Case of Community Forests in Lomié
- Case Study 6= Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast
- Case Study 7= Urban Water Quality : The Case of Potable Water in the Yaoundé and Douala Cities. Case Study 8= Waste Management:The Case of Waste in Yaoundé and Douala Cities.

Correspondence Between the Two Ratings

Colour appellation	Dark Green	Light Green	Yellow	Light Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

W=Weakness, S=Strength, N/A=Not applicable

In general the laws are supportive of access to information in all case studies as shown by the predominance of light green colours in Figure 3 except for the Logging Operations in Community Forests in Lomié case study 5. Best results were obtained for the scope and quality of access and limits on access as shown in Annex 1. Provisions of the law in capacity building were inadequate showing similarities for all case studies.

Strengths and weaknesses of the laws are also represented in Annex 1 with the following counts obtained in Table 5.

Table 5: Counts of Strengths and Weaknesses of the Laws on Access to Information

RATING SYSTEM	CASE STUDIES/COUNTS							
	1	2	3	4	5	6	7	8
Strengths	6	7	8	8	4	7	5	6
Weaknesses	3	2	2	2	6	3	4	4
Non-Applicable	1	1	0	0	0	0	1	0
Total	10	10	10	10	10	10	10	10

Counts in Table 6 indicate that strengths were dominant in all case studies except for the Logging Operations in Community Forests in Lomié case study 5. Out of the 77 counts for all case studies, 51 (66%) showed strengths and 26 (24%) exhibited weaknesses. This analysis again showed that the laws are supportive of access to information.

Analysis on core and non-core indicators yielded the following results:

- out of 64 responses to core indicators, 40 (63%) presented strengths, 22 (34%) showed weaknesses and 2 (3%) were not applicable;
- out of 16 responses to non-core indicators, 11 (69%) presented strengths, 4 (25%) presented weaknesses and 1 (6%) were not applicable.

This showed that the laws presented more strengths than weaknesses for both the core and non-core indicators.

iii. Assessment of State of the Environment Report: The Case of the Clearing House Mechanism

Description of the State of Environment Report and its Importance

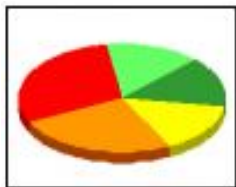
The access to integrated data and information on the general state of the environment is vital in advocating for policy reforms and defining strategic and targeted actions relevant in reversing negative environmental trends. The Clearing House Mechanism of the Ministry in charge of the Environment, created by the law, provides for a system of integrating information collected on different environmental information types by different agencies and releasing same through a State of Environment Report (SOE). Only one SOE report has so far been produced (in 2002) and constitutes the basis for this assessment. A Clearing House Mechanism was set up for the exchange of information and experiences among the Parties to the Convention on Biological Diversity and the public through sensitization, training and exchange of information.

A major achievement of the 2002 SOE Report as a maiden attempt by government to provide information on the general environmental trend was the integration and dissemination of information relevant to various information types. This report highlights the quality of the environment, factors that influence it and priority measures to reduce the negative effects. There was a prompt response by officials of the CHM enabling access to the SOE Report. Further description can be seen on the list of case studies above.

Analysis of the Main Findings on the State of Environment Report

Raw data on the findings from effort indicators on the State of Environment Report: the Case of the Clearing House Mechanism is presented in Annex 2. The effort indicators fared poorly as shown by the dominant light orange and red colours depicting poor and worst scenarios. Figure 4 summarises the findings in a pie chart.

This figure shows that access to information in the Clearing House Mechanism is very poor as depicted in the dominant red and light colours.



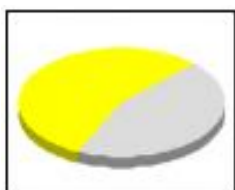
Case Study 1

Figure 4. Assessment of Access to Information in the State of Environment Report: the Case of the Clearing House Mechanism using effort indicators

Key:

Case Study 1= State of Environment Report, the case of Clearing House Mechanism

The effectiveness of the efforts and the laws to produce change is also presented in Annex 2 with a summary in Figure 5.



Case Study 1

Figure 5. Assessment of Access to Information in the State of Environment Report: the Case of the Clearing House Mechanism using effectiveness indicators

Key:

Case Study 1= State of Environment Report: the case of Clearing House Mechanism

The effectiveness indicators faired marginally with most of them non-applicable. Overall analyses for strengths and weaknesses in the two TAI Topics (Effort and Effectiveness) are presented in Table 6 after presentation of all information types.

IV. Access to Information in an Emergency

Maritime Pollution: The Case of Oil Spillage in the Maritime Region and Water Pollution: The Case of the Mungo Bridge Accident

Description of Kinds of Information Needed in an Emergency and Importance of the Information

In situations of accidents or natural disasters, public access to information is urgent and critical in shaping behavioural patterns of citizens to favour the immediate protection of human lives, property and the environment at risk.

Situations of emergencies that have arisen in Cameroon include disasters on large or small scale resulting from accidents or natural causes. The Mungo Bridge Accident of 2004 and the Maritime Oil Spill of 2002 caused considerable damage to the water quality, biodiversity and loss of life or threats to human health.

According to the case description shown in the list of case studies above, in 2004, a tanker transporting petroleum from Douala to the South West, on crossing the Mungo River, hit the rails of the metal bridge and caught fire. This accident led to the collapse of the bridge resulting to loss of human lives. The accident occasioned significant spillage of oil into the river, polluting it.

The Ministry of Environment and Nature Protection, Ministry of Mines, Ministry of Territorial Administration and Decentralization (MINATD), National Hydrocarbons Corporation (SNH), National Ports Authority (PAD) witnessed Maritime Pollution from Oil spillage in the Maritime region in 2002. There occurred a collision between an oil tanker and a docked ship in the Douala port resulting in an oil spill. The accident occurred in a region already characterized by extensive exploitation, exploration and transportation of oil which occasion periodic oil spills. The negative impacts of this oil spill were marine water pollution, loss of biodiversity and threats of health hazards to both man and animal.

Analysis of Main Findings

Raw data on the findings on information in an emergency is presented in Annex 2. The Case Studies involved were Maritime Pollution from Oil spillage in the maritime region and the Mungo Bridge Accident. This information is summarised in Figure 6 for both Case Studies.

This figure shows that government efforts in providing access to information was better for the Mungo Bridge Accident (Case Study 3) than for the Maritime Pollution from Oil spillage in the Maritime region (Case Study 2).

The effectiveness of the efforts and the laws to produce change is also presented in Annex 2 with a summary in Figure 7.



Figure 6. Assessment of Access to Information in Maritime Pollution: The Case of Oil Spillage in the Maritime Region and Water Pollution: The Case of the Mungo Bridge Accident using effort indicators

Key:

Case Study 2= Maritime Pollution: The Case of Oil Spillage in the Maritime Region

Case Study 3= Water Pollution: The Case of the Mungo Bridge Accident



Figure 7. Assessment of Access to Information in the Maritime Pollution: The Case of Oil Spillage in the Maritime Region and Water Pollution: The Case of the Mungo Bridge Accident using effectiveness indicators

Key:

Case Study 2= Maritime Pollution: The Case of Oil Spillage in the Maritime

Case Study 3= Water Pollution: The Case of the Mungo Bridge Accident

The effectiveness indicators fared very poorly in the Mungo Bridge Accident than for the Maritime Pollution from Oil spillage in the Maritime region. Overall analyses for strengths and weaknesses in the two TAI Topics (Effort and Effectiveness) are present-

ed on Table 6 after presentation of all information types.

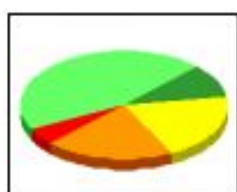
v. Assessment of Access to Information from Facility level Land and Air Pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC)

Description of Facility-level Information and its Importance

Of key importance is public access to information on the level of discharges by facilities. This information enables the public to seek for accountability and greatly favours voluntary compliance to specified norms and standards for discharge of waste to the environment. This case study is described on the list of cases in Table 3.

Analysis of Main Findings

Raw data on the findings on Facility-level Information on land and air pollution in Douala: the Case of Complexe Chimique Camerounaise (CCC) using effort indicators is presented in Annex 2. This information is summarised in Figure 8.



Case Study 4

Figure 8. Assessment of Access to Information on Land and Air Pollution: the Case of Complexe Chimique Camerounaise (CCC) in Douala using Effort Indicators.

Key:

Case Study 4= Land and Air Pollution : The Case of Complexe Chimique Camerounaise (CCC) in Douala

Access to information was adequate as shown by the predominant light green colour.

Raw data on the findings on Facility-level Information on land and air pollution in Douala: the Case of Complexe Chimique Camerounaise (CCC) using effectiveness indicators is presented in Annex 2. This information is summarised in Figure 9.



Case Study 4

Figure 9. Assessment of Access to Information on Land and Air Pollution: the Case of Complexe Chimique Camerounaise (CCC) in Douala using Effectiveness Indicators.

Key:

Case Study 4= Land and Air Pollution : The Case of Complexe Chimique Camerounaise (CCC) in Douala

Access to information was quite adequate according to results from the effectiveness indicators as depicted in the predominant orange and light green colours. Further analyses for strengths and weaknesses is shown in Table 5 according to various counts on this rating system.

vi. Assessment of Access to Information from Regular Monitoring

Logging Operations :The Case of Community Forests in Lomié,
 Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast, UrbanWater Quality : The Case of Potable Water in the Yaoundé and Douala Cities, and Waste Management:The Case of Waste in Yaoundé and Douala Cities.

Description and Importance of Information from Regular Monitoring

Where there is an increasing and regular awareness on the monitoring results of impacts of diverse developmental activities on water, forest, fisheries, land and other resources on which the citizens depend for their daily livelihood, such information can be highly supportive of daily and long term decisions relevant to human health, consumption patterns, environmentally friendly approaches in development projects, etc.

In this regard, government efforts in enabling access to information generated from monitoring the quality of urban potable water, forest cover in community forests and urban waste was selected for this assessment. The various cases reviewed have been described in the list of study cases in Table 3.

The Lomie Community forest (among 85 others) exploited through large-scale logging

operations is overexploited with numerous adverse effects on the environment and including the destruction of forest ecosystems, Pygmy forest camps and farms, as well as the obstruction of small rivers resulting in the scarcity of community potable water, and loss of habitat for fauna.

The high productivity of the coastal zone has attracted industrial and local fishing in the Kribi region. The Debarcadere Development Initiative is a creation of the Ministry of Livestock, Fisheries and Animal Industries (MINEPIA). This is a process of organising fishermen to market their catch in a given place. Although this development initiative has greatly promoted the artisan fishing industry, it has led to an intensification of fishing in the region. In 2006 the high productivity of the coastal zone attracted industrial and local fishing to the Kribi area. Major threats such as the use of large-scale processes and equipment, pollution of the beach, pollution of water and intense exploitation of fish resources have surfaced. There is need for information on the ecological impact of these activities to be assembled and disseminated to the general public.

The supply of urban potable water has been fraught with poor quality and irregular supply. Inaccessibility to potable water in the major urban cities of Douala and Yaounde has resulted to health problems. Disasters reported yearly include water borne diseases from cholera and diarrhoea in some quarters of Douala.

In another view of regular monitoring, under urban waste management, the collection and treatment of garbage by HYSACAM in the urban town of Yaounde has been poorly managed. Waste collected is dumped at the Nkolfolou neighbourhood resulting in serious land and air pollution as well as serious health hazards to local communities.

Analysis of Main Findings

Raw data on the findings on information from regular monitoring is presented in Annex 2. The concerned case studies are: 1) Logging Operations: The Case of Community Forests in Lomié; 2) Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast; 3) Urban Water Quality: The Case of Potable Water in the Yaoundé and Douala Cities and; 4) Waste Management: The Case of Waste in Yaoundé and Douala Cities.

Data is summarised on these cases using Effort Indicators in Figure 10.

Worst situations of access to information were obtained for Logging Operations in Lomié Community Forests and Commercialisation of Artisan Fishing in the Kribi Coast (THE DEBARCADERE) while Monitoring Urban Potable Water and Urban Waste Management fared better.

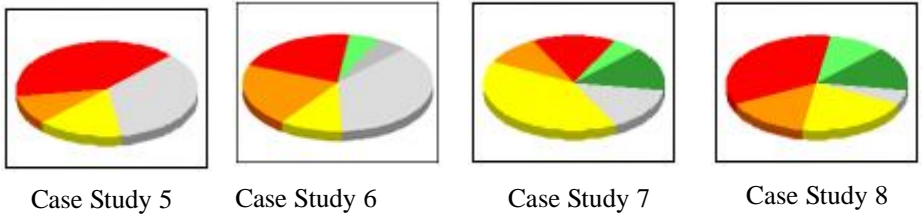


Figure 10. Assessment of access to information in 1) Logging Operations: The Case of Community Forests in Lomié; 2) Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast; 3) Urban Water Quality : The Case of Potable Water in the Yaoundé and Douala Cities and; 4) Waste Management:The Case of Waste in Yaoundé and Douala Cities using Effort Indicators.

Key:

Case Study 5= Logging Operations :The Case of Community Forests in Lomié
 Case Study 6= Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast
 Case Study 7= Urban Water Quality : The Case of Potable Water in the Yaoundé and Douala Cities. Case Study 8= Waste Management:The Case of Waste in Yaoundé and Douala Cities.

Raw data on the findings on access to information from regular monitoring using effectiveness Indicators is presented in Annex 2. The concerned case studies are: Logging Operations in Lomié Community Forests, Commercialisation of Artisan Fishing in the Kribi Coast (THE DEBARCADERE), Monitoring Urban Potable Water and Urban Waste Management. This data is summarised in Figure 11.

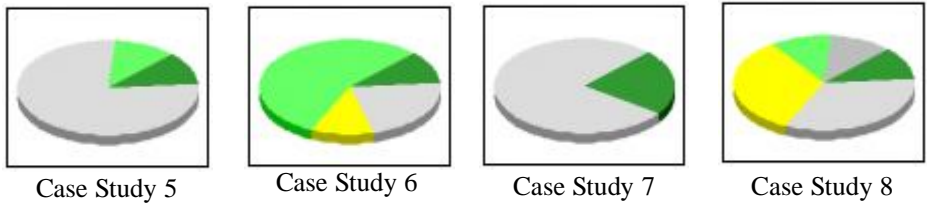


Figure 11. Assessment of access to information in 1) Logging Operations: The Case of Community Forests in Lomié; 2) Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast; 3) Urban Water Quality: The Case of Potable Water in the Yaoundé and Douala Cities and; 4) Waste Management:The Case of Waste in Yaoundé and Douala Cit ies using Effectiveness Indicators.

Key:

Case Study 5= Logging Operations :The Case of Community Forests in Lomié

Case Study 6= Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast

Case Study 7= Urban Water Quality : The Case of Potable Water in the Yaoundé and Douala Cities. Case Study 8= Waste

Management:The Case of Waste in Yaoundé and Douala Cities.

Many effectiveness indicators were not applicable in the Case Studies but those applicable faired well in producing change. Ratings according to strengths and weaknesses are shown in Table 6.

Analyses by strengths and weaknesses on all Case Studies on access to information are shown in Table 6.

Table 6: Counts of Strengths and Weaknesses for all Case Studies on Access to Information Using Effort and Effectiveness Indicators

RATING SYSTEM	CASE STUDIES/COUNTS							
	1	2	3	4	5	6	7	8
EFFORT INDICATORS								
Strenths	9	2	15	14	2	4	11	9
Weakness	10	12	4	5	10	8	5	9
Non-applicable	0	5	0	0	7	7	3	1
Total	19	19	19	19	19	19	19	19
EFFECTIVENESS INDICATORS								
Strenths	4	2	8	2	3	7	2	4
Weakness	0	0	0	0	0	0	0	0
Non-applicable	4	6	0	6	5	1	6	4
Total	8	8	8	8	8	8	8	8

Counts in Table 6 for effort show that strengths were average or above in all case studies except for the Maritime Pollution from Oil spillage in the Maritime region (Case Study 2) and the Logging Operations in Community Forests in Lomié (case study 5). For the effectiveness indicators, in all case studies, no weaknesses were observed but the striking issue is the presence of non-applicable indicators in all case studies.

On the overall, out of the 216 counts in Table 6 for all effort and effectiveness indicators in all case studies, 103 (48%) showed strengths, 63 (29%) exhibited weaknesses and 50 (23%) non-applicable. This analysis shows that there is access to information in the case studies reviewed.

Analysis on core and non-core indicators from Annex 2 yielded the following results:
-out of 112 responses to core indicators, 49 (43%) presented strengths, 42 (38%) showed weaknesses and 21 (19%) non-applicable;
-out of 104 responses to non-core indicators, 57(55%) presented strengths, 21 (20%) presented weaknesses and 26 (25%) non-applicable.
This showed that non-core indicators faired better than core indicators.

vii. Conclusions

Overall Score-card for Access to Information

Findings from the 37 indicators used for this research have been classified into two groups. In the first group comprising 10 indicators, the existing legal framework is assessed on the basis of the legal instruments reviewed. In the second group comprising 27 indicators, Government effort and effectiveness are assessed for the identified information case types on the basis of the Quality of the effort and accessibility to the specific information type. Quality is determined by the scope and quality of effort, content of information generated and disseminated, the integrated nature of the system. Accessibility is determined by the effort to reach out to the public and disadvantaged groups, the timeliness, channels used, costs and capacity building for staff and citizens.

Performances of the government systems in providing access to information are scored as strong, intermediate and weak are presented in Table 7 below for the laws, effort and effectiveness. For this analysis, red colours are rated weak, yellow and light orange rated as intermediate and light green and green rated strong. The table provides a general overview of the state of access to information in Cameroon. The following conclusions can be made:

- the laws visited in the selected case studies range from intermediate to strong;
- effort is intermediate;
- effectiveness is intermediate to strong.

As an overall conclusion, government systems of access to information in the selected case studies are strong.

Table 7: Performance of the Government Systems in Providing Access to Information

CASE STUDIES	TRENDS IN PERFORMANCES								
	WEAK			INTERMEDIATE			STRONG		
	LAWS	EFFOR	EFFE	LAWS	EFFOR	EFFE	LAWS	EFFOR	EFFE
1					X	X	X		
2		X					X	X	
3							X	X	X
4				X		X		X	X
5		X		X					X
6				X	X				
7					X	X	X		
8				X	X				X

Key:

Case Study 1= State of environment Report: The Case of the Clearing House Mechanism

Case Study 2= Maritime Pollution :The Case of Oil Spillage in the Maritime Region

Case Study 3= Water Pollution: The Case of the Mungo Bridge Accident

Case Study 4= Land and Air Pollution : The Case of Complex Chimique Camerounaise (CCC) in Douala

Case Study 5= Logging Operations :The Case of Community Forests in Lomié

Case Study 6= Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast

Case Study 7= Urban Water Quality : The Case of Potable Water in the Yaoundé and Douala Cities.

Case Study 8= Waste Management: The Case of Waste in Yaoundé and Douala Cities.

EFFOR=Effort.

EFFE=Effectiveness

Commonalities in Case Studies

Furthermore in Table 7, there is an intermediate to strong legal framework supportive of citizen's rights to diverse types of environmental information in the selected case studies. Although the Constitution is silent on these access rights, implied recognition by the Constitution has resulted in an array of strong statutory provisions on citizen rights to general and environmental information.

Government efforts in implementation of these legal provisions are generally intermediate or strong except for Case Study 5 (Information from regular monitoring, the case of Logging Operations in Lomié Community Forests) and Case Study 2 (Information from regular monitoring, Maritime Pollution from Oil spillage in the Maritime region). Major weaknesses applicable to almost all information types were:

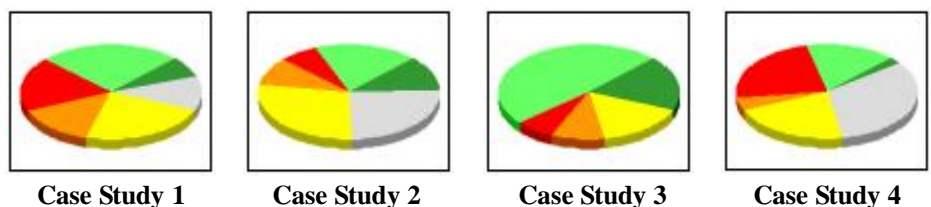
- no monitoring system or penalties for non-compliance by the agency to disclose information (indicator 22);
- high cost involved in accessing information in government possession (indicator 25);
- limited effort made to reach a wide range of stakeholders with information (indicator 26);
- very weak effort in outreach to the large majority of citizens and disadvantaged groups (indicator 27);
- no guidelines on how to obtain information on the selected information type (indicator 37);
- no activities conducted in the last 3 years to build capacities of the public (38).

No positive effort common to all case studies was identified. However, the agency that manages the selected information types has some staff explicitly responsible for disseminating information and responding to requests in almost all case studies (indicator 32). At the level of effectiveness, the media and Civil Society were found to have displayed great knowledge and skills in all information types and played a strong role in providing urgent information on critical environmental issues to citizens (indicators 45 and 46). These skills were, however, not linked to any government efforts in building their capacities.

Performances on Information types

Figure 12 compares government systems of access to information in various information types. Government performance is best in providing qualitative information in cases of emergencies (case studies 2 and 3) then followed by regular monitoring (case studies 6, 7, and 8) and state of environment report (case study 1). It is poor in facility-level information (case study 4).

Major determinants in the above situations



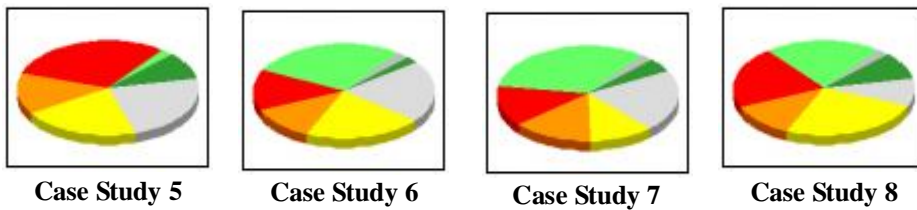


Figure 12. Comparison of Government Systems of Access in all Information Types

Key:

Case Study 1= State of Environment Report

Case Studies 2 and 3 =Emergency

Case Study 4 =Facility-level

Case Studies 5, 6, 7, and 8 =Regular monitoring

Some key determinants shaped government performance in providing access to information in the above analysis. Responsible government agencies with specific units and staff explicit for generating and disseminating particular information types were highly performant than do other agencies. This was particularly the case with the Department for Civil Protection in MINATD, charged with managing natural disasters. All documentary data on information for emergencies, water pollution and urban waste was generated and disseminated by this department. Data by other responsible or collaborating ministries were inaccessible. The staff members of the CHM were equally very responsive in providing relevant information on the SOE.

Although Communication Departments of Ministries and Mail Services are mandated to offer reception and provide information, these services have weak capacity in providing specific categories of information and usually referred researchers to the hierarchy for further mandates.

Partnerships of Government Departments with international organizations, development partners and private sector also constituted important determinants in enhancing Government performance in several information types. In particular, information in emergencies largely benefited from support agreements between the Department of Civil Protection and several UN Agencies and foreign cooperation. Although the scope of the CHM is adequate to enable an integration of information from different agencies, the system is still rudimentary and lacks the appropriate human, infrastructural and financial resources for quality performance in producing reports. The first budgetary allocation for this Unit appeared in the 2007 budget and is grossly inadequate. The direct role of the CHM in the dissemination of the 2002 SOE Report was not evident. Although the report was established It should be noted that the CHM has been solely supported by foreign aid.

Considerable information on the monitoring of urban waste has been generated by HYSACAM, a private concern contracted to manage urban waste. Training to strengthen efforts in accessing information on artisan fisheries and changing negative behaviours has been supported by FAO and other foreign cooperation.

Timeliness and regularity in the provision of information

Available reports were characterized by high irregularity in production and publication. A major weakness in government effort is the non-compliance with the bi-annual timeframe provided by law. Since 2002, no report has been generated, portraying the untimely and irregular nature of information on environmental trends. The 2002 SOE Report established as a requirement for the World Summit on Sustainable Development (WSSD), was distributed mainly to international organizations, government institutions and to NGOs upon request. The dissemination channel was limited by the ill-adapted nature of the report to a wider audience and disadvantaged groups.

Information can only be effective and produce desired results when it is timely and regular. A major challenge to government effort is then the timely and regular manner of reporting and disseminating information.

Target Audience

The target audience as determined by the channels used for publication and dissemination was to a selected group excluding a greater majority of citizens and disadvantaged groups. In this research the major reports made available were the 2002 SOE Report and the Civil Protection (Disaster) Annual Reports. It was found that the SOE report produced in the form a document was prepared solely for WSSD and was thus distributed mainly to international organisations, government institutions and to NGOs upon request. Again, though different outlets such as news bulletins, websites, brochures and print documents were used to enable access to information contained in Annual Disaster Reports, these channels do not target rural communities and vulnerable groups. In consequence, the documents were not found in target locations such as schools and public libraries.

c. PUBLIC PARTICIPATION

i). Introduction to public participation

Public participation is required in environmental decision-making because it can contribute to decisions that are more likely to be equitable, environmentally sustainable and actually implemented. Participation is "environmental empowerment" and can harness the energy and creativity of those with the greatest stake in successful environ-

mental management.

Participation ensures support for decisions by the public as their ideas are taken into consideration. When the public is left out, it is often a recipe for conflict, inequality and environmental harm.

Public participation also brings legitimacy, improving the credibility and effectiveness of decision-making processes. Stakeholders can identify conflicts and potential problems that resource managers may have overlooked at an early stage.

One key reason to involve the public is to ensure that government agencies are acting in the public interest, and that environmental policies reflect public values. Failure to provide for public input can bring just the opposite: conflict and resistance.

Participation on the other hand is very crucial among the 03 access principles if the system has to be effective. Information about the decision-making process is essential for any meaningful participation. A second foundation of access is the opportunity to participate in the decision-making process itself: the chance to give input and influence decision makers. The third foundation of access is the ability to seek redress or challenge a decision if stakeholders consider it flawed or unfair. The standard definition of access to participation is shown in box 5.

Box 5: Standard Definition of Access to Participation

Access to participation is defined as the opportunity for citizens to provide informed, timely and meaningful input and influence decisions on general, strategies and plans at various levels and on individual projects that have environmental impacts. Individuals may, for example, engage in electoral processes, testify at hearings and meetings, serve on advisory committees, have direct contact with public officials, express views and opinions through the media or engage in some form of protest action.

Source: www.accessinitiative.org

In assessing public participation, 07 case studies were selected in the various sectors of the Cameroon economy and investigated at the levels of the laws supporting public participation and the practice of such laws as depicted in government effort and effectiveness. The selection process took into account 03 main types of decision-making processes: policy level, regulatory and project level as indicated in Table 8.

Table 8: Case Studies and the Various Decision-making Processes

CASE STUDIES	CASE TYPE
1.Farmer/Grazier Conflicts in Wum Central Subdivision	Policy-making
2.Waste Disposal in SONARA	Policy-making
3.Urban waste management in Yaoundé Urban Council	Regulatory
4.Management of DJA Reserve	Regulatory
5.Privatisation of NDU Tea Estate	Regulatory
6.The construction of Hydro-electricity Dams (EIA)	Project-level
7.Environmental Impact Assessment in the Cobalt/Nickel Mining Project	Project-level

This investigation involved the application of 41 indicators or research questions forming a questionnaire which was arranged into 03 TAI Topics: Law, Effort and Effectiveness. These research questions cover access to information about decision-making, opportunities to participate, and outcomes of participation.

ii). Assessment of Law Supporting Public Participation

The scope and quality of the law supporting public participation in each of the 07 case studies was assessed and the degree to which it supports public participation in decisions that affect the environment. Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon was a very important law which provided insights to participation in all the case studies reviewed. In addition some of the laws also reviewed relate specifically to case studies. Altogether, 6 different laws or decrees were reviewed for all the selected case studies as presented in Table 9.

Table 9: Various Legal Instruments Reviewed under Case Studies

1.Farmer/Grazier Disputes in Wum Central Subdivision
Decree No. 78/263 of 6 July 1978 to Establish the Terms and Conditions for Settling Farmer/grazier Disputes
Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon

2. Waste Disposal in SONARA
Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
3. Urban Waste Management in Yaoundé Urban Council
Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
4. Management of DJA Reserve
Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
Decree No. 2002/156 of 18 June 2002 approving the statuses of the National Support Agency to Forest Development
5. Privatisation of Ndu Tea Estate
Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
Decree No. 90/1257 of 30 August 1990 on the application of Ordinance no.90/004 of 22 June 1990 relating to the Privatization of Public and Para-public companies
6. The Construction of Hydro-electricity Dams (EIA)
Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
Decree No. 2005/0577/PM of 23 February 2005 fixing modalities for the realisation of Environmental Impact Assessments
7. Environmental Impact Assessment in the Cobalt/Nickel Mining Project
Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
Decree No. 2005/0577/PM of 23 February 2005 fixing modalities for the realisation of Environmental Impact Assessments

Key: Red colour shading=case studies,
White colour shading=legal instruments

Description of the Laws Reviewed in Access to Participation:

1. Farmer/Grazier Disputes in Wum Central Subdivision

For dispute settlement in the Wum Sub division, decree No. 78/263 of 6 July 1978 for settling farmer/grazier disputes gives provision for involvement of grazier representative and the Village Chief in the Sub-Committee of Inquiry in article 8 (2).

Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon also gives provisions in chapter IV sections 92 and 93 (1) and (2) to Parties, and Traditional Authorities to participate in dispute settlement.

2. Waste Disposal in SONARA

For Waste Disposal in SONARA, Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon, in its chapter III section 9 (e) provides for access to information by each citizen on the environment, contribution by each citizen to environmental protection, and for consultations on decisions on the environment. In part II section 10 (1) of the same law, there is provision for publishing and disseminating information on environmental protection and management. Chapter IV section I article 43 (1) specifies that any person who produces or owns waste shall eliminate or recycle it or have it eliminated or recycled. Furthermore, the person shall inform the public of the effects of waste production, owning, eliminating or recycling on the environment and public health pending the rules of confidentiality and the measures intended to prevent or compensate its negative effects.

3. Urban Waste Management in Yaoundé Urban Council

The provisions as above in waste disposal apply in urban waste management in Yaoundé Urban Council.

4. Management of DJA Reserve

For the management of Dja Forest Reserve, chapter V article 62 of Law No. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon, stipulates that the protection, the preservation of animal and plant species and their habitat, the maintenance of biological balances and ecosystems and the conservation of biodiversity and genetic diversity against all causes of degradation and threats of extinction shall devolve on the Administration and each citizen.

5. Privatisation of Ndu Tea Estate

For the privatization of Ndu Tea Estate, chap. III article 16 of decree No. 90/1257 of

30 August 1990, public participation (salary workers of the company to be privatised, groups or cooperatives) is given preferential treatment during the privatisation process through dispensation from participation in the process of the open call for bids.

6.The Construction of Hydro-electricity Dams (EIA)

For the Environmental Impact Assessment (EIA) of the Lom-Pangar Hydro Electric Dam and Environmental Impact Assessment in the Cobalt/Nickel Mining Project in Lomié, consultations and public audiences are envisaged in section III article 11 (1) and (2) and article 12 (1) and (2) of decree No. 2005/0577/PM of 23 February, 2005 fixing modalities for the realisation of Environmental Impact Assessment. Public consultation of the final document is stipulated in article 13 (1). Nevertheless, article 14 excludes the above procedures for projects related to security and national defence.

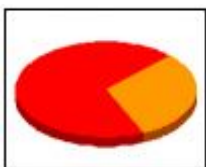
7.Environmental Impact Assessment in the Cobalt/Nickel Mining Project

The above information on the Lom-Pangar Hydro Electricity also applies for the Cobalt/Nickel Mining Project in Lomié.

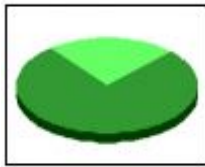
Analysis of Main Findings on the Laws

The main findings on the laws are presented in Annex 3. Each indicator response has been rated by colour and by strengths and weaknesses for each of the 7 case studies.

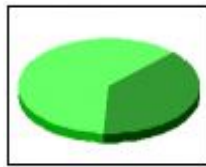
The following 7 pie charts are summaries of the raw data in Annex 3. Similar colours in each case study representing the extent to which the law supports participation are grouped together to produce these pie charts. Parameter queries have yielded these results.



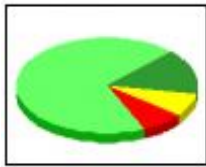
Case Study 1



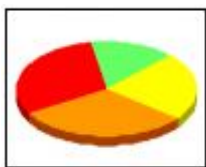
Case Study 2



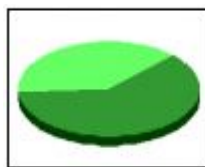
Case Study 3



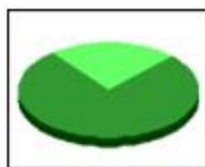
Case Study 4



Case Study 5



Case Study 6



Case Study 7

Figure 13. Assessment of the Laws Supporting Public Participation

Key:

Case Study 1=Farmer/Grazier Disputes in Wum Central Subdivision

Case Study 2= Waste Disposal in SONARA

Case Study 3=Urban Waste Management in Yaoundé Urban Council

Case Study 4=Management of Dja Reserve

Case Study 5=.Privatisation of Ndu Tea Estate

Case Study 6=The Construction of Hydro-electricity Dams (EIA)

Case Study 7=Environmental Impact Assessment in the Cobalt/Nickel Mining Project

Correspondence Between the Two Rating Systems

Colour appellation	Dark Green	Light Green	Yellow	Light Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W/S rating	S			W		

N/A = not applicable

The law is weak on participation in farmer/grazier disputes as shown by the red and light orange colours on Case Study 1. The law is also not supportive of participation for the privatisation of Ndu Tea Estate (Case Study 5) and to a little extent in the management of the Dja Reserve (Case Study 4). The law is very supportive of participation in the remaining case studies with dark and light green colours.

The law to settle farmer/grazier disputes dates back to 1978 when environmental governance was not a priority on the national agenda and the public was not given room for participation in the elaboration of the law. This situation has yielded a recipe for the present conflicts.

The law on privatisation as reviewed under the case of Ndu Tea Estate of the Cameroon Development Corporation (CDC) (Case Study 5) presents loopholes in all subtopics except on the scope and quality of access and on limits on access. The recent strikes by ex-workers of the Tea Estate over unpaid terminal benefits as well as the protest by

village communities for their land depict this situation.

The rest of the laws reviewed for the other case studies were elaborated during the era of environmental awareness and public participation was taken into consideration during the process of elaboration.

Table 10: Counts on Strengths and Weaknesses of the Laws on Public Participation

RATING SYSTEM	CASE STUDIES/COUNTS						
	1	2	3	4	5	6	7
Strengths	0	10	10	9	3	10	10
Weaknesses	10	0	0	1	7	0	0
Non-Applicable	0	0	0	0	0	0	0
TOTAL	10	10	10	10	10	10	10

Strengths and weaknesses of the laws have also been represented by letters S and W in Annex 3 while total counts are shown in Table 10. Counts on the responses indicate that seventy-four percent (74%) of the total counts (70) were rated as strong (ratings from 3 to 5) while twenty-six percent (26%) were rated as weak.

Analyses on the core and non-core indicators have yielded the following results:

- for 42 responses for core indicators, 76% presented strengths and 24% weaknesses;
- with 28 responses for non-core indicators, 71% presented strengths and 29% weaknesses.

The above analyses indicate that the laws in general are supportive of public participation.

iii. Assessment of participation in policy-making processes (Farmer/Grazier disputes in Wum Central Subdivision and Waste Disposal in SONARA)

Importance of participation in policy-making decisions

In general, participation refers to the involvement of citizens in the development process. Beneficiaries and groups affected by a policy need to participate so that the government can make informed choices (choices based on information from beneficiaries) with respect to their needs and the protection of their rights.

In policy-making, participation gives the opportunity to the civil society to give their opinions on issues that will affect their environment and livelihood. They have a wealth of traditional knowledge on the resources which support their livelihoods and

this should be considered in policy formulation. Participation improves the effectiveness of policies and enhances the "bottom-top" approach to development. It ensures compliance and averts conflicts. Such conflicts inevitably arise in natural resource management and hence managing them become an important function in a policy process. Participation is then an approach to improve the relevance, efficiency and effectiveness of the policy process. It provides essential inputs to policy making.

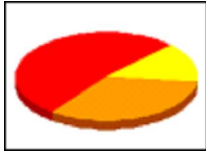
The farmer/grazier disputes in Wum Central Subdivision as described in the list of case studies portray the absence of participation in the policy process. The Local Land Consultative Board responsible for setting limits between cropland and pastoral land is not very effective in their job as public participation in the process is not given particular attention. Urbanisation is encroaching onto grazing lands and new demarcations have to be established. Both parties have to decide on the new limits. Participation is essential here in that the demarcation decisions involve trade-offs and measures should be taken on how the 'losers' should be compensated. Decisions in the process are handled instead at the higher levels of the administration, sidelining the concerns of the direct users of the resource. Sometimes decisions taken by several commissions set up during crisis situations are never implemented.

In dispute settlement procedures, it is not very obvious that protagonists participate as the composition of the quorum in the Subdivision Commission of Inquiry is not specified. Hence decisions taken by the government are not fair and hence not broadly accepted by both the farmers and graziers. The result is recurrent disputes.

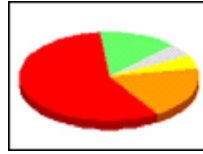
Waste management in the National Petroleum Refinery Company (SONARA) is another policy-making case type as described in the list of cases in Table 8. This company is located on the coast of the Atlantic Ocean in Fako Division. The construction of this refinery was a policy process which should have involved the local populations. Their capacities needed to have been developed for effective participation in the process. Today, marine biological resources are being affected negatively by the wastes produced and dumped around by this company. Local communities depend on these resources for their livelihood. Effective participation would increase their preparedness for any eventualities. They would have requested for compensation for eventual loss of the fishing activities in the area. Failure to listen to complaints would have led to protests from the local communities.

Analysis of main findings on participation in policy-making decisions

Raw data on the findings for policy-making decisions can be seen in Annex 4. Results for effort indicators have been summarised in pie charts in Figure 14 for Case Studies 1 and 2 for the two policy-making decisions (farmer/grazier disputes and waste management in SONARA).



Case Study 1



Case Study 2

Figure 14. Assessment of Participation in Policy-level Decisions Using Effort Indicators

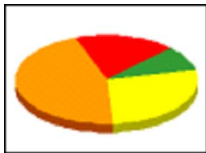
Key:

Case Study 1=Farmer/Grazier Disputes in Wum Central Subdivision

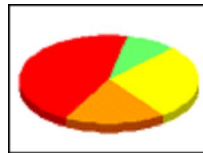
Case Study 2= Waste Disposal in SONARA

As shown on these pie charts participation is very poor in both situations but poorer for farmer/grazier disputes.

The effectiveness of the laws and effort to produce change are represented in Figure 15 for Case Studies 1 and 2 which have resulted from the Annex 3.



Case Study 1



Case Study 2

Figure 15. Assessment of Participation in Policy-level Decisions Using Effectiveness Indicators

Key:

Case Study 1=Farmer/ Grazier Disputes in Wum Central Subdivision

Case study 2= Waste Disposal in SONARA

The same tendency has been observed for the effort indicators. Little effort has resulted to some change as shown by the yellow and dark green colours for the farmer/grazier disputes and light green and yellow colours for Waste Disposal in SONARA.

iv. Assessment of Participation in Regulatory Decision-making

Importance of Participation in Regulatory Decision-making Process

Participation of local populations in regulatory decision-making process ensures the citizens that the government is acting in their interest. They can contribute in the elaboration of the regulatory framework which they will be obliged to respect and implement.

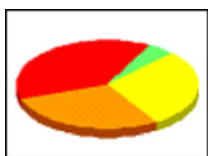
Waste Management and Disposal in the Yaoundé Urban Council involves issues of choice of sites for collection and disposal. Collection sites have to be within reach and easily accessible to children. The waste could be very harmful to the environment and health of the population. Poor waste management and disposal is a common practice in most urban cities in Cameroon and the population tends to be unhappy about this as described in the list of case studies.

The Management of the Dja Reserve is also a regulatory decision-making process as shown on the list of case studies. Resources of the reserve have traditionally been used by the local populations to sustain their livelihood. Limited access to hunting and for other income-generating activities has resulted in non-compliance of populations to conservation activities. Poaching is rampant and armed confrontations with the conservators are common.

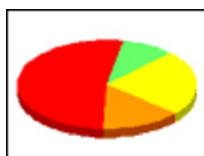
The Privatization of Ndu Tea Estate has been undertaken without solicitation of inputs from the local communities in the process. Issues on job losses, social infrastructures, land ownership, etc., should have been decided upon in collaboration with the workers and the local communities. Unilateral decisions were taken by the government in the privatisation process which do not favour the populations. It is often said that 'How we decide, and who gets to decide often determines what we decide'. The absence of public participation has led to confrontations, destruction of property belonging to the company, petition writing by the deprived party have been observed as described in the case study.

Analyses of findings for the regulatory decision-making case studies

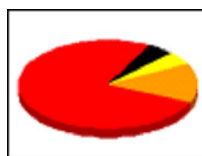
Case studies 3, 4, and 5 are assessments of government effort for participation in Urban



Case Study 3



Case Study 4



Case Study 5

Figure 16. Assessment of participation in regulatory-decision using effort indicators

Key:

Case Study 3=Urban Waste Management in Yaoundé Urban Council

Case Study 4=Management of Dja Reserve

Case Study 5=.Privatisation of Ndu Tea Estate

Waste Management in Yaoundé, Management of DJA Reserve and Privatisation of NDU Tea Estate of CDC, respectively. The predominance of red and light orange colours show that the effort is either poor or worst (Figure 16).

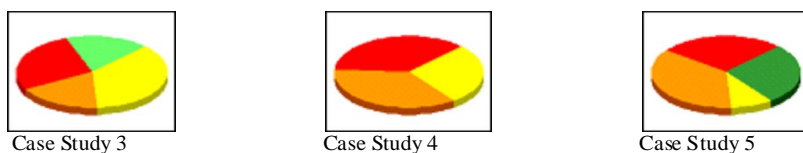


Figure 17: Assessment of participation in regulatory-decisions using effectiveness indicators

Key:

Case Study 3=Urban Waste Management in Yaoundé Urban Council

Case study 4=Management of Dja Reserve

Case study 5=.Privatisation of Ndu Tea Estate

Effectiveness of the laws and efforts in the same case studies are shown on the pie charts in Figure 17.

Efforts deployed have resulted in some change as seen by a higher proportion of light green and yellow colours for urban waste management, reduced proportion of red colour and expanded yellow colour for the management of Dja Reserve and appearance of dark green colour in the privatisation of the Ndu Tea Estate.

vi. Assessment of participation in project-level decision-making

Importance of Participation

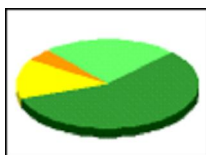
Participation in project-level decision-making process ensures the public that governmental agencies are acting in their interest. At the grass root level, participation offers the opportunity to improve the design and implementation of public programmes and projects. Participation can be helpful in identifying people's interests, mobilizing public opinion in support of these interests, and organizing action accordingly. Beneficiaries and groups affected by the project need to participate so that the govern-

ment can make informed choices with respect to their needs.

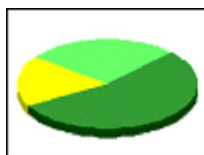
The construction of the Lom-Pangar dam and the Cobalt/Nickel Project in Lomie greatly require public participation during the elaboration of the environmental impact assessment statements. The local communities need to be empowered to make informed decisions on the negative impacts on the environment and their livelihood. They need the capacities to become involved in as meaningful a way as they desire. They need to understand the costs and benefits of the management options or how the options could affect their lives over time. They need to understand the same sophisticated planning tools or economic analyses that the project owners may use to put forward a convincing case. Thus capacity building is a necessary precursor to participation. These case studies are described on the list of selected case studies.

But the question of who is empowered has relevance here. Who has "a seat at the table" during deliberations? Is participation meaningful enough to bring influence? What mechanisms are put in place to ensure participation (overcoming barriers of distance, language, literacy, etc.).

Analyses of Findings for the Project-level Decision-making Case Studies



Case study 6



Case Study 7

Figure 18. Assessment of participation in project-level decisions using effort indicators

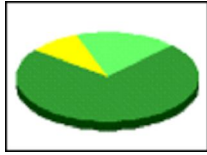
Key:

- Case Study 6=The Hydro-electricity Dam
- Case Study 7=The Cobalt/Nickel Mining Project

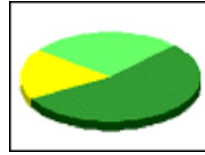
In general, effort was made to ensure public participation as shown in Figure18 by the predominant light green and dark green colours for the construction of hydro-electricity dam and the cobalt/nickel mining project on Case Studies 6 and 7.

The following results in Figure 19 were obtained for the effectiveness of the laws and effort.

These results show that some change was observed from the laws and effort with the predominance of dark green colours in the two case studies



Case Study 6



Case Study 7

Figure 19. Assessment of participation in project-level decisions using effectiveness indicators

Key:

Case Study 6=The Hydro-electricity Dam

Case study 7= The Cobalt/Nickel Mining Project

Table 11 provides strengths and weaknesses counts for all case studies on public participation using effort and effectiveness indicators.

Table 11: Counts of Strengths and Weaknesses for all Case Studies on Access to Information Using Effort and Effectiveness Indicators

RATING SYSTEM	CASE STUDIES/COUNTS						
	1	2	3	4	5	6	7
EFFORT							
Strengths	3	4	7	7	1	20	18
Weaknesses	18	16	14	14	19	1	3
Non-Applicable	0	1	0	0	1	0	0
Total	21	21	21	21	21	21	21
EFFECTIVENESS							
Strengths	3	4	7	3	4	10	10
Weakness	7	6	3	7	6	0	0
Non-Applicable	0	0	0	0	0	0	0
Total	10	10	10	10	10	10	10

From Table 11, out of the 217, 101 counts (47%) showed strengths, 114 counts (52%) showed weaknesses while 2 counts (1%) were non-applicable. This analysis shows that public participation is not very adequate in the selected case studies.

Analyses on the core and the rest of the indicators (non-core) in the effort and effec-

tiveness topics from Annex 3 provided the following information:

- seventeen (17) indicators are core and fourteen (14) are non-core yielding a total of thirty-one (31) effort and effectiveness indicators with 217 responses (119 core responses and 98 non core);
- strength and weakness analysis on the core indicators produced 40% (48) and 59% (70) respectively with 1% (1) non-applicable. Similar analysis gave 53% (52) and 46% (45) for strengths and weaknesses for non-core indicators respectively with 1% (1) non-applicable. This indicates that non-core indicators fared better than core indicators.

vi. Conclusion

Overall Score-card for public participation

Research on the public participation category involved 41 indicators (10 law, 21 effort and 10 effectiveness indicators). Findings have been grouped into the laws and their implementation comprising effort and effectiveness. The scope and quality of the laws supporting public participation in each of the seven case studies was assessed and the degree to which they support public participation in decisions that affect the environment. At the implementation level of the laws, government effort and effectiveness of the laws were also assessed in the seven case studies.

Performance of the government systems in providing access to public participation are scored as strong, intermediate and weak (Table 12). For this analysis, red colours are rated weak, yellow and light orange rated as Intermediate and light green and green rated strong. The table provides a general overview of the state of access to public participation in Cameroon. The following conclusions can be made:

-in general the laws visited in the selected case studies range from intermediate to strong;

- effort ranges from weak to intermediate;
- effectiveness is distributed between weak, intermediate and strong.

As an overall conclusion, government systems for providing access to public participation are intermediate.

Commonalities in Case Studies

Furthermore in Table 12, there is an intermediate to strong legal framework supportive of citizen's rights to participation. While the Constitution is silent on these access

Table 12: Performance of the Government Systems in Providing Access to Participation on the Three Topics

CASES	TRENDS IN PERFORMANCES								
	WEAK			INTERMEDIATE			STRONG		
	LAW S	EFFO R	EFFE	LAWS	EFFO R	EFFE	LAWS	EFFOR	EFFE
1-Pol.	X	X	X						
2-Pol.		X	X				X		
3-Reg.					X	X	X		
4-Reg.			X		X		X		
5-Reg.		X		X		X			
6-Proj							X	X	X
7-Proj							X	X	X

rights, implied recognition by the Constitution has resulted in some legal instruments that favour public participation in almost all case studies except for farmer/grazier Disputes in Wum Central Subdivision (case study 1) and Privatisation of Ndu Tea Estate (case study 5).

Government efforts in the implementation of these legal provisions range from weak to intermediate. Major weaknesses applicable to almost all decision-making processes were found on indicators related to capacity building. General weaknesses were obtained for indicator 77 where the government budget allocation was inadequate to effectively facilitate public participation in the various decision-making processes.

Neither common positive effort nor effectiveness was observed for all case studies in this category. Nevertheless, Capacity Building for the Media & CSOs resulted in some change in all case studies except for the Management of Dja Reserve (indicators 89 and 90).

Performance on decision-making processes

Figure 20 below compares government systems of participation in various decision-making processes. Public participation is best in project level decision-making processes, then followed by regulatory decision-making processes and last by policy level decision-making processes. According to the study, sufficient effort has been put in place by the government to ensure public participation in these decision-making processes affecting the daily lives of the community.

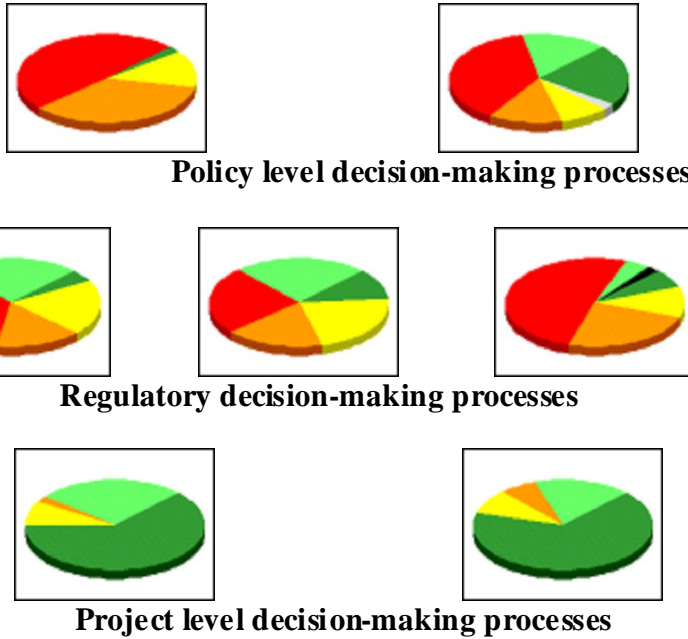


Figure 20. Comparison of various decision-making processes in public participation

Government systems for participation and the resource at stake

Figure 20 shows that government systems of participation are best for water and non-renewable natural resources (Project level decision-making processes). Heavy investments are deployed in the development of these resources and may be the reasons for public participation at all decision-making levels to ensure success of the projects. Despite the fact that conflicts occur in the management of land (situation of the regulatory and policy level decision-making processes), government systems for participation are not very adequate.

Government systems for participation and various socio-economic groups

Government systems for participation were worst with the farmer/grazier case study involving poor farming populations and minority pastoral populations who are engaged in the cattle business. The only existing law reviewed in this case study was elaborated when environmental concerns were not a priority for the government.

D. ACCESS TO JUSTICE

i). Introduction to Access to Justice

Access to justice is a fundamental issue on environmental governance identified by the Rio Declaration of 1992 as a measurement of citizen's access to redress and remedy. The process of rendering justice acts as a check to the other categories (Access to Information and Public Participation). Evaluating the extent to which a balance is cre-

Box 6: Standard definition of Access to Justice

Access to Justice is defined as the ability of citizens to turn to impartial arbiters to resolve disputes over access to information and participation in decisions that affect the environment. Such impartial arbiters include mediators, administrative courts and formal courts of law, among others.

Source: www.accessinitiative.org

ated by law when people's rights are violated is very important since they know that they will be held accountable for their actions and this will deter other potential law violators from doing same. Box 6 shows a standard definition of access to justice.

In the assessment process, we have examined the fundamental laws of Cameroon such as the 18 January 1996 Constitution of Cameroon, the Cameroon Penal Code, the Law relating to Environmental Management, etc., to identify to what extent existing laws support the citizens' access rights to justice. We also assessed the practical implementation of the laws in selected case studies. From these case studies assessments the government commitment to transparent environmental governance was evaluated through practice and effectiveness.

Cameroon has a peculiar legal system, which is reminiscent of its colonial past⁴. It is referred to as a bi-Jural Country (Anyangwe,1987), meaning the dual application of the French and English legal systems. While French oriented civil law applies in eight provinces⁵ of the country, English common law applies in the remaining two English-speaking provinces⁶. Alongside these two foreign traditions is the customary law, which constitutes a host of multiple traditional rules and norms and Islamic law.

Since independence, attempts have been made to codify many areas of the law. The country has a written constitution. In substantive law, Cameroon has a single Penal Code, the Highway Code, the Land Tenure Ordinance, Forestry, Wildlife and Fishery

⁴During the colonial administration, the French introduced Civil Law in the then East Cameroon while the English introduced Common Law in the then West Cameroon. These dual legal traditions have survived independence and reunification of the country. ⁵Former East Cameroon. ⁶ Former West Cameroon

laws, the Environmental Management Law, the Mining Code, the Water Law, the Environmental Impact Assessment Law, the Biosafety Law, the Tourism Law, the Phytosanitary Protection Law, the Labour Code, the Bar Law etc.

With respect to procedure, the codified Criminal Procedure Code came into force on the 1st day of January 2007 to replace the Criminal Procedure Ordinance (CPO) and the 'Code d'Instruction Criminelle' that were hitherto applicable in the common Law and Civil Law jurisdictions respectively. While some of the specific laws have their procedure like the OHADA Uniform Act, and labour law, the bulk of civil procedure and laws of evidence are divergent. The Civil Code "Code Civile" and other related instruments apply in the Francophone area and the Southern Cameroon's Magistrates Court Law, Southern Cameroons High Court Law⁷ , Supreme Court Civil Procedure Rules⁸ etc regulate civil procedure in the English speaking provinces of Cameroon

By virtue of Article 45 of the constitution of Cameroon international conventions ratified by Cameroon are directly applicable and take precedent over national laws. That aside the body of international soft laws, customary law and judicial precedents are applicable in Cameroon

To properly assess access to environmental justice, and in pursuit of the TAI Methodology Toolkit 2.0, five case studies were chosen in a couple of sectors in the Cameroonian setting. These case studies were grouped in the following particular claim types: Access to Justice in terms of access to information, access to justice

Table 13: Selected Case Studies for Access to Justice and their Claim types.

N°	CHOSEN CASE STUDY	CLAIM TYPE	FORUM INVOLVED
1	The Privatisation of the Cameroon Development Corporation (CDC): The Case of Tole Tea Estates	Access to Information	Administrative Forum
2	The Kilum-Ijim Mountain Biodiversity Conservation Project	Access to Public Participation	Judicial Forum
3	Land and Air Pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC)	Environmental Harm	Administrative Forum
4	Farmer/Grazier Dispute in Wum	Non-Compliance	Administrative Forum
5	Urban Waste Management in Bamenda: The Case of Bamenda Urban Council (BUC)	Non Compliance	Administrative Forum

through public participation, access to justice in environmental harm and access to justice through non-compliance. The grouping of the various case studies in particular claim types are shown in Table 13. The case forms providing more information on the selected cases are indicated on the list of case studies (Table 1).

⁷SCHCL 1955

⁸SCCPR Cap 211 of the 1948 Laws of the Federation of Nigeria

The entire assessment involved responses to 41 indicators (questions) for each of the case studies. These indicators were grouped into the 3 main TAI topics: law, effort and effectiveness. Each topic is furthermore grouped into a certain number of subtopics giving a total of 13 sub topics for the 41 indicators and covering various aspects of governance.

The results of the assessment are presented in the following order:

- Assessment of laws supporting access to justice in the 5 case studies;
- Assessment of access to justice in Environmental harm claim;
- Assessment of access to justice in access to information claim;
- Assessment of access to justice in public participation claim;
- Assessment of access to justice in non-compliance claims.

ii. Assessment of Laws Supporting Access to Justice

The scope and the quality of the law and the degree to which it supports access to justice in claims that address access rights and environmental harms were assessed. To effectively evaluate the extent to which there was free and fair hearing in the above mentioned cases, an in-depth review of the possibility of aggrieved parties to seek redress and/or justice and an examination of the existence of an entity put in place by the government to arbitrate on justice issues and take a decision were made.

To go a step further, we also looked at the law provision to reverse the decision of an existing forum through appeals and reviews. The modalities of the law that guarantee such a hearing are the foundation of access to justice given that it is the starting point of the justice process.

Table 14: Laws Reviewed Under the Different Case Studies

1.Land and Air Pollution in Douala, the Case of Complexe Chimique Cameroonians (CCC)
Law No 96/05 of 5 August 1996 relating to Environmental Management in Cameroon
Law No 96/06 of 18 January 1996 The constitution of the Republic of Cameroon
Law No 2006/015 of 29 December 2006 on Judicial Organisation

Environmental Procedural Guide
The Penal code of Cameroon of 12 June 1967
2. The Privatisation of the Cameroon Development Corporation (CDC) the case of Tole Tea Estates
Law No 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
Law No 96/06 of 18 January 1996 The constitution of the Republic of Cameroon
Decree No 90/1257 of 30 August 1990 relating to the application of Ordinance No.90/004 of 22 June 1990 for the Privatization of Public and Para-public Corporations
Ordinance No 74-1of 6 July 1994 Land tenure and State lands as amended.
Ordinance No 90/004 of 22 June 1990 relating to the privatization of state corporations
3. The Kilum-Ijim Mountain Biodiversity Conservation Project
Law No 96/12 of 5th August 1996 relating to Environmental Management in Cameroon
Law No 96/06 of 18 January 1996 The Constitution of the Republic of Cameroon
Law No 94-01of 20th January 1994 on Forestry, Wildlife and Fisheries
Ordinance No 74-1of 6 July 1994 on Land tenure and State lands.
Law No 89/019 of 29/December 1989 to amend and supplement Ordinance No 72/04 of 26 August 1972 on Judicial Organization
Law No 72/6 of 26th August 1972 to fix the organization of the Supreme Court
Evidence Ordinance Cap. 62 of the 1948 Laws of the Federation of Nigeria
Supreme Court Civil procedure Rules Cap 211 of the 1948 Laws of the Federation of Nigeria
4. Farmer Grazier-Dispute in Wum
Decree No 78/263 of 3 July 1978 establishing the terms and conditions for settling Farmer -Grazier Disputes in Cameroon
Law No 96/05 of 5 August 1996 relating to Environmental Management in Cameroon

Law No 96/06 of 18 January 1996 The constitution of the Republic of Cameroon
The Penal code of Cameroon of 12 June 1967
Ordinance No 74-1 of 6 July 1994 on Land tenure and State lands as amended
Law No 78/485 of 9 November 1978 fixing the powers and duties of Heads of Administrative Units and those charged with assisting them.
Urban Waste Management in Bamenda, the Case of Bamenda Urban Council (BUC)
Law No 96/05 of 5 August 1996 relating to Environmental Management in Cameroon
Law No 96/06 of 18 January 1996 The constitution of the Republic of Cameroon
The Penal code of Cameroon of 12 June 1967
Environmental Procedural Guide
Law No 2004/019 of 22 June 2004 on Decentralization in Cameroon
Law No 98/005 of 14 April 1998 to lay down regulations governing water resources in Cameroon

Key: Red colour highlight Case studies, and White highlights the Legal Instruments

Much emphasis was laid on the fundamental law of the land, Law No 96/06 of 18 January 1996 -The Constitution of the Republic of Cameroon and Law No 96/05 of 12 August 1996 relating to Environmental Management in Cameroon as well as other laws as shown in Table 14.

Description of the laws

Description of the Laws Supporting Access to Justice

1. Land and Air pollution in Douala: The case of CCC

The August 1996 law on Environmental Management in Cameroon and existing administrative laws, provides adequate requirements for different fora to hear selected claim types and make recommendations. This, however, depends on the emergency of the claim type. There are, however, two main forum to hear selected claim types and issue decisions. The first is the administrative forum and the second, the judicial forum.

The text of application on environmental litigation clearly states in its preamble that MINEP will have to defend its case based on the laws.

2. The Privatisation of the Cameroon Development Corporation: The Case of Tole Tea Estates

The parties have the legal right to appeal if they are not satisfied with the forum or the court's decision. The nature of review or appeal of the selected claim type is only possible at the level of the Court of Appeal. Review of administrative decision is at the level of the superior administrative authority of the administrative Bench of the Supreme Court.

Decree No. 90/1257 relating to the application of the Ordinance No. 90/004 of 22 June 1990 on Privatization of Public and Para-public Corporations provides that the Interministerial Committee charged with the said duty shall handle matters arising from the privatization policy in the Ministries of the sectors privatized.

With respect to the Bakweri land claim crisis, provisions of the Land Tenure Ordinance adequately provides for a forum to hear land dispute cases, as well as appellate procedure. Also Law No.96/12 of 5 August 1996 relating to Environmental Management in Cameroon provides for that as well.

3. The Kilum-Ijim Mountain Biodiversity Conservation Project

As per Decree No 90/1257 cited above, on the privatisation of public and para-public corporations, there is no room for appeal to the Inter-ministerial Committee charged with the process.

The 1994 Forestry, Wildlife and Fishery Law, the Constitution of Cameroon, the 1996 Law on Environmental Management, the law on judicial organization and relevant procedure laws all empower the court to entertain this claim type. In fact article 165 of the 1994 Forestry, Wildlife and Fishery Law provides that "disputes arising from the carrying out of any of the activities governed by this law shall be settled by the competent courts of Cameroon." Further article 37(2) of the 1996 Constitution of Cameroon provides that judicial power shall be exercised by the Supreme Court, Courts of Appeal and Tribunals.

The Judicial Organization Ordinance of 29 December 1989 as amended by Law No. 2006/015 of December 2006 empowers the Court of Appeal to entertain appeals from lower courts. From the Court of Appeal, aggrieved litigants have the right to appeal to the Supreme Court as provided by Law No. 72/06 of 26 August 1972 organizing the Supreme Court. Further, Article 147 of the 1994 Forestry, Wildlife and Fishery Law is to the effect that appeals shall be lodged as provided for in accordance with ordinary law procedure.

4 Urban Waste Management in Bamenda: The Case of Bamenda Urban

The 1996 Law relating to Environmental Management in Cameroon gives powers to decentralized territorial authorities (of which Bamenda Urban Council is an administrative forum with such powers) to manage urban waste. The general provisions of the 1996 Law provide that the President of the Republic shall define the national environmental policy. Its implementation shall devolve upon the government which shall apply it, in collaboration with the decentralized territorial authorities, grass roots communities and environmental protection associations. This is supported by Law No. 2004/019 of 22 June 2004 on Decentralization in Cameroon.

Under the laws, aggrieved citizens are at liberty to seize the jurisdiction of the Ministry in charge of environment or a higher administrative authority if they suffer harm as a consequence of the Council's activities or omissions. But there is no mechanism to check corruption in the process and this is gravitating against the citizens. The constitution guarantees the right of every citizens to a sound and healthy environment. The judicial forum is another option at the disposal of the citizens. The Environmental Management law in Chapter IV, Article 91(1) on compromise and amicable settlement empowers Administrative Units in charge of environmental management to effect a compromise.

5. Farmer/Grazier Disputes in Wum

Decree No. 78/263 of 3 July 1978 to establish the terms and conditions for settling farmer/grazier disputes clearly defines the competence, composition and functions of the Consultative Board. The board/commission has the exclusive competence to allocate rural area to agriculture and grazing and to settle farmer-grazer disputes. The board is convened and chaired by the administrative officer. Aggrieved parties are at liberty to complaint to the Chair of the commission, but there is no obligation on the administrator to convene the board. The board's decision is rendered enforceable by the order of the Administrative officer. The vast discretionary powers of the administrator leave much room for abuse at the detriment of the citizens. However, the decree is silent on Appeals and Reviews by any unsatisfied party involved in a dispute. It rather provides that the decision of the Board is final when it rules on disputes relating to the boundary of rural areas for agriculture and for grazing.

Analysis of Main Findings on the Laws

The main findings are presented in Annex 5. Responses to the different 9 law indicators in each of the 5 case studies have been rated by colour appellation and also classified as strength or weakness. The following pie charts (Figure 21) summarise the main findings.

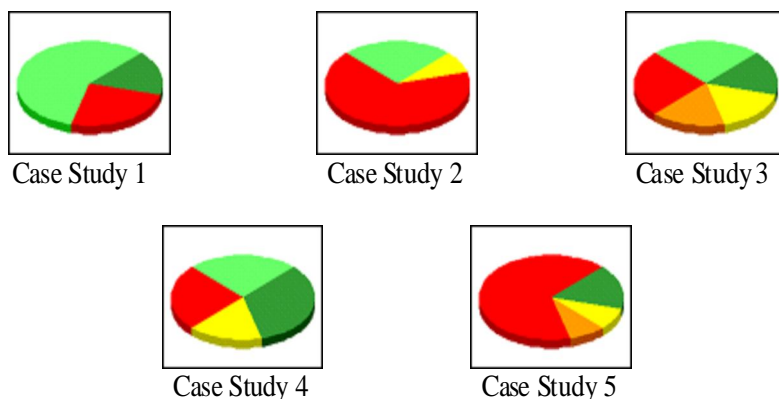


Figure 21. Assessment of the Laws Supporting Access to Justice
Key:

- Case Study 1=Land and Air Pollution in Douala:The Case of Complexe Chimique Camerounaise (CCC)
- Case Study 2= Privitisation of Cameroon Development Corporation: The Case of Tole Tea Estate
- Case Study 3=The Kilum Biodiversity Conservation Project
- Case Study 4=Urban Waste Management in Bamenda: The Case of Bamenda Urban Council (BUC)
- Case Study 5=Farmer/Grazier Disputes in Wum Subdivision

Correspondence Between the Two Rating Systems

Colour appellation	Dark Green	Light Green	Yellow	Light Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N.A
Values	5	4	3	2	1	
W/S rating	S			W		

N/A=not applicable

The laws reviewed in Land and Air Pollution in Douala:Case of Complexe Chimique Camerounaise (CCC)- (Case Study 1); The Kilum Biodiversity Conservation Project (Case Study 3); and Urban Waste Management in Bamenda: Case of Bamenda Urban Council (Case Study 4) are supportive of access to justice and least supportive in the Privitisation of Cameroon Development Corporation: Case of Tole Tea Estate (Case Study 2) and Farmer/Grazier Disputes in Wum Subdivision (Case Study 5).

The laws reviewed on all case studies provide room for adequate access to justice, by

allocating a forum to hear the claim (indicator 95). Performances of the laws on the quality of specific legal limits on access sub topic are worst for all case studies with limits neither narrow nor clear on claims of confidentiality regarding information relevant to the various claim types.

Table 15: Counts of Strengths and Weaknesses of the Laws Supporting Access to Justice.

RATING SYSTEM	CASE STUDIES/COUNTS				
	1	2	3	4	5
Strengths	7	3	5	7	2
Weakness	2	6	4	2	7
Non-Applicable	0	0	0	0	0
Total	9	9	9	9	9

Strengths and weaknesses of the laws have also been represented by letters S and W in Annex 5 while total counts are shown in Table 15 in each case study.

While total counts on the strengths were 24 out of a total of 45 counts (53%), those on weaknesses were 21 representing 47%. All the indicators were applicable in all case studies. On the average, the laws in general are supportive of access to justice.

Analyses on the core and non-core indicators have yielded the following results:

- out of 32 responses for core indicators, 44% presented strengths and 56% weaknesses;
- out of 10 responses for non-core indicators, 70% presented strengths and 30% weaknesses.

The above analyses indicate that on the whole, the laws support access to justice.

iii. An assessment of Access to Justice in Environmental Harm Claims: Land and Air pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC)

Description of Environmental Harm Claims

In Cameroon, the environment has been recognised as a common national heritage. Further, the right to a healthy environment is a fundamental and inalienable right

⁹The 1996 constitution provides " Every person shall have a right to a healthy environment" See preamble of the constitution as rendered enforceable by article 65 of same

enshrined in the Constitution⁹. Undoubtedly, human life, the world's flora and fauna are supported by the dynamic complex of the global planetary system within a natural balance. The protection and improvement of the environment is thus a major issue which effects the well-being of mankind, the development of the world at large and the interest of the future generations¹⁰.

Environmental harm therefore includes all circumstances involving actual or potential harm or damage to the environment or to the natural resources. Harm will include any act which cause or is likely to cause an imbalance within natural ecosystems. The term is meant to be retrospective as well as prospective thus environmental harm may be past, ongoing or prospective. Environmental harm claim will entail complaints from or on behalf of victims of environmentally harmful activities. Redress (access to justice) is imperative not only to compensate the victims of the harm, but as well to arrest such irreversible harm and provide remediation for the environment for the interest of the entire society.

The case on industrial pollution by Complexe Chimique Camerounaise (C.C.C) in Douala requires effective and urgent environmental justice solution considering the irreversible effects of the pollution on human health, other living organisms and the entire environment.

Access to justice claims on environmental harm in this case is for the purpose of resolving issues carried out with negative effects on the environment. These are very vital to be crossed-examined following the harm caused to the environment, human and animal health. For instance, in The C.C.C Case Study, waste from the company's factory carries toxic material and it is dumped untreated into the environment. Worth noting is the fact that the production of soap entails the use of Caustic Soda and Palm Kernel oil among other raw material inputs. A combined mixture and eventual disposal of the above two substance into the environment does not only pollute land and air but also affect water and the entire ecosystem.

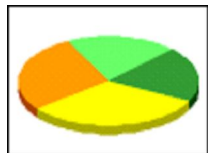
Analysis of Main Findings on Environmental Claim Cases

Main findings on the environmental claim case as studied in the Land and Air pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC) is shown in Annex 6 together with the other cases using effort and effectiveness indicators. Effort indicators assess the government's actions to provide access, including actions taken to implement relevant laws. Effectiveness indicators assess whether the laws and government's efforts resulted in effective access, as well as how the world changed because of the level of access achieved.

All case studies have been rated in the two systems (colour appellation and Strengths and Weaknesses) as for the analysis on the laws on access to justice above.

¹⁰See Principle 2 of the Stockholm Declaration. June 1972 at the UNCHE

Effort was made by the Government to ensure access to justice in the environmental harm claim as shown in Figure 22 by the predominant yellow, light green and dark green colours.



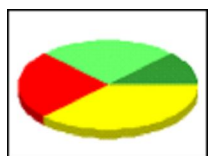
Case Study 1

Figure 22. Assessment of Access to Justice in Environmental Harm Claim : Land and Air pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC) using effort indicators

Key:

Case Study 1= Land and Air Pollution in Douala: The Case of Complèxe Chimique Camerounaise (CCC)

The following results in Figure 23 were obtained for the effectiveness of the laws and effort.



Case Study 1

Figure 23. Assessment of Access to Justice in Environmental Harm Claim : Land and Air pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC) using effectiveness indicators

Key:

Case Study 1= Land and Air Pollution in Douala: The Case of Complèxe Chimique Camerounaise (CCC)

These results show that some change was observed from the laws and effort with the predominance of yellow, light green and dark green colours.

For this Case Study, raw data in Annexes 5 and 6 showed 29 (69%) counts for strengths, 11(26%) for weakness and 2 (4%) for non-applicable. For the laws, effort and effectiveness topics, strengths are dominant. The law has given room for adequate

access to justice, by providing a forum to hear the claim and possibility for review of the forum's decision as shown by indicators 95 and 96 with very strong values. However, the limits on access are weak and vague as shown by indicator 97 above. A better law performance here is noticed at the level of capacity building both for the government and the public. The indicators (98 to 102) assessing this aspect of capacity building have performed significantly well. But time frame for action is not specified.

iv. Assessment of Access to Justice in Access to Information Claims

The Privatization of the Cameroon Development Corporation: The Case of Tole Tea Estate

Description of Access to Information Claim Cases

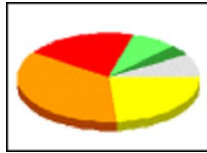
Although hereditary and environmental factors affect our health, society and nation building, to a large extent, is incumbent on us as individuals. This requires us to respect the constitutional laws and other policies which are being adopted by Parliament. Respecting the constitutional laws, our cooperating with the government and its officials, the system of governance and the dissemination of the laws to the public, is of high relevance. Based in part on expertise on access to information, information is the cornerstone of decision-making, providing the public with knowledge and evidence to make choices and monitor the state of the environment.

As such, access to information claims is those appeals made against the government or an organ of any sector, for the denial of substantial information relevant to any pending issue. To this effect, access to information claims in relation to the privatization of the Tole Tea Estate of the CDC (which engendered the Bakweri land claim crisis), can be established because the research findings revealed that members of the Bakweri community as well as the Cameroon Tea Estate workers were not well furnished with substantial information on the privatization of the public and Para-public corporation. This is particularly true with regards to the nation's constitution, which is an important foundation for citizens' access rights to information, and public participation in decision-making processes. Further information on this claim is shown in the list of Case Studies.

Analysis of Access to Information Claim Case

The following analysis in Figure 24 also results from raw data in Annex 6 on the privatisation of the Cameroon Development Corporation with the case of Tole Tea Estate.

In general, effort made to ensure access to justice in this information claim case was inadequate as shown by the predominance of red and light orange colours.



Case Study 2

Figure 24. Assessment of Access to Justice in Information Claim Case : privatisation of the Cameroon Development Corporation :The case of Tole Tea Estate Using Effort Indicators.

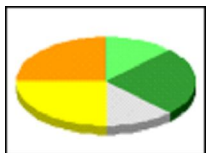
Key:

Case Study 2= Privatisation of the Cameroon Development Corporation: The case of Tole Tea Estate.

This case study as shown in Annexes 5 and 6 has more indicators that show weak performances; 24 indicators (57%) for strengths, 16 indicators (38%) and 2 indicators for non-applicable (5%). While law and effort have a weaker performance, effectiveness is rather strong. The law has made provision for a forum to hear the claim type (indicator 95) but failed to give room for an appeal regarding the decision of the fora (indicator 96) thus limiting the justice process. Furthermore, the forum is not constrained with a defined scope of access (indicator 97) for hearing the claim.

Capacity building for both the government and the public has not been enshrined by law and this aspect records a very mean performance as shown by indicators 98-102. There is equally no time allocation in this case study for the forum to react and issue a decision (indicator 103).

The following results in Figure 25 were obtained for the effectiveness of the laws and effort in the above claim case.



Case Study 2

Figure 25. Assessment of Access to Justice in Information Claim Case : Privatisation of the Cameroon Development Corporation: The case of Tole Tea Estate Using Effectiveness Indicators.

Key:

Case Study 2= Privatisation of the Cameroon Development Corporation: The case of Tole Tea Estate.

According to this figure, some change was observed from the laws and the effort put in place by the government as yellow, light green and dark green colours were predominant over the light orange colour.

v. Assessment of access to justice in public participation claim

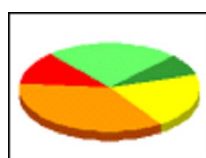
The Kilum Mountain Biodiversity Conservation Project

Description of Access to Justice in Public Participation Claim

Public participation allows citizens to express their opinions, challenge decisions and shape policies that could affect them and their environment. The Kilum-Ijim Mountain with maximum heights of 3.111m for Kilum Mountain in Bui Division and 2.753m for Ijim Mountain in Boyo Division in the North West Province of Cameroon fall within the montane ecosystem and with very rich natural resources which are the sources of livelihood to the local communities. Some of the main activities include cattle grazing, hunting, crop farming, weaving of baskets, carving, exploitation of medicinal plants, etc. The government of Cameroon, in her efforts to maintain and control the exploitation of the natural resources on a sustainable basis, entered into a contract with Birdlife International (an international Non-governmental Organization) to conserve the Kilum-Ijim mountain forest resources. This decision was taken without involving all the different user groups of the stakeholders to ensure sustainable use of the mountain natural resources. As a result, implementation of the decision met with resistance from the main stakeholders. See the list of case studies (Table 4) for further details.

Analysis of Main Findings on Access to Justice in Public Participation Claim

While main findings are found in Annex 6, a summary is shown in Figure 26 for performance on effort indicators.



Case Study 3

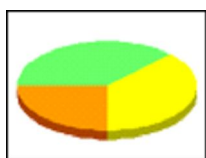
Figure 26. Assessment of Access to Justice in Public Participation Claim Case : The case of Kilum-Ijim Mountain Biodiversity Conservation Project Using Effort Indicators.

Key:

Case Study 3= The Case of Kilum-Ijim Mountain Biodiversity Conservation Project

Results in Figure 23 show that on the average, public participation was given attention with some efforts being made. Capacity building requirements for effective public participation were not fully met.

Main findings on the effectiveness indicators are summarized in Figure 27.



Case Study 3

Figure 27. Assessment of Access to Justice in Public Participation Claim
Case : The case of Kilum-Ijim Mountain Biodiversity Conservation Project
Using Effectiveness Indicators.

Key:

Case Study 3= The Case of Kilum-Ijim Mountain Biodiversity Conservation Project

Some change was observed from the laws and effort put in place by the government as depicted in the predominance of yellow and light green colours over the light orange colour.

vi. Assessment of Access to Justice in Non-compliance Claim:

The Farmer Grazier Dispute in Wum Central Subdivision and Urban Waste Management in Bamenda.

Description of access to Justice in Non-compliance Claims

Basically, non-compliance claims are similar to environmental harm claims but these claim types focus on lack of compliance with certain laws or regulations by the Administration, and do not apparently need to demonstrate that harm was done. The farmer/grazier disputes in Wum, Menchum Division of the North West Province of Cameroon dates back to the 1930s. The Wum Central Subdivision comprises a vast area of land used for crop farming and cattle grazing where conflicts between farmers

and graziers often arise. The case in Wum is a peculiar one as disputes occur frequently, despite efforts made by the Administration and some local authorities to put an end to them. It was noted that these numerous conflicts did not only affect human life and property but also had negative impacts on the environment. Further details are shown in the list of case studies on Table 4.

As per the decree on farmer/grazier disputes, matters of this nature are settled by administrative forum. Evidence from article (1), states that it is the consultative Board that hears and determines such matters. All Board members, except the representatives of the farmers and graziers, represent the various ministerial departments of the administration. The claim type here is that of non-compliance. From the research conducted, it is noticed that the 1978 decree gives exclusive power to the Consultative Board to hear and determine farmer/grazier disputes, which are not of a criminal nature. But the decree as a whole has some weaknesses, which to a greater extent contribute to the continuous escalation or occurrence of disputes. An example is the enforceability of decisions of the Board. The decree does not provide for enforcement measures for the implementation of Board's decision in case of non-compliance. Where as implementation is very vital as provided in indicator 129c. The issue of time is also important. Apart from the 3 days period mention in article 8 (3) given to the sub-committee to do it findings, there is no time specification within which the chairman after receiving the sub-committee findings has to convene the Board or take a final decision. In environmental claim, time is of essence as indicated in indicator 103. The decree as a whole is old and out-dated and so needs to be revised so us to meet with the present exigences.

***Analysis of Main Findings on Access to Justice in Non-compliance Claims
Administrative Weakness:***

Main findings on the two non-compliance claims are shown on figure 28 for performances on the effort indicators.



Figure 28. Assessment of Access to Justice in Non-Compliance Claims: The Case of Urban Waste Management in the Bamenda Urban Council and Farmer/Grazier Disputes in Wum Using Effort Indicators.

As shown in Figure 28, access to justice in the two claim types are not identical. Case study 4 presents a better situation than case study 5. Analysis on effectiveness indica-

tors on the same claim types is shown in figure 29.



Figure 29. Assessment of Access to Justice in Non-Compliance Claims: The Case of Urban Waste Management in the Bamenda Urban Council and Farmer/Grazier Disputes in Wum Using Effectiveness Indicators.

Effectiveness indicators have performed better in the farmer/grazier disputes in Wum than for Urban Waste Management in Bamenda.

Table 16 provides counts of strengths and weaknesses for all case studies on access to justice using effort and effectiveness indicators.

Table 16: Counts of Strengths and Weaknesses for all Case Studies on Access Justice Using Effort and Effectiveness Indicators

RATING SYSTEM	CASE STUDIES/COUNTS				
	1	2	3	4	5
EFFORT					
Strengths	18	9	13	18	17
Weaknesses	7	14	12	7	8
Non-Applicable	0	2	0	0	0
TOTAL	25	25	25	25	25
EFFECTIVENESS					
Strengths	6	5	6	5	7
Weaknesses	2	2	2	3	1
Non-applicable	0	1	0	0	0
TOTAL	8	8	8	8	8

From Table 16, out of the 165 counts, 104 (63%) counts showed strengths, 58 (35%) counts showed weaknesses, and 3 (2%) counts were non-applicable. This analysis shows that government effort and the laws provided citizen's access rights to justice in the selected case studies.

Analyses on the core and non-core non-core indicators in the effort and effectiveness topics provided the following information:

- seventeen (17) indicators are core and sixteen (16) are non-core yielding a total of thirty-three (33) effort and effectiveness indicators with 165 respons

es (85 core and 80 non core);

- strength and weakness analysis on the core indicators produced 52 (59%) counts for strengths, 32 (37%) counts for weaknesses, and 3 (4%) counts for non-applicable. Similar analysis on the non-core indicators gave 54 (67%) counts for strengths, and 26 (33%) counts for weaknesses, without non-applicable counts. This indicates that core indicators were better than non-core indicators, that is, government systems in providing access to justice were better in the core than non-indicators.

vi. Conclusion

Performance of Government Systems of Access to Justice

This section is an over view of government systems of access to justice according to the laws and their implementation. In the entire assessment, 59.4% of all the indicators showed strengths while 38% showed weaknesses and 2.6% were not applicable. Out of 210 responses to 42 indicators, for the access to justice category, 11.4% were green (best), 21.4% light green (good), 26.6% yellow (intermediate), 19% orange (poor), 19% red (worst) and 2.4% non-applicable.

Making a case by case ranking, urban waste management in Bamenda appeared first with 71% strengths, 26% weakness and 2% non-applicable, followed by air pollution in Douala, farmer/grazier disputes in Wum, Kilum Mountain Biodiversity and finally the privatisation of Tole Tea Estate of the CDC with 38% strengths, 57% weakness and 5% non-applicable.

Table 17 shows that all the case studies have performed very well in effectiveness, while there is wide disparity in terms of law and effort with no common trends. This revelation is a signal that the little effort put in by government to promote access to justice has been yielding significant results on the ground.

However, law indicators are relatively weak in farmer/grazier disputes and the Privatization of CDC, but strong in the Urban Waste Management in Bamenda and the Land and Air Pollution in the Douala: The Case of CCC. The Kilum-Ijim Mountain Biodiversity Project recorded a poor performance.

Considering the overall situation of law indicators, strengths had 51% share while weaknesses had 49% share resulting in a near equal performance.

The situation was quite different for the effort topic in three of the case studies - Farmer/Grazier Disputes in Wum, Urban Waste Management in Bamenda and Land and Air Pollution in Douala: The Case of CCC - all showed strong performance as

Table 17: Analysis of the Trends in Government Systems of Access to Justice in the Three Topics by Case Studies

CASE STUDIES	TRENDS IN PERFORMANCES								
	WEAK			INTERMEDIATE			STRONG		
	Laws	Effort	Effect	Laws	Effort	Effect	Laws	Effort	Effect
1=Land and Air Pollution in Douala: The Case of CCC							X	X	X
2=The Privatization of the Cameroon Development Corporation: The Case of Tole	X	X							X
3=The Kilum-Ijim Mountain Biodiversity Conservation Project				X	X				X
4=Urban Waste Management in Bamenda: The Case of BUC							X	X	X
5=Farmer/grazier Disputes in Wum Subdivision	X							X	X

Key:

1= Land and Air Pollution in Douala: The Case of CCC
 2= The privatization of CDC: The Case of Tole Tea Estate

3=The Kilum-Ijim Mountain Biodiversity Project
 4=Urban Waste Management in Bamenda: The Case of BUC
 5=Farmer/Grazier Disputes in Wum.

compared to Kilum-Ijim Mountain Project case study with intermediate performance. The Privatization of CDC: The Case of Tole Tea Estate had weak performance with respect to effort indicators, having strengths of 57%, weaknesses of 39% and 3% non-applicable. Effectiveness indicators presented, for all case studies 75% strengths, 22.5% weaknesses and 2.3% non-applicable.

Similarity in Performance

All the case studies have strong performance in the law indicator 95, with sufficient requirements for a forum to hear each of the claims. The difference is that the law failed to allocate a mechanism of appeal in some situations as shown in indicator 96. The weakness in this area stems mostly from administrative fora guided by old texts as opposed to those guided by new texts and judicial fora that have adequate provisions for appeals.

Indicator 107 showed a common trend with all the cases studies, recording a mediocre score. This exposed the non-financial independence of existing fora to handle claims. This could create a possibility of bias and corruption relating to financial prowess of the parties involved leading to inequity of justice.

Regarding claims of confidentiality of information relating to a claim type (indicator 97), all cases recorded a weak score with limits being neither narrow nor clear. This situation puts information seeker under the whims and caprices of information providers. All the case studies showed a negative accessibility provision for minority groups to the forum.

The legal provisions for capacity building are clearly spelt out in the 1996 Law relating to Environmental Management in Cameroon. According to indicator 123, none of the fora involved, had capacity building in the last three years on access to information and public participation. This probably might be the reason why forum members had executed their responsibility in relation to access to justice in all the selected case studies as shown by indicator 132.

The issue of confidentiality as shown in indicator 97 had had significant effect on the publics' accessibility to guidelines for using the forum. Here, all the cases have a negative performance because of inaccessibility on how to use the fora concerned.

Finally, the involvement of CSOs' in all the claims facilitated access to justice in all the case studies as all performed extremely well, according to indicator 136.

e. GENERAL CAPACITY BUILDING

i). Introduction to General Capacity Building

Box 7 gives a definition of capacity building.

Box 7: Definition of Capacity Building

Capacity Building is defined as the creation of an enabling environment with appropriate policy and legal frameworks, institutional development, including community participation (of women in particular), human resources development and strengthening of managerial systems, adding that, UNDP recognizes that capacity building is a long-term, continuing process, in which all stakeholders participate (ministries, local authorities, non-governmental organizations and water user groups, professional associations, academics and others.

Source: The United Nations Development Programme (UNDP)

In the context of this assessment, capacity building means providing good training to civil servants in all branches of government so as to be more competent. It means constructing an institutional infrastructure that enables civil servants to generate, manage, and provide information. On the demand side, capacity building means working to educate the public and make citizens aware of how they can obtain, understand, and evaluate environmental information or participate in decision-making. It is the responsibility of the government to build its own capacity as well as that of the public. Capacity of both the supply and demand sides depends to a large extent on a variety of social actors who draw attention to specific issues, spur private or government actors into action, substitute for missing capacity, or facilitate the operation of national public participation systems. Two social actors-NGOs and the media-perform these and other roles.

Capacity building is the recognition of the fact that even though the public might be given the opportunity to participate in decision-making processes on the environment, stakeholders may lack the capacity to become involved in as meaningful a way as they desire.

A fundamental goal of capacity building is to enhance the ability to evaluate and address the crucial questions relating to policy choices and modes of implementation among development options based on an understanding of environmental potentials and limits and of needs as perceived by the people of the country concerned.

In the present work, laws supporting capacity building were assessed as well as a set of capacity building indicators that look at evidence for government capacity building effort and effectiveness in practice.

ii. Assessment of the Law Supporting Capacity Building

Description of the laws

The scope and quality of the laws and the degrees to which they support capacity build-

Table 18: Laws on Capacity Building

1. Law N°. 96/12 of 5 August 1996 relating to Environmental Management in Cameroon
2. Decree N°. 94/199 of 7 October 1994 bearing on the General Statute of the State's Public Service
3. Law N°. 99/014 of 22 December 1999 Regulating Non-governmental Organisations in Cameroon
4. Decree N°. 2001/041 of 19 February 2001 to lay down the Organisation of Public Schools
5. Law N°. 98/004 of 14 April 1998 to lay down Guidelines for Education in Cameroon

ing were assessed. The laws are presented in Table 18.

Capacity building on the environment by public and private institutions is explicit in Law N°. 96/12 of 5 August 1996 relating to Environmental Management. Its general obligations in article 6(1) state "Public and private institutions shall, within the context of their competence, sensitise all the populations on environmental problems". To render this effective, such institutions need to include programmes in their activities to provide better knowledge of the environment as stipulated in article 6(2). Specifically, such knowledge could concern the negative effects of harmful activities on the environment according to article 7(1).

The other laws provided some insight to the ratings of indicators below on general capacity building.

Analyses of main findings







Analysis of main findings on the laws is given in Table 19 according to indicators 137 to 143. Indicator ratings has been done using colours and by strengths and weaknesses.

Table 19: Laws on General Capacity Building

INDICATORS	RATINGS
LAWS	
Scope and Quality of Access	
#137 How well do laws and rules for registration and operation of civil society organizations promote an enabling environment for CSOs? CORE	S
#138 To what extent does the law create diverse legal and regulatory incentives supporting financial independence of civil society organizations?	S
#139 How well do laws and rules for registration and operation of media organizations support press freedom? CORE	S
#140 How well do laws and regulations enable media organizations to have diverse sources of funding?	S
#141 To what extent does the law require the public school system to provide civic education?	S
#142 To what extent does the law require the public school system to provide environmental education?	S
#143 To what extent does the law require the government to provide free legal aid? CORE	S
EFFORT	
Scope and Quality of Access	
#144 How well does the government provide training or curriculum resources on access rights to public school teachers? CORE	W
#145 How well does the government provide opportunities and incentives for public school teachers' professional development in environmental education?	W
Fairness and Equitability	
#146 How equitably does the government implement rules and regulations for registration and operation of CSOs?	S
#147 How equitably does the government implement rules and regulations for registration and operation of media organizations?	S
#148 To what extent does the government provide free legal aid? CORE	S

Key:
W=Weakness,
S=Strength

Correspondence between the two ratings

Colour appellation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

From the above table, the laws favour general capacity building of citizens on the environment as depicted in the dark green, light green and yellow colorations. This situation is also captured in Figure 30.

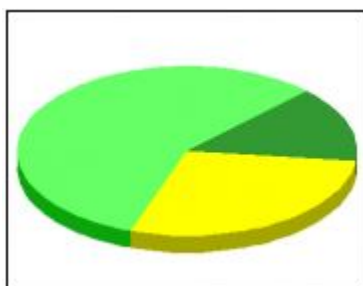


Figure 30. Assessment of Laws for General Capacity Building

Strengths were obtained for all the indicators as indicated by letter S while correspondences between the two rating systems are shown in the key.

iii Assessment of Capacity Building in Practice

Indicators 144 to 148 in Table 19 above assessed general capacity building in practice. Provision was only made for effort indicators. The government neither provides training on access rights to school teachers nor provides opportunities and incentives for public school teachers' professional development in environmental education. This situation is shown by the red colour rating and indicated by W showing weakness.

Some equitability was provided by the government to implement rules and regulations for registration and operation of CSOs and media organisations. The government provided free legal aid to some extent.

The above situation is also depicted in Figure 31.

In general the government provided some effort on capacity building as shown by the predominant light green and yellow colours over the red colour.

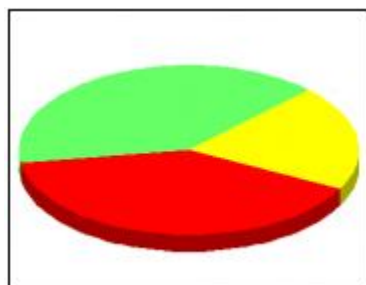


Figure 31. Assessment of Effort in General Capacity Building.

iv. Conclusion

Research on general capacity building category involved 12 indicators (7 law and 5 effort). Findings have been grouped into the laws and their implementation effort. The scope and quality of the laws supporting general capacity building was assessed. At the implementation level of the laws, government effort was also assessed.

Performances of the government systems in providing access rights to general capacity building were scored as strong, intermediate and weak as shown in table 21. For this analysis, red colours are rated weak, yellow and light orange rated as Intermediate and light green and green rated strong. The table provides a general overview of the state of access to general capacity building in Cameroon.

Table 20: Performances of the Government Systems in Providing Access to general capacity building

TOPICS	TRENDS IN PERFORMANCES		
	WEAK	INTERMEDIATE	STRONG
LAWS			X
EFFORT		X	

The following conclusions are drawn:

- the laws visited are rated strong;
- effort is rated intermediate.

It can be concluded that while laws favour general capacity building, government effort in implementing the laws is inadequate.

The scope and quality of access right to general capacity building is very elaborate in the laws. The laws favour the creation of CSOs and their financial independence. There is provision for civic and environmental education in the public school systems.

Effort deployed by the government on the scope and quality of access rights to general capacity building is very weak with the lack of provision for training or curriculum resources on access rights to public school teachers and opportunities and incentives for public school teachers' professional development in environmental education.

The government has deployed fairness and equitability in the implementation of rules and regulations for registration and operation of CSOs and media organisations.

Free legal aid is provided by the government to some extent.

6. FINAL CONCLUSIONS AND RECOMMENDATIONS

Counts on indicators are presented in Table 21 for all categories. Summing up the last row gives 155 indicators instead of the prescribed 148 indicators. The additional 7 indicators result from indicators 137 to 143 which have been reviewed in two categories (general law and general capacity building).

Table 21: Counts on Various Indicators

RANGE	GENERAL LAW	ACCESS TO INFORMATION	PUBLIC PARTICIPATION	ACCESS TO JUSTICE	GENERAL CAPACITY BUILDING
1	1 - 9	10 - 46	50 - 90	95 - 136	137 - 148
2	47 - 49				
3	91 - 94				
4	137 - 143				
Total	23	37	41	42	12

These 148 indicators generated 828 counts or answers to indicators in all case studies (296 for Access to Information, 287 for Public Participation, 210 for Access to Justice, 23 for General Law and 12 for General Capacity Building).

a. SUMMARY OF MAIN FINDINGS BY STRENGTHS AND WEAKNESSES

Table 22 gives government systems (levels of the laws and implementation) in providing access rights in all the four categories. The table shows that in general, the laws favour access rights in all categories but fall short at the implementation levels except for access to justice where more effort is placed on the judiciary system than provided for by the laws. Again, the strong performance in Implementation Access to Justice Category should be interpreted with caution, because in the methodology, access to justice is not limited to modern law courts, but it has been extended to include any forum that intervenes to dispense of justice in Cameroon.

Table 22: Government Systems of Access Rights in all Categories

CATEGORIES	RATINGS OF GOVERNMENT SYSTEMS IN PROVIDING ACCESS RIGHTS	
	LAWS	IMPLEMENTATION
Access to Information	Strong	Intermediate
Public Participation	Strong	Intermediate
Access to Justice	Intermediate	Strong
General Capacity Building	Strong	Intermediate

Key:

When percentage counts on strengths were:

1. 60% and above, then the system is rated strong;
2. between 40% and 60%, the system is rated intermediate;
3. 40% and below, the system is rated weak.

Strengths and weaknesses identified for each category according to category conclusions are as follows:

i. Access to Information

Strengths

- the 1996 Law on Environmental Management is highly supportive of access to environmental information and obliges all government agencies to comply with its provision;
- the scope and quality of the laws provide a strong support for access to information but vary according to the information types. All the laws analyzed to a large extent oblige all Government departments to generate and disseminate information through the production of reports;
- the laws make provision for capacity building of government staff on environment.
- government efforts in implementing these legal provisions are generally intermediate or strong for information in the state of environment report, environmental pollution (water, land and air), artisanal fishing, urban water quality and urban waste management;
- active media and Civil Society Organisation in providing urgent information

on critical environmental issues to citizens;

- good government performances in providing qualitative information in cases of emergencies and especially for the Mungo Bridge Accident;
- responsible government agencies with specific units and staff explicitly for generating and disseminating information on emergencies.

Weaknesses

- no allusion to access rights to information in the Constitution;
- the lack of procedural rules or guidelines for the exercise of the right to environmental information constitutes a major limitation. The Law on Environmental Management defers these conditions to a subsequent regulatory instrument which is being awaited;
- confidentiality of information on grounds of national security provides a broad cloak while repressive measures for wrongful disclosure by Government officials and the lack of sanctions for failure to provide access do not encourage access to information;
- high cost involved in accessing information in government possession;
- limited effort made to reach a wide range of stakeholders with information including disadvantaged groups;
- lack of capacity building activities for the public to provide relevant information.

ii. Public Participation

Strengths

- public participation is highly encouraged in the Law on Environmental Management;
- supportive sector laws for public participation in selected case studies except for dispute settlement and privatisation;
- adequate government efforts in the implementation of the laws for project-level decision making except for capacity building requirements.

Weaknesses

- no allusion is made to access rights to public participation in the Constitution;
- laws are not favourable for public participation on land matters such as procedures for dispute settlement and privatisation;
- poor government effort (high cost in participation, non-involvement of major stakeholders, and no capacity building for effective participation) in providing public participation in all the selected case studies except for the project-level decision making processes.

iii Access to justice

Strengths

- the Constitution guarantees a right to a healthy environment, right to life and the right to fair hearing before the courts;
- little effort is put in by government to promote access to justice has been yielding significant results on the ground;
- there is strong performance in the law indicator for all case studies with sufficient requirements for a forum to hear each of the claims;
- there is strong performance in the law to maintain the infrastructure needed for access to redress and remedy;
- legal provisions for capacity building are clearly spelt out in the Law on Environmental Management in Cameroon;
- the involvement of the media and CSOs' in all the claims facilitated access to justice in all the case studies.

Weaknesses

- weak and vague legal guarantees and provisions on access to information and public participation by being very hard on whosoever gives out wrongful information but very silent on whosoever fails to give information at all;
- there is wide disparity in terms of law and effort with no common trends;
- weak scores on indicators related to land matters;
- some old laws fail to provide a mechanism of appeal in some situations;

- lack of a publicly funded independent entity in all case studies to provide redress in the claim types;
- narrow and unclear limits regarding claims of confidentiality of information relating to claim types in all cases;
- lack of capacity building on access to information and public participation;
- affordability and accessibility of justice are highly affected by institutional, material and human incapacities and at times high cost of accessing justice institutions.

iv. General Capacity Building

Strengths

- favorable laws and effort provided by the government has resulted to a large NGO network spread across the country;
- the law provides for civic and environmental education in the public school system;

Weaknesses

- financial constraints result to lack of training of public school teachers on the environment.

b. CONCLUSIONS

The following general conclusions can be drawn from the above:

- Many laws make provision for access rights and provide a good supportive framework for citizens access rights.
- Even though a number of laws prescribe access, in practice there is limited application. The absence of decrees of application for the law relating to environmental management to some extent impedes its practice.

Specifically we found that:

- access to information is limited by the lack of a clear and comprehensive law and of clear procedural rules for the exercise of the right to environmental information;

- though the laws favor participation in environmental decision making, in practice it exists only in a few sectors but even then that hardly guarantees that the public is heard;
- access to justice in practice outweighs provisions in existing laws;
- capacity building provisions feature at the level of the laws in all the three categories but implementation is not commensurate.

The situation above calls for improvements at various levels.

1. At the level of the laws

- revision of some existing legal framework on issues related to land tenure in order to accommodate access rights of citizens;
- elaboration of decrees of application for the 1996 Law relating to environmental management in Cameroon;
- enactment of a clear and comprehensive law on access to information in Cameroon.

2. At the level of implementation of the laws

- deployment of effort to ensure effective participation;
- capacity building on the environment in general and especially on environmental laws for the civil society and public school teachers;
- putting in place of law enforcement mechanisms.

c. RECOMMENDATIONS FOR ACTION

The following are recommendations from the research:

- in order to make obvious her desire to effect a positive change from the status quo the government should join the Partnership for Principle 10 and should encourage formation of a National Committee on Principle 10 which will be a platform of dialogue between, policy makers, regulators, civil society organizations and the mass media.
- apart from the fact that there is a need for an access to information law in the

long term, the awaited text of application for article 7(2) of the Frame Work Law on Environmental Management of 1996 that will spell out the procedure for having access to environmental information be adopted. Laws on dispute settlement on the management of land, and privatisation should be revisited.

- government should invest more in capacity building for her staff so that they will acquire the necessary skills for the effective practice of environmental democracy on the ground. This will include the judiciary that needs to be well trained in environmental law and techniques of handling environmental issues as well as enough grounding on environmental issues and principles.
- for public participation to be effective, local populations must understand the concepts of environmental democracy so as to be able to contribute to the decision- making process. To that effect, Government is called upon to equally build the capacity of these populations in matters of environmental democracy so that their participation will cease from being a mere procedural formality.
- enforcement of existing environmental legal instruments is a pre-requisite for effective environmental democracy in Cameroon. The Government is therefore requested to lay emphasis on enforcement of these instruments that are already in existence.
- the civil society, working with the government should seek to promote the implementation of the rights of access to information, participation and justice in environmental decision making through communication, environmental legal education, capacity building and legal assistance especially for local communities.
- industrialists should embrace and practice dialogue and environmental democracy in their decision making processes.

Table 23 presents immediate actions to be taken.

Table 23: Closing the Gap

ACTIONS TO BRIDGE THE GAP	STRUCTURES RESPONSIBLE	PARTNERS
1.Enlargement of membership of the National TAI Coalition to include community based organization and empowering them.	Coalition Partners	
2.Formation of a National Committee on Principle 10 which will be a platform of dialogue between policy makers, regulators, civil society organisations and the mass media on issues such as law enforcement etc.	MINEP	TAI-Cameroon
3. An enabling decree be signed to implement Article 7 (2) of the Law on Environmental Mangement	MINEP	
4.National sensitization workshops on access rights.	TAI-Cameroon	CSOs
5.Training of law-makers and empowering them to table a "Right To Know Bills" (Access to Information Law) and other environment-related Bills in Parliament	TAI-Cameroon	
6.Production and dissemination of a simplified environmental impact assessment guide for local communities	TAI-Cameroon	
7.Production, publishing and dissemination within Cameroon and the Central African Sub region of a bilingual news letter on environmental democracy	TAI-Cameroon	
8.Production, publishing and dissemination of flyers and posters on environmental rights and obligations	TAI-Cameroon	
9.Capacity building workshops for the judiciary, communicators, government officials and youths on the three access rights	TAI-Cameroon	MINEP
10.National public interest environmental law conference that will address the entire spectrum of environmental law and advocacy	MINEP	TAI-Cameroon
11.Hire and deploy experts to bring public interest actions on behalf of aggrieved communities	TAI-Cameroon	

Indeed, implementation of access rights in Cameroon can create opportunities in a number of ways: First, access rights could help build strong civic constituencies that will support the growth of democracy and strengthen the rule of law in Cameroon; second, as Cameroon strives to implement poverty reduction and environmental sustainability strategies, strong mechanisms for implementation of access rights can help create new economic opportunities for poor people and promote equity and social justice; third, integrating access rights in the national decision-making processes are fundamental pre-requisites for building a stable and predictable environment for investments and business. Finally, when citizens are conscious of their rights, they are able to demand for accountability and responsibility on the part of their government.

7. BIBLIOGRAPHY

Anyangwe, Carlson (1987). The Cameroonian Judicial System. Yaounde: CEPER

MINEF (1996). Plan National de Gestion de l'Environnement (PNGE)

MINEP (2004). Rapport National sur la Mise en Oeuvre de la Convention des Nations Unies sur la Lutte Contre la Desertification (CNULCD)

MINPLAPDAT (2003). Document de Strategie de Réduction de la Pauvreté (DSRP)

The Access Initiative (2005). Assessing Access to Information, Participation, and Justice for the Environment: A Guide

The Commonwealth Secretariat (2006). The Commonwealth Yearbook.

World Resources Institute (2007). The Access Initiative: Assessment Toolkit

8. ANNEXES

Summary

Annex 0:	List of Acronyms
Annex 1:	Assessment of the laws on access to information
Annex 2:	Main findings in all case studies on access to information using effort and effectiveness indicators
Annex 3:	Assessment of the laws on public participation
Annex 4:	Main findings for all case studies on public participation using effort and effectiveness indicators
Annex 5:	Assessment of the laws on access to justice
Annex 6:	Main findings for all case studies on access to justice using effort and effectiveness indicators

ANNEX 0: LIST OF ACRONYMS

1.	AI	Access to Information
2.	AJ	Access to Justice
3.	AIDS	Acquired Immuned Deficiency Syndrom
4.	ACODE	Advocates Coalition for Development and Environment
5.	BUC	Bamenda Urban Council
6.	BDCP-C	Bioresources Development and Conservation Programme-Cameroon
7.	CDC	Cameroon Development Corporation
8.	CRTV	Cameroon Radio Television
9.	CAMWATER	Cameroon Water Cooperation
10.	CIFOR	Center for International Forestry Research
11.	CAR	Central African Republic
12.	CSO	Civil Society Organisation
13.	CHM	Clearing House Mechanism
14.	COMIFA	Conférence des Ministres Chargés des Forêts d'Afrique Centrale
15.	CEMAC	Communauté Economique et Monétaire de l'Afrique Centrale
16.	CFA	Communauté Française d'Afrique
17.	CCC	Complexe Chimique Camerounaise
18.	CBD	Convention on Biological Diversity
19.	CAP	Country Advisory Panel
20.	DSRP	Document de Stratégie de Réduction de la Pauvreté
21.	ECCAS	Economic Community for Central African States
22.	EIA	Environmental Impact Assessment
23.	FAO	Food and Agricultural Organisation
24.	FAOSTAT	Food and Agricultural Organisation Statistics
25.	FEDEV	Foundation for Environment and Development
26.	GTZ	German Technical Cooperation
27.	GoC	Government of Cameroon
28.	GNI	Gross National Income
29.	GDP	Gross National Product
30.	HIPC	Heavily Indebted Poor Country Initiative
31.	HIV	Human Immune Deficiency Virus
32.	HYSACAM	Hygiène et Salubrité du Cameroun
33.	LAGA	Last Great Ape Organisation
34.	MINATD	Ministère de l'Administration Territoriale et de la Decentralisation
35.	MINEP	Ministère de l'Environnement et Protection de la Nature
36.	MINFOF	Ministère des Forêts et Faune
37.	MINEPIA	Ministry of Livestock, Fisheries and Animal Industries

- 38. MIDEPECAM Mission de Développement de la Pêche Artisanale
Maritime du Cameroun
- 39. NEMP National Environmental management Plan
- 40. NRM Natural Resource Management
- 41. NESDA-CA Network for Environment and Sustainable Development -
Central Africa
- 42. P Principle
- 43. PP Partnership For Principle
- 44. PAD Ports Autonome de Douala
- 45. PP Public Participation
- 46. SNEC Société Nationale des Eaux du Cameroun
- 47. SNH Société Nationale des Hydrocarbures
- 48. SONARA Société National de Raffinerie des Hydrocarbures
- 49. SOE State of the Environment
- 50. TAI The Access Initiative
- 51. UK United Kingdom
- 52. UN United Nations
- 53. UNDP United Nations Development Programme
- 54. WSSD World Summit on Sustainable Development

ANNEX 1: ASSESSMENT OF THE LAWS ON ACCESS TO INFORMATION

LAW INDICATORS	RATING BY CASE STUDIES							
	1	2	3	4	5	6	7	8
1. Scope and quality of Access								
10: To what extent does the law support public access to comprehensive information about the environmental area (water, air, forest, etc) concerned in the selected case? CORE								
11: To what extent does the law require a government agency to generate or report regular and diverse information of the selected type? CORE								
12: To what extent does the law require a government agency to publicly disseminate all generated or reported information of the selected information type? CORE								
2. Limits on Access								
13: How clear and narrow are the limits on claims of confidentiality of the selected information type? CORE								

3. Capacity Building for Government Agencies								
14: To what extent does the law require the agency responsible for the selected information type to build the capacity of its staff on access to information? CORE								
15: To what extent does the law require the agency responsible for the selected information type to build the capacity of its staff with regard to the environment?								
16: To what extent does the law require the agency responsible for the selected information type to maintain the infrastructure needed to provide the public access to the informatin								
4. Capacity Building for the Public								
17: To what extent does the law require the government to offer the public technical assistance, guidance or training on how to access and use the selected information type? CORE								
5. Capacity Building for Sub-national agencies								
18: To what extent does the law require the government to build the capacity of sub-national governments to provide access to the selected information type? CORE								
6. Timeliness								
19: Does the law establish a reasonable timeframe within which the responsible agency must make information of the selected type available to the public? CORE								

Correspondence Between the Two Ratings

Colour appellation	Dark Green	Light Green	Yellow	Light Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

Key:

W=Weakness,

S=Strength, N/A=Not applicable

Case Study 1= State of environment Report: The Case of the Clearing House Mechanism

Case Study 2= Maritime Pollution :The Case of Oil Spillage in the Maritime Region

Case Study 3= Water Pollution: The Case of the Mungo Bridge Accident

Case Study 4= Land and Air Pollution : The Case of Complex Chimique Camerounaise (CCC) in Douala

Case Study 5= Logging Operations :The Case of Community Forests in Lomié

Case Study 6= Commercialization of Artisan Fishing: The Case of The Debarcadere in the Kribi Maritime Coast

Case Study 7= Urban Water Quality : The Case of Potable Water in the Yaoundé and Douala Cities.

Case Study 8= Waste Management:The Case of Waste in Yaoundé and Douala Cities.

ANNEX 2: MAIN FINDINGSS IN ALL CASE STUDIES ON ACCESS TO INFORMATION USING EFFORT AND EFFECTIVENESS INDICATORS

EFFORT INDICATORS	RATING BY CASE STUDIES							
	1	2	3	4	5	6	7	8
1. Scope and Quality of Access								
20: How good is the system for data collection and integrated management of the selected information type? CORE								
21: To what extent does an agency or system generate and/or collect information about the environmental area (water, air, forest, etc.) concerned in the selected case?								
22: To what extent is there a monitoring system and/or penalties for non-compliance to ensure the agency meets its obligations to disclose information?								
23: How complete, relevant, and accurate were responses to requests for information in the selected case? CORE 24: How complete, relevant, and accurate was the information disseminated to the public in the selected case?								
24: How complete, relevant, and accurate was the information disseminated to the public in the selected case?								
2. Cost and Affordability								
25: To what extent did the public have access to information in the selected case at little or no cost? CORE								
3. Fairness and equitability								
26: How comprehensive and planned were efforts to reach a wide range of stakeholders with information in the selected case?								

27: How well did the responsible agency make a planned and systematic effort to disseminate information to a minority or disadvantaged group (identified in the explanation to this indicator) in the selected case? CORE	Orange	Red	Green	Green	Grey	Grey	Orange	Red
4. Timeliness								
28: To what extent does the government generate/collect the selected information type at regular time intervals and in a timely fashion?	Yellow	Yellow	Green	Green	Grey	Grey	Yellow	Green
29: With what level of timeliness does the government disseminate the selected information type? CORE	Yellow	Yellow	Green	Green	Grey	Yellow	Orange	Yellow
30: How prompt was the response to a request for information in the selected case?	Dark Green	Yellow	Green	Green	Yellow	Yellow	Dark Green	Yellow
5. Channels of access								
31: To what extent was all relevant information in the selected case found in many different outlets in different locations? CORE	Orange	Yellow	Yellow	Yellow	Orange	Grey	Orange	Orange
6. Efforts to build capacity of government agencies								
32: To what extent does the agency that manages the selected information type have staff explicitly responsible for disseminating information and responding to requests?	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Green	Yellow
33: To what extent were guidelines or training on access to information offered regularly over the last 3 years to staff in the agency managing the selected information type? CORE	Red	Red	Green	Green	Red	Grey	Red	Red
34: To what extent were guidelines or training on the environment offered regularly over the last 3 years to staff in the agency managing the selected information type? CORE	Green	Green	Green	Green	Orange	Red	Green	Green

35: How adequate is the government budget allocation for facilitating the collection and dissemination of the selected information type? CORE	
7.Effort to build the capacity of sub-national governments	
36: How regularly did relevant sub-national government officials receive guidelines or training on access to the selected information type over the last 3 years?	
8.Effort to build the capacity of the public	
37: How clear and easily accessible are the public guidelines on how to obtain the selected information type? CORE	
38: How regularly have activities to build the capacity of the public in the selected information type been conducted over the last three years?	
EFFECTIVENESS INDICATORS	RATING BY CASE STUDIES
9.Impacts of access	
39: To what extent did the relevant information in the selected case reach the relevant public in time? CORE	
10.Outcomes of access	
40: To what extent did individual choices and behaviour change because of information?	
41: To what extent did information lead to deliberate actions to prevent or reduce negative impacts on the environment or human health? CORE	
11. Effectiveness of capacity for government agencies	
42: How well did staff/officials execute their information provision and management responsibilities in the selected case? CORE	
12.Effectiveness of capacity building for the public	
43: In the selected case, to what extent did stakeholders have the skills and knowledge to obtain the information they needed?	

13. Effectiveness of capacity building for sub-national government							
44: How well did sub-national government agencies facilitate access to information in the selected case?							
14. Effectiveness of capacity building for the media							
45: To what extent did media involvement facilitate access to information in the selected case?							
15. Effectiveness of capacity building for C.S.Os							
46: To what extent did civil society organization involvement facilitate access to information in the selected case? CORE							

Correspondence between the two ratings

Colour appellation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

ANNEX 3: MAIN FINDINGS ON THE LAWS ON PUBLIC PARTICIPATION

LAW INDICATORS	RATINGS BY CASE STUDIES						
	1	2	3	4	5	6	7
1.Scope and Quality of Access							
50. To what extent does the law require a government agency to provide relevant information to the public about the intention to start the selected decision-making process? CORE							
51. To what extent does the law require the government to provide opportunities for public involvement in the selected decision-making process? CORE							
2. Limits on Access							
52.How clear and narrow are the limits on claims of confidentiality of relevant information about the selected decision-making process? CORE							
3.Timeliness							
53.To what extent does the law require the agency responsible for the selected decision-making process to build the capacity of its staff with regard to public participation?							
4.Capacity Building for Government Agencies							
54.To what extent does the law require the agency responsible for the selected decision-making process to build the capacity of its staff with regard to the environment?							
55.To what extent does the law require the agency responsible for the selected decision-making process to maintain infrastructure to support public participation?							
56.To what extent does the law require the government to offer the public technical assistance, guidance or training on participation in the selected decision-making process? CORE							

5. Capacity Building for the Public







57.To what extent does the law require the government to offer the public guidance or training on how resulting decisions affect the environment? 58.To what extent does the law require the government to build the capacity of sub-national governments with regard to participation in the selected decision-making process? CORE

58.To what extent does the law require the government to build the capacity of sub-national governments with regard to participation in the selected decision-making process? CORE

6. Capacity Building for Sub-National Agencies

59. How clearly does the law establish a reasonable timeframe for participation in the selected decision-making process? CORE

Correspondence between the two rating systems

Colour appellation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

N/A = Non-Applicable

Case Study 1=Farmer/Grazier Conflicts in Wum Central Subdivision

Case Study 2=Waste Disposal in SONARA

Case Study 3=Urban waste management in Yaoundé Urban Council

Case Study 4=Management of DJA Reserve

Case Study 5=Privatisation of NDU Tea Estate

ANNEX 4: MAIN FINDINGS FOR ALL CASE STUDIES ON PUBLIC PARTICIPATION USING EFFORT AND EFFECTIVENESS INDICATORS

EFFORT INDICATORS	RATINGS BY CASE STUDIES						
	Policy-making		Regulatory			Project level	
	1	2	3	4	5	6	7
1. Scope and Quality of Access							
60.To what extent does the responsible agency make available to the public a clear description of its decision-making processes, including opportunities for participation? CORE							
61.To what extent is there a monitoring system and/or penalties for non-compliance to ensure the agency meets its obligations to facilitate public participation?							
62.To what extent did the responsible agency provide relevant information to the public about decision options and their environmental and health impacts in the selected case? CORE							
63.To what extent did the responsible agency hold public participation sessions at all stages of the decision-making process in the selected case? CORE							
64.To what extent did the agency organize consultations so as to actively solicit and capture public input in the selected case?							

2. Cost and Affordability							
65.To what extent did the responsible agency keep costs of participation low for participants in the selected case? CORE	Red	Grey	Red	Red	Red	Green	Green
3. Fairness and Equitability							
66.How comprehensive and planned were the responsible agency's efforts to include a wide range of stakeholders in the selected case?	Red	Red	Red	Red	Grey	Green	Green
67.How well did the responsible agency make a planned and systematic effort to involve a minority or disadvantaged group (identified in the explanation to this indicator) in decision-making in the selected case? CORE	Orange	Red	Orange	Red	Red	Green	Green
4.Timeliness							
68.Did notification of the start of each stage in the decision-making process in the selected case provide reasonable lead time for effective public participation? CORE	Red	Red	Red	Yellow	Red	Green	Green
69.How reasonable was the length of the public comment period in the selected case?	Red	Red	Orange	Yellow	Red	Green	Green
5. Channels of Access							
70.How well does the responsible agency maintain a publicly accessible registry of past and pending decisions? CORE	Red	Red	Orange	Orange	Yellow	Green	Green
71.How well does the responsible agency maintain a publicly accessible registry of relevant supporting documentation for decisions?	Orange	Red	Yellow	Green	Red	Green	Green
72.In the selected case, to what extent did records of decisions and the decision process enable the public to stay informed of developments in the decision, other related decisions, and upcoming decisions and consultations?	Yellow	Red	Orange	Yellow	Orange	Green	Green

73.To what extent was relevant supporting documentation available through public registries for the selected decision-making process? CORE							
6. Capacity Building for Government Agencies							
74.To what extent does the agency that leads the selected decision-making process have staff explicitly responsible for public participation?							
75.To what extent were guidelines or training on public participation offered regularly over the last 3 years to officials in the agency that leads the selected decision-making process? CORE							
76.To what extent were guidelines or training on the environment offered regularly over the last 3 years to officials in the agency that leads the selected decision-making process? CORE .							
77.How adequate is the government budget allocation for effectively facilitating public participation in the selected decision-making process? CORE							
7. Capacity Building for the Public							
78.How regularly did relevant sub-national government officials receive guidelines or training on public participation in the selected decision-making process over the last 3 years?							
79.How clear and easily accessible are the public guidelines on how to participate in the selected decision-making process? CORE							
8. Capacity Building for Sub-National Agencies							
80.How regularly have activities to build the capacity of the public to participate in the selected decision-making process been conducted over the last three years?							

EFFECTIVENESS INDICATORS	RATINGS BY CASE STUDES						
	Policy-making		Project-level			Regulatory	
	1	2	3	4	5	6	7
1. Capacity Building for Government Agencies							
81.To what extent was a public record kept in a reasonably accessible format detailing comments made, comments incorporated in the selected decision, and reasons for any rejection of comments? CORE	Red	Red	Yellow	Red	Red	Green	Green
2. Capacity Building for the Public							
82.How promptly did the public receive information about the dispensation of comments in the selected case? CORE	Yellow	Red	Red	Orange	Orange	Green	Green
3. Capacity Building for Sub-National Agencies							
83.How extensive was the public input provided in the selected case?	Orange	Yellow	Yellow	Yellow	Green	Green	Green
4. Impacts							
84.To what extent did public participation influence the final decision in the selected case? CORE	Orange	Red	Green	Red	Red	Green	Green
85.To what extent was the final decision more protective of the environment or human health than the initial draft in the selected case?	Orange	Red	Yellow	Yellow	Red	Green	Green
5. Outcomes							
86.How well did staff/officials execute their participation responsibilities in the selected case? CORE	Orange	Orange	Red	Yellow	Orange	Green	Green
87.In the selected case, to what extent did stakeholders have the skills and knowledge they needed to participate effectively?	Red	Green	Orange	Red	Yellow	Yellow	Yellow
88.To what extent did sub-national government agencies facilitate public participation in the selected case?	Orange	Orange	Yellow	Red	Orange	Green	Yellow
6. Capacity Building for the Media & CSOs							

89.To what extent did media involvement facilitate public participation in the selected case?	Dark Green	Light Green	Yellow	Orange	Red	Grey
90.To what extent did civil society organization involvement facilitate public participation in the selected case? CORE	Dark Green	Light Green	Yellow	Orange	Red	Grey

Explanatory notes on the table







Colour appellation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Colour representation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

ANNEX 5: ASSESSMENT OF THE LAWS ON ACCESS TO JUSTICE

LAW INDICATORS	CASE STUDIES				
	1	2	3	4	5
1. Quality and scope of legal framework					
95: To what extent does the law require a forum to hear the selected claim type and issue a decision? CORE	Light Green	Light Green	Light Green	Light Green	Dark Green
96: To what extent does the law enable a party to seek review or appeal of selected claim type to an independent body with the	Light Green	Red	Dark Green	Yellow	Red
2. Quality of specific legal limits on access					

97:How clear and narrow are the limits on claims of confidentiality regarding information relevant to selected claim type? CORE	Red	Red	Orange	Red	Red
3. Quality and scope of legal requirements to build capacity of Government agencies					
98: To what extent does the law require the selected forum to build the capacity of members with regard to access to justice? CORE	Green	Red	Red	Green	Red
99:To what extent does the law require the selected forum to build the capacity of members with regard to the environment?	Green	Red	Red	Green	Red
100: To what extent does the law require the selected forum to maintain the infrastructure needed for access to redress and remedy?	Green	Yellow	Green	Green	Yellow
4. Quality and scope of legal requirements to build capacity of the public					
101: To what extent does the law require the government to offer the public technical assistance, guidance or training on how to use the selected forum? CORE	Green	Red	Red	Green	Red
102 To what extent does the law require the government to build the capacity of sub-national government officials to understand and facilitate citizens' rights within the justice system? CORE	Green	Green	Yellow	Green	Red
5. Legal requirement for timeliness					
103: How clearly does the law establish a reasonable timeframe for forum decisions? CORE	Red	Red	Yellow	Red	Orange

Correspondences Between the Two Rating Systems

Colour appellation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Colour representation						
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

Key:

N/A=Not applicable

Case Study 1=Land and Air Pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC)



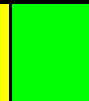
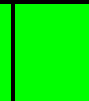
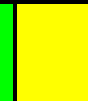


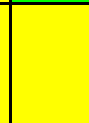
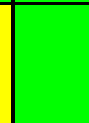
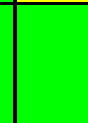
Case Study 2=The Privatization of the Cameroon Development Corporation: The Case of Tole Tea Estate

Case Study 3=The Kilum Mountain Biodiversity Conservation Project

Case Study 4=Urban Waste Management in Bamenda: The Case of BUC

Case Study 5=Farmer/grazier Disputes in Wum Subdivision

ANNEX 6: MAIN FINDINGS FOR ALL CASE STUDIES ON ACCESS TO JUS-

EFFORT INDICATORS	RATING BY CASE STUDIES				
	1	2	3	4	5
1. Scope and quality of effort					
104: To what extent is there a forum with adequate capacity to deal with the selected claim type?					
105: How strong are the forum's standards, regulations or formal policy to ensure independence and impartiality of the forum? CORE					

106: To what extent is information regarding rules of procedure and types of claims to be heard by the forum made publicly available	Yellow	Yellow	Orange	Yellow	Green
107: To what extent is a publicly funded independent entity available to provide redress in the selected claim type?	Orange	Red	Red	Red	Red
108: To what extent was the forum independent and impartial in the selected case? CORE	Yellow	Yellow	Green	Yellow	Yellow
109 To what extent were both parties able to gain access to information and conduct fact finding in the selected case? CORE	Green	Orange	Dark Green	Yellow	Yellow
110: To what extent was the process transparent to the public in the selected case? CORE	Yellow	Green	Dark Green	Green	Green
111: To what extent did the forum consider all appropriate law and facts, including scientific and technical data, relevant to the selected case?	Dark Green	Orange	Orange	Yellow	Yellow
2. Cost and Affordability					
112: To what extent did the forum keep the costs of bringing a claim low for the parties in the selected case? CORE	Orange	Grey	Orange	Green	Green
3. Fairness and equitability					
113: How comprehensive and planned were the forum's efforts to enable a wide range of stakeholders to access the forum in the selected case?	Orange	Orange	Orange	Yellow	Yellow
114: How well did the forum take steps to make the forum accessible to a minority or disadvantaged group (identified in the explanation to this indicator) in the selected case? CORE	Green	Red	Orange	Orange	Yellow
115: To what extent did intimidation prevent stakeholders from effectively bringing a claim in the selected case?	Green	Green	Green	Yellow	Green

116: To what extent did the allocation of the burden of proof support access and/or environmental protection?	Green	Orange	Green	Green	Orange
117: How broadly was legal standing interpreted by the forum in the selected case? CORE	Dark Green	Dark Green	Green	Dark Green	Dark Green
118: To what extent were the forum's restraining rules or limits supportive of environmental and "access" interests in the selected case?	Green	Orange	Green	Yellow	Green
4. Timeliness					
119: To what extent did the proceedings have a clear schedule and provide both parties with adequate notice and a reasonable amount of time to act?	Orange	Orange	Orange	Yellow	Green
120: To what extent did the forum minimize delays in processing and reviewing the claim and in issuing a decision? CORE	Orange	Orange	Orange	Yellow	Green
5. Channels of access					
121: To what extent was there a choice of fora which could consider the selected claim? CORE	Green	Red	Yellow	Green	Red
6. Efforts to build capacity of government agencies					
122: To what extent does the forum have staff explicitly responsible for responding to inquires from citizens wishing to bring claims and of providing relevant information to the public?	Yellow	Yellow	Orange	Green	Yellow
123: To what extent were guidelines or training offered regularly over the last 3 years to forum members on access to information, participation? CORE	Yellow	Red	Red	Orange	Red
124: To what extent were guidelines or training on the environment offered regularly over the last 3 years to forum members? CORE	Yellow	Red	Red	Yellow	Red
125: How adequate is the government budget allocation to support the forum's justice functions? CORE	Orange	Grey	Yellow	Orange	Red

7. Effort to build the capacity of sub-national governments					
126: How regularly did relevant sub-national government officials relevant to the selected case receive guidelines or training on access to justice over the last 3 years?					
8. Effort to build the capacity of the public					
127: How clear and easily accessible are the public guidelines on how to use the forum? CORE					
128: How regularly have activities to build the capacity of the public on how to use the forum been conducted over the last three years?					
EFFECTIVENESS INDICATORS	RATING BY CASE STUDIES				
	1	2	3	4	5
1. Impacts of access					
129: To what extent was the forum decision implemented in the selected case? CORE					
2. Outcomes of access					
130: To what extent did the forum decision lead to change in the behaviour of any of the participants in the case?					
131: To what extent did the forum decision in this case lead to measures to avoid or reduce negative impacts on the environment or human health or improve access or participation? CORE					
3. Effectiveness of capacity for government agencies					
132: How well did forum members and staff execute their access to justice responsibilities in the selected case? CORE					
4. Effectiveness of capacity building for the public					
133: In the selected case, to what extent did stakeholders have the skills and knowledge they needed to use the forum effectively?					

5. Effectiveness of capacity building for sub-national government					
134: To what extent did sub-national government agencies facilitate access to justice in the selected case?	Green	Orange	Green	Orange	Yellow
6. Effectiveness of capacity building for the media					
135: To what extent did media involvement facilitate access to justice in the selected case?	Green	Dark Green	Green	Yellow	Yellow
7. Effectiveness of capacity building for CSOs					
136: To what extent did civil society organization involvement facilitate access to justice in the selected case? CORE	Dark Green	Dark Green	Green	Dark Green	Green

TICE USING EFFORT AND EFFECTIVENESS INDICATORS

Correspondence between the two ratings

Colour appellation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Colour representation	Dark Green	Light Green	Yellow	Orange	Red	Grey
Description	Best	Good	Intermediate	Poor	Worst	N/A
Values	5	4	3	2	1	
W or S	Strength			Weakness		

Case Study 1=Land and Air Pollution in Douala: The Case of Complexe Chimique Camerounaise (CCC)

Case Study 2=The Privatization of the Cameroon Development Corporation: The Case of Tole Tea Estate

Case Study 3=The Kilum Mountain Biodiversity Conservation Project

Case Study 4=Urban Waste Management in Bamenda: The Case of Bamenda Urban Council (BUC)

Case Study 5=Farmer/grazier Disputes in Wum Subdivision



