

CLIMATE CHANGE LEGISLATION IN

CAMEROON

AN EXCERPT FROM

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A Review of Climate Change Legislation in 99 Countries



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Cameroon

Legislative Process

Cameroon is a unitary presidential republic. The President of the Republic is the head of the state. The Prime Minister is the head of the Government and is subject to prerogatives of the President. The legislative process is shared by the Government and the Parliament. The Parliament is bicameral, consisting of the Senate and the National Assembly. The Constitution, which was adopted in 1996, is the highest level of legal norm. The constitutionality of laws is determined by the Constitutional Council, which has 11 members, appointed by the President for nine years (renewable).

Under the Constitution, the Senate comprises of 100 seats, 70 indirectly elected by municipal councils and 30 appointed by the President. The first election for the Senate was held in April 2013 (five-year term), and the next election is expected in 2018. The National Assembly has 180 members, elected by direct popular vote every five years. The last election for the National Assembly took place in September 2013, and the next election is expected to be held in 2018.

The Constitution stipulates that the President and the Parliament have the power to initiate laws. Bills (and draft resolutions) can be submitted by the President to the National Assembly. Private Member's bills (and draft resolutions) are initiated by members of the National Assembly, which are submitted in writing to the President of the National Assembly. Once bills are passed by a simple majority of the Members present, they are submitted to the Senate for consideration. The Senate may pass (and forward to the President for enactment within 48 hours) or amend (and return the amended bill to the National Assembly) the bills by a simple majority. In case of rejection, of all or part of the Bill, by an absolute majority of the Senators, it is returned to the National Assembly, which can pass the bill by an absolute majority after deliberations. Once the final bills are adopted by the National Assembly, the bills are forwarded to the President of the Republic of enactment. Laws are published in the official gazette in French and English.

The President has the power to change the terms of the legislature. In this case, the President asks for a second reading, in which case an absolute majority of all members of the National Assembly is necessary to pass the bill. International treaties and agreements are negotiated and ratified by the President, unless otherwise subject to authorisation of the Parliament. Laws are the only form that is reserved to the legislative power under the Constitution. Parliament can delegate competences to the President to issue Ordinances on selected subjects and Presidential decrees can be declared by the President and the Prime Minister.

Approach to Climate Change

While there are no legislative measures dedicated to addressing climate change, the government's response to climate change issues is reflected in the country's executive portfolio of national and international policies, and in the inclusion of climate change considerations within key development plans. Given its dependency on land and forest resources – agriculture, petroleum export and forestry are the main economic activities and 60% of land (28m ha) is covered by forests, 42% of it tropical rainforest – Cameroon is also concerned with adaptation and climate risk management.

The First National Communication to the UNFCCC, submitted in 2005, identifies health, agriculture and coastal zones as the three main areas of vulnerabilities. The National Communication established the Cellule Nationale des Changements Climatiques (CNCC) within the Ministry of the Forests and Environment. In 2004, this Ministry was divided into the Ministry of Forests and Wildlife and the Ministry of Environment and Nature Protection (MINEP), and in 2012 MINEP became the

Ministry of Environment, Nature Protection and Sustainable Development (MINEPED), reflecting an increased focus on sustainable development issues. The CNCC's goals include creating a GHG inventory, establishing adaptation measures, implementing an information system and database, designing sectoral projects addressing priority climate actions and evaluating climate change impacts and policies.

MINEPED is responsible for co-ordination of climate change activities and policies. A 2009 Presidential Decree established the National Climate Change Observatory (ONACC) under the authority of MINEP (now under MINEPED), with a broad mission, including: to establish climate indicators; to monitor and forecast climate change and to provide climate information to the government and to all sectors affected by climate change; to propose mitigation and adaptation measures to the government; to serve as the instrument for co-operation with regional and international initiatives; and to help other organisations build the capacity to collect climate change-relevant information.

Climate change considerations have also been integrated into growth planning. The country's 2009 development plan, Cameroon Vision 2035, acknowledges the need for climate change considerations in national growth planning. Cameroon Vision 2035 includes actions such as protecting and ensuring sustainable management of forest ecosystems, fighting desert encroachment, and promoting regional projects like the Niger Basin and the Lake Chad Basin. The plan also mentions measures to diversify energy source and the replacement of fossil fuel with clean energy supplies, though no quantitative targets are included for these goals. The 2009 Growth and Employment Strategy Paper 2010-2020 is the first of several implementation plans for Cameroon Vision 2035, and calls for the mainstreaming of climate change into the planning, programming and budgeting phases of all economic and social development policies for the Vision 2035 plan.

Cameroon's executive portfolio does not include any measures that directly address energy demand, carbon pricing or transportation.

Energy supply

According to the IEA in 2011, nearly 73% of the primary energy supply comes from biofuels and waste followed by 22% from fossil fuel. The African Development Bank (AfDB) is undertaking a study on the development of renewable energy and energy efficiency. It is expected to produce a report that leads to a national action plan that addresses investments in access to energy, renewable energy expansion and energy efficiency improvement by 2015. Development objectives under the Vision 2035 plan also envisage significant investment in energy sector, which includes renewables. The stated objective in Vision 2035 is to double overall energy production over the period, with a particular focus on hydroelectricity and gas as the main sources of power production.

REDD+ and LULUCF

Cameroon has been engaged in REDD+ since 2005, and its REDD+ Readiness Plan (RPP) was approved in 2013. A readiness grant of USD3.6m was signed in late 2013. MINEPED oversees REDD+ activities. The country currently participates in a number of international and national frameworks aimed at strengthening management of forests and tackling land use challenges. Cameroon was one of the earliest countries to sign Voluntary Partnership Agreement (VPA) of European Union's Forest Law Enforcement, Governance and Trade (FLEGT) program. The country is also actively participating in international discussions of REDD+. The REDD+ Steering Committee was created in 2012. This Committee approves and pilots activities geared at reducing emissions from deforestation and forest degradation. This Committee is headed by MINEPED. Cameroon's Readiness Preparation Proposal (R-PP) was approved for funding by the Forest Carbon Partnership Facility in 2013.

There is also a synergy with non-government organisations in the discussion and development of forestry and land use management. For instance, the MINEPDED hosted a workshop in 2011 to gather domestic and international stakeholders to seek consensus on how civil society could contribute more effectively to the national REDD+ process. Participants ranged from domestic and international CSOs, government officials and private sector representatives. This workshop resulted in the creation of a National CSO Platform on REDD and Climate Change, which should work as an interface between administration and other stakeholders.

The Forest Law (also known as the Forest Code) enacted in 1994 is being revised, and the process is involving a wide range of stakeholders. The revision of the Forest Code aims to incorporate a regional dimension to forest protection, integrate national commitments to regional and international arrangements, reinforce transparency and governance, and encourage a sustainable processing of timber.

Adaptation

A comprehensive national climate change adaptation plan is expected to be completed by the end of 2014 but there are already numerous projects and programmes addressing adaptation to climate change. The projects target forest, water, coastal zones, agriculture, energy and natural resource management to build capacity, share knowledge, raise awareness, assess vulnerability, form policy and enhance community-based adaptation. Indigenous activities are also in place, an example being the water management improvement, stockpiling and crop changes done by farming communities in the Benoue Valley. The Vision 2035 plan also recognises climate change as a threat to realising Cameroon's economic and social development, with particular emphasis on the need to protect against impacts on water availability, changes in the frequency and intensity of weather events, and desertification.

Many of the country's adaptation activities are funded by bilateral and multilateral agencies. Africa Adaptation Programme (AAP) is a USD92m initiative launched by Japan International Co-operation Agency (JICA) and Cameroon is one of 20 African countries participating. Cameroon is also one of eight countries receiving funding in the Africa Adapt Knowledge Sharing Innovation Fund project, jointly funded by the Department for International Development (DFID) and the Natural Environment Research Council (NERC) in the UK. Cameroon participates in the Climate Change Adaptation in Africa (CCAA) programme, which is co-financed by the International Development Research Centre (IDRC) and the UK DFID. Cameroon is also involved in a WWF project which helps countries with tropical mangroves and coral reefs build resilience to climate change.

Cameroon: Legislative portfolio

Name of law	Law No. 2011/022 Of Governing the Electricity Sector in Cameroon
Date	14 December 2011
Summary	<p>The law concerns the electricity sector, and is focused on ensuring its modernization and development.</p> <p>Part IV of the law sets out general goals for promoting renewable energy and energy efficiency, and for the use of renewables within the context of expanding rural electrification.</p> <p>The law states the government shall ensure the promotion and development of rural electrification nationwide, through connection to an interconnected network or through distributed generation. Within the general framework for increased electrification, priority is to be given to distributed generation from renewable sources (except when such sources are scarce, deficient or of high cost). The law allows for surplus electricity generated from renewable energy sources to be purchased by the transmission system operator or by local distributors.</p>

The law says that the State will ensure the promotion and development of renewable energy through establishing regulation for conditions and mechanisms for research, development, production of equipment and project financing. The government may also establish an agency to promote and develop renewable energy as and when necessary. The law also requires any electricity utility operate to connect renewable energy sources to networks (with connect fees borne by the applicant), with the conditions, volume and price for purchase of energy by utilities to be fixed by decree.

The law calls for the implementation of energy efficiency measures in the industry, transportation, commercial and residential sectors, and allows for the government to establish regulation for the obligations, conditions and resources necessary to implement such measures.

Cameroon: Executive portfolio

Name of policy	Prime Ministerial Decree No.103/CAB/PM regarding the creation, organization and operation of the Steering Committee for activities to reduce emissions from deforestation, degradation, sustainable management and conservation of forests, REDD+
Date	13 June 2012
Summary	This Decree established the Steering Committee for REDD+. The Committee is headed by the Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED). The Committee is responsible for formulating proposals for REDD+ strategy options, providing feedbacks regarding the implementation of the strategies, developing selection criteria for REDD+ projects, evaluating REDD+ pilot project proposals, promoting REDD+ activities and validating the work of the Technical Secretary. The Technical Secretary is chaired by MINEPDED and assisted by the Minister of Forests and Fauna (MINFOF). Other members include the Focal Point of the UNFCCC and the National Co-ordinator of REDD+.

Name of policy	Presidential Decree No. 2009/410 establishing the creation, organization and functions of the National Observatory on Climate Change
Date	10 December 2009
Summary	This Decree established the National Climate Change Observatory (ONACC) as a national legal implementing body of climate change policies (though not yet in operation as of 2014). The Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED) is responsible for the supervision of the ONACC, and overall co-ordination of climate change activities and policies within the country. It is supervised by the Ministry of Finance for the financial matters.

The responsibilities of the ONACC are to: establish relevant climate indicators for monitoring environmental policy; carry out prospective analyses to provide a vision on climate change, to provide weather and climate data to all sectors concerned and to develop annual climate balance of Cameroon; educate and promote studies on the identification of indicators, impacts and risks of climate change; collect, analyse and provide policy makers, national and international organisations information on climate change in Cameroon; initiate activities to promote awareness on and provide information to prevent climate change; serve as operational instrument in the context of other activities to reduce greenhouse gas emissions; propose to the government preventive measures for GHG reduction as well as mitigation and/or adaptation to the adverse effects and risks of climate change; serve as an instrument for cooperation with other regional and international observatories operating in the climate sector; to facilitate the achievement of consideration to payment for ecosystem services provided by forests through the management, conservation and restoration of ecosystems; and to strengthen the capacity of institutions and bodies responsible for collecting data on climate change to create a nation-wide, reliable network for collecting and transmitting the data.

The Board of Advisers formulates general policies of the ONACC. The Board consists of following members: the President of the Republic; the Prime Minister; a representative from the relevant ministries (MINEPDED, Ministries of Forests, Finance, Technical Cooperation, Scientific Research Agriculture, Water and Energy, and Meteorology); and elected members. The Board members are appointed by Presidential Decrees. Members and the chair of the Board are appointed for the term of three year, which is renewable once.

Name of policy	Cameroon Vision 2035
Date	June 2009
Summary	<p>This document presents Cameroon's overall policy direction in pursuit of development. General objectives are: reducing poverty to minimal levels; becoming a middle-income country; becoming a newly industrialised country; and consolidating democracy and enhancing national unity. It was prepared by the Ministry of Economy, Planning and Regional Development.</p> <p>Climate change is identified in Vision 2035 as one of the two major challenges to Cameroon's economy. Over exploitation of natural resources and environmental costs have been warned as it results in climate change threats; Cameroon is partly located in Sahel area with existing harmful effects of climate change: desert encroachment, increased temperatures, irregular seasons, sea level rise, floods, volcanism, landslides rock fall and toxic fumes. The document calls for reduction of greenhouse gases to tackle climate change as a key regional strategy for Cameroon. The Government of Cameroon pledges to seek high growth level while achieving Millennium Development Goals.</p> <p>Under the tentative implementation schedule of Vision 2035, drafting and implementation of major environmental policy to fight against the climate change impact is planned for the phase one (2010-2019). Climate change control is listed as one of the three specific objectives for the phase two (2020-2027). Specific actions include protecting and ensuring sustainable management of forest ecosystems, fighting desert encroachment and promoting regional projects like the Niger Basin and the Lake Chad Basin. Diversification of energy source and replacement of fossil fuel with clean energy supplies is mentioned in the document without quantitative targets.</p>

Sources

- African Development Bank Group (AFDB), *Études de développement des énergies renouvelables et d'efficacité énergétique*, 2014. [URL: <http://www.afdb.org/en/projects-and-operations/project-portfolio/project/p-cm-fa0-007/>]. Accessed 31 July 2014.
- Africa Adaptation Programme (APP), *Cameroon*, 2014. [URL: <http://www.undp-aap.org/countries/cameroon>]. Accessed 26 September 2014.
- Central Intelligence Agency, *The World Factbook* [URL: <https://www.cia.gov/library/publications/the-world-factbook/geos/cm.html>]. Accessed 31 July 2014.
- Food and Agriculture Organization of the United Nations (FAO), *Countries: Cameroon*, n.d. [URL: <http://www.fao.org/countryprofiles/index/en/?iso3=cmr>]. Accessed 31 July 2014.
- FAO, Legal Office FAOLEX. n.d. [URL: <http://faolex.fao.org/>]. Accessed 31 July 2014.
- FAO, *Harmonization of forest policies and programmes in Central Africa*, n.d. [URL: <http://www.fao.org/docrep/009/a0970e/a0970e11.htm>]. Accessed 31 July 2014.
- FAO, International Union for Conservation of Nature (IUCN) and United Nations Environmental Programme (UNEP), *ECOLEX: the gateway to environmental law*. n.d. [URL: <http://ecolex.org/>]. Accessed 31 July 2014.
- International Tropical Timber Organization (ITTO), *Tropical Forest Update Volume 19, Number 2*, 2009. [URL: <http://www.itto.int/tfu/id=2268>]. Accessed 31 July 2014.
- IUCN, *Civil Society in Cameroon Forms a National REDD and Climate Change Platform*, 2011. [URL: <http://iucn.org/about/work/programmes/forest/?8098/Civil-Society-in-Cameroon-forms-a-national-REDD-and-climate-change-platform>]. Accessed 25 September 2014.
- Ministry of Environment and Protection of Nature, “CREATION, ORGANISATION ET FONCTIONNEMENT DE L'OBSERVATOIRE NATIONAL SUR LES CHANGEMENTS CLIMATIQUES: Decree No.2009/410 of 10 December 2009” (in French), 2009. [URL: http://theredddesk.org/sites/default/files/decret_observatoire_2.pdf]. Accessed 03 October 2014.
- National Assembly of Cameroon, *Official Website*, n.d. [URL: <http://www.assembleenationale.cm/>]. Accessed 31 July 2014.
- National Training Co-ordinator, *Economics of Adaption, Water Security and Climate Resilient Development in Africa: Detailed Assessment of the Capacity Development Needs in Cameroon*, 2014. [URL: <http://www.gwp.org/Global/WCDP%20Images/WACDEP%20Staff%20Portraits/CDreports/Cameroon%20WACDEP%20Capacity%20Development%20needs%20assessment%20report.pdf>]. Accessed 03 October 2014.
- Prime Minister's Office, *Official Website*, 2012, [URL: <http://www.spm.gov.cm/en.html>]. Accessed 31 July 2014.
- Republic of Cameroon, *Presidency of the Republic*, 2014. [URL: <https://www.prc.cm/en/>]. Accessed 31 July 2014.
- Republic of Cameroon, *Growth and Employment Strategy Paper: Reference Framework for Government Action over the Period 2010-2020*, 2009. [http://www.imf.org/external/pubs/ft/scr/2010/cr10257.pdf]. Accessed 4 January 2015.
- The Commonwealth Secretariat, *Cameroon Legislative and Municipal Elections: 30 September 2013*, 2013. [URL: <http://thecommonwealth.org/sites/default/files/press-release/documents/Cameroon%202013%20CET%20Report%20-%20Final.pdf>]. Accessed 31 July 2014.
- The REDD Desk, *Law 96/12 of 5 August 1996: Framework Law on Environmental Management*, 2014. [URL: <http://theredddesk.org/countries/laws/law-9612-5-august-1996-framework-law-environmental-management>]. Accessed 31 July 2014.
- The REDD Desk – Cameroon [URL: <http://theredddesk.org/countries/cameroon>] Accessed 13 march 2015
- Thomson Reuters Foundation, *Cameroon readies new law to strengthen forest governance*, by Elias Ntungwe Ngalame, 23 May 2014. [URL: <http://www.trust.org/item/20140523102935-jl7cm/?source=spotlight>]. Accessed 31 July 2014.
- United Nations Development Programme (UNDP), *AAP Knowledge Management Needs Survey Report 2012: April 2012*, 2012. [URL: http://undp.adaptationlearning.net/sites/default/files/KMNS%20Report%20-%20English_0.pdf]. Accessed 31 July 2014.
- UNDP, *Cameroon National Plan for Environmental Management (French)*, 2012. [URL: <http://www.undp-alm.org/resources/naps-non-least-developed-countries-non-lcds/cameroon-national-plan-environmental>]. Accessed 31 July 2014.
- UNDP, *Knowledge Management Strategy on Climate Change Adaptation for Cameroon*, January 2013. [URL: http://www.undp-aap.org/sites/undp-aap.org/files/Knowledge%20Management%20Strategy%20on%20Climate%20Change%20Adaptation%20for%20Cameroon_Jan2013.pdf]. Accessed 31 July 2014.
- World Bank, *Cameroon Forest & Environment Sector Programme (FESP)*, 2014. [URL: <http://www.worldbank.org/projects/P073020/cameroon-forest-environment-sector-program-fesp?lang=en>]. Accessed 26 September 2014.
- World Resources Institute (WRI), *The Governance of Forests Initiative: Cameroon*, n.d. [URL: <http://www.wri.org/our-work/project/governance-forests-initiative/cameroon>]. Accessed 31 July 2014.
- World Wildlife Fund (WWF), *Yaoundé Declaration: conserving the forests of the Green Heart of Africa*, n.d. [URL: http://wwf.panda.org/what_we_do/where_we_work/congo_basin_forests/wwf_solutions/yaounde_summit/]. Accessed 31 July 2014.