



AMCEN



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## *African Ministerial Conference on the Environment*

### **African Ministerial Conference on the Environment**

#### **Eighteenth session**

Online, 13, 14 and 16 September 2021  
and Dakar, 12–16 September 2022\*

## **Enhancing the role of environment protection agencies in Africa**

### **Note by the secretariat**

#### **I. Introduction**

1. One of the core mandates of the United Nations Environment Programme (UNEP) is to enhance the connection between science and policy in environmental matters through the consolidation and dissemination of credible science and knowledge to guide both policymaking and decision-making. Since its establishment in 1972, UNEP has kept the global environment under review by highlighting global environmental challenges and facilitating many regional and global environmental treaties and conventions.
2. Despite the fact that most African countries have long-established policies, laws and formal governance structures to address environmental challenges, the continent continues to face problems in those areas. Most African countries have established some form of national environment protection agency or environment management agency. Many countries have semi-autonomous environment protection agencies or authorities, or government ministries or departments responsible for environment protection, or a hybrid of the two, herein after collectively referred to as environment protection agencies.
3. Most African governments operate under a tier system composed of the legislative (policy-makers), the executive (ministers), the judiciary, and local and interim implementers. Environment protection agencies, being part of the executive, develop and implement environmental regulations, conduct research, and protect society against significant health threats to both people and the environment. These environment protection agencies play a crucial role in policy development and implementation of environment-related matters, including the attainment of the Sustainable Development Goals and other environmental obligations at the national level. They also influence national, regional and international environment policy, whether individually or collectively.
4. Environment protection agencies serve as an interlocutor for the integration of science and policy, using scientific information and data to solve global environmental challenges. They are involved in scientific and informational discussions, and are close to both policymakers and those who are bound by environment protection regulations. Agenda 21, a plan of action adopted by the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, from 3 to 14 June 1992, includes a provision (in chapter 20, section 14 (b)) on information and decision-making, which underlines the importance of science in environmental management. Furthermore, the Rio Declaration on Environment and Development emphasizes, through its principle

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\* In accordance with the decision taken at the meeting of the Bureau of the African Ministerial Conference on the Environment held on 26 May 2022, the eighteenth session of the Conference, which was adjourned on 16 September 2021, will resume as an in-person meeting in Dakar from 12 to 16 September 2022.

10, the need for States to facilitate and encourage public awareness and participation by making information widely available.<sup>1</sup>

5. Several countries have made great strides in streamlining access to environmental information for decision-making and public awareness, while a number still face challenges in establishing functional environment information systems. The sharing of experience and best practice is an opportunity for environment protection agencies.

6. Despite the importance of environment protection agencies in solving the environmental challenges faced by the continent, there is currently no forum for those agencies to meet to discuss and find solutions within their mandates. The current platforms, including the United Nations Environment Assembly of the United Nations Environment Programme (the Environment Assembly), the African Ministerial Conference on the Environment (AMCEN), the African Union Development Agency's Africa Environment Partnership Platform, and the various multilateral environmental agreements, are primarily concerned with making political and policy decisions that affect the environment. Such platforms operate with limited time, capacity and agenda, and are rarely required to deal with the challenges of implementation.

7. The current link between African ministries of the environment and UNEP's Africa Office is AMCEN. There is thus a need for a platform to implement decisions adopted by AMCEN, as well as resolutions of the Environment Assembly, and to bring into effect multilateral environmental agreements. Additionally, there are gaps in the exchange of knowledge, information and the sharing of best practices across environmental protection agencies, which further underlines the need for a platform of this nature.

8. In May 2022, UNEP's Africa Office therefore convened an online meeting of the heads of environment protection agencies in Africa to discuss how their agencies could be strengthened to influence policy implementation at the local, national, regional and global levels, and how to ensure compliance and enforcement. With over 20 countries participating in the meeting, a broad consensus was arrived at to develop a platform that could be used to expedite information gathering, knowledge exchange, management of environmental data, and analyse how other authorities have dealt with such challenges.

9. The participants noted that the creation of a platform for heads of environment protection agencies was crucial and long overdue, and would give Africa an opportunity to fill a gap in operational and technical matters by providing a platform for addressing challenges in terms of lack of information; environmental governance matters, particularly those involving emerging environmental issues; transboundary resource management; corruption; political influence; and for exchanging knowledge and honing technical expertise in areas such as technology and innovation.

## **II. Gaps in and opportunities for environment protection agencies in Africa**

10. A new era of international cooperation on environmental matters was inaugurated at the United Nations Conference on the Human Environment, held in Stockholm from 5 to 16 June 1972. The Rio Declaration on Environment and Development, the outcome document of the 1992 United Nations Conference on Environment and Development, aimed to establish a new and equitable global partnership through the development of new levels of cooperation between States, key sectors of society and people, working towards international agreements that respected the interests of all and protected the integrity of the global environmental and developmental system. It also helped to establish the idea of sustainable development, led to the creation of ministries of the environment in the 1970s and 1980s, and laid the ground for the development of implementing entities, such as environment protection agencies. According to a study on African responses to environmental protection,<sup>2</sup> environment protection agencies are extremely important, since they:

(a) Provide governments with recommendations on legislative and other actions for the management of the environment or the implementation of pertinent international conventions, treaties and agreements;

(b) Advise governments on regional and global conventions, treaties and agreements that countries should ratify, then the implementation of which they should monitor;

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<sup>1</sup> Principle 10 of the Rio Declaration on Environment and Development.

<sup>2</sup> <https://www.jstor.org/stable/23251018>.

(c) Monitor implementation of national policies, ensure enforcement of and compliance with environmental regulations, and offer technical assistance to minimize threats and aid in recovery preparations.

11. Environment protection agencies are committed to enhancing, protecting and promoting the environment, and working towards environmentally sustainable development through efficient resource management that takes into account social and equity concerns. Many have developed good internal practices that are, in general, not shared with other environment protection agencies, other regional stakeholders or with UNEP.

12. The current challenges facing environment protection agencies include limited political commitment to advancing the environmental agenda; having a broad mandate, but with few resources at their disposal to fulfil it; a governance system with complex coordination; a duplication of roles and mandates of environment-related institutions; and policy complexities, such as the ways in which the environment affects trade. Finally, the multiplicity of regional and global decisions and resolutions, such as those adopted by the Environment Assembly, AMCEN and multilateral environmental agreements, have resulted in delayed uptake and implementation. If environment protection agencies were to share their experience and information on technical and scientific issues, the challenges set out above – and others – could be resolved through mutual cooperation for the benefit of all.

13. It is clear that there is a need to increase the visibility of work undertaken by environment protection agencies and to offer solutions to the many challenges that face them, including the lack of political will in supporting the environmental agenda in some countries; limited resources in the face of a broad mandate and heavy operational workload; complicated governance systems with complex policies and laws; and the multiplicity of regional and global decisions to implement.

14. A platform is needed for environment protection agencies across Africa to enhance collaboration on operational and technical matters and to exchange information and best practices with other environmental agencies and UNEP. Such a platform could be used to catalyse the integration of environment, biodiversity, pollution and climate action into the United Nations sustainable development cooperation frameworks, of which all countries in Africa form part. Taking into account the enhanced support from UNEP from which countries would benefit, that would, in turn, result in them achieving their environmental obligations and the Sustainable Development Goals.

15. Given that environment protection agencies coordinate the environment sector, bringing together governmental ministries, departments and agencies who produce or use the environmental data and information that is necessary for environmental management, an environment protection agency platform would strengthen not only the flow of environmental information and the exchange of good practice, but also capacity-building through peer learning. As an example of this, a number of countries are developing national environment information network groupings at the national level in order to stimulate cross-sector partnerships to make environmental assessments and reporting an integrated process. In Africa, countries in which national environment information network groupings have been leveraged to support data and information for the environmental dimension of the 2030 Agenda for Sustainable Development<sup>3</sup> include South Sudan<sup>4</sup> and Uganda.<sup>5</sup>

### III. Objectives of the proposed mechanism

16. The aim of the proposed mechanism is to strengthen environment protection agencies to influence Africa's negotiating capacity in global environmental forums; implement policy at the local, national, regional and global levels; and ensure compliance with and enforcement of environmental legislation.

17. The proposed environment protection agency mechanism will:

(a) Allow countries to adopt contemporary methods for integrating, manipulating and interpreting the data to which they have access, and improving the scientific foundation for their work to provide a robust foundation for development planning. The process would be facilitated by, among others, programmes such as the Africa Environment Information Network, World Environment

<sup>3</sup> See Sustainable Development Outlook 2021: [www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/SDO\\_2021\\_Full\\_Report.pdf](http://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/SDO_2021_Full_Report.pdf).

<sup>4</sup> See First State of Environment and Outlook Report 2018: [www.unep.org/resources/report/south-sudan-first-state-environment-and-outlook-report-2018](http://www.unep.org/resources/report/south-sudan-first-state-environment-and-outlook-report-2018) and the ongoing Rio Conventions project.

<sup>5</sup> See National State of the Environment Report 2018–2019: [www.nema.go.ug/sites/default/files/NSOER%202018-2019.pdf](http://www.nema.go.ug/sites/default/files/NSOER%202018-2019.pdf).

Situation Room and the UNEP digital transformation enabling subprogramme<sup>6</sup> for up-to-date information for citizen-science; communities of practice; case studies on the environment and people; SoE-Live, which is an online version of the State of Environment and Outlook Report, for products from the specific to the national level; and AEO-Live for the online version of the Africa Environment Outlook;

(b) Provide heads of environment protection agencies and directors of environment with a platform on which to discuss opportunities and challenges in implementing environmental decisions, share experiences and raise emerging environmental issues to inform decision-making;

(c) Enable UNEP's Africa Office to engage with heads of environment protection agencies and directors of environment on how best to integrate emerging environmental issues, opportunities and challenges into their ongoing programmes of work in terms of country support and initiatives, using, for example, UNEP's Emerging Issues reports, Foresight briefs series and annual Frontiers reports.

18. The environment protection agency platform will serve as a sounding board for environmental operational issues, allowing decisions adopted by AMCEN, resolutions of the Environment Assembly and multilateral environmental agreements to be informed by science and implemented in a manner that is responsive to national priorities. UNEP's Africa Office, through its Environmental Governance and Science-Policy foundation programmes, and the AMCEN Secretariat will provide the support necessary to create and facilitate the platform.

#### IV. Recommendations

19. AMCEN should be encouraged to support the proposed platform, bringing together heads of environment protection agencies and directors of environment. The exact nature and form of the platform will be discussed and agreed upon at meetings to be convened by heads of environment protection agencies and directors of environment, facilitated by UNEP.

20. UNEP should provide support to environment protection agencies to establish the platform, which will share best practices and deal with the technical and operational challenges that lie beyond existing forums, which focus solely or primarily on policy and political matters.

21. AMCEN should be encouraged to support the platform in its role as a sounding board for the implementation of decisions and resolutions adopted at regional and global conferences, such as the African Union's Specialized Technical Committee on Agriculture, Rural Development, Water and Environment, AMCEN, the Environment Assembly and under multilateral environmental agreements.

22. Environment protection agencies should be supported to influence the implementation of policy at the local, national, regional, and global levels, and to ensure compliance with and enforcement of environment legislation.

23. The visibility of work undertaken by environmental protection agencies should be supported by offering solutions to challenges ranging from a lack of political will in supporting the environmental agenda at the national level to limited resources in the face of a broad mandate and complicated governance systems with complex policies and laws.

24. Ministers should be encouraged to support the platform for a broad range of reasons, including the fact that it should assist in overcoming the challenges posed by the fact that environmental matters are not always high on the list of national priorities for countries, and should facilitate the development of strategies to ensure that environmental priorities are moved to the forefront of national agendas through the sharing of experience and best practices in terms of how countries engage with the development agenda.

25. The platform should work towards removing fragmented approaches in addressing environmental governance issues and influencing the decision-making of the African Union, regional economic communities and African parliaments. It is proposed that the platform will provide a mechanism that will feed into AMCEN at the technical level.

26. During the meeting of the heads of environment protection agencies held online on 27 May 2022, it was agreed that a physical meeting would be held to expedite the process of creating a mechanism of this nature, ensure a non-fragmented approach to addressing environmental governance issues, and develop and endorse a blueprint for the operation of the environment protection agencies

<sup>6</sup> See [wedocs.unep.org/bitstream/handle/20.500.11822/39694/UNEP\\_DigitalTrans.pdf?sequence=1&isAllowed=y](https://wedocs.unep.org/bitstream/handle/20.500.11822/39694/UNEP_DigitalTrans.pdf?sequence=1&isAllowed=y).

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platform. Rwanda has offered to host the first physical meeting of the platform at a date to be determined.

## **V. Key questions for discussion**

27. The following questions are intended to elicit discussion:

- (a) What should the primary functions of the platform be?
  - (b) What issues would benefit from the platform?
  - (c) What should the African region expect from a platform for environment protection agencies?
  - (d) What should be the relationship between the platform and regional institutions such as AMCEN and the African Union?
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