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ECONOMIC COMMISSION FOR AFRICA

REPORT ON ECA/UNEP PROJECT NO. FP/0302-75-13 (838) FOR
THE EVALUATION AND ASSESSMENT OF AND ADVICE ON
NATIONAL ENVIRONMENTAL MACHINERIES IN SELECTED
AFRICAN COUNTRIES

Prepared by the Environment Co-ordination Unit

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4. INTRODUCTION

1. In 1975 a joint ECA/UNEP project (Project No. FP/0302-75-13/838) was set up for the Evaluation and Assessment of and Advice on National Environmental Machineries in Selected African Countries. This project was supposed to be completed in eight months beginning from November, 1975 and ending in July 1976 (see Project Document).

2. The motivation for this project was the need for a more effective co-operation between the regional Economic Commission (ECA) and UNEP "for the furtherance of environmental development" in the region. Suggestions had been made for a joint venture in helping countries to establish their national machineries for the protection and improvement of the environment.

3. The project very well fitted into UNEP policy objectives and priorities as set out in its Governing Council's Decisions UNEP/GC/26, Annex I, 1.8 (II) II.3.iii, page 99 and GC-31/p.50 (191) - (g) and (h).

4. The present project comprised three phases (a) mission visits (b) seminar/workshop and (c) a study tour.

- a) Mission visits lasting a week were to be made to each of these selected countries; Uganda, Burundi, Zambia, Mozambique, Swaziland, Botswana, Zaire, Ghana, Ivory Coast, Gambia, Senegal, Morocco, Tunisia, Egypt and Ethiopia to
 - i) evaluate and assess environmental machineries where they existed and select models which could be adopted elsewhere;
 - ii) identify specific institutions dealing with environmental problems and particularly human settlements;
 - iii) identify suitable countries for study tour and
 - iv) advise and assist in the planning and establishment of national environmental machineries where they did not exist.
- b) Subsequently there was going to be a seminar/workshop of experts to discuss and exchange information on the working of existing national machineries and to draft models of national machineries and legislation for different country situations.
- c) Finally a study tour of high level policy makers, planners and administrators selected from countries requiring assistance in the field of the environment would visit countries with developed environmental machineries.

5. An exploratory mission of three persons, made up of a representative of UNEP assisted by a public administration expert and a representative of ECA was to visit two groups of selected countries.

- a) countries with established environmental machineries;
- b) those that wished to establish theirs and were seeking assistance.

This preliminary exercise was intended to:

- a) evaluate and assess existing environmental machineries and select models for adaption elsewhere;
 - b) convene an information exchange workshop of team members and government officials from visited countries in order to draft models of national machineries and legislations that could be adapted to the needs of other countries.
 - c) give preliminary advice and assist in planning the establishment of machineries.
6. At the end of these exercises outlined above three reports were to be made:
- a) on the visit to the first group of countries;
 - b) on the visit to the second group and;
 - c) a comprehensive final report jointly by UNEP and ECA on the entire project.

These should include suggestions and recommendations for follow-up action on environmental development which UNEP might consider for assistance within the Africa region or use as the basis for action elsewhere.

7. Financial resources required for the project were to be provided (including provision by FP/0302-75-13(838)/Rev.No. 3 of 31.7.79) as follows:-

a) UNEP	1976-1978	55,944.05
b) ECA (secretarial and administrative support)		<u>3,500</u>
	Total	\$ 59,444.05

This budget was to cover:

- a) travel costs and per diem for
 - i) UNEP and ECA representatives
 - ii) one high level expert as consultant
 - iii) 32 participants of the seminar/workshop and group training
 - iv) 15 officials of the study tour.
- b) secretarial assistance
- c) administrative support and
- d) contingencies

B. IMPLEMENTATION

Phase I: Missions

8. This first phase of the project which was concerned with environmental evaluation and assessment in two groups of selected countries, as indicated in

paragraph 4 (a) above, began from 18 November 1975 and ended on the 11 January, 1976. The teams were made up of:

- (i) Dr. Nicholas Otieno (ECA) who visited all the countries
- (ii) Mr. Abdalla Mohamed Ahmed (consultant) from Egypt, who visited Burundi, Zambia, Mozambique and Swaziland.
- (iii) Mr. Donald Kaniaru (UNEP/ROA, Nairobi)^{1/} who covered Uganda and Burundi
- (iv) Mr. Albert Mongi (UNEP/ROA, Nairobi) for Mozambique, Swaziland, Zaire, Gabon, Morocco, Tunisia, and Egypt.
- (v) Mr. Mahmoud Jomni (UNEP/ROA, Nairobi) who also did Zaire, Gabon, Ghana, Ivory Coast and Senegal.

These participants carried out, as far as possible, the project objectives for this phase as mandated by the Project Document, Section 3.01, Phase I (a) to (d). They then submitted an interim report No. NRD/HFNV/6 of 1 November, 1977 which also contained "follow-up" recommendations.

9. Useful contacts and dialogue were generated between the two UN bodies (ECA and UNEP) and the government officials of the countries visited. The following observations were made:

- a) that where national environmental machineries existed, there were significant differences between the various machineries in different countries.
- b) of those to be advised for example, Uganda, Burundi and Swaziland, the need for creating a national environmental machinery to coordinate national and international environmental concerns and initiate action in that field was realized by the officials contacted. However, some others in the same category, namely Botswana and Mozambique, whether on account of the smallness of the country, or scarcity of resources (Botswana) or on account of serious organizational problems (Mozambique), preference was for utilizing and consolidating existing institutions or departments rather than creating new institutions. In general, the national machineries in the countries visited were relatively young, with many created in the period 1974 to 1976, and as such it would have been presumptuous for the mission to pass judgement on them so soon after their establishment at the time they were groping to find their level in their national setting. Some of the machineries were established and run directly by the government. Such include Government ministries or departments as in the case of Gabon, Ivory Coast, Morocco and Zaire. Others also directly under government control, were National Commissions or Councils established by law, such as, in Senegal and Ghana. Yet some of the other national machineries were only indirectly associated with the government and might even be regarded as non-governmental organization. This was the case in respect of the Tunisian and Egyptian set-ups. While these machineries differed in their mode of operation and influence, they all seemed to experience similar problems in shortage of expert personnel, financial resources and authority and ability to enforce decisions, or to monitor implementation of desirable environmental goals.

^{1/} UNEP/ROA is UNEP Regional Office for Africa, Nairobi

- c) human settlements and environmental issues linked with industrialization and major physical development projects received most emphasis in most of the countries visited although Conservation of Nature and Natural Resources in some cases also were regarded highly.
- d) characteristic set-up in the different governmental structures was vertical as opposed to horizontal co-ordination with the different environmental machineries and thus suffered from lack of supervisory authority over other governmental organs. Consequently it was of cardinal importance that a given national machinery be established to cater for this defect and provision made for solving conflicts or disputes as they become apparent.
- e) on the whole, there was a dynamic awareness for the environment and general acceptance that concern for environmental protection was not a luxury in the 15 countries visited. Since, however, this awareness was sharpest at the higher echelons of technical ministries, there would be an imperative need and a justification for urgent promotion of broad-based environmental education not only in the countries visited but in practically all African countries. Happily this was the determination of the government officials contacted. Accordingly all possible assistance should be extended to governments to strengthen, and in some cases, initiate environmental education programmes.
- f) the missions to the different countries were conducted with an open mind and in the understanding that it was for each government, in the light of its set-up, social, cultural and economic development and human and financial resources, to determine the type of machinery and the extent of powers and authority to accord such machinery. Owing to the fact that many of the national environment machineries in the countries visited were very young and have still to be fully staffed and define their national programmes within the context of their circumstances, resources, needs, etc., as earlier noted, it was not possible to select models of ideal environmental machinery set-ups in the countries visited. However, examples for initiating action can be drawn from set-ups in Zaire, Egypt, Ghana and Senegal. It should also be noted that a number of African countries not visited had national environmental machineries, for example Kenya (National Environmental Secretariat in the Office of the President) and the Sudan, (National Research Council).
- g) Considering the varied circumstances in each country, and the different types of national machineries, it was not surprising that the flow of information was uneven, inconsistent and at times contradictory depending on the source and state of preparedness in each country. Nevertheless the mission was able to identify the following ministries, bodies or institutions to varying extent and degrees of emphasis as national environmental machineries in the countries visited:-

Uganda	-	Ministry of Provincial Administrations
Burundi	-	Ministry of Foreign Affairs
Zambia	-	Ministry of National Planning
Mozambique	-	Department of Natural Resources in the Ministry of Agriculture

Swaziland	-	Ministry of Local Government
Zaire	-	Department de l'Environnement, Conservation de la Nature et du Tourisme (22 July 1975)
Gabon	-	Ministere de la Recherche Scientifique, Charge de l'Environnement et de la Protection de la Nature (17 April 1975)
Ghana	-	Environmental Protection Council (September 1973)
Ivory Coast	-	Commission Nationale de l'Environnement (24 January 1973) a new Ministry, Ministere de la Protection de la Nature was created in March 1976.
Senegal	-	Ministere du Developpement Industriel et de l'Environnement. (29 June 1975)
Morocco	-	Ministere de l'Urbanisme, de l'Habitat, du Tourisme et de l'Environnement (April 1975).
Tunisia	-	Association Tunisienne pour la Conservation de la Nature et l'Environnement (ATCNE)
Egypt	-	Academy of Scientific Research and Technology

Recommendation of Missions

10. The follow-up recommendation proposed after this first phase were that:

(a) UNEP and ECA continue promoting consciousness of the protection and enhancement of the environment and the establishment and development of effective national environmental machineries. Consequently it was recommended that the final report of the mission should be communicated to all African countries which should also be encouraged to keep both UNEP and ECA informed of the nature, type, legal instrument etc., of their national environmental machinery or any changes related thereto.

(b) Each country establish an autonomous environmental organ (under any appropriate name, such as Ministry, Department, Council or Commission) with, inter alia, the following features:-

- (i) financial autonomy and adequate recurrent budgetary provisions;
- (ii) adequate staffing with people of high calibre and confidence to speak on the environment on behalf of the highest authority in the country;
- (iii) accord over-riding advisory, policing and monitoring statutory powers over the policies and actions of all other Ministries without implying professional subordination;
- (iv) adequate provision for public participation in the formulation of law; policy and implementation of decisions.

(c) In the countries with environmental machineries, assistance should be rendered towards their consolidation. This assistance could be in several forms including:-

- i. exposure of representatives to other countries with effective environmental machineries.

- ii. provision of examples on environmental statutes
 - iii. provision of legal expertise to help towards the streamlining of government structures in order to achieve lateral co-ordination and consequent integration of country plans.
 - iv. provision of training for personnel to man the environmental departments.
- (d) Sub-regional Seminars should be organized to promote environmental education with the aim of strengthening the conviction of policy makers and leaders that environmental problems need to be tackled seriously and that they involve more aspects than pollution and conservation of nature.
 - (e) A workshop of the members of the mission and government officials from selected African countries not necessarily only those visited should be held with a view to creating greater awareness among:-
 - (i) those already with some form of environmental concern and responsibility, and
 - (ii) those expected to be accorded such responsibility
 - (f) Egypt indicated she would be willing to host such a workshop but the question of the venue could be negotiated at an appropriate time.
 - (g) Two sub-regional seminars under the auspices of UNEP/ECA could be organized preferably in 1977 for high level decision makers to highlight the role of effective environmental machineries, in installing ecological principles in the development process and in according sustained stewardship to an environment of quality. The venue and exact timing for these shall be determined by logistics and current circumstances; however the first sub-region should comprise of the countries to the east and south (and including) Cameroon, Central African Empire, Sudan and Ethiopia. The remaining African countries should comprise the second sub-region.
 - (h) That another workshop, attended by the members of the mission and government officials from countries visited and a few others to discuss and exchange information on the working of environmental machineries should be held in 1979, when the countries with machineries would have had operational experience and could usefully serve as a guide to the countries without national machineries. At that workshop, this report, and the report of the seminar/workshop scheduled for March 1977 and any others on environmental machineries or legislation in Africa could be reviewed and the results thereof be made available to all governments in the region.
 - (i) In the meantime it is suggested that UNEP/ECA should make available sample Environmental Legislation not only to the countries visited but other African countries as well; that sample legislation could serve as an example to those without national machineries and as food for thought to those with different types of legislation. However, the legislation from Zaire Ordinance No. 75-231 and draft Environmental Protection and Co-ordination Board Order for Swaziland - attached to

the mission report, give some ideas on the scope of environmental legislation. More examples will be made available during the various proposed workshop and sub-regional seminars.

- (j) Finally the mission recommended to governments whose role is crucial in the establishment of national machineries; according them necessary resources; defining their programmes; monitoring their implementation and enforcing pertinent legislation to organise national seminars on environmental-related activities in order to broaden public education and thus underscore that the earth's resources are mostly finite and need careful management for the benefit of present and future generations.

Phase II: Seminar/workshops (Report No. E/CN.14/NRD/HENV/4 of 27 October 1979).

- 11. (a) A seminar/workshop was held in Addis Ababa from the 17 to 21 January 1977 and was attended by twenty countries. Eight were countries covered during the first phase of the project - Burundi, Egypt, Ghana, Morocco, Swaziland, Uganda, Zambia, Zaire - and twelve countries which were not covered - Benin, Botswana, Cameroon, Chad, Gambia, Guinea-Bissau, Kenya, Lybia, Rwanda, Seychelles, Sudan and Tanzania. There were also representatives from ECA and UNEP.
- (b) A review was made of the present state of the African Environment as well as of the results and recommendations of the missions carried out during the initial phase of the project (see paragraphs 8-10 above).
- (c) Expenses were made on the national environmental situation in the participating countries which went to confirm the observations and recommendations made after phase one and also emphasised the need for collective action both within and between the countries of the Africa region. They also highlighted the following problems about national and international (inter-African) environmental management:
 - (i) few countries that had taken part in the seminar/workshop had any national environmental machinery;
 - (ii) existing institutions that were supposed to cater for the environment were not functioning satisfactorily, because they were not adapted to prevailing conditions nor did they have the necessary structures, financial and material resources, nor the qualified manpower;
 - (iii) very little exchange of ideas existed, if any, between countries having the same environmental problems;
 - (iv) the little participation, if at all, of land locked countries in decisions taken by coastal states concerning the coast;
 - (v) the insufficient frequency of regional and sub-regional meetings organized by the different organs of the United Nations;
 - (vi) some African countries were not aware of the existence of regional or sub-regional United Nations documentation centers;
 - (vii) lack of co-ordination at the highest political level and
 - (viii) the low number of African environmental specialists.

- (d) All the considerations in (c) above led to the recommendations here under:
- (i) for the ECA and UNEP to encourage and contribute to the creation of environmental machineries in those African countries where none exist;
 - (ii) for the ECA and UNEP to furnish aid to all the African countries requesting technical and material assistance to reinforce their environmental programmes;
 - (iii) for all the countries with identical environmental problems to consult among themselves and come out with a common programme of action;
 - (iv) for all the countries to participate in the process of decision making in matters concerning programmes about the African environment;
 - (v) for ECA, UNEP and other interested United Nations organs to more frequently organize and ensure the co-ordination of regional and sub-regional seminars (meetings) on the environment;
 - (vi) for the ECA and UNEP to urgently organize a study tour to those countries where environmental institutions have been established to enable them to collect information which will be useful to those other countries that do not yet have the machinery;
 - (vii) for the OAU to be responsible, to a large measure, for the co-ordination resolution of those environmental issues that are of a political nature;
 - (viii) for UNEP, ECA, and UNESCO to launch a training programme in Africa that would produce a considerable number of specialists in the protection and amelioration of the environment;
 - (ix) for those countries who have not yet set up environmental machineries to do so and when these is done, the machineries should cater for
 1. Consultation: liaison between the Heads of State as well as national and inter-African executing agencies and other international organizations.
 2. Control: fixing norms and assuring the formulation and application of environmental legislation.

Phase III: Study Tour

12. (a) This phase of the project lasted from November, 5 to December 5, 1977 and out of the initial 15 countries that were supposed to participate only Botswana, Cameroon, Central African Empire, Chad, Tanzania and Uganda finally sent participants. After an orientation course in Addis Ababa the tour took them to Ghana, Senegal and Egypt; Zaire having been dropped out at the last moment on the request of that government.
- (b) The participants submitted reports at the end of the tour. These reports confirmed most of the experiences of the first phase and those of the seminar/workshop. They all regarded the machinery in Ghana as a very

useful model for adoption; in Ghana the development structures were among the most advanced on the continent, based on cheap electricity (Akosombo) and many industrial complexes (Tema etc). The Environmental Protection Council (EPC) was a functioning environmental machinery as a statutory body enjoying the support of government and was also fortunate to have met development structures which were planned in such a way that the environment protection component could easily be integrated there into - the Standards Board Laboratories, Water Research Centre, the Meteorology and air observation centre etc. The EPC also enjoyed the support not only of government but from the public and the private sector.

Senegal was the demonstration of interministerial and inter-departmental co-ordination on environmental matters, where there was no central body to over-see about the general state of the environment.

- (c) The efforts being made by the ECA and UNEP in awakening African governments to the environment issue was appreciated by the participants. It was evident from their reports that, drawing from the experience in those countries trying to set up environmental machineries as well as from those trying to make theirs function, that there were four basic considerations:
- (i) that of having a clear perspective on the magnitude of the environment problem;
 - (ii) that of trained broad-minded experts on environmental matters
 - (iii) the most delicate problem of setting up functionally effective machineries devoid of inter ministerial rivalries and jealousies on the lines of the E.P.C. in Ghana, and
 - (iv) all African governments were still organizing their economies through development plans and this was the most appropriate time to introduce and enhance the environmental protection component into the process.
- (d) In view of the experiences outlined above and the keen effort being made by ECA and UNEP to promote the awareness and concern about the African environment problem, two main recommendations came forth:-
- (i) in order to promote the understanding of the wide scope and complex problems involved in the process of environmental education and subsequent action, ECA and UNEP should encourage and aid, financially and materially, African governments to hold seminar/workshops at regional and sub-regional levels frequently so that ideas could be exchanged with the ultimate intention of seeing more operational environmental machineries set up.
 - (ii) ECA and UNEP should give more serious thought to aiding African governments to train manpower for the purpose of running environmental machineries and also assist African governments to participate in environmental monitoring projects through modern technology, such as remote sensing - LANDSAT, etc.

C. GENERAL OBSERVATIONS

13. Project FP/302-75-13 (838) had its own problems as most projects of this scope and magnitude:

- a) considering the great social, economic and political diversities that exist on the African continent, the period of eight months given to carry out the objectives was rather short; a homogeneous and positive response was presumed from the governments.
- b) a few problems of co-ordination developed between UNEP, the main sponsoring body and ECA the co-operating agency as well as between these two and the other UN support agencies in the field (UNDP). Unlike UNEP that could easily put out a great number of staff on the project at a time, ECA, that was in charge of the logistics of the project, could only have one representative at a time who managed to keep the project going to its conclusion, much to his credit.
- c) country response to the seminar/workshop was encouraging but less so for the study tour in which only six of the initial fifteen took part.

14. However, these problems did not hinder the project's conclusion which can justifiably be termed successful; they also highlight the fact about the great complexity of the environment problem. The observations and recommendations arrived at during the three phases of the project remain pertinent.

D. RECOMMENDATIONS FOR FOLLOW-UP ACTION

15. Following from the recommendations of the first phase of the project, those of the seminar/workshop and the study tour it is evident that there is awareness among African governments about the problems of the environment and environmental management. It is also evident that there is a need for ECA and UNEP to increase their assistance, financially and otherwise, to member-States to help them concretise this awareness into established machineries that can handle the environmental problems that arise from the normal process of economic, political and social development. It would therefore be legitimate to recommend that education on environmental management and protection be intensified by ECA and UNEP with the close collaboration of African governments. To do this

(i) ECA and UNEP should develop a dynamic short term "take-off" plan during which they will ensure that all African government have a statutory body that will be responsible for co-ordinating environmental matters at national level. Governments should accordingly be made to commit themselves actively to this venture.

(ii) ECA and UNEP should develop harmonised environmental assessment and evaluation guidelines that can be adapted to the needs of national machineries. Seminar/workshops of senior government officials should then be organized to study these for adoption. These should be adopted by all the member countries within a given period of time.

- (iii) this will require counselling or supervisory activities by ECA/UNEP, there should therefore be a definite time-table (work programme) which ECA and UNEP should follow.

- (iv) the staff situation within the Environment Unit at ECA should be improved and the Unit as a whole strengthened to enable effective and fruitful co-ordination activities either with UNEP or with member governments. It is therefore important in this light that UNEP should continue to give ECA the material support in the endeavour to co-ordinate activities leading to greater coherence in environmental management.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to ensure the validity of the findings.

ENVIRONMENT CO-ORDINATION UNIT
UNITED NATIONS ECONOMIC COMMISSION FOR AFRICA

Questionnaire on Environmental Management in Africa.

N.B. Countries with only one National Machinery
should answer question 2 and the others
answer question 3.

1: Country:

2: Name and Address of national environmental machinery:

a) Date of establishment:

b) By Act of Parliament (Bill No. & Date):
or Decree No.:

c) Is it advisory or executive?

d) Is it responsible to:

i) Parliament:

ii) President:

iii) Minister of:

iv) Other:

e) What are its relations with other government ministries? Give a brief
statement on type of relationship with each ministry concerned (use
additional sheet of paper if necessary)

f) Are there any structures in the provinces that co-ordinate your activities? Briefly describe them.

g) What are your relations with non-governmental agencies?

h) Which are your main areas of environmental protection activities? List them on a priority basis.

i) Do you have a programme of environmental education? Give a brief description of the activities.

3: Which government institutions (Ministries) are involved in environmental activities, list them and give the aspect of involvement of each.

a) For how long has environmental problems become a concern of your government?

b) How are environmental activities co-ordinated between the Ministries of your country?

c) Are there any structures in the provinces responsible for environmental management?

- d) Do you intend to set up a national environmental machinery?
How far has the project gone?

- e) How do you handle environmental problems with your government
and U.N. agencies?

- f) Which are the main areas of your environmental protection
activities? List them on a priority basis.