



**United Nations
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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 First Conference of Parties to the Nairobi Convention (COP1)

Annex I

I. DECISIONS AND RECOMMENDATIONS OF THE FIRST 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

CP.1/1. Ratification of the Convention and Protocols

The Contracting Parties,

Noting with satisfaction the number of countries that have ratified the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, 1/

Recalling Article 28 of the Convention, which provides that the Convention and its protocols shall be open to accession by any State or regional intergovernmental integration organization not invited to participate in the Conference of the Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, held at Nairobi from 17 to 21 June 1985, subject to prior approval by three fourths of the Contracting Parties,

1. Urge signatory States to the Convention that have not yet done so to ratify, approve or accede to the Convention.

2. Invite coastal and non-coastal States and other regional integration bodies of the Eastern African region to accede to the Convention and its protocols;

3. Take note of the statement of the representative of South Africa, who expressed interest in the Convention and the Action Plan for the Eastern African region, and welcome the interest expressed by the South African representative. In that regard, the Bureau, with the assistance of the secretariat, is requested to take the necessary action to facilitate the process of accession.

CP.1/2. Institutional Matters

1/ For the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region.

A. Rules of procedureThe Contracting Parties,

Recalling Article 21, paragraph 1, of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, which provides that the Contracting Parties shall adopt rules of procedure for their meetings,

1. Adopt the rules of procedure for meetings and conferences of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region.

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B. BureauThe Contracting Parties,

Mindful of the need to provide inter-sessional policy advice to the secretariat of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region on the implementation of the Convention and its protocols,

1. Authorize the Bureau of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, elected pursuant to rule 16 of the rules of procedure, to exercise decision-making powers on substantive issues related to implementation of the Convention and its protocols between ordinary meetings of the Contracting Parties, with a view, inter alia, to promoting the active participation of the Eastern African States in the Convention; to reviewing preparations for the ordinary and extraordinary meeting; and to providing guidance to the secretariat of the Convention and making adjustments in the programme and budget as necessary within the framework of the decisions made by the meetings;

2. Decide that such decisions of the Bureau will be applied on a provisional basis and are subject to endorsement by the Contracting Parties at their next meeting;

3. Decide further to adopt the terms of reference of the Bureau. 3/

2/ UNEP (WATER) /EAF/CP.1/5/Rev.1, attached as annex IV to this report.

3/ UNEP (WATER) /EAF/CP.1/6/Rev.1, attached as annex V to this report.

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CP.1/3. Regional Coordinating Unit

The Contracting Parties,

Recalling paragraph 5 of part 3, Institutional arrangements, of the decision of the Conference of the Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region 4/, held at Nairobi, from 17 to 21 June 1985, to postpone consideration of the establishment of a regional coordination unit until the entry into force of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region,

Recalling further the decision of the Second Intergovernmental Meeting on the Action Plan for the Eastern African Region, held at Nairobi from 7 to 9 September 1993, to adopt the recommendations on the Regional Coordinating Unit of the Action Plan for the Eastern African Region 5/ and decision (n) of that same meeting, 6/

1. Decide to confer on the Regional Coordinating Unit of the Action Plan for the Eastern African region the responsibilities of secretariat of the Convention, as outlined in Article 16 of the Nairobi Convention, noting with appreciation that the representative of France expressed no objection to the establishment of the Regional Coordinating Unit because of the entry into force of the Convention.

CP.1/4 Establishment of an Ad Hoc Technical and Legal Working Group

The Contracting Parties,

Recalling Article 17, paragraph 1 (d), of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, which provides that one of the functions of the ordinary meetings of the Contracting Parties shall be to establish working groups as required to consider any matters concerning the Convention and its protocols,

4/ UNEP (OCA) /EAF/IG.4/5, para. 27.

5/ UNEP (OCA) /EAF/IG.4/4.

6/ UNEP (OCA) /EAF/IG.4/5, para. 27.

Acknowledging that eleven years have elapsed between the adoption of the Convention and its entry into force and that there have been considerable changes and developments in the environment of the region as well as in international law in the area of marine and coastal environmental protection in that time which might be incorporated in the Convention and its protocols,

Recalling further Article 9 of the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region, which provides that the Contracting Parties shall formulate and adopt guidelines, standards or criteria concerning the identification, selection, establishment and management of protected areas,

Recalling further the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities, 7/ adopted in Washington, D.C., in 1995,

1. Decide to establish an Ad Hoc Technical and Legal Working Group, with the mandate:

(a) To consider the feasibility and modalities of adapting the text of the Convention and its related protocols, giving priority to the Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region, to take into account the relevant environmental changes and the latest developments in international environmental law and agreements, including the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities;

(b) To formulate guidelines, standards or criteria concerning the identification, selection, establishment and management of protected areas;

2. Further decide that the Ad Hoc Technical and Legal Working Group shall report on its progress to the second meeting of the Contracting Parties to the Nairobi Convention.

7/ UNEP (OCA) /LBA/IG.2/7

CP.1/5. Financial matters

The Contracting Parties,

Recalling Article 21, paragraph 2, of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, which provides that the Contracting Parties shall adopt financial rules, prepared in consultation with the secretariat of the Convention, to determine, in particular, their financial participation in the cooperative activities undertaken for the purposes of the Convention and of protocols to which they are parties,

Recalling further paragraph 3 of part 4, Financial arrangements, of the decision of the Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, 8/ held at Nairobi, from 17 to 21 June 1985, which establishes proportional assessed contributions from the Contracting Parties for an initial two-year period,

Welcoming decision 19/24 of 7 February 1997 of the Governing Council of the United Nations Environment Programme, 9/ extending the Regional Seas Trust Fund for the Eastern African Region up to 31 December 1999,

Having considered the proposed programme of work for the biennium 1997-1998, 10/

1. Decide to adopt the terms of reference for the management of the Eastern African Trust Fund; 11/
2. Approve the budget of the Action Plan for the biennium 1997-1998;
3. Decide that Contracting Parties shall contribute funds on an annual basis to the Regional Seas Trust Fund for the Eastern African Region in the amount of their assessed proportional contributions, as provided in the terms of reference for the management of the Trust Fund;

8/ UNEP (OCA) /LBA/IG.2/7.

9/ UNEP/GC.19/34, annex I.

10/ UNEP (WATER) /EAF CP.1/9.

11/ UNEP (WATER) /EAF/CP.1/7/Rev.1, attached as annex VI to this report.

4. Urge Contracting Parties to make timely contributions to the Regional Seas Trust Fund for the Eastern African Region as proportionally assessed and to pay any arrears to the Trust Fund.

CP.1/6. Programme

The Contracting Parties,

Having considered the report of the Executive Director of the United Nations Environment Programme to the first meeting of the Parties, 12/

Having further considered the proposed programme of work for the biennium 1997-1998 and the proposed medium-term programme of work 13/ with a minor change,

Noting the necessary action of the secretariat to adjust the work programme, to take into account the amendments which will be necessitated through the implementation of decision CP 1/8, relating to the necessity for regional coordination between the different programmes,

1. Approve the proposed programme of work for the biennium 1997-1998 as slightly amended, and the proposed programme of work for the medium term;

2. Approve the ongoing implementation by the Food and Agriculture Organization of the United Nations of project EAF/5 on the protection and management of the marine and coastal areas of the Eastern African region;

3. Approve the ongoing implementation of project EAF/14 on the development of the Eastern African coastal and marine environment resource database and atlas;

4. Endorse existing projects of the Global Environment Facility and request the Executive Director of the United Nations Environment Programme to develop further Global Environment Fund projects to address issues of international waters and biological diversity to further the implementation of the Nairobi Convention and its protocols;

5. Urge Contracting Parties to adopt the strategy for integrated coastal zone management for the protection of coral reefs and associated ecosystems,

12/ UNEP (WATER) /EAF/CP.1/3.

13/ UNEP (WATER) /EAF CP.1/9.

outlined at the Western Indian Ocean and Eastern Africa Regional Workshop of the International Coral Reef Initiative, held in Mahé from 29 March to 2 April 1996, and at the Second Ministerial Conference on Integrated Coastal Zone Management in the Eastern African Region, including Island States, held in Seychelles from 23 to 25 October, 1996.

CP.1/7. Extrabudgetary resources

The Contracting Parties,

Recalling Article 21, paragraph 2, of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, which provides that the Contracting Parties shall determine their financial participation in the cooperative activities undertaken for the purposes of the Convention and its protocols,

Mindful that resources may include extrabudgetary resources such as grants, donations, funds for projects and programmes and technical assistance,

1. Express deep appreciation of donor support for the interim implementation of the Convention and, in particular, the contributions of the Governments of Belgium and Sweden for their financial support;
2. Call upon the donor community to continue to provide additional resources to assist with the implementation of the Convention and its protocols;
3. Request the Executive Director of the United Nations Environment Programme to solicit funds from donors to contribute in the implementation of the Nairobi Convention and Protocols.

CP.1/8. Coordination with other programmes

The Contracting Parties,

Considering the objectives and activities common to the Action Plan for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region and to some other programmes, in particular, the Regional Environment Programme of the Indian Ocean Commission in support of the Integrated Coastal Area Management project, the activities of the World Conservation Union and the World Wide Fund for Nature, the programme of the International Maritime Organization and other relevant agencies and programmes active in the Eastern African region, the International Atomic Energy Agency, the Food and Agriculture Organization of the United Nations, the United Nations

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Development Programme, the United Nations Educational, Scientific and Cultural Organization, the United Nations Industrial Development Organization, the World Bank, the World Health Organization and the World Meteorological Organization,

1. Urge the Bureau, with the assistance of the secretariat, to take necessary actions, including the institutional agreements, in order to avoid any overlap between the activities of the different programmes, to look for acceptable complementarity and reciprocal programming adjustments and to coordinate to the best of their ability the implementation of the programmes in order to ensure synergy.

CP.1/9. Cooperation with the International Atomic Energy Agency

The Contracting Parties,

Considering the offer of the Marine Environmental Studies Laboratory of the International Atomic Energy Agency to Eastern African coastal States to implement the following programme related to the assessment of contaminants:

- (a) Servicing of equipment;
- (b) Technical training;
- (c) Storage of spare parts in the Eastern African region,

1. Urge the Bureau, with the assistance of the secretariat, to take necessary actions to consider the offer of the Marine Environmental Studies Laboratory and, depending upon the availability of financial resources, to implement in the region the above-mentioned programme.