

EXAMINING THE LEGAL INSTRUMENTS FOR THE PROTECTION OF UNDOMESTICATED ANIMALS OR WILDLIFE IN NIGERIA

Ibrahim Abdulkarim¹

1.1 Introduction

The various activities of human which by no doubt improves the social and economic development of societies have long been adjudged to pose big threat to the existence of the natural resources of the earth. The quest for man to modernize the environment has been the major cause of contamination and consequent loss of biodiversity as a result of over harvesting of undomesticated species, deforestation and the likes that are contributory factors in contemporary global issues of climate change, pollution of ozone layer, etc. Undomesticated animals have overtime been recognized as a component part of the environment that enhances the survival and sustenance of the nature elements of the earth.

Activities like deforestation, bush burning, poaching, over grazing, hunting etc have negative implications on the environment in the form of soil erosion, loss of biodiversity and ecosystems, loss of wildlife and causes of desertification that is being witness majorly in the Northern part of the country where forest reserves are fast depleting.² Poaching of animals are on the increase and done arbitrarily as seen in the case of Walter Palmer an American dentist who paid 50,000 dollars to hunt a popular lion (cecil) in Zimbabwe that sparked a global outrage and also a hunter who paid money to Namibian reserves to shoot an endangered black Rhinoceros in May 2005.³

With the loss of forest species, many plants and animals are threaten, hence a lot of the undomesticated animals are forced to migrate to other places that might affect the new habitat ecological systems or the plants species being transported to other habitat and could pose threats of contaminating the new environment with their alien species, thereby distorting the natural ecological system of such environment.

Environmental protection of natural resources species has taken a global dimension as envisage in the evolution of sectorial species protection over the years to contemporary international obligations of States concerned to protect the natural resources within their territory.

Nigeria, in her quest to imbibe world best practices on environmental issues, has entered into various Multilateral Environmental Agreements (MEA) like Convention on the Conservation of Migratory Species of undomesticated animals amongst several and has set up several institutional bodies to regulate activities on the environment in the utilization of sustainable natural resources for the entire benefit of the habitats of the environment.

The Nigerian government has domesticated a number of international environmental

¹ LL.B, LL.M, Ph.D, B.L, Senior Lecturer, Dept. of Private Law, Faculty of Law, A.B.U., Zaria.

² Abimola Adelaku, The Lion died, Long live the outrage, page 57, The Punch Newspaper, Thursday, August 6, 2015.

³ Ibid.

instruments and established municipal laws to safeguard natural resources rejuvenation, human health and healthy ecosystems through the full utilization of laws, policies and institutions in the management, regulation and protection of wildlife in balancing human development with sustainable development.

This work sets out to examine the national legal instruments that seek to offer protection to undomesticated animals or wildlife with a view to making recommendations in the areas where the laws are wanting.

1.2 Legal Framework for the Protection Undomesticated Animals or Wildlife

There are several instruments that facilitate the protection of wildlife in Nigeria amongst which are:

1.2.1 Constitution of the Federal Republic of Nigeria, 1999 (as amended)⁴

The Constitution of the Federal Republic of Nigeria 1999 came into force on 29th May 1999 and was amended in 2011, and provides for environmental protection under Fundamental Objectives and Directive Principles of State Policy as contained in Chapter 11 of the Constitution of the Federal Republic of Nigeria 1999(as amended). Section 21 provides that:

"The State shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria".

From the above, it can be infer that safeguarding air, water, land and wildlife as stipulated above is guaranteed for every Nigerian by the Constitution and it also portrays that an aggrieved person can enforce his right for a safe environment by approaching a court of law to invoke the powers of Section 20 of the Constitution to address any wrong done contrary to the said Section, However, section 6 (6) (e) of the Constitution states that:

The Judicial powers vested in accordance with the foregoing provisions of this section shall not except as otherwise provided by this Constitution, extend to any issue or question as to whether any act or omission by any judicial decision is in conformity with the Fundamental Objectives and Directive Principles of State Policy set out in Chapter 11 of this Constitution.

Section 6 (6) (c) of the Constitution of Nigeria 1999 (as amended) is a clear picture of rubbing the court of its power to adjudicate on any matter that falls under the provisions of the Fundamental Objectives and Directive Principles of state that covers sections 13 to 24 of the constitution. The implication of this is that, it downbeats the wonderful National Policy on environment to protect and conserve air, water, land and wildlife. Activities that are likely to cause environmental devastation cannot be challenge in court under the supreme law of the Country, the Provisions are unenforceable and could be seen as providing half protection to natural resources. The provisions of Section 20 of the Constitution are mainly on print and cannot be effectively implemented and enforced.

⁴ Section 20, Constitution of the Federal Republic of Nigeria 1999 (as amended), Cap C23, Revised Edition, LFN, 2004

1.2.2 Endangered Specks (Control of International Trade and Traffic) Act⁵

The Convention on International Trade of Endangered Species of wild fauna and flora (CITES) 1973 was domesticated in Nigeria through Endangered species (Control of International Trade and Traffic) Act, Decree No. 11 of 1985, to join other Countries to protect wildlife species from over exploitation especially in international trade, That preamble States-

An Act to provide for the conservation and management of Nigeria's wildlife and the protection of some of her endangered Species in danger of extinction as a result of over- exploitation, as required under certain international treaties to which Nigeria is a signatory to.

Furthermore, Section 1 provides:

1. As from the commencement of this Act, the hunting or capture of or trade in, the animals specified in the first Schedule to this Act (being animal species threatened with extinction) is absolutely prohibited.
2. As from the commencement of this Act, no person shall hunt, capture, trade in or otherwise deal with an animal species specified in the Second Schedule to this Act (being animals which, though not necessarily now threatened with extinction, may become so threatened unless trade in respect of such species is controlled except where his is in possession of a license issued under this Act.

The Act in general provides protection for animals in prohibiting the hunting or capturing of specific animals species listed in the first schedule, while the hunting, capturing or trading activities are restricted and allowed only with conditions of licenses and permit as stated under the Second Schedule.

Furthermore, Section 4 (J) of the Endangered Species Act provides; (1) The Minister may by an order publish in the Federal gazette...

- (a) Alter the list of animals specified in the First or Second Schedule to this Act by way of addition, substitution, or deletion or otherwise howsoever.
- (b) Make different provision in relation to different species or as respects importation, exportation or re- exportation of animals and plants from Nigeria and impose such conditions as he may deem necessary.

The provisions of Section 4 of the Act authorized the Minister to amend various provisions to wildlife and impose such conditions on international trade as may be deemed necessary. Yet it can hardly be said that the provisions of the section are being exercised to make improvement of the Act, by way of addition, substitution or otherwise in the recent times. As such exercise by the Minister should be hinged on current and existing data base which entails

⁵ Endangered Species (Control of International Trade and Traffic) Act, Cap E9, Revised Edition, LFN 2004

Constant research and standard information/ statistics data base of wildlife substances, when will facilitate in ascertaining the level of depletion of wildlife resources in order to spur Section 4 of the Act into action.

Secondly, the provisions for penalties in the Act are slacked and do not commensurate with contemporary times so as to serve as deterrence for commission of the offences as outlined in the Act, Section 5 of the Act states'

- (1) Any person who, in contravention of the provisions of this Act, trades in, or is in possession of, or otherwise deals with a specimen specified in the First and Second Schedule to this Act. shall be guilty of an offence and liable on conviction;
 - a. in respect of any specimen under the first schedule to this Act, a fine of N1000 for the first offence and for a second and subsequent offences to imprisonment for one year without the option of fine and
 - b. in respect of any specimen under Second Schedule to ibis Act, to a fine of N500 for a first offence and for a second or subsequent offence, to imprisonment without the option of fine,

From the above provisions it is doubtful if the Penalties stipulated above will serve as offensive deterrence and enhance effective implementation of the Act. The fines N1,000 and N500 respectively, are minimal to serve as a preventive measure. Also, it is difficult to understand the rational for the sanctioning of little amount of money as fines and the stiff imprisonment term can be reconciled to effectively constrain the commission of the offences as stipulated in the Act in the light of present realities of things.

Thirdly, the Act, in its entirety, did not define trade, though trade is frequently used with reference to international context, it is unclear whether domestic trade matters are covered by the Act and it could pose difficulty in regulating domestic trade of wildlife species and their products.

1.2.3 National Parks Service Act⁶

This Act regulates and established National Park with the aim of protecting undomesticated or wildlife species and their habitats. National Parks arc designated reserved areas of natural, semi-natural - developed lands owned by government. National Parks in Nigeria dates back to 1975, when Kainji Lake and adjacent Borgo and Zugurma Reserves were declared a National Park by virtue Decree No, 46 of 1979. In 1991, Decree No. 36 established five other National Parks and Decree No. 46 of 1999 created additional two National Parks to preserve

⁶ Established by National Park Service Act, Cap N65, Revised Edition, LFN 2004

indigenous cultural heritage and Ecological systems in Nigeria,⁷ Section 50 (2) of the Act outlines the National Parks in Nigeria as:

- a. Chad Basin National Park
- b. Cross-River National Park
- c. Gashaka-Gumti National Park
- d. Old Oyo National Park
- e. Kainji Lake National Park
- f. Kamuku National Park
- g. Okomu National Park

The preamble of the Act provides:

An Act to establish the National Park Service to be responsible for the preservation, enhancement and protection of wild animals and plants and other vegetation in National Parks and for matters connected there with:

Furthermore, Section 7 provides the function of the Act as:

- a. The preservation, enhancement, protection and management of vegetation and wildlife in National Park.
- b. Advise the Federal government on the development and preservation policy of the National Park including the financial requirement for the implementation of such policy.
- c. Advise the Federal government on the declaration of areas, which for the purpose of protecting wildlife species, biotic communities of special interest or of aesthetic value, the service considers may be declared as National Park under this Act.
- d. Keep under review all activities relating to National Park,
- e. Ensure the implementation of National Park policy by Federal government.
- f. Prepare surveys and maintain up to date records of all existing facilities for the growth and protection of fauna and flora in National Park, for zoological botanical species, and for wild or domesticated animals, and advise the Federal government and State government on their adequacy and efficient utilization in the interest of National economy.

⁷ Ejideke, B. N. et al Trends in Wildlife Conservation Practices in Nigeria, International Journal of Biodiversity and Conservation, Department of Ecotourism and Wildlife Management, Federal University of Technology Akure, Vol. 5(4), 2013

- g. Promote, develop and carryout research on wildlife resources of "Nigeria with a view to promoting optimum utilization and management of wildlife,
- h. Encourage general education in the knowledge of wild and domestic animals, fauna and flora and vegetation by publishing or sponsoring the publication of the results of research, particularly in relation to problems affecting Nigeria.
- i. Encourage the general public to visit the National Parks and the study of nature afforded in National Park, thereby popularizing them as tourist attractions
- j. Co-operate with other Agencies to promote and develop alternatives to wildlife as-a source of protein and income for the rural population.
- k. Implement relevant international Conventions and obligations.
- l. Co-ordinate the activities of the various National Parks committees.
- m. Administer and enforce- this Act to attain its purpose and
- n. Carry out such other activities which in the opinion of this service will facilitate the performance of its functions under this Act.

The provisions of the National Park service Act is pertinent as it covers wide range of protection, conservation and management of wildlife resources as pointed out in the preamble and functions of the Act. If the functions are carried out as depicted in the Act, there will be significant improvement in preservation and management of the natural resources in Nigeria.

In spite of the magnificent provisions for wildlife protection as noted above, it is doubtful if only seven (7) National Parks can adequately preserve and protect a large number of wildlife species in a vast country like Nigeria with its enormous varieties of wildlife species.

Secondly, it can be infer that human capabilities and facilities (equipments) are insufficient to have any significant impact, as the few numbers of National parks cannot sufficiently carry out its mandate of preserving, protecting, and efficient management of wildlife species, coupled with the inadequate maintenance and proper management of the National parks by the appropriate quarters.

Thirdly, the functions of the Act are silent on proactive measures needed to update and modernize its mandate to keep track with time. And also to enhance its efficiency in the better management, research; preservation and detection of devices that may be inimical to the laudable preservation policies of the Act, and make room for future improvement of techniques and mechanism,

1.2.4 National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, 2007 (NESREA)

The notorious incidence of dumping toxic waste in Koko Village in Delta State in

1987 prompted the Federal Government to promulgate the Harmful Waste Decree 42 of 1988 and the same Decree in Section 58 established the Federal Environmental Protection Agency (FEPA), to manage environmental matters in Nigeria. In 1999, FEPA and some related departments in some relevant Ministries were merged, to form the Federal Ministry of Environment, which is saddled with the legal mandate for the implementation of the policies on environmental protection, natural resources conservation and sustainable development. The Federal Ministry of Environment has no enabling law on enforcement of environmental issues, hence NESREA was established as a parastatal of Federal Ministry of Environment on 30th July, 2007; as an enforcement Agency for environmental matters, excluding matters of environment that involves oil and gas. The NESREA Act repealed the FEPA Act.⁸ NESREA Act Section 2 provides-

The Agency shall subject to the provisions of the Act Shall have responsibility for the protection and development of the environment, biodiversity conservation and sustainable development of Nigeria's natural resources in general and environmental technology, including co-ordination and liaison with relevant Stakeholders within and outside Nigeria on matters of enforcement of environmental standards, regulations, rules, laws, policies and guidelines.

Section 7 provides:

The Agency shall

- a. Enforce compliance with laws, guideline, policies and standards on environmental matters.
- b. Coordinate and liaise with Stakeholders, within and outside Nigeria, on matters of environmental standards, regulations and enforcement,
- c. Enforce compliance with the provisions of international agreements, protocols, Conventions and Treaties on the environment, including climate change, biodiversity, conservation, desertification, forestry, oil and gas, chemicals, hazardous, wastes, ozone depletion, marine and wildlife, pollution, sanitation and such other environmental agreements as may from time to time come into force.
- d. Enforce compliance with policies, standards, legislation and guidelines on water quality, environmental health and sanitation, including pollution abatement.
- e. Enforce compliance with guidelines and legislations on sustainable management of the ecosystem, biodiversity conservation and the development of Nigeria's natural resources.
- f. Enforce compliance with any legislation on sound chemical management,

⁸ Section 36, National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, Cap. 164 Revised Edition, LFN 2004

- safe use of pesticides and disposal of spent packages thereof;
- g. Enforce compliance with regulations on importation, exportation, production, distribution, storage, sale, use, handling and disposal of hazardous chemicals and waste other than in the oil and gas sector;
 - h. Enforce through compliance monitoring, the environmental regulations and standards on noise, air, land, seas, oceans and other water bodies other than in the oil and gas sector;
 - i. Ensure that environmental projects funded by donor organizations and external support Agencies adhere to regulations in environmental safety and protection.
 - j. Enforce environmental control measures through registration, licensing and permitting systems other in the oil and gas sector;
 - k. Conduct environmental audit and establish data bank on regulatory and enforcement mechanism of environmental standards other than in the oil and gas sector;
 - l. Create public awareness and provide environmental education on sustainable environmental management, promote private sector compliance with environmental regulations other than in the oil and gas sector and publish general scientific or other data resulting from the performance of its functions;
 - m. Carry out such activities as are necessary or expedient for the performance of its functions.

Section 34(c) of NESREA Act empowers the Minister to make regulations for the purpose of carrying out or giving full effects to the functions of the Agency.

1.3 Regulations for the protection of wildlife

There are several regulations made pursuant to S34(c) of the NESRA Act which seek to protect the undomesticated animals or wildlife in Nigeria.

1.3.1 National Environmental Access to Genetic Resources and Benefit Sharing Regulations, 2009⁹

Nigeria is yet to domesticate the Convention on Biological Diversity (CBD), but it has through the power vested in National Environmental Standards and Regulations Enforcement Agency (Establishment Act), 2007, operationalized some of the principles domestically through the regulation on the Access to Genetic Resources and Benefit Sharing, in the use and transfer of biological resources mostly by technological means in commercial transactions in different categories like pharmaceutical, biotechnology, horticulture, botanical

⁹ National Environmental Standards and Regulation Enforcement Agency (Establishment) Act, Subsidiary Legislation: National Environmental (Access to Genetic Resources and Benefit Sharing) Regulation, S. I, 30, 2009, Cap. N164, Revised Edition, LFN 2004

medicine etc.

Regulation 1, best captures the import of the regulation as thus:

A person shall not engage in any activity that may:

- (a) have an adverse impact on the ecosystem;
- (b) lead to the introduction of any exotic species; and
- (c) lead to unsustainable use of natural resources

Regulation 2(1) provides

The Agency shall in consultation with relevant Agencies impose bans, restrictions or similar measures on the access and use of any threatened species in order to ensure its regeneration and sustainable management.

Regulation 2 (2) (a) states

- a. Issue licenses for the establishment and maintenance of facilities for the recovery and rehabilitation of threaten species
- b. Determine full recovery and rehabilitation measures of threatened species to ensure its restoration into its natural habitat

Furthermore, Regulation 4 provides

“The Agency shall in consultation with the lead Agencies, monitor the status and the components of biological diversity in Nigeria and take necessary measures to prevent and control their depletion”

The preceding provisions are good environmental objectives and ideal enforcement strangles created to suit Nigeria's unique environmental need which also outlines measures to monitor; preserve and protect the natural resources of Nigeria. But inadequate funding, insufficient human and institutional incapacity are major constraints in putting the regulation in to full force

1.3.2 National Environmental (Wetlands, River Banks and Lakeshores), Regulations 2009¹⁰

The Regulations on wetlands was prompted by the principles of the Convention of Wetlands of international importance, Ramsar 1971. Hence in taking measures to protect wetlands. Regulation 2 provides;

Objectives of these Regulations are to

- a. Provide for the conservation and wise use of wetlands and their resources in Nigeria,

¹⁰ National Environmental Standards and Regulation Enforcement Agency (Establishment) Act, Subsidiary Legislation: National Environmental (Wetlands, Riverbanks and Lake Shores) Regulation, S. I, 26, 2009, Cap. N164, Revised Edition, LFN 2004

- b. Ensure the sustainable use of wetlands for ecological and tourism purpose for the common good of all citizens.
- c. Ensure that wetlands are protected as habitats for species of fauna and flora.

The above provisions stipulate the requirement of NESREA in ensuring that good environmental practice are adhere to, regulated mechanism are outlaid to enforce compliance with the relevant laws and also to protect wetlands and its inhabitants.

But, the Regulation failed to outline proactive mechanisms to ensure the protection of natural resources habitat to facilitate effective compliance to the Regulation.

1.3.3 National Environmental (Protection of Endangered Species in International Trade), Regulations, 2011¹¹

The Regulation provide the requirements, prohibitions, offences and penalties to facilitate adherence to the provisions of Convention on International Trade in Endangered Species of wild fauna and flora (CITRS) on wildlife protection. By virtue of Section 7 of the Endangered Species Act, the Minister is empowered to make regulations for giving effect to the provisions of the Act.

The scope of the Regulation is clearly to enforce compliance to CITES principles as succinctly depicted in Section 1 of the Regulation as:

These regulations shall apply to specimen of wildlife species listed in appendix, i, ii, or iii to the Convention on international trade in Endangered Species of wild fauna and flora (CITES or the Convention) domesticated by the Endangered Species (Control of international Trade and Traffic) Act, Cap, E19 Laws of the Federation of Nigeria, 2004 (the Act), (and shall include wildlife species included by the Convention after coming into force of these regulations) and also those listed in the schedule i and ii to the Act.

The preceding provision is to give effect to CITES Convention in protecting the specie as provided in the enabling Act. The provisions of the regulation offers a wider range of natural resources protection, and resolved some lapses that hindered the effective implementation of some of the provisions of the Act. For example Regulation 7 (I)- (4) provides:

- (1) It shall be an offence under these regulations to import, export, re export or re-introduce from the sea, or attempt to import, export, or introduce; from the sea any specimen listed in appendices i, ii and iii to the Convention and the Schedule to the Act and these regulations without a valid permit or certificate.
- (2) Any person found guilty of contravening the provisions of sub-regulation

¹¹ Federal Republic of Nigeria Official Gazette, No. 43, S.I. No. 16, Vol. 98, 2011

- (1) of this regulation shall on conviction be liable to a fine not exceeding 5 million Naira (N5,000,000) and to imprisonment for a term not exceeding three years or both such fine and imprisonment.
- (3) It shall be an offence under these regulations for any person to have in his possession or under his control, or to offer or expose for sale or display to the public, any specimen of species listed in Appendices i, ii and iii of the Convention or the Schedule to this Act and these regulations, which was acquired in contravention of the provisions of the Convention, the Act and /or these regulations.
- (4) Any person found guilty of contravening the provisions of sub-regulation 3 of this regulation shall be guilty of an offence and shall on conviction be liable to a fine not exceeding 5 million Naira (N5,000,000) and to imprisonment for a term not exceeding three years, or to both, such fines and imprisonment.

The above provisions clearly define offences, taking into cognizance the exigencies of times and providing stiffer penalties than the Endangered Species Act, The regulation covers more grounds and it is in line with the prevalent state of things to enhance compliance to the Act to a great extent.

1.3.4 National Environmental (Control of Alien and Invasive Species), Regulations, 2013¹²

The physical environment that include elements of ocean, mountains, desert, forests etc, serves as habitat for diverse species and ecosystems to evolve and thrive, but the natural Course has been altered as a result of human activities due to urbanization that has attendant effects on natural resources. This has resulted in the increased movement of wildlife species from one place to another by diverse means, which in most cases causes tremendous damage to the natural ecosystems of the new habitat. These practice usually result in the influxion of alien and invasive¹³ species like viruses, fungi, algae, mosses, ferns, animals, etc that can adversely affect the density, diversity and survival of plants and animals species, cause habitat and biodiversity loss. Thus, the regulation on control of invasive and alien species seeks to protect wildlife species through the control of activities that may hamper the regeneration and natural survival of the natural resources of the environment.

Thus Regulation 1 provides;

- a. These regulations seek, to prevent the decline, minimize the modification and destruction of ecosystem, economy and human health by alien and invasive species.

¹² Federal Republic of Nigeria, Official Gazette, No. 96, S.I. No. 32, Vol. 100, 2013

¹³ Ibid Regulation 19 defines "alien and invasive species" as means non-native species of plants, animals and microbes, their seeds, spores, eggs or other bio-material capable of propagating these organisms, which might have migrated or been introduced intentionally or unintentionally from other countries or ecosystems

- b. Taking measure such as mitigation with the aim of stabilizing and improving national life through contributions to conservation of biodiversity, human safety and sound development of agriculture, forestry and fisheries,
- c. Developing a national database for the proactive management of fauna and flora of the species for the mitigation of existing invasions and the prevention of future occurrence.

Although, the Convention on Biological Diversity (CBD) is not domesticated in Nigeria, yet the provisions of the regulations are apt for the protection of wildlife species from alien invasion and in so doing it has provided measures in restricting activities such as trade of species, importation of species and ensuring due compliance with prescribed extant national standards and policies and a host of other measure to curb degradation of natural resources through alien invasive species, yet there are no adequate data base, equipments and facilities to plan, monitor, detect, and swiftly respond to traces of alien and invasive species in order to stop biological invasion of any sort at the earliest opportunity.

1.3.4 National Environmental (Desertification Control and Drought Mitigation) Regulations¹⁴

The Regulation's aim at protecting natural resources especially in desert prone regions of the Country as contained in the objective of the regulation thus;

Regulation 2 states-

The objectives of this part of these regulations are to:

- (a) provide an effective and pragmatic regulatory framework for the sustainable use of all areas already affected by desertification and the protection of vulnerable lands;
- (b) Sensitize the public on the causes and dangers associated with desertification and the attendant and degradation,
- (c) Sustain and expand areas under forest and tree cover through conservation, protection, rehabilitation of natural vegetations, tree planting and control of forest exploitation, with a view to reversing desertification trend.

From the above objectives, it is glaring that the provisions are on board to curb environmental ills that are associated with desertification which is mostly caused by over-exploitation of natural resources and destruction of their habitat through natural causes and predominantly human activities. The regulation is a good step in the right direction as Control guidelines are stipulated therein. For example, Regulation 7 (13) best captions the intends and aim of the regulation:

“Best practices shall be applied in the afforestation and conservation practices in the semi arid and arid areas, which are naturally vulnerable to

¹⁴ Federal Republic of Nigeria Official Gazette, S. I. No. 13, Vol. 18, 2011

desertification and deforestation with a view to combating desertification and improving on the natural ecological systems”

The regulation aims to curb environmental ills associated with desertification and provides detailed guidelines to arrest such situations in order to protect natural resources and their habitat from any activities that may cause their depletion and consequent loss of its peculiar ecological processes and biodiversity.

1.3.5 National Environmental (Coastal and Marine Area Protection) Regulations¹⁵

Regulation 2 (a) provides the objectives as:

- (a) Provide regulatory framework capable of preserving the natural ecological conditions of the estuarine system, the barrier Islands system and the beaches so as to safeguard and perpetuate their natural productivity and their biological, economic and aesthetic values.

The preceding provision summarizes the main aim of the regulation in protecting coastal and marine areas of wildlife resources. The regulation contains Standards, Principles, Guidelines, Prohibitions and Penalties for effective protection of the areas, Regulation 3 specifically provides

- (a) Coastal and marine resources shall be utilize in a sustainable manner compatible with the continued protection of coastal and marine areas and their hydro logical functions and service
- (b) (iii) best practices shall be- applied for the conservation of coastal and marine areas of international, national and local importance as ecological systems and habitats for fauna and flora species, cultural and aesthetic purposes, as well as for their hydrological functions etc.

The above provisions are apt and seen as a good medium of regulating activities that could hamper the natural regeneration ability of the natural resources of the areas under reference

1.4 Conclusion

Undomesticated animals or wildlife as it is commonly known is part of the monumental natural resources of the earth which must be conserved for the entire benefit of the inhabitants of the environment. Wildlife species are part of the components of living organisms that comprises of biodiversity in general. Nigeria with its rich vegetation in the various regions is a home to wildlife species. These numerous species are endangered due to mostly human interferences like poaching, hunting, logging, bush burning etc.

This work uncover that there are many legal instruments that are fashioned to protect wild life in Nigeria however there many lacuna, weak provisions and stiff penal provisions which made the implementation and enforcement of the laws cumbersome as noted in the body of the work. Consequently, this work recommend in addition to those made in the body of the

¹⁵ Federal Republic of Nigeria Official Gazette, S. I. No. 18, Vol. 98, 2011

work, the review of the extant laws i.e. environmental matters in the constitution of Nigeria, the Endangered Species Act and several Regulations to keep up with the spate of things and be effective in enforcing environmental standards.