

AIDE MEMOIRE

Parliamentarian Forum on Energy Legislation and Sustainable Development

Cape Town, South Africa, 5-7 October 2005

A. Introduction

As recognized in the Johannesburg Plan of Implementation adopted at the World Summit on Sustainable Development, access to energy – and electricity in particular – is essential for poverty eradication and to spur economic growth. Worldwide around 2 billion persons live without access to modern energy services. At present, as little as 10 per cent of the rural population of sub-Saharan Africa have access to electricity. Africans in rural areas rely heavily on biomass. Around 30 per cent of the urban population in sub-Saharan Africa is without electricity. Lack of access to reliable sources of electricity retards economic growth. Rural and urban populations alike, especially women, are exposed to the adverse health effects associated with burning unsafe fuels. Providing access to affordable and sustainable energy is a long-term challenge that requires a range of interventions and strategies, including appropriate and effective legislative frameworks. This Forum is an opportunity to engage a key group of decision-makers – parliamentarians – to build support and capacity in the field of energy for sustainable development.

B. Background and justification

The international community in the Johannesburg Plan of Implementation (JPOI) and the New Partnership for Africa's Development (NEPAD) have recognised the critical importance of meeting Africa's energy needs. The JPOI singles out sustainable energy as a tool for poverty eradication. By endorsing the NEPAD objectives on energy – which seek to secure access for at least 35 per cent of the African population within 20 years, especially in rural areas – the JPOI recognizes the need to deal effectively with energy problems in Africa. It also calls for the supports of other initiatives on energy, including the promotion of cleaner and more efficient use of natural gas and increased use of renewable energy, and to improve energy efficiency and access to advanced energy technologies, including cleaner fossil fuel technologies, particularly in rural and peri-urban areas.

The JPOI, in paragraph 163, underlines that each country has the primary responsibility for its own sustainable development, and that countries should promote “sustainable development at the national level by, *inter alia*, enacting and enforcing clear and effective laws that support sustainable development.” Chapter 39 of *Agenda 21*, calls for the “further development of international law on sustainable development, giving special attention to the delicate balance between environmental and developmental concerns.” The JPOI also underlines the importance of mainstreaming a gender perspective in policies and strategies.

The United Nations Commission on Sustainable Development (CSD) which is charged with monitoring the implementation of *Agenda 21* and the JPOI, will consider energy for sustainable development, atmosphere/air pollution, industrial development and climate change in at its meetings in its 2006-7 cycle. Governments will be expected to report on progress to the CSD. In this context, the role of lawmakers and legislatures in the elaboration of appropriate national legal frameworks is critical. It is envisaged that the outcome of the Parliamentarian Forum will contribute to the CSD process.

C. Goals and objectives

The Parliamentarian Forum on Energy Legislation and Sustainable Development aims to provide a follow-up to the Johannesburg World Summit on Sustainable Development (WSSD) and implementation of the goals of NEPAD. The Forum will bring together parliamentarians to: explore opportunities for capacity development; engage in dialogue on legislative frameworks for energy development, access to energy, and rural electrification; and identify the potential for public-private partnerships in the power sector.

The Forum will seek to foster a dialogue among parliamentarians on energy for sustainable development, both nationally and regionally. It will support efforts to harmonise laws, regulations, and share experiences. Based on the capacity-building needs identified, it is envisaged that the Forum will offer the platform for the launch of follow-up activities.

D. Programme

The programme for the meeting will address the requirements of legislation to promote energy for sustainable development, including energy development, access to energy for the poor, rural electrification, and renewable energy.

The programme will be designed to match the particular needs of the audience and is expected to focus on information exchange among legislators and experts on:

- Legal frameworks for energy supply development and natural resource management;
- Legal options, models and national experiences with managing electricity sector reform;
- Policies and legislation to promote access to energy and rural electrification, including linkages with gender and poverty;
- Legal and regulatory frameworks to promote renewable energies;
- Energy efficiency measures and policies;
- Promotion of financing and capacity building for sustainable energy initiatives; and
- Promotion of regional and sub-regional cooperation in energy legislation to facilitate trans-boundary project development and energy trade.

Regional and international experts in energy for sustainable development from developed and developing countries will be featured as speakers, discussion leaders, and participants in the Forum.

E. Organization

The United Nations Department of Economic and Social Affairs (UN DESA) and the Parliament of South Africa are convenors and the joint organizers of the Forum. Relevant Government departments, including Environment and Tourism (DEAT) and Minerals and Energy (DME), will be actively involved in the Forum.

F. Participants

Participants in the Forum will be parliamentarians, primarily from Africa, government officials, international experts, academics, representatives of local NGOs, and representatives from the private sector. It is envisaged that approximately 120-150 persons will participate, depending on the level of interest and available resources. Every effort will be made to ensure adequate representation from the various sub-regions in Africa.

G. Documentation

Background papers on key topics covered at the conference will be commissioned from international and local experts.

H. Venue

The Forum will be held in Cape Town, South Africa.

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