



Role of African Union in Implementation and Enforcement of MEAs

Law Enforcement Training
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The African Union

- The African Union Commission (AUC) at Addis Ababa, Ethiopia is the clearing house and secretariat for the African Union.
- The responsibility for the environment as far as the AUC is concerned is under the purview of the Division of Environment, Climate Change, Water and Land Management (ECCWLM) of the Department of Rural Economy and Agriculture (DREA).
- ECCWLM implements its programs in collaboration with partners, principally UNECA, NEPAD, UNEP, AfDB, AMCEN, AMCOW, RECs, other development partners like FAO and EU
- ECCWLM is focused on the “promotion and enhancement of sustainable natural resources and environment development in Africa”, and in this regard promotes and coordinates implementation of continental programs addressing issues under MEAs, through:



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DIVISION OF ECCWLM

- 1. Promotion of awareness for natural resources and environmental management for sustainable development;**
 - 2. Promotion of the development and harmonization of policies and programs on natural resources management;**
 - 3. Promotion of ratification of conventions, and establishment of common positions at international negotiations.**
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- The major MEAs being implemented in Africa are:**
 - UNFCCC, UNCCD, Biodiversity, Basel, Rotterdam, Stockholm , Vienna Convention. Others-Maputo, Nairobi, Abidjan, Bamako Conventions**



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1) Awareness Creation

• **Drawing from the mandate given by AU Council of Ministers in Durban, South Africa in July 2002, ECCWLM, has instituted the African**

Environment Day- celebrated 3rd March each year and hosted by countries on rotational basis

- **Objective-** to raise awareness at regional and national levels on the major environmental challenges facing Africa like desertification, climate change, hazardous waste management and biodiversity loss and the need for action to mitigate these threats-Hence the links to UNFCCC, UNCCD, Biodiversity/Maputo Conventions, Rotterdam, Basel/Bamako, Stockholm Conventions
- **AUC is chairing the Steering Committee (AUC/NEPAD/ECA/AfDB)-African Pavilion at COP 17-with objective to create awareness and enabling environment for discussions and debates to promote and advance a climate development agenda for the continent**



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1) Awareness Creation

- **AUC through ECCWLM is hosting the ACP Capacity Building Project on Multilateral Environmental Agreements (MEAs Project) ;**
 - **Main objectives to strengthen and enhance the capacity of African ACP countries, the AUC and the RECs to effectively implement or coordinate implementation of MEAs**
 - **Raising Awareness and Sensitisation through; policy briefs, law enforcement training, parliamentarians colloquium, training of journalists, RECs, focal points, production of sensitisation material (brochures, flyers etc)**
 - **Improvement of Information Exchange Systems (data base and website for information exchange on MEAs)**
 - **Fostering South-South Cooperation (African expert participation in other hubs and vice versa to enhance capacity of MEAs implementation)**
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2) Promotion of Dev and harmoniz of Progs and Policies

- **AUC through ECCWLM is hosting the project unit of the African Monitoring of the Environment for Sustainable Development (AMESD); - objective- to provide to decision and policy makers in the Member States, RECs and the AUC full access to the environmental (meteorological) data and products they need to improve national and regional policy and decision making processes.**
 - **Provision of Earth observation technologies to beneficiary countries and RECs, as well as to the AUC**
 - **Operates at RECs level focusing on thematic areas implemented by RICs (Water resources management in the ECCAS region; agricultural and environmental resource management in the SADC region; land degradation and desertification mitigation, and natural habitat conservation in the IGAD region; marine and coastal management in the region of the Indian Ocean; and crop and rangeland management in the ECOWAS region). Links to numerous MEAs**
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2) Promotion of dev and harmoniz of Progs and policies

- AUC is involved in a tripartite initiative, Clim/Dev program, with AfDB and UNECA with the program established within the ACPC at UNECA
 - AUC assumes the political leadership role
 - The objective is to guide the effective integration of climate information into development planning to achieve the Millennium Development Goals (MDGs) in an attempt to implement a the Programme Area in the Environment Initiative of NEPAD, “Combating Climate Change in Africa,” .
 - The programme is demand-led, linking climate information with health, agriculture, food security and other development efforts through the building of local /national capacity for Climate Change Adaptation
 - Three components-policy awareness, climate risk management, climate services (climate information developed and used by MDG decision makers)
 - Links to UNFCCC
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2) Promotion of dev and harmoniz of progs and policies

- **AUC is proactively involved in the Great Green Wall of the Sahara and the Sahel Initiative –Pan-African programme on integrated natural resource management to address the challenges of desertification and land degradation**
- **Objective-Address the challenges of land degradation and desertification in order to promote sustainable development and poverty reduction in the arid and semiarid zones of Africa. The Initiative will also strengthen the implementation of national action plans under the United Nation Convention to Combat Desertification (UNCCD)**
- **AUC with partners drafted Plan of Action for the Implementation of the Great Wall for the Sahel and Sahara**
- **The Commission with its partners also coordinates and synergises the efforts of the various players involved and mobilizes the necessary resources**

Links to UNCCD and Biodiversity Conventions and climate change adaptation and mitigation measures



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2) Promotion of dev and harmoniz of progs and policies

- AUC, NEPAD, UNEP and ISDR collaborated to prepare Strategy and Implementation Plan on DRR followed by establishment of Africa Working Group on DRR chaired by the AUC
 - The Overall Goal of the DRR programme is to reduce the social, economic and environmental impacts of disasters (earthquakes, floods, fires) in Africa
 - Capacity building programme for the Regional Economic Communities (RECs) established and implemented; Links to UNFCCC and other relevant MEAs.
 - Management of Coastal and Marine Resources-This is a new program to be established at ECCWLM in response to the threat of climate change, over exploitation of marine resources and land based sources of pollution.
 - Objective-Enhance the capacity of Member States by adopting sustainable development measures, ensure sustainable management of marine and coastal resources, prevention of pollution
 - Links to Abidjan and Nairobi Conventions and other related international conventions
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2) Promotion of dev and harmoniz of progs and policies

Through the MEAs Project, the AUC is involved in:

-Development of legal instruments related to MEAs:

- **EAC updating of trans-boundary ecosystem bill with the view of harmonization**
- **ECCAS study to harmonise areas of natural resources management**
- **Malawi and Mauritania to update and develop Bio-safety laws,**
- **Development of POPs regulatory frameworks for 2 African countries (POPs)**

-Strengthening national and regional institutes (BCRC Dakar-Basel/Bamako, CSP-Rotterdam/Stockholm)

-Supporting African countries to develop multi-stakeholder collaboration strategies to better enforce and implement MEAs



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3) Support to Negotiators and Common Positions, Promotion of ratification of Conventions

- **AUC is the Secretariat of the Conference of African Heads of State and Government on Climate Change (CAHOSCC)-established by a Decision of the 13th Ordinary Session of the AU Assembly in July 2009 to lead Africa's negotiation strategies and processes, and the Kampala Summit of July 2010 endorsed a coordination mechanism for CAHOSCC at Experts' and Ministerial levels**
- **Objective-Ensure the highest political representation of Africa's interests in the global negotiation process on climate change.**
- **ECCWLM with partners facilitated the establishment of a common position on climate change for Africa endorsed by Member States which is now being championed and popularised; road map on climate change for COP17 defined and agreed upon; Africa Strategy on climate change developed ; African Pavilion for COP17 established**
- **AUC is supporting negotiators of other Conventions, including support to develop common positions**
- **Links to UNFCCC, UNCCD etc**



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3) Support to Negotiators and Common positions, Promotion of ratification of Conventions

Through MEAs Project, ECCWLM is conducting:

-Development of negotiations skills :

- **Workshop for UNFFC negotiators and CAHOSCC in March 2010 and November 2011**
- **Training for UNCCD negotiators in Algiers in September 2011**
- **Training for Mercury Negotiators in Burkina Faso in September 2011**

-Enhancement of compliance and enforcement:

- **Development of strategy to ratify Maputo convention**
- **Development of strategy to ratify LBSA Protocol of Nairobi Convention**
- **Support to Abidjan Convention Secretary to organise 9th COP**
- **Support to organise 1st COP of Bamako Convention**



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4) Other Roles of ECCWLM

- **Implementation of Decisions emanating from AMCEN and AU Summits on environmental issues, including MEAs**
 - **Mobilise financial resources to support African programs and activities including negotiation of MEAs (providing interpretation facilities and experts)**
 - **Inclusion in ECCWLM budget costs of support of regional programs**
 - **Membership of the inter-agency committee of the Africa Stockpiles Programme (ASP), which is a partnership initiative. It has as objective to garner international funding and technical support to rid the continent of the existing stockpiles of obsolete pesticides. A condition for a country to qualify for ASP funding is that the country would have ratified the Stockholm and Basel Conventions, and would have at least started the ratification process for the Bamako and Rotterdam Conventions. Links to Basel/Bamako/Rotterdam/Stockholm Conventions.**
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OTHER AUC DEPARTMENTS INVOLVED IN MEAS ENFORCEMENT AND IMPLEMENTATION

- **Department of Human Resources, Science and Technology (HRST) and ECCWLM- jointly responsible for Biodiversity Convention including Nagoya Protocol on Access and Benefit Sharing arising from the use of Genetic Resources and Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety:**
 - **Involvement in capacity building and coordination of regional programs related to biodiversity**
 - **Development of African Strategy and African Model Law on Biosafety to ensure protection of biological diversity, human and animal health, socio-economic conditions. It also enables countries that are members of the Cartagena Protocol on Biosafety to implement the provisions of the Protocol at the national level. AU Executive Council Decision DOC.EX/CL/Dec.26 called Member States to use the African Model Law in the development of their national bio-safety instruments**
 - **HRST in collaboration with MEAs Project will also develop border control guidelines on bio-safety.**
 - **Links to Biodiversity Convention and Maputo Convention**
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OTHER AUC DEPARTMENTS INVOLVED IN MEAS ENFORCEMENT AND IMPLEMENTATION

Department of Trade and Industry-Customs Division-

The Commission through this Department:

- encourages the Member States to implement the provisions of the MEAs signed by the WCO; almost all AU Member States are members of the WCO
 - promotes international co-operation to monitor and control cross-border movement of such products which are likely to negatively affect the environment and human health
 - encourages customs administrations at border posts to become environmental guardians through the control of movement of hazardous substances such as toxic waste
 - encourages MS to actively participate and fully benefit from the Green Customs Initiative whose main objective is to enhance the capacity of Customs & other relevant enforcement agencies to detect & prevent illegal trade in environmental sensitive goods, e.g. ozone depleting substances, toxic chemicals, hazardous waste, endangered species, living and genetically modified organisms
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- is involved in the ongoing work to popularize the CDM
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AUC DEPARTMENTS INVOLVED IN MEAS ENFORCEMENT AND IMPLEMENTATION

Legal Counsel Office (OLC):

- **is responsible for all legal matters and ensures that all decisions and actions undertaken by the AU Policy Organs are in conformity with the provisions of the Constitutive Act and other treaties and legal instruments of the AU; (such as Assembly/AU/Dec.308(XV) - on Climate Change Negotiations –adopted on 27 July 2010 in Kampala, Uganda**
- **OLC undertakes various activities to promote speedy ratification of treaties which include:**
 - **Institutionalisation of the OAU/AU treaties signing week in December every year, signature of AU treaties on the margins of every AU Summit, posting the status of signature and ratification of treaties on the AU website, submitting report on the same at every session of the Executive Council, and updating the status list, informing MS of deposits of instruments, organize Workshops to sensitive Member States and encourage them to speed up ratification of OAU/AU Treaties, conducted a Study on Ratification Procedures in Member States**



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AUC DEPARTMENTS INVOLVED IN MEAS ENFORCEMENT AND IMPLEMENTATION

- **Drafts and reviews treaties, protocols, cooperation agreements, MOU, and other legal texts, follow up implementation of OAU/AU treaties.**
- **OLC performs depository functions in respect of all AU treaties, conventions and other legal instruments including the MEAs (Maputo and Bamako Conventions)**
- **Constantly communicates to Member States the status of signature and ratification of these treaties.**
- **Status of ratification of the AU Conventions on environment e.g.**

8 MS have ratified Maputo Convention, adopted in Maputo, Mozambique on 11 July 2003 (not entered into force). 24 MS have ratified Bamako Convention adopted in Bamako, Mali on 30 January 1991 (entered into force on 22 April 1998)



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AUC EXTERNAL DEPARTMENTS, NEPAD AND RECS INVOLVED IN MEAS

ENFORCEMENT AND IMPLEMENTATION

- **Semiarid Food Grain Research and Development (SAFGRAD)-designated focal point in promotion of sustainable agricultural farming to combat desertification launched in 2004 within the framework of the African regional program of the UNCCD**
- **IASPC-The Inter-African Phytosanitary Council in Yaounde, Cameroon – deals with among others, control of plant protection products., including those products regulated under the Rotterdam and Stockholm Conventions**
- **It works towards harmonising the different regional phytosanitary laws and works in close collaboration with RECs**
- **Indirect Links to Rotterdam and Stockholm Conventions**



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NEPAD AND RECS INVOLVED IN MEAS ENFORCEMENT AND IMPLEMENTATION

- **NEPAD-The NEPAD Environment Action Plan is organized in clusters of programmatic and project activities and cover the following priority sectors - combating land degradation; drought and desertification; wetlands; invasive species; marine and coastal resources; cross-border conservation of natural resources; climate change; sound management of pesticides and other toxic chemicals; waste management; pollution . These programs and project activities are expected to be implemented by RECs and member states**
 - **NEPAD's Role:**
 - **Complement the relevant African processes, including the work programme of AMCEN**
 - **Build Africa's capacity among others, to implement regional and international environmental agreements**
 - **Raise awareness e.g. Pavilion at COP 17**
 - **Mobilization of resources**
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NEPAD AND RECS INVOLVED IN MEAS ENFORCEMENT AND IMPLEMENTATION

- **Regional Economic Communities (RECs)-are the building blocks of the AU**
 - **Although all these RECs have their own environmental action plans, these should feed into the overall NEPAD Action Plan**
 - **RECs also have put in place action plans; ECOWAS for example has action plan specific on the environmental areas of concern such as climate change, desertification, pollution, etc.**
 - **Role of RECs:**
 - **Promote implementation of regional programs**
 - **Promote activities related to awareness creation, environmental governance (monitoring of implementation of conventions and negotiations preparations included)**
 - **Capacity building such as those of negotiators**
 - **Links to all MEAs of concern to Africa**
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Recommendations

The following steps are involved in Enforcement and Implementation considerations and participants should recommend where the AUC, RECs, NEPAD, and other partners need to step in:

- **negotiations and preparatory work for negotiations**
 - **Ratification and Domestication**
 - **Development of programs, strategies and mechanisms on enforcement and compliance**
(establishment of regulatory framework, focal points and mandates of institutions,)
 - **Capacity-building, information exchange and awareness creation**
 - **International and regional cooperation and mobilisation of resources**
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