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**Summary of the Secretariat's Key Actions and Responses to requests made by Contracting Parties
at the Third Negotiation meeting on the ICZM Protocol**

Nairobi Convention
4th ICZM Protocol Negotiation, Dar es Salaam

NOTE FROM SECRETARIAT

Secretariat Actions from Third Negotiation Meeting

A. Article 1: Definition of terms

“Region”

The Contracting Parties directed the Secretariat to convene experts to analyse the issue of the “Region” and propose text for the next negotiations meeting. The text was bracketed for further negotiation at the next meeting as there was no consensus.

Secretariat response/action: The Secretariat proposes that the definition of “Region” be dropped and in lieu thereof retain the agreed definition of “Geographical coverage of the Protocol”. A consequential change is that reference to the word “Region” in the title of the Protocol should be expunged.

Alternative: the following definition may be considered:

“Region” means that part of the Western Indian Ocean covered under the geographical coverage of the Protocol as defined in Article 2;

B. Article 9: ICZM Tools and Instruments

The Contracting Parties agreed to have the full list of examples of tools and instruments for implementation of ICZM moved to an annex that would be referenced in Article 9. However, there was no agreement on “legal, institutional, administrative and planning instruments” and it was bracketed for further negotiation.

Secretariat response/action: The Secretariat has developed a draft report and Annex which has already been circulated alongside other documents for the Fourth Negotiation Meeting. The draft Annex is attached herewith as **Annex 1**. The draft annex also is relevant to discussion of **Article 8 (ICZM frameworks)** and **Article 10 (Coastal setback lines)**

C. Article 22 National Focal Points

During the Third Negotiation Meeting, the following text for draft Article 22 (2) was proposed by a working group appointed by the Chair: *“The national focal points shall meet as appropriate to carry out the functions derived from the Protocol as provided for in the Terms of Reference for the focal points of the Convention as contained in Annex xxx”*. The rationale for including the terms of reference in the proposed annex

of the draft Protocol is that they are not included as part of the Convention text. The Contracting Parties agreed to the text from the working group.

Secretariat response/action: The Secretariat has reviewed and attached draft Terms of Reference for Focal Points as **Annex 2** of Article 22.

Annex 2: Draft Terms of Reference for National Focal Points

The Nairobi Convention Focal Points main roles are:-

- a. To coordinate information flow from national institutions, NGOs and locally based national, bilateral or multilateral projects and ensuring the dissemination of information to and within the convention area.
- b. To act as links to other Multilateral Environment Agreements, International Organizations and Fisheries related Conventions.
- c. To report to COP through the Forum of the Focal Points of the Nairobi Convention on areas of synergy and complementarities between the work-plans of the Convention and protocols at the National level.
- d. To ensure inter-sectorial coordination on the implementation of all activities approved by Contracting Parties meeting.
- e. To serve as the channel for all formal communications between the Secretariat and the governments and National collaborating institutions and task force members.
- f. To participate in preparation of biennial work plans as national experts and ensure preparation and submission of reports on the implementation of biennial work-plans and reports or relevant activities implemented at the national level by Government departments, UN agencies, NGOs.
- g. To coordinate the preparation of the state of the marine environment as contribution to the regional State of the Coast report.
- h. To participate in or assure adequate representation at the meetings of the National Focal Points Forum and at the COP meetings.
- i. To participate in resource mobilization activities in consultation with the vice chair responsible for and to ensure regular and timely contributions by participating governments to the Eastern African Trust Fund.