



ECONOMIC COMMUNITY OF WEST AFRICAN STATES

ECOWAS ENVIRONMENTAL POLICY

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ACRONYMS

ECOWAS	Economic Community of West African States
CCPE	Consultation and Coordination Mechanism for Environmental Policies and Initiatives
CILSS	Permanent Inter-State Committee for Drought Control in the Sahel
UNCED	United Nations Conference on Environment and Development
EE	Environmental Education
FAO	United Nations Food and Agriculture Organisation
IFAD	International Fund for Agricultural Development
UNFF	United Nations Forest Forum
IEC	Information, Education, Communication
NEPAD	New Partnership for Africa's Development
OMVG	Gambia River Basin Development Organisation
OMVS	Senegal River Development Organisation
POP	Persistent Organic Pollutant
MDG	Millennium Development Goals
WMO	World Meteorological Organisation
NGO	Non- Governmental Organisation
UNEP	United Nations Environment Programme
UEMOA	West African Economic and Monetary Union
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNCCD	United Nations Convention to Combat Desertification

FOREWORD

West African States, individually and collectively, have made significant efforts in order to keep abreast of with the natural resources management and environmental protection initiatives. Since the early 70s, which were critically characterised by severe drought in the sub-region, a real concern has been developed towards environmental issues, which started to receive planning and significant resources. Sub-regional cooperative bodies have consequently strengthened their strategies, plans and their corresponding development projects. The United Nations Conference on Environment and Development (UNCED) created in the whole world a greater awareness on the depletion of natural land resources and the urgent need to effectively manage these resources. Pollution and nuisances having increased tremendously as a result of the rapid urbanisation and emerging industrialisation, started to pose serious problems not only in towns but also in the countryside, coastal areas and along all the rivers and water courses. Thus, municipal officials, city managers and political authorities strongly started to focus their attention on these issues.

Economic partnership and cooperation in a broader sense of the sub-region involving the river basins' organisations (OMVS, OMVG, Mano River Authority...), CILSS, UEMOA, ECOWAS, etc. have gradually developed their production and sustainable natural resources management programmes' components. The manifestation of a renewed interest and a greater synergy in environmental programmes was facilitated by the creation of a New Partnership for Africa's Development (NEPAD) and the development of its general and sub regional environmental programme.

In the formulation of the terms of reference for this study, certain points were identified relating especially to i) the diversity, relative abundance

and fragility of natural resources of the sub-region; ii) a natural environment that is seriously threatened and highly affected by the unfavourable climatic conditions of the 1970s and 1980s; iii) many jointly owned resources and ecosystems whose management require a concerted approach; iv) an accelerated growing urban phenomenon, which causes serious environmental problems; v) common relative priorities involving desertification control, conservation and rational use of biological diversity, the study and management of climatic changes, management of persistent organic pollutants (POP) and all other dangerous products.

INTRODUCTION

1.1. General Introduction

As part of its objectives, the Economic Community of West African States (ECOWAS) offers “to promote cooperation and integration with a view to creating a West African Economic Union in order to raise the standard of living of its people, maintain and increase economic stability, strengthen relationship among member States and contribute to the progress and development of the continent”. Amongst the intermediary objectives essential for the attainment of the above objectives, the ECOWAS Treaty recognises the necessity for “the harmonisation and coordination of national policies, and promotion of programmes, projects and activities in the area of agriculture and natural resources... “It gives more recognition to the harmonisation and coordination of policies on environmental protection”. This is the basis and justification of the duty of the ECOWAS Highest Authorities to promulgate an Environmental policy for the Community.

ECOWAS member States’ economy is based, to a large extent, on natural resources. Peoples’ incomes are largely derived from natural resources including forest, wildlife, pastures, water and agricultural lands. Meanwhile, the region as a whole develops its human establishments and particularly its urban systems in a very rapid manner while its population growth increases at an average rate of 2.7% annually and the economic growth rate stands at 6%. The urban fabric, which is increasingly growing create pressures in the management of resources, and affect the environment negatively. These have highlighted the urgency for Highest Authorities of the sub region to be worried about the sustainable management of resources and good governance of the environment.

In fact, the issue of a dramatic change in the environmental and natural

resources management has more than ever become a topical issue. Many initiatives had been taken to that effect but they unfortunately emanated from isolated and opportunist decisions. These were not recorded in a common policy with federating strategic objectives, aiming at promoting, guiding and facilitating common major sub-regional actions. The current policy addresses this challenge.

1.2. The general state of the environment and the need for urgent restoration

The environment and natural resources are characterised by a general trend of degradation and resources depletion.

The challenges described below highlight the major sectors and problems relating amongst other things to : 1) land degradation; ii) deforestation, degradation of landscapes and the loss of bio-diversity through the combined effects of natural factors like drought and floods and human factors such as the abusive exploitation of trees and forests; iii) rapid change in the status and quality of water resources; iv) degradation of the entire landscape for lack of appropriate development, and weakness in environmental restoration. It is true that efforts are made and capacities are being built but they are not enough and it is essential and urgent that policies and initiatives for restoration be carried out without delay. This is what the ECOWAS environmental policy aims to achieve.

1.3. Context

The formulation of this policy was carried out according to the following stages:

- Consideration of the mega trends in the situation of resources and processes at both national and sub-regional level and especially the recent Common Policy for the improvement of the UEMOA environment;
- Examination of the concepts, niches and missions related to the ECOWAS environment, to avoid duplications, and strengthen cooperation.

- Defination of a strategy and the major components;
- Consideration of strategies that will strengthen West Africa sub-regional institutions to attain major environmental objectives.
- Consideration of a large range of essential sectors particularly those that can influence the regional economic integration progress.
- The state and dynamic of the common and resources.

1.4. Methodology

The method adopted reflects the intention shared by the West African organisations to formulate harmonised and convergent policies. Visits to all countries of the sub-region enabled : i) diagnosis of the general state of the environment; ii) identification and analysis of major problems and institutional framework; iii) analysis of solutions brought individually and collectively; iv) assessment of the perspectives and significance of the regional integration; v) finally, emphasising the main concerns from which the various components of the policy are derived, and stressing on future exercises for the attainment of strategic objectives.

THE ENVIRONMENTAL CHALLENGES

The environmental system of Member States, in large measure, support the livelihood of rural people that account for approximately 80% of the population.. The living condition of the rural populace and indeed the general population are seriously hampered by the changes in the climatic conditions. The environmental policy must be therefore address the serious challenges that militate against the achievement of sustainable development .

The policy shall seek to address these challenges through :

- Good governance and sustainable use of natural resources.
- National policies and regulations that will address industrial pollution, urbanisation and waste disposal.
- Efficient resource management aimed at poverty reduction and general improvement of the livelihood of the people.
- Advocacy to combat ignorance, and provision of information and communication technology.
- The adaptation and orientation of institutional bodies in order to effectively organise and optimise synergies and partnerships;
- Promotion of social equity in national policies of Member States.

To meet these challenges, the policy will target the following specific problems:

- 2.1. Land degradation, erosion and desertification exemplified by drought and desertification constitute a serious challenge to ECOWAS Member States.

Every year millions of hectares of land are lost through:

- Wind erosion, which strips agricultural lands of their topsoil and creates sand dunes while degrading waterways and lakes;

- Water erosion, which is getting worse and contributing to further loss of lands, lakes and arable lands through immediate silting and which seriously threaten agricultural production and food security;
- The salinisation of lands due to natural phenomena (high evaporation during the period of drought characterised by low rainfall and high degree of sunshine);
- Poor land management.
- Socio-economic problems and national policies that result to unequal access to land.
- Issues relating to energy demands of households and particularly the rural ones whose satisfaction derives from forest biomass, crop residues, and outside forests;
- High population and urbanisation rates in cities.

2.2. Loss of bio-diversity through:

- Deforestation through which the region loses 899 000 hectares of forest and woodlands, that is a rate of 1.17% annually, being one of the highest rate of deforestation in the world (2000-2005);
- The unexpected or irregular transfer of forest land use to other sectors for other uses;
- Incessant and uncontrolled bush and forest fires.
- Armed conflicts in the sub-region and its negative impact on sustainable land management;
- Poor and inadequate knowledge on natural resource conservation and management.
- Lack of synergy in the management of forestry ecosystems in the sub-region.

2.3. Degradation of River and Lake Water resources.

Water is a highly strategic resource and therefore constitutes a priority concern as it is vital for the sustenance of life and agricultural

production. The problems affecting the availability of this natural resource in the sub-region include:

- Drought caused by climate change and drying out of humid zones.
- Sand silting of water courses caused by water and wind erosion;
- Wild proliferation of invasive aquatic species that threaten the survival of water courses and lakes affect and destroy their productivity. This reduces the livelihoods of grass root communities;
- Pollution of groundwater occasioned by various solid, liquid, domestic and industrial wastes from urban centres, industries and substances from farm lands containing chemical products (fertilisers and pesticides).

2.4 Degradation of coastal maritime ecosystems

The Coastal ecosystem in the Member States are degraded as a result of:

- Siltation of lower coastal zones and degradation of the mangroves;
- Coastal erosion, which threatens the arable coastal lands and the entire development infrastructures of the littoral;
- Coastal fishing and poaching of fish resources of Member States;
- Threats resulting from the consequences of climate change in the sub-region with the rise of water level in deltas, increased salinisation of littoral lands, modification in the coastal vegetation formation and in the fish and crustacean population, etc.
- Maritime pollutions which are aggravated by many factors including emptying of fuel tanks and dumping of waste water of coastal big cities. disasters
- Environmental hazards & disasters
- Exploitation of petroleum resources in the sub-region and the transportation of such products off the coast of coastal countries.
- Inability to adapt to the negative effect of climate change particularly by the people of the littoral areas.

2.5. Degradation processes brought about by the development of mineral resources

Mineral exploitation and all the individual or traditional extraction activities cause unpleasant environmental consequences. Environmental problems resulting from these activities seriously affect land productivity, landscapes, and particularly the health of the people. The environmental policy should address these problems, which are closely linked to the sustainable development of Member States.

2.6. Problems of urban and industrial pollution:

The rapid urban development in Member States, migration and high population density in most cities make the management of liquid and solid wastes difficult and complex. In addressing these problems, it is necessary to educate citizens on basic environmental hygiene.

2.6.1 Problems relating to the management of towns, settlements and other establishments are:

- The preferential growth of settlements along the coast, in plateau areas with high sanitation requirements, along the major roads and water points without proper planning of land use;
- The specific attraction of people to cities poses the problems of the abandonment of lands in rural areas, concentration in urban areas and their peripheries and the unsustainable management of resources;
- The management or extension of sanitation, collection and management networks of solid and liquid wastes;
- The management of migration to urban centres, and air and water pollution in cities.
- Noise pollution caused by high urbanisation in cities.

2.6.2. Industrial pollution

Industrial pollution refer to chemical, biological, sound and olfactory

release emanating from industries in cities and from country side. The most remarkable amongst them are:

- Frequent release of earthy and plant material dust from works caused by movement of agricultural lands in urban extension areas or others;
- Toxic gas emission whose smells are disturbing and dangerous to health;
- Liquid or solid waste disposal , which often spread foul odour which can be injurious to health.
- Noise pollution caused by emissions, from industries.

2.6.3. Health and the environment

A lot of sicknesses, diseases and medical conditions that affect people are primarily caused by environmental factors. In this regard, the maintenance of a healthy environment is a necessary condition for a healthy living.

2.6.4. Customs, traditional practices and the environment

Traditional practices generally contain some elements of protection, conservation and development of natural resources. However, these practices change very rapidly based on circumstances, especially markets, which are being opened. This often leads to excessive deviation in the overexploitation of resources concerned. Innovations in the local management of environmental products must be considered in order to protect further the resources.

2.7. Global environmental problems

- ECOWAS Member States are vulnerable to the negative effects of climate change. While the region contributes very little to these problems, it is one of the regions that are most prone to the consequences of climate change. In addressing the problems of climate change, Member States need to address the following:

- Emission of green-house gas and destruction of the ozone layer;
- Chemicals such as the persistent organic pollutants (POP) whose use is strictly restricted and which were used, not long ago, in agricultural practices in our region;
- land degradation and desertification;
- The poaching and degradation of marine, island and coastal resources and environments of West Africa;
- Illegal dumping of toxic waste and hazardous products, in the coastal areas of Member States.

SCOPE

The geographical and thematic scope of the ECOWAS Environmental Policy is defined as follows:

3.1. Geographical coverage

All nations forming the ECOWAS are covered by this environmental policy. Within the ECOWAS territory are zones of:

- Shared transboundary ecosystems;
- Critical watersheds, which sustain the continuous flow of big rivers;
- Extensive wildlife and migratory wild birds;
- Customary routes or borne out of recent development for the passage of herd, transhumance, corridors and grazing lands.

3.2. Thematic coverage

This Environmental Policy covers all aspects of i) natural resources management,; ii) environmental protection iii) human settlements and particularly of the urban habitat. In their diversity they include “the whole of natural or artificial (physical, chemical and biological) and cultural (sociological) conditions in which living organisms, including man, animal and plant species develop” and where natural processes and human activities of all kinds are combined.

3.3. Stakeholders:

Key stakeholders of this Policy include:

- Government
- Bilateral, regional and international development partners
- Parliamentarians and members of economic and social councils

- Local Government Authorities
- Community based organisations and NGOs
- Grassroot and indigenous communities
- Professional bodies and trade unions:
- The private sector
- The world of research; knowledge and expertise
- Research institutions experts
- Civil society
- Women groups

CONSTRAINTS, STRENGTHS AND WEAKNESSES:

The major constraints and weaknesses that characterize the ECOWAS region include:

- Poverty, which places all the countries of the sub-region in the lowest part of the United Nations' table of human development index;
- Persistence of conflicts over the last decade;
- Unstable climatic conditions in the sub-region, including recurrent droughts and a general trend towards desertification;
- Ineffective collaboration, linkages and coordination among institutions of environmental management
- Inadequate human, technological and financial capacities .

The strengths of the sub-region include:

- The ongoing process and progress towards political and economic integration within the subregion and peaceful coexistence of the states despite conflicts which are mostly of domestic nature;
- The progressive ease of communicating and trading across the borders within the subregion.
- Progressive decentralization underway in the ECOWAS member states
- The existence of common natural resources which constitute the basis of cooperation for their sustainable management.
- The existence of significant human resources within the ECOWAS region.

VISION, PRINCIPLES, STRATEGIES, OBJECTIVES AND AREAS OF INTERVENTION

5.1. The vision for the ECOWAS Environmental Policy

ECOWAS pursues political and economic objectives that, in the long run, must bring peace, prosperity and sustainable development for the people of the sub-region.

The Vision 2025 of the ECOWAS Heads of State of the sub-region wants “to turn West Africa into a borderless zone where the citizens will benefit from the opportunities and develop, in a sustainable manner, the huge resources of the region”. This West African zone is seen as “a regional space that enables the people to make transactions and to live in peace and dignity within the context of the rule of the law and good governance”.

Within the general context of this vision, the environmental policy proposes *THE VISION of a peaceful, dignified and prosperous ECOWAS region whose various and productive natural resources are preserved and managed on sustainable basis for the development and equilibrium of the sub-region.* To that effect, production, processing, consumption, trading and disposal activities are controlled and managed in a healthy environment, from the point of view of raw material flows, wastes and final processes.

5.2. Guiding principles

ECOWAS guiding principles

The principles hereafter specify the framework in which the cooperation of ECOWAS Member States as well as its interventions must be reflected in its programmes, projects and decisions. The general principles include the following:

The principle of subsidiarity, according to which only what cannot be better addressed at the national or local level, will be treated at the regional level. It is agreed, “National competence shall be the rule whereas community competence shall be the exception”;

The principle of proportionality, which implies that the action of the community should not exceed what is necessary to achieve the objectives of the Treaty;

The principle of complementarity allows taking into account the comparative advantages of the various countries, ecological zones and production basins;

The principle of regionality according to which the Community shall only deal with issues which involve at least two Member states;

The principle of solidarity according to which the Community shall guarantee minimum cohesion amongst its members and pool financial, human and institutional resources in order to reduce existing disparities;

The principle of partnership and dialogue aims at ensuring constant involvement of stakeholders of the sector concerned (the environment here) in the implementation, monitoring-evaluation and possible re-writing of the Community’s environmental policy.

The principle of progressiveness involves a gradual approach allowing taking into account national situations and specific interests.

Environment-specific principles

Cooperation in environmental matters often refers to and is firmly established in the following principles:

- Principle of Continuity : The principle of continuity requires that actions that have already been started and some areas of the previous programme should remain valid and taken into account
- Principle of constant reference to the Millennium Development Goals (MDGs)

- Principle of minimization of duplications, to ensure synergy and coherence amongst the various actors
- Principle of responsibility or the polluter pays principle
- Principle of iteration and periodic review: this policy is an initial approximation; it needs to be periodically revisited through adjustments and updates
- Principle of inter-disciplinarity: the environment consists of a series of sectors, processes and interfaces. The environmental policy must cover all these sectors which touch on the economic, social and ecological dimensions
- Irreversible principle of population involvement;

There are other values in the sub-region, including traditions of cooperation that are worthwhile highlighting:

- There is a long traditional practice and constant principle of trilateral cooperation between UEMOA, CILSS (an operational technical organisation) and ECOWAS;
- The sub-region has many basin organisations that have gained some experience in their respective technical and geographical domains. It would be desirable to consult them and get them involved in any initiatives concerning their area of intervention;
- All of the sub-regional development initiatives must be linked to and must cooperate with the AU initiatives;
- The need for the principle of connection to NEPAD initiatives: there is a necessary continuity on the line, starting from the NEPAD environmental plan, its sub-regional component and the sub-regional and national policies, in a thematic complementarity and operational subsidiarity, particularly between ECOWAS, UEMOA, CILSS and the basin organisations;
- Interdisciplinary approach and transparency.

5.3. Overall objective

The overall objective of the ECOWAS Environmental Policy is to reverse environmental degradation and depletion of natural resources, ameliorate the quality of the living environment, conserve biological diversity, with a view to ensuring a healthy and productive environment; thereby improving the well-being of the ecosystem and the population of the sub region.

5.4. Strategic lines for action and specific objectives of the Policy

The strategic thrusts correspond to the major objectives for which a coherent set of activities will be developed in order to bring about lasting solutions to the major environmental problems of the sub-region. The strategic thrusts are organised into the following four units:

- Strengthening of Environmental Governance (setting up of a sub-regional mechanism) and promotion of capacities to that effect
- Promotion of sustainable management of the Resources for the improvement of the sub-regional economy in an environment-friendly manner;
- Prevention of environmental pollution and nuisance, urban waste and for the control of transboundary movements of hazardous waste/products
- Promotion of information, education, and communication for a healthy environment.

Strategic line N°1:

Environmental Governance (setting up of a sub-regional mechanism) and building capacities to that effect

The sub-region has many institutions that can make suggestions and implement solutions to the sub-region's environmental problems. The major challenge therefore is to ensure that the various interventions are undertaken in a coordinated and concerted manner. ECOWAS will work with all its partners to facilitate consultations and negotiations

and create strong synergy of initiatives that will strengthen the positions of the sub-region. ECOWAS States will undertake the following strategies:

1.1 Setting up of a Standing Mechanism of high-level consultation and coordination for environmental policies and initiatives of the sub-region with the following terms of reference:

- Membership – this will be from all ECOWAS Member States and its regional groups
- Develop the ECOWAS Plan of Action for the Environmental Policy
- Consider and adopt relevant areas of synergy and cooperation between ECOWAS and its regional groups
- Agree on the details of the process of periodical consultations over the strategies, programmes and projects.

1.2. Setting up and supporting the functioning of a regional technical consultation to monitor and boost the implementation of the Conventions: ECOWAS will:

- Assist the countries in the preparation of the major international meetings on environmental issues and in the negotiation of the conventions, protocols and other environmental treaties;
- Set up an ad-hoc mechanism charged with monitoring the implementation of the Conventions at the regional level and supporting negotiations and preparation of common sub-regional positions for the major African and international gatherings;
- Set up specific or thematic groups for each convention to speed up the implementation and preparation of negotiations
- Monitor and assess commitments entered into by member states. Special attention will be paid to the United Nations Convention to Combat Desertification (UNCCD), the United Nations Convention on Biological Diversity (UNCBD) and its Cartagena protocol, and the United Nations Framework Convention on Climate Change

(UNCCCC) and the Kyoto protocol; the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal; the Bamako Convention on the Ban on Import into Africa and the Control of Transboundary Movement and Management of Hazardous Waste within Africa; the Stockholm Convention on Persistent Organic Pollutants (POP) The Abidjan Convention for Cooperation in the Protection and Development of Marine and Coastal Environment of the West and Central African Region; the convention of Alger on nature protection.

1.3. Promoting monitoring of environmental change and the prevention of risks via an ad hoc technical tool to be set up (Observatory, Regional Centre) for environmental monitoring and assessment that would carry out, progressively, amongst other things the duties of a Sub-regional Environmental Watch, which assesses and monitors environmental hazards and helps to take corrective and protective action on a timely basis. This group will monitor more particularly:

- Sub-regional certification and movement of chemicals submitted on restricted importation;
- The transboundary movements of toxic and hazardous wastes;
- The potential or proven natural hazards; ... etc.

1.4. Promoting appropriate partnerships for improving sub-regional cooperation on multilateral agreements on the Environment.

ECOWAS will develop appropriate partnerships amongst research and development agencies to facilitate implementation of the policies and lead the necessary activities to that effect. The process of establishing such partnerships will include, inter alia, the following aspects:

- Setting up of a Network of centres of excellence for the implementation of the various components of the action plan. This will mobilise the human resources and the institutional capacities of the sub-region to support the implementation of the environmental policy and help provide its monitoring and evaluation.

- Encouraging, in each country, the creation of national Consultative or focal points which should organize Monitoring-evaluation of the implementation of policies at the national level.

Strategic line N° 2:

Promotion of sustainable management of Resources for the improvement of an environment-friendly sub-regional economy.

ECOWAS is first and foremost concerned with the sub-regional economic integration in which the environment and the economy are highly interdependent. The aim here is: (i) to control the conservation, management and sustainable development of natural resources within the sub-region for the welfare of its societies and (ii) to better know and optimize the contribution of these resources in terms of goods and services supporting the sub-regional economy

2.1. To improve sustainable management of natural resources based on principles, criteria and indicators laid down to that end;

- Promote or improve the ecosystem-based approach and land use planning;
- Work towards a more secure land tenure system that encourages commitment and investments in sustainable operations of natural resource management, restoration and renewal;
- Promote Integrated Water Resources Management (IWRM) and support the development and implementation of national IWRM Action plans of West African countries.
- Improve knowledge about the water bodies and conservation of continental fisheries and fish farming.

2.2. To promote Management, Conservation and Sustainable Development of forests, fauna and grazing lands:

The size of the sub-regional forest and its contribution to the forest countries' economy as well as the importance of tree ecosystems in the local economies argue in favour of giving top priority to forests. Their management, conservation and development need to be promoted. In

so doing, we shall implement, within our sub-region, the recommendations made by UNFF and the Commission of Forests and Wildlife for Africa as regards sustainable management of forests and trees outside forest sites, including the advancement of adequate processes of criteria and indicators:

- Promote increase in forest cover through classification of new forests and extension of afforestation to help reach the rate of 20 to 30% of the lands;
- Identify in a continuous manner and implement priority programmes on the management of common resources;
- Strengthen cooperation and common activities for the development and preservation of fauna resources, hunting and the use of bush meat, establishment and management of protected zones and protection of endangered species.
- Contribute, pursuant to the provisions of the Common Agricultural Policy, to i) rangelands management and conservation; ii) better management of pasture in the forests and the use of trees, feed shrubs and bush; iii) support the organisation of north-south movement of livestock in the search for pasture;
- Further promote sustainable integration of the forestry sector and its products into the sub-regional economy and to assist in the development of sustainable livelihoods for the people, by making use of woody and non-woody products of trees and forests;
- Encourage and support the development of big forest management and re-afforestation programmes that increase the contribution of forests to the livelihoods of the communities.
- Knowledge conservation and promotion of sustainable use of natural ecosystem goods and services

2.3. Combatting land degradation, drought and desertification

This is a top priority in order to help cope with continuous threats of land degradation, drought and desertification in the sub-region of dry, semi-arid and sub-humid climate. The aims will consist of ensuring smooth implementation of joint programmes that address the causes and symptoms of land degradation, particularly:

- Good management of woodlands and off-forest trees in the sub-region;
- Control of sand silting of all kinds including dune fixation and the protection of rich zones against sand silting;
- Management of large transboundary watersheds with particular attention to the coast;
- Preparation and implementation of common or joint Actions towards establishing the various components of the green barrier of the Sahara and the Sahel
- To support the implementation of the CCD, through large scale reforestation programmes and integrated local programmes for rural development.
- Promote energy production system including the rational use of wood and biomass especially and over renewable energy sources (solar, wind etc)

2.4. Sustainable management of coastal, island and marine ecosystems

- Insure sustainable practice of marine fishing protection and monitoring of shared marine environment and ichthyological resources robbing fight.
- Elaborate common approaches and shared programs of conservation and development of islands and their biological diversity; marine protection, unpreparedness of coastal population to adaptation possibilities , to new situations brought about by changes.
- Monitoring and sitting up of safeguard system against climate changes consequences on coastal and marine environments;
- Take measures to prevent, follow and correct oil pollution risk resulting from intensive oil exploitation on the West African coast and increase in oil tank traffic in the Atlantic
- Silting up of lower coastal zones and degradation of coastal ecosystems especially mangroves
- Coastal erosion which threatened coastal cropping land and the whole of coastal development infrastructure

Strategic line n°3:

Organising the struggle against Pollution and Nuisance, urban wastes and the control of transboundary movements of hazardous products into the sub-regional economy

The state of the environment in the housing or industrial zones indicates a rapid increase in pollution and nuisance in the sub-region. The specific objectives under this strategic thrust include i) a review and improvement of urban policies to minimize or better manage pollution and nuisance problems; ii) search for better solutions to the accumulation of hazardous wastes and products; iii) better monitoring of environmental hazards through genuine watch services.

3.1. Improving urbanization and urban management policies by taking the environmental aspects into account, and particularly by:

- Monitoring and controlling pollution and nuisance in the urban areas and restore a better living environment, including the renovation of poor urban districts;
- Promoting the development and implementation of sanitation masterplans of urban areas which experience new situations today and develop new aspirations regarding environment and the well-being of urban dwellers and promote cooperation and exchanges amongst countries and towns
- Study and documentation of the linkages between poverty, urban slums and environmental health.

3.2. Developing and implementing a continuous Programme in support of the management of hazardous wastes and products including promotion of innovative and participatory approaches to urban solid and liquid waste management:

- Development of modern urbanization and urban space management policies, while taking environmental aspects into account;
- Amelioration of the environment in the urban and rural set-up through development of concerted programmes for the management of hazardous wastes and products;

- Promotion of innovative and participatory approaches to solid and liquid waste management, especially persistent organic pollutants (POPs), plastic wastes and banned or severely restricted chemicals;
- Promote regulation and prioritisation of technological products and dangerous and obsolete equipment (recycling of cars, domestic equipment, electronics, ets)
- Promote and develop environmental evaluation tools and support capacity building in the field
- Support development of standards in the implementation of the policy

Strategic line n° 4:

Promotion of environmental Information, Education and Communication within the sub-region.

ECOWAS will assist Member States in their efforts with the aim of developing environmental responsible citizens in the sub-region who can understand and develop common or similar approaches to this very sensitive area. The aim is to:

- i) facilitate promotion of environmental consciousness, which can contribute to having in place citizens who are very sensitive to environmental problems within the ECOWAS sub-region;
- ii) foster the advent of a society that is more accountable for its environment;
- iii) strengthen information, education– including within the Universities and Research Institutions – and communication (IEC) activities regarding environmental management in West Africa;
- iv) promote and encourage initiatives contributing to a better education of the citizen, the recognition of efforts of individual institutions within the ECOWAS Member States through reward and prize awarding-programmes to ensure more publicity of best practices.

4.1. Promote a sub-regional programme on Environmental Education

To achieve the above strategy, ECOWAS will pursue the following objectives:

- To generate programme models as regards environmental education that the countries will continue and implement respectively;
- To promote EE mainstreaming into the national education system, including in management schools that are flourishing in the region;
- To promote at the sub-regional level, the strengthening of existing Institutions and other capacity building initiatives.

4.2. Strengthen information and communication (IEC) activities as far as environmental management is concerned in West Africa

The information programmes ECOWAS is developing with the support of the local and sub-regional media will be consolidated and improved with a view to better share information on environmental events of the sub-region.

4.3. Promote and encourage initiatives contributing to a better education of the citizens, and to the recognition of individual institutions' efforts in West Africa.

ECOWAS will aim at promoting the concept and principles of encouragement of the populations and institutions through:

- i) Recognition of commendable activities;
- ii) Encouragement through the creation of awards, prizes, merit lists, encouragement and exchange trips amongst operators;
- iii) Distinctions for study and research institutions of the University, Research or development centres whose results or products have brought positive change into natural resource management and environmental protection practices, etc.

IMPLEMENTATION STRATEGY

The analysis of the sub-regional situation in terms of institutions and stakeholders involved in natural resources management and environmental protection indicates the existence of a wide range and large number of stakeholders. Most of them are working in isolation and uncoordinated, ad hoc basis.

The situation is also characterised by the existence of other inter-state institutions that cover a limited number of countries, for instance UEMOA, CILSS, Lake Chad Basin Authority.

The activities of these bodies need to be coordinated to facilitate the implementation of ECOWAS Environmental Policy. From that point of view, the following aspects must be taken into consideration in the future implementation of the ECOWAS environmental Policy, namely:

- Systematic coordination of concept and policy frameworks between the major organisations of the sub-region, to guarantee coherence in the overall plan of action;
- Institutionalized policy dialogue between the major institutions and organisations of technical cooperation;
- Creation of appropriate implementation, evaluation and control mechanisms where applicable
- Need to set up incentive systems to enforce the policy and standards.

The following proposals help to take the above-stated needs and principles into account.

6.1. Institutional strengthening and reorganisation.

6.1.1 Strengthening of the ECOWAS Environment Department: ECOWAS should adopt a strong environmental management framework capable of overseeing the effective implementation of the policy, in collaboration with other institutions of the sub-region. The recent reforms, has raised the political profile of the ECOWAS Environment Unit.

6.1.2. ECOWAS Cooperation with other Bodies

ECOWAS has cooperated with other bodies towards achieving regional integration. This requires coordination of sub-regional programmes, an example of such cooperation resulted in the preparation of the Sub-regional Action Programme to Combat Desertification in West Africa (SRAP-WA).

From this experience, it is important to pursue such cooperation programmes with bodies with similar objectives in their field of technical competence.

6.1.3. Organisation of inter-institutional Cooperation within West Africa.

This will be through:

- The setting up of a political organ (Ministerial meeting or conference on the Environment);
- The creation of a Scientific Committee or Sub-committee responsible for monitoring and strengthening of the scientific aspects of the policy implementation
- Support a sub-regional network of institutions at centres of excellence and which, will serve as a reservoir of resource persons who will help ECOWAS in the implementation of the policy.

6.2. Fund-raising strategy

The resources for the implementation of the Environmental Policy will be from the following sources:

First, the sub-region's own resources, mainly from the general funds or funds allocated to the ECOWAS Commission, particularly from the Regional Solidarity Fund, and also from the contributions from other bodies and contributions allocated by individual countries to joint programmes targeting specific aspect of the policy. It should be noted that a significant contribution from the sub-region's own resources will serve as catalysis for the contribution of the development partners;

- Resources from international cooperation, through programmes also aimed at dealing with land degradation and desertification will include, inter alia, the following funding opportunities:
- Resources for field programmes of the United Nations technical organisations: FAO, UNDP, UNEP, UNESCO, WMO, the special funding mechanisms such as those of the GEF ... Etc. ;
- Funding agencies such as UNDP, the World Bank, and the GEF, particularly its Operational Programme on Land Degradation, the resources of the Clean Development Mechanism (carbon fund), IFAD, the Global Mechanism, ... Etc.
- Resources from bilateral cooperation;
- Programmes of international NGOs very active in the countries of the sub-region; ECOWAS will need to develop a fund-raising strategy and partnerships to benefit from these resources that are governed by simpler, yet less favourable regulations to governmental Organisations.

An Action Plan to support the policy will provide opportunities for contacts and negotiations with the ECOWAS partners to support the implementation of the policy.

6.3. Monitoring and Evaluation.

The implementation of the policy will be subject to continuous monitoring and periodic assessments by ECOWAS

The monitoring and evaluation mechanisms will include:

- A Consultation and Coordination Mechanism for Environmental Policies and Initiatives;
- The Environment Ministers' Conference;
- The meetings of high-level experts and centres of excellence.

THIRTY FIFTH ORDINARY SESSION OF
THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT
ABUJA, 19 DECEMBER 2008

SUPPLEMENTARY ACT
A/SA.4/12/08
RELATING TO THE
ECOWAS ENVIRONMENTAL
POLICY

SUPPLEMENTARY ACT A/SA.4/12/08 RELATING TO THE ECOWAS ENVIRONMENTAL POLICY

THE HIGH CONTRACTING PARTIES;

CONSIDERING Article 7, 8 and 9 of ECOWAS Treaty as amended, relating to the establishment of the Authority of Heads of State and Government and defining its composition and functions;

CONSIDERING article 29 of the above mentioned Treaty relating to the environment, prescribing that Member States shall commit themselves to protecting, preserving and improving the environment in the region, cooperating in the event of disaster, adopting national and regional level strategies and programmes, and setting up appropriate institutions to protect the environment, control erosion, desertification, deforestation, locust hazards and other plagues:

CONSIDERING the Decision C/DEC./3/5/83 related to the reforestation Decade 1983 – 1993;

CONSIDERING the Decision C/DEC.6/11/87, related to the adoption of a program on River and Laguna Protection against the invasion of floating plants.

CONSIDERING the Decision A/DEC.1/12/1999, related to the adoption of a sub-regional desertification control in West Africa;

CONSIDERING Decision A/DEC.12/12/2000, related to the adoption of a sub-regional integrated water management action plan;

RECALLING Resolutions of the Rio World Environmental Summit in 1992 and particularly Agenda 21 as well as Resolutions of the Johannesburg summit on sustainable development in 2002;

CONSIDERING policies, programmes and action plans implemented

at the national, sub-regional and regional levels for environmental management in ECOWAS Member States

AWARE of the importance of natural resources as basis for production in the achievement of the Millennium Development Goals, in the implementation of the Poverty Alleviation Strategy , in the economic and social development and in the stability of ECOWAS member States;

AWARE of the threats, pressures and constraints that continuously and repeatedly affect natural resources, biological diversity, and human settlements of ECOWAS Member States;

CONSIDERING the efforts of the international community and African institutions, notably the NEPAD Action Plan on the environment and the sub-regional Action Plan for the control of desertification;

CONSIDERING the ratification by the Member States of ECOWAS, of a multi-lateral agreement on the management of the environment;

CONSIDERING the links between the environmental status and climatic change, food security, health, the wellbeing of the populations and the economic and social development;

CONSIDERING factors responsible for degradation of natural, biological and genetic resources , mismanagement of domestic waste, pollution of urban, rural and maritime environment and factors generating many different nuisances ;

RECOGNIZING that successful conjunction of convergent growth, stability and solidarity efforts among ECOWAS member States will surely bring about effective development of commercial, industrial and mining activities, arts and crafts, transport improvement, and growth of tourism, with increasingly marked impact on environment and natural resources ;

CONSIDERING the negative impacts of conflicts on the sustainable management of natural resources in the sub-region;

ACKNOWLEDGING the need for consistency and synergies between the institutions of the sub-region, especially between ECOWAS, CILSS and UEMOA, in the field of the environment;

CONSIDERING the importance and necessity of an effective participation of all the society stratum concerned at the local, national and sub-regional levels, including parliamentarians, town councilors, the civil society and the private sector ;

CONSIDERING the common and trans-border nature of the natural resources, processes and environmental problems of the sub-region;

CONSIDERING the cross-cutting nature of environmental issues in relation to the whole ECOWAS sectoral policies;

CONSIDERING the urgency of mobilizing adequate financial resources for efficiently implementing environmental initiatives in West Africa;

DESIROUS of having an environmental management policy in West Africa to address environmental matters;

UPON THE PROPOSAL of the Ministers in charge of Agriculture and Environment;

HAVING CONSIDERED the opinion of the ECOWAS Parliament;

RECOMMENDS to the sixty First Ordinary Session of the Council of Ministers held in Ouagadougou from 27 to 29 November 2008.

AGREES AS FOLLOWS :

CHAPTER 1:
ENVIRONMENTAL POLICY, SCOPE, OBJECTIVES, STRATEGIC
ACTIONS, SOCIAL INITIATIVES AND STRATEGIC AXES

Article 1 :

This Supplementary Act on the ECOWAS Environmental Policy is hereby adopted.

Article 2 :

Its vision, scope of application, guiding principles, objectives, social initiatives, strategic areas and implementation instruments are also adopted;

CHAPETR 2:
SCOPE OF APPLICATION, VISION,
OBJECTIVES AND SOCIAL INITIATIVES

Article 3 :

The ECOWAS Environmental Policy shall concern all activities relating to the management of natural resources (mines, forests, wild fauna, water resources...), preservation of the eco-system and biological diversity, prevention and management of technological risks, the climate, pollutions and other environmental risks .

Article 4 :

The ECOWAS Environmental Policy shall be part of the ECOWAS vision for a “peaceful, dignified and thriving West Africa whose various productive natural resources are sustainably preserved, strengthened and managed for the development and stability of the sub-region” .

Article 5:

The ECOWAS Environmental Policy has the objectives to reverse the state of degradation of natural resources and to improve the quality of their living conditions and environment, to conserve biological diversity, so as to secure a healthy and productive environment by improving the ecosystem balance and the well being of the populations;

Article 6 :

The ECOWAS Environmental Policy shall in its implementation, take into account actions and initiatives of various stakeholders (parliamentarians, civil society, and private sector etc.) the sub-regional institutions in charge of environment and sustainable development.

CHAPTER 3: GUIDING PRINCIPLES

Article 7 :

The ECOWAS Environmental Policy shall be based on the following ECOWAS guiding principles and on the specific environmental principles included in the multilateral Agreements:

1. ECOWAS GUIDING PRINCIPLES
 - a) The principle of subsidiarity: the Community shall only deal with, at the regional level, matters that cannot be better treated at the national or local level. It is accepted that national competence shall be the rule, and Community competence the exception;
 - b) The principle of proportionality: the community action shall not exceed what is necessary for the attainment of the objectives of the Treaty ;
 - c) The principle of complementarity : comparative advantages of the various countries, ecological zones and production basins must be taken into account ;
 - d) The principle of regionality : the Community shall only deal with matters concerning at least two member States ;
 - e) The principle of solidarity: the Community shall guarantee minimum cohesion among its members and shall pool financial, human and institutional resources so as to reduce existing disparities ;
 - f) The principle of consultation/participation: the Community ensures the permanent involvement of environmental actors in the implementation, monitoring-evaluation and the possible revisions of the West African environmental policy.
 - g) The gradualist approach principle : a gradual approach which takes into account national situations and special interests is required ;

2. ENVIRONMENTAL ISSUE SPECIFIC PRINCIPLES

- a) Principle of precaution: The absence of scientific certainty shall not make a decision maker postpone the adoption of measures which aim at preventing possible sanitary or environmental hazards;
- b) Principle of prevention: Preventive measures shall be considered in any human activity concerning environment because any existing risk even if minimal shall not be ruled out;
- c) Principle of monitoring: products resulting from the processing of natural resources shall be monitored through the implementation of adequate and transparent measures to ensure that consumers will not contribute to environmental degradation.
- d) The principle of transparency : Any action which is detrimental to human and animal health and to the environment should be first notified and accepted by the relevant authorities and made known to the public;
- e) Principle of continuity : actions already initiated and some themes of the previous programme remain valid and shall be considered;
- f) Principle of partnership : minimize duplication in order to ensure synergy and consistency of various interventions;
- g) Principle of accountability or the polluter pays policy : Any person who causes pollution shall pay for the reparation of the damages caused to the environment or liable to be damaging;
- h) Principle of iteration and periodic revision : this West African Environmental Policy shall be subject to periodic evaluation and revision;
- i) The Inter-disciplinary approach principle : environment is a set of sectors, processes and interfaces. The Environmental Policy shall cover this complex set that affects the economic, social and ecological dimension.

- j) The principle of capacity building : Member States of the Community shall cooperate with a view to intensifying and building indigenous capacities in the field of natural resource and environmental management.

Member States recognize the identity of local communities, their culture and interest in the field of sustainable management of natural resources.

- k) The principle of sovereignty: Member States shall have the right to exploit their own resources according to their environmental and development policies; they have the right to act so that their activities within their jurisdiction, scope or which are under their control do not damage the environment in other States and zones which do not fall under their national jurisdiction;
- l) The principle of equity : The right to development should be used so as to fairly meet the needs related to development and to environment of present and future generations.

Article 8 :

The implementation of the ECOWAS Environmental Policy shall take into account the diversity of the sub-region, the peculiarities and the special interests of the countries or groups of countries, given the ecological conditions.

Article 9 :

The ECOWAS Environmental Policy shall form part of a coherent whole. It shall be coordinated with other ECOWAS policies.

CHAPTER 4:
HARMONISATION OF ENVIRONMENTAL POLICIES AND
STRATEGIC AXES

Article 10 :

Member States commit themselves to harmonize their national environmental policies with the ECOWAS Environmental Policy, in order to achieve their objectives.

Article 11 :

Member States pledge to systematically carry out or cause to carry out environmental studies and assessments for any investment or any action with a potential impact on the environment.

Article 12 :

ECOWAS shall see to the harmonisation of regulatory texts relating to the environmental management

Article 13 :

To achieve the objective defined in Article 4, the Environmental Policy shall be implemented in accordance with the four strategic lines enumerated hereinafter and the details of which are appended to this additional Act:

- a) Promotion of Environmental Governance (Establishment of a sub-regional mechanism) and Capacity Building to that effect.
- b) Promotion of sustainable management of resources for the improvement of the sub-regional economy while respecting the environment.
- c) Control of improved knowledge and better management of pollutions and noxious agents and the flow of dangerous products into the economy of the sub-region
- d) Promotion of environmental information, education and communication in the sub-region

CHAPTER 5:
INSTITUTIONAL, OPERATIONAL AND FINANCIAL
ARRANGEMENTS

Article 14 :

In order to ensure adequate implementation of the West African Environmental Policy, especially actions concerning themes described in Article 12 structures could be put in place where the need arises.

Article 15 :

These structures shall work in close collaboration with the Institutions of the member States in charge of environmental management and other national and international organizations specialized in environmental matters, particularly UEMOA and CILSS.

Article 16 :

ECOWAS shall set up a funding mechanism made up of internal and external sources to implement the ECOWAS Environmental Policy.

Article 17 :

The Council of Ministers shall, upon the proposal by the Commission, take all measures for the enforcement of this Supplementary Act.

Article 18 :

The member States, the Council of Ministers and the Commission shall be in charge of the implementation, monitoring and evaluation of the ECOWAS Environmental Policy each in its capacity.

CHAPTER 6:
FINANCIAL PROVISIONS

Article 19:

This Supplementary Act shall be published by the Commission in the Official Journal of the Community within thirty (30) days of its signature by the Heads of State and Government. It shall also be published by each Member State in its Official Gazette within the same time frame after notification by the Commission.

Article 20 :

1. This Supplementary Act shall enter into force upon its publication. Consequently, signatory Member States and the Institutions of ECOWAS undertake to commence the implementation of its provisions on its entry into force.
2. This Supplementary Act is annexed to the ECOWAS Treaty of which it is an integral part.

Article 21:

This Supplementary Act shall be deposited with the Commission which shall transmit certified true copies thereof to all Member States and shall register it with the African Union, the United Nations and such other organizations as Council may determine.

IN WITNESS WHEREOF, WE, HEADS OF STATE AND
GOVERNMENT HAVE SIGNED THIS SUPPLEMENTARY ACT.

DONE IN ABUJA, THE 19 DAY OF DECEMBER 2008

IN A SINGLE ORIGINAL, IN ENGLISH, FRENCH AND
PORTUGUESE, ALL TEXTS BEING EQUALLY AUTHENTIC

