

Combating Climate Change to Promote the Right to Health in Cameroon: A Legal Appraisal of Practical Measures and Conundrums Faced

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Abstract

Climate change has in the 21st Century been regarded not only as an environmental concern but also as a public health emergency. In contemporary times, almost all members of the international community including Cameroon have been grappling with the scourge of climate change. Even with Cameroon's efforts to counteract climate change, the consequences of the phenomenon are still evident, with the right to health suffering greatly. Findings of this paper reveal that despite the level of success recorded by the State of Cameroon in the fight against climate change, several challenges have over the years been faced. These challenges have in various ways hampered on the effective fight against climate change to promoting the right to health in Cameroon. Findings of this paper further reveal the fundamental role played by State courts in the pursuit of environmental protection, specifically the fight against climate change in Cameroon in a bid to protect and promote the right to health. In view of the challenges faced in the fight against climate change, the paper makes several recommendations including: the education and sensitisation of the Cameroonian populace; the harmonisation of environmental legislation and the promotion of cooperation amongst environment actors in Cameroon.

Keywords: climate change, right to health, environmental protection

1. Introduction

The fight against climate change has for decades been a cardinal objective of the international community. Owing to the devastating effects of the scourge of climate change, world's attention has in recent years been tilted towards combating and containing it. As already noted, climate change has over the years been accompanied by significant effects on the realisation and enjoyment of the right to health. Over the years, some of the practical measures adopted in a bid to combat climate change include: the expansion of renewable energy; protection of existing forests and reforestation efforts; the strengthening of climate smart agriculture; strengthening the protection of biodiversity; and improvement in waste management. The expansion of renewable energy has resulted in the reduction of air pollution, which has also resulted in a reduction of the rate of cardiovascular and respiratory diseases in Cameroon. More so, climate-smart agriculture has impacted on health in that it has resulted in the improvement of nutrition. Some challenges faced by the state in the fight against climate change in Cameroon include: the existence of fragmentary and volatile laws; corruption; urbanisation and population growth; lack of awareness and limited engagement in climate change justice; insufficient availability of data on climate change; limited technological capacity; and terrorism and insecurity.

2. Combating Climate Change in Cameroon: Practical Measures Adopted on the Ground

Public involvement in environmental conservation, especially the fight against climate change, is encouraged by

Principle 10 of the 1992 Rio Declaration, Article 6 of the UN Framework Convention on Climate Change, and Article 14 of the Convention on Biodiversity. To this end, the state of Cameroon and private actors have over the years played a pivotal role in the fight against climate change through the adoption of some practical measures that have contributed to the mitigation of climate change and its effects. Some of these measures adopted by both the state of Cameroon and private actors to combat climate change include: the expansion of renewable energy; protection of existing forests and reforestation efforts; the strengthening of climate smart agriculture; strengthening the protection of biodiversity; and improvement in waste management. These will be discussed in the subsequent paragraphs.

2.1 Expansion of Renewable Energy Use

The resort to the use of renewable energy has been widely recognised as a vital strategy to combat and contain climate change and its overarching effects. As one of the most vulnerable countries to the effects of climate change, Cameroon has made significant strides in recent years to increase its use of renewable energy sources. Various forms of renewable energy which have successfully been implemented in Cameroon to combat climate change and promote the right to health include: hydropower; solar energy; wind energy; and biomass.¹ It is worth noting that prior to the introduction of renewable forms of energy, Cameroon like most developing countries relied on the burning of fossil fuels as the main source of energy, which had diverse negative effects on the environment. However, in practice today, there has been a switch to renewable energy sources, manifested in the form of the proliferation in the use of renewable sources of energy in the country. Presently in Cameroon, hydroelectric energy accounts for 56.14%, Natural gas accounts for 17.5%, oil fuel accounts for 26.29% and solar energy accounts for 0.01% which indicates an increase in the use of renewable sources of energy as opposed to the burning of fossil fuels as a source of energy in Cameroon.²

At the moment, Cameroon has advanced hydroelectric energy in a number of ways. Hydroelectric power is in fact presently one of Cameroon's most attractive and efficient sources of power, with a gross capability of 294 TWh per year.³ In a bid to combat climate change and protect the right to health, the state of Cameroon has succeeded in its diversion to renewable energy, through the construction of several hydroelectric dams across the country including: the Memve'ele hydroelectric dam,⁴ the Mekin hydroelectric dam,⁵ the Lom Pangar dam,⁶ the Song-Lou Lou dam,⁷ and the Lagdo dam.⁸ More so, Cameroon is leveraging its significant hydropower potential, with hydroelectricity currently accounting for around 75% of the country's total installed electricity capacity.

It is worth noting that the construction of these hydroelectric dams constitutes a major success of the State of Cameroon in its quest to combat climate change. Indeed, hydroelectric power contributes to lowering emissions in Cameroon.

Another manifestation of Cameroon's efforts to combat climate change to promoting the right to health is visible in the area of solar energy developments. Through implementation of the principle of participation under international environmental treaties,⁹ the State of Cameroon alongside other private actors have actively been engaged in the promotion of solar energy as an alternative to the burning of fossil fuels.

Promoting the use of solar energy in Cameroon has involved a number of international and non-governmental organizations, starting with private operators. An example of such as an organization is the Society for the Promotion of the Initiatives in Sustainable Development and Welfare (SOPISDEW) which has over the years engaged in a multiplicity of projects for the promotion of renewable energy use in Cameroon. SOPISDEW in collaboration with the Cameroon Renewed Project provided training to beneficiaries on professional solar installation, and on April 22, 2024, beneficiaries of this project engaged in professional solar installation in

¹ Dieudonne Kaoga, Kodji Deli, & Bachirou Bogno, (2021). Status of Renewable Energy in Cameroon. *Renewable Energy and Environmental Sustainability Journal*, 6(2), pp. 1-11.

² *Ibid.*

³ *Ibid.*

⁴ Generating 211 MW of power.

⁵ Generating 15 MW of power.

⁶ Generating 30 MW of power.

⁷ Generating 384 MW of Power.

⁸ Generating up to 72 MW of Power.

⁹ See Principle 10 of the Rio Declaration on the Environment and Development 1992; Article 6, of the United Nations Framework Convention on Climate Change (UNFCCC).

several local communities, showcasing their new found skills in solving local power issues.¹ Such a project demonstrated the pivotal role played by private actors in the promotion of renewable energy use, specifically solar energy.

2.2 Protection of the Existing Forests and Augmentation of Reforestation Efforts

One of the key drivers behind Cameroon's reforestation efforts is the recognition of the vital role that forests play in mitigating climate change.

Large volumes of atmospheric carbon dioxide, the main greenhouse gas causing climate change, are absorbed and stored by forests, which act as natural carbon sinks. Cameroon hopes to increase its ability to absorb carbon and support international efforts to lower greenhouse gas emissions by preserving and restoring its forest ecosystems.² Indeed, the State of Cameroon has successfully augmented its reforestation efforts in a bid to combat climate change and protect the right to health.

It is worth noting that over the years, there has been a participatory approach to the protection of the environment and the fight against climate change in Cameroon. Such a participatory approach has witnessed the involvement of both private actors and the state engaged in the protection of existing forests and reforestation.

An example of an environmental non-governmental/private actor which has been engaged in the protection of existing forests and reforestation efforts is Green Cameroon. By protecting the existing forests around the mount Cameroon region, Green Cameroon contributed to the fight against climate change because forests serve as vital carbon sinks, which reduce the amount of carbon dioxide in the atmosphere, hence ensuring a clean and healthy environment.

ACEF is a global non-profit organization that was established on March 31, 2021, and has its headquarters located in Limbe, Cameroon.

The organization has since its creation been actively engaged in tree planting campaigns, education and sensitization of communities through sensitization campaigns and talks on various radio stations around Limbe, etc. Between June 1st to June 5th 2021 (marking the environment week), ACEF was actively engaged in the planting of various tree species in the city of Limbe, as a contribution to the ongoing fight against climate change in Cameroon.

Apart from private stakeholders, the state of Cameroon has been actively engaged in the fight against climate change through the protection of existing forests and promotion of reforestation efforts. In 1994, the State adopted a new Forestry Law that strengthened protections for its remaining primary forests and mandated the reforestation of degraded lands. The 1994 forestry law as amended and supplemented by Law No. 2024/008 of 24 July 2024 to lay down forestry and wildlife regulations law has played the role of protecting existing forested lands in Cameroon through the adoption of sustainable forest management which requires logging companies to develop and implement management plans for the forests they operate in. This has over the years helped to ensure that logging activities in Cameroon are conducted in a more sustainable manner, thereby limiting excessive deforestation. The 1994 Forestry Law as amended in 2024 has also played the role promoting the expansion of protected areas such as national parks and wildlife reserves to conserve biodiversity. This has over the years helped to safeguard existing forests from being cleared for timber extraction.

2.3 Strengthening Climate Adaptation and Mitigation Measures Through Implementation of Climate Smart Agriculture and Boosting Food Production

The former Vice President, Africa Region of the World Bank Makhtar Diop once stated that: for African governments, promoting climate-smart agriculture is a priority. Indeed, the State of Cameroon has implemented climate-smart agriculture, which is characterized by the transformation of agriculture and meeting food security needs under the new realities of climate change. Climate-smart agricultural practices encouraged and implemented by the State of Cameroon in collaboration with its partners such as the World Bank have resulted in increasing productivity, enhancing resilience, and reducing Greenhouse gas emissions in Cameroon.

Furthermore, in a bid to reduce greenhouse gas emissions, the government has identified and popularised a range of climate-smart agriculture (CSA) practices which have over the years contributed to reducing GHG emissions and mitigating the effects of climate change in Cameroon including: agroforestry, crop rotation, conservation agriculture, and the integration of livestock and crop production systems. In response to the calls of the government, farmers in Cameroon, especially in the South West Region have adopted climate-smart practices

¹ SOPISDEW, (n.d.). Cameroon RenewED Project. Available online at: <https://www.sopisdew.org/elementor-10878/>. (Accessed on August 18, 2024).

² Ministry of Energy and Water Resources (MINEE), (n.d.). *Politique Sectorielle de l'Energie*. Available online at: <https://www.minee.cm/fr/politique-sectorielle-de-l-energie> (Accessed on June 2, 2024).

such as multiple cropping, terracing, irrigation, use of improved seeds, crop rotation, minimum tillage practices, use of synthetic fertilisers, and agroforestry which have positively contributed to strengthening Cameroon's resilience against the scourge of climate change.

Cameroon's CSA initiatives have placed a special emphasis on agroforestry, which is the process of incorporating trees and bushes into agricultural landscapes. By incorporating woody perennials into crop and livestock systems, agroforestry has over the years helped to sequester carbon, improve soil fertility, and enhance the resilience of farming systems to climate-related shocks and stresses.

2.4 Strengthening the Protection of Biodiversity

Water bodies and fishery resources play vital roles in curtailing climate change. The ocean has absorbed more than 25% of the carbon dioxide that has been emitted into the atmosphere since the industrial revolution, when fossil fuels were first used for energy. The primary cause of the ocean's status as one of the largest carbon sinks is phytoplankton, which does this in particular. Apart from the role of phytoplankton in combating climate change, fishes too play a significant role in achieving that result. Sea animals store carbon, which is referred to as Biomass Carbon, and it is found in all marine vertebrates. Large sea animals like whales that weigh about 50 tons or more and have a lifespan of over 200 years have the possibility of storing large quantities of carbon for long periods of time. Upon the death of these whales, their carcasses sink to the seafloor with the carbon, which they had stored.¹ While on the seafloor, these carcasses and the carbon they possess eventually get buried in sediments and potentially blocked up from the atmosphere for millions of years.

Similarly, whales also help in trapping carbon through the stimulation of the production of tiny marine plants (phytoplankton). Whales feed at depth, as well as releasing buoyant and nutrient-rich faecal plumes while resting at the surface.² Owing to the importance of water bodies and fishery resources in the fight against climate change, the State of Cameroon has improved their protection. Fishery resources are now significantly protected according to Law No. 94/01 on January 20, 1994, which established regulations for forestry, wildlife, and fisheries. The act of capturing or harvesting any fishery resources, or any activity that may result in the harvesting and capture of fisheries resources, is defined as "fishery and fishing" in Article 4 of that law. It involves the appropriate use and management of the aquatic environment with the goal of preserving the animal species there by controlling their life cycle entirely or in part.

According to Article 5 of the same law, "Fishery resources mean fish, seafood, molluscs, and algae from the marine, estuarine, and fresh water environments, including sedentary animals in such environments, within the context of this law."

Penalties for violators of the Forestry, Wildlife, and Fisheries Regulation are outlined in Part VI Chapter III (Articles 154–165) of Law No. 94/01 on January 20, 1994. In this regard that Cameroonian authorities have impound vessels and arrest persons involved in illegal fishing. In July 2016 for example, authorities in Limbe, Southwest Region of Cameroon, impounded a Chinese-manned vessel and arrested its crew for illegal fishing, bringing the number of Chinese vessels seized for that basis to three in the month of July 2016. To make the fight against illegal fishing more effective, the 1994 law afore-cited creates special prosecutors for the prosecution of such crimes. These persons are however, not trained legal officers.

They are essentially technical employees from different services who, as a result of their duties, have been granted special prosecutor status after taking an oath in front of the appropriate court. As a result, sworn representatives of merchant ships, forestry, and wildlife are granted the status of judicial police officers, with particular authority over these areas. Without affecting the rights of the Legal Department and Judicial Police Officers with wide authority, they are empowered to identify, investigate, institute, and prosecute those suspected of committing certain offences.

These provisions for the arrest and prosecution of suspects of crimes against water bodies and fishery resources, impoundment of vessels engaged in illegal fishing, just to mention a few have to a greater extent reduced the degree of violations of water bodies and illegal fishing especially through deterrence.

This contributes to the protection of biodiversity in that fish stocks and populations will be preserved. Apprehending and prosecuting offenders as well as impounding their vessels helps to protect fish stocks and allow populations recover and thrive. More so, the arrest and prosecution of offenders and the impoundment of their vessels has over the years helped to ensure sustainable fishery management. Eliminating illegal operators ensures that the exploitation of aquatic resources aligns with established quotas and other conservation measures, which are crucial for maintaining biodiversity and long-term ecosystem health and balance.

¹ This process is what is referred to as Deadfall Carbon.

² This process which is often referred to as Whale Pump causes the fertilisation of phytoplankton.

2.5 Improvement in Waste Management

Waste, especially organic waste, when not properly managed leads to the production of greenhouse gases, included carbon dioxide and methane. Decomposing waste triggers, the production of harmful greenhouse gases. While prior to the period of the application of anti-climate change laws in Cameroon, waste management was essentially done through the collection of waste and deposition in landfills, the pattern has witnessed significant positive changes in recent times. The emission of greenhouse gases from solid waste disposal systems like landfills and dumps account for a significant percentage of the total emissions. When the wastes deposited in landfills decompose, they emit large quantities of dangerous gases, especially carbon dioxide and methane. Thus, recycling waste is considered a better means of waste management.

It is worth noting that just like the other practical measures, the principle of participation has been evident in the management of wastes in Cameroon. This has been manifested in both private and state stakeholders engaging in activities geared towards the improvement in Cameroon's waste management.

The Clean Water and Sanitation Africa (CWASAF) is a key private stakeholder that has over the years been actively engaged in the management of wastes in Cameroon, specifically in the City of Buea. Recognising the effects of improper waste management on the environment, CWASAF has over the years initiated clean up campaigns within the Buea municipality in order to improve the quality of the environment. One of such moves was carried out on January 26, 2019 in collaboration with the Hygiene and Sanitation Cameroon (HYSACAM), the Empowerment Centre for Young Entrepreneurs (ECYE) and Great Mind Development, during which CWASAF was engaged in weeding, picking of all papers and plastics on streets, and the clearing of landfills within town of Buea. Speaking on behalf of the organisation, its founder Mr. Sam Nloin Sukpa situated the importance of the clean-up exercise by stating that: "Cleanliness is a product of the mind-set. We make sure we talk to the people around to understand the importance of what we are doing. I believe that educating them on the use of trash cans, dirt segregation and the effect of a dirty environment on human health will go a long way to reduce litter in the Buea Municipality. They also need to know that cleaning the community is not the sole responsibility of HYSACAM."

Additionally, there exists a number of private companies in Cameroon engaged in the recycling of waste in a bid to purify the environment and mitigate the impacts of improper waste management in Cameroon. Some of such private companies engaged in the recycling of wastes in Cameroon include: NAME Recycling, *Cœur d'Afrique*, just to mention a few. NAME Recycling for example is a Belgian-Cameroonian company that was created with the objective of having a positive ecological, social and economic impact on the environment. In 2016, after an initial fundraising, NAME officially began its activities in Limbe, a coastal town located 80km from Cameroon's economic capital, Douala. Since then, NAME Recycling has played an instrumental role in ensuring the proper management of wastes in Cameroon. NAME Recycling has over the years been engaged in ensuring that waste materials are effectively collected, sorted, cleaned and transformed to make them capable of being reused. Since the beginning of its operation in Cameroon, the company has revalued 2493 tons of plastics, corresponding to more than 73 million plastic bottles. Today, the company's total reprocessing capacity is 5000 tons leaving very good growth prospects for the company, and a very great contribution to Cameroon's climate change adaptation and mitigation efforts.

These privately owned companies have over the years opened up branches in different towns of the country which permit the population to deposit their plastic waste which will be taken to their recycling centers usually on a weekly basis.

In addition to the activities of private companies and non-governmental organizations, municipal councils have over the years in a bid to combat climate change actively engaged in waste management. Under Cameroon's decentralized system of governance, municipal councils are primary bodies responsible for providing basic public services, including solid waste management within their various geographic boundaries. This is in line with article 16 of Law No. 2004-18 of 22 July 2004 To lay Down Rules Applicable to Councils which states that: "The following powers shall be devolved upon councils: cleaning up of council streets, roads and public parks; monitoring and control of the management of industrial waste; local management of household waste..." In practice, municipal councils carry out these responsibilities to varying degrees depending principally on their financial capabilities. Despite the challenges they have over the years faced in this endeavour, municipal councils have continued to play a pivotal role in the management of wastes in a bid to ensuring a healthy environment in Cameroon.

3. The Role Played by State Courts in Combating Climate Change: Review of Selected Case Laws

In an effort to defend the right to a healthy environment, the State of Cameroon has been actively involved in the battle against climate change over the years. The courts have been a vital instrument utilized by the state in the fulfilment of this goal, through their prosecution of environmental-related cases in order to deter members of the

society from engaging in environmentally unfriendly activities which contribute to climate change.

3.1 *Complexe Cosmétique de L'Ouest (CCO) v. MINEF*¹

A soap factory located in Bamoungoum, Bafoussam was charged with pollution of the environment. In violation of section 21 of Law No. 96/12 of 05 August 1996 pertaining to Environmental Management in Cameroon, the aforementioned corporation was charged with air pollution due to a toxic gas released from its pipes.

Before the court, the question raised was whether the contaminated gas produced from the company's pipes could be seen as an air pollutant and whether the company (CCO) could be considered as a producer of the pollutant.

The Ministry of the Environment and Forestry (MINEF) which was a key party to this case concluded that the contamination of the air by poisonous gas could be regarded as air pollution. The court in this case found the defendant liable and ordered them to pay the sum of 1,000,000 (one million) FCFA as penalty for the violation of the provisions of the 1996 by endangering the environment.

It is worth noting that the court's judgment in this case clearly reveals the dedication of the courts to protect the environment, through the strict implementation of environmental legislation, with the aim of addressing environmental hazards such as pollution which greatly contributes to the depletion of the ozone layer resulting in climate change.

3.2 *Ketch v. Minep*²

The Company KETCH was accused of exploiting a quarry without carrying out an environmental impact assessment as required under Law No. 96/12 of 05 August 1996 relating to Environmental Management in Cameroon. KETCH's failure to carry out an environmental impact assessment prior to its quarry activities resulted in the production of an enormous quantity of dust which polluted the air, thereby affecting the surrounding neighbourhoods.

Before the court, the question for determination was whether an environmental impact assessment was indeed conducted by KETCH prior to its activities at the quarry. It was found by the court that the defendants had indeed violated the requirement of an environmental impact assessment thereby resulting in damage to the environment. The court on these grounds slammed KETCH with a penalty of 5,000,000 (Five million) CFAF as punishment in accordance with section 79 of Law No. 96/12 of 05 August 1996 relating to Environmental Management in Cameroon.

Despite the significance of the judgment of this case in the fight against activities which contribute to climate change such as pollution, several scholars and authors have argued that such financial sanctions imposed by the courts are insufficient and lenient. The decision in this case has had an impact on environmental protection in that it clarified the liability and accountability of violators of environmental legislation, thereby deterring the further engagement in environmentally unfriendly activities that affect the environment in Cameroon.

3.3 *Scan Equip v the People and MINEF*

The defendant in this case was an agro-industrial company in the South Region of Cameroon operated by Corrie Maccol, a subsidiary of Halcyon Agri. The defendant was accused of emitting ammonia-laden odors into the atmosphere.

Before the court, the question for determination was whether the emission of odours containing ammonia constituted a violation of the provisions of the 1996 Law on Environmental Management.

The court took cognizance of the fact that although not a greenhouse gas, emissions of ammonia in excess is likely to result in increases in nitrification which can indirectly contribute to greenhouse gas emissions. The court further referenced section 60(1) of Law No. 96/12 of 05 August 1996, which deals with Cameroon's environmental management, which says that: "It is forbidden to emit noise and odours that are likely to endanger the environment, cause excessive inconvenience to the neighbourhood, or be harmful to human health."³

The court ordered the defendant to pay the sum of 5,000,000 (five million) CFAF according to the provision of Section 82 of Law No. 96/12 of 05 August 1996 relating to Environmental Management in Cameroon. The decision in this case contributes to the fight against climate change in Cameroon in that it will discourage other perpetrators from further engaging in activities that will contribute to aggravating climate change and its effects in Cameroon.

¹ Suit No. 004/PVI/MINEF/DPEF/Spe 15/01/02 (Unreported).

² Suit No. 0016/PV/MINEP/DPEF/SPE 20/06/2004 (Unreported). ¹⁷ Case No. 90/TPI/DLA/March 2002, unreported.

³ Section 60(1), Law No. 96/12 of 05 August 1996 relating to Environmental Management in Cameroon.

4. Challenges Faced in Combating Climate Change to Promoting the Right to Health in Cameroon

Despite the actions taken to prevent climate change and advance Cameroon's right to health, several obstacles have been encountered over time. Among these difficulties are:

4.1 Fragmentary and Volatility in Laws

One of the major challenges towards the fight against climate change in Cameroon is the prevalence of fragmented laws. Environmental legal instruments are fragmented and contained in several laws, decrees, ordinances, orders, and circulars. The implementation of these laws and their enforcement are made subject to implementation decrees/texts of application which are often hard to come by. A text of application as used within this context is a detailed part of a law explaining and bringing clarity to some issues which could not be incorporated in the main law itself. For instance, promoters or owners of any development project that is likely to threaten the environment are required by Cameroon's 1996 law on environmental management to do an environmental impact assessment.

The law also provides that defaulters shall be punished with a fine of from two million to five million francs and imprisonment for from six (6) months to 2 (two) years. Unfortunately, that enabling decree is not yet available until date and as such, the penal provisions of the law cannot be enforced. This prevailing situation has been a major challenge plaguing the fight against climate change to promoting the right to health in the Republic of Cameroon.

A major feature of the laws of Cameroon is that they are very volatile in nature. This volatility is prompted by the constant modification and repealing of laws after they come into force. In order to achieve the stability of laws in a state, the legislator must be able to foresee possible future changes in society and enact laws which will address those societal changes when they come. But this does not seem to be the case in Cameroon where the legislators fail to take into consideration future possible societal changes. This has led to the frequent amendment/repealing of laws which often takes judicial officials by surprise. An example is the case of Decree No 94/254/Pm of 31 May 1994 to create a National Advisory Commission on Environment. The decree was amended barely five years later by Decree No. 99/634/Pm of 10 June 1999 to amend and supplement some provisions of Decree No 94/254/Pm of 31 May 1994, before judicial authorities could fully familiarise themselves with the decree and its environmental provisions. Another example is the case of Decree No. 2001/718/Pm of September 3, 2001, which addressed the structure and operations of the interministerial committee on the environment. It was amended just five years later by Decree No. 2006/1577/Pm of September 11, 2006, which added to and modified certain provisions of the Decree No. 2001/718/Pm of September 3, 2001. The battle against climate change and other types of environmental degradation in Cameroon is hampered by this legal instability. The fight against climate change is hampered by this legal volatility because it leads to a lack of sustained commitment to adaptation and mitigation of the phenomenon, as well as uneven implementation and enforcement of environmental laws, which makes it challenging to attain the intended results. Thus, one of the biggest obstacles in Cameroon's battle against climate change has been the unpredictability of the legal system.

4.2 Inadequate Penalties for Environmental Offences

Even while ecologically harmful activities (crimes) pose a serious concern, the punishments frequently associated with environmental crimes do not adequately account for the risks they pose. For instance, logging in communal woods with personal authorization for profit or beyond the allotted time or amount is punishable by a punishment of 5,000 to 50,000 FCFA, up to 10 days in jail, or both incarceration and fine. In a similar vein, unauthorized removal of protected trees carries a fine of between 50,000 and 200,000 FCFA, a 20-day jail sentence, or both. These are grievous offences which aggravate climate change and its effects because they lead to the destruction of trees which serve as vital carbon sinks. Despite the grievous nature of these offences, the sanctions provided for by law seem inadequate as most perpetrators (companies) can easily pay the fines required by law.

For instance, in the *Ministry of Environment and Forestry v. SOTRAMILK Ltd.* case, the court issued the following two orders after concluding that the respondents' actions were unlawful and harmful: (1) that the respondent be prohibited from releasing any more milky waste or industrial sewage into the stream, (2) and that, under the applicant's close supervision, the respondent takes action to clean up the contaminated areas close to the factory. The respondents paid for their own rehabilitation.

The Court's rulings in the later case are praiseworthy. Nonetheless, one would have anticipated a more forceful decision from the Court in such situations given the extent of harm that environmental crimes do. Therefore, the inadequacy of penalties provided for perpetrators of environmentally harmful behaviours that contribute to climate change serve as a major setback in the fight against climate change in Cameroon.

It is worth noting also that courts have over the years played an inadequate role in the fight against climate change and other forms of environmental degradation as they often intervene after damage has already been

done to the environment. The environment is so delicate to the point that once it has been marred, it takes a considerable amount of time for the damage to be completely repaired. Therefore, the court's intervention by imposing small and insignificant fines after damage has already been done to the environment is proof of the court's inadequate role in the fight against climate change. Hence, a major challenge in the fight against climate change in Cameroon is the fact that courts are ill-adapted to combating climate change proactively.

5. Conclusion

The fight against climate change is a cardinal objective of almost every member of the international community in recent years and to this end, states including Cameroon in collaboration with private stakeholders have over the years adopted some vital measures necessary for the fight against climate change to promoting the right to health. Despite the valuable measures that have been adopted through collaboration between government and private stakeholders, some challenges have over the years been faced by these actors in the fight against climate change, and these challenges have tended to contribute to hampering the fight against climate change in different ways.

6. Recommendations

In view of the challenges faced in the fight against climate change to promoting the right to health in Cameroon, the following recommendations are worth proposing:

6.1 Education and Sensitization of the Cameroonian Population

Education and sensitization have proven to be vital tools to increase public awareness in any field of life, including environmental law and environmental protection. Through education and sensitization, the Cameroonian populace can be informed of the need to protect the environment through the adoption of environmentally friendly activities which tend to limit the degradation of the environment.

6.2 Harmonisation of Environmental Legislation

The researcher recommends for the harmonisation of environmental legislation in Cameroon as a step towards strengthening the fight against climate change in a bid to promote the right to health. Such harmonisation of environmental legislation in Cameroon will be vital in that it will uniformity in regulations as harmonised laws ensure that environmental regulations are consistent, which helps in the effective implementation of climate policies.

6.3 Promotion of Cooperation Amongst Environmental Actors

Over the years in Cameroon, there have been some manifestations of the lack of collaboration between environmental actors (state and non-state actors). This obvious lack of collaboration amongst environmental actors has in some instances slowed the pace of climate change responses in recent years. For example, while various NGOs are actively working in Cameroon to combat climate change, their efforts often clash with state policies or are met with bureaucratic obstacles.

Pursuant to this fact, the researcher recommends for the promotion of cooperation and collaboration between environmental actors (state and non-state) in order to strengthen the fight against climate change in a bid to promote the right to health. Since cooperation is a fundamental tool for the attainment of common goals, such cooperation between state and non-state environmental actors will be vital in that it will result in the development of a multiplicity and diversity of measures to effectively combat the scourge of climate change in Cameroon.

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