



**Young African Lawyers Programme:
Legal support in Africa's response to climate change**

The 2015 UN climate negotiations, COP21, taking place in Paris seek to reach an international climate agreement, legally binding parties to keep global temperatures at levels safe enough to avoid irreversible climate change. The new agreement is set to be implemented from 2020.

The climate negotiations themselves consist of layer upon layer of complex legal processes, set out in highly technical language; negotiating a high-level legal instrument of this kind requires strong legal support.

The overarching aim of the Young Africa Lawyers (YAL) programme, established by ClimDev-Africa, is to leverage the expertise of a group of young trainees to support the African Group of Negotiators (AGN) representing the region at the international climate change negotiations.

However, the benefits of the programme are two-fold; while strengthening the legal capacity of the AGN, the programme also gives young lawyers the unique opportunity to interact with arguably one of the highest profile legal texts of modern times; the Paris agreement has been widely recognised as the last opportunity for the world to prevent the dangerous overheating of our planet. Eliminating poverty and improving livelihoods are also intrinsically linked to climate change and therefore the outcomes of the Paris negotiations.

“For a lawyer, it is an amazing opportunity to be part of a drafting team for an international agreement that will have such huge implications for our planet and its people.”
Selamawit Desta, YAL

Supporting the negotiating process

The negotiating text incorporates sections on different elements including mitigation, adaptation, finance, technology, capacity building, and transparency of action and support. Each young lawyer is assigned to a lead coordinator under one of these elements and provides legal assistance in interpreting the text, and drafting legal responses to appropriately reflect Africa’s priorities in the agreement.

Binyam Gebreyes, one of the programme’s participants, explained how agreement on a clear position on what should be incorporated into the final text is an essential part of the process: “Before the negotiations begin, establishing what the AGN wants to see in the final agreement - and a strategy of how to achieve this - is key. With this in mind, we work with the lead coordinators to prepare their submission then set about converting their ideas into legal text.”

Responses to the text often need to be turned around within a very tight time frame which can be one of the most demanding parts of the process. Yet working under these kinds of pressures adds to the programme’s benefits: “Learning how to work to strict deadlines on what is currently one of the highest-profile international issues facing the world today is both a challenge and an opportunity,” continued Gebreyes.

For Selamawit Desta of the YAL, the recognition from the AGN of the young lawyer’s pivotal role in the process is particularly rewarding. For Desta, this is not only an endorsement for the young lawyers themselves but for young African professionals more generally,

“Entrusting younger lawyers with this level of responsibility makes a statement to African youth as a whole. The programme demonstrates belief and trust and sets a precedent for the future. With that endorsement comes a wider message: for us as African youth to have faith and belief in ourselves.”

Mentoring and training

Although the lawyers involved in the programme have studied environmental law as part of their legal training, the programme involves intensive training to bring the group up to speed on specific issues. This includes background on the treaty, building knowledge on specific legal aspects of the negotiations as well as training in how to interpret some of the contractual language.

“The mentoring aspect of the programme really helps to identify areas for improvement - both professionally and on a personal level,” Binyam Gebreyes, YAL

The young lawyers are also given ongoing mentoring under the guidance of two seasoned lawyers experienced in Multilateral Environmental Agreements. Dr. Seth Osafo, former senior legal adviser of the UNFCCC Secretariat, is the Lead Mentor, supported by Mr. Matthew Stilwell, a

climate change expert and legal adviser to the African Group of Negotiators. Ms. Selam Kidane Abebe a lawyer and member of the AGN coordinates the programme. For Gebreyes, the mentoring is one of the most positive aspects, “The programme’s mentors are ready to answer any questions we might have, helping to build expertise as well as grow in confidence. The programme also hones your ability to work as part of a team as we need to constantly support each other, especially on cross-cutting issues such as adaptation and finance. For me, this has really helped identify areas for improvement – both professionally and on a personal level.”

Nurturing essential expertise

Dr. Johnson Nkem, Senior Climate Adaptation Expert with the Africa Climate Policy Centre, co-ordinates the YAL programme on behalf of ClimDev-Africa. According to Dr. Nkem, as well as the immediate benefits of providing legal support at the climate negotiations, the programme has the longer-term goal of building the expertise of young lawyers, to be applied in broader aspects of climate change policy and law. “While providing essential legal support to the AGN, the YAL programme is an important foundation for developing a cadre of African lawyers who are fully engaged in wider climate change issues. Legal advice on low-carbon trading transactions, for example, or integrating climate change into Environmental Impact Assessments are going to be increasingly important as the world heads towards a greener, cleaner future. As Africa anchors itself firmly in this global transition, the YAL programme aims to nurture the legal skills that will be integral to this process.”

With the availability of additional resources and support, the programme plans to expand to other interested participants and legal institutions across Africa in developing the knowledge-base of legal experts on climate change issues.



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