

CHAPTER SIXTEEN

CO-OPERATION IN THE DEVELOPMENT OF NATURAL RESOURCES, ENVIRONMENT AND WILDLIFE

ARTICLE 122

Scope and Principles of Co-operation

1. The Member States agree to take for their mutual benefit, concerted measures to foster co-operation in the joint and efficient management and sustainable utilisation of natural resources within the Common Market.
2. The Member States recognise that economic activity is often accompanied by environmental degradation, excessive depletion of resources and serious damage to natural heritage and that a clean as well as an attractive environment is a prerequisite for long-term economic growth.
3. The Member States undertake, through a regional conservation strategy, to co-operate and coordinate strategies for the protection and preservation of the environment against all forms of pollution including atmospheric and industrial pollution, pollution of the water resources, and pollution from urban development.

4. The Member States undertake to co-operate and adopt common policies for the control of hazardous waste, nuclear materials, radioactive materials and any other materials used in the development or exploitation of nuclear energy.
5. Action by the Common Market relating to the environment shall have the following objectives:
 - (a) to preserve, protect and improve the quality of the environment;
 - (b) to contribute towards protecting human health; and
 - (c) to ensure the prudent and rational utilisation of natural resources.
6. Action by the Common Market relating to the environment shall be based on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay. Environmental protection requirements shall be a component of the Common Market's policy in all the fields of Common Market activity.

ARTICLE 123

Co-operation in Management of Natural Resources

1. The Member States agree to take concerted measures to foster co-operation in the joint and efficient management and sustainable utilisation of natural resources within the Common Market for the mutual benefit of the Member States. In particular, the Member States shall:
 - (a) take necessary measures to conserve their natural resources;
 - (b) co-operate in the management of their natural resources for the preservation of the eco-systems and arrest environmental degradation; and
 - (c) adopt common regulations for the preservation of shared land, marine and forestry resources.
2. The Member States agree to take necessary measures to conserve and manage forests, through the:
 - (a) adoption of common policies for the conservation and management of natural forests, industrial plantations and nature reserves;

- (b) exchange of information on natural forests and industrial plantations development and management;
 - (c) joint promotion of a common forestry practice within the Common Market;
 - (d) joint utilisation of forestry training and research facilities;
 - (e) adoption of common regulations for the preservation and management of all catchment forests within the Common Market; and
 - (f) the establishment of uniform regulations for the utilisation of forestry resources in order to reduce the depletion of the natural forests and avoid desertification within the Common Market.
3. The Member States shall take measures to engage in Api-Agro-Forestry Systems.
4. The Member States agree to co-operate in the management of their fresh water and marine resources, through the:
- (a) establishment and adoption of common regulations

for the better management and development of marine parks, reserves and controlled areas;

(b) adoption of common policies for the conservation, management and development of fisheries resources; and

(c) establishment of uniform fisheries investment guidelines for inland and marine waters.

5. The Member States undertake to accede to international conventions or agreements that are designed to improve the policies of development, management and protection of their natural resources.

ARTICLE 124

Co-operation in the Management of the Environment

1. The Member States undertake to co-operate in the management of the environment and agree to:
 - (a) develop a common environmental management policy that would preserve the eco-systems of the Member States, prevent, arrest and reverse the effects of environmental and industrial pollution, declining bio-diversity, loss of genetic diversity and land degradation;

- (b) develop special environmental management strategies to manage forests, terrestrial and marine resources, water resources, atmospheric emissions, water and hazardous toxic substances;
- (c) accede to the UNCED Agreements relating to the Conventions on climatic change and bio-diversity;
- (d) accede to the UNEP Convention for Eastern and Southern Africa on water and marine resources; and
- (e) take measures to control trans-boundary, air and water pollution arising from mining, fishing and agricultural activities.

2. For the purposes of paragraph 1 of this Article, the Member States undertake to:

- (a) adopt common environmental control regulations, incentives and standards;
- (b) develop capabilities for the assessment of all forms of environmental degradation and pollution and the formulation of regional solutions;
- (c) encourage the manufacture and use of biodegradable pesticides, herbicides and packaging materials;

- (d) discourage the excessive use of agricultural chemicals and fertilizers;
- (e) adopt sound land management techniques for the control of soil erosion, desertification and bush encroachment;
- (f) promote the use of ozone and environmental friendly chemicals;
- (g) promote the utilisation and strengthen the facilities of training and research institutions within the Common Market;
- (h) adopt common standards for the control of atmospheric industrial and water pollution arising from urban and industrial development activities;
- (i) exchange information on atmospheric, industrial and other forms of pollution and conservation technology;
- (j) adopt common regulations for the management of shared natural resources;
- (k) adopt measures and policies to address the existing

unsatisfactory demographic profiles such as high growth rates and fertility rates, high dependency ratio and poor social conditions in order to mitigate their adverse impact on environment and development; and

- (l) adopt community environmental management criteria.

ARTICLE 125

Prevention of Illegal International Trade in Toxic and Hazardous Wastes

1. The Member States undertake to co-operate and adopt common positions against illegal dumping of toxic and undesirable wastes within the Common Market from either a Member State or third country.
2. The Member States undertake to co-operate in sharing technological know-how on clean technologies and low-waste production systems for the energy and productive sectors.
3. The Member States undertake to accede to international environmental Conventions that are designed to improve the environmental policies and management. To this end, the Member States agree to accede to the

Montreal Protocol on the Environment.

4. The Member States agree to include environmental management and conservation measures in trade, transport, agricultural, industrial, mining and tourism activities in the Common Market.

ARTICLE 126

Wildlife Development and Management

1. The Member States undertake to develop a collective and coordinated approach to sustainable development and management rational exploitation and utilisation and the protection of wildlife in the Common Market. In particular, the Member States shall:
 - (a) adopt common policies for the conservation of wildlife, natural reserves, national parks and marine parks;
 - (b) exchange information on wildlife development and management;
 - (c) exchange information on anti-poaching activities and suspected poachers and where feasible, carry out joint anti-poaching programmes;

- (d) establish wildlife ranches in arid and semi-arid regions of the Common Market as a compliment to agricultural and livestock production;
- (e) develop common anti-poaching regulations and ensure the effective supervision of the implementation of such regulations;
- (f) carry out joint-breeding programmes of selected wildlife species and domesticated animals so as to infuse disease resistance and hardness qualities in the domesticated animals;
- (g) encourage joint utilisation of training and research facilities;
- (h) utilise proceeds from wildlife for the development and conservation of national parks and the development of adjacent areas; and
- (i) establish uniform trophy hunting prices so as to reduce depletion of wildlife stocks in the Member States.

2. The Member States undertake to accede to international conventions or agreements that are designed to improve their policies for development, management

and protection of wildlife and national parks.