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Status report on implementation of the Action Plan for the Environment Initiative of the New Partnership for Africa's Development over the period June 2006–May 2008

Report by the secretariat

I. Introduction

1. The action plan is a response to the call by the New Partnership for Africa's Development (NEPAD) for the development and adoption of an environment initiative to address Africa's environmental challenges, while at the same time combating poverty and promoting social and economic development. The action plan was prepared through a consultative and participatory process under the leadership of the African Ministerial Conference on the Environment (AMCEN). The action plan responds to Africa's common and shared sustainable development problems and concerns, presenting a set of collective and individual responsibilities and actions which African countries are to adopt and implement to maintain the integrity of the environment and ensure the sustainable use of their natural resources through partnerships with the international community.
2. The overall objective of the action plan is to complement the relevant African processes, including the work programme of the revitalized AMCEN, with a view to improving environmental conditions in Africa so as to contribute to the achievement of economic growth and the eradication of poverty. It will also build Africa's capacity to implement regional and international environmental agreements and tackle Africa's environmental challenges effectively within the overall context of the implementation of the action plan.

II. Activities undertaken as part of the implementation of the action plan

3. The present report presents, among other material, a brief overview of progress made since the eleventh regular session of AMCEN, held in Brazzaville, in May 2006. The overview is limited in scope and does not necessarily reflect the work of all the partners involved in the implementation of the action plan, in that it contains only the highlights of the reports from those partners which submitted them to the secretariat upon request.
4. The support provided by the United Nations Environment Programme (UNEP) and other partners have enabled AMCEN to carry out its work programme which is an integral part of the action

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plan. This has been crucial in view of the financial constraints facing the Ministerial Conference. Implementation of the AMCEN work programme is being undertaken by UNEP in collaboration with other United Nations agencies, including the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO), the United Nations Institute for Training and research (UNITAR), the United Nations Development Programme (UNDP), the World Health Organization (WHO), the United Nations Economic Commission for Africa (ECA), the United Nations Office for Project Services (UNOPS), the International Fund for Agricultural Development (IFAD), the United Nations International Development Organization, the United Nations Educational, Scientific and Cultural Organization, the International Strategy for Disaster Reduction (ISDR), and others, the African Union Commission, the secretariat of the New Economic Partnership for Africa's Development (NEPAD), the regional economic communities, and a number of institutions and organizations such as the secretariat of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention), the World Wide Fund for Nature (WWF), the World Conservation Union (IUCN), the Sahara and Sahel Observatory (OSS), etc.

5. The support of all the partners of AMCEN who are contributing to the implementation of the work programme of the Ministerial Conference is gratefully acknowledged.
6. The present report discusses the activities undertaken in the context of the implementation of the action plan, with special reference to the work programme of AMCEN from June 2006 to May 2008, under the following headings:
 - (a) Policy, advocacy and environmental law;
 - (b) Overview of the work programme of AMCEN (2007–2008);
 - (c) Combating land degradation, drought and desertification (programme area 1);
 - (d) Conserving Africa's wetlands (programme area 2);
 - (e) Prevention, control and management of invasive alien species (programme area 3);
 - (f) Conservation and sustainable use of marine, coastal and freshwater resources (programme area 4);
 - (g) Combating climate change in Africa (programme area 5);
 - (h) Transboundary conservation and management of natural resources (programme area 6);
 - (i) Cross-cutting issues (health and environment; environmental education and training; Africa Stockpiles Programme; environmental (impact) assessment; sustainable consumption and production; assessment and early warning of natural disasters);

A. Policy, advocacy and environmental law

7. The policy, advocacy and environmental law work of AMCEN was generally carried out in the context of the implementation of the decisions of the eleventh regular session of AMCEN, held in Brazzaville in May 2006 (see UNEP/AMCEN/12/4/Add. 1). Some of the work under this heading, however, particularly environmental law, was undertaken within the framework of the AMCEN work programme for the 2007–2008 biennium.

B. Overview of the work programme of AMCEN (2007–2008)

8. The work programme of AMCEN is an integral part of the action plan for the environment initiative of NEPAD. The elements of the work programme for the 2007–2008 biennium include policy, advocacy and environmental law; capacity-building programme; capacity-building and technology support in the context of the Bali Strategic Plan; land degradation and desertification; coastal and marine ecosystems; forests, biodiversity and biotechnology; climate change; sound management and sustainable use of chemicals; environmental and integrated assessment and early warning; environmental education and training; environmental (impact) assessment; sustainable consumption and production; integrated environmental management (wetlands); post conflict environmental assessment.

9. The implementation of the activities under the programme elements, as approved by AMCEN, is described below.

1. Policy, advocacy and environmental law

10. The AMCEN bureau continues to take steps towards harmonizing the roles of the AMCEN secretariat, the NEPAD secretariat and the Commission of the African Union. The linkage between the African Union and AMCEN remains under consideration. At its ninth summit, the African Union requested an audit of the structures and organs of the African Union. The outcome of that audit could have far-reaching consequences, which, in turn, could affect the future form and nature of linkages between ministerial forums and the African Union. In the meanwhile the AMCEN secretariat has developed good working relations with the African Union Commission's department responsible for the environment – the Department of Rural Economy and Agriculture – and the NEPAD secretariat.

11. The President of AMCEN participated in the third Global Environment Facility Assembly that was held on 29 and 30 August 2006 in Cape Town, South Africa. The President made a special case to the Facility's Chief Executive Officer, to make concerted effort to formalize the issue of the Facility becoming a financial mechanism for land degradation. In this context, at its extraordinary meeting in Cape Town, South Africa, on 29 August 2006, the AMCEN bureau reaffirmed this position and requested the President of AMCEN to write to the Global Environment Facility to implement the decision made at its second Assembly to create a financial mechanism for land degradation and desertification. In accordance with that request, the President of AMCEN wrote to the Global Environment Facility secretariat seeking redress. The Global Environment Facility Assembly has since taken up the issue and has made the Facility a financial mechanism for land degradation.

12. The President of AMCEN and the Chief Executive Officer of the Global Environment Facility convened a conference of African ministers of environment on the TerrAfrica/GEF Strategic Investment Programme for Sustainable Land Management in Sub-Saharan Africa, held in Ouagadougou, Burkina Faso, on 24 and 25 April 2007. The meeting resulted in a ministerial declaration and recommendations which were subsequently approved by the Council of the Global Environment Facility, held in June 2007.

13. An account of other activities undertaken by the President of AMCEN and the secretariat may be found in document UNEP/AMCEN/12/4/Add 1.

(a) Environmental law

14. UNEP has continued to invest considerable effort in conducting complementary programmes and initiatives to encourage the development and implementation of environmental law by as many African States as possible. Support by UNEP to the Africa region in the field of environmental law, including through the multilateral environmental agreements, for the year 2006 is divided into activities under the Partnership for the Development of Environmental Law and Institutions in Africa (PADELIA) and technical assistance. The mission of PADELIA is to assist African countries in building capacities for the development, implementation and enforcement of environmental laws, as well as strengthening related institutions for sustainable development and poverty reduction. Over the reporting period, activities were carried out at national, subregional and regional levels, all contributing to capacity-building, development, compliance and the enforcement of environmental law.

15. PADELIA is the leading UNEP-administered programme supporting African countries in their efforts to develop their human and institutional capacity in the development, implementation, compliance and enforcement of environmental law. PADELIA is a partnership that has so far been funded by the Governments of Belgium, Germany, Luxembourg, Netherlands, Norway and Switzerland. Other partners include Governments, cooperating agencies, civil society and individuals.

16. During 2006, PADELIA continued working with African Governments, in particular, the 13 project countries, namely, Botswana, Burkina Faso, Kenya, Lesotho, Malawi, Mali, Mozambique, Niger, Sao Tome and Principe, Senegal, Swaziland, Uganda and the United Republic of Tanzania, and through, among others, government officials, lawyers, judges, lecturers, non-governmental organizations, financiers, enforcement officials, police, industrialists, environment managers to build and strengthen their capacities for the development and harmonization of environmental laws and institutions at national, subregional and regional levels. The project-wide activities undertaken as part of PADELIA are as follows:

(a) Completion of the external evaluation of PADELIA. The outcome of the external evaluation indicates that PADELIA is a successful project. Preparation of the project document for the third phase of PADELIA has been completed;

(b) A total of 11 publications were prepared and are being distributed and used in the training of legal stakeholders. Some of the publications have been translated into French and Portuguese;

(c) Training of over 200 lawyers and other legal stakeholders in environmental law through a range of regional and subregional training sessions has been undertaken;

(d) Support has been provided for the holding of the second symposium of environmental law lecturers from African universities and the first session of the Scientific Conference, at which the Association of Environmental Law Lecturers in African Universities (ASSELAU) adopted its constitutive instrument; the African database of environmental law has been established; the African Journal of Environmental Law and Policy has been launched; and agreement has been reached on the development of a research agenda on environmental law and policy for Africa; and

(e) The Southern African Development Community (SADC)-East African Community (EAC) held a symposium of parliamentarians on their role in advancing environmental law and governance for East and Southern Africa.

(b) Summary of subregional activities and outputs

17. Activities and outputs at the subregional level may be summarized as follows:

(a) East Africa: the EAC Protocol on Environment and Natural Resources was signed by EAC and is now awaiting ratification by the partner States. Action has been taken to enhance the capacity of 15 members of the EAC Court of Justice in environmental law;

(b) Sahel: A regional network of francophone environmental law experts was established. Theoretical studies and related activities for the harmonization of environmental law are nearing completion;

(c) SADC: Steps have been taken to develop and harmonize environmental law in such areas as environmental impact assessment, biosafety and waste management. This activity has highlighted the need to develop a subregional protocol on environment.

(c) Summary of national activities and outputs

18. Activities and outputs at the national level may be summarized as follows:

(d) Capacity-building was conducted for approximately 750 lawyers and legal stakeholders in 13 countries on various aspects of environmental law. The training included officials responsible for drafting legislation, financial institutions, local government officials, judges, parliamentarians, non-governmental organizations, academic institutions, inspectors and governors in Botswana, Burkina Faso, Kenya, Lesotho, Malawi, Mali, Mozambique, Niger, Senegal, Sao Tome and Principe, Swaziland, Uganda and The United Republic of Tanzania;

(e) Some 30 pieces of legislation, including laws, regulations or guidelines relating to various areas of environmental law were either drafted or adopted by Botswana, Burkina Faso, Mali, Senegal, Kenya, Lesotho, Swaziland and Uganda;

(f) Seven training manuals in environmental law were produced and also used in various training activities in Botswana, Swaziland and Uganda;

(g) Twenty reports and studies were produced on various areas of environmental law and policy;

(h) Twenty workshops or seminars for building consensus, validating laws or training in environmental law were held in Burkina Faso, Kenya, Lesotho, Senegal and Swaziland;

(i) Five laws were translated into local languages in Lesotho and Swaziland, to ensure easy access to information by the local population;

(j) A national compendium of national environmental laws was produced by Swaziland, a set of national environment laws transcribed into electronic format by Uganda and a bulletin on the environment produced by UNEP;

(k) Ten episodes of a court drama in environmental litigation were produced and aired on national television by Uganda.

19. Under the Technical Assistance Programme UNEP provided, on request from the countries, training and awareness-raising in various aspects of environmental law to judges, magistrates, State attorneys and parliamentarians, among others. The requests that were honoured were from Congo, Ethiopia, Seychelles, Zambia and Zimbabwe. In addition, UNEP fielded missions to the Democratic Republic of the Congo and Ghana.

20. The Belgian-funded project on capacity-building for the development of national legislation to implement the Rio agreements with a focus on poverty reduction is a pilot project implemented in four African countries, namely, Mozambique, Rwanda, Uganda, and the United Republic of Tanzania. It forms part of a wider UNEP-Belgium project on capacity-building programme for the integration and institutionalization of environmental management into national poverty reduction programmes and related activities.

21. Over the reporting period, Rwanda produced nine draft laws and held two awareness-raising and training workshops. Uganda produced one set of guidelines for prosecutors and one draft law while the United Republic of Tanzania carried out an assessment of the linkage between multilateral environmental agreements and poverty reduction. Mozambique undertook an assessment of the linkage between such agreements and poverty and prepared one piece of draft legislation. All the countries are continuing with the implementation of their activities in the year 2007.

22. A project on the United Nations development account fund for the development of national legal databases for capacity-building, as a means of enhancing access to environmental law information in Africa, was also carried out during the period under review. The main objective of the project was to enhance access to environmental law information by promoting methods for using information technology to enhance public awareness of environmental law and to build the capacity of developing countries in Africa to gain access to environmental law information. The project was designed to develop national web-based legal databases on environmental law.

23. Under the project, over the reporting period, memorandums of understanding were concluded for the implementation of the project activities with 13 countries, namely: Botswana, Central African Republic, Congo, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritius, Mozambique, Senegal and the United Republic of Tanzania. The said countries are already implementing the activities and will launch the websites in 2007. In addition, 45 government officials received capacity-building in the development, maintenance and updating of the databases.

24. In January 2008, the President of AMCEN wrote to the Executive Director of UNEP requesting an extension of the project to other African countries.

(d) Collaboration with China

25. Collaboration between UNEP and China aimed at building the capacity of African countries in environmental management was initiated in 2005 during the China-Africa Conference on Environmental Cooperation. The activities undertaken since then by China are briefly described below.

26. Three training courses were organized by the Chinese State Environmental Protection Agency (SEPA), in September 2005, January 2006 and September 2006 with a focus on the sustainable use of water resources and management of waste water. A total of over 80 African participants have taken part in the training sessions.

27. Responding to the need of the Central African subregion and with financial assistance from China, UNEP, in cooperation with other partners and stakeholders, launched the Central African Disaster Risk Reduction Centre in Brazzaville, in the margins of the eleventh regular session of AMCEN, held in Brazzaville in May 2006. The overall objective of this project is to build the capacity of the Ministry of Environment in the Congo and to develop the centre's capacity to serve eventually as a base for disaster management in the subregion.

28. With support from China, and in cooperation with UNEP, a training session was organized in May 2008 for experts from 16 African countries in the area of disaster management by Tongji University in Shanghai, under the Young Environment Leaders Programme.

29. An individual benefactor from China has provided seed money to support the development of strategies to counter the decline in flamingo populations and densities in the Rift Valley lakes in Kenya. The aim of the project is to develop a framework to mitigate the problems affecting the sustainability of lakes Nakuru, Elementaita and Bogoria, which are critical habitats of the lesser flamingos in Kenya.

(e) Collaboration with the African Minister's Council on Water

30. The secretariat has continued working in concert with the African Minister's Council on Water (AMCOW) since AMCOW was established, in 2002, to provide political leadership, political and strategic direction and advocacy in relation to the use and management of water resources, and has been providing technical support for a number of activities undertaken by AMCOW including:

- (a) Meetings of AMCOW and its committees;
- (b) Development of the AMCOW work programme;
- (c) The sixth ordinary session of AMCOW, held in Brazzaville on 30 and 31 May 2007.

2. Capacity-building: UNEP-Global Environment Facility-led capacity-building programme

31. Capacity-building was identified as a key element for the effective implementation of NEPAD and its environmental action plan. To that end, a capacity-building initiative to support the implementation of the NEPAD environment action plan was adopted in Cairo in October 2003 by the Steering Committee of the UNEP-Global Environment Facility medium-sized project on NEPAD at its fifth meeting and by the first NEPAD Partners' Conference (Algiers, December 2003).

32. At its tenth session (Sirte, June 2004), AMCEN again emphasized the importance of capacity-building in implementing the action plan for the environment initiative of NEPAD and the need to develop subregional action plans as part of capacity-building for the implementation of the NEPAD environment initiative. At that session, AMCEN requested UNEP to provide technical support to the regional economic communities in the development of NEPAD environment initiative subregional action plans.

33. In that context, UNEP, the Global Environment Facility and the NEPAD secretariat provided financial and technical support to the regional economic communities to develop the subregional environmental action plans for the environment initiative of NEPAD for all the subregions in Africa. Ministerial-level consultative meetings on the subregional environmental action plans for Eastern, Central, Southern, North and West Africa were held from 28 to 30 March, on 7 and 8 April, from 25 to 27 April, on 4 and 5 June, and from 25 to 27 June 2007 respectively.

34. The main objectives of the meetings were, first, to review the finalized subregional environmental action plans with a view to their endorsement by the ministers of environment in the respective subregions; and, second, to discuss the modalities, where appropriate, for submitting the subregional environmental action plans to the respective councils of the regional economic communities.

35. The subregional environmental action plans were endorsed by the ministers of the various subregions, who requested the respective vice-presidents to submit their plans to AMCEN at its twelfth session, scheduled to be held in South Africa in June 2008. Accordingly, these subregional environmental action plans will be submitted by the respective vice-presidents of AMCEN at the Conference's twelfth session.

36. In response to the request from AMCEN for the development of NEPAD national action plans on the environment, the UNEP Regional Office for Africa, with financial support from Norway, is providing assistance to five pilot countries to develop such action plans. Initial consultations on the development of the national action plans for Cameroon, Ethiopia, Ghana, Libyan Arab Jamahiriya and Mozambique have been held. These involved field missions to the above-mentioned countries.

3. Strategic Approach to International Chemicals Management

37. In decision 5, taken at its tenth session (Brazzaville, May 2006), AMCEN endorsed the implementation of the Strategic Approach to International Chemicals Management and other chemical and hazardous waste management issues. In this regard the following activities have been carried out:

- (a) Symposium on illegal international traffic in hazardous chemicals;
- (b) Nomination of national Strategic Approach focal points and establishment of inter-ministerial or inter-institutional arrangements to oversee implementation of the Strategic Approach at the national level;
- (c) Implementation of the Strategic Approach on an inclusive multi-stakeholder and multi-sectoral basis;

- (d) Formulating national action plans for implementation of the Strategic Approach;
- (e) Inclusion of sound chemicals and hazardous waste management considerations in national planning strategies and programmes, where appropriate;
- (f) Exploring possible regional approaches to implementation of the Strategic Approach, including regional and subregional consultations and development of a regional action plan for Africa;
- (g) Ensuring active participation of the African Union, the Economic Commission for Africa, the African Development Bank, the secretariat of NEPAD and subregional organizations such as the Arab Maghreb Union, the Common Market for Eastern and Southern Africa (COMESA), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the Basel Convention regional centres and others in the implementation of the Strategic Approach;
- (h) Ensuring that the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), the United Nations Development Programme (UNDP) and the World Bank give priority to the needs of African countries when developing activities to support implementation of the Strategic Approach; and
- (i) Encouraging international and regional partners to support efforts to strengthen the ability of the Basel Convention regional centres to undertake capacity-building for chemicals and hazardous waste management in related multilateral environmental agreements in Africa.

38. The following paragraphs provide an overview of the above-mentioned activities.

(a) Symposium on illegal international traffic in hazardous chemicals

39. The Government of the Czech Republic and the Chemicals Branch of the UNEP Division for Technology, Industry and Economics, with the support of the German Government, organized a symposium on illegal international traffic in hazardous chemicals on 6–8 November 2006 in Prague-Pruhonice, Czech Republic. The objective of the symposium was to share information and experience from different regions on the magnitude of the illegal international trade in hazardous chemicals and wastes and on the adverse effects of this trade on human health and the environment and to take stock of and evaluate existing measures to address illegal traffic. Four African participants attended the symposium, including representatives of the Nigerian and Cameroon Governments and the University of Dar-es-Salaam. The Governments of the Czech Republic and Nigeria organized a side event summarizing the results of the symposium at the twenty-fourth session of the Governing Council of UNEP on 7 February 2007.

(b) Nominating national Strategic Approach focal points and establishing inter-ministerial or inter-institutional arrangements to oversee implementation of the Strategic Approach at the national level

40. As of 19 February 2008, 43 out of 53 African Governments had nominated national focal points for the Strategic Approach to International Chemicals Management. These included the following: Algeria, Angola, Botswana, Burkina Faso, Burundi, Cameroon, Central African Republic, Comoros, Congo, Chad, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Kenya, Lesotho, Madagascar, Malawi, Mali, Mauritius, Morocco, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Seychelles, Sierra Leone, South Africa, Sudan, Swaziland, Tunisia, Uganda, United Republic of Tanzania and Zambia. Details of the focal points can be found on the website of the Strategic Approach at: <http://www.chem.unep.ch/sa/cm/focalpoints.htm>. It is worth noting that one of the important roles of the national focal points is to endorse project proposals for submission to the Strategic Approach Quick Start Programme trust fund.

41. Twenty African countries are developing national Strategic Approach action plans and related activities under the Quick Start Programme, with support from the United Nations Institute for Training and Research (UNITAR) and the United Nations Industrial Development Organization (UNIDO). Two other African countries are participating in projects to mainstream chemicals management within national development planning, with support from UNDP and UNEP. Non-governmental organizations are undertaking Quick Start Programme-funded projects in two African countries. An African core group has been formed to facilitate the region's implementation of the Strategic Approach, and includes representation by regional organizations. Further details can be found at the website <http://www.chem.unep.ch/sa/cm/qsptf.htm#Projects>.

42. The following African Governments reported on initial national institutional arrangements in September 2006 in order to inform discussion at the African regional meeting on the Strategic Approach to International Chemicals Management held in Cairo from 11 to 14 September 2006: Botswana, Burkina Faso, Chad, Comoros, Democratic Republic of the Congo, Egypt, Gambia, Lesotho, Liberia, Madagascar, Mali, Morocco, Mozambique, Nigeria, Rwanda, Sierra Leone, South Africa, Sudan and Zambia. Their submissions are available on the website of the Strategic Approach at: http://www.chem.unep.ch/saicm/meeting/afreg/cairo_06/meeting_docs/default.htm

43. In addition, African countries have nominated Nigeria as their Strategic Approach regional focal point and established an 18-member African core group to assist Nigeria in coordinating the region's work on implementation of the Strategic Approach.

44. The following African non-governmental organizations have nominated their Strategic Approach non-governmental organization focal points: Arab Network for Environment and Development (Egypt), Association pour la Valorisation de l'Environnement et pour la Promotion d'une Gestion Rationnelle des Produits Chimiques (Congo), Community Development Association (Sudan), Ecological Youth of Angola, Hospital Day Institute for Rehabilitation and Development (Egypt), International Centre of Insect Physiology and Ecology (Kenya), Les Amis de la Terre (Togo), Safe Water African Community Initiatives (Nigeria), Suez Canal University (Egypt), and the Tanzanian Plantation and Agricultural Workers Union.

(c) Implementing the Strategic Approach on an inclusive multi-stakeholder and multi-sectoral basis

45. As noted above, countries are expected to implement the Strategic Approach at the national level under the coordination of appropriate inter-ministerial arrangements. The Strategic Approach secretariat has endeavoured to maintain the same multi-stakeholder and multi-sectoral approach that characterized the development process for the Strategic Approach. Participants in the African regional meeting on implementation of the Strategic Approach, held in Cairo from 11 to 14 September 2006, included representatives of 38 Governments, six intergovernmental organizations and 18 non-governmental organizations drawn from the agriculture, environment, health, industry and labour sectors. The African core group established at that meeting includes representatives of Governments, intergovernmental organizations and non-governmental organizations, drawn from sectors such as environment, health, industry, labour and research.

(d) Commencing planning for national action plans for implementation of the Strategic Approach

46. A number of African countries reported on initial national work on implementation of the Strategic Approach in September 2006, in order to inform discussion at the African regional meeting on the Strategic Approach to International Chemicals Management held in Cairo from 11 to 14 September 2006. Their submissions are available on the Strategic Approach website at: http://www.chem.unep.ch/saicm/meeting/afreg/cairo_06/meeting_docs/default.htm.

(e) Including sound chemicals and hazardous waste management considerations in national planning strategies and programmes, where appropriate

47. In the first round of applications to the Quick Start Programme trust fund, Uganda was given support for the undertaking, together with UNEP and UNDP, of a project on the mainstreaming of sound chemicals management in national development strategies. The project aims to provide data and

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