



ENDANGERED SPECIES LEGISLATION IN NIGERIA: ANALYSIS OF DOMESTIC LEGAL INSTRUMENTS

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ABSTRACT: *This article provides a comprehensive analysis of endangered species legislation in Nigeria, examining the domestic legal instruments that govern wildlife conservation and the challenges faced in enforcement. It begins with an overview of Nigeria's rich biodiversity and highlights notable endangered species along with key threats to their survival. The discussion then delves into the primary legal frameworks, focusing on the Endangered Species Act (ESA) and the National Environmental Standards and Regulations Enforcement Agency Act (NESREA), while identifying significant gaps and inconsistencies within these laws. The article further explores the enforcement challenges posed by resource constraints, corruption, and limited political will, as well as the crucial role of community involvement and public awareness in successful conservation efforts. A comparative analysis with international standards reveals areas of alignment and gaps in Nigeria's legislation concerning global conservation commitments. The article concludes with recommendations aimed at strengthening Nigeria's endangered species conservation framework, emphasizing the need for legislative updates, increased funding, enhanced community engagement, and greater public awareness to foster a collective responsibility for protecting the nation's biodiversity.*

KEYWORDS: Endangered Species, Wildlife Conservations, Legislation, Biodiversity Protection, Enforcement Challenges.



INTRODUCTION

Nigeria's efforts to conserve endangered species face considerable challenges, largely due to limitations within its legal frameworks. The country's Endangered Species Act (ESA), the principal legislation on wildlife conservation, provides foundational protections for various species at risk. Enacted in 1985, the ESA is designed to comply with the international obligations Nigeria holds as a signatory to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).¹ However, despite this alignment, the ESA remains outdated and lacks the robust enforcement mechanisms needed to protect Nigeria's vulnerable wildlife. For instance, the ESA's punitive measures are often inadequate, offering minimal deterrence to illegal hunting and trade.² The National Environmental Standards and Regulations Enforcement Agency (NESREA), which aids in enforcing environmental laws, also faces logistical challenges, such as limited funding and technical resources, hindering the effective implementation of these legal provisions.³

The enforcement of Nigeria's endangered species legislation also faces critical obstacles, notably due to weak interagency coordination and limited involvement of local communities. Although NESREA collaborates with various agencies, such as the Nigeria Customs Service, to prevent the illegal trade of wildlife, resource constraints often prevent comprehensive enforcement across Nigeria's vast territory.⁴ Additionally, the existing framework underestimates the role of local communities in conservation, which is crucial, given that community-driven conservation has been effective globally in protecting endangered species.⁵ Empowering communities could strengthen efforts against poaching and illegal logging by encouraging local custodianship over natural resources. However, the legislation's top-down approach does not adequately incorporate local insights, contributing to minimal public awareness and engagement in species conservation.⁶

Nigeria's endangered species legislation would benefit from reforms that align with modern conservation standards and prioritize sustainable engagement with local communities. Amending the ESA to enhance punitive measures could offer stronger deterrents, reducing illegal wildlife trade and hunting.⁷ Furthermore, increasing funding for NESREA and similar agencies could improve enforcement capacities, allowing for more consistent monitoring and

1. ¹Olaeru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

² Ibid

³ Olaeru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

⁴ Ibid.

⁵ Isiugo, P. N., & Obioha, E. E. (2015). Community participation in wildlife conservation and protection in Oban Hills area of Cross River State, Nigeria. *Journal of Sociology and Social Anthropology*, 6(2), 279-291. <https://doi.org/10.1080/09766634.2015.11885668>

⁶ Ibid

⁷ Ekakitie, G. W. (2023). Analysis of legal protection of endangered animal species in Nigeria. *NAU Journal of Commercial and Property Law*, 10(3).



protection of endangered species.⁸ Integrating community-based conservation into national legislation would also allow Nigeria to adopt a more inclusive conservation model, fostering shared responsibility between governmental agencies and local communities. Such an approach is increasingly recognized as effective globally, especially in biodiversity-rich regions like Nigeria. By updating legislation and focusing on local partnerships, Nigeria could significantly bolster its endangered species protections, fostering a more sustainable future for its unique wildlife.

Nigeria boasts remarkable biodiversity, hosting a vast array of species across its forests, savannas, and wetlands, with rich ecosystems that include iconic wildlife such as elephants, gorillas, and pangolins.⁹ This biodiversity is not only an essential part of Nigeria's natural heritage but also a critical resource for ecological balance, agriculture, and tourism. However, many of Nigeria's species are endangered, facing severe threats due to habitat loss, illegal hunting, and climate change. Deforestation, largely driven by agriculture, logging, and urban expansion, has significantly reduced forest cover, putting species like the Nigeria-Cameroon chimpanzee and the Cross River gorilla at heightened risk of extinction.¹⁰ Illegal wildlife trade, particularly for pangolins and other trafficked species, further compounds these threats, intensifying the decline of biodiversity across the nation.¹¹

Conservation efforts in Nigeria have evolved over time, marked by several significant milestones and challenges. Wildlife conservation in Nigeria began with the establishment of game reserves and protected areas, with notable areas such as Yankari Game Reserve and Cross River National Park serving as key habitats for endangered species.¹² In 1985, Nigeria implemented the Endangered Species Act (ESA), aligning its conservation framework with international standards, particularly with the country's obligations under CITES. Despite these efforts, conservation has been hampered by inadequate funding, enforcement challenges, and limited local engagement, which weaken the impact of protective measures. Furthermore, rapid population growth and economic demands increased pressure on natural resources, presenting ongoing challenges to Nigeria's conservation objectives.¹³ While some progress has been made, achieving sustainable wildlife conservation in Nigeria requires enhanced legal frameworks, community-driven efforts, and stronger partnerships between governmental and non-governmental organizations.

⁸ Olaleru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

⁹ Eze, G. E., & Ugwuoke, C. U. (2021). Wildlife conservation as a mitigating factor to food security in a distressed economy. *LWATI: A Journal of Contemporary Research*, 18(2), 39-54. ISSN: 1813-222.

¹⁰ John, W. (2020). Impacts of deforestation on socio-economic development and environment in Nigeria. *The International Journal of Social Sciences and Humanities Invention*, 7(03), 5852-5863. <https://doi.org/10.18535/ijsshi/v7i03.04>

¹¹ Rush, E. R., Dale, E., & Aguirre, A. A. (2021). Illegal Wildlife Trade and Emerging Infectious Diseases: Pervasive Impacts to Species, Ecosystems and Human Health. *Animals : an open access journal from MDPI*, 11(6), 1821. <https://doi.org/10.3390/ani11061821>

¹² Eze, G. E., & Ugwuoke, C. U. (2021). Wildlife conservation as a mitigating factor to food security in a distressed economy. *LWATI: A Journal of Contemporary Research*, 18(2), 39-54. ISSN: 1813-222.

¹³ Rush, E. R., Dale, E., & Aguirre, A. A. (2021). Illegal Wildlife Trade and Emerging Infectious Diseases: Pervasive Impacts to Species, Ecosystems and Human Health. *Animals : an open access journal from MDPI*, 11(6), 1821. <https://doi.org/10.3390/ani11061821>



Overview and Analysis of the Domestic Legal Instrument on Endangered Species

Nigeria's legal framework for protecting endangered species primarily revolves around the **Endangered Species (Control of International Trade and Traffic) Act (ESA)** enacted in 1985. The ESA was introduced to curb the illegal exploitation and trade of endangered flora and fauna in Nigeria, aligning the country's conservation standards with the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)* to which Nigeria is a signatory.¹⁴ The ESA imposes strict regulations on the trade of species listed as endangered, imposing fines and prison sentences for violations. However, despite its foundational role in wildlife protection, the ESA has faced criticism for being outdated, as it has not undergone significant revisions since its enactment, even as biodiversity threats in Nigeria have evolved. Furthermore, the law's penalties for offenders are seen as insufficient deterrents, as fines often remain nominal and are unable to effectively discourage illegal activities such as poaching.¹⁵

The **National Environmental Standards and Regulations Enforcement Agency Act (NESREA)**, established in 2007, complements the ESA by providing a broader framework for environmental protection in Nigeria. NESREA, the agency empowered by this Act, is responsible for enforcing environmental laws, standards, and regulations, including those related to wildlife conservation.¹⁶ NESREA is tasked with coordinating between various levels of government and agencies to monitor illegal wildlife trade and maintain ecological standards. Additionally, it has the authority to regulate endangered species trade, manage protected areas, and conduct awareness campaigns to discourage illegal exploitation. However, NESREA's capacity for enforcing regulations has been limited by resource constraints, with inadequate funding and technical infrastructure, which hamper its ability to cover vast and remote areas effectively.¹⁷

Other legislation indirectly supports endangered species protection in Nigeria, addressing environmental conservation as part of broader ecological protections. The **Forestry Act** and the **National Parks Service Act** grant the Nigerian government authority over forest reserves and national parks, respectively, providing some protections for endangered species habitats. The National Parks Service Act, for instance, designates specific areas as protected and restricts activities that could harm wildlife within these zones. However, issues arise due to overlapping mandates between agencies, which can lead to regulatory inefficiencies. Additionally, state-level environmental laws vary significantly, with some states adopting stringent regulations for conservation, while others provide minimal protections, contributing to inconsistent enforcement across the country.¹⁸

¹⁴ Eze, G. E., & Ugwuoke, C. U. (2021). Wildlife conservation as a mitigating factor to food security in a distressed economy. *LWATI: A Journal of Contemporary Research*, 18(2), 39-54. ISSN: 1813-222.

¹⁵ Meduna, A.J., Ogunjinmi, A.A. and Onadeko, S.A.A. (2009). Biodiversity Conservation Problems and Their Implications on Ecotourism in Kainji Lake National Park, Nigeria. *Journal of Sustainable Development in Africa* 10(4): 59-73.

¹⁶ Olaleru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

¹⁷ Meduna, A.J., Ogunjinmi, A.A. and Onadeko, S.A.A. (2009). Biodiversity Conservation Problems and Their Implications on Ecotourism in Kainji Lake National Park, Nigeria. *Journal of Sustainable Development in Africa* 10(4): 59-73.

¹⁸ Ibid.



Local government agencies also play a role, albeit with varying degrees of involvement. In some states, laws have been passed to curb illegal wildlife trade more aggressively, while others have yet to adopt conservation policies. This discrepancy has led to challenges in creating a unified approach to wildlife protection nationwide. Furthermore, Nigeria's conservation laws have limited provisions for community involvement, which is critical for on-ground enforcement and public awareness.¹⁹ Local communities, especially those near wildlife reserves, often depend on forest resources for livelihood, making them essential stakeholders in conservation efforts. Without active collaboration with these communities, legal protections are difficult to enforce, as they lack the communal support needed to reduce poaching and illegal trade effectively.²⁰

Despite these limitations, Nigeria's legislative framework provides a foundation that, if strengthened, could enhance the country's conservation capabilities. Revisions to the ESA to incorporate stronger penalties, updates to the species listings, and mechanisms for community involvement could bolster the effectiveness of Nigeria's endangered species protections.²¹ Additionally, increased funding and capacity-building for NESREA and state-level agencies could improve enforcement, allowing for more effective monitoring and conservation practices. By addressing these legislative and enforcement gaps, Nigeria could enhance its compliance with international conservation standards and create a more robust framework for protecting its biodiversity.

Administrative Bodies and Enforcement Mechanisms

Nigeria's conservation enforcement relies on several government agencies, each with distinct mandates to protect endangered species and uphold environmental laws. At the federal level, the **National Environmental Standards and Regulations Enforcement Agency (NESREA)** is the primary body responsible for implementing and enforcing environmental regulations, including wildlife conservation. NESREA monitors illegal wildlife trade, works to preserve biodiversity, and coordinates with customs authorities to prevent trafficking of endangered species.²²

The **National Parks Service** also plays a significant role by managing and protecting designated national parks, which serve as habitats for many endangered species. In collaboration with local law enforcement, these agencies are tasked with enforcing the Endangered Species Act (ESA) and ensuring adherence to Nigeria's obligations under international treaties like CITES. However, NESREA and the National Parks Service face significant challenges, including limited funding, insufficient technical resources, and difficulty accessing remote areas, all of which weaken their enforcement capacity.²³

¹⁹ Davies, G. (Ed.) (2002). *African Forest Biodiversity: a field survey manual for vertebrates*. Earthwatch, Oxford, United Kingdom,

²⁰ Olaleru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

²¹ Olaleru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

²² Ibid

²³ Ibid.



Furthermore, regulatory overlap between agencies sometimes creates jurisdictional conflicts, reducing the efficiency of enforcement efforts.

State-level legislation adds another layer to Nigeria's legal framework for wildlife conservation, but it varies considerably across the country. Some states have enacted strong environmental and wildlife protection laws, while others have less comprehensive regulations or minimal focus on conservation.²⁴ States with substantial wildlife populations, such as Cross River and Taraba, often adopt more stringent measures to preserve their local ecosystems, reflecting the unique biodiversity in these areas. However, inconsistencies between state and federal laws, as well as variations in enforcement priorities, can complicate the national conservation strategy. While states are encouraged to align their legislation with federal standards, conflicts can arise due to differing local priorities or resource limitations. This can hinder collaboration between federal and state agencies, resulting in regulatory gaps that affect conservation outcomes. Harmonizing state and federal laws and fostering cooperative enforcement mechanisms could significantly improve Nigeria's ability to protect its endangered species effectively.

Comparative Analysis of Nigerian and International Standards

Nigeria's approach to endangered species conservation aligns with several international agreements, most notably the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES), to which it has been a signatory since 1974. CITES mandates strict controls over international trade in endangered species to protect them from over-exploitation, which Nigeria addresses through its **Endangered Species Act (ESA)**. The ESA incorporates several CITES principles, such as restricting trade in endangered wildlife and penalizing illegal trafficking.²⁵ Furthermore, Nigeria has ratified other international agreements, like the Convention on Biological Diversity (CBD), which encourages countries to preserve biodiversity within their borders. However, while the ESA supports CITES goals, it lacks up-to-date provisions, particularly around species listings and enforcement mechanisms, to address the growing complexity of illegal wildlife trade.²⁶ These gaps indicate a need for legislative reforms to strengthen alignment with international best practices and make enforcement more responsive to current threats.

Despite foundational alignment with CITES and the CBD, Nigeria's conservation laws still exhibit gaps compared to international standards, especially in enforcement and resource allocation. For instance, while CITES emphasizes both the conservation of species and the regulation of trade, Nigeria's ESA primarily targets the latter, resulting in limited protections for endangered species outside trade contexts.²⁷ Additionally, international standards increasingly stress community involvement and sustainable use practices, which are underemphasized in Nigeria's framework. Unlike countries that have incorporated robust community-based conservation strategies, Nigeria's legislation minimally engages local

²⁴ Ayanlade A. *Remote Sensing of Environmental Change in the Niger Delta, Nigeria*. King's College London, University of London; 2014.

²⁵ Oleru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

²⁶ Ibid.

²⁷ Davies, G. (Ed.) (2002). *African Forest Biodiversity: a field survey manual for vertebrates*. Earthwatch, Oxford, United Kingdom,



communities, who are critical stakeholders in on-ground conservation.²⁸ Moreover, Nigeria's penalties for wildlife trade violations tend to be less severe than in countries with stricter CITES-aligned frameworks, which reduces the law's deterrent effect. Addressing these legislative gaps by updating the ESA, integrating community involvement, and strengthening penalties could enhance Nigeria's adherence to international conservation commitments and increase the effectiveness of its endangered species protections.

Challenges and Limitations

Nigeria's conservation framework, primarily the **Endangered Species Act (ESA)**, faces several legislative and policy gaps that limit its effectiveness in protecting endangered species. Enacted in 1985, the ESA has not been significantly updated, resulting in outdated species listings and inadequate penalties that fail to deter illegal hunting and trade effectively.²⁹ Additionally, the ESA primarily focuses on regulating trade rather than providing a holistic approach to species protection, leaving gaps in habitat preservation and direct conservation efforts. Other related laws, such as the **National Environmental Standards and Regulations Enforcement Agency Act (NESREA)**, also suffer from unclear definitions and mandates, creating regulatory overlap and inconsistencies that hinder enforcement. For example, NESREA's mandates sometimes clash with those of the National Parks Service and state-level agencies, leading to jurisdictional conflicts and inefficiencies in enforcing conservation policies.³⁰

Enforcement challenges further weaken Nigeria's conservation efforts, largely due to resource and logistical constraints. NESREA and the National Parks Service are tasked with protecting Nigeria's vast natural resources, yet both agencies face chronic underfunding, limiting their capacity to monitor endangered species and control illegal activities across remote areas effectively.³¹ These agencies often lack basic equipment, transportation, and manpower, hindering their response to poaching incidents or habitat destruction. Corruption and inadequate politics will compound these challenges, as conservation often takes a back seat to more immediate socio-economic issues, with some officials turning a blind eye to illegal trade in exchange for financial gains.³² Without significant investment and political support, enforcement agencies struggle to implement effective monitoring systems and punish offenders, allowing illegal activities to continue largely unchecked.

Community involvement is a critical yet underutilized aspect of Nigeria's conservation framework, which limits the country's ability to implement sustainable conservation practices. Local communities often live in proximity to endangered species habitats, making them essential partners in conservation efforts. Yet, Nigeria's legislation rarely incorporates mechanisms for community participation, failing to tap into local knowledge and resources that

²⁸ Olaleru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

²⁹ Olaleru, F., & Egonmwan, R. I. (2014). Wildlife conservation challenges in Okomu National Park, Nigeria. *Ethiopian Journal of Environmental Studies & Management*, 7(6), 670-676. <http://dx.doi.org/10.4314/ejesm.v7i6.10>

³⁰ Ibid

³¹ Ibid.

³² Ibid



could aid conservation.³³ When communities are excluded from decision-making processes, they may perceive conservation efforts as threats to their livelihood, especially where forest resources are integral to subsistence.³⁴ As a result, local communities are less likely to report illegal activities or assist in protective efforts, which weakens conservation outcomes and increases conflicts between communities and enforcement agencies.

Public awareness of conservation issues remains low in Nigeria, further complicating efforts to protect endangered species. Environmental education initiatives are limited, meaning that many Nigerians, particularly those in rural areas, are unaware of the impacts of biodiversity loss or the existence of endangered species laws.³⁵ This lack of awareness impedes public support for conservation and makes it difficult to change harmful practices, such as hunting endangered species for bushmeat or logging in protected areas. Raising public awareness through education campaigns and incorporating conservation topics into school curricula could foster a culture of environmental stewardship and increase community engagement. Empowering communities with conservation knowledge and involving them in sustainable initiatives, such as eco-tourism or community-managed forests, could significantly improve conservation outcomes in Nigeria by aligning economic benefits with wildlife protection.

CONCLUSION

In summary, Nigeria's endangered species conservation framework, centered around the Endangered Species Act (ESA) and supplemented by the National Environmental Standards and Regulations Enforcement Agency Act (NESREA), provides a foundational yet incomplete structure for protecting biodiversity. While the ESA aligns with international standards like CITES, significant legislative gaps, resource constraints, and enforcement challenges weaken its effectiveness. Regulatory overlap and inconsistencies further complicate efforts, particularly when state and federal mandates conflict. Community engagement and public awareness, crucial for conservation success, remain limited, affecting local support for protective measures. To strengthen conservation in Nigeria, legislative updates to the ESA, increased funding, and cohesive federal-state collaboration are essential. Future progress also hinges on public education and integrating communities into conservation efforts, creating a more sustainable framework for wildlife protection. By fostering collective responsibility among government agencies, local communities and private stakeholders, Nigeria can evolve its approach to biodiversity conservation and more effectively safeguard its endangered species.

³³ Izah SC, Seiyaboh EI. Challenges of wildlife with therapeutic properties in Nigeria; a conservation perspective. *Int J Avian & Wildlife Biol.* 2018;3(4):252-257. DOI: [10.15406/ijawb.2018.03.00096](https://doi.org/10.15406/ijawb.2018.03.00096)

³⁴ Ibid.

³⁵ Izah SC, Seiyaboh EI. Challenges of wildlife with therapeutic properties in Nigeria; a conservation perspective. *Int J Avian & Wildlife Biol.* 2018;3(4):252-257. DOI: [10.15406/ijawb.2018.03.00096](https://doi.org/10.15406/ijawb.2018.03.00096)



RECOMMENDATIONS

To enhance endangered species conservation in Nigeria, several key recommendations should be implemented. Firstly, the Endangered Species Act (ESA) should be updated to reflect current conservation needs by including up-to-date species listings, stricter penalties for illegal trade, and broader protections for wildlife habitats, ensuring alignment with international standards like CITES. Secondly, it is essential to increase funding and resources for enforcement agencies such as NESREA and the National Parks Service, enabling them to acquire the necessary equipment, personnel, and technology to effectively monitor endangered species and combat illegal activities, particularly in remote areas. Additionally, improving federal-state collaboration is vital; clarifying agency mandates will reduce regulatory overlaps and streamline enforcement efforts across the country. Promoting community involvement in conservation initiatives is equally important; by creating programs for community-managed wildlife areas and sustainable livelihoods, local support and participation in wildlife protection can be fostered. Lastly, increasing public awareness and implementing environmental education campaigns will help raise consciousness about endangered species and conservation laws, integrating these topics into school curricula to build long-term support for biodiversity protection within communities.

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