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**Focal Points Meeting of the Contracting Parties  
to the Convention for the Protection,  
Management and Development of the  
Marine and Coastal Environment  
of the Eastern African Region**  
Whitesands Hotel, Mombasa, Kenya, 26 February 2014

Draft Report

### Meeting of Focal Points of the Nairobi Convention

#### 1. Introduction

1.1 Focal Points, government representatives as well as representatives of partner organisations, Indian Ocean Commission and UNEP attended the Nairobi Convention Focal Points Meeting on 26 February 2014 in Mombasa, Kenya. The meeting was organized by the Secretariat for the Nairobi Convention at the kind invitation of the Government of Kenya. The objective of the meeting was to discuss the implementation of the Nairobi Convention's Work Programme and the decisions of the Seventh Conference of Parties (COP7) that was held on 10 to 14 December 2012 in Maputo, Mozambique including a discussion of national reports. A total of 38 participants were in attendance (See Annex 1 for list of participants). The meeting was chaired by the Government of Tanzania with the assistance of the Secretariat of the Nairobi Convention.

#### 2. Joint Opening Session

2.1 The meeting was called to order at 9.00 a.m. by the Head of the Secretariat for the Nairobi Convention, Mr. Dixon Waruinge. He welcomed all present to the Joint Opening Session for the *Second Authors Workshop on Preparation of the Regional State of Coast Report for the WIO region* and the *Meeting of Focal Points of the Nairobi Convention*. Thereafter he invited the representative of WIOMSA, representative of IOC, representative of UNEP DEWA, and the representative of the Government of Kenya to address the meetings. Thereafter he invited the representative of the Government of Tanzania as the Chair of the Nairobi Convention Bureau to address the meeting and officially open the meetings.

2.2 The Head of the Nairobi Convention Secretariat Mr. Waruinge briefly elaborated the connection between the two meetings. During COP7 in decision CP7/4 contracting parties requested the Secretariat to initiate the review of the protocol on protected areas, wild fauna and flora and its annexes. In decision CP7/15 Contracting Parties requested the Secretariat to facilitate holding of regional meetings of experts for purposes of exchanging and consolidating information in accordance with Article 18 (2) of the protocol for the preparation of state of the coasts report for the UN Regular Progress. In response the Secretariat contracted WIOMSA to coordinate the production of the report that will also consolidate results and outcomes of the review of the protocol. Contracting Parties agreed to have the structure of the Regional State of the Coast Report (RSOC) developed by 2014 and the report concluded by 2015. While the authors' workshop will deliberate on the outline of the RSOC report, the meeting of focal points will be updated on the progress made in the preparation of the RSOC report as a follow up to implementation of decisions CP7/4 and CP7/15 of COP7.

- 2.3 The representative of WIOMSA the Executive Secretary Dr. Julius Francis noted that the presence of the lead authors and authors as well as experts from DEWA/UNEP indicated the level of commitment towards the completion of the report. He added that the production of the report was aligned to the program objective of WIOMSA to produce periodical Report Cards on issues of priority for the region.
- 2.4 The representative of the IOC Mr. Jean-Paul Gaudechoux highlighted the synergies between the activities of the IOC and the Nairobi Convention notably the Bio-diversity Project funded by the EU being implemented in the member states of the IOC, Kenya and Tanzania. He also highlighted the WIOCC project (being implemented in partnership with the Nairobi Convention) that will be launched during the UN Conference on Small Island Developing States in Samoa in September 2014. These initiatives offer unique opportunities for collaboration.
- 2.5 The representative of UNEP DEWA, Head of Thematic Environmental Assessment Section, Mr. Hartwig Kremer stated that DEWA who is a key partner in the preparation of the Regional State of Coast Report (RSOC) would be providing technical expertise and support in assessment and preparation of the report to ensure that the report achieves the standards of global assessments and is in line with the UN Regular Process.
- 2.6 The representative of the Government of Kenya Prof. Geoffrey Wahungu the Director General for NEMA noted that the development of the State of the Coast Report was an encouraging prospect and that he hoped that the report would address some of the regional challenges and emerging issues such as the impact of exploration and production of oil and gas in the region. He informed the meeting that the Government of Kenya had recently launched an ocean research vessel for the region. He concluded by wishing all participants fruitful deliberations.
- 2.7 The Chair of the Bureau of the Nairobi Convention, the Government of Tanzania represented by Ms. Esther Makwaia the Principal Fisheries Officer in the Office of the Vice President welcomed the participants to the two meetings and elaborated the linkage between the meetings. She noted that while the Meeting of Focal Points would focus on COP7 decisions and WIO-SAP Co-Financing discussions, the authors meeting would focus on the outline of the State of Coast Report which relates to COP7 decisions (decisions CP7/4, CP7/15). She urged participants to utilize the opportunities effectively. She thanked the Government of Kenya for hosting the two meetings and officially declared the two meetings officially open.
- 2.8 The opening remarks were followed by a round of introductions by the participants (The list of participants is attached as Annex 1). Subsequently the participants proceeded with their respective agendas in their respective meeting rooms.

### **3. Adoption of the Agenda.**

- 3.1 After the opening session the Head of the Nairobi Convention Secretariat Mr Dixon Waruinge then invited Dr. Robert Ntakamlenga, the Director, Compliance and Enforcement in the National Environment Management Council of the Government of Tanzania, representing the Chair of the Bureau Nairobi Convention to chair the meeting. The Chair introduced the provisional agenda and requested the delegates to consider, amend and adopt the same. The agenda was amended to provide for presentations on a) the UNEP/FAO project on Areas Beyond National Jurisdiction, b) Environmental Management for Oil and Gas; and c) Transfrontier Marine Protected Areas. The agenda was adopted with the amendments. The same is attached as Annex 2.
- 3.2 Following the adoption of the agenda the Chair invited the Head of the Secretariat of the Nairobi Convention to make opening remarks, to bring to the attention of the participants the purpose of the meeting and to report back from the *Policy Makers and Experts Stakeholders Meeting on the WIO-SAP*.
- 3.3 Mr Waruinge welcomed all the focal points to the meeting which is the Second Meeting of Focal Points since COP7 which was organised to deliberate on the implementation of the Nairobi Convention Work Programme and COP7 decisions. In particular, the meeting will focus on specific priority agenda items of the Work Programme.

### **4.0 Report Back from the Policy Makers and Experts Stakeholders Meeting on the WIO-SAP**

- 4.1 A representative of the Nairobi Convention Secretariat Ms Doris Mutta presented the highlights of the *Policy Makers and Experts Stakeholders Meeting on the WIO-SAP* including progress in the development of the WIO-SAP project, outcomes of the meeting, and the follow up steps required before submission to the GEF

Secretariat. Focal Points were requested to take note of the progress and to support the process of finalising the project document including timely inputs into the draft document and preparation and submission of detailed co-financing letters. Thereafter she presented the letters of co-financing that were submitted by participating governments during the preparation of the PIF for the project. She pointed out that the documentation for the full size project will include more detailed co-financing letters at the component level.

- 4.2 Representatives of the participating governments in the WIO-SAP project extensively discussed the level of co-financing for all the components that each government could offer. The Government of France indicated that the AFD project supporting the Moheli Park, as well as a AFD-supported project on spatial planning tools for the Mozambique Channel, could potentially be mentioned; the Government of Mozambique promised to check on on-going projects and provide feedback to the Secretariat; the Government of Kenya promised to look through and provide details at the component level; the Government of Seychelles promised to provide figures at a later date; the Government of Tanzania also committed to provide feedback after checking on other related projects. It was emphasised that it is important to ensure that the Project Management Unit has adequate co-financing. This is in line with GEF requirements which supports catalytic activities that will have impact on the ground. Each country listed a number of projects for consideration as co-financing. The consultant was requested to indicate areas/components which require more attention as well as to hold consultations with each country.

### 5.0 Northern Mozambique Channel

- 5.1 The Chair invited the representative of WWF Dr. Harifidy Ralison to make a presentation on the development of the project on *Marine governance in the Northern Mozambique Channel* as per decision CP7/1 of COP7. He provided the background and rationale for the project. The project is a sub-regional partnership initiative between the Nairobi Convention Secretariat, and WWF Madagascar within the framework of the Nairobi Convention. The initiative involves 5 member states of the Nairobi Convention including Tanzania, Mozambique, Madagascar, Comoros and France.
- 5.2 The Northern Mozambique Channel is one the world's globally outstanding marine biodiversity areas and a biological reservoir for the entire coastal area of East African region. It is a hotspot for global marine biodiversity, a future major producer of natural gas, a strategic shipping passage, an international fisheries resources area, an increasingly popular tourism destination and potentially hosting future World Heritage sites, among others. It supports large concentrations of fish, turtles, marine mammals, and seabirds, etc.
- 5.3 Given the challenges and the opportunities in the area there is need to strengthen national and local institutions for sustainable management of transboundary and interconnected marine resources/ecosystems. The initiative seeks to establish and implement a sustainable, participatory and well-coordinated sub-regional integrated ocean governance scheme. The process will involve establishing a common vision and clear leadership among the participating countries and stakeholders; and a technical process including assessment of natural assets, SEAs, MSPs, etc. He outlined the progress made so far including preparation of the Policy White paper, IMPAC3 High level meeting where countries agreed to the development of the sub-regional initiative.
- 5.4 WWF Madagascar has been commissioned by the Nairobi Convention Secretariat to develop a concept note for the Northern Mozambique Channel to highlight the diverse natural resources in the Mozambique Channel, establish the status of those resources, and their social and economic value. The concept note will also draw existing relationships with other processes such as the LMEs, EBSAs, VMEs, etc, and propose governance options for sustainable resource use in the Mozambique Channel. The outputs will build a case for the Northern Mozambique Channel initiative to be presented to the Contracting parties for their consideration in the next conference of parties and for a proposed project to be submitted to the GEF and other donors.
- 5.5 The participants emphasised that the Nairobi Convention is the appropriate forum to host the initiative in partnership with the Indian Ocean Commission. The focal points made a recommendation that the project development process should include sufficient consultations with the governments. A finalised concept note including clear objectives, logical framework, role of countries and structure should be presented for review by governments. The participants also requested WWF to take into account the WIO-SAP project as well as other projects in the region such as SAPPHERE.
- 5.6 The concept note will be presented to the Focal Points and Bureau members for discussion. A project document will also be prepared for consideration at the next Conference of Parties for approval before submitting to donors.

### 6.0 Global Partnership on Marine Litter

- 6.1 The Chair invited the representative of UNEP GPA Ms Heidi Savelli to make a presentation on the *Global Partnership on Marine Litter*. Ms Savelli provided UNEP's definition of Marine Litter as any persistent,

manufactured or processed solid material discarded, disposed of or abandoned in the marine and coastal environment. It includes land-based and sea-based litter. Marine litter is a priority issue because sources of marine litter are poorly controlled due to lack of effective mechanisms for effective waste management; and plastic litter predominates and does not degrade. There is also sufficient evidence to suggest that it causes significant social, economic and ecological harm; and that it is increasing in scale, and variety of materials. Costs of cleaning marine litter range from US \$1.6 million per year in the United Kingdom to collect fouled propellers to US\$1.3 billion attributed to damage in 21 APEC economies. Marine litter is also a vector for non-indigenous species.

- 6.2 The presentation also highlighted microplastics as an emerging issue which are increasing in abundance. They are ingested by large variety of organisms whose intrinsic additives or organic contaminants may have an ecotoxicological effect. There is evidence of transfer of chemicals from plastic particles to tissues and cannot be removed from the environment in significant quantities.
- 6.3 Marine Litter is partially addressed by 9 conventions including Regional Seas Conventions and Action Plans (LBSA protocol), GPA, Agenda 21, IMO-MARPOL, London Convention, Basel Convention, CBD, CMS, and FAO code of conduct for responsible fisheries. The presentation then outlined the background to the UNEP Global Initiative on Marine Litter which was initiated in 2003. The Honolulu Strategy (HS) was developed in 2011 and the Manila Declaration of 2012 led to the establishment of a multistakeholder Global Partnership on Marine Litter.
- 6.4 The Global Partnership on Marine Litter has the following objectives: to address the ecological, human health, animal welfare and economic impacts of marine litter worldwide; enhance international cooperation and coordination through the promotion of the Honolulu Strategy (HS) and Commitment; promote knowledge management, information sharing and monitoring of progress on the implementation of the HS. The partnership also aims to: promote resource efficiency and economic development through waste prevention and recovering valuable material and/or energy from waste; increase awareness on marine litter sources, fate and impacts; and assess emerging issues related to the fate and potential influence of marine litter, such as microplastics and associated transfer of pollutants. The focal areas for the partnership are: reduced levels of land based litter and solid waste introduced into the aquatic environment; reduced levels and impact of sea-based sources of marine litter including solid waste, lost cargo, ALDFG, and abandoned vessels introduced into the aquatic environment; and reduced levels and impacts of (accumulated) marine litter on shorelines, aquatic habitats and biodiversity.
- 6.5 The online Marine Litter Network is a web-based tool designed to track progress on the implementation of the Honolulu Strategy. Users will be able to: make a commitment to take action; find and share projects and resources that support the Honolulu Strategy; interact with others through a discussion forum; and track progress on the implementation of the Honolulu Strategy. The network is open to all contracting parties of the Nairobi Convention and all are invited to request. It was concluded that an organized approach to networking the countries will be useful.

The Chair invited the representative of the Nairobi Convention Secretariat Mr Dixon Waruinge to make a presentation on the *UNEP Africa Marine and Coastal Programme 2011-2014* including the *State of Coast Report, Africa Regional Conference with Regional Economic Commissions on coastal and marine environment programme, FAO/UNEP GEF project on Areas Beyond National Jurisdiction, and Environmental Management for Oil and Gas activities.*

## **7.0 UNEP Africa Marine and Coastal Programme 2011-2014**

- 7.1 The *UNEP Africa Marine and Coastal Programme 2011-2014* supported by Sida, other donors and partners in the Western Indian Ocean region continues to support member states of the Nairobi Convention to address identified marine and coastal environment management and development challenges including ecosystem degradation, and impaired ecosystem goods and services which significantly impact on the ability of coastal states to address poverty in the region. As one of the world's least developed continents, Africa has little resilience to climate change and these trends are expected to be exacerbated by intensified and more frequent weather events, rising sea-levels, changing ocean currents and ocean chemistry. The programme thus aims to improve environmental governance, promote synergies and strengthen the coordination mechanisms of regional initiatives for the protection, management and development of the marine and coastal environment in Africa.
- 7.2 Over the implementation period 2011 to 2013, the programme has made progress in building the capacity of member states for integrated ecosystem based management and integrated ecosystems assessments as well as valuation of ecosystem goods and services through targeted regional capacity building workshops on EBM and leadership for environmental governance. The programme also supported member states to strengthen the legal framework for implementation of the Nairobi Convention and complementary multilateral

environmental agreements. In response to emerging issues in the WIO region efforts have been directed towards reviewing of the protocol concerning protected areas; and development of a new protocol on integrated coastal zone management. The programme also supported intergovernmental meetings including experts' sessions to facilitate dialogue on transboundary priority current, new and emerging environmental issues including climate change, green economy, and oil and gas. These discussions have been instrumental in defining policy options and priorities for future work in the WIO region.

- 7.3 During 2014, the programme will provide further support to member states to accomplish the objectives of the programme by particularly building on on-going efforts by governments, and partners in the region to promote integrated ecosystem based management while addressing new and emerging issues. Efforts will be directed towards restoration, protection and management of critical habitats in the context of the connections between land-based activities, river basins and the marine environment. These will include lessons learned for up-scaling demonstration projects to raise awareness of integrated management solutions; and development and implementation of the partnership programme on Mangroves for the Future Initiative for the WIO region.
- 7.4 The programme will continue to support member states in their efforts towards ratification and implementation of the Amended Nairobi Convention and the LBSA protocol including national consultations and preparation of ratification papers. Support will be directed to support member states in the analysis, review and updating of existing protocols. Intergovernmental consultations will be organised to conduct negotiations on the ICZM protocol while taking into account the on-going global and regional processes and efforts in updating the existing protocols. A Conference of Plenipotentiaries will be organised to consider and adopt the negotiated text of the ICZM protocol. Member states will be required to prepare progress reports by 2014 on implementation of the Nairobi Convention and its protocols using the national reporting template that was adopted during COP7.
- 7.5 In efforts to reduce vulnerabilities and build resilience to impacts of climate change particularly for Small Island Developing States more efforts will be directed to particularly accelerate the integration of ecosystem based adaptation measures into strategic planning and coastal and marine management practices. The Secretariat in partnership with WIOMSA will undertake to finalise the technical discussion paper on *Climate Change and Policy Implications for the WIO region* into a serial publication and facilitate the finalisation of the regional strategy on climate change impacts, adaptation and mitigation in the marine and coastal environment of the Western Indian Ocean region as per decision CP7/9.2 of COP7. The Secretariat will organise a training workshop on ecosystem based adaptation to climate change.
- 7.6 The programme will continue to support the Nairobi Convention as a platform for increasing collaboration with, and implementation of, the marine and coastal elements of the environment programmes of regional organisations and partnerships, such as AMCEN. During 2014/2015 the Secretariat will organise a regional conference with Regional Economic Commissions for the Eastern and Southern Africa region including EAC, SADC, IGAD, NEPAD with the view to ensure that appropriate governance frameworks, management tools and capacities are integrated into planning process for the sustainable management of marine and coastal ecosystems including transboundary ecosystems. Policy forums and dialogues including Science for Policy workshop and experts forums on identified priority issues such as integrated coastal zone management, oil and gas, governance of transboundary marine ecosystems will also be organised.
- 7.7 The programme will continue to support member states to strengthen their capacity for scientific environmental data and knowledge management and assessments at the national level for sound decision making and to contribute to regional and global marine assessments reporting. Efforts will be directed to maintain the Nairobi Convention Clearinghouse Mechanism regional and national nodes as data sharing mechanisms and platform for improved dissemination.

## 8.0

### *State of Coasts Reports*

8.1 The Nairobi Convention Work Programme has prioritised assessment of coastal and marine ecosystems and habitats including status of resources; and socioeconomic issues, including economic valuation of ecosystem goods and services as an important activity towards better understanding of the complex processes and trends at work in the coastal and marine environment. The *UNEP Africa Marine and Coastal programme* supports national and regional socio-economic assessments for critical ecosystems and vulnerable coastal cities including SIDS and local communities. The assessments are undertaken to create better understanding of the value of coastal and marine environment in order to support decision making and planning processes. While building on national and regional assessments on birds as indicators of ecosystem health national and regional experts have been

commissioned to prepare national and regional state of coasts reports that will be consolidated through regional expert meetings towards a World Oceans Assessment for the WIO region.

8.2 Three training workshops were organised in 2011 and 2012 to assist Contracting Parties to strengthen their capacity for effective management of scientific environmental data and knowledge management on ecosystems assessments and valuation of ecosystem goods and services. The workshops included:

- The *Regional experts training course on EBM, valuation of ecosystem goods and services and ecosystems assessment* on 30 November to 2 December 2011 in Maputo, Mozambique.
- A *Regional Capacity Building Workshop on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment including Socio-Economic aspects in the Western Indian Ocean region* on 1 to 3 August 2012 in Maputo, Mozambique
- A *Second regional Capacity Building Workshop on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment including Socio-Economic aspects in the Western Indian Ocean region* on 6 to 7 December 2012 in Maputo, Mozambique

8.3 The strengthened capacity is currently contributing to enhanced understanding of linkages between ecosystems assessments and valuation, human well-being and poverty alleviation interventions and preparation of the State of Coast Report.

8.4 In 2012 the Nairobi Convention Secretariat in partnership with WIOMSA prepared a regional assessment report 2012, on marine and coastal environment in the WIO region that reviewed the status, threats and trends on critical marine and coastal ecosystems including biodiversity, coral reefs, mangroves, coastal forests, fisheries, seagrass beds, physical alteration and destruction of habitats, and pollution. The report which was informed by outcomes of expert groups on coral reefs and mangroves also presents recommendations for addressing direct pressures including management options, institutional strengthening and policy measures to create a supportive framework for the sustainable management of the ecosystems. During COP7 Contracting Parties were requested to support the preparation of national and regional state of marine environment reports through national and regional level thematic expert groups.

8.5 In decisions CP7/4, CP7/6, and CP7/15 of COP7 Contracting Parties agreed to apply ecosystem based management, undertake valuation of ecosystem goods and services and carry out ecosystems assessments in their efforts to manage marine and coastal resources including those with transboundary aspects to contribute to the United Nations Regular Process for Global Reporting and Assessment of the State of Marine Environment. Further in decision CP7/15.2 Contracting parties requested the Secretariat to facilitate holding of regional meetings of experts for purposes of exchanging and consolidating information on protected areas, wild fauna and flora for the preparation of state of the coasts report for the UN Regular Progress.

8.6 In response to the COP7 decisions the Nairobi Convention Secretariat in partnership with WIOMSA, UNDOALOS UNEP-DEWA and expert groups on MPAs, coral reefs, mangroves, seagrass beds and coastal forests, as well as on ecosystem vulnerability are in the process of collecting and synthesizing existing data on critical marine and coastal habitats and their threats for the preparation of a Regional State of Coast report (RSOC) for the Nairobi Convention that will contribute to the UN Regular Process.

8.7 A series of regional authors/experts workshops have been scheduled to be organised in 2013 and 2014 to deliberate on the preparation of the Regional State of Coast Report including drafting of various sections of the report; and peer review of the assessment reports by members of the Forum of Heads of Academic and Research Institutes in the Western Indian Ocean (FARI). A steering committee will be established to ensure that all the necessary standards and procedures are applied for the World Oceans Assessment report which will be launched in 2015.

8.8 The first authors' workshop was organised in April 2013 in Maputo, Mozambique. During the first authors' workshop, the experts agreed on the following:

- Lead authors, chapter authors, contributors and species specialists for each Part and Chapters therein; each part to contain a summary of policy options.
- Methodology for the report –DPSIR framework (Driver-Pressure-State-Impact-Response).
- The report to contain a chapter on coastal and marine governance, policy options and scenarios.

- A road map for the report. A work plan with timelines for lead authors of the report using the outline of the Regional State of the Coast report as a guide.

8.9 The authors/experts are also required to:

- Undertake data collection, analyse and synthesize available data on endangered and threatened species (mammals, reptiles, molluscs, crustaceans, cnidarians and insects) listed under Annexes I, II, III and IV, of the *Protocol on Protected areas and Wild Fauna and Flora in the Eastern African region*; A database will be developed on the species listed in the Annexes of the protocol including spatial, tabular, and graphic data and hosted in the Nairobi Convention Clearinghouse.
- Generate data, information, maps, graphs, images and text as per the standardised templates and guidelines for authors to be provided by the Nairobi Convention Secretariat.
- Consolidate the regional state of the coast report, including the results of the assessment of birds as indicators of ecosystem health, and produce the first and second drafts of the regional State of the Coast report as per the outline and standardised guidelines for authors provided by the Nairobi Convention Secretariat.

**8.10** The second authors' workshop has been organized on 26 to 28 February 2014 in Mombasa Kenya to: a) discuss the progress made in writing the chapters of the State of Coast Report; b) facilitate Scenario Building; and c) develop a new work plan for authors. The focal points are requested to support WIOMSA in data collection and to respond to the requests when called upon. It was reported that the first outline of the report would be ready in April 2014 and the first draft report of the State of Coast Report would be ready for review by Focal Points in September 2014. It is estimated that the report will be finalised for launching in March 2015. It is within this context that it was proposed that the next Conference of Parties should be scheduled to the first quarter of 2015 to provide time to complete the required output for the Eighth Conference of Parties (COP8). The Focal Points endorsed the proposal to schedule the COP to 2015. A Focal Points meeting will be organised in September/October to review progress made ahead of the COP8.

## 9.0 *Africa regional conference with Regional Economic Commissions and Gender Mainstreaming*

9.1 In an attempt to balance the competing needs on the use of the limited marine and coastal resources, the coastal states of the sub-Saharan Africa have put in place several national and regional governance structures responsible for management and development of its marine and coastal environment. Examples include the United Nations Environment Programme (UNEP) regional Conventions for the Protection, Management and Development of the Coastal and Marine Environment of the Western Indian Ocean Region (Nairobi Convention) and the Central and Western African Region (Abidjan Convention); Regional Economic Commissions such as Southern Africa Development Community (SADC), Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC), Economic Community of West African States (ECOWAS), Indian Ocean Commission (COI), Tuna Fisheries Commission, and Intergovernmental Authority on Development (IGAD). Several of these RECs have overlapping membership and in some instances mandates of bringing economic integration in the geographical areas they operate. This however does not translate into a synergistic approach in development of strong harmonized coastal and marine programmes. In particular, transboundary ecosystems and resources would be more effectively managed through regional cooperation of the concerned states and Regional Economic Commissions in the respective areas of jurisdiction. Further, the existing marine and coastal programmes have often promoted a sectoral management approach rather than an integrated approach.

9.2 UNEP Nairobi and Abidjan Conventions under the umbrella of the Africa Ministerial Conference on Environment (AMCEN) Regional Office for Africa (ROA) will be organizing an Africa wide conference on *Oceans governance in a multijurisdictional area*, to be held in Tanzania in June 2014 and chaired by the Government of Tanzania. The Abidjan Convention is the co-organiser in order to effectively work with SADC whose member states include Namibia and Angola who are also Contracting Parties to the Abidjan Convention. The conference will bring together approximately 45 participants including focal points of the Nairobi and Abidjan conventions, technical and policy experts from the Regional Economic Commissions in sub-Saharan Africa [AMCEN, SADC, EAC, IGAD, ECOWAS, COMESA, and ICAS], UN agencies and partnership institutions to review the priorities of the RECs, UNEP Nairobi and Abidjan Conventions coastal and marine programmes with the view of highlighting commonalities, identify gaps and prioritize marine and coastal issues as the main theme of AMCEN conference discussion.

In particular the conference will deliberate on:

- a) Oceans governance for Africa to lay the foundation for an oceans governance programme;
- b) Ecosystem Based Management including ABNJ;
- c) Ecosystems assessments within and outside jurisdiction areas; and
- d) Gender mainstreaming.

9.4 The expected output of the conference will include agreed priorities on coastal and marine environment in sub Saharan Africa with timelines and development of a synergistic platform under the umbrella of the African Union (AU) that prioritise coastal and marine issues in Africa towards development of an Africa marine programme including governance and gender. The Secretariat was requested to brief the new Minister for Environment in Tanzania on the proposed conference. It was noted that June 2014 was fast approaching and Focal Points called on the Secretariat for prompt action to organise the conference.

### **10.0 FAO/UNEP DEEP SEA project on Areas Beyond National Jurisdiction (ABNJ)**

10.1 The marine Areas Beyond National Jurisdiction commonly called the High Seas are those areas of ocean for which not one nation has the specific or sole responsibility for management. They include the water column of the high seas and seabed falling within. Achieving sustainable management of the fisheries resources and biodiversity conservation in the ABNJ is extremely difficult given the complexity of the ecosystems, including their great depths and distances from the coasts as well as the large number and wide diversity of all the public and private actors involved and insufficient governance framework mechanisms. The FAO/UNEP Deep Seas project has been developed to address the governance gap that is contributing to unsustainable management of fisheries in the ABNJ through IUU, and inadequate protection of the related ecosystems, among other events.

10.2 The project is executed by FAO and UNEP. The objective of the project is to enhance sustainability in the use of deep sea planning for area based planning. The project consists of 4 components and UNEP/WCMC is leading component 4: Development and testing of a methodology for area-based planning tools. The Nairobi Convention will contribute to the implementation of Component 4.

10.3 The objectives of Component 4 are:

- a) Explore how efficient area-based planning tools can be adapted and further developed to address deep sea ecosystem planning in ABNJ
- b) Share the challenges and successes of existing ABP experiences in ABNJ
- c) Test the outcomes of using area-based planning tools in ABNJ with stakeholders and authorities in regional pilot area planning processes

### **11. Environmental Management for Oil and gas exploration**

11.1 Pursuant to decision CP7/8 of COP7 the Secretariat contracted an expert on oil and gas to prepare an analytical report on oil and gas exploration and development in the Western Indian Ocean to aid in the development of regional guidelines to address trans-boundary environmental impacts of oil and gas in the WIO region. In particular, the analysis includes: (a) key environmental and socio-economic costs associated with oil and gas; (b) review of existing laws and policies, and regulatory regimes related to oil and gas industry in the Western Indian Ocean countries, (c) contacts of oil and gas experts in the Western Indian Ocean (WIO) region, both in government and in the private sector; and (d) assessment of capacity building needs in the region. The analysis report will contribute to the development of a project proposal on Oil and Gas in the WIO region. The outcome of the report was discussed during the Special Session on Oil and Gas that was held during the Eighth WIOMSA Symposium in Maputo, Mozambique, in October 2013 that brought together experts, government representatives, industry, and NGOs.

11.2 The Special Session on Oil and Gas was organized by WIOMSA, the Nairobi Convention Secretariat and the University of Eduardo Mondlane to discuss emerging issues related to oil and gas exploration and development, and marine and coastal environment. In particular, the session was organised to initiate dialogue amongst different actors involved in the oil and gas industry, including governments, scientists and NGOs, to reflect on how the countries in the Western Indian Ocean region could simultaneously benefit from oil and gas resources while maintaining environmental integrity and other benefits to the people, in line with Decision CP7/8 of COP7. The session provided the opportunity for governments and stakeholders

to consider the opportunities and impacts of oil and gas developments, and policy and technical recommendations.

11.3 A total of 50 experts in oil and gas including scientists, government experts, regional and international experts participated in the session to discuss the findings of the analysis of oil and gas issues in the WIO region as well as other technical papers on Environmental surveys in support of oil and gas industry; Opportunities and risks to the marine and coastal environment; and Environmental management for oil and gas exploration and development.

11.4 The outcome of the session included a list of identified and prioritized key areas that need to be addressed to enable countries in the WIO region to benefit from development of the oil and gas sector while maintaining ecosystem integrity to safeguard other economic activities and livelihoods. These include:

- Close cooperation and good communication between various authorities including environmental, petroleum, fisheries, and industry
- Capacity building at the institutional and communities levels
- The need for adequate policy framework for environmental management of oil and gas at the national and regional levels
- Scientific knowledge about the environmental condition as an important factor
- Transparency and ethics in operations and transactions between oil and gas industries, governments and local communities including consideration of livelihoods of local communities after a major oil spill
- The need for transboundary EIAs, SEAs including impacts of marine megafauna, enforcing SEAs and licensing issues
- The need for integrated ecosystem based management planning to support co-existence of multiple economic activities e.g. fisheries and oil and gas sector
- Public awareness and public participation, and the role of civil society,

11.5 The Secretariat has also developed a project concept on *Partnership management of oil and gas sector development in the Nairobi Convention area in the Western Indian Ocean* and submitted to potential donors including Norway for funding support. A full project proposal document will be prepared to incorporate the outcomes of the analysis report by the expert on oil and gas, and input of partners. The analysis report will be circulated once it is finalised and edited.

## **12. Transboundary Marine Protected Areas**

12.1 The Chair invited the representative of the Kenya Coastal Development Project (KCDP) at KMFRI Dr. Jacqueline Uku to make a brief presentation on a proposed Transboundary Marine Protected Area in Kenya and Tanzania. Kisite Mpunguti Marine Conservation Area (KMMCA), the proposed Transboundary protected area (TCA) lies in the Kenya's South coast region that extends for about 150 km southwards from Mombasa to the Sii Islands bordering Tanzania. The Kisite Mpunguti Marine Reserve and Park, was established to protect the scenic islands and special habitats of a wide range of endemic marine species and breeding migratory birds. This region harbors highly significant marine biodiversity including 64 genera of corals, 10 species of mangroves and 12 species of seagrass. The area has a rapidly growing human population of 1.2 million with nearly 60% rural communities dependent on marine and coastal resources for their livelihoods. However, overfishing, illegal and destructive fishing practices are drastically depleting fish stocks. In addition other negative impacts include pollution, increased sedimentations as a result of poor agricultural practices and disturbance or clearance of mangroves. Furthermore, climate change and associated impacts are intensifying the vulnerability of ecosystems prompting the need for appropriate adaptation measures.

12.2 Three years ago officers from the Marine Parks Authority in Tanzania engaged with the Kenya Wildlife Service to discuss the opportunity of extending the conservation areas from Sii Island southwards. The Tanzanian Marine Parks Authority expressed interest in the establishment of a Trans boundary marine protected area. There was need for a reciprocating meeting from the Kenyan side which is yet to take place.

The proposed TPA is complementary in enhancing Tanzanians efforts as follows: -

- To sustainably manage and conserve the natural coastal and marine resources,
- Contribute to poverty alleviation amongst impoverished coastal communities;
- Promote the implementation of key regional and international tools for the conservation of marine coastal resources and biodiversity including: -
  - i. The UN Convention on Biodiversity (CBD), the Jakarta mandate, and the Nairobi Convention,
  - ii. Implementation of the Conservation Management Plans for the Convention on Migratory Species (CMS) Memoranda of Understanding (MoU) on sea turtles, dugongs and sharks,
  - iii. The International Whaling Commission recommendations, Indian Ocean being a Whale sanctuary

12.3 The Kenya Coastal Development Project (KCDP) is financing (a) the development of management plans, guidelines and strategies for sound management of biodiversity and natural resources; (b) capacity enhancement in government institutions and in communities that manage these resources; (c) the identification of options for financial sustainability of the MPAs and Co-managed conservation areas; (d) improved management of transboundary fisheries and other resources through greater collaboration with Tanzania and joint monitoring and surveillance; and (e) Carrying out specific coastal and marine research for promoting sustainable management of natural resources. KCDP seeks to partner with the Nairobi Convention to review transboundary issues between South Coast in Kenya and Tanga, Pangani, Zanzibar and Pemba in Tanzania.

12.4 KCDP is in a position to support KWS to enter into dialogue with Tanzania and this may lead to a Memorandum of Understanding between the two governments that will cover the scope and areas of cooperation regarding assessment, monitoring and management of transboundary issues. KCDP requests for specific guidance on the relevant policy interventions and protocols required to establish the dialogue between the two countries. In addition there is also need to consider the on-going devolution process within the Kenyan Government. This will guide the process of eventually establishing the TPA and defining appropriate management structures and interventions to address natural resource management and benefit sharing.

12.5 The presentation concluded by proposing an approach to move the process forward. The proposed steps include: a) a first meeting of experts from both governments; b) preparation of a joint technical paper for discussion by member states of the Nairobi Convention; c) and a decision at the COP level by 2014/15. Dr. Uku then requested for an elaboration on how best to work the Nairobi Convention in strengthening this process.

12.6 The Focal Points recognized that the issues are still at the technical level and there was need for the technical teams i.e. KWS and the Tanzania Marine Parks Authority to continue their discussions and agree on technical aspects of the work before it can be brought to the policy level. Support can be provided by the Nairobi Convention and KCDP as the opportunities arise. The Nairobi Convention indicated that they will support the launch of the National Coral reef and Seagrass Ecosystem Conservation Strategy for Kenya. The Convention will support the participation of coral reef task forces from the region and use the platform provided to facilitate discussions on transboundary marine co-managed areas.

12.7 The focal points recommended that the proposal is presented before the Bureau of the Nairobi Convention for consideration. It was also agreed that discussions on the TPA could be coordinated together with the launch of the coral reef action plan.

### **13.0 Report Back from the Regional Workshop on Contribution of Natural Blue Capital to a Green Economy**

13.1 The Chair requested the representative of the Nairobi Convention Secretariat to present the report on the *Regional Workshop on Contribution of Natural Blue Capital to a Green Economy* that was held on 11 to 13 December 2013 in Mahe, Seychelles.

13.2 In decision CP7 /14 of COP7 Contracting Parties *urged* the member States to develop and implement green economy policies in accordance with national sustainable development plans, strategies and priorities taking into consideration the contribution of the natural blue capital. Contracting Parties also *requested* the Secretariat, in collaboration with Contracting Parties and support of partners, to conduct a study on green economy tools and methodologies applicable for the Western Indian Ocean region, subject to availability of resources.

13.3 A meeting of Atlantic, Indian Ocean, Mediterranean and South China Seas (AIMS) organised in Seychelles in July 2013 Small Island Developing States underscored the fact that small island states can be seen rather as large ocean states, considering the vastness of their EEZ. With this perspective, it makes perfect sense that the economic potential of the oceans form a cornerstone of the prescriptions coming out of the AIMS region. Fisheries, coastal tourism, possible exploitation of seabed resources, potential sources of renewable energy are considered building blocks of a blue or ocean based economy. By emphasizing the economic power of the ocean, AIMS SIDS as large ocean states can seize their competitive advantage and carve a niche in the global economy.

13.4 As a follow up the Nairobi Convention Secretariat organised the *Regional Workshop on Contribution of Natural Blue Capital to a Green Economy* as well as a *Technical Session on AIMS and Blue Economy Summit* on 11 to 13 December 2013 in Mahe Seychelles. The workshop was organised to introduce the concept of Green Economy and to discuss its application at the national level. The workshop brought together a total of 30 participants including national (except South Africa), regional and international experts on Green Economy in the WIO region to particularly deliberate on green economy in a blue world for the WIO region.

13.5 The outcome of the workshop included the following recommendations:

- There must be political commitment at the highest level to transition towards the green economy and a national strategy to green the brown economy must be developed which fits into the existing structures without the need to create additional institutions. The cost of transitioning to green economy must be properly ascertained e.g. through cost benefit analysis, EIA, SEA and risk assessments.
- Countries should seek to diversify their energy sources as far as is technically practicable and affordable in order to reduce economic vulnerabilities and increase their resilience whilst making more efficient use of existing sources through the use of more energy efficient products and practices and developing incentives e.g. feed in tariffs that encourage companies to invest in renewable energy.
- Countries should develop waste management plans that conceptualize waste as a resource, apply the producer responsibility, increase recycling activities and energy recovery whilst ensuring the complete treatment of sewage before discharging into the environment.
- Countries should be proactive in mineral exploration and bio prospecting of their blue capital in order to derive maximum benefit while ensuring that negative impacts do not arise from exploitation of these resources.
- The Nairobi Convention is the ideal platform for regional cooperation, knowledge exchange and for catalyzing uptake of the green-blue economy.
- There are opportunities for mainstreaming and aligning national green economy strategies within the work programme of Regional Economic Blocks (EAC, COMESA and SADC).
- Countries and regional organizations need to undertake more research, and generate baseline statistics and indicators on natural blue capital. The “State of the Coast” report of the Nairobi Convention could be an effective tool for ecosystem valuation for the region’s blue capital.
- Innovative financing and financial incentives is required such as carbon credits, carbon tax and tax rebates that apply to high impact industries, stimulate green investment and increase financing of projects that restore and improve natural blue capital. Financial mechanisms must be developed with key funding partners such as the EU, African Development Bank, World Bank amongst others.
- For effective implementation, countries need to further mainstream the blue capital into sustainable development strategies and processes at national, regional and international levels; including the post 2015 UN development agenda.

13.6 The Secretariat proposed a regional meeting on Science to Policy Platform to advance the green economy among other issues in the Western Indian Ocean region.

#### 14.0 *Countries Report Back on the use of the National Reporting Template, LBSA Protocol ratification*

14.1 In decision CP7/5 of COP7 on *Strengthening National Reporting* Contracting parties adopted the national reporting template and agreed to use the template to report to the Secretariat and Contracting Parties, progress made in implementation of the Convention and its protocols. Subsequent to the COP decision the focal points are required to regularly prepare and submit national reports to the Secretariat every two years. The focal points have begun preparing the first national reports which will provide baseline data for subsequent follow up and reporting on progress.

14.1 The Chair invited representatives of each government to present a brief report on their country report on the use of the National Reporting Template and LBSA Protocol ratification. Each focal point provided an update on the preparation of the national report and feedback on the use of the template as well as on the ratification of the LBSA Protocol.

14.2 **Comoros:** The representative of the Government of Comoros Mr. Ediamine Bedja promised to provide an update on the preparation of the report after he has consulted the Focal Point for the Nairobi Convention.

14.3 **France:** The representative of the Government of France Mr François Lengrand reported that they have made progress in the preparation of the report using the national reporting template and they will submit the report before the next Conference of Parties. He reported that the ratification of the LBSA protocol is on-going while pointing out the need for a legislation which requires a study on its impact.

14.4 **Kenya:** The representative of the Government of Kenya Prof. Geoffrey Wahungu, reported that under the new constitution that was adopted in 2010 any protocol becomes law. The institutional framework for enabling the implementation is now in place and progress on ratification of the LBSA protocol can now proceed. He requested for the opportunity to report on the national report at a future date.

14.5 **Madagascar:** The representative of the Government of Madagascar Mr. Rasoanaina Jacquis reported that they have made progress in preparing the national report and stated that they will submit before the next COP. Due to the political situation the government is yet to sign the text of the LBSA protocol.

14.6 **Mauritius:** The representative of the Government of Mauritius Ms. Nashreen Soogun reported that the national report is nearly complete and will be submitted in the coming weeks. With regard to the ratification process for the LBSA protocol she reported that the process will be discussed at the Cabinet in June and it is anticipated that the Government will ratify before the next COP.

14.7 **Mozambique:** the representative of the Government of Mozambique Ms. Anselmina Liphola reported that the process of ratification is at an advanced stage. It has been discussed by parliament and it is anticipated that it will be ratified by the end of March 2014.

14.8 **Seychelles:** the representative of the Government of Seychelles Mr. Flavien Joubert reported that a draft cabinet memo for the ratification of the LBSA protocol has been finalised and it is anticipated that the protocol will be ratified before the next COP. He requested to provide an update on the national report by the end of the month after consulting with the former Focal Point for the Nairobi Convention.

14.9 **Somalia:** the representative of the Government of Somalia Dr. Abdikadir Sidi Sheikh reported that they have started completing the national template. However due to the current political situation and recent changes in the cabinet he requested for the opportunity to brief the new minister before they can submit their report.

14.10 **South Africa:** the representative of the Government of South Africa Ms Nitasha Baijnath-Pillay reported that the ratification process is on-going and it is anticipated they will ratify soon.

14.11 **Tanzania:** the representative of the Government of Tanzania Ms. Esther Makwaia reported that they are finalising the report albeit they found the template rather tedious to complete. She also reported that a national stakeholder workshop was organised on the LBSA protocol and a cabinet paper prepared on

ratification of the LBSA protocol has been approved for submission to the Committee and thereafter to the Cabinet in June before approval by the Parliament.

### 15 *Any Other Business*

15.1 Having discussed all the agenda items, the Chair invited government representatives to raise any issue that they may wish to bring to the attention of the meeting.

15.2 The representative of the Government of France Mr. Francois Lengrand, requested for clarification on the operations of the Regional Activity Centre (RAC) on accidental oil pollution. He reported that they have had discussions with the Indian Ocean Commission on the functions of the RAC and had been requested to support the Centre. He asked whether a draft tripartite agreement, outlining the functions of the Centre and particularly the role and mandate of the Nairobi Convention, existed. The representative of the Secretariat explained that before the closure of the Marine Highway project SMSA which falls under the Ministry of Transport in South Africa won the bid to host the RAC. An agreement was prepared but it was not cleared by the Ministry of Transport. A meeting between Nairobi Convention Secretariat, Indian Ocean Commission, Ministry of Transport South Africa, and Ministry of Environment South Africa was organised in 2013 to agree on the relationship with the RAC. This was with regard to the fact that the Nairobi Convention implements its mandate through the Ministry of Environment while SMSA is not a governmental body and reports to the Ministry of Transport.

15.3 France stated that they would like the Centre to act under the guidance of the Nairobi Convention and requested for a structured process to allow that. The Secretariat was requested to make follow up with the government of South Africa and report to the Contracting Parties. Indian Ocean Commission indicated that they could facilitate the discussion to clarify the matter for reporting at the next Focal Points meeting in September 2014.

15.4 The representative of the government of Somalia requested for progress in the implementation of decision CP7/18 on Support to the Government of Somalia. The Secretariat reported that the Government of Japan had expressed interest to support but their priorities had changed. More partners will be requested to support the preparation of the State of Coast report for Somalia.

### 16 *Closing*

The Chair thanked all participants for their contributions to the meeting and declared the meeting officially closed. The meeting ended at 4.00 pm

**Annex 1**

**List of Participants for the Meeting of Focal Points to the Nairobi Convention**

**held on 26 February 2014;**

COUNTRY/ ORGANISATION	NAME AND CONTACTS
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## Annex 2

### Focal Points Meeting for the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean (Nairobi Convention)

Mombasa, Kenya 26 February 2014

#### PROVISIONAL AGENDA

<b>TIME</b>	<b>Agenda Item</b>
08:30	<i>Registration</i>
09:00	1. Opening of the Meeting a) Statement by a representative of UNEP Nairobi Convention Secretariat b) Statement by the Chair of the Bureau of the Nairobi Convention
09:30	2. Organisational Matters a) Overview of objectives and adoption of agenda
09:40	3. Report back From the Policy Makers and Experts meeting on the WIO-SAP: PIF, Draft ProDoc • Co-financing and Letters of endorsement from countries
<b>10:30</b>	<b>Coffee Break</b>
11:00	4. Northern Mozambique Channel
11:20	5. Marine Litter
11:40	6. UNEP Africa Marine and Coastal Programme 2011 – 2014 • State of the Coast Reports • Africa Regional Conference with Regional Economic Commissions on the Coastal and Marine environment programme • Areas Beyond National Jurisdiction • Environmental Management for Oil and Gas activities
<b>12:30</b>	<b>Lunch Break</b>
14:00	7. Transfrontier Marine Protected Areas
14:10	8. Countries Report back on use of Reporting template, LBSA Protocol and Ratification
14:20	9. Report back from the workshop on Green Economy in a Blue World
15:00	10. Financial matters: Trust Fund Contributions and arrears
15:30	11. Close
<b>15:40</b>	<b>Coffee</b>