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LEGAL AND INSTITUTIONAL RESPONSES TO DEFORESTATION AND BIODIVERSITY LOSS IN NIGERIA

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Abstract

It is significant to note that Nigeria possess an extensive body of environmental legislation and policy instruments addressing forest conservation and biodiversity protection. Significantly, it should be noted that persistent rates of deforestation indicate significant gaps between formal legal design and actual implementation. The need to consider the effectiveness of legal and institutional responses to deforestation and biodiversity loss in Nigeria, with particular focus on the interaction between normative regulatory frameworks and practical governance outcomes within a federal system cannot be over-emphasised. Against this background, the paper demonstrated relevant sustainable forest conservation in Nigeria pivoted on the alignment of legal norms with institutional capacity, accountability structures, and coherent governance frameworks. Employing a doctrinal legal methodology complemented by institutional analysis of selected state-level case studies, the authors interrogated the structural and administrative factors that shape regulatory effectiveness in environmental governance. The authors therefore argued that the principal challenges confronting forest governance in Nigeria stem not from the absence of legal frameworks but from institutional fragmentation, weak enforcement capacity, limited inter-governmental coordination, and accountability deficits. Furthermore, the authors argued that political interference, regulatory capture, and insufficiently structured community participation mechanisms undermine the deterrent function of environmental law and weaken compliance outcomes as well as effective forest governance required a shift from an emphasis on legislative proliferation toward strengthening institutional coherence, administrative capacity, and participatory governance structures, consistent with constitutional allocations of authority over land and natural resources. The paper therefore maintained the need for environmental law scholarship by foregrounding the importance of examining law as a governance process operating across multiple institutional levels. The authors concluded by proposing a context-sensitive reform, including minimum national standards, enhanced inter-agency coordination, structured community participation, and integrated land-use planning mechanisms.

Keywords: deforestation, natural resource, institutional regulation, community participation, environmental sustainability.

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1. Introduction

Deforestation and biodiversity loss constitute among the most pressing challenges confronting contemporary environmental governance in the twenty-first century. Consequently, the effectiveness of environmental laws and regulatory institutions has become central to global discourse on environmental protection, climate change mitigation, and sustainable development¹. However, in many developing countries, the persistence of deforestation despite the existence of formal legal frameworks raises fundamental questions regarding the adequacy of legislative design, institutional capacity, regulatory coherence, and political will necessary for effective environmental governance.

Nigeria presents a particularly compelling case study through which these issues may be examined. Although the country is endowed with diverse forest ecosystems and globally significant biodiversity resources, it continues to record one of the highest rates of deforestation in Africa². The phenomenon of deforestation in Nigeria cannot be attributed solely to ecological pressures; rather, it is closely linked to governance deficits, weak regulatory enforcement, institutional fragmentation, and inadequate policy coordination at both federal and sub-national levels. The consequence is a widening gap between formal environmental commitments embodied in statutes, policies, and international agreements, and the empirical realities of forest governance and biodiversity conservation in practice.

From a legal perspective, Nigeria's experience illustrates the limitations of statutory regulation as a singular mechanism for addressing complex environmental challenges characterised by socio-economic and institutional interdependencies. Various legal and policy instruments aimed at forest conservation and biodiversity protection exist, including the National Forest Policy, the Endangered Species (Control of International Trade and Traffic) Act, and emerging climate change legislation. However, these instruments operate within a decentralised federal constitutional structure, where authority over land and forest resources is largely vested in state governments pursuant to the Land Use Act framework. This institutional arrangement has generated overlapping regulatory mandates, uneven enforcement practices, and significant compliance gaps, particularly at the sub-national level³.

¹ Food and Agriculture Organisation of the United Nations (FAO). (2022). *Global forest resources assessment 2022*. Rome: FAO. <https://www.fao.org/forest-resources-assessment>, accessed 17 January, 2026; Food and Agriculture Organisation of the United Nations (FAO). (2024). *The State of the World's Forests 2024 - Forest-sector innovations towards a more sustainable future*. Rome. <https://doi.org/10.4060/cd1211en>, accessed 17 January, 2026.

² Ibid.

³ B. E. Umukoro., & M. O. Omozue., (2024). *Environmental protection and the role of national policies and guidelines in Nigeria*. Journal of Environmental Law & Policy, 4(2); C. Okereke, S. Okoh, T. Ogenyi, & G. Olorunfemi, (2025). *Assessment of climate awareness, policy development, and action across*

The importance of legal and institutional responses to deforestation in Nigeria therefore extends beyond environmental protection narrowly conceived. Forest governance intersects with rural livelihood security, indigenous and community resource rights, anti-corruption concerns, national security considerations, and sustainable economic development objectives⁴. Weak enforcement of forest laws not only accelerates biodiversity depletion but also undermines the rule of law, erodes public confidence in regulatory institutions, and weakens the credibility of environmental governance mechanisms⁵. Conversely, coherent legal frameworks supported by effective institutions and participatory governance mechanisms have the potential to reconcile conservation imperatives with socio-economic realities⁶.

This paper therefore seeks to critically examine the legal and institutional responses to deforestation and biodiversity loss in Nigeria, with particular emphasis on the relationship between normative design and practical implementation. It begins by analysing the condition of Nigeria's forest resources and identifying the principal drivers of deforestation and biodiversity decline, with particular attention to governance and regulatory determinants of environmental degradation. Building on this contextual foundation, the study evaluates the effectiveness of existing legal and institutional frameworks for forest and biodiversity protection, assessing the extent to which statutory and policy mechanisms translate into measurable environmental outcomes.

The analysis further interrogates the practical operation of these frameworks through selected sub-national case studies drawn from Cross River, Ondo, and Taraba States. These case studies illustrate variations in enforcement capacity, institutional coordination, and regulatory effectiveness across Nigeria's federal system. Particular emphasis is placed on persistent challenges including regulatory non-compliance, institutional corruption, administrative inefficiency, and limited community participation, all of which significantly influence the success or failure of forest governance initiatives. Drawing upon these findings, the study ultimately proposes legally grounded and institutionally feasible reform strategies capable of strengthening sustainable forest management and biodiversity conservation in Nigeria.

Nigerian states. *Frontiers in Climate*, 7. <https://doi.org/10.3389/fclim.2025.1650172>, accessed 16 January, 2022.

⁴ A. O. Aweto, (2013). *Shifting cultivation and secondary succession in the tropics*. CABI Publishing; D. Alemagi, R. Hajjar, S. David, & R. A. Kozak, (2011). *Benefits and barriers to certification of community-based forest operations in Cameroon: An exploratory assessment*. *Small-scale Forestry*, 11(4), 417–433. <https://doi.org/10.1007/s11842-011-9192-9>, accessed 16 January, 2022.

⁵ Food and Agriculture Organisation of the United Nations (FAO). (2020). *Global forest resources assessment 2020: Nigeria country report*. FAO.

⁶ United Nations Environment Programme (UNEP). (2019). *Environmental rule of law: First global report*. United Nations Environment Programme.

Guided by these objectives, the paper addresses a set of interrelated research questions. First, it examines the extent to which Nigeria's existing legal frameworks are capable of effectively regulating deforestation and biodiversity loss in light of contemporary environmental challenges. Second, it evaluates the influence of institutional arrangements at federal and state levels on forest governance outcomes, particularly within a decentralised constitutional structure characterised by asymmetrical allocation of authority over land and natural resources. Third, the paper explores the lessons that may be derived from the experiences of Cross River, Ondo, and Taraba States in managing forest reserves and biodiversity assets. Finally, the study considers how Nigeria's legal and institutional responses may be strengthened in order to enhance biodiversity protection while remaining sensitive to socio-economic realities and governance constraints.

2. Nature and scope of Forest Resources in Nigeria

Deforestation in Nigeria is not merely an environmental concern but a multidimensional governance challenge shaped by land tenure arrangements, economic development priorities, population pressures, and weaknesses in regulatory enforcement. Nigeria's forest ecosystems form part of the Guinea-Congolian rainforest belt, a globally significant biodiversity hotspot characterised by high species richness, ecological complexity, and considerable levels of endemism⁷.

Over recent decades, however, Nigeria's forest cover has declined at an alarming rate. According to the Food and Agriculture Organisation, Nigeria records one of the highest deforestation rates globally, with forest area declining steadily since the 1990s largely as a consequence of land-use conversion and unsustainable resource extraction practices⁸. Although estimates vary depending on methodology, available data consistently suggest that less than ten per cent of Nigeria's total land area remains under natural forest cover⁹. Satellite-based assessments further confirm widespread and continuing tree-cover loss across southern and central regions of the country¹⁰.

This trend has produced significant implications for biodiversity conservation. Nigeria is home to several species classified as Critically Endangered or Endangered, including the Cross River gorilla (*Gorilla gorilla diehli*), the Nigeria-Cameroon chimpanzee (*Pan troglodytes ellioti*), the

⁷ T. Krause, T. D. Nielsen, L. Guia-Diaz, V. Lehsten, O. Olsson, & F. Zelli, (2019). *What future for primates? Conservation struggles in the forests of Cross River State, Nigeria*. Sustainability Science, 14(6), 1515–1529. <https://doi.org/10.1007/s11625-019-00667-y>, accessed 16 January 2026.

⁸ Food and Agriculture Organisation of the United Nations (FAO). (2022). *Global Forest Resources Assessment 2022*.

⁹ Ibid.

¹⁰ International Union for Conservation of Nature. (2024). *The IUCN Red List of Threatened Species*. <https://www.iucnredlist.org>, accessed 16 January 2026.

drill monkey (*Mandrillus leucophaeus*), forest elephants, and several species of pangolin¹¹. Habitat destruction and fragmentation remain primary threats to these species, whose populations are increasingly confined to isolated forest patches within protected areas and designated forest reserves¹².

Agricultural expansion remains widely recognised as the principal driver of forest loss. Small-scale subsistence farming, often characterised by shifting cultivation practices, continues to convert forested land into agricultural plots, particularly in regions experiencing population pressure and insecure land tenure arrangements¹³. In addition, commercial agricultural activities, including cocoa and oil palm cultivation, have contributed significantly to forest clearance in southern Nigeria¹⁴.

Illegal logging constitutes another major source of pressure on forest ecosystems. Although timber harvesting is regulated under federal and state legislation, enforcement remains inconsistent, and both artisanal and commercial logging activities occur within forest reserves and protected areas. Empirical studies on tropical deforestation identify weak governance structures and regulatory inefficiencies as key enabling factors for illegal logging activities, a pattern which closely reflects the Nigerian experience¹⁵. Reports by environmental organisations further suggest that logging regulations at state and local levels are frequently undermined by corruption, inadequate monitoring capacity, and political interference.¹⁶

Nigeria's environmental governance framework is characterised by overlapping institutional mandates, inadequate financial resources, and relatively low prosecution rates for environmental offences. Empirical research on forest governance consistently identifies institutional weakness and corruption as major contributors to continued deforestation despite the existence of formal legal frameworks¹⁷. These structural deficiencies are particularly significant from a legal perspective because they highlight the persistent gap between normative legal provisions ("law in the books") and practical enforcement realities ("law in action").

¹¹ International Union for Conservation of Nature. (2024). *The IUCN Red List of Threatened Species*. <https://www.iucnredlist.org>, accessed 16 January 2026.

¹² Ibid.

¹³ Food and Agriculture Organisation of the United Nations (FAO). (2022). *Global Forest Resources Assessment 2022*.

¹⁴ World Bank. (2021). *Climate Risk Country Profile: Nigeria*.

¹⁵ H. J. Geist, & E. F. Lambin (2002). *Proximate causes and underlying driving forces of tropical deforestation*. *BioScience*, 52(2), 143–150; Food and Agriculture Organisation of the United Nations (FAO). (2022). *Global Forest Resources Assessment 2022*.

¹⁶ United Nations Environment Programme (UNEP). (2023). *State of the world's forests and biodiversity*. <https://www.unep.org/resources>, accessed 16 January 2026.

¹⁷ United Nations Environment Programme (UNEP). (2023). *State of the world's forests and biodiversity*; World Bank. (2021). *Climate Risk Country Profile: Nigeria*.

Beyond biodiversity loss, deforestation in Nigeria has significant implications for broader ecosystem services. Forests play an essential role in carbon sequestration and climate regulation, and land-use change constitutes a significant component of Nigeria's greenhouse gas emissions profile. Continued deforestation therefore undermines national climate mitigation strategies and the country's international obligations under the United Nations Framework Convention on Climate Change (UNFCCC).¹⁸

Forests also provide essential soil conservation functions. Tree cover enhances soil stability, reduces erosion, and supports long-term agricultural productivity. Deforestation has been linked to land degradation, declining crop yields, and increased vulnerability to desertification in ecologically fragile regions of Nigeria¹⁹.

In addition, forest ecosystems contribute significantly to the regulation of hydrological systems by influencing rainfall patterns, surface runoff, and groundwater recharge processes. Reduced forest cover has been associated with increased flooding incidents in southern Nigeria and heightened water stress in other regions, with significant consequences for rural livelihoods and agricultural sustainability²⁰. The environmental impacts discussed above illustrate the broader socio-economic consequences of deforestation and underscore the urgency of effective legal and institutional reform responses.

Taken together, these dynamics demonstrate that deforestation in Nigeria represents a complex governance challenge characterised by deeply interconnected ecological, socio-economic, and legal dimensions. This contextual understanding provides an essential foundation for evaluating the adequacy of Nigeria's forest conservation laws and institutional frameworks, which form the focus of the subsequent sections of this paper.

I. Forest Governance and Deforestation in Nigeria

Contemporary scholarship on forest governance in Nigeria has progressed beyond descriptive accounts of ecological decline to critically interrogating the central role of institutional weaknesses and governance failures in accelerating deforestation. At the sub-national level, empirical research examining governance practices in forest-rich states such as Cross River and Enugu demonstrates that institutional design, regulatory consistency, and stakeholder participation significantly influence conservation outcomes. Evidence derived from community responses to zero-encroachment policies in Cross River National Park suggests that highly

¹⁸ United Nations Framework Convention on Climate Change (UNFCCC). (2021). *Nigeria's nationally determined contribution*. <https://www4.unfccc.int/sites/NDCStaging/pages/Party.aspx?party=NGA> accessed 16 January 2026.

¹⁹ Food and Agriculture Organisation of the United Nations (FAO). (2022). *Global Forest Resources Assessment 2022*; World Bank. (2021). *Climate Risk Country Profile: Nigeria*.

²⁰ United Nations Environment Programme (UNEP) (2023): *State of the world's forests and biodiversity*.

restrictive conservation approaches may undermine regulatory effectiveness where enforcement capacity is weak and mechanisms for community participation are insufficiently developed²¹.

Similarly, studies focusing on south-western Nigeria highlight the limitations of centralised or top-down forest governance models, emphasising that weak stakeholder engagement, limited institutional capacity at the local level, and unmet socio-economic expectations among forest-dependent communities frequently undermine regulatory legitimacy and compliance.²² These findings align with broader scholarship on REDD+ preparedness in Nigeria, which indicates that limited integration of forest-dependent communities into decision-making processes reduces the legitimacy, effectiveness, and sustainability of forest governance initiatives.²³

While this body of literature provides valuable insights into the relationship between governance arrangements and conservation outcomes, much of the empirical evidence remains context-specific, often focusing on individual programmes, projects, or community-based initiatives rather than offering systematic comparative analysis across multiple jurisdictions. Consequently, comparative evaluation of how federal and state institutional arrangements interact to shape forest governance outcomes remains underdeveloped, despite the significance of decentralisation within Nigeria's constitutional framework.

II. Legal scholarship on environmental regulation in Nigeria has reached a relatively advanced stage, with numerous doctrinal studies analysing the structure, scope, and implications of statutory frameworks governing environmental protection. Recent doctrinal analyses of forestry legislation observe that key legal instruments, including the Forestry Act and several state forestry laws, remain outdated and inadequately aligned with contemporary conservation priorities, thereby limiting their effectiveness in responding to emerging environmental threats such as biodiversity loss and climate change.²⁴

Research on environmental law enforcement further highlights persistent structural constraints affecting regulatory effectiveness. Although studies focusing on environmental governance in the Niger Delta are primarily concerned with oil pollution, they identify institutional deficiencies, regulatory loopholes, corruption, limited enforcement resources, and low public

²¹ C. J. Ayogu, S. C. Onyenekwe, O. I. Nnadi, R. N. Arua, & R. I. Ozioko, (2025). *Forest governance approaches for conservation and rural livelihood in communities of Enugu and Cross River States*. Journal of Agricultural Extension, 29(3), 174-184.

²² M. Fasona, P. A. Adeonipekun, O. O. Agboola, A. Akintuyi, A. Bello, O. T. Ogundipe, A. S. O. Soneye, & A. Omojola, (2019). *Incentives for collaborative governance of natural resources: A case study of forest management in southwest Nigeria*. Environment and Development, 30, 76-88.

²³ N. Izoukumor, & J. Razzaque, (2025). *The story of REDD+ in Nigeria: A critical view of the participation of forest-dependent communities*. African Journal of International and Comparative Law, 33(2), 284-311.

²⁴ S. O. Idehen, & J. B. Bello (2025). *A review of forestry laws in Nigeria: How effective?* International Journal of Law, 11(4), 43-48.

awareness as key factors contributing to weak compliance with environmental laws²⁵. Earlier scholarship on Nigerian environmental law similarly emphasises the enduring “law in the books” versus “law in action” dichotomy, wherein relatively robust statutory provisions fail to produce meaningful outcomes due to limited institutional capacity, weak enforcement culture, and political interference.²⁶

Despite these contributions, much of the legal literature concentrates on general environmental regulation rather than sector-specific analysis of forest law implementation. There remains limited doctrinal and empirical research examining how particular forestry laws operate in practice at both federal and state levels, as well as how legal norms interact with governance structures responsible for forest management. This represents a significant research gap, particularly given the decentralised allocation of regulatory authority over land and forest resources in Nigeria.

III. Practices at State Level

This section examines the practical operation of Nigeria’s legal and institutional frameworks relating to forest and biodiversity protection at the sub-national level, with emphasis on how regulatory norms function within administrative practice. Drawing upon institutional analysis and empirical literature, case studies from Cross River, Ondo, and Taraba States are utilised to evaluate how forestry authorities, enforcement agencies, and local stakeholders interpret, apply, adapt, or occasionally circumvent formal legal and policy frameworks. Rather than focusing on the formal statutory provisions already examined in Section 5, this section interrogates patterns of administrative behaviour, enforcement practices, inter-agency coordination mechanisms, and the role of community participation in shaping governance outcomes.

a. Cross River State: Conservation-Oriented Forest Governance

Cross River State occupies a prominent position within Nigeria’s forest governance landscape, possessing some of the most biologically diverse ecosystems and formally protected forest areas in the country. Forest governance within the state is primarily administered through the Cross River State Forestry Commission, alongside collaborative arrangements involving federal institutions responsible for the management of national parks and the implementation of REDD+ programmes. The interaction between federal and state institutions significantly shapes day-to-day regulatory practices, particularly as local branches of national environmental agencies

²⁵ Z. Edo, L. Etemike, & V. E. Clark, (2022). *Exploring barriers to environmental law enforcement and compliance in Nigeria Niger Delta Region*. Journal of Danubian Studies and Research, 12(1).

²⁶ L. A. Atsegbua, & I. A. Aigbe, (2014). *An appraisal of the mechanisms of enforcement of environmental laws in Nigeria*, University of Ibadan Law Journal, 4, 111-114

frequently participate in monitoring, compliance supervision, and biodiversity conservation initiatives.

Forest policy instruments and wildlife protection legislation are implemented administratively through licensing procedures, protected-area patrol systems, regulatory directives, and conservation programmes, although empirical evidence indicates considerable variation in the consistency of implementation. Research examining forest governance practices within Cross River communities highlights the presence of restrictive regulatory approaches, such as zero-encroachment policies within Cross River National Park, which formally prohibit certain livelihood activities but have not been uniformly enforced across local jurisdictions.²⁷ These findings demonstrate the extent to which administrative discretion and institutional capacity influence patterns of forest access and the effectiveness of regulatory enforcement.

Enforcement patterns within the state reveal a complex interaction between formal legal requirements and practical institutional constraints. Supervision of forest reserve activities is frequently conducted through periodic patrols undertaken by state forestry officials, often supplemented by ad hoc enforcement task forces, with discretionary decision-making contributing to variation in the application of sanctions. Civil society organisations further report the persistence of unauthorised forest access and illegal resource extraction activities, notwithstanding the existence of formal protection regimes, partly attributable to capacity limitations, enforcement gaps, and informal accommodations between regulatory actors and local stakeholders.²⁸ These findings suggest that institutional effectiveness is shaped not only by statutory authority but also by relational dynamics between regulatory institutions and forest-dependent communities.

Community participation constitutes an important, though unevenly institutionalised, component of forest governance in Cross River State. Community-based organisations and non-governmental coalitions have increasingly engaged in conservation advocacy, frequently seeking greater involvement in decision-making processes and improved benefit-sharing arrangements, particularly where restrictive conservation policies limit access to traditional livelihood resources²⁹. These developments highlight ongoing tensions between state-led conservation objectives and community-based customary practices, illustrating the extent to which forest

²⁷ C. J. Ayogu, et al, at p. 115

²⁸ NCF Nigeria. (2025). *CSOs unite to combat escalating deforestation in Cross River State*. Nigeria Conservation Foundation. <https://ncfnigeria.org/csos-unite-to-combat-escalating-deforestation-in-cross-river-state/>, accessed 17 January 2026.

²⁹ NCF Nigeria, *CSOs Unite to Combat Escalating Deforestation in Cross River State* (2025).

governance outcomes are mediated through interactions between formal legal frameworks and local socio-economic realities.

b. Ondo State: Commercial Forestry and Land-Use Pressure

Forest governance in Ondo State is characterised by significant commercial forestry activity and competing land-use pressures, particularly those arising from agricultural expansion and timber exploitation. Institutional responsibility for forest governance resides primarily with the Ondo State Ministry of Natural Resources and associated forestry administrative units, which regulate licensing processes, land-use planning, and coordination with federal environmental authorities. Administrative practice in the state reflects routine regulatory activities such as permit issuance, periodic compliance inspections, and land-use oversight, frequently shaped by broader commercial interests and local economic priorities.

Environmental and forestry regulations in Ondo State are implemented through a combination of formal licensing frameworks and informal regulatory adjustments, reflecting the practical realities of managing competing land-use demands. Empirical studies examining land-use and land-cover change in Ondo forest reserves demonstrate that agricultural expansion remains a primary driver of forest conversion, thereby necessitating institutional responses aimed at balancing conservation objectives with economic development imperatives³⁰. Consequently, regulatory practice often involves administrative trade-offs between forest conservation priorities and pressures to support agricultural productivity and rural economic livelihoods, resulting in differentiated enforcement behaviour across forest jurisdictions.

Enforcement practices in Ondo State reveal significant elements of administrative discretion influenced by resource constraints, institutional priorities, and socio-economic pressures. Monitoring activities are often periodic, while compliance inspections may be initiated primarily at the discretion of forestry officials operating in collaboration with local stakeholders. Empirical evidence derived from studies of protected forest areas in south-western Nigeria indicates that regulatory authorities frequently acknowledge the inevitability of agricultural encroachment pressures when exercising enforcement judgment, illustrating the role of contextual socio-economic considerations in shaping regulatory decision-making.³¹ Such patterns demonstrate the interaction between economic policy priorities and environmental governance objectives, with implications for the consistency and predictability of enforcement outcomes.

³⁰ O. A. Ogunsanmi, E. S. Taiwo, & O. V. Oyerinde (2025), *Land use and land cover pattern of three forest reserves in Ondo State, Nigeria*. Journal of Biology and Nature, 17(2), 632-646.

³¹ M. Fasona, A. Bello, & R. Agbor, (2022), *Protected areas and management practices: Evidence in Southwest Nigeria*. International Journal of Environmental Protection and Policy, 9(6), 140-152.

Community participation within forest governance structures in Ondo State varies across jurisdictions. Empirical research suggests that local communities generally demonstrate willingness to participate in conservation initiatives, particularly where incentive structures or participatory management arrangements are available³². Although consultative practices and decentralised management structures are occasionally utilised, formal institutional mechanisms for integrating community perspectives into administrative decision-making processes remain relatively underdeveloped. Nevertheless, community engagement practices continue to coexist with state regulatory frameworks and frequently influence enforcement behaviour and institutional responses to land-use pressures.

C. Taraba State: Institutional Fragility and Peripheral Governance

Forest governance in Taraba State, particularly within the Mambilla Plateau region and surrounding forest reserves, reflects a governance environment characterised by institutional fragility, limited administrative capacity, and complex interactions between state institutions and local communities. Regulatory oversight is primarily exercised by the state forestry department and related agencies, although their operational effectiveness is often constrained by geographical remoteness, infrastructural limitations, and limited administrative presence. These contextual factors influence the manner in which legal frameworks relating to forest and wildlife protection are operationalised in practice, frequently resulting in irregular enforcement patterns and reliance on local institutional arrangements.

Institutional capacity and local governance structures significantly influence the implementation of forest and wildlife laws in Taraba State. Research examining community-based forest management initiatives within the Ngel Nyaki Forest Reserve highlights participatory governance arrangements involving local community training programmes in plantation development, biodiversity monitoring, and reserve management, thereby integrating formal conservation objectives with community livelihood considerations³³. These arrangements illustrate how adaptive governance strategies emerge in contexts where formal enforcement capacity is limited, resulting in hybrid institutional frameworks combining state regulatory authority with community participation mechanisms.

Enforcement practices within Taraba State frequently reflect capacity-related constraints, including limited monitoring resources and reliance on informal governance mechanisms.

³² S. F. Arifalo, (2024), *Assessment of community participation in forest conservation in Ondo State, Nigeria*. African Journal of Agriculture and Food Science, 7(3), 39-55.

³³ T. Orokin, F. Babalola, T. O. Amusa, S. T. Ivande, Z. J. Wala, O. O. Jegede, D. Tanko, & J. O. Ihuma, (2012). *Community-based forest resources management in Nigeria: A case study of Ngel Nyaki Forest Reserve, Mambilla Plateau, Taraba State, Nigeria*. Journal of Tropical Forestry and Environment, 2(1). <https://doi.org/10.31357/jtfe.v2i1.571> accessed 17 January, 2026.

Forestry authorities often face challenges in conducting consistent surveillance activities, leading to greater reliance on community reporting structures, irregular patrol systems, and cooperative governance arrangements involving local actors. These practices demonstrate the importance of local institutional participation in sustaining forest conservation efforts within peripheral governance contexts.

Community-based regulatory practices further illustrate the presence of informal governance dynamics complementing formal legal frameworks. In certain instances, community-based conservation initiatives involve the establishment of patrol groups, participatory forest monitoring activities, and local biodiversity data collection mechanisms aimed at supporting forest sustainability objectives³⁴. The coexistence of formal statutory frameworks and informal community governance arrangements highlights the adaptive nature of institutional behaviour within contexts characterised by limited state capacity, demonstrating how forest governance outcomes are shaped through interaction between legal norms and local socio-political realities.

3. Framework on Forest resources in Nigeria

There is need to evaluate the legal and institutional framework appertaining to forest resource in Nigeria.

I. Legal framework

It is significant to highlight some of the identified framework, which include the following:

a. National Forest Policy

The National Forest Policy (NFP) constitutes the principal policy instrument guiding forest conservation, management, and sustainable utilisation in Nigeria. Although the Policy does not possess the binding force of primary legislation, it is issued by the Federal Ministry of Environment and provides strategic direction regarding forest governance, institutional coordination, and sustainable forestry practices. The 2006 NFP recognises the multifunctional role of forests in supporting economic development, biodiversity conservation, fuelwood supply, watershed protection, and rural livelihoods, thereby situating forest governance within the broader framework of sustainable development. The Policy also reflects Nigeria's commitment

³⁴ A. Akinsoji, (2013). *Community-based forest management in Buru, Taraba State, Nigeria*. Journal of Environment and Earth Science, 3(12); T. Borokini, F. Babalola, T. O. Amusa, S. T. Ivande, Z. J. Wala, O. O. Jegede, D. Tanko, & J. O. Ihuma, (2012). *Community-based forest resources management in Nigeria: A case study of Ngel Nyaki Forest Reserve, Mambilla Plateau, Taraba State, Nigeria*. Journal of Tropical Forestry and Environment, 2(1).

to international environmental norms and cooperative frameworks relating to biodiversity conservation, genetic resource protection, and sustainable resource utilisation³⁵.

The Policy outlines objectives across several thematic areas, emphasising sustainable forest resource management, participatory governance approaches, promotion of agroforestry systems, watershed and wetland protection, and biodiversity conservation. It also encourages boundary demarcation of forest reserves, promotion of scientific research, environmental education, and equitable benefit-sharing among federal, state, and local governments as well as forest-dependent communities. Importantly, the Policy addresses both off-reserve forest resources and gazetted forest areas, recognising the economic, ecological, and social significance of forest ecosystems³⁶. From an implementation perspective, the NFP functions primarily as a normative policy framework rather than a directly enforceable legal instrument. Its effectiveness depends largely on implementation through subsidiary legislation, institutional programmes, and administrative regulations. Consequently, the Policy serves primarily as a mechanism for coordinating governmental policy objectives rather than constituting an independent enforcement regime, requiring operationalisation through the activities of relevant ministries, agencies, and collaborative stakeholders³⁷.

The federal–state implications of the Policy reflect Nigeria’s constitutional structure, under which states retain significant authority over land and natural resources, including forest reserves. Although the NFP encourages cooperative relationships between federal and state governments and proposes coordination mechanisms for planning and benefit-sharing, it does not impose binding legal obligations on sub-national governments. As a result, effective implementation of national forest policy objectives depends significantly on the incorporation of policy principles into state forestry legislation and regulatory practice³⁸.

b. Endangered Species Act

The Endangered Species (Control of International Trade and Traffic) Act (ESA) represents Nigeria’s primary statutory instrument for the protection of wildlife species and biodiversity conservation. The Act was originally enacted to regulate the exploitation, possession, and international trade in endangered species of flora and fauna, and to harmonise Nigeria’s domestic legal framework with the requirements of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

³⁵ Federal Republic of Nigeria. (2006). *National Forest Policy*. Federal Ministry of Environment. <https://foris.fao.org/static/pdf/nfp-and-forest-policy-documents/nigeria-national-forest-policy-2006.pdf>, accessed 17 January, 2026.

³⁶ Federal Republic of Nigeria. (2019). *National forest policy*. Federal Ministry of Environment.

³⁷ Federal Republic of Nigeria, *National Forest Policy* (2006).

³⁸ Federal Republic of Nigeria, *National Forest Policy* (2019).

The ESA provides statutory protection for designated species through the prohibition of activities such as hunting, capture, possession, sale, and transportation of listed endangered species without appropriate authorisation. The legislation establishes criminal liability for violations of its provisions, thereby creating a legal deterrent against activities contributing to species depletion. In this regard, the ESA complements broader environmental legislation by providing targeted protection for species threatened by overexploitation and unsustainable commercial practices³⁹.

With respect to regulatory functions, the Act empowers relevant authorities to control trade, issue permits, regulate transportation, and supervise the handling of endangered species and their derivatives. The Act establishes penalties including fines and terms of imprisonment for violations. However, legal scholarship frequently observes that certain provisions of the Act have remained largely unchanged since enactment and may not adequately reflect contemporary conservation challenges, particularly in relation to emerging threats such as illegal wildlife trafficking and habitat destruction⁴⁰.

Despite these limitations, the ESA remains a binding legal instrument with direct legal effect, capable of enforcement by Nigerian courts and regulatory agencies. Its provisions contribute to Nigeria's compliance with international environmental obligations, particularly those arising under CITES and related multilateral environmental agreements. Nevertheless, scholars have emphasised the need for periodic legislative review in order to ensure alignment with evolving international conservation standards and best practices⁴¹.

II. Institutional Mandates

Nigeria's environmental legal framework is characterised by the existence of several statutory institutions responsible for implementing environmental and natural resource legislation. One of the most significant institutions is the National Environmental Standards and Regulations Enforcement Agency (NESREA), established pursuant to the NESREA (Establishment) Act 2007 with responsibility for enforcing environmental laws, regulations, and standards relating to biodiversity conservation and natural resource protection⁴².

NESREA is empowered to monitor compliance with environmental regulations, conduct inspections, issue enforcement directives, and coordinate implementation of environmental

³⁹ National Environmental Standards and Regulations Enforcement Agency. (n.d.). *Laws and regulations*. Retrieved from <https://nesrea.gov.ng/laws-regulations> accessed 17 January, 2026.

⁴⁰ U. C. Agom, (2025). *Endangered species legislation in Nigeria: Analysis of domestic legal instruments*. African Journal of Law, Political Research and Administration, 8(2), 29–38.

⁴¹ Ibid.

⁴² National Environmental Standards and Regulations Enforcement Agency. (n.d.). *About NESREA*. Retrieved from <https://nesrea.gov.ng/about-us> accessed 17 January, 2026.

treaties to which Nigeria is a party. Although the Agency's mandate extends beyond forestry to include pollution control, waste management, and environmental impact assessment regulation, its functions contribute significantly to biodiversity protection and environmental governance more broadly⁴³.

The Climate Change Act 2021 further strengthens Nigeria's environmental governance architecture by establishing a statutory framework for coordinated national climate action through the National Council on Climate Change. The Act mandates the preparation of a National Climate Change Action Plan and introduces a five-year carbon budgeting framework, thereby integrating land use, forestry, and emissions reduction strategies into national climate governance structures⁴⁴.

Although not exclusively focused on forest regulation, the Climate Change Act provides an important legal foundation for nature-based solutions, including REDD+-compatible conservation initiatives, thereby facilitating integration of forest conservation into Nigeria's climate policy framework. The institutional structure established by the Act promotes coordination between the Federal Ministry of Environment, the National Council on Climate Change, and other relevant agencies involved in biodiversity protection.⁴⁵

Additional institutional actors contribute to environmental governance in Nigeria. For example, the Forestry Research Institute of Nigeria provides scientific and technical research supporting evidence-based forest policy development, while implementation of the Endangered Species Act operates alongside NESREA's regulatory functions in controlling wildlife trade and protecting threatened species.⁴⁶

Collectively, these institutional arrangements demonstrate the distribution of statutory authority across multiple regulatory bodies responsible for forest and biodiversity governance. However, the legal architecture is characterised by overlapping institutional mandates, necessitating effective coordination mechanisms in order to prevent duplication of functions and regulatory inconsistency. The mandates of NESREA, the National Council on Climate Change, and other statutory bodies intersect in important respects, highlighting the need for clearly defined institutional relationships and collaborative governance mechanisms.

4. Enforcement Capacity and Institutional Weakness

⁴³ National Environmental Standards and Regulations Enforcement Agency. (n.d.). *About NESREA*. Retrieved from <https://nesrea.gov.ng/about-us> accessed 17 January, 2026.

⁴⁴ Federal Republic of Nigeria. (2021). *Climate Change Act, 2021*.

⁴⁵ Ibid.

⁴⁶ National Environmental Standards and Regulations Enforcement Agency. (n.d.). *About NESREA*. Retrieved from <https://nesrea.gov.ng/about-us> accessed 17 January, 2026.

A central finding emerging from the combined doctrinal and empirical analysis is that weak enforcement capacity constitutes a significant impediment to effective forest governance in Nigeria. Although Nigeria possesses a diverse body of statutory and regulatory instruments aimed at forest protection and biodiversity conservation, there remains a persistent implementation deficit in translating these legal frameworks into practical regulatory outcomes⁴⁷. At both federal and state levels, enforcement institutions operate within contexts characterised by inadequate funding, insufficient technical expertise, limited logistical support, and deficient monitoring infrastructure, all of which undermine regulatory effectiveness⁴⁸.

The case studies reveal that enforcement practices are often irregular, reactive, and largely discretionary, relying on sporadic patrols, temporary task forces, and short-term interventions rather than systematic monitoring and compliance supervision. This pattern reflects institutional incapacity rather than legislative deficiency, suggesting that the core governance challenge lies not in the absence of legal authority but in the limited ability of institutions to operationalise their statutory mandates⁴⁹. This distinction is analytically significant, as it shifts the diagnosis of governance failure from normative inadequacy to structural limitations in administrative capability and regulatory implementation. Consequently, the findings demonstrate a persistent divergence between formal legal expectations and observable regulatory outcomes, thereby weakening the deterrent effect of environmental law.

a. Corruption and Political Interference

In addition to institutional capacity constraints, the findings indicate that political interference and administrative corruption further undermine enforcement effectiveness. Fragmented institutional mandates and weak inter-agency coordination create broad discretionary spaces, within which informal negotiations, selective enforcement practices, and regulatory capture may occur⁵⁰. Under such conditions, legal prohibitions may be circumvented, diluted, or effectively neutralised where enforcement decisions are influenced by political considerations or economic pressures.⁵¹ From a legal perspective, this dynamic erodes the deterrent function of environmental regulation and weakens the predictability, legitimacy, and normative authority of the regulatory framework.

⁴⁷ I. Anugwa, A. E. Igwe, & E. Igbokwe, E. (2022), *Perception of forest stakeholders on illegal practices prevalent in the rainforest of Southern Nigeria*. SSRN Electronic Journal

⁴⁸ C. J. Ayogu, et al., *Forest governance approaches for conservation and rural livelihood in communities of Enugu and Cross River States* (2025).

⁴⁹ Ibid.

⁵⁰ I. Anugwa, *Perception of forest stakeholders on illegal practices prevalent in the rainforest of Southern Nigeria* (2022).

⁵¹ C. J. Ayogu, *Forest governance approaches for conservation and rural livelihood in communities of Enugu and Cross River States* (2025).

Where forest resources possess significant commercial or political value, institutional actors may face incentives to prioritise revenue generation, patronage networks, or short-term political considerations at the expense of strict legal compliance. Empirical evidence suggests that such interference distorts regulatory decision-making processes, undermines public confidence in environmental institutions, and contributes to the normalisation of selective compliance patterns, thereby diminishing both the legitimacy and effectiveness of environmental law as an instrument of conservation.⁵²

b. Community Participation and Exclusion

The analysis reveals a complex and often ambivalent relationship between forest governance institutions and local communities. While statutory and policy frameworks formally recognise community participation as an element of sustainable forest management, practical implementation varies considerably across jurisdictions. In certain contexts, exclusionary conservation strategies marginalise local livelihoods, generating resistance, informal resource utilisation, and non-compliance behaviours that undermine regulatory objectives⁵³. These findings illustrate that conservation strategies which are formally lawful may nonetheless prove institutionally counterproductive where they fail to integrate socio-economic realities.

Conversely, in jurisdictions where participatory or community-based forest management arrangements exist, such mechanisms often emerge as adaptive responses to institutional limitations rather than as components of a coherent national governance framework. Informal or semi-formal participatory arrangements highlight both the potential benefits and structural limitations of community engagement in the absence of clearly defined legal frameworks governing benefit-sharing, dispute resolution, and institutional support mechanisms.⁵⁴ The findings therefore suggest that inadequately structured community participation mechanisms risk substituting for formal enforcement structures rather than complementing them, thereby limiting their long-term sustainability.

c. Implications for Forest Governance

Collectively, these findings indicate that Nigeria's forest governance challenges are structural rather than episodic. The coexistence of relatively comprehensive legal frameworks alongside weak enforcement outcomes reflects deep-seated institutional fragmentation, capacity constraints, and coordination deficits, rather than mere policy insufficiency. The absence of

⁵² Ibid.

⁵³ N. Izoukumor, & J. Razzaque, *The story of REDD+ in Nigeria: A critical view of the participation of forest-dependent communities* (2025).

⁵⁴ T. Borokini, et al., *Community-based forest resources management in Nigeria: A case study of Ngel Nyaki Forest Reserve, Mambilla Plateau, Taraba State, Nigeria* (2012).

binding inter-governmental coordination mechanisms within Nigeria's federal system, where states exercise significant authority over land and forest resources, contributes to regulatory inconsistencies and uneven implementation, thereby undermining national conservation objectives⁵⁵.

These findings suggest that effective conservation requires not only legal reform but also institutional restructuring, clearer allocation of regulatory responsibilities, enhanced inter-governmental coordination mechanisms, and integrated enforcement frameworks that combine administrative oversight with community participation. Without addressing these structural constraints, Nigeria's forest and biodiversity laws risk remaining largely symbolic, with limited practical impact on reducing deforestation, protecting endangered species, and promoting sustainable resource management⁵⁶. Accordingly, meaningful forest governance reform requires a paradigm shift from formal legislative proliferation toward strengthening institutional coherence, regulatory capacity, and accountability structures across federal and state levels

5. Recommendations for Legal and Institutional Reform

This section advances targeted reforms designed to strengthen Nigeria's forest governance architecture by directly addressing the legal and institutional weaknesses identified in the preceding analysis. The recommendations are normatively grounded, institutionally pragmatic, and constitutionally sensitive, reflecting the federal structure of Nigeria and the political economy of environmental governance. The proposed reforms operate within the existing constitutional allocation of legislative competence over land and natural resources, emphasising coordination mechanisms and minimum regulatory standards rather than centralised control.

a. Legislative Reform

Forest and biodiversity governance in Nigeria would benefit more from targeted legislative modernisation than from wholesale statutory restructuring. Several core legislative instruments regulating wildlife protection, forest reserves, and biodiversity conservation contain outdated provisions that are insufficiently aligned with contemporary ecological realities and evolving international environmental standards. Legislative review processes should therefore prioritise updating penalty regimes, refining enforcement provisions, and clarifying statutory definitions of environmental offences, in order to reflect the current scale and economic drivers of biodiversity loss.

⁵⁵ Federal Republic of Nigeria, *National Forest Policy* (2006)

⁵⁶ I. Anugwa, *Perception of forest stakeholders on illegal practices prevalent in the rainforest of Southern Nigeria* (2022).

Rather than adopting a comprehensive national forestry statute that may generate constitutional tensions regarding control over land and natural resources, reform initiatives should prioritise the development of minimum national standards for forest protection and biodiversity conservation. Such standards may be implemented through federal framework legislation, national policy instruments, or harmonised regulatory guidelines capable of influencing state-level legislative practice without undermining constitutional autonomy. These minimum standards could be operationalised through conditional fiscal incentives, model legislation, or coordinated environmental planning frameworks, thereby promoting regulatory consistency while respecting the constitutional distribution of powers.

b. Institutional Strengthening

Legislative reform alone is unlikely to achieve meaningful governance outcomes without corresponding institutional strengthening. Enforcement agencies require clearer statutory mandates, improved coordination mechanisms, enhanced administrative infrastructure, and predictable funding frameworks. Overlapping institutional responsibilities at the federal level should be addressed through formalised coordination mechanisms with defined legal status, aimed at reducing regulatory duplication, jurisdictional ambiguity, and institutional competition. Such coordination structures may take the form of statutory inter-agency committees, formal memoranda of understanding, or legally mandated reporting frameworks.

Institutional effectiveness further depends on the development of robust information management and environmental monitoring systems. Effective enforcement requires reliable data on forest boundaries, licensing activities, compliance indicators, and enforcement outcomes. Strengthening inspection protocols, improving record-keeping systems, and establishing standardised reporting obligations would significantly enhance accountability and regulatory consistency without necessitating large-scale bureaucratic expansion.

c. Community-Centred Governance

Community participation already functions as a de facto component of forest governance in several Nigerian states, particularly in contexts characterised by limited formal enforcement capacity. Reform efforts should therefore focus on formalising community roles within legal and administrative frameworks, rather than treating participation as discretionary or informal. Legal recognition of community-based forest management agreements, structured benefit-sharing mechanisms, and mandatory consultation procedures may enhance both regulatory legitimacy and compliance outcomes. However, such recognition must be accompanied by clear safeguards

against elite capture, inequitable benefit distribution, and the marginalisation of vulnerable groups, particularly women and indigenous populations.

Importantly, community-based governance mechanisms should complement rather than replace state regulatory responsibility. While local participation can enhance monitoring effectiveness and stewardship incentives, ultimate regulatory authority must remain vested in public institutions, in order to preserve the principle that environmental protection constitutes a public law obligation of the state.

d. Anti-Corruption and Accountability Mechanisms

Corruption and political interference represent significant impediments to effective forest governance. Addressing these challenges requires the integration of accountability safeguards within existing administrative procedures, rather than reliance on isolated anti-corruption initiatives. Transparency in licensing processes, enforcement decisions, and revenue management systems is critical to reducing opportunities for discretionary abuse and regulatory capture. Embedding accountability within administrative law processes enhances institutional legitimacy without requiring the creation of additional enforcement agencies.

Standardised administrative procedures, publicly accessible permit registries, and clearly articulated sanctioning guidelines may reduce opportunities for informal negotiation and arbitrary decision-making. Strengthened oversight through judicial review mechanisms, internal compliance audits, and civil society monitoring initiatives can further enhance regulatory accountability, particularly in contexts where enforcement authorities exercise broad discretionary powers.

e. Integrated Land-Use Planning

Forest governance reform must be integrated within broader land-use planning frameworks. Policy incoherence between forestry regulation, agricultural expansion strategies, infrastructure development initiatives, and regional economic planning continues to exert pressure on forest ecosystems and undermines conservation objectives. Legal requirements for inter-sectoral coordination at the state level would enhance policy coherence and reduce regulatory conflicts affecting forest reserves. This is particularly significant given that agricultural expansion and infrastructure development remain primary drivers of deforestation in Nigeria.

Integrating forest conservation considerations into state development planning processes would enable governments to balance environmental protection objectives with socio-economic development priorities. Integrated land-use planning therefore represents a pragmatic regulatory strategy for reconciling competing land-use demands within existing constitutional and administrative frameworks.

6. Conclusion

This article has examined forest governance in Nigeria through a combined doctrinal and institutional analytical framework, demonstrating the persistent gap between formal legal design and practical implementation. The analysis reveals that forest governance challenges in Nigeria arise less from the absence of legal frameworks than from institutional weaknesses, fragmented regulatory mandates, and inconsistent implementation practices within a complex federal governance structure.

In response to the research questions identified at the outset, the findings indicate that Nigeria's legal framework for forest conservation is formally robust yet institutionally constrained. The analysis highlights a recurring divergence between normative regulatory objectives and observable governance outcomes. While national legislation and policy instruments articulate broad conservation goals, their practical implementation remains limited by weak enforcement capacity, political-economic pressures, and inconsistent integration of community participation mechanisms. Sub-national case studies further illustrate how administrative practices significantly influence environmental governance outcomes within a shared national legal framework.

This study contributes to environmental law scholarship by foregrounding the importance of examining law in action, rather than focusing exclusively on doctrinal legal structures. By analysing the operational dynamics of forest governance across diverse state contexts, the article conceptualises environmental law as an evolving governance process rather than a purely normative regulatory system. The findings underscore the limitations of doctrinal reform in the absence of institutional coordination and accountability, while identifying incremental, legally grounded pathways for strengthening forest governance effectiveness.

Future research may extend this analysis through longitudinal assessments of enforcement outcomes, comparative sub-national studies, or quantitative evaluation of compliance indicators. Such research would deepen understanding of the conditions under which environmental law can function as an effective governance instrument for forest conservation and biodiversity protection in Nigeria and other federal systems. Ultimately, the study reinforces the central proposition that effective forest conservation in Nigeria depends less on the proliferation of legal instruments than on the development of coherent institutions, coordinated governance structures, and credible accountability mechanisms.

