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**Paper on Optimising Secretariat Functions, Coordination and Delivery of the Nairobi  
Convention, its Protocols, and Action Plans and Approved Programme of Work**

## **Optimising Secretariat Functions, Coordination and Delivery of the Nairobi Convention, its Protocols, Action Plans and Approved Programme of Work**

### **A. Introduction**

1. The need to strengthen the institutional framework for coordination and support to implementation of the Nairobi Convention has been recognised by Contracting Parties at successive COPs and is reflected in COP Decisions including most recent, Decision CP 6/4: Strengthening the Secretariat and CP 7 / 10 Strengthening the Operational Functioning of the Secretariat.
2. The case for institutional strengthening was elaborated in the paper entitled, *Coordination Mechanism for the Nairobi Convention information document* UNEP/(DEPI)/EAF/COP8/2015/8 , that was tabled at COP 7 in Maputo (December 2012) which explored a limited number of options for decentralised coordination. The paper distinguished: i) core issues to be addressed by the Nairobi Convention Secretariat (legal, diplomatic, budgetary and coordination issues) and ii) technical activities to be delivered in a decentralised manner. It concluded that an optimum approach for implementation of technical activities would be the establishment of a set of Regional Activity Centres reflecting models successfully piloted by other Regional Seas programmes including those in the Caribbean and Mediterranean. The paper concluded with a draft Decision proposing the establishment of Regional Activity Centres (RACs) that was not adopted<sup>1</sup>.
3. This paper takes a wider perspective on coordination options drawing on the specific challenges and opportunities faced by the Nairobi Convention Secretariat and Contracting Parties including the difficult financial climate that has confounded efforts to establish a Regional Coordination Unit in Seychelles and the availability of a broad cross sections of existing and potential partners.

### **B. Building the Case**

4. The strengthening and increased scope of the Nairobi Convention and Protocols reflects a growing appreciation of the trans-boundary nature of the natural resource management and environmental concerns in the Western Indian Ocean (WIO) and is associated with increased demands on the Convention Secretariat (NCS). For example, the recent adoption of the WIO-SAP and LBSA Protocol, building on an extensive regional consultation process, has corresponding requirements to coordinate and facilitate delivery including support to implementation and compliance at national level and coordination of regional activities. Many of the functional requirements related to each of the three Protocols require a wide array of expertise and technical capacity that cannot be represented in the Secretariat. Legal processes; Compliance and reporting; Facilitation and organisation of regular meetings of parties and technical teams; Financial and administrative management; Liaison with National Focal Points; Representation and relations including coordination and partnership development with regional and international bodies; Development and coordination of cooperative activities; Development and coordination of Work Programmes including monitoring and reporting
5. UNEP has over the years provided support to the Nairobi Convention, by hosting the Secretariat and in the implementation of its work programme, which has expanded over time without a matching resource base, nor a matching coordination structure. Consequently, the prevailing approach to facilitating development of the Convention's coordination mechanisms, based on Article 17 of the Convention, has been largely opportunistic .

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<sup>1</sup> See: Adopted Decisions for COP7, December 2012. UNEP(DEPI)/EAF/CP.7/5/en

### C. Support Needs or Functions

6. The following paragraphs reflect the nature of coordination requirements established by the Convention and Protocol, by Action Plans and in other analyses:

#### a. The Convention

7. The statutory roles or functions of the Nairobi Convention Secretariat (NCS)<sup>2</sup> are those set out in the Convention text (1985, 2010) related to the body designated as responsible for carrying out secretariat functions pursuant to article 17 of the Convention ('the Organisation'). The core functions can be summarised as follows

- Managing Legal processes;
- Compliance and reporting;
- Facilitation and organisation of regular intergovernmental meetings;
- Financial and administrative management;
- Liaison with National Focal Points;
- Representation and relations including coordination and partnership development with regional and international bodies;
- Development and coordination of cooperative activities;
- Development and coordination of Work Programmes including monitoring and reporting.

#### b. The Protocols

8. Additional roles, to be delivered by the Secretariat in collaboration with the International Maritime Organization (IMO), are identified in Article 9 of the ***Protocol Concerning Co-operation in Combating Marine Pollution in Cases of Emergency in the Eastern African Region*** (1985). These include technical assistance, coordination of regional response activities, liaison with regional and international organisation and relevant entities active in the region, maintenance of an inventory, dissemination of information, facilitating emergency response communications, encouraging research, assisting parties in exchange of information, and preparing reports.

9. There is limited consideration of Secretariat or other organizational support roles in the ***Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region*** (1985) though regional activities are envisaged, notably establishment of a regional programme to co-ordinate the selection, establishment, and management of protected areas and the protection of wild fauna and flora with a view to creating a representative network of protected areas in the Eastern African region and related regular exchanges of information.

10. Article 17 of the ***Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-Based Sources and Activities*** (2010) details 19 secretariat functions to be fulfilled by the Organization. These include convening of meetings, fundraising, provision of guidance to bodies established under the Protocol, development of procedures and recommendations, development of reporting and information systems, development of plans and programmes, outreach including training and public awareness, administration and financial arrangements, budgeting, research, support to national focal points, and cooperation with other organizations including in the development of programmes.

11. Article 20 of the ***draft Integrated Coastal Zone Management (ICZM) Protocol*** (Draft 7 dated Sept 2012) indicates the Organization, referred to as a Secretariat, would be responsible for the functions set out in Convention Article 17 as well as: assisting in raising funds for the implementation of this Protocol; preparing common formats to be used as a basis for reports and other communication to the Organization; compiling and making available reports and studies which may be required for the implementation of this Protocol; preparation of regular reports

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<sup>2</sup> The Organisation is designated as the UNEP-supported NCS in the revised Convention (2010)

which shall include a draft budget for the forthcoming annual, bi-annual or other period as well as an audited revenue and expenditure statement for the preceding annual, biannual or other period; and, assisting Contracting Parties, in co-operation with competent regional and international, intergovernmental and non-governmental organizations, to establish and manage ICZM programmes and activities.

### c. Approved Programme - The WIO-SAP

12. Adopted in 2010, the Strategic Action Programme for the Protection of the Coastal and Marine Environment of the Western Indian Ocean from Land-based Sources and Activities (WIO-SAP) sets out short, medium and long term targets with corresponding regional and national actions requiring appropriate coordination.
13. The implementation section of the SAP proposes a coordination and implementation support structure based on the establishment of four Regional Activity Centres for which the functions, roles and responsibilities are implicit rather than explicit.

### d. Statutory Activities

A needs analysis undertaken by researchers indicated that strengthened regional capacity should accomplish five functions:

- Provide and facilitate technical assistance related to sustainable development;
- Establish, maintain and promote the use of regional expertise available at the national level at the international and regional scales;
- Promote regional experiences and best practices at the international level;
- Strengthen regional cooperation on sustainable development-related issues Building capacity in the region

### D. Funding Scenarios

14. The first COP held in 1997 in Seychelles in decision 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.
15. On a best case scenario, the Work Programme for the Nairobi Convention, the staff and operations of the Nairobi Convention Secretariat would primarily be funded through contributions of the Contracting Parties to the Trust Fund. However, the contributions have not been sufficient or predictable. Table 1 shows an ageing analysis on the Contribution Arrears to the Trust Fund from 1986-2014.

	Pledge	Payment	Arrears		
1986	262,150.00	(201,628.00)	60,522.00	166,226.00	Over 25 years old
1987	324,159.00	(218,455.00)	105,704.00		
1988	-	-	-		
1989	-	-	-		
1990	225,850.00	(129,050.00)	96,800.00	1,063,631.06	Between 15 and 25 years old

1991	281,857.00	(161,053.00)	120,804.00		
1992	225,850.00	(129,050.00)	96,800.00		
1993	281,857.00	(161,053.00)	120,804.00		
1994	415,904.00	(319,104.00)	96,800.00		
1995	281,857.00	(152,093.94)	129,763.06		
1996	512,444.00	(512,444.00)	-		
1997	255,550.00	(140,600.00)	114,950.00		
1998	780,610.12	(637,155.12)	143,455.00		
1999	351,857.00	(208,402.00)	143,455.00		
2000	312,058.00	(197,552.00)	114,506.00	1,073,389.00	Between 5 and 15 years old
2001	420,391.00	(276,936.00)	143,455.00		
2002	312,058.00	(168,603.00)	143,455.00		
2003	387,058.00	(243,603.00)	143,455.00		
2004	78,000.00	(78,000.00)	-		
2005	191,003.00	(191,003.00)	-		
2006	349,558.00	(206,103.00)	143,455.00		
2007	349,558.00	(206,103.00)	143,455.00		
2008	349,558.00	(206,103.00)	143,455.00		
2009	349,558.00	(251,405.00)	98,153.00		
2010	349,558.00	(251,405.00)	98,153.00	294,459.00	Between 3 and 5 years old
2011	349,558.00	(251,405.00)	98,153.00		
2012	349,558.00	(251,405.00)	98,153.00		
2013	349,558.00	(206,103.00)	143,455.00	143,455.00	2 years old
2014	349,558.00	(160,801.00)	188,757.00	188,757.00	1 year old
<b>Total</b>	<b>9,046,535.12</b>	<b>(6,116,618.06)</b>	<b>2,929,917.06</b>	<b>2,929,917.06</b>	

Table 1

16. Tables 2, 3, 4 and 5 below for example show an analysis of the proposed cost to the EAL for the operations of the Secretariat for 2015-2017 in the context of expected contributions to the Trust Fund on a Best Case and a Business as Usual Case Scenario.

Proposed Budget for the Secretariat of the NBO Convention 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
Programme Officer/P3		120000	120000
Administrative Assistance (G5)	27,772.50	28,605.68	29,463.85
Senior Secretary	-	-	-
<b>Sub-total Personnel</b>	<b>221,267.50</b>	<b>357,905.53</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>
PoW ACTIVITES			
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	0.00	0.00

Table 2

Expected Cash Flow and Positions of EAL 2015-17			
	2015	2016	2017
GRAND TOTAL with PSC & WCR	411,152.57	294,823.24	381,649.24
Opening Balance	731,861.00	592,266.43	647,001.18
NBO TF Best Case Collection (EAL)	271,558.00	349,558.00	349,558.00
Closing Balance Best case EAL	592,266.43	647,001.18	614,909.94
Opening Balance	731,861.00	448,811.43	360,091.18
NBO TF Business as Usual Case Collection (EAL)	128,103.00	206,103.00	206,103.00
Closing Balance Business as Usual case EAL	448,811.43	360,091.18	184,544.94

Table 3

Expected Cash Flow and Positions of EAL 2015-17			
Closing Balance Best case EAL	592,266.43	647,001.18	614,909.94
Closing Balance Business as Usual case EAL	448,811.43	360,091.18	184,544.94

Table 4

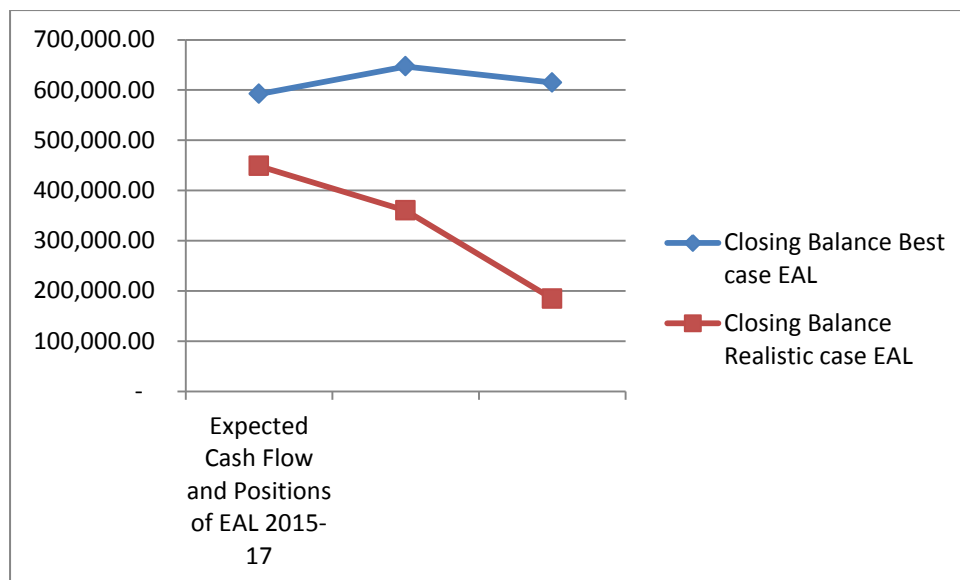


Table 5

17. In this context, the Trust Fund can only sustain the minimum operational functioning of the Secretariat for the proposed budget for 2015-2017.

## E. Opportunities and Challenges

### a. Challenges

18. As highlighted in the earlier section, the principal challenge to strengthening of the Nairobi Convention has been financial. 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. There are limited prospects for an increase in assessed contributions in the current financial climate.
19. UNEP has provided the Secretariat's office facility to the Convention including through appointment of a dedicated senior officer and several support staff. The Regional Coordinating Unit hosted by Seychelles has been limited to playing a representational role in the absence of dedicated staff.
20. The Secretariat has been able to increase the range of services provided to the parties as a result of project-based income including projects implemented by UNEP and executed by the Convention Secretariat including and a wide range of initiatives managed by the Nairobi Convention partners that have supported regional policy development and implementation. However the income available to the Secretariat to support the Convention fluctuates significantly and support functions have had to be adapted accordingly.

21. Options for increasing centralised funding include making provision for voluntary contributions to the Nairobi Convention Trust Fund or to a newly established 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. 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.
22. The prevailing financial situation implies that the principal sources of funding for strengthened coordination and delivery will be i) UNEP-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.
23. 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 WIO countries.

#### **b. Opportunities**

24. Opportunities for strengthening the coordination and delivery structure include the broader set of institutional setting in support of marine and coastal resources management spanning i) organizations contributing directly to the purpose of the convention and protocols and ii) organizations addressing complementary aspects on sustainable development of marine and coastal areas. There is a high level of capability and interest of established Nairobi Convention Secretariat (NCS) partners including the WIO-C partners in support of the species and protected areas protocol and cross cutting issues and ongoing interest in partnership amongst international, intergovernmental and non-governmental organisation. The WIO also has a broad pool of qualified national institutions and individuals including many with experience partnering with the NCS and participating in regional initiatives
25. There is further potential to create synergies with the governments and Implementing Agencies of the GEF through collaboration with in regional projects with a view to ensuring sustainable delivery mechanisms. These include the forthcoming GEF-supported WIO-SAP project, *Implementation of the Strategic Action Programme for the Protection of the Western Indian Ocean from Land-based Sources and Activities* to be implemented by UNEP and, potentially, the *Western Indian Ocean LMEs Strategic Action Programme Policy Harmonization and Institutional Reforms (SAPPHIRE)* project implemented by UNDP. Similarly, synergies could be built with other regional projects supported by France e.g FFEM through the focal point in France; and with regional programmes supported by partners such as the Government of Sweden – Africa Marine programme; the Norway-supported oil and gas programmes in the WIO and the FAO-executed Dr. Fridjof Nansen programme.

### **F. Institutional Strengthening – A Menu of Complementary Options**

#### **a) A Devolved Approach to Institutional Strengthening**

26. The case for a decentralised approach to institutional strengthening was set out in *UNEP(DEPI)/EAF/CP.7/20* (See [Paragraph 2](#)). A decentralised approach to coordination and delivery is advantageous for a number of reasons including flexibility, reduced costs, and greater ownership by the contracting parties ([Box 1](#)). It allows a flexible range of structures to be developed taking into account the priorities and emerging issues identified by the Contracting Parties and the presence of other competent organisations in or serving the areas covered by the Convention. It also avoids the long term costs and institutional lock in associated with building centralised coordination and technical capacity.



### **Box 1. Benefits of decentralised options for institutional strengthening**

- Extended programmatic reach
- Expansion of expertise available to the NCS
- Increased country ownership
- Flexible working mechanism with possibility to expand network on needs basis
- Lower staff costs compared to centralised options
- Host organisations and/or participants expand experience and strengthen reputation

### **c. Presentation of Options**

27. [Box 2](#) presents a menu of options for decentralised coordination and delivery of the Nairobi Convention; the Protocols and Programme of Work. The options presented span institutions (Regional Activity Centres, Collaborating Centres), networks (Subsidiary bodies, focal points, task forces and expert groups) and partnerships (organisational and supporting partners) with potential to offer services that complementing the services provided by the NCS.

### **Box 2. Decentralised Options for Institutional Strengthening**

#### ***Collaboration Centres:***

**Regional Activity Centres**– Dedicated centres with formal mandates established by governments and with delegated authority from COPs to support the implementation of Protocols or other thematic priorities. With dedicated staffing, RACs may facilitate groups or networks, be associated with thematic focal points as part of their governance structure. Funding may be provided from the NCTF or by a host country or organisation.

**Specialist Centres** – Recognised national or regional existing organisations within the Western Indian Ocean Region with delegated authority from COP to deliver tasks that fall within existing capabilities and staffing. This option is suited to specialised roles requiring significant infrastructure. Activity costs are likely to be project based or derived from the existing institutional mandate. Centres recognised by UNEP or within the UN framework may be appointed outside the WIO region if suitable facilities or skills are not on offer within the region.

#### ***Experts bodies;***

**Subsidiary Bodies** - A recognised and COP mandated body with representative membership with an ongoing formal advisory role in areas with a need for continuous or regular advice or assessments. May undertake specific COP mandated tasks and may appoint task forces to deliver these

**Focal Points** - Government representatives appointed by Contracting Parties with clear liaison and representational role at; a) Convention level as envisaged under article 17 (2); b) associated with protocols or priority themes; c) acting as project focal points where a relevant initiative exists; d) acting as members of a task force

**Task Forces / working groups** - assigned to deliver a particular task or set of tasks within a given period, may be government representatives or individual experts as appropriate; roles linked to COP decisions and/or projects; honoraria or costs basis.

**Expert networks** - Long term network of individual experts from public and private sector (incl. academia, NGOs, industry) acting in individual capacity appointed or nominated by Contracting Parties on a voluntary basis, at costs or negotiated honorarium.

#### ***Partners Institutions:***

**Organisational partners** – recognised national or regional institutions or organisations with relevant skill sets and programmes committed to contributing to the Action Plan or to the development of information systems; development of plans and programmes; maintenance of an inventory,

dissemination of information, outreach including training and public awareness; facilitating emergency response communications, encouraging research. Partners need to be able to commit to a role over a mid to long term timeframe in context of the organisation's own prioritisation setting and strategic planning; contributes to resource mobilisation (e.g. project partner and co-financer); may take on delegated roles

**Supporting or consultative organisations** - looser partnership arrangement with potential to formalise collaboration in context of specific and probably time-bound initiatives (e.g. through project agreements)

28. [Annex 1](#) provides a further comparison of the options based on a set of criteria designed to highlight the relative strengths and weaknesses of each option. The comparisons span:
  - Performance factors including the extent to which the different options provide dedicated support to the NCS and Contracting Parties, their potential to mobilise resources and their potential to leverage results through facilitation of networks and influence;
  - Ownership and representativeness;
  - Institutional commitment and flexibility;
  - The level of control over activities and safeguards required related to fundraising, communication and visibility;
  - Operational factors including support and facilitation needs.
29. The institutional approaches of RACs and specialist centres would be expected to perform strongly with regard to dedicated capacity, reach and influence. Institutional stability and continuity is associated with a long-term commitment to maintaining centres - beyond a typical project lifespan - and limited flexibility or responsiveness to new priorities or emerging issues. The relatively high running costs of RACs in particular would require secure funding from core Nairobi Convention budgets or from host countries and institutions. Potential for resource mobilisation is strong for established centres. At the same time, clear mandates and appropriate governance oversight and coordination mechanisms are required to ensure responsiveness to priorities established by the contracting parties. Stringent hosting requirements may limit the extent to which such centres could be regionally representative though this could be offset by recruitment of staff and/or secondments from other WIO countries. [Annex 2](#) includes a brief summary of pros and cons of different institutional arrangements.
30. Groups and networks offer a range of flexible options spanning formal advisory bodies that are directly accountable to the Contracting Parties, national thematic focal points, task forces with specific time-bound mandates and expert groups. Regional representation is high and the groups provide a relatively inexpensive and flexible mechanism for expanding the reach of the Convention and delivering specific tasks requiring a high level of consultation. Accountability varies according to the formality of group. All groups would require ongoing facilitation that could be delegated to mandated centres or to suitably qualified partners provided this does not affect the group's independence.
31. Partnership options are based on better exploiting the shared interests and complementary roles of established organisations to support priorities established by the contracting parties. While direct costs are low, the limited control over partners' activities and representation would need to be offset by appropriate guidance and oversight from the NCS with ongoing transaction costs.
32. [Annex 3](#) provides a summary of guidance provided in previous COP Decision related to centres, expert groups and partnerships.

## K. Towards A Dynamic and Scalable Model

*“From an institutional point of view, the Nairobi Convention Secretariat is the central nervous system of regional activities, coordinating the implementation of the Convention’s Work Programme”.*  
(Rochette & Billé 2012)

33. With a range of options building on the availability of qualified and capable institutions, partner organisations and individuals, the principle challenge to strengthening the coordination and delivery of the NCS is financial. The limited core budget and short-term and fluctuating nature of project-based funding implies the need to establish a flexible and highly elastic institutional mechanism for strengthened delivery and coordination with financial commitments that are commensurate with the availability and timing of funding.
34. The following paragraphs set out a scalable or tiered model for coordination and delivery. The model has been informed by the functional review of the institutions supporting the Barcelona Convention and Mediterranean Action Plan including a Secretariat / Regional Coordination Unit and a set of six components or RACs ([Annex 4](#)).
35. Core or first tier functions are the statutory functions delivered by the NCS in support of the Convention ([Paragraph 7](#) and [Box 3](#)).

### **Box 3. Core Functions of the NCS**

- Legal processes
- Compliance and reporting
- Facilitation and organisation of regular meetings
- Financial and administrative management
- Liaison with National Focal Points
- Representation and relations including coordination and partnership development with regional and international bodies
- Development and coordination of cooperative activities
- Development and coordination of Work Programmes incl. monitoring and oversight of reporting

36. Second tier or scalable functions are regional-level activities undertaken in support of implementation of the Convention and Protocols by Contracting Parties, with an emphasis on technical assistance and capacity development ([Box 4](#)). Scalable functions may be delivered through one or more decentralised options described above including on the basis of project funding.

### **Box 4. Delegated activities in support of Protocols and Action Plans**

- Development of new and revision of existing regional strategies and action plans
- Regional policy implementation including priority actions as agreed Action Plans
- Facilitation of technical cooperation and networking
- Technical assistance
- Training
- Assessments / analyses and prospective studies
- Development of tools, techniques and guidelines
- Implementation of pilot and demonstration projects
- Networking and sharing of lessons

37. [Table 1](#) provides an overview of the functions that could be provided by each of the support options, the situations they are best suited to serve, the resource implications, and examples of how each approach has been used in support of the Nairobi Convention and protocols or of other Conventions.
38. The options are not intended to be mutually exclusive but may be combined in different configurations according to need. Less formal options within each category could over time be transformed into or replaced by more formal options on a temporary or longer term basis (e.g. collaborating centres may host or become RACs, expert groups may become advisory or task groups and supporting partners may become organisational partners).
39. The decentralised approach to strengthening coordination and delivery has implications for ensuring accountability, alignment, and reporting, that would require an increase in governance oversight by the COP or Bureau as well as in support from the NCS<sup>3</sup>. NCS core functions that would require additional effort include the development and coordination of work programmes and cooperative activities. For example one-off or recurring tasks linked to each option include establishment of appropriate governance and oversight mechanisms, development of guidance and procedures (such as communications and visibility guidelines, fundraising procedures, reporting protocols and templates) and negotiation of terms of reference and/or Memoranda of Understanding.
40. [Box 5](#) list additional cross-cutting functions that could be decentralised or partly decentralised but may benefit from economies of scale and/ or standardisation that would be provided by a centralised or from the reduced risks associated with a strongly coordinated approach. This in turn has implications for increased capacity within the NCS. Options for increased capacity include secondments and/ or appointment of UN Volunteers from the WIO countries.

**[Box 5](#). NCS Functions related to facilitation and coordination of activities in support of the Convention**

- Development of and support to information systems
- Knowledge management
- Communications and visibility
- Resource mobilisation
- Oversight of UNEP projects in support of the PoW

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<sup>3</sup> Lessons from RS programmes included as part of the functional Review of MAP noted that, *The importance of the secretariats' effective coordination of its components (RACs or working groups) and the promotion of cooperation between components, is crucial to the successful implementation of strategic priorities within work programmes of conventions.*

**Table 1. Comparison of Options**

Option	Summary of roles / function	Suitable for	Resource implications	Examples
<p><b>Regional Activity Centres</b> - Dedicated centres with delegated authority linked to support to Protocols other thematic priorities</p>	<p>Semi-autonomous with fundraising mandate linked to NC Action Plan and PoWs</p> <p>Technical assistance on Convention and Protocols</p> <p>Project coordination and delivery in partnership with CPs and NC partners including studies and assessments, development of technical guidance, capacity development, piloting and demonstration activities, support to information management, communications and visibility.</p> <p>Liaison with thematic focal points</p> <p>Coordination of networks and task forces/ working groups</p>	<p>Long term institutional support and programmatic delivery in selected priority areas (e.g. Protocols)</p>	<p>Salaries and basic operations costs (core or host))</p> <p>Hosting costs including office space (host country)</p> <p>Activities costs (core and project)</p> <p>Coordination and governance costs (core)</p>	<p><b>None currently established</b></p> <p>Mediterranean / Barcelona Convention RACs – linked to Protocols, cross cutting support (communications and information; prospective studies) and priority themes; legal status varies.</p> <p><i>Example of Mandates are available in the MAP Decision IG.19/5 - Mandates of the Components of MAP</i></p>
<p><b>Collaborating or Specialist Centres</b> - Existing Centres mandated to deliver tasks that fall within existing capabilities and staffing</p>	<p>Similar functions to RACs based on activity budgets</p> <p>Potential for resource mobilisation for agreed priority activities</p>	<p>Mid to long term programmatic support and delivery in selected priority areas particularly highly specialised areas (e.g. ports management)</p>	<p>Activities costs (core and project)</p> <p>Possible cost recovery on staff time</p> <p>Supervision (core)</p>	<p><b>WIOMSA</b></p> <p>GCLME Project ‘RACs’</p>
<p><b>Thematic Focal Points</b> - Government representatives per Contracting Party linked to themes or protocols</p>	<p>Liaison with governments on priority issues linked to Protocols or other thematic priorities</p> <p>May serve as project focal points</p>	<p>Official liaison with specialist agencies / services in government including in other line ministries to National Focal Point</p>	<p>Costs to contracting parties</p> <p>Assumes roles is justified by associated activities and budgets (core and project)</p> <p>Coordination / communications (NCS or as delegated)</p>	<p>Thematic focal points are envisaged under Article 19 of the LBSA Protocol and Article 22 of the Draft ICZM Protocol</p> <p>MAP/ Barcelona Convention – increasingly oriented to thematic (rather than Protocol or RAC) focal points</p>

			Meetings	Example of Mandates: MAP Decision IG.17/5 - <i>Governance Paper</i>
<p><b>Subsidiary or Advisory Bodies</b></p> <p>A recognised and COP mandated body with representative membership</p>	<p>Ongoing formal advisory role in areas with a need for continuous or regular advice or assessments</p> <p>May undertake specific COP mandated tasks and may appoint task forces to deliver these</p> <p>Chair or delegated members may play a representational role if so mandated</p> <p>May develop links to relevant international bodies</p>	<p>Ongoing formal advisory role in areas with a need for continuous or regular advice or assessments (e.g. science policy interface)</p> <p>Nominated membership with links to governments</p>	<p>Largely voluntary in nature / possible honorarium (notably for chair)</p> <p>Facilitation / Communications (A recognised individual or organisation body with agreed mandate)</p> <p>Meetings and other activities (core or projects)</p>	<p><b>Forum for Academic and Research Institutions (FARI)</b></p> <p>Examples from elsewhere: Mediterranean Commission on Sustainable Development (MCSD)(Barcelona Convention); Compliance Committee (Barcelona Convention); Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) (Convention on Biological Diversity)</p> <p>Examples: MAP Decision IG.17/5 - <i>Governance Paper</i> (MCSD) SBSTTA Modus Operandi paper including functions</p>
<p><b>Task Forces / working groups</b> - assigned to deliver a particular task or set of tasks within a given period</p>	<p>Delivery of short to mid-term tasks based on Decisions of the CPs or related to approved projects ; may represent an active phase / subgroup of expert networks</p>	<p>Delivery of a task or set of tasks within a given period</p>	<p>Honoraria/ possible fees linked to deliverables</p> <p>Coordination / communications (NCS or as delegated)</p> <p>Meetings and other activities (core or projects)</p>	<p><b>Ad Hoc Technical and Legal Working Group (Decision CP.1/4)</b></p> <p><b>Four LBSA Task Forces</b> were involved in development of development of the WIO-SAP (Project funded)</p>
<p><b>Expert networks</b> - Long term network of individual experts acting in individual capacity</p>	<p>Self maintaining networks of experts</p> <p>Professional development, sharing of experience, networking, development of network initiatives</p> <p><i>May move into a working group or</i></p>	<p>Building capacities and sharing experience in key technical / scientific areas of common concern to all or several WIO Countries</p>	<p>Largely voluntary in nature</p> <p>Facilitation / Communications (Any recognised individual or organisation body with</p>	<p><b>Group of Experts on Marine Protected Areas (GEMPA)</b></p> <p><b>Coral Reef Task Force (CRTF)</b></p> <p><b>Invasive Species Task</b></p>

	<i>task force mode for delivery of project activities in collaboration with partners (e.g. assessments and studies)</i>		agreed mandate) Meetings and other activities (projects)	<b>Force</b> <b>Regional ICZM Network</b> envisaged under Article 23 of the Draft ICZM Protocol The draft <i>Climate Strategy</i> envisages four Task Forces: Atmospheric and Oceanographic Task Force (NC-AOTF), Coral-Reef Task Force (CRTF), Mangrove Task Force (MTF). and Seagrass Task Force (STF)
<b>Organisational partners</b> - organisations with relevant skill sets and programmes	Contribution to delivery of Action Plan / PoW within their areas of specialisation. Potential role in coordination of networks Resource mobilisation for agreed priority activities	Delivery of and support to activities relevant to their organisational or geographical mandate and expertise Sharing of expertise through networks/ task forces / subcommittees as participant or resource persons	Transaction costs to NCS and partners Activities through mutual fundraising Leverage effects	<b>WIO-C Partners:</b> CORDIO, EAWS, IUCN, WCS, WIOMSA, WWF  Examples from elsewhere: Mediterranean: 'MedPartnership' project
<b>Supporting or consultative organisations</b>	Collaborating partners interested in but unable to make a formal commitment to delivery of the Action Plan / PoW or involved in complementary areas not directly covered by the Convention		Transaction costs to NCS and partners Potential for activities through mutual fundraising / subcontracting	Other UN Agencies (FAO, UNIDO, UNDP, UNESCO, IMO, WMO, WHO) involved in projects and collaborative activities Indian Ocean Commission (COI) Southwest Indian Ocean Fisheries Commission (SWIOFC)

Dotted lines indicate a fluid boundary with potential for transition between two approaches



## L. Specific Proposals

41. The Nairobi Convention has employed both formal and informal institutional approaches to implement its workprogramme and now needs to formalize these as a basis for sustained and professional delivery.
42. This report has demonstrated the potential to reinforce coordination and delivery of the Nairobi Convention, its Protocols and Action Plans through a range of decentralised options that would promote ownership and sharing of responsibilities amongst the Contracting Parties. in a flexible manner that is compatible with available resources.
43. The following paragraphs set out options for reinforcing coordination and delivery in each of the thematic areas addressed by the Convention, Protocol and Decisions of the Contracting Parties.

### *i) Protected Areas and Wild Fauna and Flora*

44. The following proposals are build on the substantial expertise and engagement amongst NGOs and research institutions in the WIO region that has been partially consolidated by the creation of the Consortium for the Conservation of the WIO Coastal and Marine Ecosystems (WIO-C) in 2007<sup>4</sup>.
  - Invite the WIO-C partners form a task force to develop a framework or roadmap for regional activities in support of the protocol building on existing and planned activities and identified priorities, for consideration by the 2017 COP.
  - The framework should include a proposal for a coordination mechanism and hub with one or more WIO-C members playing a leadership role for a defined period and with appropriate liaison with designated national focal points.

### *ii) Combating Marine Pollution in Cases of Emergency*

45. The following proposals build on arrangements proposed in Article 9 of the protocol related to collaboration with the International Maritime Organization (IMO). Longer term there is potential to nominate one or more collaborating centres in this area.
  - Reinforce and formalise the relationship with the IMO in support of the protocol including through development of a set of priority actions set out in an MOU.
  - Explore partnerships with national and regional organisations (e.g. Port Management Association of Eastern and Southern Africa (PMAESA)) with a view to reinforcing technical assistance and capacity development based on MOUs and/or joint project proposals.
  - Explore potential to establish a set of thematic focal points building on existing networks and IMO focal points.
  - Reinforce and formalise the relationship with COI and UNEP/IMO on the Regional activity centre developed under the Marine Highway project in South Africa

### *iii) Land Based Sources and Activities*

46. The forthcoming WIO-SAP project represents an opportunity to reinforce regional capacity and consultation including towards establishing stable institutional mechanisms in support of the protocol.
  - Revisit the proposed institutional framework in the WIO-SAP<sup>5</sup> with a view to establishing a more streamlined and less costly support structure with a long term mandate.
  - Encourage technical partners playing a broad-based and regional advisory role in the project to apply for recognition as specialist or collaborating centres based on established criteria and with appropriate oversight mechanisms.

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<sup>4</sup> Decision CP 5/5. Strengthening partnerships and institutional mechanisms

<sup>5</sup> See Paragraph 13 – four separate RACs were proposed



## M. Science -Policy Interface

47. The following proposals respond to the 2012 Decision<sup>6</sup> to encourage partners to support regular science to policy dialogues to provide continuous interaction between the scientists, civil society, private sector, policy and decision makers as well as the need to ensure effective coordination and facilitation of expert groups. They reflect the 2004 Decision<sup>7</sup> to facilitate the establishment of the network of academic and research institutions in the region to and subsequent creation in 2007 of the Forum of Academic and Research Institutions (FARI)<sup>8</sup>.
- Mandate FARI to act as a subsidiary scientific body with a mandate to provide scientific advice, to review expert groups reports and, where appropriate provide quality assurance for and/or oversight for Task Forces /Working Groups.
  - Request a competent regional organisation such as WIOMSA to provide a secretariat role for FARI including facilitation of biannual meetings<sup>9</sup> and in developing background documentation including *inter alia* criteria for establishment and ongoing recognition of expert groups as well guidance and templates for group operations and reporting.
  - Encourage regional institutions to provide a formal hosting role for expert groups including by provision of communications infrastructure. .

## N. Reinforcement of the NCS

48. An expended coordination and delivery structure will increase demand on the Secretariat related including related to outreach and partnership development as well as support functions such as information and knowledge management, communications and visibility, resource mobilisation and project management. The following proposals are designed to minimise effects on the core NCS budget while at the same time broadening responsibility for regional support to implementation.
- Establish an ad hoc Task Team to further develop Terms of reference for any arrangement or coordination structure described above including through consideration of 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 three professional staff, either through seconded National Officers, junior professional officers (JPOs), and UN Volunteers from Contracting Parties to the NCS.
  - Mandate the Secretariat to initiate process for seeking secondments of professional staff, JPOs, or UNVs for the secretariat
  - 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.
  - 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 initiative exists.

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<sup>6</sup> Decision CP.7/17: Science to Policy Engagements

<sup>7</sup> Decision CP. 4/9. Strengthening Partnerships and the Institutional Mechanism of the Nairobi Convention

<sup>8</sup> Decision CP 5/5. Strengthening partnerships and institutional mechanisms

<sup>9</sup> Linked to COPs and/or WIOMSA symposia

## Annex 1: Comparative Analysis of Options

The following tables look at provide an overview of the strengths and weaknesses of different options and implications in terms of costs, facilitation needs and governance oversight.

### 1. Regional activity Centres (RACs)

RACs	
Programmatic reach	<ul style="list-style-type: none"> <li>– According to centre specialisations - linked to protocols or overarching approaches</li> </ul>
Expertise available to the NCS	<ul style="list-style-type: none"> <li>– Dedicated staff</li> <li>– Support from host organisation experts</li> </ul>
Country ownership	<ul style="list-style-type: none"> <li>– Strong for host countries.</li> <li>– Representativeness may be affected by stringent hosting criteria.</li> <li>– Minor risks of internal and funding politics.</li> </ul>
Regional representativeness	<ul style="list-style-type: none"> <li>– Determined by number and location of centres</li> </ul>
Institutional flexibility	<ul style="list-style-type: none"> <li>– Greater than centralised options: new centres can be opened according to need and could gain increasing autonomy for host organisations.</li> <li>– Commitment to individual centres is relatively high in view of establishment costs and 'lock in' to i) staff and operational costs and ii) themes.</li> </ul>
Costs	<ul style="list-style-type: none"> <li>– Establishment costs will depend on degree of independence from host</li> <li>– Relatively high and fixed staff costs present a risk in the face of fixed contributions if drawn from core budget</li> </ul>
Resource mobilisation	<ul style="list-style-type: none"> <li>– Qualifying factors include track record, appropriate governance arrangements, financial management systems, and reputation that could be borrowed from a host organisation.</li> <li>– There is some risk of programmatic drift in response to available funding, motivated by the need to cover staff and operational costs</li> </ul>
Leverage effects	<ul style="list-style-type: none"> <li>– Expanded potential to develop joint programme and influence partner activities</li> <li>– May facilitate other networks including thematic focal points, task forces and expert networks</li> </ul>
Continuity /institutional memory	<ul style="list-style-type: none"> <li>– Firm institutional basis</li> </ul>
Control over activities	<ul style="list-style-type: none"> <li>– Reduced control over activities (particularly if these are fully funded by the host country/organisation), communications and fundraising</li> <li>– Potential for programmatic drift related to host organisations own programmatic priorities and governance / line management.</li> </ul>
Operations/support staff	<ul style="list-style-type: none"> <li>– Functions are replicated at the level of each centre but this may be offset by services provided by host organisation</li> </ul>
Secondments /JPOs / UNVs	<ul style="list-style-type: none"> <li>– Firm institutional basis reinforced by regional mandate</li> </ul>
Experience and Reputation	<ul style="list-style-type: none"> <li>– The centres, staff and collaborators will expand experience and strengthen reputation</li> </ul>
Facilitation needs	<ul style="list-style-type: none"> <li>– Governance &amp; oversight structures, coordination and reporting mechanisms, project approval mechanism guidance on operations and visibility,</li> </ul>

## 2. Collaborating or Specialist Centres / Affiliated Centres

<b>SpecialistCentres</b>	
Programmatic reach	– According to centre specialisations / delegated role
Expertise available to the NCS	– Support from centre experts
Country ownership	– Moderate for host countries – Representativeness may be affected by selection criteria / available specialisations and infrastructure
Regional representativeness	– Determined by number and location of centres
Institutional flexibility	– Relatively high as roles could be delegated for a fixed period linked to project delivery
Costs	– No establishment costs – No fixed costs, activity costs may be project-based
Resource mobilisation	– Qualifying factors include track record, appropriate governance arrangements, financial management systems, and reputation
Leverage effects	– May facilitate other networks including task forces and expert networks
Continuity /institutional memory	– Firm institutional basis
Control over activities	– Delegated authority may be quick strongly controlled
Operations/support staff	– Provided by host organisation
Secondments /JPOs / UNVs	– Firm institutional basis reinforced by regional mandate but depending in term of mandate
Experience and Reputation	– The centres, staff and collaborators will expand experience and strengthen reputation
Facilitation needs	– Governance & oversight structures, coordination and reporting mechanisms, project approval mechanism guidance on operations and visibility,

### 3. Thematic Focal Points

Thematic Focal Points	
Programmatic reach	– Builds links to relevant government agencies including outside the Ministry hosting the NFP
Expertise available to the NCS	– National know how made available at a regional level
Country ownership	– High
Regional representativeness	– High
Institutional flexibility	– Relatively high
Costs	– No establishment costs – Staff cost borne by host countries – Facilitation and activities costs, including meetings, may be covered by projects
Resource mobilisation	– Not applicable / may act a focal points for projects
Leverage effects	– Outreach at national level
Continuity /institutional memory	– Firm institutional basis at national level
Control over activities	– Not directly applicable but terms of reference and guidance on roles and responsibilities to be developed
Operations/support staff	– Provided by host organisation
Secondments /JPOs / UNVs	– Not directly applicable but established networks may generate a demand and rationale for exchanges / secondments / technical assistance
Experience and Reputation	– Individual members will expand experience and strengthen reputation
Facilitation needs	– Coordination mechanisms, guidance on operations and visibility. – Facilitation may be undertaken through a RAC or project.

#### 4. Subsidiary Bodies

<b>Subsidiary Bodies</b>	
Programmatic reach	– As required by Contracting Parties
Expertise available to the NCS	– National know how made available at a regional level - expert and official membership
Country ownership	– High
Regional representativeness	– High / may be part of selection criteria
Institutional flexibility	– Relatively high
Costs	– No establishment costs – Honorarium for chair, voluntary membership – Facilitation and activities costs, including meetings
Resource mobilisation	– Not directly applicable
Leverage effects	– Outreach at regional and potentially international level
Continuity /institutional memory	– Records, possible institutional host
Control over activities	– Based on mandate and accountability to COP; terms of reference and guidance on roles and responsibilities to be developed
Operations/support staff	– Provided by NCS or delegated to host organisation
Secondments /JPOs / UNVs	– Potential for UNV or seconded expert in NCS or host organisation
Experience and Reputation	– Individual members will expand experience and strengthen reputation
Facilitation needs	– Direct support to Chair – Facilitation – Coordination mechanisms, guidance on operations and visibility.

## 5. Task Forces / Working Groups

<b>Task Forces / working groups</b>	
Programmatic reach	– As required by Contracting Parties including in the context of approved projects
Expertise available to the NCS	– National know-how made available at a regional level on priority issues
Country ownership	– Based on nominated / approved membership
Regional representativeness	– High
Institutional flexibility	– High
Costs	– No establishment costs – Staff cost borne by host organisations / possible honoraria – Facilitation and activities costs, including meetings, may be covered by projects
Resource mobilisation	– Not applicable
Leverage effects	– Link to additional experts at national level
Continuity /institutional memory	– Based on records, deliverables, individuals
Control over activities	– High based on mandated task
Operations/support staff	– Limited costs provided by host organisation
Secondments /JPOs / UNVs	– Not applicable though seconded staff in the NCS, RCU or other centres may facilitate functioning
Experience and Reputation	– Individual members will expand experience and strengthen reputation
Facilitation needs	– Coordination / facilitation – Facilitation may be undertaken through a RAC or project.

## 6. Expert Networks

<b>Expert Networks</b>	
Programmatic reach	– Largely self driven but recognition will depend on relevance and (later) effectiveness
Expertise available to the NCS	– National know-how made available at a regional level
Country ownership	– Based on representative membership
Regional representativeness	– Depends on membership
Institutional flexibility	– High with need to manage corresponding risk of proliferation of networks and excessive specialisation – May provide a pool of experts for Task Forces
Costs	– No establishment costs – Voluntary role subject to host organisations recognition – Facilitation and activities costs, including meetings, may be covered by projects or partners
Resource mobilisation	– Not directly applicable
Leverage effects	– Link to host institutions
Continuity /institutional memory	– Based on records, individuals
Control over activities	– Low but requiring some oversight for official recognition
Operations/support staff	– Low
Secondments /JPOs / UNVs	– Not applicable
Experience and Reputation	– Individual members will expand experience and strengthen reputation
Facilitation needs	– Review of annual report – Guidance and oversight on functioning including communications and visibility (branding) – Coordination / facilitation may be undertaken through a RAC, partner or project.

## 7. Organisational Partners

<b>Organisational Partners</b>	
Programmatic reach	– Based on partners specialisation
Expertise available to the NCS	– Based on partners specialisation
Country ownership	– Limited depending on organisation status
Regional representativeness	– Variable depending on organisation status
Institutional flexibility	– High based on time bound agreement or MOUs
Costs	– No establishment costs – Regular costs covered by partner – Contributions to NC Action Plan / PoW may be covered by projects or convergence with partners programmes
Resource mobilisation	– Potential for joint fundraising; cofinance from partner
Leverage effects	– Link to partners networks and constituencies – May coordinate expert groups / task forces in context of joint activities
Continuity /institutional memory	– Based on records of collaboration
Control over activities	– Low – Subject to agreements on visibility and joint activities
Operations/support staff	– Covered by partner
Secondments /JPOs / UNVs	– Not directly applicable
Experience and Reputation	– Partner organisations will strengthen relevance
Facilitation needs	– Transaction costs associated with agreements & collaboration – Guidance and oversight on functioning including communications and visibility (branding)



## 8. Supporting Partners

<b>Supporting Partners</b>	
Programmatic reach	– Based on partners complementarity
Expertise available to the NCS	– Based on partners specialisation
Country ownership	– Limited depending on organisation status
Regional representativeness	– Variable depending on organisation status
Institutional flexibility	– High based on voluntary engagement – Possible to develop into more formal partnership based on common activities
Costs	– No establishment costs – Regular costs covered by partner
Resource mobilisation	– Potential for joint fundraising; cofinance form partner
Leverage effects	– Limited
Continuity /institutional memory	– Based on records of collaboration
Control over activities	– Low / Not applicable – May clarify complementarities and niche
Operations/support staff	– Covered by partner
Secondments /JPOs / UNVs	– Not directly applicable
Experience and Reputation	– Limited
Facilitation needs	– Transaction costs

## Annex 2: Pros and Cons of Different Institutional Options for RACs

Option	Pros	Cons
Existing organisation nominated as or transformed into a RAC	<ul style="list-style-type: none"> <li>– Benefits fully from existing staffing, infrastructure and organisational processes, reputation and track record</li> <li>– Low establishment costs</li> </ul>	<ul style="list-style-type: none"> <li>– Potential for conflict with existing mandate, functions, and governance or line management (notably with regard to regional outlook) may affect responsiveness to Action Plan, PoW and requests of contracting parties</li> <li>– Long term nature of commitment reduces system-wide flexibility</li> </ul>
RAC established as semi-autonomous body or function within existing organisation	<ul style="list-style-type: none"> <li>– Clearer institutional identity and/or mandate</li> <li>– Benefits from existing staffing, infrastructure and organisational processes, reputation and track record in a flexible manner</li> <li>– Economies of scale in running costs / operations</li> <li>– Greater responsiveness to Action Plan, PoW and requests of contracting parties</li> <li>– Potential to transition to independent entity or to dissolve function according to system-wide needs</li> </ul>	<ul style="list-style-type: none"> <li>– Potential for misunderstanding in mandate and/or delegated authority with regard to parent organisation</li> </ul>
Independent body	<ul style="list-style-type: none"> <li>– Clear institutional identity and mandate</li> <li>– Fully responsive to Action Plan, PoW and requests of contracting parties</li> <li>– RAC-dedicated governance and management functions</li> </ul>	<ul style="list-style-type: none"> <li>– High establishment costs</li> <li>– Relatively high running costs in the absence of support structure</li> <li>– Long term nature of commitment reduces system-wide flexibility</li> </ul>

### **Annex 3: Relevant COP Guidance**

This annex includes relevant extracts from Decisions related to coordination and delivery mechanisms and partnerships and collaboration. It includes selected extracts on progress or issues from the UNEP Executive Directors reports to successive COPs<sup>10</sup>. The guidance and background related to each arrangement is presented in chronological order.

#### **Secretariat**

##### **CP.2/3. Joint implementation arrangements and approaches for the regional seas programme in Africa**

1. Recommend the establishment of an appropriate mechanism in order to ensure the effective implementation of joint programming and processes of the Abidjan and Nairobi conventions;
2. Request the Executive Director of the United Nations Environment Programme to establish at the headquarters of the Programme a joint implementation unit, to be supported by regional coordinating units and to service the conventions with a core staff financed by the United Nations Environment Programme and the trust funds
3. Decide, as a support measure, to put at the disposal of the proposed joint implementation unit, one Professional officer to be funded by the Nairobi Convention Trust Fund;

...

##### **Decision CP 6/4: Strengthening the Secretariat**

...

2. To request the Executive Director to strengthen the Nairobi Convention Secretariat by providing additional human and financial resources taking into account the implementation of the SAP and LBSA protocol, the pending review of the current protocols and the development of new instruments among others;
3. To urge contracting parties to explore seconding staff to strengthen the Nairobi Convention Secretariat;
4. Mandate the NCS and Bureau to review the regional coordination mechanism of the NC, implement short-term actions and propose to the next COP medium- and long-term solutions to improve and strengthen the Secretariat

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

1. To request 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.
2. To agree on the need to second national staff to serve in the Secretariat for the implementation of the work programme and request the Secretariat to provide information to Contracting Parties on specific staffing needs for the work programme.
3. To request the Secretariat to circulate appropriate documentation for that session in all official languages, at least six weeks prior to the session of the Conference of Parties,

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<sup>10</sup> Where these are included in COP Reports

## Advisory Bodies

### FARI

#### **Decision CP 4/9. Strengthening Partnerships and the Institutional Mechanism of the Nairobi Convention (2004)**

...

4. Direct the Secretariat of the Nairobi Convention in collaboration with other organizations to facilitate the establishment of the network of academic and research institutions in the region to:

- a. facilitate the sharing of information between these institutions and the Nairobi Convention as well as amongst themselves;
- b. enhance cooperation amongst universities and research institutions in the region;
- c. coordinate and facilitate identification of opportunities for collaborative research that are in line with the work programme of the Nairobi Convention

Direct the Secretariat to take the offer made by WIOMSA in this regard.

#### **Decision CP 5/5. Strengthening partnerships and institutional mechanisms (2007)**

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

#### **Related Reporting to COP 5**

*The Contracting Parties to the Nairobi Convention directed the secretariat to facilitate the establishment of the network of academic and research institutions in the region. In response, UNEP signed an MoU with WIOMSA to facilitate the establishment of the Forum for Academic and Research Institutions (FARI) in the Eastern African region. The first informal meeting of FARI was held in May 2005 and the formal launch of FARI was undertaken in September 2005. With the financial support from IOC-UNESCO, WIOMSA and UNEP, the first training workshop for FARI was held in October 2005 in Mozambique where heads of academic and research institutions were trained in advanced leadership skills. IOC - UNESCO through ODINAfrica Project has also supported a number of training workshops on advanced leadership, team building and proposal writing in 2006. 39.*

*FARI provides key inputs in the development of project proposals to be implemented by the Nairobi Convention at the regional level. FARI will also facilitate the sharing of information between the institutions as well as enhance cooperation between regional universities and research institutions. FARI will also identify and coordinate and promote collaboration in the implementation of joint regional research programmes that are in line with the objectives of the Nairobi Convention.*

## Working Group/ Task Forces

#### **CP.1/4 Establishment of an ad hoc technical and legal working group**

#### **Reporting to COP 5**

*In 2003 UNEP and Sida signed an agreement ... The objective was to strengthen the coordination structures within the secretariat of the Nairobi and Abidjan Conventions; provide support to the Regional Coordinating Units; support the National Focal Points and establish thematic Task Forces. This process was aimed at enhancing efficiency in implementation of the priority components of the work Programmes through partnerships with regional institutions and NGOs.*

Key activities implemented under the terms of the agreement include the following;

...

*(b) Establishment of Task Forces. The secretariat together with IUCN, and WIOMSA established a Group of Experts on Marine Protected Areas (GEMPA), which is hosted by WIOMSA. GEMPA with support from IUCN was responsible for developing toolkit on Marine Protected Areas. The secretariat also entered into an agreement with IUCN, where IUCN reviewed all programmes on integrated coastal management projects and the management effectiveness of Marine Protected Areas (MPAs), and launched a toolkit on Marine Protected Areas through a series of workshops in the region.*

## **Partnerships and Collaboration**

### **GENERAL**

#### **CP.1/8. Coordination with other programmes**

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.2/5. Coordination and collaboration arrangements**

1. Request the Executive Director of the United Nations Environment Programme:

(a) To liaise with global convention secretariats to explore the possibility of developing regional annexes, within the context of their the Parties to the Nairobi Convention;

(b) To collaborate with the executive bodies of the global programmes, including the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, and global projects, including the Global International Waters Assessment, to include specific activities on regional seas programmes in Africa in their programmes of work for the next bienniums;

(c) To discuss with the secretariat of the Global Environment Facility and other funding bodies the possibility of developing comprehensive portfolios of project activities for the Nairobi Convention;

(d) To explore possibilities of developing twinning arrangements with the developed regional seas conventions ...

#### **CP.2/6. Partnership arrangements with the private sector**

1. Authorize the Executive Director of the United Nations Environment Programme to ensure that the implementation of the programmes within the Nairobi Convention area involves the private sector, nongovernmental and community-based organizations and women's groups;

#### **CP 3/8. Partnerships**

Request the Executive Director of the United Nations Environment Programme:

(a) To further develop and implement joint activities with international and regional organizations and other partners to implement the objectives and work programme of the Convention;

(b) To ensure further that effective implementation of joint programming and processes of the Abidjan and Nairobi Conventions;

(c) To invite to meetings of the Contracting Parties the World Bank, the Global Environment Facility, the European Commission and other bilateral and multilateral agencies with a potential to become partners.

#### **Decision CP 4/9. Strengthening Partnerships and the Institutional Mechanism of the Nairobi Convention (2004)**

1. Direct the Secretariat of Nairobi Convention to enhance links between the Convention and the African Ministerial Conference on Environment (AMCEN) and the New Partnerships for Africa's Development (NEPAD);

2. Decide to enhance horizontal co-operation between regional seas conventions and action plans by:  
...

3. Decide that the Secretariat of the Nairobi Convention should enhance participation of civil society and the private sector in the development and implementation of the programme of work.  
...

#### **CP 5/5. Strengthening partnerships and institutional mechanisms**

... (See WIO-C below)

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

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

#### **Decision CP 6/6: Partnership Arrangements**

1. To reaffirm various existing partnership arrangements existing between the Nairobi Convention and various partners in enhancing coherent, collaborative and mutually beneficial implementation of various policies, programmes, projects and activities

2. To mandate the secretariat to seek new partnerships and enter into agreements as appropriate including with the South West Indian ocean Fisheries Commission (SWIOFC) and Indian Ocean Commissions (IOC), and enhance existing partnership arrangements in order to improve benefits to the Western Indian Ocean region.

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

To request 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, policy and decision makers.

#### **Specific Partnerships**

##### **IAEA**

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

...

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.

### Establishment of WIO-C

#### **Decision CP 5/5. Strengthening partnerships and institutional mechanisms (2007)**

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

#### **Annex 4: A Scalable Model for the Mediterranean**

Source: *Functional Review of the United Nations Environment Programme / Mediterranean Action Plan (UNEP/MAP) System. Final Report. March, 2013 (Dalberg). UNEP/BUR/76/Inf.4*

Originally published at [http://195.97.36.231/dbases/acrobatfiles/13BUR76\\_Inf4\\_ENG.pdf](http://195.97.36.231/dbases/acrobatfiles/13BUR76_Inf4_ENG.pdf)<sup>11</sup>

The extended functional review set out to improve the overall performance and operational efficiencies of UNEP MAP by providing an operational tool to adapt the MAP to the Contracting Parties' substantive and managerial demands. The review was undertaken in the context of a) an established and extended instructional framework including seven RACs or MAP Components b) an urgent needs to reduce costs including i) absolute costs and ii) the high proportion of Mediterranean Trust Fund budget used in staff and operations. Nevertheless there are lessons of interest for the Nairobi Convention.

The review includes an extended analysis of the mAP system with a focus on the RACs, building on an earlier internal review of the Secretariat /Coordinating Unit and the MEDPOL programme. The following analysis is of general relevance to

At the core of UNEP MAP's weaknesses is an unclear business model. The day-to-day challenges faced by the entire MAP system are due in a large part to the lack of clarity regarding the fundamental model, which should underpin the system.

The system that was originally conceived for the administration of the Barcelona Convention was a networked collaborative governance model embedded in a system of shared responsibilities between the Components – with the CU playing the central coordination role.

The system is currently delivering four categories of activities:

**1. Secretariat to the Convention**, including representation and relations, management of legal aspects of the Barcelona Convention, work programme development and implementation, information and communication, policies and strategies, development of regional action plans, compliance monitoring and monitoring status of marine and coastal environment. This part of the work should be funded by the MTF.

**2. Implementer of the Protocols**, including technical assistance to countries for the purpose of implementation of the Barcelona Convention and its protocols. This is at the request of countries and should be funded by MTF with co-funding from donor governments.

<sup>11</sup>Download not currently available (March 2015)

3. **Project manager for sustainable development of the Mediterranean**, including projects that do not directly contribute to the implementation of the Convention. These are projects that are funded externally and do not receive in-kind or cash contribution from MTF.

4. **Think tank on sustainable development of the Mediterranean**, including research on topics of interest for sustainable development. This includes studies that do not directly contribute to the implementation of the protocols.

Each of these activity categories requires a different business model, i.e. approach, funding, capacity, skills. As funding is constrained, these activity categories have to be prioritized and funded appropriately.

The Review identified three models presented three options for reorganisation 1) cost savings model through reduction and downgrading of functions; 2) a scalable system based on funding of core and scalable activities; and a 3) fund manager model with support services outsourced to RACs and other bodies through a competitive selection process.

Option 2 was preferred by the Bureau and Contracting Parties.

#### **OPTION 2: SCALABLE SYSTEM**

*The second option to achieve a more sustainable UNEP MAP system introduces the idea of core and scalable activities funded by the MTF. This fundamental difference between this option and option 1 is that all funding available for activities is opened up to competition. This element of competition will reinforce incentives for the RACs to work together to improve their offering, perform well on delivery and focus on the priorities set by the Contracting Parties.*

*The assumption is that all support that the UNEP MAP system could provide for sustainable development of the Mediterranean, is captured in the activity categories previously outlined and further categorized as follows:*

##### *A) Core activities*

*o Activity category 1 **Secretariat to the Convention**, including representation and relations, management of legal aspects of the Barcelona Convention, work programme development and implementation, information and communication, policies and strategies, development of regional action plans, compliance monitoring and monitoring status of marine and coastal environment.*

##### *B) Scalable activities*

*o Activity category 2 “Implementer of the protocols, including technical assistance to countries for the purpose of implementation of the Barcelona Convention and its protocols.”*

*o Activity category 3 “Project manager for sustainable development of the Mediterranean, including projects that do not directly contribute to the implementation of the protocols.”*

*o Activity category 4 “Think tank on sustainable development of the Mediterranean, including research on topics of interest for sustainable development. This includes studies that do not directly contribute to the implementation of the protocols.”*