

## **Decisions adopted by the African Ministerial Conference on the Environment at its tenth session**

### **Decision 1: Implementation of the action plan of the environment initiative of the New Partnership for Africa's Development**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab Jamahiriya, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Decide:*

To invite the secretariat of the New Partnership for Africa's Development in collaboration with relevant regional institutions:

- (i) To identify the appropriate funding mechanisms for the implementation of the projects included in the action plan;
  - (ii) To develop appropriate communication mechanisms between countries and the regional economic communities;
- (a) To invite development partners to assist in providing resources for developing the capacities of the regional economic commissions, to enable them to discharge their responsibilities;
- (b) To call upon the Global Environment Facility and other development partners to provide financial support for the implementation of the capacity-building programme in its entirety;
- (c) To request the United Nations Environment Programme to provide technical support to the regional economic communities in the development of the subregional action plans of the environment initiative of the New Partnership for Africa's Development;
- (d) To invite countries to make financial contributions to the implementation of the projects of the action plan in conformity with the spirit of the New Partnership for Africa's Development;
- (e) To call upon the African Union and the regional economic communities to strengthen the environment section of their relevant technical units;
- (f) To establish effective communication between the African Ministerial Conference on the Environment and the relevant organs of the African Union and the regional economic communities for that purpose:
- (i) To hold the next meeting of the Bureau of the Conference at the headquarters of the African Union;
  - (ii) To request the president of the African Ministerial Conference on the Environment to work with the Chair of the Commission of the African Union in pursuit of that goal.

## **Decision 2: Role of the African Ministerial Conference on the Environment in the implementation of the action plan of the environment initiative of the New Partnership for Africa's Development**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab Jamahiriya, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Noting with appreciation* the adoption of the action plan of the environment initiative of the New Partnership for Africa's Development by the African Union at its summit meeting in Maputo in July 2003,

*Reaffirming* that the action plan of the environment initiative of the New Partnership for Africa's Development is a coherent, strategic and long-term programme of action aimed at promoting Africa's sustainable development,

*Further reaffirming* our commitment to the effective implementation of the action plan of the environment initiative of the New Partnership for Africa's Development,

*Recognizing* that the implementation of the action plan of the environment initiative of the New Partnership for Africa's Development will contribute to building Africa's capacity to implement regional and international environmental agreements and effectively to address African environmental challenges,

*Acknowledging* the support provided by African countries, the United Nations Environment Programme, the Global Environment Facility, the New Partnership for Africa's Development and secretariats and development partners of the African Ministerial Conference on the Environment,

*Welcoming* the offers made by African countries and development partners during the Partners' Conference on the Implementation of the Action Plan for the Environment Initiative of the New Partnership for Africa's Development, held in Algiers, on 15 and 16 December 2003,

*Decide:*

(a) To provide overall guidance on the implementation of the action plan of the environment initiative of the New Partnership for Africa's Development;

(b) To follow-up with the subregional economic communities on the implementation of the action plan;

(c) To cooperate with the relevant international and regional organizations and bodies on strategic issues related to the implementation of the action plan;

(d) To mobilize high level political support for the successful implementation of the action plan;

(e) To request the President of the African Ministerial Conference on the Environment, with the support of the Executive Director of the United Nations Environment Programme, to secure sustainable financing to support the Conference's collaboration with the subregional economic communities in undertaking its activities in the context of the implementation of the action plan of the environment initiative of the New Partnership for Africa's Development,

(f) To follow up on the fulfilment of pledges by donors and international organizations;

(g) Periodically to review progress achieved in the implementation of the action plan and make recommendations.

### **Decision 3: African Ministerial Conference on the Environment constitution**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab Jamahiriya, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Aware* of the mandate conferred upon the Conference by ministers at the eighth session of the Conference, held in Abuja, Nigeria, from 3 to 6 April 2000, as contained in paragraph 31 of the ministerial report of the session<sup>1</sup>,

*Further aware* of the mandate conferred upon the Conference by ministers at the ninth session of the Conference, held in Kampala, Uganda, on 4 and 5 July 2002, as contained in decision 4 of the ninth session,

*Noting* that a new process of further intergovernmental consultations has been initiated, thus meeting the need closely to monitor the evolution of other initiatives under the African Union and the New Partnership for Africa's Development,

*Decide:*

(a) To note with appreciation the efforts of the secretariat of the African Ministerial Conference on the Environment to facilitate the completion of the document on the revised Constitution;

(b) To note also that only a few countries have submitted comments on the draft revised Constitution;

(c) To request the secretariat to circulate the draft revised Constitution, both in English and in French, immediately to all African countries for their review and comments;

(d) Further to request the secretariat to incorporate the review comments of member States into the draft revised constitution and submit it for consideration by the African Ministerial Conference on the Environment at its eleventh session.

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<sup>1</sup> UNEP/AMCEN/8/7.

## **Decision 4: Status and use of the general trust fund for the African Ministerial Conference on the Environment**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab Jamahiriya, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Recalling* the Conference's decision 5 on financial resources adopted at its eighth session, in Abuja, Nigeria, on 6 April, 2000,

*Further recalling* its decision 4 on resource mobilization, taken at its special session in Nairobi, Kenya, on 16 October 2001,

*Noting* its decision 8 on resource mobilization and the status of the general trust fund, of 7 July 2002, adopted at its ninth session, in Kampala, Uganda, on 5 July 2002,

*Noting further* with concern the continuing low response by member States of the Conference to contribute to the trust fund,

*Recognizing* that Africa is taking measures to address its environmental challenges through major initiatives such as the action plan for the environment initiative of the New Partnership for Africa's Development,

*Aware* that the implementation of its environmental initiatives, in particular the action plan for the environment initiative of the New Partnership for Africa's Development, will require additional human and financial resources,

*Further aware* that African Governments are experiencing competing demands on their limited resources to meet the basic needs of their populations,

*Aware also* of the immense pressure faced by African Governments in meeting their obligations to a number of trust funds established under certain multilateral environmental agreements,

*Expressing our appreciation* to those Governments that have contributed to the Conference's general trust fund and, in that regard, also expressing our appreciation to the development partners for their support.

*Appreciating* the financial and technical support that the United Nations Environment Programme provides to the African Ministerial Conference on the Environment,

*Recognizing* the need for the African Ministerial Conference on the Environment to finance its own activities;

*Decide:*

(a) That Governments should make every effort to pay their outstanding contributions to the general trust fund of the African Ministerial Conference on the Environment;

(b) That the secretariat, in consultation with member States, should develop criteria for contributions by member States;

(c) That the secretariat, also in consultation with the Bureau, should make proposals for sponsorship of some activities of the Conference, including meetings of the Bureau and the regular sessions of the African Ministerial Conference on the Environment;

(d) That the Bureau of the African Ministerial Conference on the Environment should take necessary measures to strengthen the secretariat in Nairobi;

(e) That the secretariat, in consultation with the Bureau of the African Ministerial Conference on the Environment, should complete the action-oriented work-plan for the use of the Conference's general trust fund;

(f) That the Conference should extend its appreciation to the United Nations Environment Programme and urge the Executive Director to continue to provide support to the African Ministerial Conference on the Environment;

(g) That the interest generated by the general trust fund could be used and that detailed proposals on the use of the interest earned on the general trust fund will be prepared by the secretariat and submitted to the Bureau of the African Ministerial Conference on the Environment for approval prior to implementation;

(h) That the general trust fund should continue to be managed by the United Nations Environment Programme for as long as the secretariat of the African Ministerial Conference on the Environment remains with that organization;

(i) That, given the global nature of environmental benefits and challenges, development partners, the private sector and international organizations should be encouraged to contribute to the general trust fund of the African Ministerial Conference on the Environment;

(j) That the secretariat should continue to report on the status and use of the general trust fund at meetings of the African Ministerial Conference on the Environment.

### **Decision 5: Development of a strategic approach to international chemicals management and other chemical and hazardous waste management issues**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab Jamahiriya, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Recalling* decisions SS.VII/3 and 22/4 of the Governing Council of the United Nations Environment Programme of 15 February 2002 and 7 February 2003, respectively, in which the Governing Council initiated the development of a strategic approach to international chemicals management through a multi-sector consultative process,

*Recalling also* the Plan of Implementation adopted at the World Summit on Sustainable Development in Johannesburg on 4 September 2002, which set a goal that, by 2020, chemicals would be used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment and endorsed the development of a strategic approach to international chemicals management,

*Recalling* that the Plan of Implementation also called for initiatives to assist African countries in elaborating national chemical profiles and regional and national frameworks and strategies for chemical management and establishing chemical focal points,

*Recalling also* decision 6 of the ninth session of the African Ministerial Conference on the Environment, adopted on 5 July 2002, in which the Conference endorsed the Rabat Declaration on the Environmentally Sound Management of Unwanted Stocks of Hazardous Wastes,

*Recalling further* the resolution on the prevention of illegal international traffic in toxic and dangerous products adopted by the Intergovernmental Forum on Chemical Safety at its fourth session, held in Bangkok from 1 to 7 November 2003,

*Welcoming* the entry into force of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade on 24 February 2004 and of the Stockholm Convention on Persistent Organic Pollutants on 17 May 2004, and urging African Governments which have not yet done so to become parties to the two conventions as soon as possible,

*Welcoming* also the timely and important Africa Stockpiles Programme, the objective of which is to clean up and safely dispose of all obsolete pesticide stocks from Africa and establish preventive measures to avoid future accumulation, and underlining the need for additional donor funding to support the programme,

*Noting* the successful launch of consultations on a strategic approach to international chemicals management at the first session of the Preparatory Committee for the Development of a Strategic Approach to International Chemicals Management, held in Bangkok from 9 to 13 November 2003, as continued during the African regional meeting held in Abuja, Nigeria, from 24 to 26 May 2004,

*Further noting* the link between poverty and vulnerability to toxic chemicals, the impact of toxic chemicals on biodiversity, including natural resources depended upon by the poor, and the significance of chemicals and hazardous wastes in the context of the environment initiative of the New Partnership for Africa's Development,

*Declaring* our interest in and commitment to implementing fully and quickly relevant multilateral environmental agreements and other integrated chemicals management mechanisms such as the Globally Harmonized System for Classification and Labelling of Chemicals by 2008, as agreed by the Intergovernmental Forum on Chemical Safety at its third session, held in Salvador da Bahia, Brazil, from 15 to 20 October 2000, and in the Plan of Implementation of the World Summit on Sustainable Development and as reinforced by the Intergovernmental Forum on Chemical Safety at its fourth session, with the understanding that, in many cases, such implementation will require substantial international technical and financial support,

*Expressing* appreciation for international support for chemical safety initiatives in Africa,

*Decide:*

- (a) To endorse and encourage the development of a strategic approach to international chemicals management;
- (b) To emphasize the need for African Governments to prioritize sound chemicals management in national, subregional and regional planning;
- (c) To urge stakeholders to elaborate a comprehensive plan for enhanced capacity-building for developing countries in the development of a strategic approach to international chemicals management;
- (d) To encourage multi-stakeholder participation in the development of a strategic approach to international chemicals management, particularly with respect to sectors such as agriculture, environment, justice, health, industry, labour and customs, including civil society;
- (e) To invite the African Union, subregional organizations such as the Arab Maghreb Union, the Common Market for Eastern and Southern Africa, the Economic Community of Central African States, the Economic Community of West African States, the Southern African Development Community and others to participate actively in the development of a strategic approach to international chemicals management as an integral part of efforts by African Governments to achieve the goal of sustainable development and poverty reduction;
- (f) To appeal to the governing bodies of the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals to adopt and to reflect in their programme of work the above decisions to enable African countries to implement fully the strategic approach to international chemicals management;

*Further decide:*

(a) To set as a common goal effective action to deal with all impacts of chemicals and according priority to ratification and implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and the Stockholm Convention on Persistent Organic Pollutants and to call upon the regional groups such as the Arab Maghreb Union, the Common Market for Eastern and Southern Africa, the Economic Community of Central African States, the Economic Community of West African States and the Southern African Development Community to take chemical safety as a priority issue and to play a more active role in the negotiation and implementation of conventions and participation at conferences of the parties to conventions;

(b) To urge the development partners to mobilize the funds necessary for the implementation of national action plans related to chemical conventions, through, among other measures, financial cooperation, capacity-building and institutional strengthening mechanisms, for the strengthening of chemicals management in order to facilitate the implementation of the national action plans,

(c) To urge the African Union and the United Nations Environment Programme to revitalize the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement of Hazardous Wastes, including the establishment of a Convention secretariat and the hosting of the first meeting of the Conference of the parties within the next two years;

(d) To urge the Governing Council of the United Nations Environment Programme to adopt a decision on undertaking the tasks assigned to it in ensuring the prevention of illegal international traffic in toxic and dangerous products;

(e) To support the efforts to strengthen the capacity of the regional centres of excellence in Africa, including the Basel Convention regional centres in Egypt, Nigeria, Senegal and South Africa, as key regional instruments for the implementation of the action plan of the environment initiative of the New Partnership for Africa's Development and to call upon interested States and other stakeholders to provide further support to the centres of excellence in Africa.

## **Decision 6: Phase-out of leaded gasoline in sub-Saharan Africa**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab Jamahiriya, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Recalling* that the Plan of Implementation of the World Summit on Sustainable Development has called for the phasing out of leaded gasoline worldwide,

*Recalling further* the commitment that has been made by sub-Saharan African countries in the adoption of the Dakar Declaration on the Phasing out of Leaded Gasoline from Sub-Saharan Africa by the end of 2005,

*Recognizing* the launching of the Partnership for Clean Fuels and Vehicles during the World Summit on Sustainable Development with the purpose of promoting clean fuels and vehicles for better urban air quality in developing countries and appreciating the leading role played by the United Nations Environment Programme, as the secretariat of the Partnership for Clean Fuels and Vehicles, in the implementation of the Partnership programme,

*Appreciating* the progress that has been made to date in the phase-out of leaded gasoline, which includes the complete phase-out of leaded gasoline from nine countries, the

introduction of unleaded gasoline in another fourteen countries, and the progress made in developing action plans in twenty-one countries,

*Considering* the lead phase-out activity as an important step towards improving urban air quality in African cities and taking note of the importance of considering other key issues for improving the urban air quality in sub-Saharan African countries,

*Acknowledging* the leading role that has been played by the United Nations Environment Programme and support provided by other partners in providing technical, financial and networking support for the phase-out of leaded gasoline,

*Noting* that the United Nations Environment Programme is promoting clean fuels and vehicles for better urban air quality in Africa and, to that end, that it has collaborated with the World Bank in organizing the conference on progress in the phasing out of leaded gasoline in sub-Saharan Africa, which was held from 5 to 7 May 2004 in Nairobi, Kenya,

*Decide* to endorse the following outcomes of the Conference which were accepted by the Ministerial *meeting* that was held on 7 May 2004:

(a) To call on all sub-Saharan African countries to work for the immediate phase-out of leaded gasoline and to work together in subregions where this issue has transboundary dimensions;

(b) To reaffirm the commitment of the Governments fully to implement the Dakar Declaration on the Phasing out of Leaded Gasoline in Sub-Saharan Africa before 2006;

(c) To urge ministers to raise the issue of clean fuels and vehicles for better urban air quality in their countries with the objective of raising awareness on this issue with decision makers, the public and the private sector;

(d) To encourage countries to adopt an octane level for super petrol at a minimum research octane number of 91 RON, which is sufficiently efficient for the existing infrastructural conditions and the economic needs of the countries in the region;

(e) To request the United Nations Environment Programme and the Partnership for Clean Fuels and Vehicles to provide the required technical and financial support to sub-Saharan African Governments and their partners to ensure that the goals of the Dakar Declaration are met.

## **Decision 7: Draft Africa strategy for disaster risk reduction**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab *Jamahiriya*, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Noting* that the number of people affected and economic losses due to the occurrence of disasters triggered by natural hazards is rising in Africa;

*Noting also* that Africa is the only continent where the regional share of reported disasters in the world total has increased over the last decade, where hydrometeorological hazards, such as drought, flood, windstorms, tropical cyclones, landslides and wildfire, occur most pervasively and account for most of the people affected by disasters,

*Concerned* that, for example, in the period 2000–2001, about 35 million people, equivalent to 13 per cent of the total population in Africa, were affected by disasters,

*Also concerned* that, in terms of economic losses, disasters significantly derail development in affected countries,

*Acknowledging* the draft Africa strategy for disaster risk reduction that has been prepared in the context of the action plan for the environment initiative of the New Partnership for Africa's Development,

*Decide:*

- (a) To adopt the draft Africa strategy for disaster risk reduction and to recommend that it be submitted to the Heads of State and Government Implementation *Committee* of the New Partnership for Africa's Development at its next meeting, for approval and subsequent endorsement at the summit meeting of the African Union in July 2004;
- (b) To recommend that the strategy be presented and communicated to other relevant ministerial forums whose portfolios encompass disaster management;
- (c) To recommend that a short- to medium-term programme of work be developed to give effect to the strategy;
- (d) To recommend, through the Heads of State and Government Implementation Committee of the New Partnership for Africa's Development, that, at its summit meeting in July 2004, the African Union call for the integration of the strategy into national and local development plans and initiatives and for increased budgetary allocation to disaster management.

### **Decision 8: Africa's submission to the High-level Open-ended Intergovernmental Working Group on an Intergovernmental Strategic Plan for Technology Support and Capacity-building**

*We, African Ministers of Environment,*

*Having met* in Sirte, Libyan Arab Jamahiriya, on 29 and 30 June 2004, at the tenth session of the African Ministerial Conference on the Environment,

*Decide:*

- (a) To submit the capacity development component of the action plan of the environment initiative of the New *Partnership* for Africa's Development as Africa's input to the work of the High-Level Open-ended Intergovernmental Working Group on an Intergovernmental Strategic Plan for Technology Support and Capacity-building;
- (b) To request that this component be used as the basis of support for capacity-building in Africa.

### **Principles**

The guiding framework for the strategic plan for technology support and capacity building should be based on the following principles:

- (a) The objective of the plan should be to enhance the capacity of African countries to implement their environmental programmes and to support the transfer, application and use of environmentally sound technology;
- (b) The plan should be demand-driven and based on the needs of African countries;
- (c) The plan should complement and not duplicate existing activities and, in this regard, the United Nations Environment Programme should collaborate with other agencies and programmes such as the United Nations Development Programme and the Global Environment Facility as well as multilateral environmental agreements in the development and implementation of the strategic plan;
- (d) The plan should contain targets and time-frames for its implementation;

- (e) The plan should be based on the mandate of the United Nations Environment Programme;
- (f) The plan should also be based on a continuous review of the capacity-building and technology needs of African countries;
- (g) The plan should also be a long-term strategic vision for capacity-building.

### **Elements for the strategic plan**

Possible elements for the strategic plan should include the following:

- (a) Enhancement of capacity at national and local levels to undertake capacity needs assessment for training and technology support;
- (b) Integration of the capacity-building initiative of the New Partnership for Africa's Development into national strategic plans for environmental capacity-building;
- (c) Enhancement of national capacity to mobilize resources for capacity-building programmes;
- (d) Strengthening of national institutions responsible for the implementation of environmental programmes including, through training opportunities;
- (e) Support for the development of policy frameworks for the effective implementation of global and regional environment related conventions;
- (f) Support for national institutions in the collection of data, analysis and monitoring of environmental trends;
- (g) Establishment, as appropriate, of thematic centres of excellence using the existing structure and framework of the African environment information network, to support African countries in their environmental capacity-building;
- (h) Measures to facilitate the flow of relevant and targeted information and exchange of best practices, involving African civil society, non-governmental organizations and the private sector;
- (i) Technical assistance for the development, enforcement and monitoring of and compliance with national environmental legislation, including empowering the judiciary;
- (j) Assistance for compliance with and enforcement of global and regional environmental agreements;
- (k) Capacity-building for effective participation by African countries in international environmental negotiations (e.g., the joint programme on trade and environment of the United Nations Environment Programme, United Nations Conference on Trade and Development and United Nations Development Programme);
- (l) Support for the increased involvement of African scientists and research institutions in international environmental assessments such as the African Environment Outlook;
- (m) Strengthening of environmental research and scientific institutions in African countries;
- (n) Capacity-building for the integration of environmental considerations in national development strategies;
- (o) Provision of support to regional institutions and processes;
- (p) Enhancement of the capacity for the application and development of new technologies and identifying and disseminating best practices.

## Priority areas

The following are priority areas:

- (a) Combating land degradation, drought and desertification;
- (b) Poverty and environment;
- (c) Health and environment;
- (d) Conserving wetlands;
- (e) Prevention, control and management of invasive alien species;
- (f) Conservation and sustainable use of marine, coastal and freshwater resources;
- (g) Combating climate change;
- (h) Biodiversity;
- (i) Transboundary conservation and sustainable management of natural resources;
- (j) Chemical and waste management;
- (j) Pollution;
- (k) renewable energy;
- (l) Taxonomy.