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**The Eighth Conference of the Parties
to the Nairobi Convention for the Protection,
Management and Development of the
Marine and Coastal Environment
of the Western Indian Ocean Region**

Mahe, Seychelles 22-24 June 2015

Decisions of the Fifth Conference of Parties to the Nairobi Convention (COP5)

Annex XVIII

Decisions of the fifth 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 (Nairobi Convention)

The Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention),

Noting with appreciation the Report of the Executive Director of the United Nations Environment Programme (UNEP) on the work of the Secretariat and efforts made to develop a new Work Programme for 2008 to 2011;

Acknowledging the continued political and financial support of the Contracting Parties and the contributions of national, regional institutions and other frameworks as well as the numerous efforts and actions by the respective Contracting Parties and other partners to implement programmes and projects at national and regional levels to promote the aims of the Nairobi Convention, including those concerning the large marine ecosystems;

Also acknowledging the important contributions of UNEP, UNIDO, IMO, UNDP, FAO, UNESCO and the World Bank as the executing agencies of various marine ecosystem projects;

Further acknowledging the support provided by the Global Environment Facility (GEF) and other international financial institutions and cooperation partners, specifically the governments of Sweden, Norway and Belgium, as well as the Indian Ocean Commission, the South West Indian Ocean Commission and the European Union in supporting the implementation of the Nairobi Convention and other programmes and projects for the protection, management and development of the marine and coastal environment of the Western Indian Ocean Region;

Furthermore acknowledging the contributions and work of other partners, including the IUCN, WWF, Western Indian Ocean Marine Sciences Association (WIOMSA), Wildlife Conservation Society (WCS) and the Consortium for Conservation of Coastal and Marine Ecosystems in Western Indian Ocean (WIO-C), and others in supporting programmes and projects for the protection, management and development of the marine and coastal environment in Sub-Saharan Africa;

Noting with appreciation the establishment of the Regional Clearinghouse Mechanism for Data and Information related to the Eastern African Coastal and Marine Environment, as a mechanism for enhancement of networks and exchange of experience and information, including sharing of successful case studies;

Reiterating the critical importance of the Nairobi Convention, its Protocols and its Action Plan as important instruments for the promotion of sustainable development in the Region and the need for their continuous review within the global context;

Further reiterating the need to strengthen the Regional Coordinating Unit as the operational Secretariat in the region to ensure the effective implementation of the Nairobi Convention;

Recalling the decisions of the Conference of Parties concerning review of the Nairobi Convention and its Protocols, as well as the development of a new Protocol to the Nairobi Convention concerning Land based Sources and Activities (LBSA);

Noting further the progress made so far in the implementation of the Project “Addressing Land-based Activities in the Western Indian Ocean (WIOLAB)”, including some of its key outputs such as the drafts of the LBSA Protocol and Strategic Action Plan (SAP), and various national and regional assessment reports and capacity building programmes;

Noting with concern the status of environmental degradation in Somalia including illegal unregulated, and unreported fishing activities and pollution of the marine environment which may have impacts at the regional level;

Reiterating the need for a renewed commitment from the Governments of the Contracting Parties through political action and sustained financial support;

Hereby decide as follows:

CP 5/1. New Work Programme for 2008–2011

1. *To request* the Secretariat to review the work programme to include clear-cut activities with appropriate timelines and indicators by end of February 2008 and implement the Work programme accordingly;
2. *To further request* the Secretariat to update the work programme by indicating the estimated amount required under each financial option for inclusion in the Work Programme
3. *To approve* the new Work Programme and budget for 2008–2011;
4. *To decide* that the components of the Work Programme for 2008–2011 should focus on the following thematic areas, namely:
 - (a) Assessment of coastal and marine ecosystems and habitats;
 - (b) Management aimed at implementation of programmes and activities that seek to reduce or prevent degradation of the coastal and marine environment;
 - (c) Coordination and legal aspects, including the revision and updating of the Nairobi Convention and its related Protocols, improving coordination of activities and information exchange, and institutional strengthening for the implementation of the Convention ;
 - (d) Information and education, focusing on the exchange of information with communities, as well as education, awareness raising, advocacy, community empowerment and capacity building; and
 - (e) Cross cutting and emerging issues, and funding strategies including cooperation with NGOs/ partners.
5. *Take note* of progress made in the development of an updated Transboundary Diagnostic Analysis and Strategic Action Plan concerning land based sources and activities for the Western Indian Ocean Region and request the Secretariat to facilitate and expedite the negotiation and finalization, and to initiate as appropriate implementation, of any approved Strategic Action Plan for the Region on the basis of the current Framework Strategic Action Plan;
6. *To request* the Secretariat to continue to collaborate with, and mobilise support from other relevant institutions within and outside the Region to ensure cooperation in the implementation of the programme of work and exchange of views on the developments and protection of the marine and coastal environment in order to avoid duplication of effort in the activities and actions benefiting the Region;
7. *Further to request* the Secretariat to strengthen the institutional and co-ordination mechanism of the Nairobi Convention, including the Regional Co-ordinating Unit and the national Focal Points, and to request the Focal Points, who have not yet done so, to establish inter-ministerial committees, in order to improve the implementation of the Work Programme for 2008–2011;
8. *To urge* the Contracting Parties to implement country-specific actions and activities that are in support of, or complementary to, the Work Programme of the Nairobi Convention and its Protocols and report on the progress to the Secretariat;
9. *To review* the progress of implementation of the work programme during the next Conference of Parties.

CP 5/2. Protection of ecosystems and endangered species

10. *To endorse* and support the use of the eco-system based management approach, including the involvement of up stream countries, for the conservation of the coastal and marine areas of the Region;

11. *To endorse* the establishment of a Western Indian Ocean – Marine Turtle Task Force, in partnership with the CMS/IOSEA Marine Turtle Memorandum of Understanding, and take note of the Terms of Reference agreed by the Fourth Meeting of IOSEA Signatory States.

CP 5/3. Assessment and monitoring activities

12. *To reiterate* the Contracting Parties' reporting obligations especially with regard to compliance and enforcement of the Nairobi Convention and its Protocols;

13. *To further request* the Secretariat to conduct a study on compliance and enforcement of the Convention and its Protocols since it came into force and make proposals on improved compliance and enforcement, and report on the results at the next Conference of Parties;

14. *To urge* the Contracting Parties to promote the use of Strategic and other Environmental Assessments with regard to projects and programmes with transboundary effects, including transboundary projects and programmes, in order to identify threats and opportunities in the marine and coastal environment, in particular as it concerns, coastal and off-shore oil development and oil transportation, taking also into consideration the role of IMO;

15. *To develop further* projects on adaptation to climate change, and leverage funds for these projects from the international community, including the GEF and the Adaptation Fund among others;

16. *To develop* research projects and promote the sharing of experiences to determine the impact of sea level rise and cyclones on coastal habitats and the risk that these pose to the Contracting Parties.

CP 5/4. Revision of the Nairobi Convention and related Protocols

1. *To note* the progress being made in the preparation of the LBSA Protocol to the Nairobi Convention, prepared within the framework of the WIO-LaB project and in response to earlier decisions of the Contracting Parties, in particular decisions CP.1/4, CP.2/1, CP.3/6 and CP.4/7;

2. *To request* the Secretariat to organise the negotiation to finalise the text of the LBSA protocol and to convene a Conference of Plenipotentiaries to adopt the Protocol by end of December 2009;

3. *To note* the progress being made in the revision of the Nairobi Convention and to request the Secretariat to organise the negotiation to finalise the text of the revised Convention and to convene a Conference of Plenipotentiaries to adopt the revised Convention by end of December 2009.

CP 5/5. Strengthening partnerships and institutional mechanisms

1. *To note with appreciation* the establishment of the Consortium for the Conservation of the WIO Coastal and Marine Ecosystems (WIO-C) and the Forum of Academic and Research Institutions (FARI), including their mandates and structures, as important mechanisms for coordination and implementation of the Work Programme;

2. *To request* the Secretariat to strengthen existing partnerships and collaborative arrangements, establish new ones and enhance the participation of civil society and the private sector in the development and implementation of the programme of work;

3. *To encourage* the Contracting Parties to promote South-South Cooperation in projects and programmes.

4. *To request* the Secretariat to look into the possibilities of creating regional activity centres for the implementation of the Convention Protocols as appropriate and to report at the next COP.

5. *To request* the Secretariat to reinforce the RCU based in Seychelles in order to allow it to fulfil its mandate and to consider the possibility of establishing the Secretariat at the RCU and to report on progress made at the next COP

CP 5/6. Small Island Developing States

1. *To note* with appreciation the efforts of the Nairobi Convention to develop a project to address major environmental concerns and resource management in Small Island Developing States (SIDS), and to invite the funding agencies, including the GEF, to provide the necessary resources to implement the project;

2. *To develop* further projects on adaptation to climate change, taking into account the specific situation of SIDS, and leverage funds for these projects from the international community, including the GEF and the Adaptation Fund among others;.

3. *To develop* research projects and promote the sharing of experiences to determine the impact of sea level rise and storm surges on coastal habitats and the risk these pose to SIDS.

CP 5/7. Support to Somalia

1. *To request* the Secretariat to facilitate measures to support Somalia in its effort to improve environmental management, and also request the Secretariat to involve Somalia as appropriate in all regional programmes and projects.

CP 5/8. Financial matters

1. *To extend* the East African Trust Fund until such time as the Contracting Parties decide otherwise;

2. *To urge* the Contracting Parties to enhance the financial sustainability of the Convention through:

- (a) Timely contribution to the East African Trust Fund by Contracting Parties;
- (b) Payment of unpaid pledges;
- (c) Co-financing the implementation of projects and activities of common interest;
- (d) Mainstreaming the Convention in national policies, strategies, plans and budgets;
- (e) To explore other financial mechanisms for implementation of the Nairobi Convention and its Protocols including its Work Programme and any approved Strategic Action Programme.