



WORKSHOP ON THE DEVELOPMENT OF NATIONAL LEGAL DATABASES ON ENVIRONMENTAL LAW INFORMATION IN AFRICA

BACKGROUND NOTE

1.0 Introduction

UNEP is implementing the United Nations-Development Account Project relating to the *Development of National Legal Databases for Capacity-Building to Enhance Access to Environmental Information in Africa*, among selected countries to develop national capacities of and provide technical support to selected countries in Africa to develop national databases of environmental law.

The theme of the United Nations-Development Account Projects include enhancing the use of information technology in developing countries so as to contribute to the achievement of the Millennium Development Goals as they relate to bridging the digital bridges on access to new information technology networks.

UNEP was mandated by Governing Council (GC) decision 21/23 of 2001, on 3rd Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme III), to improve the development, content, effectiveness and awareness of environmental law through the use of information technology. Further, UNEP GC decision 22/17 of 2003, mandated UNEP to intensify efforts in the provision of policy and advisory services in key areas of capacity and institution-building, including access to information on legislation, activities, policies and programmes. In February 2005, GC decision 23/1 adopted the Bali Strategic Plan for Technology Support and Capacity-building, which calls for, among others, promotion of technical support to developing countries. All these efforts support Agenda 21, Principle 10 of the Rio Declaration, the Plan of Implementation of the World Summit on Sustainable Development and the Millennium Development Goals in as far as strengthening environmental laws is concerned.

2.0 The Need

Environmental law information is needed for public participation in decision-making, teaching and learning purposes, creating awareness, for legal practitioners, public interest litigation; by government officials, the civil society, the public, magistrates and judges for reference so as to ensure access to justice in environmental matters.

The project on development of national legal databases will develop national digital databases containing environmental law information regarding legislation, regulations, and institutions for environmental management, activities and events, state of environment reports, plans, policies and programs, publications, a country's status of international legal instruments relating to the environment and other reports and sources of reference. Having and using a web-based legal database will assist in the day-to-day use of environmental law in environment and natural resources management.

3.0 The Problem

In many countries of Africa, government officials, legal practitioners, judicial officers, environmental managers, non-profit institutions and academia do not have adequate access to environmental law information needed for developing and implementing the legal tools that promote sound environment management. Where environmental law information exists, such information is scattered in different institutions and also is difficult to access even for those whose profession is to develop and implement national laws.

Although there are some countries in Africa with laws that provide for the public to get access to environmental information from public authorities, in practice even these countries face difficulties in retrieving information because such information is not well organized nor is it easily retrievable. This problem, which is caused by low capacity to organise, retrieve environmental information and consequently to enforce the laws, causes difficulties for the public and decision-makers to ensure sound environment management.

4.0 Objectives

The main objective of this project is to develop national legal databases that will enhance access to environmental law information by promoting methods for using information technology to enhance the capacity of selected countries in Africa to access environmental law information. It is envisioned that there will be a one-stop shop system for environmental law resources in each of the participating countries.

5.0 Expected accomplishments

The project will result in improved delivery of legal services and train legal experts to collect, organise, process and retrieve environmental law information on the national website database. The main results expected in this project are:

- a) enhanced access to environmental law information through the national web-based databases;
- b) capacity and skills built to use, maintain and regularly update the national environmental law databases; and
- c) development of environmental law databases at national levels.

6.0 The Strategy

To ensure the success of this project, competent personnel will be engaged, and cooperation with competent partners who are already carrying out similar activities will be solicited, to build capacity and to develop national databases of the project countries. The project will also build on the framework of the global environmental information portal, UNEP.net, as well as the Joint UNEP/IUCN/FAO work on global access also referred to as ECOLEX (www.ecolex.org).

National ownership is a major element of this project to ensure sustainability in up-dating and maintenance beyond the project duration. As such, the project will provide the appropriate technical assistance to governments to collate, prepare in electronic format and organize the information. Training of national experts will be carried out on how to prepare and maintain a national web-based information system. It is also expected, where possible, that the national database that will be developed will be linked to existing government web-sites in the participating country.

The project will build on the work of UNEP in building national capacity to develop and strengthen the legal and institutional framework for environmental management by developing skills at the national level to organize environmental information through information technology (e.g. collection of legal data, system design and development) and to make it retrievable and easily accessible to a broad range of users.

There will be 20 participating countries from Africa, with 10 of which are from English-speaking and the other 10 from French-speaking Africa. Two workshops will be held, one for the Franco-phone countries and the other for the Anglo-phone countries to introduce and carry out initial training on the development, use and maintenance of the legal databases.