

# **AU: Convention on the Conservation of Nature and Natural Resources**

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# Legal instruments of reference

## AU Law

- Treaty Establishing the African Economic Community and the Constitutive Act of the African Union
- African Charter on Human and Peoples Rights
- 1968 Algiers Convention on the Conservation of Nature and Natural Resources

## AU Strat

- Lagos Plan of Action for the Economic Development of Africa

## International Soft Law

- Charter of Economic Rights and Duties of States
- World Charter for Nature
- Stockholm Declaration
- Rio Declaration and of Agenda 21

## Art. 1 Scope

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The intent of the Convention is to create a shift in how nature and natural resources are positioned in the legislative framework of AU member states.

It also adopts the Environmental Management principles to the natural resources by creating a link of cause-effect between what is agreed/decided/controlled in a sovereign state and what happens beyond its boundaries.

This Convention shall apply

1. to all areas which are within the limits of national jurisdiction of any Party; and
2. to the activities carried out under the jurisdiction or control of any Party within the area of its national jurisdiction or beyond the limits of its national jurisdiction.

## Fundamental points in the Convention

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The Sustainability and Precautionary Principles are explicitly noted to guide the Member States in their actions seeking the full implementation of the Convention.

Cooperation is understood as within a country as well as between countries.

- Conservation is intended as both a PA and SU area
- Includes water and soil in the list of NR object of the Convention
- Fosters Conservation and Sustainable Use through Policy harmonisation and cross-border collaboration
- Recognises the rights of Local Communities over the access and use of NR
- Creates a direct link between environment and (the right to/opportunity for) human development
- Recognises the importance of both scientific and TL knowledge to develop strategies and plans for conservation
- Seeks to regulate processes that can be harmful to Nature and NR, including incentivise sustainable alternatives to the use of non-renewable/depleted resources, waste disposal
- Confirms that NRM should be part of any development plan
- Potentially establishes a Conservation Fund

SADC MS	Signature	Ratification
Angola		
Botswana	27/01/2012	17/02/2014
Comoros	26/02/2004	02/04/2004
Democratic Republic of Congo	29/06/2008	
Eswatini	07/12/2004	
Lesotho	27/02/2004	26/10/2004
Madagascar	28/02/2004	
Malawi		
Mauritius		
Mozambique	04/02/2004	
Namibia	09/12/2003	
Seychelles		
South Africa	18/04/2012	23/04/2013
Tanzania	05/11/2003	
Zambia	03/08/2005	
Zimbabwe	18/11/2003	