

UNEP NAIROBI CONVENTION

LBSA PROTOCOL WORKSHOP

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MAPUTO

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History and Status

- ❧ The LBSA Protocol to the Nairobi Convention was adopted at the 6th Conference of Parties (COP) of the Nairobi Convention on 1 April 2010 , alongside the Amended Nairobi Convention.
- ❧ The Protocol was the culmination of intense efforts as part of the implementation of the WIO LaB Project (2005-2010) and became one of the Project's outstanding outputs.
- ❧ The LBSA Protocol picked experiences and best practices from other regions, including the Mediterranean, Caribbean, etc.

History and status

- ❧ To-date the LBSA Protocol has been ratified by the following countries: Mauritius, Mozambique, the Seychelles, the United Republic of Tanzania.
- ❧ The Protocol is not yet in force as it has not attained the requisite number of ratifications.
- ❧ Where the challenge of WIO LaB was **development** and **adoption** of the LBSA Protocol, the challenge of WIO SAP is **implementation** of the Protocol.

Summary of provisions

❧ **Synopsis of the LBSA Protocol:** the main features and elements of the LBSA Protocol include its objectives, key terms, geographical scope, application and obligations; categories of LBSA pollution and degradation (point and diffuse sources, physical alterations and destruction of habitats (PADH); measures of effective implementation; institutional and financial arrangements, among others.

Summary of provisions

- ❧ Detailed **preamble**, which highlights the key drivers and impacts of land based sources and activities causing pollution and degradation of the marine and coastal environment of the WIO region: untreated domestic wastes and discharges, industrial discharges, litter and micro plastics, agricultural runoff, activities causing physical alterations and destruction of habitats(PADH), as well as climate change impacts and manifestations.
- ❧ Negative impacts of LBSA on rich biological diversity, coastal tourism, ports and harbours, human health, etc.

Summary of provisions

- ∞ 26 Articles, thematically organized under five heads:
 1. **General provisions**, including definitions of key terms, geographical scope, protocol application, and general obligations;
 2. **Provisions on pollution and other degrading activities and sources**: includes pollution from point and diffuse sources, degradation from other harmful activities and transboundary pollution

Summary of provisions

- 3. Provisions to ensure effective implementation:** includes measures of implementation, compliance and enforcement, standards and guidelines, data collection and monitoring and evaluation, EIA and audit, scientific and technological cooperation, technical assistance, public participation, education and awareness, and reporting, exchange and access to information.

Summary of provisions

4. **Institutional and financial arrangements:** includes secretariat and coordination, meetings of the parties, national focal points, and financial arrangements.

5. **Final provisions:** includes status of annexes, settlement of disputes, signature, ratifications and others.

In addition, there are **Annexes** to the Protocol: on list of priority substances, hotspots, environmental quality standards, and best available techniques and practice.

Conclusion

- ❧ The WIO Region has one of the most detailed and comprehensive LBSA Protocols among the existing Regional seas programmes.
- ❧ While the need for an LBSA protocol to the Nairobi Convention was well articulated, and the efforts to develop and adopt it went fairly quickly, it has taken rather long (over 8 years) to achieve sufficient ratifications to enter into force and into implementation.
- ❧ The challenge of the moment is to achieve full ratification and implementation by all countries of the WIO region