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VANCE CENTRE ENVIRONMENT PROGRAM

Analysis of the Adoption and Implementation of the Environmental Principles in the Proposed Global Pact for the Environment (Global Pact) in Regional Instruments

African Union States

1. Overview of document

This document provides an analysis of how the environmental principles in the Global Pact (**Environmental Principles**) have been adopted or recognized in the regional instruments of African Union States and how they have been implemented.

2. Overview of the African Union

The African Union aims at accelerating the process of integration in the continent and to strengthen the role of the member states in the global economy. Its main goal include promoting unity and solidarity among African States; coordinating cooperation for development; safeguarding the sovereignty and territorial integrity of the member states; and promoting international cooperation within the framework of the United Nations.

The 55 member states of the African Union are listed in [Appendix 1](#).



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3. Analysis

Global Pact Article	Instruments Adopted in the Region	Sections Elaborated
<p>Article 1 – Right to an ecologically sound environment</p> <p>Every person has the right to live in an ecologically sound environment adequate for their health, well-being, dignity, culture and fulfilment.</p>	<p>African Charter on Human and Peoples’ Rights, 1981</p> <p><i>Weblink:</i> http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf</p>	<p>Article 24</p> <p>All peoples shall have the right to a general satisfactory environment favourable to their development.</p>
	<p>Protocol on the Rights of Women in Africa 2003</p> <p><i>Weblink:</i> http://www.achpr.org/instruments/women-protocol/</p>	<p>Article 18</p> <ol style="list-style-type: none"> 1. Women shall have the right to live in a healthy and sustainable environment. 2. States Parties shall take all appropriate measures to: <ol style="list-style-type: none"> a) ensure greater participation of women in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels; b) promote research and investment in new and renewable energy sources and appropriate technologies, including information technologies and facilitate women's access to, and participation in their control; c) protect and enable the development of women’s indigenous knowledge systems; c) regulate the management, processing, storage and disposal of domestic waste; d) ensure that proper standards are followed for the storage, transportation and disposal of toxic waste.



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	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>Article 3</p> <p>In taking action to achieve the objectives of this Convention and implement its provisions, the Parties shall be guided by the following:</p> <ol style="list-style-type: none"> the right of all peoples to a satisfactory environment favourable to their development;
<p>Article 2 – Duty to take care of the environment</p> <p>Every State or international institution, every person, natural or legal, public or private, has the duty to take care of the environment. To this end, everyone contributes at their own levels to the conservation, protection and restoration of the integrity of the Earth’s ecosystem.</p>	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>Article 3</p> <p>In taking action to achieve the objectives of this Convention and implement its provisions, the Parties shall be guided by the following:</p> <p>...</p> <ol style="list-style-type: none"> the duty of States, individually and collectively to ensure the enjoyment of the right to development; the duty of States to ensure that developmental and environmental needs are met in a sustainable, fair and equitable manner. <p>Article 4</p> <p>The Parties shall adopt and implement all measures necessary to achieve the objectives of this Convention, in particular through preventive measures and the application of the precautionary principle, and with due</p>



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	_resources_e.pdf	regard to ethical and traditional values as well as scientific knowledge in the interest of present and future generations. Articles 5 to 10 also detail various specific environmental protections that States should put in place.
	Treaty Establishing the African Economic Community, 1991 <i>Weblink:</i> https://au.int/sites/default/files/treaties/7775-treaty-0016_-_treaty_establishing_the_african_economic_community_e.pdf	Article 57 1. Member States undertake to promote a healthy environment. To this end, they shall adopt national, regional and continental policies, strategies and programmes and establish appropriate institutions for the protection and enhancement of the environment. 2. For the purposes of this paragraph 1 of this Article, Member States shall take the necessary measures to accelerate the reform and innovation process leading to ecologically rational, economically sound and socially acceptable development policies and programmes.
	African Youth Charter, 2006 <i>Weblink:</i> https://au.int/en/treaties/african-youth-charter	Article 26 Every young person shall have responsibilities towards his family and society, the State, and the international community. Youth shall have the duty to: ... (o) Protect the environment and conserve nature.
Article 3 – Integration and Sustainable Development	Treaty establishing the East African Community (EAC),	Article 111(1) The Partner states recognise that development activities may have negative impacts on the environment



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<p>Parties shall integrate the requirements of environmental protection into the planning and implementation of their policies and national and international activities, especially in order to promote the fight against climate change, the protection of oceans and the maintenance of biodiversity. They shall pursue sustainable development. To this end, they shall ensure the promotion of public support policies, patterns of production and consumption both sustainable and respectful of the environment.</p>	<p>1999</p> <p><i>Weblink:</i> http://eacj.org/?page_id=33</p>	<p>leading to the degradation of the environment and depletion of natural resources and that a clean and healthy environment is a prerequisite for sustainable development. The Partner States therefore:</p> <ul style="list-style-type: none"> (a) agree to take concerted measures to foster co-operation in the joint and efficient management and sustainable utilisation of natural resources within the Community; (b) undertake, through environmental management strategy, to co-operate and co-ordinate their policies and actions for the protection and conservation of the natural resources and environment against all forms of degradation and pollution arising from developmental activities; (c) undertake to co-operate and adopt common policies for control of trans-boundary movement of toxic and hazardous waste including nuclear materials and any other undesirable materials; (d) shall provide prior and timely notification and relevant information to each other on natural and human activities that may or are likely to have significant trans-boundary environmental impacts and shall consult with each other at an early stage; and (e) shall develop and promote capacity building programmes for sustainable management of natural resources. <p>Article 111(2)</p> <p>Action by the Community relating to the environment shall have the following objectives:</p> <ul style="list-style-type: none"> (a) to preserve, protect and enhance the quality of the environment; (b) to contribute towards the sustainability of the environment; (c) to ensure sustainable utilisation of natural resources like lakes, wetlands, forests and other aquatic and terrestrial ecosystems; and (d) to jointly develop and adopt water resources conservation and management policies that ensure sustenance and preservation of ecosystems.



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	<p>Revised ECOWAS Treaty, 1993</p> <p><i>Weblink:</i> http://www.ecowas.int/wp-content/uploads/2015/01/Revised-treaty.pdf</p>	<p>Objective</p> <p>To ensure the harmonization and co-ordination of policies for the protection of the environment. Member States undertake e.g. to prohibit the importation, transiting, dumping and burying of hazardous and toxic wastes in their respective territories.</p>
	<p>Treaty establishing the Southern African Development Community</p> <p><i>Weblink:</i> http://www.sadc.int/files/8613/5292/8378/Declaration_Treaty_of_SADC.pdf</p>	<p>The objectives of SADC include achieving sustainable utilisation of natural resources and effective protection of the environment.</p>
	<p>Constitutive Act of the African Union</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7758-treaty-0021_-_constitutive_act_of_the_african_union_e.pdf</p>	<p>Article 3</p> <p>The objectives of the Union shall be to...(j) promote sustainable development at the economic, social and cultural levels as well as the integration of African economies...</p>



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	<p>African Youth Charter, 2006</p> <p><i>Weblink:</i> https://au.int/en/treaties/african-youth-charter</p>	<p>Article 19</p> <ol style="list-style-type: none"> 1. States Parties shall ensure the use of sustainable methods to improve the lives of young people such that measures instituted do not jeopardise opportunities for future generations. 2. States Parties shall recognise the vested interest of young people in protecting the natural environment as the inheritors of the environment. In this regard, they shall: <ol style="list-style-type: none"> a) Encourage the media, youth organisations, in partnership with national and international organisations, to produce, exchange and disseminate information on environmental preservation and best practices to protect the environment; b) Train youth in the use of technologies that protect and conserve the environment; c) Support youth organisations in instituting programmes that encourage environmental preservation such as waste reduction, recycling and tree planting programmes; d) Facilitate youth participation in the design, implementation and evaluation of environmental policies including the conservation of African natural resources at local, national, regional and international levels; e) Develop realistic and flexible strategies for the regeneration of forests; f) Initiate intensive actions to prevent the expansion of deserts.
	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p>	<p>Article 2</p> <p>The objectives of this Convention are:</p> <p>...</p>



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	<p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>2. to foster the conservation and sustainable use of natural resources; and</p> <p>3. to harmonize and coordinate policies in these fields with a view to achieving ecologically rational, economically sound and socially acceptable development policies and programmes.</p> <p>Article 14</p> <p>1. The Parties shall ensure that</p> <p>a) conservation and management of natural resources are treated as an integral part of national and/or local development plans;</p> <p>b) in the formulation of all development plans, full consideration is given to ecological, as well as to economic, cultural and social factors in order to promote sustainable development.</p> <p>2. To this end, the Parties shall:</p> <p>a) to the maximum extent possible, take all necessary measures to ensure that development activities and projects are based on sound environmental policies and do not have adverse effects on natural resources and the environment in general;</p> <p>b) ensure that policies, plans, programmes, strategies, projects and activities likely to affect natural resources, ecosystems and the environment in general are the subject of adequate impact assessment at the earliest possible stage and that regular environmental monitoring and audit are conducted;</p> <p>c) monitor the state of their natural resources as well as the impact of development activities and projects upon such resources.</p>



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<p>Article 4 – Intergenerational Equity</p> <p>Intergenerational equity shall guide decisions that may have an impact on the environment. Present generations shall ensure that their decisions and actions do not compromise the ability of future generations to meet their own needs</p>	<p>African Union Common African Position (CAP) On the Post 2015 Development Agenda</p> <p><i>Weblink:</i> https://au.int/sites/default/files/documents/32848-doc-common_african_position.pdf</p>	<p>Paragraph 51</p> <p>Conscious that many of these resources are non-renewable and determined to ensure profitability, intergenerational equity and sustainability in their use</p>
	<p>African Youth Charter , 2006</p> <p><i>Weblink:</i> https://au.int/en/treaties/african-youth-charter</p>	<p>Article 19(1)</p> <p>States Parties shall ensure the use of sustainable methods to improve the lives of young people such that measures instituted do not jeopardise opportunities for future generations.</p>
<p>Article 5 – Prevention</p> <p>The necessary measures shall be taken to prevent environmental harm. The Parties have the duty to ensure that activities under their jurisdiction or control do not cause damage to the environments of other Parties or</p>	<p>Treaty establishing the East African Community (EAC), 1999</p> <p><i>Weblink:</i> http://eacj.org/?page_id=33</p>	<p>Article 111</p> <p>The Partner States recognise that development activities may have negative impacts on the environment leading to the degradation of the environment and depletion of natural resources and that a clean and healthy environment is a prerequisite for sustainable development. The Partner States therefore:</p> <p>(d) shall provide prior and timely notification and relevant information to each other on natural and human activities that may or are likely to have significant trans-boundary environmental impacts and</p>



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<p>in areas beyond the limits of their national jurisdiction. They shall take the necessary measures to ensure that an environmental impact assessment is conducted prior to any decision made to authorise or engage in a project, an activity, a plan, or a program that is likely to have a significant adverse impact on the environment. In particular, States shall keep under surveillance the effect of an above-mentioned project, activity, plan, or program which they authorise or engage in, in view of their obligation of due diligence.</p>		<p>shall consult with each other at an early stage...</p>
	<p>Revised ECOWAS Treaty, 1993</p> <p><i>Weblink:</i> http://www.ecowas.int/wp-content/uploads/2015/01/Revised-treaty.pdf</p>	<p>Article 3(1)</p> <p>The aims of the Community are to promote cooperation and integration, leading to the establishment of an economic union in West Africa in order to raise the living standards of its peoples, and to maintain and enhance economic stability, foster relations among Member States and contribute to the progress and development of the African Continent.</p> <p>Article 3(2)</p> <p>In order to achieve the aims set out in the paragraph above, and in accordance with the relevant provisions of this Treaty, the Community shall, by stages, ensure;</p> <p>a) The harmonisation and coordination of national policies and the promotion of integrated programmes, projects and activities, particularly in food, agriculture and natural resources, industry, transport and communications, energy, trade, money and finance, taxation, economic reform policies, human resources, education, information, culture, science, technology, services, health, tourism, legal matters;</p> <p>b) The harmonisation and coordination of policies for the protection of the environment...</p>
	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-</p>	<p>Article 4</p> <p>The Parties shall adopt and implement all measures necessary to achieve the objectives of this Convention, in particular through preventive measures and the application of the precautionary principle, and with due regard to ethical and traditional values as well as scientific knowledge in the interest of present and future generations.</p> <p>Article 6</p> <p>1. The Parties shall take effective measures to prevent land degradation, and to that effect shall develop</p>



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	<p>treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>long-term integrated strategies for the conservation and sustainable management of land resources, including soil, vegetation and related hydrological processes.</p> <p>Article 7</p> <p>1. The Parties shall manage their water resources so as to maintain them at the highest possible quantitative and qualitative levels. They shall, to that effect, take measures designed to:</p> <p>...</p> <p>b) prevent damage that could affect human health or natural resource in another State by the discharge of pollutants, and</p> <p>c) prevent excessive abstraction, to the benefit of downstream communities and States.</p> <p>...</p> <p>2. The Parties shall establish and implement policies for the planning, conservation, management, utilization and development of underground and surface water, as well as the harvesting and use of rain water, and shall endeavour to guarantee for their populations a sufficient and continuous supply of suitable water, taking appropriate measures with due regard to:</p> <p>...</p> <p>e) the prevention and control of water pollution through, inter alia, the establishment of effluent and water quality standards.</p>
	<p>Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary</p>	<p>This treaty aims to prevent importation of hazardous wastes into Africa and to prevent environmental damage by restricting their movement as a priority within Africa.</p>



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	<p>Movement and Management of Hazardous Wastes within Africa (1991)</p> <p><i>Weblink:</i> https://au.int/en/treaties/bamako-convention-ban-import-africa-and-control-transboundary-movement-and-management</p>	
<p>Article 6 – Precaution</p> <p>Where there is a risk of serious or irreversible damage, lack of scientific certainty shall not be used as a reason for postponing the adoption of effective and proportionate measures to prevent environmental degradation.</p>	<p>Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa (1991)</p> <p><i>Weblink:</i> https://au.int/en/treaties/bamako-convention-ban-import-africa-and-control-</p>	<p>Article 3</p> <p>(f) Each Party shall strive to adopt and implement the preventive, precautionary approach to pollution problems which entails, inter-alia, preventing the release into the environment of substances which may cause harm to humans or the environment without waiting for scientific proof regarding such harm. The Parties shall co-operate with each other in taking the appropriate measures to implement the precautionary principle to pollution prevention through the application of clean production methods, rather than the pursuit of a permissible emissions approach based on assimilative capacity assumptions;</p>



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	<p>transboundary-movement-and-management</p> <p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>Article 4</p> <p>The Parties shall adopt and implement all measures necessary to achieve the objectives of this Convention, in particular through preventive measures and the application of the precautionary principle, and with due regard to ethical and traditional values as well as scientific knowledge in the interest of present and future generations.</p>
<p>Article 7 – Environmental Damages</p> <p>The necessary measures shall be taken to ensure an adequate remediation of environmental damages. Parties shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects</p>	<p>African Union Convention on Cross-Border Cooperation (Niamey Convention), 2014</p> <p><i>Weblink:</i> https://au.int/en/treaties/african-union-</p>	<p>Article 3</p> <p>States parties shall commit themselves to cross-border cooperation in the following areas:</p> <p>...</p> <p>2. socio-economic development, including transportation, communication, trade, agro pastoral activities, handicrafts, energy resources, industry, health, sanitation, drinking water, education and environmental protection;</p>



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<p>on the environment of those States. Parties shall promptly cooperate to help concerned States.</p>	<p>convention-cross-border-cooperation-niamey-convention</p>	<p>Article 7</p> <p>States Parties are encouraged to harmonize their domestic law with this Convention and ensure that the local territorial administrations or authorities in border areas are duly informed of the opportunities available to them and their obligations under this Convention.</p>
	<p>Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa (1991)</p> <p><i>Weblink:</i> https://au.int/en/treaties/bamako-convention-ban-import-africa-and-control-transboundary-movement-and-management</p>	<p>Article 3(b)</p> <p>Each party shall</p> <p>...</p> <p>(b) Impose strict, unlimited liability as well as joint and several liability on hazardous waste generators;</p>
	<p>Revised African Convention on the Conservation of Nature and Natural</p>	<p>Article 16</p> <p>...</p> <p>2. Each Party from which a transboundary environmental harm originates shall ensure that any person</p>



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	<p>Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>in another Party affected by such harm has a right of access to administrative and judicial procedures equal to that afforded to nationals or residents of the Party of origin in cases of domestic environmental harm.</p> <p>Article 24</p> <p>The Parties shall, as soon as possible, adopt rules and procedures concerning liability and compensation of damage related to matters covered by this Convention.</p>
<p>Article 8 – Polluter Pays</p> <p>Parties shall ensure that prevention, mitigation and remediation costs for pollution, and other environmental disruptions and degradation are, to the greatest possible extent, borne by their originator.</p>	<p>Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa (1991)</p> <p><i>Weblink:</i> https://au.int/en/treaties/bamako-convention-ban-import-africa-and-control-transboundary-movement-and-</p>	<p>Article 3</p> <p>Each party shall</p> <p>...</p> <p>(b) Impose strict, unlimited liability as well as joint and several liability on hazardous waste generators;</p>



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	<p>management</p> <p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>Article 24</p> <p>The Parties shall, as soon as possible, adopt rules and procedures concerning liability and compensation of damage related to matters covered by this Convention.</p>
<p>Article 9 – Access to Information</p> <p>Every person, without being required to state an interest, has a right of access to environmental information held by public authorities. Public authorities shall, within the framework of their national</p>	<p>African Charter on Human and Peoples’ Rights, 1981</p> <p><i>Weblink:</i> http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf</p>	<p>Article 9(1)</p> <p>Every individual shall have the right to receive information.</p>



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<p>legislations, collect and make available to the public relevant environmental information.</p>	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>Article 16</p> <p>1. The Parties shall adopt legislative and regulatory measures necessary to ensure timely and appropriate</p> <p style="padding-left: 40px;">a) dissemination of environmental information;</p> <p style="padding-left: 40px;">b) access of the public to environmental information;</p> <p>...</p>
<p>Article 10 – Public Participation</p> <p>Every person has the right to participate, at an appropriate stage and while options are still open, to the preparation of decisions, measures, plans, programmes, activities, policies and normative instruments of public authorities that may have a significant effect on the environment.</p>	<p>African Charter on Human and Peoples’ Rights, 1981</p> <p><i>Weblink:</i> http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf</p>	<p>Article 9(2)</p> <p>Every individual shall have the right to express and disseminate his opinions within the law.</p>
	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p>	<p>Article 16</p> <p>1. The Parties shall adopt legislative and regulatory measures necessary to ensure timely and appropriate</p>



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	<p>Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>...</p> <p>c) participation of the public in decision-making with a potentially significant environmental impact; and</p>
<p>Article 11 – Access to Environmental Justice</p> <p>Parties shall ensure the right of effective and affordable access to administrative and judicial procedures, including redress and remedies, to challenge acts or omissions of public authorities or private persons which contravene environmental law, taking into consideration the provisions of the present Pact.</p>	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>Article 16</p> <p>1. The Parties shall adopt legislative and regulatory measures necessary to ensure timely and appropriate</p> <p>...</p> <p>d) access to justice in matters related to protection of environment and natural resources.</p> <p>2. Each Party from which a transboundary environmental harm originates shall ensure that any person in another Party affected by such harm has a right of access to administrative and judicial procedures equal to that afforded to nationals or residents of the Party of origin in cases of domestic environmental harm.</p>

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<p>Article 12 – Education and Training</p> <p>The Parties shall ensure that environmental education, to the greatest possible extent, is taught to members of the younger generation as well as to adults, in order to inspire in everyone a responsible conduct in protecting and improving the environment. The Parties shall ensure the protection of freedom of expression and information in environmental matters. They support the dissemination by mass media of information of an educational nature on ecosystems and on the need to protect and preserve the environment.</p>	<p>Treaty establishing the East African Community (EAC), 1999</p> <p><i>Weblink:</i> http://eacj.org/?page_id=33</p> <p>Revised ECOWAS Treaty, 1993</p> <p><i>Weblink:</i> http://www.ecowas.int/wp-content/uploads/2015/01/Revised-treaty.pdf</p>	<p>Article 112</p> <p>...Partner States undertake to cooperate in the management of the environment and agree to:</p> <p>(d) encourage public awareness and education on the use of agricultural and industrial chemicals and fertilisers;...</p> <p>(g) promote and strengthen the utilisation of training facilities and research institutions within the Community;...</p> <p>Article 27</p> <p>ECOWAS Member States agree to promote the continuous training of skilled manpower and prepare and implement joint training and further training programmes for cadres in order to develop the human resources.</p> <p>Article 31(1)</p> <p>Member states shall harmonise and coordinate their policies and programmes in the field of natural resources.</p> <p>Article 31(2)</p> <p>To this end, they shall:</p> <p>c) Exchange information on the prospection, mapping, production and processing of mineral resources, as well as on the prospection, exploitation and distribution of water resources...</p>



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	<p>African Charter on the Rights and Welfare of the Child, 1990</p> <p><i>Weblink:</i> http://www.achpr.org/files/instruments/child/achpr_instr_charterchild_eng.pdf</p>	<p>Article 11.2(g)</p> <p>The education of every child should be directed to:</p> <p>...</p> <p>(g) the development of respect for the environment and natural resources</p>
	<p>African Youth Charter, 2006</p> <p><i>Weblink:</i> https://au.int/en/treaties/african-youth-charter</p>	<p>Article 13.3(e)</p> <p>The education of young people shall be directed to:</p> <p>...</p> <p>(e) The development of respect for the environment and natural resources;</p>
	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-</p>	<p>Article 20</p> <p>1. a) The Parties shall promote environmental education, training and awareness creation at all levels in order to enhance their peoples' appreciation of their close dependence on natural resources and their understanding of the reasons and rules for the sustainable use of these resources.</p> <p>b) For this purpose they shall ensure that environmental matters:</p> <ul style="list-style-type: none"> i) are included in educational and training programmes at all levels, and ii) form the object of information campaigns capable of acquainting the public with, and winning



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	<p>_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>it over to, the concepts of conservation and sustainable use of natural resources.</p> <p>c) In order to put into effect paragraphs a) and b) above, the Parties shall make maximum use of the educational and training value of conservation areas and the experience of local communities.</p> <p>2. Parties shall develop their capacities in the field of education and training relating to environmental and natural resources conservation and use, in particular through the promotion and development of:</p> <p>a) training of trainers programmes;</p> <p>b) appropriate teaching and training materials ;</p> <p>c) available and accessible educational and training opportunities at all levels.</p> <p>3. In order to facilitate the implementation of paragraphs 1 and 2 above, the Parties shall cooperate among themselves, in particular with a view to strengthening or establishing</p> <p>a) regional or sub-regional training institutions;</p> <p>b) joint training programmes;</p> <p>c) libraries and documentation centres; and</p> <p>d) a continuous exchange of information and experience in the fields covered by this convention.</p>
<p>Article 13 – Research and Innovation</p> <p>The Parties shall promote, to the best of their ability, the improvement of scientific knowledge of ecosystems and the impact of human activities.</p>	<p>Revised ECOWAS Treaty, 1993</p> <p><i>Weblink:</i> http://www.ecowas.int/wp-content/uploads/2015/</p>	<p>Article 27(1)(b)</p> <p>The member states shall ensure the proper application of science and technology to the development of agriculture, transport and communications, industry, health and hygiene, energy, education and manpower and the conservation of the environment.</p> <p>This partially adopts the article in a general sense through promoting scientific knowledge.</p>



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<p>They shall cooperate through exchanges of scientific and technological knowledge and by enhancing the development, adaptation, dissemination and transfer of technologies respectful of the environment, including innovative technologies.</p>	<p>01/Revised-treaty.pdf</p>	
	<p>Treaty Establishing the African Economic Community, 1991</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7775-treaty-0016_-_treaty_establishing_the_african_economic_community_e.pdf</p>	<p>Article 51</p> <p>1. Member States shall:</p> <p>...</p> <p>(b) Ensure the proper application of science and technology to the development of agriculture, transport and communications, industry, health and hygiene, energy, education and manpower and the conservation of the environment;</p>
	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural</p>	<p>Article 18</p> <p>1. The Parties shall strengthen their capabilities to carry out scientific and technological research in conservation, sustainable utilization and management of natural resources paying particular attention to ecological and socio-economic factors as well as their integration, and shall ensure the application of research results to the development and implementation of their environmental conservation policies.</p> <p>2. The Parties shall promote cooperation in scientific and technological research, as well as in economic and marketing systems, between themselves and with third parties in the field of environmental conservation and sustainable use of natural resources.</p> <p>To that end, they shall in particular:</p> <p>a) coordinate their research programmes with a view to achieving maximum synergy and</p>



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	_resources_e.pdf	<p>complementarity;</p> <p>b) promote the exchange of research results; and</p> <p>c) promote the development of joint research activities and programmes in the fields covered by this Convention</p>
<p>Article 14 – Role of Non-State Actors and Subnational Entities</p> <p>The Parties shall take the necessary measures to encourage the implementation [of this Pact] by non-State actors and subnational entities, including civil society, economic actors, cities and regions taking into account their vital role in the protection of the environment.</p>	<p>Treaty establishing the East African Community (EAC), 1999</p> <p><i>Weblink:</i> http://eacj.org/?page_id=33</p>	<p>Article 25(2)</p> <p>To this end, and in order to promote the integration of production structures, Member States shall cooperate in the following fields:</p> <p>f) harmonisation of food security policies paying particular attention to:</p> <p>ii) the strengthening of existing institutions for the management of natural calamities, agricultural diseases and pest control...</p>
	<p>Treaty Establishing the African Economic Community, 1991</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7775-treaty-0016_-_treaty_establishing_the_african_economic_community_e.pdf</p>	<p>Article 57</p> <p>1. Member States undertake to promote a healthy environment. To this end, they shall adopt national, regional and continental policies, strategies and programmes and establish appropriate institutions for the protection and enhancement of the environment.</p> <p>2. For the purposes of this paragraph 1 of this Article, Member States shall take the necessary measures to accelerate the reform and innovation process leading to ecologically rational, economically sound and socially acceptable development policies and programmes.</p>

Global Pact Article	Instruments Adopted in the Region	Sections Elaborated
<p>Article 15 – Effectiveness of Environmental Norms</p> <p>The Parties have the duty to adopt effective environmental laws, and to ensure their effective and fair implementation and enforcement.</p>	<p>Treaty establishing the East African Community (EAC), 1999</p> <p><i>Weblink:</i> http://eacj.org/?page_id=33</p>	<p>Article 12(2)</p> <p>For purposes of paragraph 1 of this Article, the Partner States undertake to:</p> <p>(a) adopt common environment control regulations, incentives and standards;...</p>
<p>Article 16 – Resilience</p> <p>The Parties shall take necessary measures to maintain and restore the diversity and capacity of ecosystems and human communities to withstand environmental disruptions and degradation and to recover and adapt.</p>	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>Article 12</p> <p>1. The Parties shall establish, maintain and extend, as appropriate, conservation areas. They shall, preferably within the framework of environmental and natural resources policies, legislation and programmes, also assess the potential impacts and necessity of establishing additional conservation areas and wherever possible designate such areas, in order to ensure the long term conservation of biological diversity, in particular to:</p> <p>a) conserve those ecosystems which are most representative of and peculiar to areas under their jurisdiction, or are characterized by a high degree of biological diversity;</p> <p>b) ensure the conservation of all species and particularly of those which are:</p> <p>i) only represented in areas under their jurisdiction;</p> <p>ii) threatened, or of special scientific or aesthetic value; and of the habitats that are critical for the survival of such species.</p> <p>2. The Parties shall seek to identify areas critically important to the goals referred to in sub paragraph 1(a) and 1(b) above which are not yet included in conservation areas, taking into consideration the</p>



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		<p>work of competent international organisations in this field.</p> <p>3. The Parties shall promote the establishment by local communities of areas managed by them primarily for the conservation and sustainable use of natural resources.</p> <p>4. The Parties shall, where necessary and if possible, control activities outside conservation areas which are detrimental to the achievement of the purpose for which the conservation areas were created, and establish for that purpose buffer zones around their borders.</p>
<p>Article 17 – Non-regression</p> <p>The Parties and their sub-national entities refrain from allowing activities or adopting norms that have the effect of reducing the global level of environmental protection guaranteed by current law.</p>	<p>N/A</p>	<p>N/A</p>
<p>Article 18 – Cooperation</p> <p>In order to conserve, protect and restore the integrity of the Earth’s ecosystem and community of life, Parties shall cooperate in good faith and in a spirit of global</p>	<p>Treaty establishing the East African Community (EAC), 1999</p> <p><i>Weblink:</i> http://eacj.org/?page_id=33</p>	<p>Article 111</p> <p>The Partner States recognise that development activities may have negative impacts on the environment leading to the degradation of the environment and depletion of natural resources and that a clean and healthy environment is a prerequisite for sustainable development. The Partner States therefore:</p> <p>(a) agree to take concerted measures to foster co-operation in the joint and efficient management and sustainable utilisation of natural resources within the Community;...</p>



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<p>partnership for the implementation of the provisions of the present Pact.</p>	<p>Constitutive Act of the African Union <i>Weblink:</i> https://au.int/sites/default/files/treaties/7758-treaty-0021_-_constitutive_act_of_the_african_union_e.pdf</p>	<p>Article 13</p> <p>1. The Executive Council shall coordinate and take decisions on policies in areas of common interest to the Member States, including the following:</p> <ul style="list-style-type: none"> (a) foreign trade; (b) energy, industry and mineral resources; (c) food, agricultural and animal resources, livestock production and forestry; (d) water resources and irrigation; (e) environmental protection, humanitarian action and disaster response and relief; <p>Article 14</p> <p>1. There is hereby established the following Specialized Technical Committees, which shall be responsible to the Executive Council:</p> <p>...</p> <ul style="list-style-type: none"> (d) The Committee on Industry, Science and Technology, Energy, Natural Resources and Environment;
	<p>Treaty Establishing the African Economic Community, 1991 <i>Weblink:</i></p>	<p>Article 3</p> <p>The High Contracting Parties, in pursuit of the objectives stated in Article 4, of this Treaty solemnly affirm and declare their adherence to the following principles:</p> <p>...</p>



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	https://au.int/sites/default/files/treaties/7775-treaty-0016_-_treaty_establishing_the_african_economic_community_e.pdf	(o) The harmonisation and co-ordination of environmental protection policies;
	Revised ECOWAS Treaty, 1993	Article 31 Member States shall harmonise and coordinate their policies and programmes in the field of natural resources.
	Revised African Convention on the Conservation of Nature and Natural Resources, 2003 <i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf	Article 13 1. The Parties shall, individually or jointly, and in collaboration with the competent international organizations concerned, take all appropriate measures to prevent, mitigate and eliminate to the maximum extent possible, detrimental effects on the environment, in particular from radioactive, toxic, and other hazardous substances and wastes. For this purpose, they shall use the best practicable means and shall endeavour to harmonize their policies, in particular within the framework of relevant conventions to which they are Parties. 2. To that effect, Parties shall <ol style="list-style-type: none"> a) establish, strengthen and implement specific national standards, including for ambient environmental quality, emission and discharge limits as well as process and production methods and product quality; b) provide for economic incentives and disincentives, with a view to preventing or abating harm to the environment, restoring or enhancing environmental quality, and implementing



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		<p>international obligations in these regards; and</p> <p>c) adopt measures necessary to ensure that raw materials, non-renewable resources, and energy, are conserved and used as efficiently as possible, and that used materials are reused and recycled to the maximum extent possible while nondegradable materials are disposed of in the most effective and safe way.</p> <p>Article 22</p> <p>1. The Parties shall co-operate between themselves and, where appropriate and possible, with other States:</p> <p>a) to give effect to the provisions of this Convention;</p> <p>b) whenever any national measure is likely to affect the environment or natural resources of any other State or areas beyond national jurisdiction;</p> <p>c) in order to enhance the individual and combined effectiveness of their policies and legislations, as well as measures adopted under this Convention and under other international conventions in the fields of environmental protection and natural resources conservation and use; and</p> <p>d) in order to harmonize their policies and laws at the continental or regional levels, as appropriate.</p> <p>2. In particular:</p> <p>a) whenever an environmental emergency or natural disaster occurring in a Party is likely to affect the natural resources of another State, the latter shall be provided with all relevant available data by the former as early as practicable;</p>



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		<ul style="list-style-type: none"> b) when a Party has reasons to believe that a programme, activity or project to be carried out in areas under its jurisdiction may have adverse effects on the natural resources of another State, it shall provide that other State with relevant information on the proposed measures and their possible effects, and shall consult with that State; c) whenever a Party objects to an activity referred to in sub-paragraph b) above, they shall enter into negotiations; d) Parties shall develop disaster preparedness, prevention and management programmes, and as the need arises hold consultations towards mutual assistance initiatives; e) whenever a natural resource or an ecosystem is transboundary, the Parties concerned shall undertake to cooperate in the conservation, development and management of such resource or ecosystem and if the need arises, set up interstate commissions for their conservation and sustainable use; f) the Parties shall, prior to the export of hazardous substances, or of alien or modified organisms, undertake to secure the prior informed consent of the importing, and where appropriate, transit States; g) the Parties shall take concerted action regarding the transboundary movement, management and processing of hazardous wastes, with a view to supporting, individually and jointly, international accords in this field, and to implementing African instruments related thereto; h) the Parties shall exchange information bilaterally or through competent international agencies on activities and events likely to affect the natural resources and the environment of areas beyond national jurisdiction.



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	<p>Convention of the African Energy Commission, 2001</p> <p><i>Weblink:</i> https://au.int/en/treaties/convention-african-energy-commission</p> <p>Statute of the African Minerals Development Centre, 2016</p> <p><i>Weblink:</i> https://au.int/en/treaties/statute-african-minerals-development-centre</p>	<p>These instruments facilitate and govern regional cooperation on several matters of relevance to environmental protection.</p>
<p>Article 19 – Armed Conflicts</p> <p>States shall take pursuant to their obligations under international law all feasible measures to protect the environment in relation to armed conflicts.</p>	<p>Revised African Convention on the Conservation of Nature and Natural Resources, 2003</p> <p><i>Weblink:</i> https://au.int/sites/default/files/treaties/7763-</p>	<p>Article 15</p> <p>1. The Parties shall:</p> <ul style="list-style-type: none"> a) take every practical measure, during periods of armed conflict, to protect the environment against harm; b) refrain from employing or threatening to employ methods or means of combat which are intended or may be expected to cause widespread, long-term, or severe harm to the environment and ensure that such means and methods of warfare are not developed,



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	<p>treaty-0003_-_african_convention_on_the_conservation_of_nature_and_natural_resources_e.pdf</p>	<p>produced, tested or transferred;</p> <p>c) refrain from using the destruction or modification of the environment as a means of combat or reprisal;</p> <p>d) undertake to restore and rehabilitate areas damaged in the course of armed conflicts.</p> <p>2. The Parties shall cooperate to establish and further develop and implement rules and measures to protect the environment during armed conflicts.</p>
<p>Article 20 – Diversity of National Situations</p> <p>The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special attention. Account shall be taken, where appropriate, of the Parties’ common but differentiated responsibilities and respective capabilities, in light of different national circumstances.</p>	<p>African Union Common African Position (CAP) On the Post 2015 Development Agenda</p> <p><i>Weblink:</i> https://au.int/sites/default/files/documents/32848-doc-common_african_position.pdf</p>	<p>Paragraph 52</p> <p>Determined to address the potential adverse effects of these challenges on Africa’s transformative agenda and cognizant of the principle of common but differentiated responsibilities in addressing the challenges of natural resource management and biodiversity, we commit to:</p> <p>(a) Improving natural resource and biodiversity management...</p>



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APPENDIX 1

AFRICAN UNION STATES

Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Republic of the Congo, Cote d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Western Sahara (SADR), São Tomé and Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe