



United Nations  
Environment  
Programme

16 May 2015

Original: ENGLISH



---

**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

**REPORT OF THE EXECUTIVE DIRECTOR**

**FOR THE EIGHTH MEETING OF CONTRACTING PARTIES TO THE NAIROBI  
CONVENTION FOR THE PROTECTION, MANAGEMENT AND DEVELOPMENT  
OF THE MARINE AND COASTAL ENVIRONMENT OF THE WESTERN INDIAN  
OCEAN REGION**

## Introduction

1. The Western Indian Ocean (WIO) region also referred to as the Nairobi Convention area, has a combined coastline exceeding 15,000 km, a continental shelf area of about 450,000 square km (GEO Data Portal 2003) and a combined population of over 208 million in 2014 (World Bank 2014). The Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean region extends from Somalia in the north to the Republic of South Africa in the south, in the Western Indian Ocean Region covering 10 Contracting Parties, five of which are island states: Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Federal Republic of Somalia, the United Republic of Tanzania and the Republic of South Africa.
2. The coastal and marine ecosystems of the region provide essential sources of livelihoods and income for over 30 percent of the population (60 million people) that live within 100 km of the coastline (UNEP 2009). It is estimated that 35.9 million people who live within 25 km of the coastline depend directly on oceans and coastal resources for food, employment and income generation mainly from the fishing and tourism industries (UNEP 2009). Therefore, these populations' livelihoods are largely dependent on the health of the coastal and marine ecosystems.
3. The vision of the Nairobi Convention is '*a Prosperous Western Indian Ocean region with healthy rivers, coasts and oceans*'. Much progress has been made towards achieving this vision in the last decade by the Contracting Parties to the Convention, in partnership with non-state actors, including significant investments from the Global Environment Facility (GEF), which have contributed towards the implementation of solutions to a range of environmental stressors from land-based sources, marine pollution, and over reliance and over-exploitation of marine resources such as fisheries and mangroves.
4. Although the WIO region is still one of the least ecologically disturbed areas of global ocean relative to other regions, it is increasingly threatened as the region's coastal and marine environment has started showing signs of degradation, attributed to both natural factors (e.g. climate change/variability leading to coral bleaching, sea level rise, flooding, e.t.c) and a variety of anthropogenic activities.
5. The process for integrating ecosystem services into ecosystem-based management (EBM) is currently one of the greatest challenges in the management of the marine and coastal resources in the WIO region. Priorities for the programme of work for the Nairobi Convention therefore include: Integrated ecosystem-based management of marine and coastal ecosystems including trans-boundary resources; Assessments and capacity building on the valuation of coastal and marine ecosystems to contribute to regional and global assessments; Adaptation to climate change to reduce vulnerability and build resilience; and Environmental governance to strengthen regional instruments for intergovernmental dialogue and the development of policies and laws for trans-boundary ecosystems.
6. Other regional challenges include the rapid urbanisation and population growth that has led to higher demand for ecosystem goods and services and increased resource-use pressure around major industrial coastal cities. The increasing population in poorly planned urban and peri-urban areas in cities has led to increased rate of degradation of the coastal and

marine environments and habitats by the disposal of waste into streams and coastal waters including contamination of ground water sources. Degradation is further exacerbated by physical alteration of marine and coastal habitats by increased land reclamation and conversion for agriculture, aquaculture and coastal development.

7. The WIO also suffers from the impacts of global climate change on natural and human systems on coasts and oceans. According to the Intergovernmental Panel on Climate Change (IPCC) Report 2014, ocean warming dominates the increase in energy stored in the climate system, accounting for more than 90% of the energy accumulated between 1971 and 2010 with only about 1% stored in the atmosphere. Since the beginning of the industrial era, oceanic uptake of CO<sub>2</sub> has resulted in acidification of the ocean; the pH of ocean surface water has decreased by 0.1 corresponding to a 26% increase in acidity. As a result, many marine species have shifted their geographic ranges, seasonal activities, migration patterns, abundances and species interactions in response to ongoing climate change. These latter conditions, which have been extensively studied and measured in the Western Indian Ocean (WIO) (Obura 2005, McClanahan 2009) and elsewhere (Hoegh-Guldberg 1999; Hughes *et al.* 2003), suggest likely ecosystem phase shifts, for example coral reefs become dominated by macroalgae (brown algae such as *Turbinaria*, *Sargassum* spp.) (Bellwood *et al.* 2004; Hughes *et al.* 2005).
8. Extensive deforestation of catchment areas is also contributing to changes in river flow regimes. As a result, coastal lowlands, deltas, estuaries and their associated ecosystems are now receiving altered freshwater flows and increased sediments loads. These changes have been witnessed in the Tana, Rufiji, Ruvuma, Incomati, Tukela, Zambezi and Betsiboka rivers, among others. The cumulative impact of these changes is significant physical and ecological change in the structure and functions of marine ecosystems and deterioration of the ecosystem goods and services.
9. The Contracting Parties have, over the years, developed capacities across a broad range of technical, management and policy themes. However, an institutional infrastructure required for adaptive management, i.e. “management that involves an incremental learning process that is informed by continuous feedback from assessments and research” is still developing and the inter-play between governments, markets and civil society, for collaborative environmental management remains weak in some coastal states.

### **Marine and Coastal Biodiversity**

10. The Western Indian Ocean region is among the few regions of the world that still maintains some pristine habitats that are the least ecologically disturbed on a global oceans scale. For example, the two major marine ecosystems in the Western Indian Ocean, i.e. the Agulhas and Somalia Currents Large Marine Ecosystems contain important critical tropical and sub-tropical habitats such as seagrass beds, coral reefs and mangrove forests. These ecosystems are characterised by relatively high biodiversity and high species endemism as evidenced by rich and complex populations of marine plant and animal species. There are over 2,200 species of fish, including rare and endangered species such as the dugong, coelacanths, marine turtles, sharks, marine birds and over 350 species of corals (Obura 2012) and a diverse assemblage of mangrove forests and seagrass beds. However, the Western Indian Ocean is becoming increasingly under pressure from exploitation of marine and coastal resources.

11. Coral reefs dominate the coastal ecosystems of the WIO. They are typically shallow fringing reefs, often enclosing a lagoon, and often closely associated with seagrass beds. Corals are threatened by sea surface temperature rise caused by global warming which bleaches corals and eventually kills them if higher water temperatures persist. This threat has been well documented after the 1998 El Niño and the subsequent recovery of coral reefs has been quantified in the WIO and show that recovery rates and resilience to bleaching vary considerably within the region with the northern Mozambique and southern Tanzanian coral reefs appearing to be the most resilient.
12. About 30% of mangroves have over the last 50 years been lost globally (Spalding *et al* 2010). However, within the WIO region, mangrove decline is estimated to have been about 8%, from 1980 to 2005. While the mangrove systems of WIO are less impacted and are in relatively good health compared to the rest of the world, the oil and gas extraction is one of the greatest threats to mangroves in the WIO region. The largest gas reserves in the world have been discovered off Cabo Delgado in Mozambique and there is extensive exploration in the offshore waters in the entire WIO region that is likely to impact the marine and coastal resources including mangroves, coral reefs and seagrass beds.
13. The Global Environment Facility (GEF), with the support of the Contracting Parties to the Nairobi Convention and partners, have embraced an ecosystems approach to management of the Marine and Coastal ecosystems. The GEF has invested over US \$78 million, in the last decade, to support projects on Large Marine Ecosystems (LMEs) in the Western Indian Ocean. The three main projects were: 1) The South West Indian Oceans Fisheries Project (SWIOPF) with a budget of US \$35.67 million, implemented by the World Bank; 2) the Agulhas and Somalia Current Large Marine Ecosystem (ASCLME) project with a budget of US \$ 31.186 million, implemented by UNDP; and 3) the project Addressing Land-Based Activities in the Western Indian Ocean (WIO-LaB) with a budget of US \$ 11.413 million, implemented by UNEP.
14. These three projects have developed Strategic Action Programmes (SAPs) that have been endorsed by participating countries. The SAP prepared under the project Addressing Land-Based Activities in the Western Indian Ocean (WIO-LaB), will be implemented under the project *Partnerships for the Implementation of the Strategic Action Programme for the Protection of the Western Indian Ocean from Land Based Sources and Activities* (WIO-SAP). A project concept for USD 12,000,000 has been prepared and submitted to the GEF for consideration.

## **Environmental Governance**

15. The economic value of the goods and services provided by the marine and coastal ecosystems in the WIO region excluding South Africa is estimated at over US \$25 billion on an annual basis, with fisheries and tourism being the two main direct contributors to the economies of the region (UNEP/Nairobi Convention Secretariat 2009). In 2014 the Republic of South Africa predicted that the oceans have the potential to contribute up to 177 billion rand (US\$ 14.8 billion) to the Gross Domestic Product and create over one million jobs by 2033 for South Africans (Department of Environment Affairs South Africa). The governments of Seychelles, Mauritius and Mozambique have established blue/ocean economy ministries or departments in recognition of the potential of the oceans sectors. Economic sectors such as coastal tourism, marine transport, and

manufacturing activities, including coastal shipping, trans-shipment, boat building, repair and refurbishment; offshore oil and gas exploration; aquaculture and marine protection services and ocean governance can potentially unlock the ocean economy and contribute to poverty eradication in the WIO region.

16. Despite the enormous potential, the importance of marine ecosystems for human health, well-being and prosperity is not effectively communicated to policy and decision makers. Consequently, the departments responsible for the management of marine and coastal resources remain under-funded. As a result, poorly developed institutional frameworks and lack of effective mechanisms for developing new comprehensive laws and regulations mean that environmental laws are not effectively enforced.
17. Effective environmental governance in the WIO, in the long run, will aim at maximising ecosystem goods and services equitably across generations. It is widely acknowledged that the infrastructure required for effective environmental governance is dependent on the inter-play between governments, markets and civil society. However, the roles played by the markets, civil society and governments are poorly defined and not well coordinated. At best their roles are antagonistic thus impacting on the sustainability of ecosystem goods and services. Poor oceans governance therefore exacerbates environmental problems in the countries of the WIO region. The prognosis is that these problems will be compounded by natural factors e.g. climate variability and change that may lead to severe droughts, coral bleaching, sea level rise and coastal erosion. Development of adaptive governance and management frameworks that are able to address human impacts as well as the effects of climate change will be an essential step towards long term sustainability of marine and coastal ecosystems.

### **The Nairobi Convention and the Regional Seas Programme**

18. The Nairobi Convention is one of the 18 Regional Seas Conventions and Action Plans, 6 of which are administered by UNEP. The Regional Seas Programmes were developed by UNEP in 1974 as part of the implementation of the 1972 Stockholm Agenda and as a response to transboundary problems such as marine pollution and the need for management of the marine and coastal environment. Each Regional Seas Programme is designed to meet the priorities and needs of the countries sharing an ocean/sea, by developing; i) A legally binding convention embodying the general commitment and detailed protocols dealing with specific issues; and ii) An action plan for cooperation on environmental assessment and management. The regional seas conventions provide the legal framework for regional cooperation among governments to undertake collaborative actions towards solving interlinked problems of the coastal and marine environment.
19. In 2012 the 14<sup>th</sup> Global Meeting of the Regional Seas Conventions and Action Plans held in Nairobi, Kenya, the Coordinators discussed a common strategy to address emerging issues that were identified at Rio +20 as the main drivers of change for the degradation of the marine environment. Consequently, six strategic directions were adopted by the meeting, captured in the Regional Seas Strategic Directions 2013-2016 (Information document UNEP/(DEPI)/EAF/COP8/2015/7).

## Adoption and Ratification of the Nairobi Convention

20. The First Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region was convened by the Executive Director of UNEP at UNEP Headquarters in Nairobi from 17 to 21 June 1985. The conference was attended by the representatives of France, Kenya, Madagascar, Mozambique, Seychelles, Somalia, the United Republic of Tanzania and the European Community. The Conference adopted the Nairobi Convention and its two protocols, the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and the Protocol Concerning Cooperation in Combating Marine Pollution in Cases of Emergency in the East African Region.
21. In 2010 the Nairobi Convention was revised and the Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-Based Sources and Activities (LBSA Protocol) to the Nairobi Convention was adopted. The LBSA Protocol provides the framework upon which Contracting Parties seek to address the principal source of pollution of marine and coastal environment, namely; pollution from substances and energy entering the marine environment by run off from land, rivers, pipelines and other outfall structures and pollution from the atmosphere, generated from land-based activities.
22. **Table 1. Ratification of the Nairobi Convention**

Country	Date Ratification/Accession
Comoros	26 September 1994
France	18 August 1989
Kenya	11 September 1990
Madagascar	26 June 1990
Mauritius	03 July 2000
Mozambique	4 March 1999
Republic of South Africa	16 May 2003
Seychelles	20 June 1990
Federal Republic of Somalia	1 March 1988
United Republic of Tanzania	1 March 1996

## The Nairobi Convention Coordination Arrangement

23. The first COP held in the Seychelles in 1997 in decision CP.1 on Institutional Matters adopted the Rules of Procedure, the Terms of Reference for the Bureau (TORs) and under CP.1/5 approved the financial rules for the management of the Eastern African Trust Fund as provided for under Article 21 of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region.
24. The Convention's Work Programme is implemented through a coordination structure that constitutes the Programme Coordination Office in Nairobi which provides strategic

direction; a Bureau of Contracting Parties that provides guidance in the implementation of the Convention; a network of national focal points; thematic experts groups such as Coral Reef Taskforce, and Legal and Technical Working Group; the Consortium for the Conservation of Marine Resources in the Western Indian Ocean (WIO-C).

### **The Bureau of Contracting Parties**

25. The Bureau which is elected at every Conference of Parties is responsible for providing guidance to the Secretariat in the implementation of decisions of Contracting Parties and the Convention's work programme. The TORs for the Bureau were adopted in the decision CP1/97.
26. The Heads of Delegations that attended the Seventh Conference of Parties to the Nairobi Convention (COP7) that was held on 10-14 December 2012 in Maputo, Mozambique elected the following members to the Bureau:

Chair	United Republic of Tanzania
Vice-chair (work programme)	Seychelles
Vice-chair (resource mobilization)	Republic of South Africa
Vice-chair (coordination)	Mozambique
Rapporteur	Kenya

### **The Regional Coordination Unit**

27. The Second Intergovernmental Meeting on the Action Plan for the Eastern African Region, held in Nairobi on 7 and 8 September 1993, established a Regional Coordinating Unit (RCU) in Seychelles to undertake Eastern African projects. The First meeting of the Contracting Parties in March 1997 conferred the responsibilities of the Secretariat of the Convention on the RCU. At the outset, the plan was to support the RCU by providing the personnel including: an Interim Coordinator; a Senior Programme Officer; a Project Coordinator; and support staff such as an administrative assistant and two secretaries. However due to inadequate funds in the Trust Fund, the RCU could not meet the cost of key personnel including the cost of a director-level Interim Coordinator. For example, only one Senior Programme officer was posted in the RCU as a coordinator. The RCU was therefore understaffed and closed in March 1999.
28. After the expiry of the Coordinator's contract in March 1999, the Government of Seychelles, in consultation with UNEP, appointed a senior government official from the Ministry of Environment to oversee the activities of the RCU. Under this interim arrangement, the responsibilities of the RCU were devolved to two offices into; (a) UNEP based Nairobi Convention Secretariat to provide overall programmatic coordination and strategic direction, and b) Seychelles based office to implement activities that enhance the political visibility of the Nairobi Convention; and mobilization of resources. This arrangement worked well for a limited period. Consequently, in 2010 in Decision CP6/4 of the Sixth Conference of Parties (COP6), the Contracting Parties requested for a review of the current coordination structures with a view of establishing a new cost effective coordination structure to address the issue of coordination, fundraising and implementation of the protocols under the Convention. This decision was followed up with decision CP 7/10 on Strengthening the Operational Functioning of the Secretariat and further elaborated in the paper entitled, Coordination Mechanism for the Nairobi

Convention that was tabled at COP 7 in December 2012 (information document UNEP/(DEPI)/EAF/COP8/2015/8). Further, at COP7, in Decision CP7/19.1, the Contracting Parties requested the United Nations Environment Programme to undertake a comprehensive functional review of the Secretariat in order to guide Contracting Parties on potential additional support to the Secretariat.

### **Implementation of the Decisions of Conference of Parties**

29. The Nairobi Convention holds a Conference of Contracting Parties (COPs) after two years to review the implementation of decisions of past COPs. The Contracting Parties to the Nairobi Convention held the Seventh Conference of Parties (COP7) on 10 -14 December 2012 in Maputo, Mozambique. The COP7 was organized in close collaboration with the host, the Government of Mozambique, and the Chair of the Bureau for the Nairobi Convention, Western Indian Ocean Marine Science Association (WIOMSA), World Wildlife Fund (WWF), International Union for Conservation of Nature (IUCN), BirdLife International, Wildlife Conservation Society (WCS) and CORDIO East Africa under the theme “Partnering for a Healthy Western Indian Ocean”.
30. The Conference was chaired by Dr. Terezya Huvisa Luoga, Minister of State in the Vice President Office responsible for Environment, Tanzania.
31. Subsequent to COP7 the Secretariat organised one Bureau meeting in June 2013 in Nairobi and was attended by Mozambique, Kenya, Seychelles and Tanzania. The Bureau provided guidance on the agreed COP7 decisions. The Secretariat also organised three meetings of Focal Points to report on the implementation of the COP 7 decisions and the Convention’s Work Programme. The meetings were held on: 26 February 2014 in Mombasa, Kenya, 28 August 2014 in Naivasha, Kenya and 4 May 2015 in Nairobi, Kenya.
32. The Eighth Conference of Parties to the Nairobi Convention on 22-24 June 2015 is organized to take stock of the progress made from the projects and programmes that were implemented during the 2013-2015 period in the context of the attached 2013-2017 Work Programme of the Nairobi Convention marked as working document UNEP/(DEPI)/EAF/COP8/2015/3. COP8 will review decisions from the Seventh Conference of Parties (COP7) and identify new areas that may require decisions as reported below:

#### **Decision CP7/1: Work Programme for 2013-2017**

33. In Decision CP7/1.1, the Contracting Parties adopted the work programme for 2013-2017 and called for its implementation by Contracting Parties with the support of partners and other stakeholders. The Work Programme 2013-2017 is a collaborative programme that builds on the momentum achieved through the previous Work Programme 2008-2012. It focuses on interlinked themes including:
  - a) Assessments and capacity building;
  - b) Development and implementation of ecosystem based management including Marine Protected Areas (MPAs) management;



- c) Environmental governance including implementation of the protocol for the protection of the marine and coastal environment of the Western Indian Ocean from land based sources and activities (LBSA protocol);
  - d) Development of protocol on integrated coastal zone management to the Nairobi Convention (ICZM protocol);
  - e) Information and awareness;
  - f) Policy options on climate change; ports and harbours development; oil and gas; green economy; and
  - g) Partnerships for activities on description of Ecologically or Biologically Significant Marine Areas (EBSAs), Vulnerable Marine Ecosystems (VMEs), Areas Beyond National Jurisdiction (ABNJ), and Particularly Sensitive Sea Areas (PSSAs).
34. The Work Programme 2013-2017 was designed as a collaborative programme with many actors and diffuse sources of funding. Consequently, it was implemented through collaborative projects with Contracting Parties, partners and key stakeholders. The pledges from the Contracting Parties have been used to meet personnel costs, while partners, and especially the government of Sweden has funded most of the activities in the Work Programme. The Work Programme was designed as a tool for the Secretariat, Contracting Parties and the collaborating partners to catalyse change in the management of the marine and coastal environment in countries that are Contracting Parties to the Nairobi Convention. The structure of the Work Programme was influenced by various factors that affect the number and the mode of implementation of activities namely funding, partnerships and capacity. In summary, the Work Programme for the Nairobi Convention (Decision CP7/1.1) for the period 2013-2015 has been implemented through the following summary of activities as outlined below:
- a) In 2012 an agreement between UNEP and IUCN was finalised to provide funds to IUCN to undertake the preparatory phase of enhancing resilience of coastal systems under the Mangroves for the Future Initiative for the Western Indian Ocean Region project. A regional consultant was contracted in 2013 to prepare the text for the programme document based on a situation and stakeholder analysis by: i) national consultations in the participating countries including Kenya, Tanzania and Mozambique; ii) regional stakeholder workshop on 25 to 26 June 2013 in Nairobi, Kenya involving government experts from marine and forestry sectors to review and finalise the project document; iii) a high-level meeting of Bureau members and development partners on 2 August 2013 in Nairobi, Kenya to enhance awareness of the project among Nairobi Convention Bureau members and development partners to secure support for the project. A programme document '*Resilient Coasts: Strengthening the Resilience of Coastal Socio-ecological Systems in the Western Indian Ocean*' is listed as an information document UNEP/(DEPI)/EAF/COP8/2015/3.
  - b) In 2013, the Nairobi Convention Secretariat partnered with the United Nations University Institute for Water, Environment and Health, KMFRI, WIOMSA, WWF, CORDIO, University of Dar es Salaam, and the University of Nairobi in the First International Training Course on Mangrove Ecosystems in the Western Indian Ocean region held on 2 to 9 December 2013 in Diani, Kenya. The training course was organised to: enhance the capacity of young professionals academics, park rangers, managers and institutions in the WIO region to undertake characterisation, monitoring, risk assessment, management and restoration of critical mangrove

- ecosystems; increase the awareness of the ecological roles, economic importance, and cultural significance of mangrove ecosystems; and promote and encourage sharing of knowledge and experiences.
- c) The Secretariat signed an agreement with WWF Madagascar to support the development and implementation of a project on marine governance in the Northern Mozambique Channel, and commissioned WWF Madagascar to undertake a background analysis on coastal and marine resources in the Mozambique Channel that among others, highlights the diverse natural resources in the Mozambique Channel, establishes the status of those resources, and their social and economic value and also draws existing relationships and proposes governance options for sustainable resource use. A draft background analysis '*The Northern Mozambique Channel- a Partnership for Sustainability*' and draft project brief has been prepared as information document UNEP (DEPI)/EAF/COP8/2015/4.
  - d) In 2013 the Nairobi Convention Secretariat in partnership with WIOMSA advanced and finalised the review of WIO-LaB demonstration projects. The final report provides lessons learned that will lead to better designed and implemented future demonstration projects. The outcome of the analysis points to more cost effective approaches including lessons for better selection of sites, more appropriate institutional arrangements, and the requirement to link to on-going national processes, to ensure that future demonstration projects will have impact at the grassroots and national policy levels. The outcome of the report was disseminated to support the preparation of the project Implementing the Strategic Action Programme for the Protection of the marine and coastal environment from land based sources and activities (WIO-SAP) currently being formulated for GEF support.
  - e) The Secretariat for the Nairobi Convention provided support to the United Republic of Tanzania in 2013 to conduct national consultations and stakeholder meetings towards ratification of the LBSA protocol. In 2014 the Secretariat also offered support to government experts in Mozambique to review legislations related to land based sources of pollution to prepare cabinet papers for ratification. Other governments have also made progress in the ratification of the LBSA protocol including Seychelles and the United Republic of Tanzania.
  - f) The Nairobi Convention Secretariat contracted WIOMSA to undertake the preparation of thematic state of marine environment reports as well as the regional marine environment assessment report. Four Authors Workshops on the preparation of a Regional State of the Coast Report for the Nairobi Convention were organised by WIOMSA in partnership with the Nairobi Convention Secretariat and UNEP Division of Early Warning and Assessment (DEWA) through support provided by UNEP as follows: First Author's workshop on 15- 19 April 2013, in Maputo, Mozambique; Second Author's Workshop on 26 to 28 February 2014 in Mombasa, Kenya; Third Authors' Workshop on 25 to 26 August 2014 in Naivasha that brought together a total of 27 researchers and government experts drawn member states of the Nairobi Convention identified as lead authors of the Chapters of the Regional State of Coast report, and national focal points; and Fourth Author's workshop from 29 April to 2 May 2015 in Nairobi, Kenya to finalize the general parts of the report i.e. executive summary, summary chapters and foreword, review case studies; agree on the layout for text, figures, graphical elements and language, and standardize all the

chapters for consistency as well as agree on how an online version can be launched. It is projected that the Regional State of Coast Report for the WIO region will be finalised in May 2015 and shall be launched by the Executive Director of UNEP on 22 June 2015 during the Eighth Conference of Parties to the Nairobi Convention.

- g) Additionally, in 2015 the Nairobi Convention Secretariat in partnership with WCS and FAO supported the assessment of sharks and rays in the Western Indian Ocean region and the preparation of a Regional Status Report on Sharks for the Western Indian Ocean region is ongoing.
  - h) In 2014, the Secretariat in partnership with WIOMSA organized a Science for Policy Consultative Meeting for the Western Indian Ocean region on 27 August 2014 in Naivasha, Kenya. The meeting brought together leading marine scientists and policy makers in the Western Indian Ocean region to explore the interaction between science and policy with the view to promote science based management of the marine and coastal environment of the WIO region, by promoting dialogue between scientists, civil society, private sector, policy and decision makers.
  - i) The Secretariat organized three Focal Points meetings: 26 February 2014 in Mombasa, Kenya to discuss the implementation of the Nairobi Convention's Work Programme and decisions of COP7; August 2014 in Naivasha, Kenya to discuss the implementation of the Nairobi Convention's Work Programme including progress made on the final WIOSAP document and submission of letters of co-financing, preparation of the Regional State of Coast Report, national reports on ratification of the Amended Nairobi Convention and LBSA protocol and on 4 May 2015 to discuss the agenda of the Eighth Conference of Parties to the Nairobi Convention.
35. The Contracting Parties also requested the Secretariat in decision CP7/1.2, to collaborate with Contracting Parties and partners, to finalize in a consultative manner, and taking into account international best practices, a new strategy and action plan for the implementation of Nairobi Convention and report to the next Conference of Parties.
36. In response to decision CP7/1.2, the Secretariat engaged the services and technical expertise of several partners. The Western Indian Ocean Marine Science Association (WIOMSA) was engaged as an expert organization to develop a new strategy and action plan for the implementation of the Nairobi Convention. The Secretariat combined this initiative with the preparation of a paper on the Coordination Structure; Review of the Functionality of the Secretariat in accordance with decision CP7/19 on Strengthening the Operational Functioning of the Secretariat that was synergistic to decision CP7/1.2. A strategy paper on optimizing coordination and functionality of the Secretariat in the context of the Western Indian Ocean Strategic Action Plan (WIO-SAP) has been prepared and is marked as working document UNEP/(DEPI)/EAF/COP8/2015/5.
37. In decision CP7/1.3, the Contracting Parties requested the Secretariat to develop and support implementation of priority projects, including but not limited to financing and management of, marine protected areas, capacity strengthening for implementing of the Protocol on Land Based Sources and Activities, marine governance in the Mozambique Channel, climate change adaptation using integrated coastal management as an adaptation strategy, capacity building in public private partnership for blue carbon and oil and gas,

WIO mangrove ecosystems, shark conservation and in this regard, invite partners including the Global Environment Facility to support their implementation.

38. In relation to the work programme the Contracting Parties will be requested to consider the following:
  - a) Adopt the paper on the proposed new strategy on optimizing the coordination and functionality of the Secretariat of the Nairobi Convention (*Optimising Secretariat Functions, Coordination and Delivery of the Nairobi Convention, its Protocols, Action Plans and Approved Programme of Work*) at the Eighth Conference of Parties.
  - b) Development of a new 2018-2022 Work Programme for adoption at the Ninth Conference of Parties that will include an expanded set of activities taking into account the proposed new strategy on optimizing the coordination and functionality of the Secretariat.

### **Decision CP7/2: Implementation of the Amended Nairobi Convention and the Protocol on Land Based Sources and Activities**

39. In decision CP7/2.1, the Contracting Parties were urged to ratify or accede to the Amended Nairobi Convention and the Protocol on Land Based Sources and Activities as well as take measures to implement the instruments. In CP7/2.3, the Contracting Parties in collaboration with the Secretariat were urged to develop a project on capacity strengthening and technical assistance for the Protocol on Land Based Sources and Activities as well as national implementation plans in the Western Indian Ocean region.
40. In 2013 and 2014 the Governments of the United Republic of Tanzania and Mozambique requested for support from the Secretariat to organise national stakeholders consultations on the LBSA protocol to sensitize various sectors on the legal implications for the appropriate reforms required after the ratification of the Protocol.
41. Progress has been made on the ratification of the LBSA protocol by the Contracting Parties as follows: France: ratification of the protocol is on-going; Mauritius: discussions advanced to the Cabinet level; Mozambique: protocol has been discussed by Parliament and ratification effected; Seychelles: draft cabinet memo has been prepared and the protocol will soon be ratified; the Republic of South Africa: ratification process on-going; The United Republic of Tanzania: Cabinet paper has been finalised for submission to Cabinet.
42. The Contracting Parties to the Nairobi Convention are requested to fast track the process for the ratification or accession to LBSA Protocol and those that have ratified to share with the other Contracting Parties their national LBSA legislation, or alignments, reviews or enactments of national laws or institutions to the LBSA Protocol.

### **Decision CP7/3: Development of a Protocol on Integrated Coastal Zone Management**

43. In decision CP7/3.1, the Contracting parties agreed to negotiate a protocol on integrated coastal zone management and present an agreed text for consideration for possible adoption at the next Conference of Parties serving as the Conference of Plenipotentiaries. In CP7/3.2, the Contracting Parties requested the Secretariat to facilitate meetings on

negotiations on the protocol on integrated coastal zone management and its Conference of Plenipotentiaries.

44. Pursuant to Decision CP7/3.2, the Nairobi Convention Secretariat organized a first negotiations meeting for the ICZM Protocol in September 2013 in Cape Town, South Africa and Contracting Parties negotiated a First Draft of the Integrated Coastal Zone Management Protocol that is presented as information document UNEP/(DEPI)/EAF/COP8/2015/5. The final negotiations meeting that was scheduled to take place on 8-10 April 2015 in Mauritius in partnership with the Indian Ocean Commission (IOC) was postponed due to lack of resources.
45. The Contracting Parties are requested to provide support to the Secretariat to facilitate negotiation meetings to finalize the text of the First Negotiated Draft of the ICZM Protocol for adoption at, or before, the Ninth Conference of Parties.

#### **Decision CP7/4: Review of the Protocol on Protected Areas and Wild Fauna and Flora**

46. In decision CP7/4.2, the Contracting Parties requested the Secretariat to initiate the process of reviewing and updating, the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and its annexes and report progress at the next Conference of Parties. In addition, in decision CP7/4.3, the Contracting Parties requested the Secretariat and partners to facilitate the review of Annex II of the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region for consideration at the next Conference of Parties.
47. The review of the Protocol Concerning Protected Areas and Wild Fauna and Flora and its Annexes will be undertaken in a two step tiered process namely; a) Preparation of a Regional State of Coast Report for the Western Indian Ocean Region that will provide the general description of the WIO ecosystems, highlighting threatened or degraded habitats, as a basis for the review of the Protocol Concerning Protected Areas and Wild Fauna and Flora; b) review of the status of habitats and species listed in Annex I, II, and III of the Protocol Concerning Protected Areas and Wild Fauna and Flora.
48. The Regional State of Coast Report for the Western Indian Ocean Region will be finalized and launched in 2015. In 2015-17 the Secretariat will work with national institutions to review Annex I-III of the Protocol.
49. The Secretariat will collaborate with partners to review the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and its annexes in the period 2015-17 and report progress at the ninth Conference of Parties.

#### **Decision CP7/5: Strengthening National Reporting**

50. In decision CP7/5, the 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.

**Decision CP7/6: Strengthening Marine and Coastal Ecosystems Based Management, Valuation of Ecosystems Goods and Services and Assessments**

51. In decision CP7/6.3, Contracting Parties in collaboration with the Secretariat were urged to develop a project on sustainable management of mangroves forests, marine algae, coral reefs, sea grass, biodiversity conservation and associated ecosystems goods and services.
52. The Nairobi Convention, IUCN, CORDIO, and WIOMSA with funding from the government of Sweden finalized a situation analysis on Mangroves for Kenya, United Republic of Tanzania, Mozambique, and developed a programme titled Resilient Coasts: Strengthening the resilience of coastal socio-ecological systems in the Western Indian Ocean marked as information document UNEP/(DEPI)/EAF/COP8/2015/3. The findings from the situation analysis on Mangroves have been incorporated in the WIOSAP project under component I on Critical habitats project due for submission to the GEF in 2015.

**Decision CP7/7: Ecologically or Biologically Significant Marine Areas**

53. In decision CP7/7.2, the Contracting Parties requested the Secretariat, in partnership with the Secretariats' of the Convention on Biological Diversity, Convention on Migratory Species, Convention on International Trade in Endangered Species, International Maritime Organization, the Food and Agriculture Organization of the United Nations, Inter-Governmental Oceanographic Commission of UNESCO and other partners, to support Contracting Parties to participate in the process of recognising and describing ecologically or biologically significant marine areas, and where feasible, establish marine protected areas.
54. Pursuant to CP7/7.2 decision, the Secretariat established a partnership with WWF on the Northern Mozambique Channel as a priority ecologically and biologically significant marine area (EBSA). The Secretariat has also partnered with Kenya Wildlife Service and Marine Parks and Reserves Department in Kenya and the United Republic of Tanzania respectively, for discussions on the Trans Boundary Conservation Area between Kenya and United Republic of Tanzania as a marine protected area under the Pemba Channel EBSA.
55. In The COP8 the Contracting Parties are requested to:
  - a) support the development of a proposal for funding from Global Environment Facility for Northern Mozambique Channel and Trans boundary Protected Area between Kenya and the United Republic of Tanzania areas that were identified as EBSAs within the EEZ's
  - b) support the Cairo Declaration of the 15<sup>th</sup> Session of the African Ministerial Environment that reiterated the support for the regional seas programmes in Africa as regional platforms for the implementation of the Africa Integrated Marine Strategy 2050 and Agenda 2063 on Ecosystem-Based Management Approaches for marine resources in the exclusive economic zones and adjacent waters in support of all other EBSAs.

**Decision CP7/8: Environment Management for Oil and Gas Exploration**

56. In decision CP7/8.4, the Contracting Parties requested the Secretariat in collaboration with Contracting Parties and other partners, to facilitate the development of regional guidelines addressing transboundary environmental impacts of oil and gas exploration and production for consideration at the next Conference of Parties.
57. The Secretariat contracted an expert on oil and gas expert to prepare an analytical report on oil and gas exploration and development in the Western Indian Ocean that will aid in the development of regional guidelines to address transboundary 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.
58. Also, the Secretariat with the support of GRID-Arendal prepared a proposal for Guiding Environmental Management in the Context of a Rapidly Developing Oil and Gas Industry in the Western Indian Ocean Region with GRID-Arendal which includes guidelines for Strategic Environment Assessments to actualize the process.
59. Contracting Parties are urged to provide support for the proposed project for Guiding Environmental Management in the Context of a Rapidly Developing Oil and Gas Industry in the Western Indian Ocean Region in collaboration with GRID-Arendal.

**Decision CP7/9: Climate Change Adaptation and Mitigation**

60. In decision CP7/9.2, the Contracting Parties requested the Secretariat, in collaboration with the West Indian Ocean Marine Science Association and other partners, to facilitate the finalization of the regional strategy on climate change impacts, adaptation and mitigation in the marine and coastal environment of the Western Indian Ocean region and report progress to the next Conference of Parties. In CP7/9.4, the Contracting Parties also requested the Secretariat to develop in consultation with other partners, programmes and projects on climate change adaptation and mitigation so as to enhance ecosystem resilience, reduce vulnerability to communities and ecosystems, and enhance the adaptive capacity of affected communities and ecosystems.
61. Pursuant to CP7/9.2, the secretariat contracted WIOMSA to develop a Climate Change Strategy for the Nairobi Convention Area. The Strategy has been finalized and is presented as working document UNEP/(DEPI)/EAF/COP8/2015/6.
62. In response to CP7/9.4, the Secretariat in partnership with IUCN, CORDIO, and WIOMSA 59 prepared a programme on Resilient Coasts: Strengthening the resilience of coastal socio-ecological systems in the Western Indian (information document UNEP/(DEPI)/EAF/COP8/2015/3)
63. The Contracting Parties are requested to:
  - a) take note of the Climate Change Strategy for the Nairobi Convention Area and develop projects on integration of climatic variability and change into national strategies for

implementation of integrated coastal management programmes in the Western Indian Ocean region.

- b) support the *Resilient Coasts Program: Strengthening the resilience of coastal socio-ecological systems in the Western Indian Ocean* programme.

#### **Decision CP7/10: Financing and Management of Marine Protected Areas**

64. In decision CP7/10, the Contracting Parties urged the Secretariat to develop a project on sustainable financing and management of marine protected areas in the Western Indian Ocean. The Contracting Parties are requested to prioritize the Transboundary Marine Protected Area between Kenya and the United Republic of Tanzania and the Northern Mozambique Channel as projects for funding by GEF.

#### **Decision CP7/11: Marine World Heritage Sites**

65. In decision CP7/11, Contracting Parties were encouraged with the support of the Secretariat the World Heritage Centre and other partners, to propose, where feasible, new marine world heritage sites and build capacity in the Western Indian Ocean region.

#### **Decision CP7/12: Conservation of Sharks**

66. In decision CP7/12.2, the Contracting Parties requested the Secretariat to prepare a regional status report on the state of sharks especially on matters of institutional, legal and capacity and report to the next Conference of Parties. Pursuant to this decision, the World Conservation Society (WCS) is in the process of developing a Regional Status Report on Sharks and Rays in the Western Indian Ocean Region in consultation with the Contracting Parties through the National Focal Points to the Nairobi Convention.
67. The Contracting Parties are requested to take note of the Summary of the Regional Status Report on Sharks and Rays in the Western Indian Ocean Region at COP8 and urge the Secretariat in partnership with the World Conservation Society to finalize the report for adoption of recommendations from the Report at the next Conference of Parties.

#### **Decision CP7/13: Mangroves for the Future**

68. In Decision CP7/13, the Contracting Parties were requested to endorse the Mangroves for the Future Partnership and to engage in dialogue to develop this initiative further in the Western Indian Ocean region. A partnership programme with IUCN, WIOMSA, CORDIO and the Governments of Kenya, United Republic of Tanzania and Mozambique on the Mangroves for the Future Initiative for the WIO region was developed through support provided by the government of Sweden. Subsequently, a regional stakeholder workshop was organised to discuss the draft programme document and a High Level Development Partners Meeting was held on 2 August 2013 to raise awareness and to seek support for the programme.
69. Contracting Parties are requested to support the *Resilient Coasts: Strengthening the resilience of coastal socio-ecological systems in the Western Indian Ocean* programme.



**Decision CP7/14: Green Economy**

70. In Decision CP7/14.3, the Contracting Parties 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.
71. The Secretariat organized a Blue Economy workshop on 11-13 December 2013 in Seychelles which focused on developing an understanding of the concept of blue economy, characteristics and its application to the Western Indian Ocean region. Presentations were made on the concept of the blue economy and lessons learned from its application at the national level in the Contracting Parties and various regions around the world. The Secretariat organized a second workshop on Blue Economy and Ocean Governance on 17-18 June 2015 in Seychelles as a preparatory workshop for the Eighth Conference of Parties.
72. The Contracting Parties are requested to:
- a) take note of the recommendations from the Blue Economy Workshops.
  - b) Support the Blue Economy as a model to unlock economic opportunities in the ocean sectors including value addition in the maritime sectors in the Western Indian Ocean Region and request the Secretariat to include it in the work programme for 2015-2017 of the Nairobi Convention and call for its implementation by Contracting Parties with the support of the Secretariat, partners and other stakeholders.
  - c) adopt marine spatial planning and area-based planning as tools and mechanisms for ocean governance in the Western Indian Ocean Region and request the Secretariat to include Blue Economy in the future work programme (2018-2022) of the Nairobi Convention and call for its implementation by Contracting Parties with the support of the Secretariat, partners and other stakeholders.

**Decision CP7/15: Contribution to the United Nations Regular Process**

73. In Decision CP7/15.1, Contracting Parties agreed to support and actively contribute to the United Nations Regular Process for Global Reporting and Assessment of the State of the Marine Environment, Including Socio-economic Aspects by nominating national experts or institutions to be part of the Pool of Experts and by providing the necessary information for the process and the assessment of marine environment. In CP7/15.2, the Contracting Parties requested the Secretariat to facilitate the holding of regional meetings of experts for the purpose of exchanging and consolidating information in accordance with Article 18 (2) of the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region with the aim of preparing the state of the coast reports that will contribute to the United Nations Regular Process.
74. Pursuant to decision CP7/15, the Secretariat contracted WIOMSA to prepare the Regional State of Coast Report which shall be launched on 23 June 2015 during the Eighth Conference of Parties by the Executive Director of UNEP.

- a) The Contracting Parties are requested to note the recommendations from the Regional State of Coast Report for the Western Indian Ocean Region and call for the regular updates and review of the state of coast report, and posting of an online version of the State of the Coast report.

#### **Decision CP7/16: Western Indian Ocean Coastal Challenge**

75. In Decision CP7/16.2, the Contracting Parties requested the Secretariat and the Indian Ocean Commission and other partners to continue supporting the Western Indian Ocean Coastal Challenge through their respective work programmes.
76. The Secretariat provided support to Chair of the Convention to attend the Third International Conference on Small Island Developing States on 1- 4 September 2014 in Apia, Samoa, and the SIDS Action Platform as a member of the Steering Committee.

#### **Decision CP7/17: Science to Policy Engagements**

77. In Decision CP7/17, the Contracting Parties requested the Secretariat to hold and encourage partners to support regular science to policy dialogues to provide continuous interaction between the scientists, civil society, private sector, and policy and decision makers.
78. In response to Decision CP7/17, the Science for Policy Consultative Meeting for the Western Indian Ocean region was held on the 27th of August 2014 in Naivasha, Kenya. The meeting was jointly organized by the Nairobi Convention Secretariat and the Western Indian Ocean Marine Science Association. The meeting brought together leading marine scientists and policy makers in the Western Indian Ocean region to explore the interaction between science and policy with the view to promote science based management of the marine and coastal environment of the WIO region, by promoting dialogue between scientists, civil society, private sector, policy and decision makers. The deliverables of the meeting included a list of priority issues from which decisions for the Eighth COP will be based; and a description of the process for linking Science to Policy within the framework of the Nairobi Convention. In addition, The Secretariat organized a Science to Policy workshop on 20 June 2015 in Mahe, Seychelles as a preparatory workshop for the Eighth Conference of Parties.
79. The Contracting Parties are urged to transform the Forum for Academic and Research Institutions (FARI) from an informal to a formal advisory scientific and technical body with a mandate to provide advisory services to the governments of the region and quality assurance for publications from the Secretariat of the Nairobi Convention.

#### **Decision CP7/18: Support to the Federal Republic of Somalia on Management of Coastal and Marine Environment**

80. In decision CP7/18, the Contracting Parties requested the Secretariat and partners to facilitate development and implementation of programmes and projects in support of Somalia's efforts to improve its management of the marine and coastal environment.

81. The Secretariat prepared and submitted a concept to JICA for Nairobi Convention Support to Somalia to build the capacity of the Government of Somalia to participate and contribute to management of national as well as transboundary marine and coastal ecosystems in the Western Indian Ocean region. The project would among others, provide up to date knowledge and information on marine and coastal environment and related institutional arrangements with a view to bridge the knowledge gaps that have resulted from 20 years of state collapse and limited participation of the Government of Somalia in regional processes. No funding was secured for the project.

### **Decision CP7/19: Strengthening the Operational Functioning of the Secretariat**

82. In Decision CP7/19.1, the Contracting Parties requested the United Nations Environment Programme to undertake a comprehensive functional review of the Secretariat in order to guide Contracting Parties on potential additional support to the Secretariat for consideration at the next Conference of the Parties. In CP7/19.2, the Contracting Parties also agreed on the need to second national staff to serve in the Secretariat for the implementation of the work programme and requested the Secretariat to provide information to Contracting Parties on specific staffing needs for the work programme.
83. The Secretariat prepared a strategy paper on optimizing on coordination and functionality of the Secretariat in the context of WIO-SAP and the Amended Nairobi Convention Protocol marked as working document UNEP/(DEPI)/EAF/COP8/2015/5.
84. In addition, in CP7/19.3, the Contracting Parties requested the Secretariat to circulate in all official languages, at least six weeks prior to the session of the Conference of Parties, appropriate documentation for that session.
85. The Contracting Parties are urged to adopt the paper on the proposed new strategy on optimizing the coordination and functionality of the Secretariat of the Nairobi Convention at the Eighth Conference of Parties.

### **Decision CP7/20: Financial matters**

86. In decision CP7/20.2, the Contracting Parties mandated the Secretariat to invoice Contracting Parties annually for the current year's contributions. The Secretariat in response to decision CP7/20.2 sent invoices to all the Contracting Parties.
87. In CP7/20.8, the Contracting Parties requested the Secretariat to present at each Conference of the Parties a detailed report on the utilization of the funds, work outputs and outcomes for the reporting period distinguishing activities undertaken in projects, the Trust Fund and other funds. The Secretariat has finalised the report presented as working document UNEP/(DEPI)/EAF/COP8/2015/7
88. In summary, the report highlights the principal challenge to strengthening of the Nairobi Convention as the unpredictable and limited financial support. The income to the Nairobi Convention Trust Fund through the assessed contributions of the Contracting Parties is not sufficient to support the staffing and functioning of the Convention Secretariat or of a fully-fledged Regional Coordination Unit.

89. The report also highlights that the Secretariat has been able to increase the range of services provided to the Contracting Parties as a result of project-based income implemented and executed by the Secretariat, including a wide range of initiatives managed by the Nairobi Convention partners that have supported regional policy development and implementation.

90. In the period 2013 and 2014, the contributions to the Trust Fund by the Contracting Parties is outlined in Table 2 and 3 below:

**Table 2 Contributions to the Eastern Africa Trust Fund in 2013**

COUNTRY	Unpaid pledges for 2012 and prior years	Adjustments	Pledges for 2013	Collections during 2013 for prior yrs	Collections during 2013 for 2013 & fut. yrs	Unpaid pledges for 2013 and prior years
Comoros	317,200	0	15,100	0		332,300
France	23	0	78,000	23	78,000	0
Kenya	0	0	45,302	0		45,301
Madagascar	321,572	0	22,651	0		344,223
Mauritius	0	0	30,201	0	30,201	0
Mozambique	741,477	0	45,302	45,302		741,477
Seychelles	100	0	15,100	100	15,100	0
Somalia	290,000	0	15,100	0		305,100
South Africa	0	0	37,500	0	37,500	0
Tanzania	927,456	0	45,302	0		972,758
<b>TOTAL</b>	<b>2,597,827</b>	<b>0</b>	<b>349,558</b>	<b>45,425</b>	<b>160,801</b>	<b>2,741,158</b>

**Table 3 Contributions to the Eastern Africa Trust Fund in 2014**

COUNTRY	Unpaid pledges for 2013 and prior years	Adjustments	Pledges for 2014	Collections during 2014 for prior yrs	Collections during 2014 for 2014 & fut. yrs	Unpaid pledges for 2014 and prior years
Comoros	332,300	0	15,100	0	0	347,400
France	0	0	78,000	0	155,970	0
Kenya	45,301	0	45,302	0	0	90,601
Madagascar	344,223	0	22,651	0	0	366,874
Mauritius	0	0	30,201	0	30,201	0
Mozambique	741,477	0	45,302	0	0	786,779
Seychelles	0	0	15,100	0	15,100	0
Somalia	305,100	0	15,100	0	0	320,200
South Africa	0	0	37,500	0	37,500	0
Tanzania	972,758	0	45,302	0	0	1,018,060
<b>TOTAL</b>	<b>2,741,158</b>	<b>0</b>	<b>349,558</b>	<b>0</b>	<b>238,771</b>	<b>2,929,914</b>

\*\*\*A contribution from France received in February 2014 posted against the accounting period 2014 is considered as a collection in 2014 for 2015.

91. The sum of pledges to the Eastern African Trust Fund would primarily support the staff and operations of the Nairobi Convention Secretariat but the contributions by Contracting Parties have neither been sufficient to meet the demands nor predictable. There are limited

prospects for an increase in assessed contributions in the current financial environment and UNEP cannot subsidize the operational costs for Secretariats of regional agreements.

92. The level of actual contributions received during the last biennium is not sufficient to support the cost of the Secretariat Functions as shown in Table 4 below.

**Table 4: Expenditure Report for the Eastern Africa Trust Fund (2013-2014)**

	<b>Regional Seas Trust Fund for the Eastern African Region</b>	
	<b>Expenditure report</b>	
	2013	2014
Coordinator EAF - P4/P5	181,423.08	184,280.93
Project Officer - P2	113,122.77	431.82
Secretary - G4	22,744.68	22,291.23
<b>Total Personnel</b>	<b>317,290.53</b>	<b>207,003.98</b>
Official Travel	-	-
Travel - contracting parties	-	-
Reporting-costs publications and ma	28,586.57	-
Sub-Contracts	48,579.00	20,325.33
<b>Total Activities</b>	<b>77,165.57</b>	<b>20,325.33</b>
Sundry-postage	-	-
Operational Costs	-	-
<b>Total Operational Costs</b>	<b>-</b>	<b>-</b>
<b>Total</b>	<b>394,456.10</b>	<b>227,329.31</b>
Programme Support Cost (13%)	51,279.29	29,552.81
<b>Total Cost to the EAL TF</b>	<b>445,735.39</b>	<b>256,882.12</b>

93. The Programme of Work of the Convention has largely benefited from extra-budgetary funding support to implement the decisions of the COP7 in the past two years. Table 5 below illustrates the extra budgetary source of funding which has contributed to the implementation of the Work Programme of the Convention:

**Table 5: Extra budgetary source of funding in support to the Nairobi Convention Programme of Work**

Expenditure in US\$	2013	2014
QAW: Multi-donor support to the NBO Conv.	150,193.88	217,558.15
Swedish support the NBO Conv.	281,510.80	7,851.69
<b>Total</b>	<b>431,704.68</b>	<b>225,409.84</b>

**Table 5a: Expenditure Report for the Extra-budgetary resources in 2013-2014(SEL)**

<b>Swedish Support(SEL) Expenditure Report</b>		
	<b>2013</b>	<b>2014</b>
Consultants		
Staff Travel	20,125.97	
<b>Sub- contracts(MoUs,SSFA,Las)</b>		
SSFA with WIOMSA- Synthesis Reports	156,000	
Meetings and Trainings	47,024.75	7218.64
Reporting Costs	5,549.25	
<b>Total</b>	<b>228,699.97</b>	<b>7218.24</b>

**Table 5b: Expenditure Report for the Extra-budgetary resources in 2013-2014(QAW)**

<b>QAW Support of the Action Plan for the East African Region</b>		
	<b>2013</b>	<b>2014</b>
Project Officer-P2		28,623.85
Regional Experts		6,025.00
UNVs	16,980	16,002.70
Travel on Official Business	47,721	20,635.00
Policy Briefs	24,196.20	
Policies and Laws	18,603.32	
SSFA with WIOMSA		24,852.13
Meetings	6,754.97	29,685.89
Reporting Costs	1463.33	2200
Sundry	17,989.31	
<b>Total</b>	<b>133,708</b>	<b>128,025</b>

94. However the income available to the Secretariat to support the Convention fluctuates significantly and support functions have had to be adapted accordingly. The extra-budgetary support received by the Convention has approximately equated to a 1 to 1 ratio. For every one US\$ invested by the Parties to the Convention in support of its Programme of Work, another US\$ was spent from extra-budgetary resources for the same objective.
95. The Trust Fund has therefore sustained the minimum functioning of the Secretariat. Table 6 below shows the actual cash position of the Trust Fund at the end of each year for the past three years. Most of the activities in the Work Programme have been supported by donor funding.

**Table 6: Modified cash balance of the Eastern Africa Trust Fund**

	31/12/2012	31/12/2013	31/12/2014
<b>EAL Cash Balance</b>	<b>950,345.02</b>	<b>745,147.99</b>	<b>731,861.48</b>

96. The Contracting Parties are requested to consider the long-term sustainability of the Trust Fund, including fund raising options to avoid depletion of the Trust Fund. During the past biennium, only five (5) countries out of ten (10) have contributed to the Trust Fund. From a pledge target of US\$ 699,116 for 2013 and 2014, less than half (US\$ 321,602) has been collected during the concerned period.

97. Since the creation of the Eastern Africa Trust Fund, a total of US\$ 2,929,917 of unpaid pledges has been accumulated (see table 7).

**Table 7: Ageing of Unpaid Pledges to the Eastern Africa Trust Fund**

US\$	Unpaid Pledges to the EAL
Over 25 years old	166,226
Between 15 to 25 years old	1,063,631
Between 15 to 5 years old	1,073,389
Between 5 to 3 years old	294,459
2 years old	143,455
1 year old	188,757
<b>Total</b>	<b>2,929,917</b>

98. With the continually expanding scope of the Work Program, it is essential that the financing not only adequately meets the needs of the program, but is also predictable. **Table 8** shows a proposed budget for the Secretariat for the period 2015-2017 based on Work Programme for 2013-2017.

Proposed Budget for the Secretariat of the NBO Convention from the EAL 2015-17	Budget by calendar year (in USD)		
	2015	2016	2017
<b>SECRETARIAT COSTS</b>			
PERSONNEL COMPONENT			
Coordinator (P5)	193,495.00	199,299.85	205,278.85
Project Officer	-	120,000	120,000
Administrative Assistance (G5)	27,772.50	28,605.68	29,463.85
	-	-	-
<b>Sub-total Personnel</b>	<b>221,267.50</b>	<b>347,905.53</b>	<b>354,742.69</b>
OPERATIONAL COSTS			
Operational costs	9,000.00	9,000.00	9,000.00
Office Equipment and Misc.	4,000.00	4,000.00	4,000.00

<b>Sub-total Operational Costs</b>	<b>13,000.00</b>	<b>13,000.00</b>	<b>13,000.00</b>
<b>PoW ACTIVITES to be supported by partnerships and/or collaboration with other institutions</b>			
Consultant			
IGM - 8th & 9th	68,751.00		75,000.00
Travel	15,000.00	20,000.00	15,000.00
<b>Sub-total Activities</b>	<b>83,751.00</b>	<b>20,000.00</b>	<b>90,000.00</b>
<b>GRAND TOTAL</b>	<b>318,018.50</b>	<b>380,905.53</b>	<b>457,742.69</b>
13% Programme support cost (PSC)	41,342.41	33,917.72	43,906.55
Working Capital Reserve 15% Biennium	51,791.67		

99. The administration of the Trust Fund is entrusted to the Secretary-General of the United Nations and, should he/she deem it necessary, to the Executive Director of the United Nations Environment Programme (UNEP). The management of the Fund is governed by the Financial Rules and Regulations of the United Nations and related administrative policies or procedures promulgated by the Secretary-General. These Rules provide that the United Nations shall make a deduction equal to 13 per cent of all expenditures financed from the Trust Fund to finance the administrative support costs of the Trust Fund.
100. In decision CP7/20.3, the Contracting Parties mandated the Secretariat to negotiate with the Contracting Parties on agreeable terms and schedule the payment of arrears either in full, by instalments or in kind to the Trust Fund and report to the next Conference of the Parties.
101. In this context, the Contracting Parties are requested to take note that UNEP has been applying the International Public Sector Accounting Standard (IPSAS) since January 2014 to its financial statements. Under IPSAS, depreciation needs to be applied to unpaid pledges by 20% after one year, 60% after two years, 80% after three years and nil the value after the fourth year. UNEP has also adjusted its accounting practice to recognize income to the Trust Fund only as and when a payment is received. Therefore, UNEP as the party responsible for accounting can only send invoices to the Contracting Parties for each financial year and the accumulated balance for three years.
102. UNEP is obliged to apply the requirements of IPSAS. This however does not absolve any Contracting Party from its obligation to make its annual assessed contribution to the Trust Fund.
103. The Contracting Parties may consider developing Financial Procedures Rules to the Nairobi Convention, to supplement the UN/UNEP Financial Regulations and Rules and further consider a decision on unpaid pledges.
104. In CP7/20.6, the Contracting Parties agreed to establish a reserve fund for the sustainability of the Nairobi Convention and requested the Secretariat to work with other governments and partners in the mobilisation of funds and report at the next Conference of the Parties. In CP7/20.7, the Contracting Parties also agreed that the reserve fund shall



consist of (a) funds from the Trust Fund as shall be determined from time to time by the Conference of Parties, (b) such other funds as may be received from partners and other sources with the approval of the Bureau and specifically designated for the reserve fund.

105. The options for increasing centralised funding include making provision for voluntary contributions to the Nairobi Convention Trust Fund or to an alternative sister Trust fund that could be used as a receptacle for funds other than assessed contributions with clear guidelines for fundraising, and increasing the number of UNEP managed projects.
106. Indirect options for increasing support to the Convention include expansion in the number of partnerships and continued efforts to influence partners' activities in support of the Convention.
107. The scale of contribution from the Contracting Parties has not changed for the last thirty years and Contracting Parties may consider introducing targets for annual contributions that are commensurate with costs of running the Secretariat.
108. The prevailing financial situation implies that the principal sources of funding for strengthened coordination and delivery will be i) managed projects of short to mid-term duration (1-5 years) and ii) cash or in kind contributions from Contracting parties and partners, including through project-based funding or annual budgeting processes.
109. The Contracting Parties are requested to support and manage a reserve fund as established under CP7/20.6, by agreeing to contribute all arrears to the trust fund.
110. Additional challenges include the broad thematic scope of the Convention and associated protocols, the need to operate in the official languages of the region and the differing technical needs and priorities of the Convention countries. In this context, the Contracting Parties should consider the options of expanded but devolved coordination and delivery structure for functions such as information and knowledge management, communications and visibility, resource mobilisation and project management. The following options are designed to minimise demand on the core Secretariat budget while at the same time broadening responsibility for regional support to implementation. namely;
- Establishing an ad hoc Task Team to further develop the TORs for any arrangement or coordination structure for implementing emerging issues (anticipated entry into force of ICZM protocol, climate adaptation) as well as practical tasks such as review of guidelines, mandates, criteria and/or draft MOUs.
  - Explore options to reinforce the roles of Bureau vice-chairs in providing cross cutting support to implementation of the Convention in agreed areas (currently, work programme, coordination, and resource mobilisation).
  - Request governments to second at least 3 professional staff, either through; a) seconded National Officers, b) junior professional officers (JPOs), and c) UN Volunteers from Contracting Parties to the NCS.
  - Mandate the Secretariat to initiate the process of seeking secondments of professional staff, JPOs, or UNVs for the secretariat from Contracting parties
  - Mandate the secretariat to call for willing institutions to offer to participate either as Regional Activity Centres or Collaborating or Specialist Centres based on agreed of hosting criteria to be approved by the bureau.
  - Mandate the secretariat to expand the network of focal points to include Focal points for; a) the Convention level as envisaged under Article 17 (2); b) Thematic

Focal Points associated with protocols or priority themes; c) Project Focal Points where relevant initiatives exist.

### *New and Emerging Themes*

#### **The Western Indian Ocean Region in the Africa Development Agenda**

111. Agenda 2063 of the African Union Commission highlights Africa's huge opportunities to sustainably develop its Blue Economy in: ocean sectors that have immediate potential for growth and job creation; enhanced science, technology and innovations; collaborative management of shared water resources within the framework of regional integration; and access to global common goods in areas beyond national jurisdiction.
112. In the context of Agenda 2063, the AU has developed the 2050 Africa Integrated Maritime Strategy as a tool to address Africa's maritime challenges for sustainable development and competitiveness and aims to foster increased wealth creation from Africa's oceans and seas by developing a sustainable thriving blue economy in a secure and environmentally sustainable manner.
113. The Cairo Declaration of the 15<sup>th</sup> Session of the African Ministerial Environment reiterated the support for the regional seas programmes in Africa as regional platforms for the implementation of the Africa Integrated Marine Strategy 2050 and Agenda 2063 on Ecosystem-Based Management Approaches for marine resources in the exclusive economic zones and adjacent waters. The 15<sup>th</sup> Session of the African Ministerial Conference on Environment also adopted Decision 15/1: "*Sustainably Harnessing Africa's Natural Capital in the Context of Agenda 2063*" and acknowledged the importance of natural capital in Africa in contributing a major share of the continent's gross domestic product and an essential element towards achieving sustainable development and poverty eradication in Africa. In particular in the Cairo Declaration of the 15<sup>th</sup> Session of AMCEN, the African Ministers of Environment declared their resolve to:
- agree to support activities on marine ecosystems, the development of marine spatial planning and area-based planning, marine protected areas and valuation and natural capital accounting tools in collaboration with regional seas programmes, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations and regional fisheries management organizations;
  - agree to support the preparation of periodic reports by regional seas programmes on the status of the oceans, including land-based sources and activities and governance, biennially for the African Ministerial Conference on the Environment;
  - agree to develop a governance strategy, in accordance with the United Nations Convention on the Law of the Sea and regional seas conventions, on oceans and seas in Africa for the effective management of the region's shared maritime resources and call for a regional conference to address the matter by 2016;

114. The Contracting Parties are requested take a decision in support of the Cairo Declaration of the 15th Session of the African Ministerial Environment

**Proposed Projects: Implementation of the Strategic Action Programme for the protection of the Western Indian Ocean from land-based sources and activities (WIO-SAP)**

115. In decision CP6/1 of COP 6 held on 29 March to 1 April 2010 in Nairobi Kenya, Contracting Parties endorsed WIO-SAP as the regional frame of reference for future collaborative action to address marine and coastal environmental challenges in the Western Indian Ocean, and the Amended Nairobi Convention Protocol and urged member states to implement it. Further, Contracting Parties requested the Secretariat to initiate and facilitate the development and implementation of follow-up projects identified in the WIO-SAP, as well as to seek new funding opportunities for the projects.
116. Subsequently, the Secretariat has developed three projects that form part of the Work Programme 2013-2017. The projects include: the UNEP Africa Marine and Coastal Programme 2010-2014; UNEP-UNDP-GEF project Implementing IWRM and Water Use Efficiency Plans in Indian and Atlantic Oceans SIDS 2011-2015; and GEF application on Partnerships for Implementing the WIO-SAP. In addition, with support provided by the Government of Sweden, a project on Mangroves for the Future Initiative for the WIO region was developed.
117. The Contracting Parties will be requested take a decision in support of GEF application on Partnerships for Implementing the WIO-SAP.

**Northern Mozambique Channel**

118. In line with decision CP7/7, the Secretariat established the Northern Mozambique Channel as a priority ecologically and biologically significant marine area (EBSA). Pursuant to decision CP7/10, a partnership project initiative between the Nairobi Convention Secretariat and the WWF on Conservation of the Northern Mozambique Channel was developed but no funding was secured.
119. The Contracting Parties are requested take a decision in support of project on Conservation of the Northern Mozambique Channel.

**Transboundary Marine Protected Area between Kenya & the United Republic of Tanzania**

120. In line with Decision CP7/7, the Trans Boundary Conservation Area between Kenya and Tanzania was identified as a marine protected area. Pursuant to decision CP7/10, the Contracting Parties were urged in collaboration with the Secretariat to develop a project on sustainable financing and management of marine protected areas in the Western Indian Ocean.

121. The Contracting Parties are requested take a decision in support of project on Trans Boundary Conservation Area between Kenya and Tanzania that was identified as a marine protected area.

**Sustainable Fisheries Management and Biodiversity Conservation of Deep-sea Living Marine Resources and Ecosystems in the ABNJ” (FAO and WCMC)**

122. The Cairo Declaration of the 15<sup>th</sup> Session of the African Ministerial Environment reiterated support for the regional seas programmes in Africa as regional platforms for the implementation of the Africa Integrated Marine Strategy 2050 and Agenda 2063 on Ecosystem-Based Management Approaches for marine resources in the exclusive economic zones and adjacent waters. In this context the Nairobi Convention in collaboration with FAO, CBD, IOC and IMO will support the execution of a project on Sustainable Fisheries Management and Biodiversity Conservation of Deep-sea Living Marine Resources and Ecosystems in Areas Beyond National Jurisdiction.
123. The Contracting Parties will be requested take a decision in support of *Sustainable Fisheries Management and Biodiversity Conservation of Deep-sea Living Marine Resources and Ecosystems in the ABNJ*

**Renewed Partnerships**

**Coordination with Indian Ocean Commission (COI)**

124. In the context of the GEF Western Indian Ocean Marine Highway Development and Coastal and Marine Contamination Prevention project's medium to long-term global environmental goal to reduce the risk of ship-based environmental contamination (such as oil spills from groundings and illegal discharges of ballast and bilge waters) and to strengthen the capacity of countries to respond to oil or chemical spill emergencies in the region, the Secretariat of the Indian Ocean Commission (IOC) and the Nairobi Convention Secretariat will be requested to provide a platform to discuss the way forward on the establishment of a Regional Coordination Center (RCC) for Oil Spill Preparedness and Response Centre for the Western Indian Ocean Region.
125. The Contracting Parties are requested take a decision in support of the Regional Coordination Center (RCC) for Oil Spill Preparedness and Response Centre for the Western Indian Ocean Region in collaboration with South Africa and IOC.

**Post 2015 Development Agenda**

126. In anticipation of the United Nations summit for the adoption of the post-2015 development agenda that will be held from 25 to 27 September 2015, the Contracting parties are requested to take note of the Sustainable Development Goals, especially the goal to sustainably use the oceans, seas and marine resources for sustainable development and harness the opportunities resulting from the post-2015 development agenda processes to promote the protection, management and development of the Western Indian Ocean Region.