

BRIEF REPORT ON THE LIBREVILLE SEMINAR

The regional seminar on the implementation and enforcement of environmental law in Francophone Africa was held from 24th to 28th July 2006, in the auditorium of the Ministry for the Forestry, Water, Fishing and National parks, in Libreville, of Gabon.

The Libreville seminar was fully sponsored by UNEP, in close cooperation with the Gabonese Ministry of Environment, Research and Technology, and Nature conservancy. The objective was to reinforce the capacities and competences of the 34 participants that came from 15 countries of Francophone Africa, including one from Sao Tome and Principe, in the field of implementation and enforcement of environmental law. The Libreville seminar was justified by the realization that the normative processes concerning environmental law in the region have evolved in a multidimensional context, with a view to ensuring protection of the environmental quality, prevention of environmental risks and effective management of the environment as a whole. The participants were expected to identify the bottlenecks that relate to non-effectiveness of the existing legal instruments and to propose practical and workable solutions.

The Libreville seminar is a follow-up to the one that PADELIA held in Bamako in March 2006, on the procedural and substantive issues related to techniques of drafting of environmental legislation.

The opening ceremony of the seminar was punctuated by two (2) short speeches:

- One from Mr Emmanuel MOUTONDO, representing UNEP;
- And that of Her Excellency Mrs Georgette KOKO, Vice Prime Minister, Minister for the Environment, Research and Technology and Nature conservancy of Gabon.

Mr. Moutondo expressed his gratitude for the cordial reception and welcome reserved to the participants and highlighted the interest accorded by UNEP on the implementation of national laws and regulations for supporting national environmental policies. He specified that the Libreville seminar was an opportunity to reflect on the ways and means of making legislation work or ensuring the effectiveness of all environmental legal texts.

In her speech, H.E. Mrs. Koko, the Vice Prime Minister, welcomed the participants and thanked UNEP for the financial and technical assistance and for the choice of Gabon to host the seminar. She expressed the commitment of the

President of the Republic, His Excellence El Hadj Omar Bongo Ondimba, to the promotion of Environmental protection, as evidenced by the creation of the post of Vice Prime Minister in charge of the Environment.

The work of the seminar began with the installation of an official presidium composed as follows:

- President: Mr Stephan DOUMBE BILLE (Independent Expert);
- General Rapporteur: Mrs Fortunée C DOSSOU (Benin)
- Rapporteur No.1: Mr Cyrille Severin BYSSIENGOU (Gabon);
- Rapporteur No2: Mrs Djamila HASSAN BAHDON (Djibouti);
- Rapporteur No.3: Mr Damien NINDORERA (Burundi).

After self-introductions by the participants and examination of the draft Agenda, a methodology of work was adopted consisting of discussions in plenary sessions directed by a particular presidium for each specific topic, on the basis of a briefing (or briefings) made by the relevant resource persons.

The topic related to the development of environmental law in Francophone Africa was the subject of a rich debate centered on the following concerns:

- Role of the ministries in charge of the environment;
- Effectiveness of the environmental agencies;
- Conflicts of mandates and attributions;
- Non acceptability of environmental legislation
- Low or weak participation of the civil society in environmental law development;
- Insufficiency of funding sustainable development processes;
- Absence of instruments of implementation.

The topic of implementation as such was also the subject of discussions centered on the following adaptive measures:

- Planning, follow-up and evaluation of environmental law implementation;
- Political, administrative and jurisdictional controls;
- Strengthening of existing systems of sanctions.

Presentations from six (6) countries (including Benin, Mali, Senegal, Gabon, Burkina Faso and the Central African Republic), made it possible for the participants to take note of and reflect on the specific situations of environmental law implementation at country level.

The analysis of institutional frameworks for the management of the environment in Francophone Africa was also discussed. The presentations and discussions on this topic highlighted several aspects, in particular:

- The need for carrying out a true revolution within the traditional institutions aimed at environmental protection;
- The place of the private sector; which must be interested as well, in the effectiveness of environmental provisions and not in taking advantage of identified gaps in their enforcement;
- The credibility of the civil society, its capacity of action before the jurisdictions, as well as its technical capacities.

Participants also stressed the need for integrating the provisions relating to procedural law and on environmental associations as identified in the Maputo Convention on the protection of nature and natural resources.

On the 27 July 2006, some participants devoted themselves to discussion of activities programmed in the framework of:

- Prospects for consolidating a network of environmental law experts in French-speaking Africa.
- Assessment of progress made in the implementation of PADELIA in various Francophone countries; and
- Evaluation of the seminar as such,

At the end of their work, the participants adopted various recommendations and a motion of thanks to UNEP.