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## Equitable Management of Africa's Natural Resources for Posterity: Upholding the Rights of People and the Environment

#### Kariuki Muigua\*

#### **Abstract**

Natural resources provide numerous economic, social, and cultural benefits to humanity. They play a key role in unlocking the Sustainable Development agenda and a wide range of human rights such as the right to food, water, energy, and health among others. Equitable management and use of natural resources is therefore a fundamental element of both human rights and economic development. However, the planet is witnessing an unprecedented rate of natural resource depletion and adverse impacts of environmental degradation including desertification, drought, land degradation, freshwater scarcity, biodiversity loss, and climate change. Equitable management of natural resources globally, regionally, and at national levels is therefore paramount if the Sustainable Development agenda is to be achieved. This paper examines how Africa's natural resources can be equitably managed for the continent's prosperity. The paper notes that Africa is endowed with natural resources that can be effectively harnessed to drive the continent's development agenda. The paper identifies challenges facing Africa in managing its vast natural resources. It also proposes interventions towards equitable management of Africa's natural resources towards upholding the rights of people and the environment for posterity.

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#### 1.0 Introduction

Equitable management and use of natural resources is considered a fundamental element of both human rights and economic development<sup>1</sup>. For instance, natural resources are often viewed as key assets driving development and wealth creation<sup>2</sup>. It has been noted that if well managed, natural resources including oil, gas, and minerals can propel economic and social transformation at all levels<sup>3</sup>. Equitable management of natural resources is also a fundamental concern towards upholding human rights. For example, natural resources play a key role in realising a wide range of human rights, including the right to food, water, energy, health among others<sup>4</sup>. Natural resources are also closely linked to fundamental human rights of indigenous peoples and local communities including the right to self-recognition<sup>5</sup>. It has also been noted that the land and natural resources on which indigenous peoples depend are inextricably linked to their identities, cultures, livelihoods, as well as their physical and spiritual well-being<sup>6</sup>.

Natural resources are therefore crucial in realising the Sustainable Development agenda. Equitable use and management of natural resources relates to all three dimensions of sustainability: social justice, environmental conservation, and economic development<sup>7</sup>. It has been noted that sustainable use of natural resources strives for balance between these

<sup>&</sup>lt;sup>1</sup> International Institute for Sustainable Development., 'The Sustainable Use of Natural Resources: The Governance Challenge' Available at <a href="https://www.iisd.org/articles/deep-dive/sustainable-use-natural-resources-governance-challenge">https://www.iisd.org/articles/deep-dive/sustainable-use-natural-resources-governance-challenge</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>2</sup> Ibid

 $<sup>^3</sup>$  Organisation for Economic Co-operation and Development., 'Natural Resources and Development' Available at  $\frac{\text{https://www.oecd.org/en/topics/sub-issues/natural-resources-and-development.html#:~:text=If%20well%20managed%2C%20oil%2C%20gas,economic%2C%20social%20and%20environmental%20hazards. (Accessed on 24/01/2025)$ 

<sup>&</sup>lt;sup>4</sup>Food and Agriculture Organization of the United Nations., 'Natural Resources Governance and the Right to Adequate Food' Available at <a href="https://openknowledge.fao.org/server/api/core/bitstreams/815b4983-0882-428b-9b92-157bc354ea53/content">https://openknowledge.fao.org/server/api/core/bitstreams/815b4983-0882-428b-9b92-157bc354ea53/content</a> (Accessed on 24/01/2025)

World Bank Group., 'Indigenous Peoples' Available at <a href="https://www.worldbank.org/en/topic/indigenouspeoples#:~:text=Indigenous%20Peoples%20are%20distinct%20social,which%20they%20have%20been%20displaced">https://www.worldbank.org/en/topic/indigenouspeoples#:~:text=Indigenous%20Peoples%20are%20displaced</a> (Accessed on 24/01/2025)

<sup>6</sup> Ibid

<sup>&</sup>lt;sup>7</sup> International Institute for Sustainable Development., 'The Sustainable Use of Natural Resources: The Governance Challenge' Op Cit

dimensions: maintaining the long-term use of resources while maximizing social benefits and minimizing environmental impacts<sup>8</sup>. The United Nations 2030 Agenda for Sustainable Development affirms that social and economic development depends on sustainable management of our planet's natural resources<sup>9</sup>.

Despite natural resources playing a crucial role in the Sustainable Development agenda, the planet is witnessing an alarming rate of natural resource depletion and adverse impacts of environmental degradation including desertification, drought, land degradation, freshwater scarcity, biodiversity loss, and climate change<sup>10</sup>. In light of these challenges, equitable management of natural resources globally, regionally, and at national levels is necessary for Sustainable Development.

This paper examines how Africa's natural resources can be equitably managed for the continent's prosperity. The paper notes that Africa is endowed with natural resources that can be effectively harnessed to drive the continent's development agenda. The paper identifies challenges facing Africa in managing its vast natural resources. It also proposes interventions towards equitable management of Africa's natural resources towards upholding the rights of people and the environment for posterity.

<sup>8</sup> Ibid

<sup>&</sup>lt;sup>9</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <a href="https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf">https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf</a> (Accessed on 24/01/2025)

<sup>10</sup> Ibid

#### 2.0 Natural Resources in Africa: Opportunities and Challenges

Africa is richly endowed with natural resources. According to the United Nations Environment Programme (UNEP), Africa is rich in natural resources ranging from arable land, water, oil, natural gas, minerals, forests and wildlife<sup>11</sup>. It further points out that Africa holds a huge proportion of the world's natural resources, both renewables and non-renewables<sup>12</sup>. Africa therefore has significant natural resource wealth. The region is home to the world's largest arable landmass<sup>13</sup>; some of the largest and longest rivers in the world (the Nile and the Congo)<sup>14</sup>; and the world's second largest tropical forest (the Congo basin rainforest)<sup>15</sup>. The African Great Lakes region has also been identified as one of the most unique places and features of the world and holds nearly one-third of the world's fresh surface water covering over 850,000 square kilometers across 11 countries<sup>16</sup>. This region is home to major freshwater lakes including Lake Albert, Lake Edward, Lake Kivu, Lake Malawi/Nyasa, Lake Tanganyika, Lake Turkana, and Lake Victoria which support key economic activities including tourism, fisheries and aquaculture<sup>17</sup>.

Africa also boasts of a rich extractive sector. For instance, it is estimated that Africa is home to approximately 30 percent of the world's mineral reserves, 8 percent of the world's natural gas and nearly 12 percent of the world's oil reserves<sup>18</sup>. Further, the continent has 40 percent of the world's gold and up to 90 percent of its chromium and platinum<sup>19</sup>. In addition, it has been observed that the largest reserves of cobalt, diamonds, platinum and uranium in the world are all located in Africa<sup>20</sup>. Africa is classified as a

<sup>&</sup>lt;sup>11</sup> United Nations Environment Programme., 'Our Work in Africa' Available at <a href="https://www.unep.org/regions/africa/our-work-africa">https://www.unep.org/regions/africa/our-work-africa</a> (Accessed on 24/01/2025)

<sup>12</sup> Ibid

<sup>&</sup>lt;sup>13</sup> African Development Bank Group., 'African Natural Resources Center' Available at <a href="https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/anrc/AfDB\_ANRC\_BROC\_HURE\_en.pdf">https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/anrc/AfDB\_ANRC\_BROC\_HURE\_en.pdf</a> (Accessed on 24/01/2025)

<sup>14</sup> Ibid

<sup>15</sup> Ibid

<sup>&</sup>lt;sup>16</sup> Great Lakes of Africa., Available at https://www.greatlakesofafrica.org/ (Accessed on 24/01/2025)

<sup>17</sup> Ibid

<sup>&</sup>lt;sup>18</sup> United Nations Environment Programme., 'Our Work in Africa' Op Cit

<sup>19</sup> Ibid

<sup>&</sup>lt;sup>20</sup> Ibid

major producer of many key mineral commodities in the world, with bountiful reserves of vital metals and minerals including gold, diamond, cobalt, bauxite, iron ore, coal, and copper available across the continent<sup>21</sup>. Africa is also emerging as a production hub for 'rare earths' with significant deposits of these valuable resources being available in the continent especially in eastern and southern countries including South Africa, Madagascar, Malawi, Kenya, Namibia, Mozambique, Tanzania, Zambia and Burundi<sup>22</sup>. Rare earths have been described as the catalysts of industrial societies in the 21st century since they are vital to key products from hi-tech items including smartphones and monitors to energy conversion systems such as wind turbines, photovoltaic panels and electrical machinery and even military equipment including lasers and radar<sup>23</sup>. Africa therefore has a rich extractive industry with minerals accounting for an average of 70 percent of total African exports and about 28 percent of its Gross Domestic Product (GDP)<sup>24</sup>. The contribution of extractives to public finance in the continent is significant, with some African countries' public revenue almost entirely dependent on them<sup>25</sup>.

In addition to non-renewables, Africa is also endowed with renewable natural resources such as wind, solar, hydro, bioenergy, ocean tidal waves, and geothermal energy sources<sup>26</sup>. Africa's resources also include minerals such as lithium, graphite and cobalt, which are needed for renewable energy technologies including the production of solar panels and batteries used in electric vehicles<sup>27</sup>. These resourses have become increasingly

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<sup>&</sup>lt;sup>21</sup> Statistica., 'Mining Industry in Africa - Statistics & Facts.' Available at <a href="https://www.statista.com/topics/7205/mining-industry-in-africa/">https://www.statista.com/topics/7205/mining-industry-in-africa/</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>22</sup> Italian Institute for International Political Studies., 'The Scramble for Africa's Rare Earths: China is not Alone.' Available at <a href="https://www.ispionline.it/en/publication/scramble-africas-rare-earths-china-not-alone-30725">https://www.ispionline.it/en/publication/scramble-africas-rare-earths-china-not-alone-30725</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>23</sup> Ibid

 $<sup>^{24}</sup>$  African Development Bank Group., 'African Natural Resources Center' Op Cit

<sup>&</sup>lt;sup>25</sup> Ibid

Muigua. K., 'Fostering Energy Justice in Africa' Available at <a href="https://kmco.co.ke/wp-content/uploads/2023/11/Fostering-Energy-Justice-in-Africa.pdf">https://kmco.co.ke/wp-content/uploads/2023/11/Fostering-Energy-Justice-in-Africa.pdf</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>27</sup> African Development Bank Group., 'Renewable energy offers Africa's best opportunity to achieve the Sustainable Development Goals, experts say' Available at <a href="https://www.afdb.org/en/news-and-events/press-releases/renewable-energy-offers-africas-best-opportunity-achieve-sustainable-development-goals-experts-say-63909">https://www.afdb.org/en/news-and-events/press-releases/renewable-energy-offers-africas-best-opportunity-achieve-sustainable-development-goals-experts-say-63909</a> (Accessed on 24/01/2025)

important as the world faces the challenge of mitigating the negative impacts of climate change and reducing the dependence on finite and polluting fossil fuels<sup>28</sup>. It has been noted that exploiting the vast reserve of renewable energy sources in Africa could help increase electricity generation capacity in the continent and accelerate the transition to low-carbon and zero-emission energy sources<sup>29</sup>. Africa's 'renewable' natural resources provide the best pathway to unlock Sustainable Development in the continent by accelerating energy transition, creating employment opportunities, and stimulating industrialisation<sup>30</sup>.

It is therefore evident that Africa is abundant in natural resources. It has been noted that if equitably managed, Africa's vast natural resources can finance the continent's development agenda towards greater prosperity<sup>31</sup>. The ongoing discoveries of natural resources in the continent including oil, minerals, and gas offer a new source of revenue for advancing human development and supporting African countries on the path to self-sufficiency<sup>32</sup>. Africa's natural resources therefore provide a unique opportunity to foster human and economic development. Tapping into the continent's rich natural capital could be the key to unlocking Africa's development potential and for pulling millions out of the poverty trap<sup>33</sup>. Equitable management of Africa's natural resources is therefore key towards posterity. However, this ideal is far from being realised.

<sup>&</sup>lt;sup>28</sup> Verma. A., 'The Role of Renewable Energy Technologies in Sustainable Development.' Available at <a href="https://timesofindia.indiatimes.com/blogs/voices/the-role-of-renewable-energy-technologies-insustainable-development/">https://timesofindia.indiatimes.com/blogs/voices/the-role-of-renewable-energy-technologies-insustainable-development/</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>29</sup> United Nations Conference on Trade and Development., 'Improving Energy Access Key to Meeting Development Goals in Africa.' Available at <a href="https://unctad.org/news/improving-energy-access-keymeeting-development-goals-africa">https://unctad.org/news/improving-energy-access-keymeeting-development-goals-africa</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>30</sup> African Development Bank Group., 'Renewable energy offers Africa's best opportunity to achieve the Sustainable Development Goals, experts say' Op Cit

<sup>&</sup>lt;sup>31</sup> United Nations Environment Programme., 'Our Work in Africa' Op Cit

<sup>&</sup>lt;sup>32</sup> African Development Bank Group., 'Delivering on the Promise: Leveraging Natural Resources to Accelerate Human Development in Africa' Available at <a href="https://www.afdb.org/en/topics-and-sectors/initiatives-partnerships/african-natural-resources-centre/delivering-on-the-promise-leveraging-natural-resources-to-accelerate-human-development-in-africa">https://www.afdb.org/en/topics-and-sectors/initiatives-partnerships/african-natural-resources-centre/delivering-on-the-promise-leveraging-natural-resources-to-accelerate-human-development-in-africa</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>33</sup> United Nations Environment Programme., 'Is Africa's Natural Capital the Gateway to Finance Its Development?' Available at <a href="https://www.unep.org/news-and-stories/story/africas-natural-capital-gateway-finance-its-development">https://www.unep.org/news-and-stories/story/africas-natural-capital-gateway-finance-its-development</a> (Accessed on 24/01/2025)

Poor governance of Africa's natural resources is undermining development and worsening environmental challenges including depletion of natural resources, climate change, environmental degradation, and biodiversity loss<sup>34</sup>. It has been observed that unsustainable exploitation of Africa's natural resources by its growing population, and the laxity by authorities to effect and implement sound regulations to tame abuse and over- exploitation of these resources is fueling environmental challenges throughout the continent<sup>35</sup>. Africa is currently facing mounting environmental problems including deforestation, air pollution, water pollution, biodiversity loss and oil spills which have been attributed to poor governance of the environment and natural resources in the continent<sup>36</sup>.

Exploitation of Africa's natural resources especially in the extractive industry is dominated by foreign multinational companies<sup>37</sup>. It has been noted that oil and mineral extraction in Africa is mostly carried out by multinational companies<sup>38</sup>. These companies enter into agreements with African governments for the extraction of resources<sup>39</sup>. In most instances, these foreign companies have high bargaining power in the negotiations due to their influential position and backing from their governments<sup>40</sup>. Multinational Corporations involved in exploitation of natural resources in Africa have often been accused of failing to enhance benefits to local communities by focusing on maximising

<sup>&</sup>lt;sup>34</sup> United Nations Environment Programme., 'Our Work in Africa' Op Cit

<sup>35</sup> Ibid

<sup>&</sup>lt;sup>36</sup> Nguyen. L., '5 Biggest Environmental Issues In Africa In 2023.' Available at <a href="https://earth.org/environmental-issues-in-africa/">https://earth.org/environmental-issues-in-africa/</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>37</sup> Muigua. K., 'Utilizing Africa's Natural Resources to Fight Poverty' Available at <a href="https://kmco.co.ke/wpcontent/uploads/2019/06/Utilizing-Africas-Natural-Resources-to-Fight-Poverty-26th-March2014.pdf">https://kmco.co.ke/wpcontent/uploads/2019/06/Utilizing-Africas-Natural-Resources-to-Fight-Poverty-26th-March2014.pdf</a> (Accessed on 24/01/2025)

<sup>38</sup> Ibid

<sup>39</sup> Ibid

<sup>40</sup> Ibid

profits which are often channeled out of the continent<sup>41</sup>. Further, the exploration of oil and gas in Africa by multinational companies is fueling several challenges including human rights abuses, ethnic militancy, displacement of indigenous communities and environmental concerns including environmental degradation, loss of biodiversity and soil and air pollution as a result of oil spillages<sup>42</sup>.

Corruption is also a major challenge that is hindering African countries from maximising benefits associated with their rich natural capital<sup>43</sup>. The wealth pouring into African economies from natural resources including the extractive industry often breeds corruption and raises inequalities<sup>44</sup>. It has been noted that revenues from the extractive industry in most cases concentrate wealth and power in the hands of the few, thereby fueling inequality, poverty and high levels of corruption<sup>45</sup>.

Natural-resource based conflicts are also prevalent throughout Africa undermining human rights and development<sup>46</sup>. It has been observed that mismanagement of the proceeds of natural minerals in most African societies has led to the proliferation of armed conflicts and other criminal activities, while the political, military, and bureaucratic elites have remained the beneficiaries of the resources<sup>47</sup>. Further, proceeds

<sup>&</sup>lt;sup>41</sup> Muigua. K., 'Multinational Corporations, Investment and Natural Resource Management in Kenya.' Available at <a href="http://kmco.co.ke/wp-content/uploads/2018/11/Multinational-Corporations-Investment-and-Natural-Resource-Management-in-Kenya-Kariuki-Muigua-November-2018.pdf">http://kmco.co.ke/wp-content/uploads/2018/11/Multinational-Corporations-Investment-and-Natural-Resource-Management-in-Kenya-Kariuki-Muigua-November-2018.pdf</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>42</sup> Ajibade, L.T & Awomuti, A.A. 'Petroleum Exploitation or Human Exploitation? An Overview of Niger Delta Oil Producing Communities in Nigeria' *African Research Review* Vol. 3 (1), 2009. Pp. 111-124

<sup>&</sup>lt;sup>43</sup> United Nations Development Programme., 'Extractive Industries for Sustainable Development' Available at <a href="https://www.undp.org/sites/g/files/zskgke326/files/publications/Extractive-Industries-Brochure.pdf">https://www.undp.org/sites/g/files/zskgke326/files/publications/Extractive-Industries-Brochure.pdf</a> (Accessed on 24/01/2025)

<sup>44</sup> Ibid

<sup>&</sup>lt;sup>45</sup> The United Nations Interagency Framework Team for Preventive Action., 'Extractive Industries and Conflict' Available at <a href="https://globalprotectioncluster.org/sites/default/files/2023-04/Extractive\_Industries\_and\_Conflict\_Guidance\_Note\_Practitioners\_2010\_EN.pdf">https://globalprotectioncluster.org/sites/default/files/2023-04/Extractive\_Industries\_and\_Conflict\_Guidance\_Note\_Practitioners\_2010\_EN.pdf</a> (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>46</sup> Fagbadebo. O., Binza. M., Kabange. M., 'Resource-Based Conflicts in Africa' Available at <a href="https://link.springer.com/chapter/10.1007/978-3-031-25151-1\_6">https://link.springer.com/chapter/10.1007/978-3-031-25151-1\_6</a> (Accessed on 24/01/2025)
<sup>47</sup> Ibid

from illegal activities in the natural resources sector including illicit financial flows, illegal logging, illegal trade in wildlife and illegal mining of resources such as 'blood diamonds' have been used to fund a series of wars and conflicts in Africa<sup>48</sup>. Despite being endowed with natural resources, Africa has over the years suffered from resource-based conflicts which usually form a threat to Sustainable Development and have the potential of undermining economic development, peace, security and sustainability<sup>49</sup>.

Africa's natural resources have thus not been fully tapped into for the continent's development. It has been noted that in many cases, the abundance of natural resources appears to have retarded economic and social development in Africa through a number of phenomena often referred to collectively as the 'resource curse'50. This phenomenon is widespread in Africa and refers to the paradox that countries endowed with natural resources tend to be embroiled in conflicts and have high incidences of poverty<sup>51</sup>. The mismanagement of Africa's natural resources has continued to drive the resource-curse syndrome with attendant consequences on development, peace, security and stability<sup>52</sup>. Due to the foregoing, equitable management of Africa's natural resources is an urgent priority.

#### 3.0 Towards Equitable Management of Africa's Natural Resources for Posterity

Equitable management of natural resources has been recognised as a key goal towards sustainability at both global and regional levels. At the global level, the United Nation's 2030 Agenda for Sustainable Development sets out the need to protect the planet from degradation through sustainably managing its natural resources so that it can support

<sup>48</sup> Ibid

<sup>&</sup>lt;sup>49</sup> Muigua. K., Wamukoya. D., & Kariuki. F., 'Natural Resources and Environmental Justice in Kenya.' Glenwood Publishers Limited, 2015

<sup>&</sup>lt;sup>50</sup> African Development Bank Group., 'Governance of the Extractive Industries in Africa: Survey of Donor-Funded Assistance' Available https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Strauss%20brochure.pdf (Accessed on 24/01/2025)

<sup>&</sup>lt;sup>51</sup> Henri. A., 'Natural Resources Curse: A Reality in Africa.' Resources Policy, Volume 63, 2019

<sup>&</sup>lt;sup>52</sup> Fagbadebo. O., Binza. M., Kabange. M., 'Resource-Based Conflicts in Africa' Op Cit

the needs of the present and future generations<sup>53</sup>. The Agenda acknowledges the threats facing natural resources globally including natural resource depletion and adverse impacts of environmental degradation such as desertification, drought, land degradation, freshwater scarcity and loss of biodiversity<sup>54</sup>. It also acknowledges that social and economic development depends on the sustainable use and management of the planet's natural resources<sup>55</sup>.

At a regional level, the *African Convention on the Conservation of Nature and Natural Resources*<sup>56</sup> acknowledges that the natural environment of Africa and the natural resources with which Africa is endowed are an irreplaceable part of the African heritage and constitute a capital of vital importance to the continent and humankind as a whole<sup>57</sup>. The Convention seeks to enhance environmental protection and foster the conservation and sustainable use of natural resources with a view to achieving ecologically rational, economically sound and socially acceptable development policies and programmes<sup>58</sup>.

Equitable management of Africa's natural resources is therefore key in upholding fundamental human rights including the rights to food, health, energy, water, shelter, and development which are all intrinsically tied to the environment and natural resources<sup>59</sup>. It is also vital in safeguarding the rights of indigenous peoples and local communities including the right to self-recognition since that the land and natural

<sup>&</sup>lt;sup>53</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Op Cit

<sup>54</sup> Ibid

<sup>55</sup> Ibid

<sup>&</sup>lt;sup>56</sup> African Union., 'African Convention on the Conservation of Nature and Natural Resources' Available at <a href="https://au.int/sites/default/files/treaties/41550-treaty-">https://au.int/sites/default/files/treaties/41550-treaty-</a>

<sup>&</sup>lt;u>Charter\_ConservationNature\_NaturalResources.pdf</u> (Accessed on 25/01/2025)

<sup>57</sup> Ibid

<sup>&</sup>lt;sup>58</sup> Ibid, article II

<sup>&</sup>lt;sup>59</sup> Cairo Declaration on Managing Africa's Natural Capital for Sustainable Development and Poverty Eradication., Available at

https://nairobiconvention.org/clearinghouse/sites/default/files/Cairo%20Declaration%20on%20Managing%20Africa%E2%80%99s%20Natural%20Capital%20for%20Sustainable%20Development%20and%20Poverty%20Eradication.pdf (Accessed on 25/01/2025)

resources on which they depend on are inextricably linked to their identities, cultures, livelihoods, as well as their physical and spiritual well-being<sup>60</sup>. In addition, equitable management of Africa's natural resources is also crucial towards protecting the rights of nature including the right to a clean, healthy, and sustainable environment<sup>61</sup>. According to UNEP, Africa has a lot to gain in pulling together and harnessing its vast natural resources to finance the continent's development agenda towards greater prosperity through ensuring that future growth and exploitation of natural resources is results-oriented, climate resilient and sustainable<sup>62</sup>.

In order to actualise the ideal of equitable management of Africa's natural resources, it is necessary to embrace sound environmental governance in Africa<sup>63</sup>. It has been observed that sound management of the environment and natural resources in a sustainable and transparent manner can be the engine for Sustainable Development as well as a platform for peace and justice<sup>64</sup>. It is therefore necessary to strengthen environmental governance in Africa through enacting robust environmental laws and institutions, and enhancing access to justice in environmental matters<sup>65</sup>. It is also vital to foster equitable benefit sharing in respect of Africa's natural resources<sup>66</sup>. Natural resources benefit sharing in Africa has been inequitable where local communities that interface with the resources

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<sup>60</sup> World Bank Group., 'Indigenous Peoples' Op Cit

<sup>&</sup>lt;sup>61</sup> United Nations Environment Programme., 'Advancing the Right to a Healthy Environment' Available at <a href="https://www.unep.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-right-healthy-">https://www.unep.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-right-healthy-</a>

environment#:~:text=UNEP%20supports%20the%20recognition%2C%20advancement,protect%20and%2 0respect%20human%20rights (Accessed on 25/01/2025)

<sup>&</sup>lt;sup>62</sup> United Nations Environment Programme., 'Our Work in Africa' Op Cit

<sup>&</sup>lt;sup>63</sup> Africa Union., 'Africa Environment and Wangari Maathai Day.' Available at <a href="https://au.int/en/wangari-maathai-day">https://au.int/en/wangari-maathai-day</a> (Accessed on 25/01/2025)

 $<sup>^{64}</sup>$  Muigua. K., 'Securing Our Destiny through Effective Management of the Environment.' Glenwood Publishers Limited, 2020

<sup>&</sup>lt;sup>65</sup> United Nations Environment Programme., 'Environmental Rule of Law: Tracking Progress and Charting Future Directions.' Available at <a href="https://wedocs.unep.org/bitstream/handle/20.500.11822/43943/Environmental\_rule\_of\_law\_progress.pdf?sequence=3">https://wedocs.unep.org/bitstream/handle/20.500.11822/43943/Environmental\_rule\_of\_law\_progress.pdf?sequence=3</a> (Accessed on 25/01/2025)

<sup>&</sup>lt;sup>66</sup> Kenya Wildlife Conservancies Association., 'Factsheet: Natural Resources (Benefit Sharing) Bill 2022.' Available at <a href="https://kwcakenya.com/download/factsheet-natural-resources-benefit-sharing-bill-2022/">https://kwcakenya.com/download/factsheet-natural-resources-benefit-sharing-bill-2022/</a> (Accessed on 25/01/2025)

and who bear the highest costs of overexploitation and conservation being the least beneficiaries<sup>67</sup>. Failure to enhance equitable benefit sharing of Africa's natural resources is a major cause of natural resource-based conflicts that are prevalent throughout the continent<sup>68</sup>. It is therefore necessary to ensure that benefits accruing from Africa's natural resources are shared equitably with tangible benefits for local communities in order to foster development, peace, and prosperity<sup>69</sup>.

Strengthening public participation including embracing the role of local communities and indigenous peoples is also crucial towards equitable management of Africa's natural resources<sup>70</sup>. Public participation is a key principle towards effective management of the environment and natural resources since it allows individuals to express their views on key governmental policies and laws concerning conditions in their communities including the use and access to natural resources<sup>71</sup>. Public participation ensures that the views of all stakeholders including local communities are taken into account in the management of natural resources and allocation of benefits accruing from the exploitation of such resources<sup>72</sup>. Indigenous peoples and local communities in Africa have for many centuries used indigenous knowledge to manage environmental issues such as water scarcity or pollution, land pollution, erosion, protection of forests, curbing overfishing, deforestation, and management of other natural resources<sup>73</sup>. Fostering the participation of indigenous peoples and local communities is therefore vital towards

<sup>67</sup> Ibid

<sup>&</sup>lt;sup>68</sup> Fagbadebo. O., Binza. M., Kabange. M., 'Resource-Based Conflicts in Africa' Op Cit

<sup>69</sup> Ibid

<sup>&</sup>lt;sup>70</sup> Muigua. K., 'Reflections on Managing Natural Resources and Equitable Benefit Sharing in Kenya.' *Law Society of Kenya Journal*, Vol. 15, No. 1 (2019)

<sup>71</sup> Ibid

<sup>&</sup>lt;sup>72</sup> Luseno. S., 'Benefit Sharing Principles must apply to Water Resources.' Available at <a href="https://kcspog.org/2020/12/15/benefit-sharing-principles-must-apply-to-water-resources/">https://kcspog.org/2020/12/15/benefit-sharing-principles-must-apply-to-water-resources/</a> (Accessed on 25/01/2025)

<sup>&</sup>lt;sup>73</sup> Egeruoh-Adindu. I., 'Leveraging Indigenous Knowledge for Effective Environmental Governance in West Africa.' Available at <a href="https://www.scirp.org/journal/paperinformation?paperid=121949#:~:text=Indigenous%20knowledge%20systems%20such%20as,effective%20in%20promoting%20environmental%20sustainability">https://www.scirp.org/journal/paperinformation?paperid=121949#:~:text=Indigenous%20knowledge%20systems%20such%20as,effective%20in%20promoting%20environmental%20sustainability</a> (Accessed on 25/01/2025)

harnessing indigenous knowledge for equitable management of Africa's natural resources.

#### 4.0 Conclusion

Africa is richly endowed with natural resources which can be effectively harnessed to drive the continent's development agenda. However, the continent is facing several challenges in managing its natural resources. These challenges include unsustainable exploitation of natural resources, corruption, ineffective benefit sharing regimes, and natural-resource based conflicts<sup>74</sup>. These challenges undermine the continent's development and worsen environmental challenges including natural resource depletion, climate change and biodiversity loss<sup>75</sup>. It is therefore necessary to foster equitable management of Africa's natural resources by strengthening environmental governance, fostering equitable benefit sharing, and strengthening public participation including embracing the role of indigenous peoples and local communities in managing Africa's natural resources<sup>76</sup>.

Equitable management of Africa's natural resources is therefore a fundamental objective that can be achieved towards upholding the rights of people and the environment in Africa for sustainability and posterity.

<sup>&</sup>lt;sup>74</sup> Fagbadebo. O., Binza. M., Kabange. M., 'Resource-Based Conflicts in Africa' Op Cit

<sup>&</sup>lt;sup>75</sup> United Nations Environment Programme., 'Our Work in Africa' Op Cit

<sup>&</sup>lt;sup>76</sup> Fagbadebo. O., Binza. M., Kabange. M., 'Resource-Based Conflicts in Africa' Op Cit

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