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Concept Note on the Training Workshop for Environmental Lawyers and Constitutive General Assembly of the Network of Environmental Legal Experts of Central Africa (REJEAC)

30 April to 3 May, 2024

1. BACKGROUND AND RATIONALE

Central Africa has invaluable potential in terms of natural resources. It has Africa's largest hydrographic network, significant offshore and onshore oil deposits and significant mineral reserves including coltan, which constitutes 85% of the world's reserves. The forest ecosystems of the Congo Basin, covering an area of nearly 300 million ha, represent the second largest tropical humid forest in the world, after the Amazon. The forests of Central Africa absorb more carbon than those of the Amazon and Southeast Asia combined, making them the largest tropical carbon sink to date. The discovery of a peatland of more than 145,000 km² in Central Africa, with a reserve of about 30 billion tonnes of stored carbon, makes Central Africa a veritable time bomb when it comes to greenhouse gas emissions.

To date, the low level of development of the countries of the region and the low incomes of these populations contrast with the natural resources at their disposal. These countries pursue ambitions for economic and social development, while contributing to the implementation of their international commitments under international environmental conventions and initiatives. It is therefore clear that States are counting on the exploitation of their natural resources to develop their economies, which are currently focused on the exploitation of minerals and hydrocarbons.

In 2010, the Economic Community of Central African States (ECCAS), the regional integration instrument, initiated and ended up having Member States adopt three tools to contribute to the diversification of the Central African economy and inclusive growth through the development of businesses, the creation of more jobs and the improvement of the living conditions of the population. These tools are: the Central African Green Economy System (SEVAC), the Handicrafts and Small Business Economy System and the Traditional Know-How Economy System, a segment of the Knowledge Economy System

The Green Economy System in Central Africa represents a vision, a tool and a multidisciplinary and multisectoral approach aimed at reconciling the sustainable management of natural resources, in particular the protection of the environment and the socio-economic development of States. It is also the tool for operationalizing sustainable development in Central Africa in the spirit of the outcomes of the Rio+20 Conference, the Sustainable Development Goals and the African Union's Agenda 2063.



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The Green Economy System in Central Africa is made up of several pillars including the institutional and organizational pillar, the financial pillar, the fiscal-legal pillar and the research, innovation and training pillar

The ECCAS Commission, a major result of the institutional and organizational reform of this regional integration instrument, framed by its revised Treaty, proposes an institutional and organizational framework conducive to the use of the sons and daughters of the subregion in the development of regional integration activities in the field of the environment and natural resources in the service of the community economy.

Indeed, the new revised Treaty of the Community adopted in December 2019 provides for Article 105 which defines the relations between the Community and civil society, which include, inter alia, networks, groups, federations and associations with activities of a regional nature. In accordance with Decision No. 07/CEEAC/CCEG/XIX/21, these structures are identified as Sub-Regional Partner Organizations.

It is in this respect that in the environment and natural resources sector, the Network of Civil Society Organizations for the Green Economy in Central Africa (ROSCEVAC), the Group of Experts on Climate in Central Africa (GEAC), the Network of Enterprises for the Green Economy in Central Africa (REACEV) have already been created in our sub-region.

In addition to these civil society structures useful in the operationalization of the Green Economy System in Central Africa in general and the institutional and organizational pillar in particular, the presence of a structure of jurists would be of considerable contribution in the construction of an environmental economy of the sub-region on the one hand and the implementation of both international and continental agreements and conventions.

Several attempts to organize Jurists in the sub-region have never been able to lead to the establishment of a relevant Network. However, the opening of several projects at the sub-regional and country levels calls for the establishment of a Network of Jurists for effective support for those.

However, it has been noted by both environmental lawyers and non-legal environmentalists that there is little participation of environmental lawyers in the creation and implementation processes, including the monitoring and evaluation of environmental, natural resources, agriculture and rural development policy and law of ECCAS and its subdivisions. But also, their lack of enthusiasm in supporting the sub-regional institution on reflections concerning the needs of harmonization of the law of the Member States in the areas mentioned above and the ongoing debates on several emerging legal issues including:

- legal, regulatory and institutional reforms for the implementation of the Paris Agreement, under the UNFCCC
- the regulation of the carbon market in Central Africa,
- support for the process of international negotiations.
- the definition of imported deforestation,
- the definition of the forest;
- corporate social and environmental responsibility,



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- protecting the climate system and other components of the environment from anthropogenic greenhouse gas emissions
- the legal consequences for states that, through their actions or omissions, have caused damage to the climate system and other components of the environment.

To fill this gap, the Commission of the Community has decided to revitalize the Network of Legal Experts of Central Africa, the idea of which dates back to 2018 in the midst of the institutional reform of ECCAS through the organization of the constitutive General Assembly.

In order to be able to effectively support [the sub-region] and the Member States in the implementation of international agreements, which will in many cases require legal, regulatory and institutional reforms, it is necessary to equip lawyers so that they master the scope of these agreements and the commitments made by countries.

With this in mind, a training workshop will be organized before the Constitutive General Assembly to raise awareness among lawyers of the commitments made by States under the UNFCCC, the Paris Agreement and other international environmental conventions.

2. OBJECTIVES

The objectives of the Constitutive General Assembly are:

- 1- Raise awareness among lawyers on the major projects in prospect at the sub-regional and national level, requiring their expertise and the relevance of a Network;
- 2- Adopt the Organic Texts Governing the Network
- 3- Establishment of the network's management structures
- 4- Adoption of a post-AGM roadmap

The workshop is being co-organized by ECCAS and the UNFCCC's Regional Collaboration Centre for West and Central Africa to:

1. Enable legal professionals to acquire basic knowledge of multilateral agreements in the environmental sector and their implications at the national level;
2. Deepen the latest developments related to priority issues in key themes;
3. Facilitate the exchange of views on national experiences and the need for harmonisation of Member States' legislation

3. ATTENDUS RESULTS

At the end of the Constitutive General Assembly,





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1. Lawyers are informed and appropriate the major projects in perspective at the sub-regional and national level, requiring their expertise and understanding the relevance of a Network;
2. The texts governing the Network are adopted
3. The network's governing structures are set up
4. A post-AGM roadmap is adopted
5. The Legal Experts acquired basic knowledge of multilateral agreements in the environment sector and their implications at the national level;
6. The Legal Experts deepened their knowledge of the latest developments relating to priority issues in key themes;
7. The Legal Experts exchanged views on national experiences and the need for harmonization of Member States' law

4. DATE AND ORGANIZATION

The Training Workshop for Environmental Lawyers and the Constitutive General Assembly of the Network of Environmental Legal Experts of Central Africa (REJEAC) will take place 30 April to 3 May 2024 in Kigali

It will be preceded by several preparatory meetings by *videoconference* for preliminary exchanges on the preliminary drafts of the technical and legal documents to be discussed at the General Assembly

5. PARTICIPATION

This workshop will bring together, in addition to lawyers from 11 ECCAS member countries, legal experts from sub-regional institutions, resource persons invited for their skills.

6. WORKING PAPERS

The main working documents of the General Assembly are as follows:

- Revised ECCAS Treaty
- Decision No. 07/CEEAC/CCEG/XIX/21 on cooperation between the Community and Civil Society Organizations
- Draft Statutes
- Draft Rules of Procedure
- Draft Roadmap
- United Nations Framework Convention on Climate Change
- Convention on Biological Diversity
- United Nations Convention to Combat Desertification

7. FUNDING/SUPPORT

The costs related to the organization of this workshop will be covered by the CASA Funds, AGNES, the ECCAS Commission and the Government of Rwanda (host country).





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8. PROVISIONAL AGENDA

Local time	Day 1	Person in charge
8:30-9:00	Participant registration and installation	
9:00-9:15 a.m.	Official opening of the workshop + group photo	
9:15am- 9:30am	Round table - Presentation of the participants	
9:30am- 9:45am	Presentation of the objectives of the workshop	
9:45-10:15	Introduction to Public International Law, Multilateral Environmental Agreements and Legal Principles	LRI
10:15-10:30	Coffee break	
10:30-13:00	Convention on Biological Diversity (CBD): <ul style="list-style-type: none"> Introduction to the scheme and main instruments Key Issues, Priorities and Challenges Status of the CBD Negotiations Funding <ul style="list-style-type: none"> Kunming-Montreal Global Biodiversity Framework and Global Framework Fund Domestic implications <p><i>Exchange</i></p>	
13:00- 14:00	Lunch Break	
14:00-15:30	United Nations Convention to Combat Desertification (UNCCD): <ul style="list-style-type: none"> Introduction, Background, Guiding Principles Key Issues, Priorities and Challenges Status of Negotiations under the UNCCD Funding Domestic implications Examples of initiatives <p><i>Exchange</i></p>	
15:30-17:30	United Nations Framework Convention on Climate Change (UNFCCC): <ul style="list-style-type: none"> UNFCCC, Kyoto Protocol, Paris Agreement Structure of negotiations (bodies, committees, plenaries, contact and other groups, negotiating groups, etc.) Interactive part: terminology/language used in agreements 	





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	<ul style="list-style-type: none"> Paris Agreement: Structure, Approaches and NDCs Funding <p><i>Exchange</i></p>	
End of Day 1 – Suspension of work		
Day 2		
8:30-9:00 a.m.	Reminder Day 1	
9:00-10:30	<p>Status of Negotiations under the UNFCCC</p> <p>Adaptation :</p> <ul style="list-style-type: none"> Introduction Identification of Negotiated Topics Overview of COP28 outcomes and possible challenges for SB60 and COP29 Priorities of countries in the subregion Domestic Implications - – Sharing of experiences <p><i>Exchange</i></p>	
10:30-12:00	<p>NDCs and LT-LEDs:</p> <ul style="list-style-type: none"> Introduction Timelines and guidance based on COP28 outcomes, esp. and GST1 Priorities of countries in the subregion <p>Domestic Implications <i>Exchange</i></p>	
	Coffee break	
12:00-13:30	<p>Article 6:</p> <ul style="list-style-type: none"> Introduction to Art 6, including elements of the required legal framework Overview of status Art 6 operationalization, capacity building needs and possible challenges for SB60 and COP29 <p>Carbon pricing:</p> <ul style="list-style-type: none"> Introduction to Carbon pricing initiative Validation of key findings in the RCC WAC Africa's draft synthesis report on carbon pricing approaches for central Africa <p><i>Exchange</i></p>	
13:30-14:30	Lunch Break	
14:30-16:00	<p>Loss and Damage:</p> <ul style="list-style-type: none"> Introduction Identification of negotiated topics and key legal concepts Overview of results of COP28 and possible challenges for SB60 and COP29 Priorities of countries in the subregion Domestic Implications – Sharing of experiences 	





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	Exchange	
16:00-17:30	<p>Climate Finance, with focus on Needs-based finance:</p> <ul style="list-style-type: none"> ▪ Introduction to Needs-based finance ▪ Priorities of countries in the subregion ▪ Domestic Implications - Sharing of experiences <p>Exchange</p>	
End of Day 2 – Suspension of work		
Day 3		
08:30-09:00	Reminder Day 2	
09:00-10:30	<p>Transparency:</p> <ul style="list-style-type: none"> ▪ Introduction, transition to ETF ▪ Overview of COP28 outcomes and possible challenges for SB60 and COP29 ▪ Assessment of the preparedness of countries in the subregion ▪ Priorities, needs, challenges for countries <p>Exchange</p>	
10:30-12:00	<p>Round table/exchange of experiences on: Setting up the infrastructure for the implementation of NDCs and other Paris commitments: legislative, policy and institutional approaches OR Harmonization of Member States' law: reflections OR State liability for damages related to climate change</p> <p>Exchange</p>	
12:00-13:30	<p>Initiative to support the adoption of Climate Laws in Africa</p> <p>Exchange</p>	AGNES
13:30-14:30	Lunch Break	
14:30-17:30	<p>Space dedicated to the constitutive General Assembly of the Network of Jurists</p> <ol style="list-style-type: none"> 1- Framing intervention by the Commissioner of the Environment, ECCAS Commission 2- Setting up the age office 3- Examination and adoption of the organization's basic documents: Statutes and Rules of Procedure 4- Review and adoption of the roadmap <p>Obs: focus on articles and aspects not finalized during the videoconference</p>	
End of Day 3 – Suspension of work		
Day 4		
8:30 a.m.- 1:30 p.m.	<p>Space dedicated to the constitutive General Assembly of the Network of Jurists</p> <ol style="list-style-type: none"> 1- Establishment of the Network's governing bodies: Election 2- Drafting of the minutes of the Constitutive General Meeting 	





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	Completion of the constitutive GA	
13:30-14:30	Lunch Break	
15:00-16:00	Closing of the workshop, presentation of certificates	

9. CONTACTS/INQUIRIES

For more information about the organization, please contact:

