Africa and the Climate Change Agenda: Hurdles and Prospects in Sustaining the Outcomes of the Seventh African Development Forum

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Climate change has become one of the biggest development challenges facing the planet. The challenges are even more pronounced and significant for the African continent, because of its levels of poverty and low capacity to adapt. . . . Time has now come that we collectively as nations [and] individually in our right have to do something to avert consequences of climate change in order to avoid a future catastrophe. We need to act now, because if we do not, the development gains that we have attained in our countries will be lost, thereby leaving more people in poverty. – Dr. Bingu wa Mutharika

**INTRODUCTION**

Over the past decade or so, climate change has been regularly cited as one of the biggest impediments to Africa’s realization of sustainable growth and development. In particular, African leaders have been warned that, in light of the immense challenges posed by the phenomenon, the continent stands a very marginal chance of making meaningful progress towards achievement of the Millennium Development Goals (“MDGs”) by 2015. It cannot be gainsaid that these warnings are not without basis. Climate change commands significant influence on Africa’s performance; it portends innumerable socio-economic and political challenges for the continent, which has perennially garnered “breaking news” coverage largely for the appalling humanitarian catastrophes on its soil.

Though it contributes only about 3.8% of the total greenhouse gas (“GHG”) emissions, the continent constantly experiences the adverse impacts of climate change, as a result of its high poverty levels and low capacity to adapt. For example, the continent’s food security situation has continually worsened as the productivity of rain-fed agriculture, the main source of livelihood for most Africans, frequently slumps due to erratic rainfall patterns; massive livestock losses have been caused by successive prolonged droughts in virtually every corner of the continent; sea level rise (leading to coastal erosion) and flooding (even in areas that never before experienced floods) have become a common sight; persistent and new health problems are increasingly reported in virtually every corner of the vast continent; and violent conflicts have become the order of the day as environmental migrants and local communities clash over control of, or access to, resources. Worryingly, the effects of climate change have proved to be akin to Russian roulette, with every pull of the trigger posing risks for all, and the poor bearing the heaviest brunt because of their dependence on the surrounding environment for their survival.

Today, issues relating to climate change are addressed in a plethora of treaties adopted within the United Nations (“UN”) framework. These international instruments include the UN Framework Convention on Climate Change (“UNFCCC”), which was adopted at the landmark UN Conference on Environment and Development (“Earth Summit”) in 1992 as part of the package to save the planet along with the UN Convention to Combat Desertification (“Desertification Convention”), and the Convention on Biological Diversity (“CBD”), which seeks to ensure conservation and sustainable use of biodiversity, as well as fair and equitable sharing of the benefits of genetic resources. Other instruments related to climate change which were subsequently created include the Kyoto Protocol to the UNFCCC (“Kyoto Protocol”), which establishes legally binding obligations for the developed countries to reduce their GHG emissions and, the Cartagena Protocol on Biosafety (“Cartagena Protocol”), which was adopted (as a supplement to the CBD) to protect biodiversity from the potential risks posed by living modified organisms (“LMOs”) resulting from modern biotechnology. In their formal acknowledgment of the importance of climate change issues, African countries have overwhelmingly subscribed to these instruments.

Africa’s predicament has received formal acknowledgement in various circles. Within the inter-governmental African Union (“AU”) framework, on several occasions climate change has garnered the attention of the Assembly of Heads of State and Government (“the Assembly”). For instance, in January 2007, the Assembly emphasized the need for international climate change negotiations to give Africa an opportunity to demand compensation for damage caused by global warming. More importantly, the Assembly approved the Algiers Declaration on Climate Change (“Algiers Declaration”), thereby paving way for the building of a common

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African Position in preparation for the fifteenth Conference of the Parties to the UNFCCC (“COP-15”).

In July 2009, the Assembly, among other things: 1) established the Conference of African Heads of State and Government on Climate Change (“CAHOSCC”) to spearhead leadership in the climate change negotiation process; 2) urged the CAHOSCC, all ambassadors, and negotiators to use the approved African Common Position to achieve optimal results for the continent; and 3) authorized the AU Commission to facilitate the AU’s accession to the UNFCCC, the Kyoto Protocol, and the CBD. Then, in February 2010, the Assembly requested the CAHOSCC to establish a streamlined single negotiating structure at both Ministerial and Expert levels.

At the inter-ministerial level of the African Ministerial Conference on the Environment (“AMCEN”), climate change issues were addressed on a number of occasions. The agenda was officially floated at the Conference’s twelfth session in Johannesburg, laying the groundwork for the preparation of a common continental position on climate change. Shortly thereafter the special session on climate change, which also had the African Group of Negotiators in attendance, adopted the Nairobi Declaration on the African Process for Combating Climate Change, which, among other things: 1) noted with concern the inadequacy, complexity, and fragmentation of the existing climate financing mechanisms, as well as the constraints faced by African countries in accessing these facilities; 2) reaffirmed the adoption (by the Assembly) of the Algiers Declaration, and “the need [for African countries] to speak with one voice in the negotiations process for the new legally binding global climate change regime;” 3) stressed that “Africa’s priorities are to implement climate change programmes on adaptation . . . , in particular to alleviate poverty and attain the Millennium Development Goals, with emphasis on the most vulnerable groups, especially women and children;” and 4) recognized the need “to ensure coordination and coherence in the implementation” of existing climate change adaptation and mitigation actions in Africa.

Within the framework of the New Partnership for Africa’s Development (“NEPAD”),34 the Action Plan of the Environment Initiative affirms the continent’s concerns vis-à-vis the challenges posed by climate change, and provides for climate change as one of the core priority areas to be addressed by the continent’s leadership.35 On the realization that climate change poses a key challenge to environmental sustainability, biodiversity, and food security in Africa, through its Climate Change and Natural Resource Management program, NEPAD provides a platform on which the continent’s players share knowledge and experiences in addressing the fast-creeping threat.

Climate change issues have equally garnered the attention of various forums, in particular the African Development Forum (“ADF”), a biennial multi-stakeholder gathering committed to building consensus and mobilizing partners for Africa’s development. The 2010 Seventh African Development Forum (“ADF VII”), whose theme was “Acting on Climate Change for Sustainable Development in Africa,” was jointly organized by the Addis Ababa-based UN Economic Commission for Africa (“UNECA”), the AU Commission, and the Tunis-based African Development Bank (“AfDB”). The participants, drawn from diverse stakeholders, deliberated on the challenges and opportunities presented by climate change in Africa, and, after the five days of intensive panel discussions and parallel sessions, adopted a common statement (“Consensus Statement”) with some fifty-six points of agreement.

This article aims to unearth the challenges and prospects in sustaining the outcomes of these principled negotiations for the African continent to make lasting progress in addressing the effects and impacts of climate change and variability.

Understanding the Forum

On the Forum Generally

The African Development Forum (“ADF”) is a joint initiative of UNECA, the AU Commission, and the AfDB. It is Africa’s pioneer multi-stakeholder platform established with a view to establishing a consensual African-driven development agenda, and mobilizing partners for Africa’s development. Every forum has a designated theme, on which deliberations are based. Initially, it was intended that the Forum be convened annually. However, after the second ADF, in 2000, the participants agreed that the Forum be convened biennially. Thus, the third ADF was held in 2002, instead of 2001. The seventh ADF VII was recently held in October 2010 and the eighth ADF VIII is slated for 2012.

ADF VII: A Contextual Overview

Thematic Focus of the Forum

ADF VII was devoted to discussions on climate change and participants were tasked to examine the challenges and opportunities presented by the phenomenon, with a view to, within the global context, identifying long-term actions to ensure Africa’s development process is climate resilient. The discussions were carried out against the backdrop of the realization that climate change is one of the biggest threats to sustainable growth and development in Africa.

Objectives of the Forum

Generally, ADF VII was intended to provide a multi-stakeholder platform to discuss and build consensus on how to mainstream climate change concerns into development policies, strategies, programs and practices in Africa, and to strengthen the African Common Position to ensure that it adequately reflected the continent’s concerns and priorities in the on-going international climate change negotiations.

Specifically, the Forum was convened to accomplish several goals. First, it considered the evidence and impacts of climate change in Africa and the need for adequate information and services to better inform decision-making and actions. Second, it deliberated on the challenges and opportunities climate change poses in Africa and policy-making, while promoting cooperation in sharing of best practices and lessons-learned. Finally, within the framework of the demonstrated evidence and impacts of, as well as the challenges and opportunities presented
by, climate change, the Forum defined priority actions and measures, built new strategic alliances and partnerships, and provided momentum for the African Common Position, in preparation for the sixteenth Conference of the Parties (“COP-16”) in Cancún, Mexico.47

**ADF VII: HIGHLIGHT OF THE KEY OUTCOMES**

On the premise of the evidence presented, which reflected climate change as a serious, urgent, and compelling reality in Africa,48 the participants concluded the Common Statement, which embodies some fifty-six points of agreement. The key ones are highlighted below.

**CONSENSUS ON THE AFRICAN COMMON POSITION**

With a view to enhancing the continent’s position in the international climate change processes, ADF VII participants agreed that African countries and their leadership should engage all relevant stakeholders in the on-going climate change discussions, and in particular, build the continent’s capacity through a coordinated, effective, and representative position to effectively participate in the relevant international negotiations, in order to ensure that the outcomes reflect the continent’s concerns and priorities.49 The agreement also pledged to support implementation of decisions and resolutions of the AU Assembly, the AMCN, and other relevant continental bodies in regard to climate change concerns for the continent.50

**Leadership for Climate Change Response**

On the understanding that African leaders and their development partners have critical roles to play in implementing Africa’s climate change agenda, participants also agreed that African leaders and their development partners should strongly support the CAHOSCC to enable it to effectively mobilize political commitment and provide effective political leadership. Further, there were pledges to demonstrate additional leadership.51 These included commitments relating to: 1) taking bold decisions on the issue of innovative climate change financing mechanisms, including proper carbon pricing to complement funding under the UNFCCC;52 2) educating the public to enhance understanding of climate change and variability; 3) garnering support necessary to meet national commitments; and 4) addressing the fallacy that developed countries only have a charitable obligation to finance climate change actions in developing countries.53

**The Role of the Private Sector**

On the understanding that the private sector has a vital role to play in addressing climate change in Africa, the participants agreed that African governments should “create an enabling policy environment to encourage the private sector to harness its expertise, resources and creativity.”55 Related to this pledge, there was agreement to create and develop partnerships between public, private, and civil society stakeholders.56

Further, the participants called on African governments to “establish minimum standards for local and Foreign Direct Investments” (“FDIs”) that were appropriate for both national needs and the private sector.57 Finally, there was a pledge to “encourage research and development that will create Africa-specific technological solutions . . . taking into account [the continent’s] rich indigenous knowledge systems.”58

**KEY OUTCOMES ON FOOD SECURITY AND ECONOMIC DEVELOPMENT**

In the Consensus Agreement, ADF VII participants pledged a number of sector-specific actions, including in agriculture, food security, and infrastructure. For instance, in order to improve the continent’s approach in addressing agriculture and food security challenges, the Agreement called on African countries to take a “holistic approach;” seek a strong, fair, and comprehensive future agreement on payment systems for agriculture sector emissions;60 improve and grow “index-based insurance schemes and safety nets;” and accelerate initiatives aimed at reducing dependence on rain-fed farming.61

In addition, to address the adverse impacts of climate change on the continent’s infrastructure development efforts, the agreement called on African governments to “climate-proof their water infrastructure,” promote more sustainable demand, increase efficiency, increase rain-water harvesting, and support more successful water management at all levels, including for states sharing water resources, notably rivers.62 In addition, the agreement pledged to adopt a “holistic approach” to promote low-carbon energy sources and technology, and “to support the Programme for Infrastructure Development in Africa (“PIDA”)”63 to ensure development of the continent’s priority infrastructure projects.64

**OUTCOMES ON HUMAN DEVELOPMENT, SECURITY, AND ECOSYSTEM SUSTAINABILITY**

In their resolve to address the social and human development challenges posed by climate change,65 the participants agreed to “employ . . . a human rights-based approach (HRBA) in climate change mitigation and adaptation policies.”66 The agreement pledges the governments to support an “equity-based health care financing in climate change funding mechanisms and internal resource mobilization.”67 There was also a pledge to comprehensively incorporate gender perspectives in development, encourage eco-friendly development and awareness, and promote “youth-led actions and processes.”68

Further, the participants agreed that, in order to address the peace and security issues posed by climate change,69 African countries should “engage in preventive diplomacy,”70 in part through the Climate for Development in Africa (“ClimDev-Africa”) Programme, to effectively address the interface between climate change, peace and security issues, and disaster response.71 The agreement also proposed amending the African Union Protocol on peace and security,72 and tasked the AU Peace and Security Council (“PSC”) to, in its work, take into account climate-related peace and security issues, including migration.73

Finally, in their efforts to address the impacts of climate change on ecosystem sustainability,74 African governments agreed to promote effective and sustainable human-centered ecosystem management,75 encourage the use of Reducing Emissions from Deforestation and Forest Degradation Plus (“REDD+”)
initiatives to reduce poverty, and implement the UNFCCC, the CBD, and the Desertification Convention “in a synergistic manner to promote coherent [environmental] management.”


It was agreed that, in order to improve financing for climate change actions in Africa, African governments and their development partners should promote financial reform to enhance funding access for Africa, in particular by identifying and prioritizing efficient financial resource distribution, in part through newly forged Public-Private Partnerships. The agreement also “strongly supports” the establishment and setting up of the proposed African Green Fund (“AGF”), which is expected to coordinate and manage climate financing on the continent.

In addition, the participants agreed that to improve the continent’s capacity to manage the risks of climate-related disasters, African governments should strengthen the national institutions generating and handling climate-related data, and promote the exchange of this information. The agreement also calls for promotion of broad cooperation in sharing climate-related knowledge (through early warning systems) and disaster management, and strengthening of surveillance and monitoring systems across all regional levels. It also calls for promotion of index-based insurance in arid and semi-arid areas, as well as promotion of integration of climate risk management (“CRM”) in all levels of education and all levels of policy-making.

Further, to improve the continent’s level of scientific and technological innovativeness to respond to climate change, the participants agreed that African countries should “build a regional climate change knowledge repository,” invest in scientific research and development, and support and prioritize disaster risk-management and preventive capacity. On the international level, the agreement seeks to promote the pursuit of technology transfer and global partnerships to that end.

Finally, the Agreement promotes the strengthening of African universities and research and technology centers to “increase[their] competitiveness in the global market.” To improve Africa’s capacity to respond to climate change, the agreement pledged that African countries, with the support of their development partners, should strengthen CRM-related national institutions, including educational institutions at all levels, and improve the capacity of vulnerable groups, and foster South-South cooperation.

Sustaining the Outcomes: A Reality Check

Practical Challenges in Sustaining the Outcomes

Impotent Political Leadership

Africa lacks credible leadership to address climate change. The political leaders are yet to effectively walk their unending talks; save for the multitude of pious resolutions, there is no concrete effort to deal with the fast-unfolding crisis. In fact, the continent’s affairs have been reduced to endless spirals of meetings and deliberations, only to come up with more meetings. It is this circus that has, for instance, delayed the establishment of the AGF. In general, the continent’s leadership lacks the requisite political will to steer the continent to the path of sustainable growth and development, with mere rhetorical promise to tackle the climate change-related challenges engulfing the continent.

Further, leadership has been lacking in preventing the destruction of the continent’s ecosystems, and in mitigating poverty and hunger, two of the biggest drivers of environmental destruction on the continent. For instance, in the fast-evolving “global land rush,” millions of African farmers have lost their arable lands to foreign investors. These deals, often shrouded in veils of secrecy, have violated the resource rights of millions of poor Africans, fuelling poverty and food insecurity, two of the biggest drivers of environmental destruction on the African continent. Furthermore, as vast forestlands (and other ecosystems that act as carbon sinks) are opened up to large-scale farming, the continent continues to be exposed to further threats of climate change. Sadly, attempts by environmental activists to resist the deals are often forcibly countered by the concerned governments.

Against this backdrop and in the absence of committed and visionary leadership, it cannot be denied that at both regional and national levels it would be an exercise in futility to attempt sustaining the outcomes of ADF VII. Sadly, if African leaders continue to act in the way they are currently, the Consensus Statement may as well land in the heap of unimplemented texts on climate change, only to gather dust and be forgotten altogether.

Corruption and Economic Mismanagement

Corruption may be the most talked about problem in most African countries, many of which have been poorly managed for the better part of their post-independence histories. As we begin the twenty-first century, unfortunately, not much has changed; most of the leaders still use their official positions for self-aggrandizement, as opposed to public service. In fact, over the years, many African countries have perpetually ranked very poorly on Transparency International’s corruption scorecard.

In both the public and private spheres, the vice has greatly undermined the continent’s growth and development prospects, while exacerbating the costs and effects of climate change. Undoubtedly, the resulting impoverishment, dilapidation of basic infrastructure, and decay of the social justice system, among many other associate evils, will adversely undermine the affected population’s resilience to shocks related to climate change. More importantly, corruption affects the flow of financing for addressing climate change. These are real challenges that starkly stand in the path to effectuation of the outcomes of ADF VII.
has seen millions of Africans deprived of food, the most basic necessity in life. According to a recent estimate by the Food and Agriculture Organization (“FAO”) of the UN, Africa hosts approximately thirty percent of the world’s hungry population—about 276 million Africans face hunger.101 The causes are many and complex, and include corruption, protracted armed conflicts, economic and political marginalization, and continued desertification.

Unfortunately, the millions condemned to perpetual poverty and chronic food insecurity have often turned to various forms of environmentally harmful means of survival, including charcoal burning, fuel-wood vending, logging, and encroachment on forests and other sensitive ecological zones to open up more farmlands. These actions will undoubtedly exacerbate the impacts of climate change in the affected areas, thereby portending a visible challenge to sustenance of the outcomes of ADF VII.

The Culture of Marginalization

Discussions on climate change issues in Africa are largely dominated by the political elites and their ilk.102 Many have been left out of the process. In particular, groups that have remained vulnerable to the adverse impacts of climate change (like indigenous peoples, women, children, and the youth) have been pushed to the peripheries of the discussion, and millions of Africans have had no effective voice in the process.103 This has further led to a number of individuals and communities expressing skepticism of the nexus between the environment and climate change, thereby dismissing claims that the current problems are attributable to man’s activities.104

These challenges, which were expressly acknowledged at ADF VII,105 cannot be wished away even in the post-Forum periods, for they portend a serious challenge to effectuating the outcomes of the Forum. Indeed, it need not be emphasized that addressing these challenges will greatly contribute to sustenance of the outcomes.

Global Inaction and Unreliable Pledges

Africa’s efforts to address climate change issues cannot succeed if treated in isolation of the global trends. Further, we must not forget that, contributing only about 3.8% of the global GHG emissions,106 Africa is suffering the wrongs of others, and even if it were to fully tackle climate change in its domain, its efforts would not be more than a drop in the ocean. In light of this, a cursory view of the prevailing global practices reveals a mixed track record, with non-commitment surfacing at various times.

For instance, the commitment of some developed countries to address climate change in developing countries has been merely rhetorical; some of them have yet to honor their pledges under the current global financing mechanism.107 This has resulted in inadequate, unpredictable, and unreliable financing for climate change actions in Africa, as in other developing countries.108 The World Bank too has not been straightforward in its dealing with (and in) developing countries; through its subsidiaries, it continues to finance the “global land rush”109 and other projects that would likely contribute to climate change.110

Surely, if Africa is to meaningfully address climate change, and if the outcomes of ADF VII are to be sustained, adequate, predictable, and reliable, financing for climate change actions is indispensable. Otherwise, in the absence of such external financing support and recognizing that most climate change actions are largely capital-intensive, Africa may be able to only do very little, if anything, to manage climate change on its own.

PROSPECTS IN SUSTAINING THE OUTCOMES

Proliferation of Climate Funds

Over the last few years, we have witnessed proliferation of climate funds, a handful of which have benefited (or are expected to benefit) the African continent in its efforts to implement various climate change mitigation and adaptation actions. Such funding regimes include the Clean Technology Fund (“CTF”),111 the Special Climate Fund (“SCF”),112 the Kyoto Protocol Adaptation Fund,113 the Congo Basin Forest Fund (“CBFF”),114 the Forest Carbon Partnership Facility (“FCPF”),115 the Global Environment Facility Trust Fund (“GEF Trust Fund”),116 the Global Climate Change Alliance (“GCCA”),117 the Least Developed Countries Fund (“LDCF”),118 and the Special Climate Change Fund (“SCCF”).119 These funding efforts received a major boost when the establishment of a “Green Climate” Fund was proposed at the recently concluded COP-16.120

It cannot be denied that, the dissatisfactions notwithstanding,121 cumulatively, these initiatives can greatly contribute to Africa’s cause to address the challenges posed by climate change. If well harnessed, these funding mechanisms have the potential to significantly contribute to the sustaining the outcomes of ADF VII.

Developments within the AU Framework

A number of recent developments within the AU framework hold some positive prospects in sustaining the ADF VII Outcomes. For instance, on October 13, 2010, at a ceremony on the sidelines of ADF VII, the AU Commission, the AfDB, and UNECA launched the Climate for Development in Africa (“ClimDev-Africa”) Programme,122 which aims at strengthening the climate-resilience of economic growth and the MDGs through mainstreaming of CRM in sensitive sectors. Shortly thereafter, in November 2010, under the auspices of the AU Conference of Energy Ministers (“CEMA”), the AU Commission, the AfDB, and UNECA jointly hosted the First All-Africa Energy Week 2010 (“AAEW”), a high-level stakeholder forum for monitoring progress, taking stock, undertaking constructive dialog, and sharing knowledge, with the aim of enhancing universal energy access.123

In addition, on November 4, 2010, the AfDB launched the African Carbon Support Project (“ACSP”), which is designed to assist project developers in the continent in accessing carbon finance to ensure commercial viability of their projects.124 Most recently, on December 6, 2010, the AfDB representatives joined representatives from other Multilateral Development Banks in a joint side event of the COP-16, whose theme was “Scaling-up International Climate Finance.”125
By and large, their individual merits or otherwise notwithstanding, these initiatives hold immense potential to sustain the outcomes of ADF VII, as well as other regional commitments to address challenges related to climate change and variability.

**The Cancúin Gains**

Though heavily criticized as having yielded too little, COP-16 heralded a number of gains with potential to contribute to sustenance of the Outcomes of ADF VII. For instance, though not legally binding, the Cancúin Agreement reflects some level of changing relations between developing countries and the developed countries; it embodies a “fairly modest” deal on reduction of emissions, calling on developed countries to reduce their GHG emissions (as pledged in the Copenhagen Accord). The Agreement also proposes the establishment of a “Green Climate” Fund, which is intended to assist developing countries finance emission reductions and adaptation actions.

**Contributions of the Civil Society and the Private Sector**

The African private sector and the civil society, though long excluded from the mainstream discussions, currently play indispensible roles in addressing climate change issues on the continent. While the civil society has been particularly involved in lobbying and advocacy activities, the private sector has proved critical in supplementing the existing global climate financing initiatives. For instance, on June 5, 2008, the Rockefeller Foundation and the Bill & Melinda Gates Foundation—through their Nairobi-based Alliance for a Green Revolution in Africa (“AGRA”)—established the Africa Enterprise Challenge Fund (“AECF”) to leverage private sector and donor funding for successful eco-friendly projects and enterprises.

**Sustaining the Outcomes: The Way Forward**

In order to sustain the various outcomes of ADF VII, African governments should, as a matter of priority, implement a number of measures. Though not offered as an absolute panacea for the climate change problem in Africa, these measures are believed to wield immense potential to sustain the outcomes and other related initiatives to address the challenges posed by climate change and variability on the continent.

First and foremost, they must back up their words with action—moving from the unending official rhetoric to offering effective leadership in addressing issues related to climate change. In particular, they have to link the continent’s Common Position and the prevailing regional, sub-regional, and national policies, strategies, practices, and programs. Second, they have to fully commit themselves to the fight against corruption, ensure proper targeting of funds received under the prevailing climate funds regimes, and establish effective normative and institutional frameworks. Third, they have to fully commit themselves to the fight against poverty, also through the establishment of appropriate normative and institutional approaches, and with adequate budgetary focus.

Fourth, they must profile climate change as a human rights issue and nurture a sustainable culture of human rights, in particular through mainstreaming of human rights concerns into all regional, sub-regional, and national polices, strategies, practices, and programs. Indeed, climate change issues have to be effectively integrated in litigations on the environment, with effective remedies for any resulting violations of environmental rights. Fifth, African governments need to effectively leverage the window of opportunity availed by climate change and variability, in particular the opportunity to establish green economies.

Sixth, African governments have to consider inviting leaders from developed countries to their meetings, with a view to enabling them to fully appreciate the African version of the climate change debates. Seventh, they need to effectively engage the big GHG emitters, with a view to having them honor their pledges to reduce their emissions and support climate change adaptation and mitigation actions in Africa. Eighth, they need to engage the international community to break the long-standing lack of transparency at the Breton Woods institutions, in particular the World Bank.

Ninth, African governments have to invest in routine situational assessments in order to establish the progress, challenges and prospects in addressing climate change. In addition, they need to work towards breaking the reigning skepticism (through, for instance, broad-based social mobilization and dissemination on the interface between the environment and climate change. Further, the governments have to establish and sustain credible specialized institutions, preferably within the AU Commission framework, to coherently address climate change issues on the continent. In particular, they must prioritize the operationalization of the AGF, while engaging the continent’s international development partners to sustainably support the initiative.

Last but not the least, African governments have to consider subscribing to the Nagoya Protocol to the Convention on Biological Diversity. The Protocol, which opened for signature and ratification on February 2, 2011, has the potential to promote more equitable distribution of genetic resources for the continent.

**Conclusion**

This article highlighted key challenges and prospects in sustaining the outcomes of ADF VII. Although immense challenges lie in the path to sustenance of the outcomes, there are equally immense prospects, which, if properly harnessed, can ultimately drive Africa towards effectively combating climate change. On the basis of the balance sheet of challenges and prospects, the article has offered measures that African governments must to adopt. These measures, though not an absolute panacea for the continent’s woes, have the potential to contribute to the cause of fighting the challenges posed by climate change and variability on the continent.

African leaders must improve the continent’s normative and institutional capacities to deal with the challenges posed by climate change. Undoubtedly, they cannot just sit and watch calamities unfold in series; the time has come for them to jointly and individually take action to avert the consequences.
of climate change, if they are at all committed to saving Africa from fatal catastrophes. Otherwise, the continent’s hard-earned development gains may quickly erode, thereby subjecting more Africans to the curse of poverty for the foreseeable future.

Endnotes: Africa and the Climate Change Agenda


3 See 8th Meeting of the Africa Partnership Forum, Berlin, Germany, May 22-23, 2007, Climate Change and Africa 3-4, http://www.africapartnershipforum.org/databased/57/7/38897900.pdf (highlighting particular threats to the continent posed by the effects of climate change that will prevent Africa from meeting the MDG’s).

4 Id. at 3 (noting that Africa is the least responsible for the anthropogenic causes of climate change).


6 According to the recent estimate by the Food and Agriculture Organization (“FAO”) of the UN, about 276 million Africans face hunger. This translates to approximately thirty percent of the world’s hungry population. See FAO, The State of Food Insecurity in the World 2010: Addressing Food Insecurity in Protracted Crisis 10, fig.5 (2010), http://www.reliefweb.int/rib/lit/nse/db/h000sid/ASAZ-89YHAY7/file/Fao_Oct2010.pdf?Openelement.

7 See Seventh African Development Forum, supra note 5, ¶ 20.

8 Id.

9 Id.

10 Id.

11 See GLOBAL HUMANITARIAN FORUM, THE HUMAN IMPACT REPORT: CLIMATE CHANGE—THE ANATOMY OF A SILENT CRISIS, at ii, 22-39 (2009), http://www.preventionweb.net/files/9668_humanimpactreport1.pdf (Providing case studies from around the world, including several locations in Africa where lower-income populations have disproportionately suffered the burdens of climate change).


23 See Decision on the African Common Position, supra note 19, ¶ 2 (approving the Executive Council’s recommendations in Decision EX.CL/500(XV)).


This is a classic “race-to-the-bottom” argument, where in the face of economic competition governmental entities (nations, states, cities, etc.) relax their regulatory standards to promote economic growth in their jurisdiction. This idea gained recognition in the U.S. after Justice Louis Brandeis discussed it in his dissenting opinion in Lgget Co. v. Lee., 288 U.S. 517, 558-60 (1933) (Brandeis, J., dissenting).


See McCarthy, supra note 16, at n.31 (discussing the Obama administration’s efforts to seek international reduction of global GHG emissions, and the central role that U.S. emissions reductions play in the international process).

See OMB Watch, supra note 1; Cappiello, supra note 1 (citing several House and Senate measures aimed at limiting the EPA’s ability to enforce regulations GHG).


Congress has acted in a similar fashion with respect to EPA authority in the 1977 and 1990 amendments to the Clean Air Act. See McCarthy, supra note 16, at 13.

ENDNOTES: AFRICA AND THE CLIMATE CHANGE AGENDA: HURDLES AND PROSPECTS IN SUSTAINING THE OUTCOMES OF THE SEVENTH AFRICAN DEVELOPMENT FORUM continued from page 44


Id. at pmbl., ¶ 6.

Id. at pmbl., ¶ 7.

Id. at pmbl., ¶ 13.

Id. at pmbl., ¶ 15.


It hardly goes without emphasis that the Forum should not be confused for its namesake, the UK-based African Development Forum (also abbreviated as “ADF”), a Christian organization that brings together Britain’s African and Caribbean Christians to engage in efforts to address poverty in Africa. For details on this non-profit Christian organization, see AF. DEVELOPMENT FORUM, http://www.africandevelopmentforum.org/last visited Mar. 12, 2011). The latter, established in 2006, seeks to contribute to economic and social progress in Africa through education and advocacy activities in three focal areas: Economic Justice, Climate Change, and HIV/AIDS. For details on these focal areas, see FOCUS AREAS, AFR. DEVELOPMENT FORUM, http://www.africandevelopmentforum. org/activities.html (last visited Mar. 12, 2011).

For insights into the establishment of the forum, see What is the ADF, UNECA, http://www.uneca.org/adfvii/abtafd.htm (last visited Mar. 12, 2011).

See Seventh African Development Forum, supra note 4, ¶ 1.


Id.

Id.

Id.

Id.


Consensus Statement, supra note 39, at 4.

Id.

Id.

Id.

Id. at 3.


Id.

Id.

Id.

Id.

AGENDA FOR ACTION FOLLOWING THE COPENHAGEN CONFERENCE (2010), http://

AssessmentEarly.pdf.

See Consensus Statement, supra note 39, at 6-7.

See Consensus Statement, supra note 39, at 3.


See Consensus Statement, supra note 39, at 7.

See Consensus Statement, supra note 39, at 5.


afdb-president-endorses-importance-of-africa-green-fund-at-cancun-climate-conference-7597/ (citing the AfDB President, Donald Kaberuka, as having, in his statement delivered at the High-Level segment of the Cancún Climate Conference, underscored the importance of AFDB establishing the AGF).

According to a recent World Bank study, during the first eleven months of 2009 alone, the world witnessed farmland deals covering at least 110 million acres. More than seventy percent of the deals were in Africa, with the Sudan, Mozambique, and Ethiopia among the key African nations transferring millions of acres to foreign investors. See Klaus Deininger et al., WORLD BANK, RISING GLOBAL INTEREST IN FARMLAND: CAN IT YIELD SUSTAINABLE AND EQUITABLE BENEFITS? 156, at tbl.A.2.1 (2010), http://siteresources.worldbank.org/INTARD/Resources/ESW_Sept7_final_final.pdf; see also Nelì MacFarqhar, African Farmers Displaced as Investors Move In, N.Y. TIMES (Dec. 21, 2010), http://www.nytimes.com/2010/12/22/world/africa/22mali.html?_r=2&src= browser (reporting on the agonies of African farmers, who continually lose their arable land).

See Lorenzo Cotula et al., IFAD, IEDD, LAND GRAB OR DEVELOPMENT OPPORTUNITY? AGRICULTURAL INVESTMENT AND INTERNATIONAL LAND DEALS in AFRICA (2009), http://www.ifad.org/pub/land/land_grab.pdf; see also Olivier De Schutter, Op-Ed., How Not to Think About Land Grabbing, Int’l Land Coalition (Jan. 12, 2011), http://www.commercialpressuresonland.org/opinion-pieces/how-not-think-about-land-grabbing (arguing that ceding land to foreign investors for large-scale plantation farming is counter-productive as it results in further impoverishment and food insecurity for the affected local populations); Olivier De Schutter, Op-Ed., Food Crises: G20 Needs Architects, Not Fire-fighters, PROJECT SYNDICATE (Jan. 28, 2011), http://www.project-syndicate.org/commentary/deschutter?3-English (urging protection of access to land, which, he argues, is constantly threatened or violated by land grab through foreign direct investments in agriculture); Olivier De Schutter,


97 See Frazier Potami, Corruption Fuelling Climate Change, AFR. NEWS (Apr. 6, 2010), http://www.africaneews.com/site/Corruption_fuelling_climate_change/list_messages/31129.


100 See FAO, supra note 6.


105 See Report on Climate Change and Development, supra note 2, at 3.


107 Poor Man’s Burden, supra note 107.

108 See, e.g., Climate Airwaves, supra note 97, at 3-4. The Kyoto Protocol Adaptation Fund, which finances adaptation projects in developing countries that are parties to the Kyoto Protocol, was established at COP-7 in 2001 and operationalized in 2009. Administered by an independent Board, it is funded with a share of proceeds from the Clean Development Mechanism (“CDM”) projects, as well as voluntary pledges by donor governments. Africa’s benefit currently stands at 59.8% of the total project expenditure of the Fund. Senegal’s “Adaptation to Coastal Erosion in Vulnerable Areas” is one of the two inaugural projects funded by the Fund, the other being Honduras’ “Addressing Climate Change Risks on Water Resources.” See Adaptation Fund, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/adaptation-fund (last visited Nov. 28, 2010).

109 Arguably, by financing the numerous land deals, which have resulted in millions of Africans continually losing their arable lands to private investors, the World Bank is fuelling climate change on the continent. See MacFarquhar, supra note 93. For instance, on April 9, 2010, the World Bank granted a loan (of USD 3.75 billion) to the South African electricity utility, Eskom, to develop the world’s fourth largest coal-fired power plant. This decision did not go well with environmental activists, who rightly argued that it clearly conflicts with the global resolve to fight against climate change. See Annika Lindorsson Krugel, The World Bank vs Climate Change. Poverty and Corruption (Apr. 12, 2010), http://www.suite101.com/content/renewable-energy-given-the-boot-as-leading-party-pockets-profit-a226337.

110 The CTF, which finances scaled-up demonstration, deployment, and transfer of low-carbon technologies with significant potential for reducing emissions, is largely funded by the governments of Australia, France, Germany, Japan, Spain, Sweden, the United Kingdom, and the United States. It is expected to channel (through the AfDB) up to USD 625 million for clean technology projects in Africa. See AfDB, Status of Involvement of the Bank in the Climate Investment Funds (Jul. 2010), at 1-3, [hereinafter Status of AfDB Involvement in CIFs]; see also Transparency Int’l, Global Corruption Perception Index 2010, supra note 97. For in-depth insights, see Clean Technology Fund, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/clean-technology-fund (last visited Nov. 28, 2010).

111 The SCF, which finances various targeted programs to pilot new climate change action projects, with a possibility of scaling up, has three components: (1) the Pilot Program for Climate Resilience, designed to support countries to scale up climate action and transformational change by integrating climate resilience in their national development plans (currently benefiting Mozambique, Niger, and Zambia); (2) the Forest Investment Program, designed to significantly reduce emissions from deforestation and forest degradation and promote improved sustainable management of forests (currently benefiting Burkina Faso, the Democratic Republic of Congo, Ghana, and Liberia); and (3) the Scaling Up Renewable Energy Program, aimed at piloting energy sector transformation projects (set to benefit Ethiopia, Kenya, and Mali). For in-depth insights into the Fund, see Strategic Climate Fund, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/strategic-climate-fund (last visited Nov. 28, 2010). For insights into funding in Africa, see Status of AfDB Involvement in CIFs, supra note 111, at 3-4.

112 The Kyoto Protocol Adaptation Fund, which finances adaptation projects in developing countries that are parties to the Kyoto Protocol, was established at COP-7 in 2001 and operationalized in 2009. Administered by an independent Board, it is funded with a share of proceeds from the Clean Development Mechanism (“CDM”) projects, as well as voluntary pledges by donor governments. Africa’s benefit currently stands at 59.8% of the total project expenditure of the Fund. Senegal’s “Adaptation to Coastal Erosion in Vulnerable Areas” is one of the two inaugural projects funded by the Fund, the other being Honduras’ “Addressing Climate Change Risks on Water Resources.” See Adaptation Fund, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/adaptation-fund (last visited Nov. 28, 2010).
The FCPF, which was established in December 2007 (and operationalized in June 2008), is intended “to assist developing countries in their efforts to reduce emission from deforestation and land degradation.” Africa’s benefit share stands at 25.5% of the Facility’s total projects expenditure. So far, it is benefiting fourteen African countries (Cameroon, CAR, Congo, the DRC, Equatorial Guinea, Ethiopia, Gabon, Ghana, Kenya, Liberia, Madagascar, Mozambique, Tanzania, and Uganda). See Forest Carbon Partnership Facility, Climate Funds Update, http://www.climatefundsupdate.org/listing/forest-carbon-partnership-facility (last visited Nov. 28, 2010).

The GEF Trust Fund, which is primarily funded by the United States, Japan, Germany, the UK, France, and Canada, has a climate change focal area which supports, inter alia, renewable energy projects, energy efficient technologies, new low-emission technologies, and sustainable transportation. In its fourth phase, covering the period 2006-2010, 14.1% of the total projects were in Africa. The continent is expected to benefit even more in the fifth phase, 2010-2014. See Global Environment Facility Trust Fund – Climate Change Focal Area, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/GEF-trustfund (last visited Nov. 28, 2010).

The GCCA is an initiative of the European Union ("EU") which aims at building a new alliance between the EU and poor developing countries most affected by, and with the least capacity to deal with, climate change. Africa is the biggest beneficiary of the initiative, taking home about 69.2% of the total project expenditure. So far, the initiative has benefited eight African countries (Mali, Mauritius, Rwanda, Senegal, Seychelles, and Tanzania). For insights, see Global Climate Change Alliance, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/global-climate-change-alliance (last visited Nov. 28, 2010).

The LDCF, which aims at addressing the special needs of LDCs, “which are especially vulnerable to the adverse impacts of climate change,” including preparation and implementation of National Adaptation Programmes of Action, was proposed at COP-7 and operationalized at COP-8 (New Delhi, India, Oct. 23 – Nov. 1, 2002). It is managed by the Global Environment Facility (“GEF”), the multilateral environmental initiative that brings together over 180 UN Member States and ten partner institutions. So far, it has benefited over twenty-five African countries, including Angola, Burkina Faso, Burundi, the CAR, Cape Verde, Chad, Comoros, Congo, Djibouti, the DRC, Eritrea, Ethiopia, the Gambia, Guinea Bissau, Lesotho, Liberia, Malawi, Mali, Niger, Rwanda, Sierra Leone, Senegal, the Sudan, Tanzania, Uganda, and Zambia. For insights into the Fund, see Least Developed Countries Fund, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/least-developed-countries-fund (last visited Nov. 28, 2010). For insights into the details of funding, see Funded Projects, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/projects (last visited Nov. 28, 2010).

The SCCF, whose establishment was proposed at COP-7, was operationalized at COP-8. Managed by GEF, it funds “long-term adaptation measures that increase the resilience of [developing countries’] national development sectors to the impacts of climate change.” Africa currently takes home about 26.5% of the total project expenditure, benefiting, among others, Egypt, Ghana, and Kenya. See Special Climate Change Fund, CLIMATE FUNDS UPDATE, http://www.climatefundsupdate.org/listing/special-climate-change-fund (last visited Nov. 28, 2010).

See Cassandra Sweet, Nations Approve Cancun Climate Package, WALL ST. J. (Dec. 11, 2010), online.wsj.com/article/SB10001424052748703518604 57601292254366218.html.

African leaders generally feel that the continent is not enjoying equitable access to the funds, especially those funded under the Clean Development Mechanism (“CDM”). The leaders blame this on non-inclusion (in the CDM financing package) of emissions from agriculture and other land use practices, which arguably form important parts of the continent’s economy. See Ramesh Jaura, Africa Paves the Way for Climate for Development, IsDigniNews (Oct. 23, 2010), http://www.indienews.net/news/news.php?key=1-2010-10-23%2017:07:57&key=2-1 (arguing that while Brazil, Mexico, India, and China enjoy hundreds of projects funded under the CDM, Africa has only a handful of such projects).


ENDNOTES: IMPLEMENTING A RENEWABLE ENERGY FEED-IN TARIFF IN SOUTH AFRICA: THE BEGINNING OF A NEW DAWN continued from page 49
