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THE ARAB ENVIRONMENTAL GOVERNANCE CHARTER



West Asia – North Africa Institute, December 2016

Preamble

Today, the West Asia – North Africa (WANA) region faces a growing range of regional environmental problems that require urgent attention. From growing water scarcity, to land degradation and the increasing impacts of climate change, the WANA region must find ways to adapt. It must recognise that in the midst of outstanding diversity of culture and tradition, the complex environmental challenges facing the region cannot be resolved efficiently by one state alone. The countries of the WANA region should come together and bring forth a sustainable regional society founded on respect for nature, human rights, environmental justice and peace.

The overall cost of environmental degradation in the region, whether resulting from air pollution, land or water scarcity, is massive. It is estimated that water and groundwater overexploitation in Tunisia alone has cost 165.8 million dollars , whilst in Jordan the cost of air pollution is estimated at 161 million dollars.¹ Environmental degradation is costly. It is estimated that the monetary cost to each country's gross domestic product (GDP) can range from 2.1 percent to 7.4 percent.² These costs can be reduced if regional cooperation and environmental law are enforced.

According to a 2016 study conducted by the Strategic Foresight Group, the cost of non-cooperation between countries in the region cannot be ignored. The study found that a number of projects aimed at transferring water from and to water stressed areas have been discussed but never moved beyond the planning phase.³ The report further argued that the cost of non-cooperation and conflict could turn natural resources such as water into a weapon of war and part of a political strategy used for military aims. Combined with climate change impacts, regional natural resources and local communities are under tremendous pressure. The Intergovernmental Panel on Climate Change (IPCC) has projected that the number of climate change refugees could grow to 100 million in 2025 and 150 million by 2050⁴ as a result of non-cooperation and lack of climate change adaptation.

Adapting to climate change should not replace measures to reduce greenhouse gas emissions regionally. Although broadly accepted that mitigation⁵ during this decade will only prevent some

¹ Lelia Croitoru and Maria Sarraf, *The Cost of Environmental Degradation- Case Studies from the Middle East and North Africa*, (World Bank, 2010)

² *ibid*

³ Devaki Erande, *Cost of Non-Cooperation on Water Crisis of Survival in the Middle East*, (Strategic Foresight Group, 2016)

⁴ The Hague Institute for Global Justice, *Confronting the Crisis of Global Governance – Report of the Commission on Global Security, Justice and Governance*, (The Hague: 2015)

⁵ The UNEP defines climate change mitigation as “efforts to reduce or prevent emission of greenhouse gases. Mitigation can mean using new technologies and renewable energies, making older equipment more energy efficient, or changing management practices or consumer behavior.” see “Climate Change Mitigation,” UNEP, Accessed October, 2016, <http://www.unep.org/climatechange/mitigation/>

effects of climate change in the future, regional cooperation to limit greenhouse gas emissions can contribute to limiting global temperature rise to below 1.5 degrees.⁶

The lack of concrete cooperation between countries of the WANA region has not limited their participation in international environmental fora. Indeed, it is suggested that a significant degree of environmental cooperation does exist in the region and that, despite a human security crisis, the region will see more rather than less environmental cooperation.⁷

Cooperation between the richest Arab states has played a major role in advancing research and development (R&D) on environmental issues. Investments in R&D can make a significant contribution to the implementation of the 2030 sustainable development agenda in the region. In fact much has been invested during the past decade, despite it only accounting for 1 percent of the global R&D expenditure in 2013; up from 0.8 percent in 2007.⁸ However, it should be noted that rising inequality between and within nations can affect the successful implementation of the SDG agenda.⁹

At its core, environmental governance promotes informed environmental decision making to encourage sustainable development. It comprises the rules, practices and policies needed to responsibly manage the environment, build cooperation to combat environmental crime and ensure environmental justice.¹⁰ Solving inequality and creating environmental justice is about legal transformations “aimed at curbing abuses of power that see the poor and vulnerable suffer disproportionate impacts of pollution. Furthermore, they lack equal opportunities to access and benefit from natural resources.”¹¹ The unsustainable use of natural resources and ecosystem services, therefore creates considerable risks for securing equity and justice for vulnerable societies in the future.

In order to respond effectively to these environmental challenges, regional environmental charters have been created. Some of these have been based on national interests and/or have been created by different organisations aiming to promote a framework for change.¹² The aim of this charter is to offer a set of pragmatic reform guidelines which can be used to respond to the new environmental challenges facing us today. It is hoped that an opportunity can be created to overcome deep-seated divisions between nations which will create a ripple effect for better action aimed at promoting good environmental governance in the region.

⁶ For the most vulnerable communities, 1.5°C warming limit is critical; above it, climate change impacts rise rapidly. See “For most vulnerable countries, 1.5°C warming limit is critical: above it, climate impacts rise rapidly,” Climate Analytics, January, 2017, <http://climateanalytics.org/hot-topics/for-most-vulnerable-countries-1-5c-warming-limit-is-critical-above-it-climate-impacts-rise-rapidly.html>

⁷ Lorraine Elliott and Shaun Breslin, *Comparative environmental regionalism*, (New York: 2011)

⁸ “Regional overview: Arab states,” UNESCO, December, 2016, http://en.unesco.org/unesco_science_report/arab-states

⁹ UNDP, *Environmental Justice Comparative Experiences in Legal Empowerment*, (New York: June 2014)

¹⁰ “Environmental Governance,” UNEP, January, 2017, <http://web.unep.org/environmentalgovernance/what-we-do/overview>

¹¹ *ibid*

¹² Environmental charters have been created in Morocco (الميثاق الوطني للبيئة والتنمية المستدامة - The national charter for environment and sustainable development), in the United Arab Emirates (ميثاق شرف بيئي نسائي عالمي - the global environmental women charter), and a regional charter for human rights and nature conservation by the International Union for Conservation of Nature - نحو ميثاق أخلاقي بيئي - حماية الطبيعة و حقوق الانسان: ميثاق أخلاقي بيئي - However, none have been endorsed under a regional platform. One Charter (The Earth Charter) however was formed under Earth Charter International which declares fundamental principles of building a peaceful and sustainable global society

This Charter recognises the existence of discrepancies among Arab states in terms of history, governance, natural resources and capabilities. The Charter also recognises that there are many shared commonalities which can play a role in enhancing future collaboration and set future regional commitments between them. It is based on the key principles of gender equity, open participation and environmental justice and peace.

The Arab Environmental Governance Charter

The main objective of this Charter is to present agreed fundamental principles upon which Arab states should increase environmental governance in the region. It is based on the following guiding principles:

1. Regional Environmental Cooperation

- The Charter calls upon all Arab states to promote the establishment of an Arab Environmental Centre (AEC) under the management of the Arab League aimed at protecting human health and the environment. Such a centre can help reduce environmental risks based on best available scientific evidence. It can also produce fundamental laws that protect human health from environmental risks. This centre can play a major role in ensuring that national policies are enforced in all sectors of society; private businesses, public governments and state. This centre can be the producer of accurate and credible scientific information that can be used to manage human health and environmental risks.
- The Charter calls upon all Arab states to establish a Regional Arab Environmental Bank, with contributions coming from all Arab states. The objective of the bank would be to finance and invest in climate change adaptation schemes, post conflict land restoration, water security and environmental disasters. These contributions could also be taken from a regional zakat fund established for regional development purposes which could include climate change adaptation programs.
- The Charter calls upon all Arab states to promote the establishment of a Regional Environmental Court. The court will apply regional environmental laws and principles which will be set by a regional Arab body (such as The Arab League). It should also follow guidance set by the AEC. It will have the authority to adjudicate on environmental disputes and carry out the administration of justice in accordance with the rule of law. It will hear applications by individuals, groups and/or states.
- In light of the establishment of the Sustainable Development Goals (SDG), the Charter stresses the need for aligning national and regional policies with SDG implementation. The charter also emphasises the need for Arab countries to assist one another in setting national SDG goals and implementation plans.
- The Charter emphasises the need to adopt a clear policy to ensure regional collaboration for climate change mitigation efforts and greenhouse gas emission cuts. In light of the newly established Paris Agreement, states should move forward in ratifying the agreement – if they have not already – and start initiating national implementation plans.

- The Charter encourages nations to adopt a conservation energy efficient strategy in order to decrease greenhouse gas emissions before moving to increase renewable energy sources. It is hoped this will result in a decrease in greenhouse gas emission levels and maintain energy efficient behaviour in the future.
- In light of the production of increased clean energy, the Charter calls for the creation of an inter-regional connectivity grid “A Green Energy Corridor”, allowing the transfer of power from green energy rich countries to energy deprived nations with lower production capabilities.

2. Research and Development

- The Charter stresses the need to further invest in R&D. Nations should prioritise R&D and effectively plan financing mechanisms for its growth. The charter calls on all rich Arab states to help invest in regional talent in all fields and specifically in sciences, technology and research and to share research and data dissemination which will ultimately strengthen ties between Arab nations.
- In the same context, the Charter calls for triennial environmental regional assessments which cover the region’s baseline data on natural resources and biodiversity. These results should be shared in a regional summit or with the Arab League to help update national and regional implementation activities and plans. Results should also feed into national policies and regional initiatives with guidance from the AEC.
- In the spirit of disseminating knowledge across the region, the Charter calls for conducting a quadrennial forum much like the World Water Forum, an event focused on environmental issues (such as water, biodiversity, air), that is hosted by the AEC every four years. This event could act as a platform for sharing knowledge, data and good practices around the environment in the region.
- In an attempt to motivate R&D in the region, the Charter encourages the establishment of an Arab Environmental Award recognising outstanding environmental leaders, whether individuals or organisations that have inspired and/or innovated some form of environmental practice for the region. The award could be established by the AEC and launched in the regional forum.
- One major concern that international donors have is the duplication of work in the region. For that reason, the Charter calls for the creation of a regional database hosted by the AEC which will collect information about on-going and past regional environmental projects. This will help decrease the chances of duplicated work around environmental themes. This database

can play a major role in monitoring and evaluating plans which could be developed on a regional basis by the AEC.

3. Awareness, Education and Capacity Building

- The Charter stresses the need to adopt a clear forthright policy to ensure that gender equity is present in all environmental national and regional policies. Women and men should be considered as equal partners in all climate change adaptation and sustainable development plans.
- The Charter identifies environmental education as the subject of shared strategic vision for the entire Arab world, and calls for educational programmes to develop scientific and technical capacity. The goal is not only to educate and train skilled citizens, but also to ensure that behaviour changes are embedded in these programmes. The objective is to create a generation that is willing to prioritise environmental public interest over self-interest.
- In the same context, the Charter calls for a long-term strategy to further educate and increase capacities of regional talent on climate change and climatic sciences. The region should therefore be able to produce up-to-date climatic data for climate change vulnerability assessments that later feed into national and regional strategies. These assessments and data generated from them can also importantly be used in future climate change projections.

The successful implementation of this Charter is dependent on the degree of cooperation between all stakeholders including non-profit organisations (NGOs), donors and governments. It will require the will of the Arab League to formulate a long-term strategic agreement which will commit stakeholders to pursue the goals set out herein.



West Asia-North Africa Institute
Royal Scientific Society
70 Ahmad Al-Tarawneh St
Amman, Jordan

info@wanainstitute.org
www.wanainstitute.org