



# FEP WORKING PAPERS

N°7 - November 2015

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## COP21 : REPAIRING CLIMATE INJUSTICE IN AFRICA

**BENJAMIN BIBAS  
AND THE WANGARI MAATHAI GROUP**

### TABLE OF CONTENTS

#### FOREWORD

**1. AFRICA MUST MAKE STRONG, COORDINATED PROPOSALS**  
*by AÏSSATOU DIOUF, Climate Envoy to ENDA, the Agency for Environment and Development in the Third World*

**2. RESPECT AND VALUE THE LAND**  
*by OUSMANE BARKÉ DIALLO, farmer and shepherd, representative of the Malian National Coordination of Peasants Organizations*

**3. AN UNBREAKABLE LINK BETWEEN EMPOWERMENT OF WOMEN AND SUSTAINABLE DEVELOPMENT**  
*by MILDRED BARASA, Secretary General of the African Network of Environmental Journalists*

**4. REPAIRING THE DEGRADATION TO ENVIRONMENTAL AND HUMAN HEALTH TIED TO OIL EXPLOITATION IN THE GULF OF GUINEA**  
*by RAIMUNDO ELA NSANG, Executive Secretary of the Coalition to Restore Democracy in Equatorial Guinea*

**5. CREATING FINANCIAL TRANSPARENCY IN A STATE UNDER THE RULE OF LAW**  
*by MARC ONA ESSANGUI, Executive Secretary of the NGO Brainforest*

**6. POLITICS HAS THE MEANS TO TAKE ACTION**  
*by HAÏDAR EL ALI, formerly Senegal's Minister for the Environment and Fisheries*

**10 RECOMMENDATIONS FOR COP21 NEGOTIATORS  
AND THE GREEN CLIMATE FUND BOARD MEMBERS**



## FOREWORD

From 30 November to 11 December 2015, the representatives of 196 “parties” are meeting in Paris to attempt to limit the increase in global warming relative to the start of the industrial age to 2°C by 2050, this figure being the “internationally-agreed defence line against the worst impacts of climate change” as the *United Nations Framework Convention on Climate Change* (UNFCCC) puts it.

This COP21, the 21st *Conference of Parties* – meaning signatory countries to the Framework Convention – is greatly anticipated. It is in fact part of the UN climate negotiations, the ultimate objective of which is to “achieve stabilization of greenhouse gas concentrations in the atmosphere (...) to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner”<sup>1</sup>. However, events in recent years in those regions of the world most vulnerable to climate change (island countries, Southern Asia, Sahel, etc.) show that the crucial deadline is being missed. This is particularly true in Africa, the planet’s poorest continent, where six of the ten countries most vulnerable to climate change are found<sup>2</sup>. The median scenarios of the latest IPCC report inform us that Africa will in fact see its temperature rise by approximately 3°C, with water stress generating considerable negative effects on food security<sup>3</sup>. Many conflicts within Africa and a good deal of African migration to Europe can already be attributed to this state of affairs<sup>4</sup>.

This situation, which already features repeated weather, environmental and health disasters, is particularly unfair. Firstly, Africa has practically no responsibility for past greenhouse gas emissions, but it is the first to suffer the consequences. Secondly, Africa does not have the financial resources to implement the measures necessary to protect its population from the consequences of climate change – to “adapt” to climate change in the jargon of climate negotiations. Thirdly, African countries do not typically have regional governments and organisations that are effective enough to a) have much influence in climate negotiations, and b) protect Africa’s natural resources from intensive exploitation by international operators. In addition, this exploitation constitutes a twin penalty rather than an advantage, as it contributes to global warming and then simultaneously reduces Africa’s capacity for adaptation.

*Africa has practically no responsibility  
for past greenhouse gas emissions,  
but it is the first to suffer the consequences.*

Looking at this injustice from Paris, from an environmentalist standpoint, can only spur greater efforts in terms of understanding and action. Firstly because France, which has in part built its prosperity on natural resources, energy in particular, extracted from

1. United Nations Framework Convention on Climate Change, 1992, Article 2.

2. Guinea-Bissau, Sierra Leone, South Sudan, Nigeria, Democratic Republic of Congo and Ethiopia, the four others being Bangladesh, Haiti, Cambodia and the Philippines (source: *Maplecroft's Climate Change and Environmental Risk Atlas*, 2014).

3. “*Climate Change 2013: The Physical Science Basis*”, IPCC - Intergovernmental Panel on Climate Change, November 2014.

4. See in particular the report “*Global Estimates 2014 – People displaced by disasters*”, Internal Displacement Monitoring Centre / Norwegian Refugee Council, September 2014.



Africa, does know the repercussions of this situation and has the means to act in Africa. Next, because Paris is a major centre in the realm of international organisations – World Trade Organization, International Monetary Fund, World Bank – that make the exploitation and commercialisation of natural resources, particularly Africa's resources, a driver for world economic growth, usually to the detriment of the environment and climate. Lastly because France, as a diplomatic powerhouse hosting COP21, will find itself in a position to coordinate negotiations.

How, then, can we ensure that COP21 marks a turning point for Africa? What measures should the agreement contain so that those primarily responsible for the climate injustice suffered by Africa, especially the industrialised countries mentioned in Appendix I<sup>5</sup>, pay a share of their environmental debt and halt the damage to Africa's ecosystems? What actions should the agreement trigger so that Africa stops seeing its natural resources sold off cheaply to the benefit of a world economy which consumes them so insatiably? How can this trend be reversed to start low-carbon development that actually benefits Africans?

### *How can we ensure that COP21 marks a turning point for Africa?*

We asked six participants in, or observers of, environmental politics from West, Central and East Africa in an attempt to produce an answer to these questions. Their experience, while wide ranging, can nevertheless be described in general terms. Most of them have fought to protect the inhabitants of one or more areas against the human impact of environmental damage connected to the unrestrained exploitation of local natural resources (oil extraction, mining, intensive farming, overfishing, excessive exploitation of forests, etc.).

These fights, often successful, have always encountered resistance from powerful interests, both international and domestic, often loosely allied, clashing against Asian or Western multinationals that create their added value through easy access to Africa's natural resources, and against authoritarian African regimes that prosper by monetising guarantees of such access.

This experience, local and national, provides a wealth of information. Firstly they provide a composite scan of the threats hanging over African ecosystems. Secondly they are testimonials illustrating a worldwide situation of human life in danger from extreme pollution.

However this situation, on a worldwide scale, does have a name - climate change. We believe that the conclusions drawn from this experience by the authors are invaluable. We have used them as the inspiration for some avenues for action so as to improve the effectiveness of certain international mechanisms intended to repair climate change injustice.

**Benjamin Bibas and the Wangari Maathai group**

5. 55 industrialised countries in 1995, plus the European Union.



## 1. AFRICA MUST MAKE STRONG, COORDINATED PROPOSALS

### Is Africa the continent that suffers the most from climate change?

Definitely. South Asia is equally impacted, but six of the ten countries most vulnerable to climate change are in Africa: Guinée-Bissau, Sierra Leone, South Sudan, Nigeria, Congo, and Ethiopia<sup>1</sup>. The latest GIEC Report shows that Africa's average temperature has already increased by 0.5 to 2°C. This has had an enormous impact: soil degradation, advancing deserts, diminishing water resources, and delays in rains, which impact agricultural yields and ecosystem stability. To this one must add recurring droughts, flooding, coastal erosion and the destruction of habitat for thousands of individuals.

A few examples from the particularly affected sub-region of West Africa: Benin has seen temperatures rise on average by 1.3°C between 1960 and 2010, especially as of 1995. The massive flooding in July-September 2012 in the Niger Delta in Nigeria caused 363 deaths and the displacement of 2.1 million people, as well as a 20% decline in oil production. In the Ivory Coast, especially the eastern part, 150 of the 500 km of coastline have lost one to ten meters to erosion in the last ten years, threatening many traditional villages with disappearance. Ultimately, the whole of food, human, and even economic security is directly under threat.

*“Six of the ten countries most vulnerable to climate change are in Africa”*



**AÏSSATOU DIOUF**

Climate Envoy to ENDA

Since its creation in 1972 in Dakar, ENDA, the Agency for Environment and Development in the Third World, has actively worked in 14 countries to fight against poverty, for cultural diversity, and for sustainable development by working with core groups, intellectuals, and decision-makers. At 32, Aïssatou Diouf is its Climate Envoy. On the eve of COP21, this organization is analyzing Africa's situation and capacity for action during the negotiations.

### What responsibilities do African countries have?

Africa is currently responsible for approximately 4% of global emissions and historically it has not had any responsibility for the greenhouse gases in our atmosphere. This is one of the greatest injustices of climate change: Africa, the continent that has polluted the least, is paying the highest price. Hence the notion of “climate debt.” In their transition towards sustainable growth, African countries have always asked for financial aid and technological support from economically developed countries. This call for help was in part heard on a formal level with the creation of the Green Climate Fund during COP15 in Copenhagen in 2009, which has to date, however, only been funded to the tune of 10 billion dollars.

Under the sway of industrialized or economically developed countries, known as belonging to “Annex I,” current climate negotiations have chosen to focus on current greenhouse gas emissions instead of the historic ones<sup>2</sup> for which they are the most responsible. The Gambia, which is responsible for only 0.01% of worldwide emissions, has committed to reduce its greenhouse gas emissions by 45% over the “business as usual” scenario<sup>3</sup> by 2030! The challenge for African countries, though, is not so much reducing emissions as avoiding them in the future, and especially fighting poverty by developing equal access to energy. Various African countries, such as Morocco and Ethiopia, have made headway in this sense, especially in terms of their extensive development of renewable energy and energy efficiency.

As the second most economically powerful African country and a member of the G20, South Africa may be in a position to influence the fight against climate change, also because it is Africa's highest greenhouse gas emitter – well ahead of Nigeria – and the twelfth highest in the world<sup>4</sup>. However, instead of reducing these emissions, its government plans to put older coal power plants back into service and to build new ones in the next ten years. This is unfortunate, because





South Africa has enormous potential for developing renewable energies and the means to use existing technologies to begin to reduce its greenhouse gas emissions now, not in 2025, as it announced in its contribution to COP21.

*“Africa is currently responsible for approximately 4% of global emissions and historically it has not had any responsibility for the greenhouse gases in our atmosphere”*

### **What role should African countries play in the COP21 negotiations?**

As the continent most severely affected by climate change and in light of the feeble respect of the commitments made by economically developed countries to help face this major challenge, Africa needs to position itself in a way that dramatically influences the course of the negotiations. To do this, African countries must be united in their goals and coordinated in their methods.

Africa's position in the climate change negotiations is defined by the Group of African negotiators, which follows the directives issued by the African Union, the Committee of African Heads of State and Government on Climate Change, and the African Ministerial Conference on Environment. Africa is replete with competent climate change negotiators, but they have a hard time competing with negotiators from economically developed countries, who are assisted by a multitude of experts. Also, African countries frequently have to contend with the financial problem of sending a sufficient number of negotiators, as the Convention<sup>5</sup> only pays for two persons per country. Most of all, African negotiators lack the support of their political leaderships. To wit, Kenyan peasant leader Justus Lavi Mwololo said: “In theory governments negotiate with a mandate from the people they represent, but if the people don't remind them of this, they give in to the will of other, stronger governments. African peoples need to wake up and demand their governments for dignified representation during the negotiations.”

It is in this sense that Africa must make strong, coordinated proposals so that the Paris negotiations commit all 195 countries, without exceptions or differentiated agreements, to one, legally binding accord that is both ambitious and equitable. Ambitious means effectively reducing greenhouse gas emissions to a level that will not generate more than 1.5 °C in global warming, which already means a temperature climb of more than 2 °C in Africa. Equitable means funding the Green Climate Fund for at least 100 billion dollars, of which 50 billion in public funds earmarked for the adaptation of economically developing countries vulnerable to the effects of climate change. For such an accord to be fully operational, it should be reviewed once every five years.

*“At COP21, Africa should propose a 1.5 °C limit to global warming and that the Green Climate Fund reach 100 billion dollars in funding”*

**We need to define the Green Climate Fund's role more clearly: which financings can be deployed, and with which priorities, to mitigate climate change in Africa, to help African countries adapt and transition towards a non-carbon based, developed economy?**

Africa is facing huge challenges in dealing with climate change, and it needs international financing to do so. How such funds will be disbursed is a key issue, as they must be disbursed equitably among countries and distributed in a manner that balances attenuation (reduction of greenhouse gas emissions) with adaptation (to climate change).

1. Source: Maplecroft's Climate Change and Environmental Risk Atlas 2014.

2. Or rather, the cumulative emissions since the beginning of the industrial era (the year when one begins this count is between 1750 and 1850, depending on the available figures in industrialized countries).

3. Developing countries (minus the emerging ones) commit reduce their emissions under a scenario of traditional economic growth based on carbon energy sources.

4. Source: World Bank.

5. The UNFCCC (UN Framework Agreement on Climate Change) is the UN entity coordinating climate negotiations: [http://unfccc.int/portal\\_francophone](http://unfccc.int/portal_francophone)



With regard to attenuation, Africa is not a priority because its greenhouse gas emissions are limited, and the continent provides few profitable opportunities for their reduction. Under the Clean Development Mechanism (CDM) developed in 1997 as part of the Kyoto Protocol, which enables Northern companies to earn carbon credits by investing in attenuation projects in developing countries, most money flows have gone to China and emerging countries. Africa has received approximately 2% of these investments and again, since 2003, it has only received half of the sums disbursed. The Green Climate Fund needs to simplify access to financings and prioritize the most effective greenhouse gas emissions projects like low-carbon transportation or building energy efficiency.

Adaptation is the priority for developing countries, especially the most vulnerable in Sub-Saharan Africa and small Island States. The financial burden of climate impacts is a key constraint for such States, whose economies are already fragile. The notion of climate justice is fully relevant here. Adaptation remains the orphan cousin of climate financings, despite the African continent's growing need. Although its needs are estimated at between 7 and 15 billion dollars per year, Africa only receives between 1 and 2 billion dollars under the United Nations Environment Program (UNEP). Africa requires more targeted investments in adaptation measures and access to energy services that emit low levels of greenhouse gases. With the knowledge that more than 45% of Africa's population lives in countries with the least capacity for adaptation in the world, it is especially critical to invest in basic social services and the strengthening of institutional capacities.

*“Innovative mechanisms, such as taxes on financial transactions, airline tickets, or maritime cargo, would enable the historically responsible parties to pay a portion of their climate debt and contribute significantly to the reduction of greenhouse gas emissions”*

Senegal was the first country to benefit from financing from the Adaptation Fund.<sup>6</sup> It used these funds to implement a project for the “Adaptation to Coastal Erosion in Vulnerable Areas.” The infrastructure created to protect the coast has secured human habitat, economic facilities, and reclaimed saline ground. In Joal, the modernization of fish processing techniques has helped reduce pressure on forest resources through the reduced consumption of wood combustibles. The construction of the anti-salt dam has improved food security through the reclamation of saline ground for rice cultivation, which has benefited thousands of farmers. The construction of breakwaters along the coast in Rufisque protects habitations from coastal erosion. The safeguarding of hotels and other infrastructure in the seaside area of Saly has preserved thousands of jobs.

In conclusion, the benefits of financing efforts for the adaptation and attenuation to climate change are huge when the funds under such policies are actually made available. They are a catalyst that also fights against poverty and encourages sustainable development in Africa. Given the budget constraints, it is important that innovative mechanisms be implemented to fulfill the commitments that have been made. These mechanisms, which penalize polluting or speculative behavior – for example, the development and standardization of taxes on financial transactions, airline tickets, or maritime cargo – would enable the historically responsible parties to pay a portion of their climate and contribute significantly to the reduction of greenhouse gas emissions. The technical feasibility work has already been undertaken and must now be completed through a high-level political effort. These sources of innovation could be worth tens of billions of dollars.

**Interview by Mathieu Gobin and Benjamin Bibas**

6. The Adaptation Fund was created in 2010 as part of the Kyoto Protocol to help vulnerable communities in developing countries adapt to the effects of climate change. To date, the Fund has distributed 318 million dollars in 50 countries.



## 2. RESPECT AND VALUE THE LAND

**You have been involved in agriculture and animal husbandry in central Mali for more than four decades. What does climate change mean to you?**

In the mid-1970s, Malian peasants began to notice unusual weather patterns; the great droughts from 1973 to 1975 and then in 1984-1985 were harbingers of changes in the precipitation cycle in the Sahel. The rainy season used to end in September, and now, it lasts until October, sometimes even November, with much heavier rainfall than two to three decades ago. At the same time, the spring heat is becoming intolerable for both humans and cultivation. Abnormal amounts of dust cover the fields everywhere. All these phenomena upset our forecasts and are even destroying some harvests. Agricultural yields are beginning to decline.

Animals are the first to fall prey to this change, as they cannot no longer find enough to eat. Oxen no longer pull plows with the same strength and have to be given rest after just two hours. Cows, goats, and chickens are weak and no longer resistant to disease. As a result, organic manure is not as abundant as it used to be, which further reduces yield. Lastly, storehouses are not filled, and the risk of a food shortage is always hovering nearby.

*“Because of climate change, storehouses are not filled,  
and the risk of a food shortage is always hovering nearby”*



**OUSMANE BARKÉ DIALLO**

Farmer and shepherd, Representative of the Malian National Coordination of Peasants Organizations (CNOP)

Ousmane Barké Diallo, age 57, runs a family farm and livestock operation in Sofara, in the Mopti region. He is a member of CNOP, a national network of more than two hundred peasant organizations from across Mali's eight regions. On the eve of COP21 in Paris, he provides an alarming report on the state of agriculture in his country as well and defines the goals and courses of action to take.

**Is climate change the only factor weakening agriculture in Mali?**

Definitely not. For the last fifteen years, in the Sahel zone, especially in the area along the Niger River, Malian peasants have been suffering from people grabbing their land. In Mali, the land belongs officially to the State. In the countryside, in practice it remains in the hands of the families who have cultivated it according to age-old traditions. It is passed along from one generation to the next according to a right of usage by which the heir farms it and in return feeds the other family members, who have often gone to live or perhaps just survive in the city. But people in the capital city Bamako sees things differently. Since colonization and even more so since independence, people can go to a ministry to acquire real estate titles that grant rights to pieces of land and allow them to enforce these titles in the countryside. This phenomenon has accelerated considerably since the early 2000s. Various kinds of actors court the ministries to acquire many, if not thousands or tens of thousands of hectares in emphyteutic leases 40, 60, even 90 years in length. They are most often private individuals of Malian citizenship working as frontmen, purchasing up to 5,000 hectares on behalf of multinational companies based in Brazil, Canada, South Africa, Libya, across the Arab peninsula, and infrequently, Europe. Some States and even some international NGOs directly acquire these property titles to land that is often located on the banks of the Niger. In 2009-2010, the large rice cultivation project carried out by the public Libyan company Malibya on 100,000 hectares not far from Ségou in the Office du Niger<sup>1</sup> was the most visible of these colossal agricultural enterprises. It involved the expropriation of hundreds of peasants and extensive public works, including the construction of roadways and deviations of a branch of the Niger, which were entrusted to Chinese companies. An estimated total of more than 800,000 hectares, which is more than 8,000 km<sup>2</sup>, of Sahel land has been grabbed in Mali since 2000. In a big country whose land is however less than 6% arable, this model has taken over 12% of all arable land in fifteen years!



This phenomenon gravely affects agriculture. In effect, these large-scale enterprises farm very intensively, and this involves deforestation and the massive use of unknown chemical substances, all things that impoverish the soil considerably in the medium term. Moreover, these crops are targeted mostly for export, especially rice, sugar, soy, or jatropha, a plant originally used to firm up the ground and now used to manufacture biofuel. This massive phenomenon is joined by another cause of the impoverishment of agriculture in Mali; in the last twenty years, huge amounts of land used for grain cultivation have been converted to grow cotton, which is considered more profitable and is also targeted for export. This crop has been in crisis since 2004, when the United States decided to subsidize its own cotton, selling it at low prices and thereby generating a decline in world prices. Malian cotton was severely affected but global prices have since stabilized. Lastly, Mali's new landowners are not interested mainly in agriculture; they are instead mostly motivated by the notion of profit and speculation.

***“Large foreign companies have grabbed  
12% of Mali's arable land in fifteen years!”***

**In a country where food self-sufficiency is not a given, how do you explain this centrifugal tendency in Malian agriculture?**

The government has encouraged this centrifugal tendency. Since the 1990s, Mali's different governments have advocated for opening the country's agriculture to investors. The vocation of agricultural lands is evolving very quickly towards what the government calls useful agriculture, with agribusiness alleged to be the sole path of development. The government interfaces with peasants in a number of ways, especially the Regional Chambers of Agriculture, or CRAs, and the Permanent Assembly of the Chambers of Agriculture, or APCAM, created and administered by the government. Furthermore, Mali is a signatory to almost all conventions and treaties that advocate for a maximum openness to international trade. In this setting we are witnessing a massive selling off of land resources and the flight of natural resources from the country.

One of the main problems is that the Malian government is weak, especially with public and private international entities such as the World Bank, the IMF, certain States, and agribusiness conglomerates, which exert pressure on it to make the country's resources as accessible as possible; this suits their own interests and the idea they have of global growth. The pressure applied to sign economic partnership agreements (EPAs) with the European Union is just one example of this. Most African governments are not strong enough to resist this kind of pressure.

***“Mali's government caves in to international pressure to  
make the country's resources as available as possible”***

**What can you do in such a setting?**

I myself am primarily a shepherd and farmer in Sofara, in the Mopti region. My main activity is raising cattle, but I also have a few goats and sheep. I also cultivate slightly more than five hectares of fields, three for rice, one for peanuts, and one for niébé<sup>2</sup>. This readily feeds me, a part of my village, and my family that has gone to live in the city; together we consume about a third of what I produce. This family-based agricultural model readily suffices to feed the entire population of Mali, which is still more than 60% ru-

1. The Office du Niger administers an irrigation scheme on the upper Niger delta, roughly 250 km upstream from Bamako.

2. A bean variety also known as black-eyed pea.





ral and where families generally possess at least 3-4 hectares for cultivation each. This does not factor in that a good part of the population of Bamako, which works in offices, also engages in additional agricultural activities.

To sell the crops that my family does not consume, I belong to a local cooperative that stores the production and releases it regularly on the market at regular purchase and sale prices for the peasant and customer respectively. This avoids the wholesale middlemen who stock production at harvest and resell it at a very high price in times of scarcity. These peasant cooperatives are also included in the National Network of Peasant Organizations (CNOP), which has eleven federations representing more than two hundred member peasant organizations. Its goal is to improve the living conditions of producers and food self-sufficiency under a system of peasant, family-based, multifunctional agriculture. CNOP is totally independent and operates using its own funds.

One of the main issues that CNOP fights for is the rights of village communities. We try to explain to village communities that they have an inalienable right to the land they occupy, and that the State cannot chase them away without an exceptional reason of public utility and without paying adequate compensation for doing so. Many peasants have been thrown in jail for defending this right. We are also fighting for the terms of property leases not to exceed 20 years.

*“The family agriculture model that was in theory promoted  
by the 2006 Framework Agricultural Law  
suffices abundantly to feed the entire population”*

Our most important struggle is for the laws to be applied. Legal relief has existed since 2006, and it involves the courageous application of the 2006 Framework Agricultural Law (LOA). This text of 200 articles, which peasant organizations developed together with the Parliament and government agencies, proposes a complete overhaul of Mali's agriculture in the areas of sowing seed, production, trade, training, and research. It advocates for the development of a Malian agriculture based first on family usages and then on agricultural enterprises of a human scale that are structured around local cooperatives and not ones parachuting in from abroad. The law prioritizes agriculture and the husbandry of local forms of livestock, envisaging food sovereignty ahead of exports.

So, the law is well made, but the government's decrees applying it are the problem, because they often run counter to the spirit of the law. Whereas the law advocates for the safeguarding and development of biodiversity (cited three times in the text), the government is trying to use it to introduce GMO foods to Mali under the pretense of “biosecurity.”<sup>3</sup> And it has an entire array of tools to politicize the local cooperatives to its advantage or to frustrate them when they resist its will. Nevertheless, it is the spirit of the 2006 law that must urgently be applied, which also mentioned the “reduction of the rural exodus” as its specific, primary goal. Indeed, respecting and valuing the land, its biodiversity, and its usage for primarily local purposes is how we are able to act in the face of aggression from the outside – the grabbing of lands, massive greenhouse gas emissions by other countries which have a devastating effect here – so that natural and human resources stop fleeing from Mali.

3. “An ensemble of legal, technical, and administrative mechanisms implemented to oversee the safe usage of modern biotechnology”; see Law No. 06-045 of September 5, 2006, the Agricultural Framework Law, by the Republic of Mali.

### 3. AN UNBREAKABLE LINK BETWEEN EMPOWERMENT OF WOMEN AND SUSTAINABLE DEVELOPMENT

**Despite a fast economic growth (more than 5% yearly since 2010), Kenya's greenhouse gas emissions remain very low, under 0.3 ton per capita each year, when a yearly level of 2.0 ton per capita could be globally sustainable. What can Kenya expect of Paris COP21?**

Kenya is indeed a very small emitter of greenhouse gases and has nearly no historical responsibility in climate change. Developed countries are the ones to blame for climate change. Instead of asking developing countries to reduce their emissions, they should feed the Green Climate Fund created during COP15 in Copenhagen in 2009, up to at least 100 billion US dollars, so as to help poor countries to shift to a low carbon economy. Kenya should benefit from the Green Climate Fund. Today, nevertheless its environmental troubles, its education and social needs, the Kenyan economy spends at least 5 billion dollars annually to adapt to climate change. We spend a lot of money in that perspective, most of all to educate the population to climate change and to protect local communities from its food shortage consequences. This action still needs to be developed.

***“Developed countries should feed the Green Climate Fund up to at least 100 billion US dollars, so as to help poor countries to shift to a low carbon economy”***



**MILDRED BARASA**

Secretary General of the *African Network of Environmental Journalists* (ANEJ)

Mildred Barasa, 45 years old, since 20 years has covered environmental issues for various Kenyan media houses such as *Kenya Times* and the *Kenyan Broadcasting Corporation*, previously she was writing on gender matters. She has been also Information and Communication Expert for the Kenyan government (Ministry of Planning), and ran for parliamentary elections in 2013. As Secretary General of the *African Network of Environmental Journalists* (ANEJ), representing approximately 600 journalists from 38 African countries, she puts forward the environmental situation in Kenya and what can be done to improve it.

#### **What are the main environmental problems in Kenya today?**

Due to overuse of arable lands, waste dump and climate change, Kenya is currently experiencing four serious threats on its environment. First, water pollution has become unbearable for the inhabitants and the ecosystem: in a country where industries and cities are growing fast, a massive amount of industrial and urban waste is dumped in rivers and lakes, while intensive agriculture drops unnecessary quantities of pesticides and fertilizers that reach groundwaters. Secondly, a huge soil erosion is under way, because of intensive agriculture and the massive deforestation that took place in the 1980s and 1990s, leading to a loss of 50% of Kenyan forests. Thirdly, climate change triggers more frequent droughts that, combined to deforestation, lead to desertification. Lastly, while poaching is an old international tradition in Kenya, it has increased to unknown levels in the last twenty years, mostly feeding traffics in Asia.

Kenya is still not food self-sufficient due for example to the increase presence of flower farms. Starting from close to zero in 1996, Kenya has become in twenty years the fifth world leader of flower production, including 60% of roses. Settled in more than 37 square kilometres, the 2150 Kenyan flower farms represent 36% of rose imports to Europe via the Netherlands. The largest flower farms are owned directly or indirectly by big foreign companies mostly from India, China and the US. They generate soil degradation and water shortage by intensive use of pesticides and fertilizers, while pumping the water out of rivers or lakes nearby – many flower farms are based around Lake Naivasha, 100 km North of Nairobi. Some of them even deviate rivers to irrigate their greenhouses. In the better case, flower farms are settled in deforested land. In the worse, the culture of flowers takes place on land that has been taken to villagers.



Indeed, there is land grabbing in Kenya in the name of development. Big foreign companies buy large portions of land in view of production of crops destined to export: flowers (third source of foreign currencies in Kenya), but also tea (first), coffee... In Kenya, rural land belongs to local communities. A few elder people have thus the power to sell the land to companies, while entire families are told to move to other areas. This is all the more serious because only 20% of Kenyan land is arable, the remaining 80% being arid or semi-arid. In arable land, export crops progressively replace food crops (cereals, vegetables...) and, while arid and semi-arid lands mostly located in mountains are very expensive to irrigate, Kenya is getting further to food self-sufficiency. Moreover, with the increase of population and thus even in the countryside, people are forced to leave and cannot settle easily in other places that they can cultivate, and therefore may undergo starvation. As a result, many conflicts appear.

An example of conflicts is linked to Masai cattlemen who usually own from 100 to 500 cows. Due to more frequent droughts and land grabbing, they have more and more difficulties to find a place for their cattle to eat grass or drink. Cattlemen have no solution but to bring their animals on fields or water wells owned by small farmers or companies. Many people ultimately died from such conflicts in Kenya. Finally we're undergoing quite a serious environmental crisis: as UNEP<sup>1</sup> Executive Director Achim Steiner once said, "environmental issues such as desertification, land degradation and deforestation greatly contribute to the scarcity of vital resources such as water for drinking and irrigation, animal fodder and fuel wood. This scarcity can drive and exacerbate conflicts and population displacement, which may in turn then result in accelerated environmental degradation and human suffering".

***"Due to overuse of arable lands, waste dump and climate change, Kenya is experiencing four serious threats on its environment: water pollution, soil erosion, desertification, poaching"***

### **Who is more responsible for this environmental degradation in Kenya and its humanitarian consequences?**

The government has a responsibility. They usually foster large scale agricultural or mining exploitation, arguing that jobs will be created and the national income will grow by exporting. But that is to the expense of local communities, forced to leave environmentally devastated areas. That happened again in the summer 2014 around Turkana Lake (Northern Kenya), where oil exploitation has been decided by British and Canadian companies with the blessing of Kenyan government. Many families protested because the financial compensation they were offered to leave their land was far too low compared to the income expected from oil. The balance is not always easy to find but at last, the government often supports the companies' interest.

Indeed, big foreign companies tend to seduce the government. As far as I could understand in my investigations, these companies are mainly responsible for the environmental degradation in Kenya. Most of them possess crossed participations in various businesses including agriculture, mining or industry, that have a negative impact on the environment. The Kenyan environmental law is well written, but it is not implemented: foreign companies often corrupt Kenyan administrators and pay lawyers to find loopholes in the law, so that they can break it with impunity.

1. United Nations Environmental Program, based in Nairobi.



*“Foreign companies are responsible: they often corrupt  
Kenyan administrators  
and pay lawyers to find loopholes in the environmental law,  
so that they can break it with impunity”*

**In this situation, what can efficiently be done for the preservation of nature?**

Quite soon, the Kenyan civil society realised it could hardly stand by the State to fight environmental degradation. In 1977, only fourteen years after the independence, biology professor Wangari Muta Maathai (1940-2001) launched the Green Belt Movement to fight deforestation and subsequent soil erosion. As she used to say, “when we plant trees, we plant the seeds of peace and hope”. Since then, more than 51 million trees have been planted in Kenya, including 30 millions in the first sixteen years, when deforestation was at its peak. It is widely acknowledged, today, that the Green Belt Movement saved the Kenyan forest from disappearance. In 2004, Wangari Maathai received the Nobel Peace Prize “for her contribution to sustainable development, democracy and peace”. She was indeed a non-violent activist, who was also involved in politics by founding Mazingira Green Party of Kenya in the late 1990s / early 2000s and became Minister of Environment in 2004.

Born in a small farmer family from the central uplands, Wangari Maathai is one of the first educated women in Africa. In my view, she embodies the unbreakable link between empowerment of women and sustainable development: in Africa, most women know that more drought or deforestation means more distance to bring water or firewood home. In Kenya still today, many families don't allow their daughters to go to school because they consider that they will soon be married. Some Kenyan men even say: “Educating a daughter is like irrigating another man's land”! In this context, education for girls and affirmative action for women are key matters.

*“The Green Belt Movement planted 51 million trees in 38 years  
and saved the Kenyan forest from disappearance”*

**Can Western Overseas Development Assistance play a role to help protect Kenyan environment?**

Western Overseas Development Assistance (ODA) has lasted for decades, mainly focused on civil engineering and health, and has not given unforgettable results. For most problems they face, Kenyan can imagine and find a way to fund their solutions. But ODA can still play a role in four issues we have troubles managing alone. First, Western ODA should concentrate on the Green Fund for Climate so as to help more vulnerable countries to mitigate and adapt to the consequences of climate change. Second, it should help Kenyan and African security forces to investigate and fight massive illusive drug imports coming from the Indian Ocean via Mombasa port. Third, it should aim at sensibilizing and developing medication against AIDS, that remain a major health problem in Kenya and in all Africa. Fourth: it should work with Kenyans and the Kenyan government to fight terrorism, a worldwide problem that affects Kenya too.

**Interview by Benjamin Bibas and Frédéric Maintenant**





## 4. REPAIRING THE DEGRADATION TO ENVIRONMENTAL AND HUMAN HEALTH TIED TO OIL EXPLOITATION IN THE GULF OF GUINEA

The Gulf of Guinea, which has the richest ecosystems in Africa, represents almost 70% of Sub-Saharan oil production, and is therefore severely exposed to degradations to human and environmental health.

### Environmental degradation

In the Gulf of Guinea, oil production occurs both *onshore*, on *terra firma*, and *offshore*, meaning in deep ocean waters. The environmental degradations therefore affect both earth and sea ecosystems.

The Gulf of Guinea is considered the second “lung of the world,” because after the Amazon rainforest, it comprises the world’s largest area of rainforests, which contain immense biodiversity. The fauna includes more than 500 species of mammals, 200 of the 275 species of reptiles that exist in Africa, a thousand species of birds, of which 800 are nesting, and 1500 species of butterflies. The particularly diverse flora of the equatorial forest abounds in essences of great biological and therapeutic value. The damage caused by oil exploitation results in particular in the devastation of forests due to the installation of the industry. The most significant one is the construction of the 1070-kilometer oil pipeline connecting Doba (Chad) and the Cameroonian coast at Kribi. Exploration and production also generate oil spillages into the natural environment that prevent the normal development of species. Each year the Niger Delta is polluted with at least 2.3 billion cubic meters of oil resulting from 300 different spills<sup>1</sup>. Some estimates have even provided a figure that is ten times higher<sup>2</sup>. Furthermore, the gas flame towers emit substances that are harmful to plants, such as nitrogen oxide, carbon monoxide, and sulfur dioxide.

The degradation to marine ecosystems is also very high in this region, as oil extraction occurs mostly *offshore*. The pollution may originate with oil spillage from well leaks, degassing and cleaning oil tankers in deep water in breach of international legislation. In September 2008, the rupturing of an undersea pipeline belonging to the company *Perenco Gabon* resulted in an environmental catastrophe in the Fernan Vaz Lagoon (province of Ogooué-Maritime). The coastline of the Gulf of Guinea is 4,282 km long, stretching from the Benin-Nigerian border to the one between Angola and Namibia. Its beaches become fouled, which threatens natural habitats such as mangroves and seagrass areas, as well as spawning grounds, which results in the asphyxiation of fish and the destruction of eggs. Marine tortoises are in danger; five of the eight known species of turtles that live in the world’s oceans are present in the Gulf of Guinea, and four of them are considered threatened<sup>3</sup>. Nesting at these sites becomes difficult due to the erosion of beaches, marine pollution, and oil slicks.

*“Oil production in the Gulf of Guinea*

*is both on- and offshore.*

*The environmental degradation therefore affects both*

*earth and sea ecosystems”*



**RAIMUNDO ELA NSANG**

Executive Secretary of the Coalition to Restore Democracy in Equatorial Guinea (CORED)

A former engineer who worked in the Gulf of Guinea, 43-year old Raimundo Ela Nsang is the General Secretary of the Coalition to Restore Democracy in Equatorial Guinea (CORED). From Paris, where he lives as a political refugee, he explains the consequences to human and environmental health of oil exploitation in the Congo basin in the Niger delta, and he proposes several avenues for mitigating and possibly eliminating them.

## Degradations to human health

Oil production is a direct cause of numerous respiratory and skin diseases such lung cancer, tuberculosis, skin cancer, and other conditions that affect a large number of persons. For example, the rate of tuberculosis, endemic to the Gulf of Guinea, is heightened in oil areas. According to the World Health Organization (WHO), which calculates the illness' rate of occurrence (as an estimated number of new cases per 100,000 inhabitants), tuberculosis increases with oil production in Gabon and Equatorial Guinea. In Gabon, the rate of occurrence of tuberculosis went from 230 in 1990 to 592 in 2005, which coincides with the increase in oil production between these two dates. It then fell from 572 in 2006 to 423 in 2013, in a period when production began to decline. The percentage in Equatorial Guinea remained stable in the pre-oil period: 86 in 1990 and 85 in 1995. However, since the exploitation of the largest oil field in Equatorial Guinea in 1996, the rate of occurrence has only gone up: 87 in 1996, 100 in 2000, 110 in 2005, up to 144 in 2013. In the early 2000s, Equatorial Guinea became the third largest oil producer in Sub-Saharan Africa, thereby overtaking Gabon.

Oil exploitation also creates indirect degradation to human health as a consequence of the overpopulation of cities already lacking a healthcare infrastructure. The degradation of ecosystems due to oil production in fact does not allow villagers to live from activities tied to nature such as agriculture, fishing, hunting, or the use of medicinal plants. And the massive exodus of villagers to the cities is definitely tied to the concentration of economic activities around the oil industry.

*“The rate of occurrence of tuberculosis increases with oil production in Gabon and Equatorial Guinea”*

## How to heal, how to prevent?

Oil companies have become very aware of the problem of the environment in recent years. Measures are taken internally and technological applications for protection and reclaiming the environment are evolving, such as the perfecting of new chemical products such as dispersants, absorbents, and de-emulsifiers for treating *offshore* crude, or the *Clean Mag* technique, which consists of cleaning up oil fields by using magnetic forces.

Degradations to human health can only be healed by installing an adequate healthcare infrastructure that meets the population's need. Most countries in the Gulf of Guinea that became oil producers have seen the misery of their populations increase, because the money created by oil is not redistributed properly. Only a small group of persons benefits from this windfall, which they use to stay in power without investing in improvements to human health. In this context, certain forms of assistance provided by the oil companies as part of their CSR campaigns have proven effective, such as the 15.8 million USD anti-malaria project conducted over a five-year period by the US firm *Marathon Oil* in Equatorial Guinea. However, these advances will remain cosmetic as long as the root causes of this damage are not confronted.

1. Alexis Riols, « Piracy and Theft in the Gulf of Guinea, » *Center for Advanced Marine Research*, 2010.

2. Report written by environmental expert David Moffat, hired by the World Bank, and by Professor Olof Linden of the University of Stockholm, cited in “Environmental Security and Global Stability,” *Lexington Books*, 2002.

3. Jean Rieucou, “Biodiversity and ecotourism in the countries in the central Gulf of Guinea,” *Overseas Review*, pg. 216, 2001.



In effect, oil companies in the Gulf of Guinea are generally tied to authoritarian regimes that appropriate oil revenues for their own benefit. Because oil exploitation is a very capitalist industry, it needs political stability and thus, it sidles up to such regimes. However, this alliance is very destructive to the environment and to human health. On the one hand, in view of the fragile stability of the existing political regimes, oil companies maintain a production rhythm that causes more environmental damage, and on the other, these States, which depend on the economic power of the multinationals, give them carte blanche and choose not to conduct any environmental controls. As a result, international conventions on environmental protection of universal scope, such as the Marpol (Marine Pollution) Convention of November 2, 1973, or ones very specific to the Gulf of Guinea, such as the Abidjan Convention on Biodiversity of March 23, 1981, are not applied.

*“To prevent and repair the degradation to the environment and to human health in the Gulf of Guinea, we must first of all institute nations based on laws able to maintain healthy relationships with the oil companies”*

To prevent and repair the degradation to the environment and to human health in the Gulf of Guinea, we must first of all institute nations based on laws able to maintain healthy relationships with the oil companies for the sake of sustainable exploitation. The sustainable exploitation of oil in the Gulf of Guinea necessarily involves the consolidation of the legal framework for oil extraction and the implementation of alternatives that reduce the planet's oil consumption. At the same time, oil companies must accept the establishment of democratic regimes with whom they can work on a sustainable basis. In the Gulf of Guinea, home to the oldest and most authoritarian regimes in the world, the establishment of democratic regimes is the *sine qua non* for applying international as well as local environmental regulations.

*“At COP21, Equatorial Guinea should propose not to extract more than 30% of its oil reserves in exchange for a guarantee of receiving a substantial sum through the Green Climate Fund”*

Equatorial Guinea is a good example of this problem. This small nation of 740,000 inhabitants, with a greater area of maritime territory than the other countries in this gulf, has a greater surface area for oil exploration, along with all the ecological dangers that this entails. The country still has 1.2 billion barrels of proven reserves, which represent 4.6 % of worldwide reserves. However, the country hit peak production in 2006. To maintain production volumes using assisted recovery techniques, the risk of environmental degradation will increase over time. This is why at COP21, Equatorial Guinea should propose not to extract more than 30% of its oil reserves – which corresponds to the share of oil given to the government of Equatorial Guinea under the agreements signed with the oil companies – in exchange for a guarantee of receiving a substantial sum through the Green Climate Fund.

## 5. CREATING FINANCIAL TRANSPARENCY IN A STATE UNDER THE RULE OF LAW

**At 250,000 barrels officially extracted per day, Gabon remains a significant oil producer as well as a non-negligible emitter of CO<sub>2</sub> in the African context (1.4 tons/year/inhabitant). What is at stake for Gabon and the entire African continent at COP21?**

Gabon is in fact one of the few African countries that needs to monitor its greenhouse gas emissions so that they do not exceed the globally sustainable limit of 2.0 tons/year/inhabitant. The reason for its relatively high emissions is twofold: on the one hand, there is a significant amount of gas flaring tied to offshore oil extraction<sup>1</sup>, and on the other, tens of thousands of hectares are being deforested, replacing an equatorial forest that absorbs lots of CO<sub>2</sub> with monoculture plantations (rubber, palm, etc.) to the profit of Singaporean or Malaysian multinationals that have received the government's blessing. In this sense, we must congratulate Gabon's contribution to COP21, the first by an African country, which was filed in April 2015. It seeks to maintain greenhouse gas emissions at their current levels by protecting forests and reducing flaring without demanding a precise financial compensation. But I'm afraid that this is nothing other than a PR stunt on the eve of a very media-hyped COP21 in France. Protecting the forest would in effect mean that the government would have to waive massive financial flows, and to date we are not used to seeing such conduct on the part of the Gabonese state.

***"Gabon is in fact one of the few African countries that needs to monitor its greenhouse gas emissions so that they do not exceed the globally sustainable limit of 2.0 tons/year/inhabitant"***



**MARC ONA ESSANGUI**

Executive Secretary of the NGO Brainforest

Marc Ona Essangui, age 53, is the cofounder and Executive Secretary of the Gabonese NGO Brainforest ("Protecting the environment is our mission"). A member of the Gabonese civil society coalition "That's enough!" and recipient of the Goldman Prize for the Environment in 2009, he explains the structural dysfunctions of the Gabonese State and the threats that continue to hover over the environment.

**According to Brainforest, "the exploitation of natural resources creates problems that compromise Gabon's development and the wellbeing of its populations." Can you give us some examples? What actions have you taken to try to remedy this?**

The exploitation of natural resources is not per se a problem when conducted responsibly; however, this is rarely the case in Gabon. Let's take the forest as an example, which covers more than 85% of Gabon's territory. Starting in 2000, we successfully took action to preserve the Ipassa and Mingouli waterfalls in the province of Ogooué-Ivindo in northeastern Gabon. They were being threatened by an intensive exploitation of surrounding forests offered to the French group *Rougier*, which specializes in transforming and selling tropical woods. We got the Gabonese Ministry of Water and Forests to withdraw *Rougier's* exploitation permit and grant it a permit to exploit an equivalent surface in a less sensitive area in term of biodiversity and scenery. But if this ministry used to be sensitive to this type of concern, the illegal exploitation of wood resources has reached unprecedented levels in Gabon by Chinese timber companies in complicity with high government authorities, who ensure that the guilty parties go unpunished.

Mining is the most abusive usage, though. In 2007, we prevented the construction of a roadway and dam by the Kongou waterfalls (Ogooué-Ivindo) that had been foreseen as part of the exploitation of the Belinga iron mines by the Chinese company *CMEC*, for which it had obtained a permit. This permit wasn't valid, though, as it went against the national policy on





the preservation of forests and the environment, especially the national parks founded in 2002, as the waterfalls are located in Ivindo National Park. Four years later, in 2011, together with 350 inhabitants of the village of Moanda (Haut-Ogooué, in southeastern Gabon), we brought legal proceedings in Gabon against the Mining Company of Ogooué (*Comilog*), a subsidiary of the French group *Eramet*, for pollution that violated the rights to water, health, and housing; the manganese drilling muds had completely fouled the Moulili river, whose water was necessary to the villagers. As a result of this proceeding, *Comilog* is in the process of reclaiming the river and restoring its original bed. Brainforest participated extensively in the study for reclaiming the Moulili.

Uranium occupies a special place in Gabon's mining industry. Its extraction over the course of several decades has generated extensive pollution that has had serious consequences for the health of employees and residents. The radioactivity has contaminated all natural elements, even the sand used to build houses, which today give their occupants cancer. We also provided support to the former miners from the site in Mounana, not far from Moanda, which closed in 1999 after 40 years of exploitation by *Cogema* (today *Areva NC*). These miners exhibited various kinds of pathologies – pulmonary infections, lung cancer, bone cancer, etc. – which they suspected were caused by extensive exposure to uranium. Brainforest presided over a healthcare monitoring center in Mounana that was created in 2010, but we left three years later, because, out of approximately one hundred patients examined, none of the illnesses were recognized as having been caused by uranium. The center's physicians and scientists, who were paid by *Areva*, yielded results that differed from those of the private physicians that the miners had consulted elsewhere. This is a serious affair; it involves more than eight hundred former Gabonese and French employees of the site from a period of forty years. It is criminal, but unfortunately frequent in Gabon, to exploit natural resources to the detriment of human life or the fundamental rights of inhabitants.

*“It is criminal, but unfortunately frequent in Gabon,  
to exploit natural resources to the detriment of human  
life or the fundamental rights of inhabitants”*

### How did such situations become so widespread?

It's quite simple. The Bongo clan, which has been in power since 1967, extended the system of personal remuneration of the governing individuals from oil extraction to the entire Gabonese economy. Omar Bongo, President of Gabon from 1967 until his death in 2009, demanded that each foreign company that wanted to work in Gabon grant at least 10% of its capital to *Delta Synergie*, a family holding company. The Bongo family thus came to hold shares in all extracting companies, which were free to break the law as they saw fit, because no one in Gabon dares attack the interests of the Bongo clan.

Six years after Omar Bongo's death, the system continues, but it has become more complex. *Delta Synergie* still exists. Presided over by Pascaline Bongo, Omar's daughter and the sister of the current president, Ali Bongo, its ravenous reputation has increased. However, Ali has also created his holding. There is thus a separation between two Bongo sub-clans who are fighting mostly over control over the security and judicial systems. These are the tools one must master to preserve one's personal enrichment, which in turn depends on granting foreign companies the possibility of exploiting and exporting Gabon's natural resources without limits.

1. Marine oil extracted in deepwater areas.

*“The Bongo family holds shares in all extracting companies,  
which are free to break the law as they see fit”*

**How can Gabon escape this system?**

Gabon must escape this system, and it can do so if the law is applied. The Framework Law on sustainable development and more generally the environment that was ratified in 2014 is a good law that was the subject of a rather large concerted effort. However, it is hard to implement, because government collusion with private business is not limited to the executive body and is instead widespread; too many high-level administrators are personally involved in the illegal exploitations. We need a working judicial system to apply the law. This presupposes that judges are independent, but currently they depend on the government, which appoints them. Lastly, we need to profound revision of our institutions; when they are independent from one another, they can prevent the personal involvement of Gabonese politicians or administrators in foreign investments.

As members of the civil society coalition “That’s enough!” which has since 2012 included thirteen unions and NGOs in Gabon to demand greater transparency in government, we are working in our own way for the realization of the rule of law. One of the instruments that should play a role in the transparency of natural resource management is the Extractive Industries Transparency Initiative (EITI),<sup>2</sup> which Gabon subscribed in 2002. Countries that comply with the EITI norm commit to ensure full disclosure of the taxes and other payments made by oil, gas, and mining companies<sup>3</sup> to governments; however, Gabon, which did not fulfill its commitment, was kicked out of EITI in 2013.

*“European and American legislation  
on oversight responsibilities for parent companies  
and transparency for extractive industries represent  
legal security for Gabon’s inhabitants and its ecosystem”*

While we await the creation of a state under the rule of law in Gabon, we also pay close attention to the commitments made by a number of foreign extractive companies as part of their CSR programs<sup>4</sup>, which at times fill in the State’s gaps in education and the environment. We approve especially of US laws<sup>5</sup>, or proposed European Union directives or French laws<sup>6</sup> that create a duty of oversight for parent companies over the conduct of their subsidiaries operating abroad or that strengthen transparency in the extractive industries<sup>7</sup>. If these legislations are effective and if their restrictive character is applied, they represent legal security for Gabon’s inhabitants and ecosystem at a time when the Gabonese government has failed to provide this security. They will also have a virtuous effect on Gabon’s economic behavior. Brainforest hopes to play an active role in their implementation, as we seek specifically to inform and support stakeholders for the sake of a sustainable and equitable management of Gabon’s resources. More specifically, we want to arrive at a Gabonese society in which the environment is protected through the active participation of all populations, who will reap the economic benefits of a sustainable natural resource management.

**Interview by Benjamin Bibas and Régis Essono**

2. [www.eiti.org](http://www.eiti.org)

3. The inclusion under the EITI norm of timber companies is currently being negotiated.

4. Corporate social responsibility.

5. The July 2000 Dodd-Frank law, which regulates the entire US financial sector, also demands that companies registered with the Securities and Exchange Commission (SEC) publish the fees they pay to the governments of countries where they operate to exploit their oil, gas, and mining resources.

6. On March 30, 2015, the French National Assembly adopted a first draft of a law on oversight responsibilities for parent and controlling companies, which prescribes in particular that: “Any company employing ... at least 10,000 employees... in France and abroad must establish and implement... an oversight plan. This plan entails reasonable oversight measures to identify and prevent the creation of risks of infringements of human rights and fundamental freedoms, serious physical or environmental harm, or healthcare risks resulting from the company’s activities and those of the companies it controls.” Violations are punishable by fines that can reach 10 million euros. To consult the full text of the law, please visit: [www.assembleenationale.fr/14/dossiers/devoir\\_vigilance\\_entreprises\\_donneuses\\_ordre.asp](http://www.assembleenationale.fr/14/dossiers/devoir_vigilance_entreprises_donneuses_ordre.asp)

7. The French Parliament adopted Law No. 2014-1662 on December 30, 2014, which contains various provisions adapting EU legislation on economic and financial matters and which introduces the obligation for oil, gas, and mining companies to publish all payments made to governments per each project in each country where they conduct exploitation or exploration. This law implements the following EU directives into French law: EU Directive No. 2013/50/UE of October 22, 2013, called the “Transparency” Directive, and EU Directive No. 2013/34/UE of June 26, 2013, called the “Accounting” Directive. To consult the full text of the law, please visit: [www.legifrance.gouv.fr/affichLoiPubliee.do;jsessionid=8ADA98AC463FEC44F5EDFE54D0B149FA.tpdjo04v\\_3?idDocument=JORFDOLE000029254232&type=gene-ral&legislature=14](http://www.legifrance.gouv.fr/affichLoiPubliee.do;jsessionid=8ADA98AC463FEC44F5EDFE54D0B149FA.tpdjo04v_3?idDocument=JORFDOLE000029254232&type=gene-ral&legislature=14)



## 6. POLITICS HAS THE MEANS TO TAKE ACTION

**COP21 is being held in Paris in December 2015. What are you expecting from it?**

Nothing. I do not believe in these large gatherings. The main decision-makers, those running the richest and most polluting countries, have already met to take the decisions they will be announcing.... but that they will not be implementing because they don't have the resources to do so. They are in thrall to the world of finance which controls the whole planet. To really change the situation on climate change, values need to be reversed so that the planet is at the centre, not money. It is my firm belief, after four decades of involvement in environmental matters, non-profit organisations and politics, that this will only happen after a major disaster.

*“To really change the situation on climate change, values need to be reversed so that the planet is at the centre, not money”*

**How did you first get involved in environmental issues?**



**HAÏDAR EL ALI**

Formerly Senegal's Minister for the Environment and Fisheries

Haïdar El Ali, 62, has been an environmental activist in Senegal for thirty years, firstly at the Oceanium in Dakar, a non-profit organisation for exploring and protecting the marine environment, and then as leader of the Senegalese Green Party (Fedes - Fédération démocratique des écologistes sénégalais), a political background that brought him ministerial responsibilities. Review of a career path between improving knowledge and assessing actions taken.

Like everyone in Senegal of Lebanese origin, my family was entrenched in business, but my love for nature caught up with me. When I was 15, I took my bike into the bush one day in the holidays. In the middle of the forest I was absorbed and completely lost track of time – when I returned two months later, my family was planning my funeral! I spent two years without much focus, and as a young man, I felt a strong pull from the sea. I did all kinds of work connected to the ocean until in the 1980s I met Jean-Michel Comprost, the French oceanographer and the founder of the Oceanium in Dakar, a non-profit organisation for exploring and protecting the marine environment. With him and a few friends, I started to film and document the ocean. We successfully raised awareness of the dangers of blast fishing, for example, by filming the carnage that this method inflicts on marine life, and showing it to fishermen.

In the 1990s, we spent ten years making a documentary to improve our knowledge of the ocean. When you know the ocean, you love it. People who stand and stare at the ocean might experience a feeling of power, greatness and eternity. They might think the ocean is indestructible, but it's a living thing that can be harmed and that can die. Exactly like the tropical forest of the Sahara, which turned into steppe before becoming the vast desert we know it as now. So people, when they see images of the damage caused to the sea, they live it, feel it and they might want to do something.

*“In the 1990s, we spent ten years making a documentary to improve our knowledge of the ocean”*

### Which of Oceanium's projects do you see as the most significant?

I'll mention three major projects. In 1992, we made a documentary showing that 100% of females of cymbium (the yett), a mollusc highly valued in Senegal and Asia as a delicacy, bear their young in February, a crucial month for reproduction. We filmed females ripped open, with thousands of juveniles dropped onto the sand. We collected these juveniles and put them into incubation pools before releasing them back into the sea after a few months, so they could live there. We raised fishermen's awareness and pushed the government to act. Ultimately, we secured a ban on cymbium fishing in February. Generally, we spent a lot of time in the early 1990s telling people what they shouldn't do.

Then we wondered what people should do. In 1995, we had the idea of creating a marine protected area (MPA) in Senegal. We criss-crossed the Casamance and Saloum deltas for three years looking for a location that had a protected ecosystem where an abundance of young fish and biomass could be found, that was visually attractive, and that offered some capacity to generate community commitment in local people. Ibrahima Diamé accompanied us to several villages on the southern bank of the Saloum close to the sea. Together, we outlined an area of seven thousand hectares to be protected. The rural community of Toubacouta held a debate on creating the Bamboung MPA with us. We obtained help from the French Global Environment Facility to create the area, then we appointed the French Institute of Research for Development to produce a baseline report on the species present, their sizes, the biomass, etc. The same survey was conducted every year for six years. After three years, very little in the MPA had changed. In the fourth and fifth years, a slight increase in numbers was seen. In year six, a real explosion of life was recorded, with about thirty new species appearing in the delta, and the size of the fish having increased to the point that they were able to leave the delta and start their lifecycle in the ocean... Importantly, the tourist eco-lodge had proven to be economically sustainable, with its revenue financing the MPA's protection, and employing villagers in the role of environmental protection officers to prevent unauthorised activities. In 2003, a presidential decree officially ratified its status as a marine protected area.

Three years later, with six hundred young people from the village of Tobor, we began reforestation of the Casamance mangrove. Over some thirty years, the mangrove had deteriorated to the extent of losing 40% of its area owing to three main factors, namely major droughts in the 1970s, the construction of feeder roads (for produce) breaking the natural ebb and flow of water during the 1980s, and large-scale logging for house building or use in fires for cooking. However, in a mangrove, the forest, fields and water intermingle completely. When trees disappear, the paddy fields are flooded with salt water and die... The village farmers therefore regarded our project in a good light. However, it was complicated to put together – mangrove seeds had to be sought in outriggers in healthy areas and transplanted to damaged areas. After two years, there were fifteen villages supporting us on this project, and we replanted 700,000 trees with their help. The reforestation has enjoyed great success: in 2008, the Yves Rocher Foundation helped us plant 6 million trees in 156 villages; in 2009, Danone and the travel agency Voyageurs du Monde funded our planting of 36 million trees to offset their CO2 emissions. In 2010, we planted 52 million trees with help from the efforts of 110,000 people in 428 villages.





*“For an action to work,  
inclusive management is essential.*

*Solutions must be bottom-up and reproducible”*

The great success and sustainability of these three projects led me to draw one fundamental conclusion: for an action to work, inclusive management is essential. Solutions must be bottom-up, and reproducible, otherwise they have no real point. If the people living in the area do not understand why they need to limit their fishing, or to plant trees, you won't achieve the desired result. I have seen, many times over, the speed with which MPAs that are set up by some national or international body collapse as soon as the original backer stops spending money. In Bamboung and Tobor, this was not the case – our projects have their own momentum and can sustain themselves.

**If you believe so much in “bottom-up” approval, why are you involved in politics?**

Because at some point, governmental authorities have to be able to ensure your actions have a lasting effect. Take timber for example: we are closely following the situation on the edge of Fafacourou, very close to the Gambian border at the source of the Casamance river. In this area, men from Chinese companies in Gambia promise to give young Senegalese men a motorbike if they bring them thirty teak tree trunks. Every night, young men cross the border with a cart to take them two or three tree trunks, by dint of which they earn their motorbikes. In this way, 3,800 containers of teak have already been exported from Gambia to China entirely illegally, since the multinationals transporting them and the Gambian authorities alike are fully aware that the teak forests are in Senegal. If at some point you don't have local environmentalist councillors in Fafacourou who blow the whistle, who have built up relationships with state representatives and MPs in the region, of whom it is hoped that they too are environmentally aware, what will happen? You can carry on planting trees in Fafacourou, but they will disappear overnight, faster than we can plant them. So environmentalist councillors are doing this work. With organised crime behind the illegal timber trade, they are actually risking their lives doing so.

Which is why we started to get involved in politics in the early 2000s. In 2003, we founded the Senegalese Green Party (Fedes). We had candidates in the local elections and about a hundred councillors were elected nationwide. I even became the Minister for the Environment, and then of Fisheries, between 2012 and 2014. We are currently targeting the general election in 2017. We are therefore fighting on two fronts, environmentally and politically. All the while, we keep one clear idea in mind – environmental concerns must come before politics. If you fail to grasp this, you're wasting your time, because the political parties that precede you are better at politics than you. And that is the big problem for green parties in Senegal as in the rest of the world – they are too engrossed in politics and not enough in environmental matters. They have to reverse that tendency.

*“We started to get involved in politics in the early 2000s.*

*All the while, we keep one clear idea in mind –  
environmental concerns must come before politics”*

**Your experience as a Minister was fairly short, scarcely two years.  
Are you quite sure you've been sufficiently involved in politics?**

I really don't care that I'm no longer a Minister. Being a Minister obviously provides means for action that are otherwise not available. However, since I stopped being a Minister, my environmental activities have been directed in other ways. To tell the truth, the world is full of politicians who want to stay being ministers, want to get re-elected... Such people, and there are many of them, put themselves immediately within reach of countless corrupting influences who want to get their hands on Africa's natural resources. On the basis of my own ministerial experience, I could write a book full of incredible anecdotes about the plundering of Senegal's resources (gold, trees, fish, etc.) linked to the corruption of politicians and public officials. The problem is that the situation is serious, as our country still operates as an extraction economy, and does not process its resources. However, those resources are becoming increasingly scarce, in many areas the plundering is accelerating and depletion is close at hand. We are in a survival situation. Meanwhile Africans and their leaders have still not yet understood the need for painstaking management of their resources.

As a minister, I actually managed to curb this plundering. But the finance, government, communication and marabout (local religious leaders/medicine man, accused inter alia of trading in timber licences) lobbies are powerful in Senegal and they got the better of me. Especially since I didn't always back down – I had been waiting for this political responsibility for a long time, and I felt I had to act urgently. And the highest level of government does not always have the strength or expertise to fight lobbyists effectively. In the light of this experience, I nonetheless think that politicians can act if there is a vision, the courage to see that vision through to completion, strong values and commitment. How it is possible to think anything else? The forest dwellers really need us...

**Interview by Benjamin Bibas**



## COORDINATION

### BENJAMIN BIBAS

Journalist and documentary maker for different media outlets (France Culture, France Inter, RTBF...), Benjamin Bibas has produced a dozen radio documentaries since the mid 2000s on the reckless exploitation of natural resources in Africa, the resistance it created and the serious violations of human rights linked to it. Particularly attentive to the situation in the Democratic Republic of the Congo, he is the author of a radio portrait of the city of Kinshasa ("Mon village, c'est Kinshasa", RTBF and Radio Okapi, nominated for Prix Italia 2015) and of a movie about the Congolese choreographer Faustin Linyekula ("Dancing in the Name of... (Faustin Linyekula)") acquired by several universities in France and the United States. Coordinator of "la fabrique documentaire", in charge of the Africa group of the Transnational commission of Europe Ecologie les Verts from 2010 to 2015, he is carrying on his reflections on the role of Africa in the globalized economy with a diversity of activities.

### THE WANGARI MAATHAI GROUP

The Wangari Maathai group – named in honor of the most famous African ecologist – gathers together a dozen activists involved in political and grassroots ecological movements.

*French to English translation: Charlie Bavington and Claudio Cambon*

*English editing: Frédéric Maintenant*

## RECOMMENDATIONS

On the basis of interviews conducted for this paper, the Wangari Maathai group is sending this series of ten recommendations to COP21 negotiating teams and to the Board of the Green Climate Fund, with a view to rectifying the injustices of climate change currently suffered by most African countries.

1. To make the Paris agreement binding, stipulate a mechanism to monitor and index link contributions to the Green Climate Fund which incorporates states' commitments and imposes penalties in the event of a breach of their obligations.
2. Use innovative financing measures (worldwide taxes on financial transactions, airline tickets, maritime freight, etc.) to provide income for the Green Climate Fund and reach the target of \$100 billion per annum from 2020 onwards.
3. Institute an obligation on local communities to contribute to adaptation and relief projects financed by the Green Climate Fund. In addition, make projects conditional on respect for women's and minority rights.
4. So as not to see the same problems currently affecting the use of public development support funds (poor organisation, misuse & misappropriation, use directed to low priority areas), consider the options in terms of the ways Green Climate Fund payments are made and used after 2016, and involve international cooperation and development organisations in doing so.
5. Spend 50% of the sums allocated to the Green Climate Fund on adaptation measures in countries most vulnerable to climate change (improve resilience of ecosystems, healthcare systems, infrastructure, etc.).
6. In countries not self-sufficient in food:
  - use the Green Climate Fund to finance subsistence agriculture projects;
  - tax international investment (FDI) in projects entailing food production for export to serve as a source of income for the Green Climate Fund.
7. In countries producing oil, gas and coal, provide substantial funding for diversified and low-carbon economic development (including renewable energy) in exchange for not exploiting part of their fossil fuel reserves.
8. Broaden the Extractive Industries Transparency Initiative (EITI) to all foreign investment in a country; include the initiative in climate change negotiations and make it binding, with infringements giving rise to a drastically increased contribution to the Green Climate Fund.
9. Include in the climate change negotiations an obligation on states to legislate on financial transparency and due diligence for companies investing abroad; companies having a parent company based in states that have failed to legislate will see their foreign investment taxed, with the tax going to the Green Climate Fund.
10. Establish, as part of the climate negotiations, a protocol to produce, five years from now, an inventory of national public goods, these being mainly food or energy related, which cannot then be exported until the domestic needs of the producer country are fully met, and world public goods, international trade of which is to be regulated.

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*The views expressed in this publication are those of the authors alone. They do not necessarily reflect the views of the Fondation de l'Écologie Politique.*

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ISBN 979-1-09-508206-4



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