National Ocean Governance case studies

Template

During the Consultative Meeting on the Development of an African Strategy for Ocean Governance organized by the United Nations Environment Programme from 29 to 30 November 2018, countries introduced different national ocean governance models in their respective countries. Some of these models have already been proved successful and may be replicated in other countries of the region and the rest of the world.

It was agreed at the meeting that case studies of these national ocean governance models will be collected by the secretariat.

The United Nations Environment Programme is kindly requesting you or any other person or institution that you think is relevant and useful to provide this needed information that will assist in shaping the African Strategy on ocean Governance. We will be pleased if we received a positive response from you by 31 May.

NB: for purposes of this exercise, ocean governance includes institutional arrangements, decision making mechanisms, legal and policy instruments, engagement and participation of stakeholders in decisions, including financial arrangements.

A template for further information on case studies is thus provided below:

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Chapter 1: Institutional setup for ocean governance

1. Institutional structure for ocean governance

Information should be presented on the institution for ocean governance in this chapter: what is the specific role played by the institution in the overall ocean governance?

By Presidential Decree No. 1/2015 of 16 January, the Ministry of Sea, Inland Waters and Fisheries (MIMAIP) was created, which is a central state body that, in accordance with the principles, objectives, priorities and tasks defined, directs, coordinates, plans and ensures the implementation of policies, strategies and activity plans in sea areas.

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[1] **RAMC**, The Unit for Coastal and Marine Management in the Department for Environmental Management (DGA) at the National Directorate of Environment (DINAB), at the Ministry of Land, Environment and Rural Development (MITADER).
[2] **Not author**, but the technician that compiled the national report, based on the consultation of the relevant sector on marine and coastal management and police formulation

The role of the Ministry of Sea, Inland Waters and Fisheries:

a) Exercising state authority over maritime affairs, inland waters and fisheries;

b) Authorizing and monitoring planning, concessions, research and other activities requiring the use of the sea, inland waters and their respective ecosystems, in conjunction with other bodies; and

c) Promoting the use and exploitation of sea resources, inland waters and their respective ecosystems.

The working mechanism for all government bodies relevant to ocean governance within the government for example, agencies overseeing ocean-related sectors such as environment, agriculture, transportation, tourism, and mining.

Diagrams of the institutional organizations and their relationship are encouraged to be added in this chapter if available.

2. Legal and policy framework for national Ocean Governance

Please provide information on existing legal and policy instruments supporting ocean governance. Case study creators may list the policy/legal instruments. If available a weblink should be provided.

National framework:

- Environmental Law (Framework Law)

- **Resolution No. 39/2017 of 14 September 2007 -**approves the Policy and Strategy of the Sea (POLMAR);

- **Decree No. 47/2017 of 18 April** - approves the Regulation that establishes the Legal Regime for National Maritime Zone use (RJUEM);

- **Law No. 4/96 of 04 January 1996** - Law of the Sea (the revised law is pending approval); and

- **Law No. 5/96 of 04 January** - Law Establishing the Maritime Law Courts (under revision);

- Integrated Strategy for Coastal Zone Management in Mozambique - **EGIZC (Approved by the Secretariat of the Council of Ministers (SOCM) during their third meeting** on 9 February 2016);

This legislation can be found on the Ministry's website http://www.mozpesca.gov.mz

- National Contingency Plan (NCP) for Combating Marine Pollution from Hydrocarbons

(Approved by the Secretariat of the Council of Ministers during their fifth meeting on 25 February 2014);

- **Decree No. 45/2006 of 30 November 2006** - approves the Regulation for the Prevention of Marine Pollution and Environmental Protection of the Coastal and Marine Areas;

- **Law No. 16/2014, of 20 June** Conservation Law;

- **Decree No. 67/2010 of 31 December 2010** - approves the Regulation on Environmental Quality and Effluents' Emissions;

- **Decree No. 54/2015 of 31 December** - approves the Environmental Impact Assessment (EIA) Regulation;

- **Resolution 9/2008 of 19 September 2008** - ratified by the Convention on the Conservation of Migratory Species of Wild Animals - Bonn Convention of 24 June 1979.

- **Decree No. 25/2008 of 1 July 2008** - approves the Regulation for the Control of Invasive Alien Species;

- **Resolution No. 3/2014 of 3 June** - approves the Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean Region from land-Based Sources and Activities (LBSA Protocol);

- **Resolution 9/2008 of 19 September 2008** - ratifies the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention or CMS);

  (a) MoU (Memorandum of Understanding) on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (signed on 05 December 2018); and

  (b) Memorandum of Understanding on the Conservation and Management of Dugongs (Dugong dugon) and their Habitats throughout their Range (signed on 18 April 2011).

- The National Strategy and Action Plan for Mangrove Management *(Technical Document - Draft)*;

- National Strategy for Marine Spatial Planning *(Consultant Hiring Phase)*;

- Policy on the Use of Chemical Dispersants in the event of Marine Pollution from Hydrocarbons *(Technical Document - Draft)*;

- Atlas/Maps of Coastal Environmental Sensitivity *(Technical Document - Draft);* and

- National Strategy for the Growth of the Blue Economy *(under definition)*;

Regional and international framework:

Commented [A1]: The word "biodiversity" is not included in the official English translation found on many reputable sites and in many official documents, including this one published by the World Bank: http://documents.worldbank.org/curated/en/924321498171009404/pdf/ISR-Disclosable-P131965-06-22-2017-1498170998419.pdf

Commented [A2]: "Regulation on Environmental Quality and Effluents' Emissions" is the exact wording used on Eurolex's website: https://www.ecolex.org/details/legislation/decree-no-672010-amending-the-regulation-on-environmental-quality-and-effluents-emissions-lex-faoc112078/

- International Maritime Organization Conventions (IMO Conventions - around 22 have already been ratified by Mozambique and other countries during the accession and/or ratification processes); and

- Climate Change Strategy for the Marine and Coastal Environment for the Western Indian Ocean Region.

Chapter 2: Coordination with industries, the science community, and engagement of other stakeholders

Please provide information on how your institution works with industry, academia, and engages other stakeholders such as civil society. Whether there is a mechanism for coordination, such as a steering group, or annual coordination meetings can be elaborated in this chapter.

- In 2017, the Ministry of Sea, Inland Waters and Fisheries established the Annual Meeting with Civil Society Organizations. This operates in the marine and coastal area of Mozambique as a platform for consolidating dialogue and continuous communication to align the planning and action processes of civil society organizations with government actions within the framework of the sustainable use of marine and coastal resources;

- The Ministry of Sea, Inland Waters and Fisheries created "UNIMAR," an interdepartmental unit that coordinates the implementation of the Policy and Strategy of the Sea and brings together different sectors and agents that use the sea (public sector, private sector, academia, civil society organizations and NGOs) to discuss the implementation of the Policy and Strategy of the Sea; and

- Various actors from public institutions, the private sector, academia, research institutions and civil society organizations are being called upon to participate in both the development of sea sector legislation and programs and projects.

1. Coordination with industries

Coordination with industries such as shipping, fisheries, mining, tourism, and ports should be described. If there is mechanism available to facilitate coordination, please provide information. Information on how to tackle the challenges in coordination with relevant sectors and industries can also be described.

- The Policy and Strategy of the Sea encompasses the cornerstone of interinstitutional coordination, which establishes the "Oceans Group" as a Maritime Economy Observatory platform, defining a series of activities to be monitored, methodologies, the frequency of monitoring efforts and the criteria for data collection, while also making information available;

- Depending on the type of exploitation and use of the sea, there are legal instruments that guide its activity, and also provide coordination mechanisms;

- For shipping industries, coordination is organized via the National Marine Institute;

- Mining activities are governed by the Ministry of Mineral and Natural Resources and Energy. However, in order to ensure the better performance of such activities, their coordination is based on the Legal Regime for the National Maritime Zone use; and

- Tourism and port-related activities, which also fall within the competence of the respective ministries, must comply with the Legal Regime for the National Maritime Zone use and other tools already implemented by the Government of Mozambique at the level of the Ministry of Sea, Inland Waters and Fisheries.

2. Coordination with academia

Coordination with academia, research institutes, how to conduct monitoring, collect data and push for science-informed policy can be described.

There are two types of coordination with higher education and research institutes: (1) at the level of the Ministry of Sea, Inland Waters and Fisheries, there are supervised institutions (IIP, CEPAM, INAMAR, etc.) that are coordinated at the institutional level, and (2) universities and other research institutions that are coordinated via the UNIMAR platform (as a representative of the academic or research institution) and, as appropriate, via service contracts.

3. Engagement with other stakeholders

Information on how to engage NGOs, private sector in ocean governance, how to leverage funding from the private sector and mobilise bilateral and multilateral donors to support ocean-related activities. Engagement of women can specifically be described and prioritised.

NGOs (the private sector in Ocean Governance) often engage through the platforms created under the Environmental Impact Assessment Process, during public consultations and also as part of the private sector's social responsibility;

There are some examples of mobilizing funds to support ocean-related activities, such the *Crescendo Azul* (Growing Blue) Conference, mangrove rehabilitation along the country's coastline, resettlement of populations, environmental awareness meetings, etc.; and

In Mozambique, there is already an institution dedicated to gender issues. In all planned and implemented activities, which are often community-based, priority is given to women and children. Reports suggest that the percentage of male and female participants may increase.

Commented [A3]: This is the official English translation of the conference's name on the official website of the government of Mozambique (the link's below), so we decided to put in brackets next to the original Portuguese the first time that it was mentioned.
http://growingblueconference.gov.mz/index.php/en/

4. Existing stakeholder coordination framework

Any mechanisms of engagement of stakeholders can be described here. These may include, but not limited to, stakeholder consultation, stakeholder forum, stakeholder partnership.

The following working platforms are in place both in the country and along the coast:

- National Sustainable Development Council (CONDES) – MITADER´s Ministry Officer;

- Biodiversity Technical Working and Advisor Group - established at the National Directorate of Environment, Ministry of Land, Environment and Rural Development;

- National Maritime Observatory, to be established in pursuant to the PROMAR - DIPOL/MIMAIP;

- Ad Hoc Technical Working Groups - established within different sectors;

- Community Fisheries Committees (CCPs);

- Community natural resources management committees (tourism, forests, mineral resources, wetlands, etc.); and

- Community co-management committees (covering fisheries, tourism and natural resources);

- One-Stop Help Desk (BAÚ; and e-BAÚ); and

- Operations committees in the country.

Chapter 3: Outreach and awareness-raising

Forms of outreach and awareness-raising activities carried out, and response from the public. Lessons learnt from the activities should be added.

- Generally speaking, the sea sector has developed several initiatives to raise the general public's awareness of good practices and the sustainable use of marine and coastal resources, including World Oceans Day, World Maritime Day and World Fisheries Day;

- As part of its commitments, Mozambique has applied to host the "*Crescendo Azul* Conference", a biannual event that first took place on 13 and 14 May 2019;

- Media involvement in radio programs (***Café da Manha***);

- Media involvement in radio programs (***Tudo às Dez***);

- Media involvement in TV programs (***Quinta a Noite***);

- Involvement of the Fisheries Museum in leisurely activities and awareness-raising among primary school children; and

- Communicating the message about the importance of the sea and coastal resources through mangrove planting and workshops to the general public;

Chapter 4 Effectiveness of the existing institutional structure, experiences and lessons

Effectiveness of the institution and mechanism, experiences and lessons that can be shared and leant by other countries should be introduced in this chapter.

- **CONDES** - Council that approves environmental legislation and policies binding on the public sector, the private sector, NGOs and civil society;

- **Biodiversity Technical Group** - Platform that provides technical advice to CONDES on biodiversity. Several conservation area declaration processes and environmental conventions reporting processes have been managed on these platforms prior to government approval and/or adoption;

- **Natural Resources Committees** - Platform used by partners to build the capacity of local committees to protect natural resources in forested areas, as well as in biodiversity conservation areas established on land and at sea;

- **CCP and Co-management Committees** - Platform used by partners to support and build the capacity of fishermen to observe good fishing practices, including using appropriate fishing gear, and respecting fishing seasons and other regulated environmental aspects;

- **UNIMAR and Oceans Group** - Platform adopted at the level of the Ministry of Sea, Inland Waters and Fisheries which developed the Policy and Strategy of the Sea, the Legal Regime for the National Maritime Zone use, the *Crescendo Azul* Conference and several successful processes;

- **Technical Committee for the Environmental Impact Assessment (EIA)** - Inter-sectoral platform adopted by the Ministry of Land, Environment and Rural Development that is dedicated to reviewing the Environmental Impact Assessment Studies of development projects in Mozambique;

- **Emergency Committee** - Intersectoral platform adopted by the Ministry of Transport and Communication under the National Contingency Plan. This ministry has carried out

simulation exercises to combat marine pollution from oil and its derivatives (levels/tier 1 and 2).

- **One-Stop Help Desk (BAÚ)** - Platform for streamlining procedures for investors, especially private investors. Projects have been successfully launched using this platform with information on environmental issues. [Electronic version also available: **e-BAÚ**].