



Regional convergence in environmental policy arrangements: A transformation towards regional environmental governance for West and Central African ports?



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ABSTRACT

Environmental policy-making in West and Central Africa, with implications for the region's ports, is usually dominated by state actors that also represent the nation-states at regional inter-governmental co-operation. The ports share common and transboundary environmental problems, but fall under diverse political and decentralisation systems. Also, in spite of regional inter-governmental co-operation there is disagreement between regional environmental policies and those for the ports at sub-national level. The port authorities are largely absent in environmental negotiations with outcomes ignoring their contributions. However, institutional reform of the ports from the year 2000 onwards has seen the port authorities gaining greater autonomy as public non-state actors and beginning to involve in environmental policy-making. This paper seeks to understand how environmental policy-making and governance is transforming in West and Central African ports. By combining the policy arrangement approach, the main analytical tool for the paper, with the concept of regional convergence, interaction processes among key actors involved in port environmental policy-making in West and Central Africa are studied. The study finds a developing innovation of joint environmental policy-making arrangement in which West and Central African port authorities, from sub-national level, are engaging directly with regional inter-governmental and Environmental Non-Governmental Organisation actors. The developing innovation by-passes institutionalised state-led environmental policy-making arrangements, with the potential for transforming environmental governance of West and Central African ports. It is concluded that non-state actors, when given flexible manoeuvring, can be innovative in overcoming diverse statist political dynamics in dealing coherently with transboundary environmental issues within a territorial region. However, state actors remain key as linking pins in transboundary environmental policy and governance.

1. Introduction

Africa has become reckoned as the world's fastest growing continent (AfDB, 2013: 3; AfDB et al., 2015). Sustaining this economic progress has necessitated institutional and governance reforms (Joseph, 2016) to signal 'readiness for business' by the continent's governments. The reforms have led to a better business climate with investors blending in private/public-private arrangements that are building patterns for addressing real societal needs (see Mahajan, 2009; Radelet, 2010a, 2010b) and transforming policy and governance.

West and Central Africa (WCA) tends to be the most positive and optimistic Africa region (Hofmeyr, 2013). The region, understood as a territorial confine, has multiple national jurisdictions and institutional constructs to deal with environmental issues. The region is dependent

on export of cash crops and other bulk natural resources to sustain economic growth. Ports are thus crucial for the region and have also become impacted by unfolding economic and political governance. Most WCA ports have undergone institutional reforms since the year 2000, with increasing public-private partnership dominated by multinational terminal operators (Pálsson et al., 2007; Drewry, 2008; AfDB, 2010), particularly A.P. Moeller-Maersk and Bollorè groups, to enhance their operational efficiency. The port authorities have thus assumed a public non-state character with greater autonomy from the state. They have hitherto been showing high growth in productivity with fastest growth rates in the world for the period between 1995 and 2005. During this period, container traffic for the ports grew 400% in ten years from 1,035,400 to 4,802,000 twenty equivalent units (TEUs) at 14.7% per annum (Ocean, 2009; Foster and Briceño-Garmendia, 2010;

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Table 1
Overview of environmental issues for WCA ports.
Source: Barnes-Dabban et al. (2017).

Port Area Generated			Shipping Generated
Water	Air	Soil	
<ul style="list-style-type: none"> ● Rainwater ● Port garbage ● Industrial effluent ● Municipal waste ● Washing water from warehouses/workshops ● Runoff from wharves, stockpile of bulk cargo such as manganese, bauxite, iron ore, shea-butter etc. 	<ul style="list-style-type: none"> ● Industrial emissions ● Odour ● Ship blasting ● Trucks/cargo handling equipment emissions ● Dust from bulk cargo such as manganese, bauxite, iron ore, wheat, clinker etc. 	<ul style="list-style-type: none"> ● Oil spill/leakage from tank farms ● Chemical spills ● Dredged material ● Port garbage ● Washing water from terminals ● Pipeline punctures ● Sewage overflow 	<ul style="list-style-type: none"> ● Ships' wastes ● Ballast water ● Oil spill ● Biofouling ● Hazardous waste ● Accidental collision ● Ships' emission

see also Harding et al., 2007). Over the same period, general cargo grew at 10.2% per annum from 23.12 to 61.23 million metric tons yearly (Ocean, 2009). The region's ports are expected to continue growing with forecasts of 7.8% per annum between 2013 and 2018 (Drewry, 2015).

While WCA ports are recording positive changes in productivity, their environmental policy is also transforming. Like ports globally, WCA ports are confronted with two types of environmental problems - those that are port area generated and those that are shipping generated. An overview of common environmental issues facing WCA ports, with impact on air, water, and soil, is shown in Table 1. Some of these issues, including, oil spill, ballast water, ships' waste, port garbage/waste, and air pollution from carbon emissions, are beginning to receive attention in the ports (Barnes-Dabban et al., 2017). This paper however, focuses on oil spill response and ballast water management from shipping and the regional policies and regulations which govern these environmental problems. The regional policies and regulations are based upon IMO (International Maritime Organisation) regulations. The transposition of these regional and international policies and regulations in national law is the mandate of party-states. However, lack of commitment makes implementation rather inadequate.

WCA ports are however beginning to take up environmental roles, with the port authorities establishing specialised environment units. The multinational terminal operators have also brought along global environmental practices. Additionally, the port authorities are beginning to talk to each other on their shared and common environmental problems.

There have also been a number of regional developments. Inter-governmental actors from regional institutions are beginning to engage with port environmental issues. The Port Management Association of West and Central Africa (PMAWCA) has integrated environment into its technical committees. The Regional Co-ordinating Unit (RCU) of the region's Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment for the West, Central and Southern Africa Region, referred to as the Abidjan Convention,¹ is also beginning to deal directly with the port authorities. Additionally, there has been the emergence of Environmental Non-Governmental Organisations (ENGOS), particularly the Ports Environmental Network-Africa (PENAF), working with ports across the region

¹ Adopted in 1981 as a comprehensive legal framework agreement for marine pollution prevention in WCA (amended in 2008 to include Southern Africa) region through inter-governmental co-operation.

on environmental issues. State actors are therefore no longer dominant initiators of environmental policy in WCA ports.

WCA ports fall under diverse political and decentralisation systems (Table 3) (Barnes-Dabban et al., 2017). The WCA region is itself part of a continent best described as one of 'diversity and contrasting trajectories' (Michailof, 2013). The governments realise the potential of co-operation (Julian, 2012). They have in the last decades developed a variety of state-led regional co-operation arrangements (Sakyi and Opoku, 2014) that subject the ports to multiple actor-multiple level dynamics. However, the disagreement between regional and national environmental policies at the level of the ports can be rather puzzling. Many of the states have several different arrangements, sometimes with conflicting goals (Aryeetey, 2001). Power remains concentrated at national level, leaving both sub-national and regional levels with limited authority (Collier, 2014). Therefore, how non-state actors from multiple levels are involving themselves in environmental policy of WCA ports and transforming environmental governance of the ports require a more adequate understanding.

Studies on WCA's marine environment have mainly focused on status of biodiversity (Polidoro et al., 2017), sustainable fisheries (Ukwe et al., 2006; Agbeja, 2016), impact of climate change (Donkor and Abe, 2012), valuing the region's large marine ecosystem (Chukwuone et al., 2009) and transboundary pollution management (Ukwe and Ibe, 2010). This paper adds to this body of literature with insights in environmental policy interactions between WCA port authorities as sub-national actors, regional inter-governmental actors, and ENGOS working across nation-states beyond institutionalised state-led policy arrangements.

The aim of this paper is, first, to investigate the regional systems and arrangements which are emerging for environmental policy-making in WCA and the implications for WCA ports, and second, to identify the factors that are enabling or restraining emergent arrangements in transforming environmental governance for WCA ports.

Environmental interactions of four WCA ports - Abidjan, Douala, Lagos, and Tema, with state actors, RCU, PMAWCA, and PENAF as well as their regional setting are used as comparative case studies within a territorial regional geo-political context. The ports were selected using judgemental and purposive sampling based on their undergoing environmental reform (see Barnes-Dabban et al., 2017). Primary data was collected at both port and regional levels through a mix of face-to-face semi-structured in-depth interviews, closed and open-ended questionnaires, and participatory observation over the period of 2010–2015. Interviews were made with 63 key informants, selected on the basis of their involvement in environmental policy-making in WCA and their experience of port environmental interests, as investigated in this paper. These were, environmental managers and private port operators of the four selected ports; officials of environment ministries and agencies, and maritime administrations of countries of the selected ports; officials of International Maritime Organisation's (IMO) Regional Office in Accra, PMAWCA, and RCU and its National Focal Points (NFPS) for countries of the selected ports. Some empirical data were also gathered through participatory observation during the first West and Central Africa Ports Environment Conference²; the First Panel of Experts' Meeting on Strategic Assessment of Port Environmental Issues Policies and Programs (SAPEIPP)³ in West, Central and Southern Africa; and Abidjan Convention's Ninth and Tenth Conference of Parties⁴ meetings. Most respondents preferred to be anonymous and not to be recorded. Hand notes were therefore summarised and checked with respondents if they had been interpreted correctly. Interview

² Corresponding author in his PENAF role organised this conference in Tema in June 2010.

³ Corresponding author in his PENAF role co-organised this meeting with Abidjan Convention Secretariat held in Abidjan 2015

⁴ Corresponding author's role in PENAF facilitated his participation in COP 9 & 10 meetings held in Accra (2011) and Pointe Noire 2012 respectively.

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