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REPORT OF THE FIRST MEETING OF THE CONTRACTING PARTIES  
TO THE CONVENTION FOR THE PROTECTION,  
MANAGEMENT AND DEVELOPMENT OF THE  
MARINE AND COASTAL ENVIRONMENT OF THE  
EASTERN AFRICAN REGION.

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I. INTRODUCTION

1. The 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 the United Nations Environment Programme (UNEP) in Nairobi from 17 to 21 June 1985, and attended by the representatives of France (Réunion), Kenya, Madagascar, Mozambique, Seychelles, Somalia, the United Republic of Tanzania and the European Community. The Final Act of the Conference includes:

(a) The Action Plan for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (UNEP 1985);

(b) The Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (UNEP 1985);

(c) The Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region (UNEP 1985);

(d) The Protocol concerning Cooperation in Combating Marine Pollution in Cases of Emergency in the Eastern African Region (UNEP 1985); and

(e) Four conference resolutions (UNEP 1985).

2. In accordance with the resolution on institutional arrangements adopted by the Conference of Plenipotentiaries, the Executive Director of UNEP convened, in Nairobi, the first meeting of the Bureau of the Action Plan for the protection, management and development of the marine and coastal environment of the Eastern African region, on 6 and 7 November 1991, the First Intergovernmental Meeting, on 8 and 9 November 1991, the first meeting of national focal points, on 27 and 28 October 1992, the Second Intergovernmental Meeting, on 7 and 8 September 1993, and the African Subregional Ministerial Meeting on Conventions, from 6 to 8 March 1995.

3. Pursuant to the resolutions of the Conference of Plenipotentiaries and the offer by the Government of Seychelles, the Executive Director convened the First Meeting of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention) on 17 and 18 March 1997, on Mahé Island, Seychelles. The Nairobi Convention entered into force on 30 May 1996, and article 17, paragraph 2 of the Convention provides that the first ordinary meeting of the Contracting Parties shall be convened within nine months of the date on which the Convention enters into force.

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4. The Contracting Parties to the Nairobi Convention (Comoros, France, Kenya, Seychelles, Somalia and the United Republic of Tanzania) and those eligible to become parties to the Convention (Madagascar, Mauritius, Mozambique and the European Union) were invited to the meeting. Other States as well as international, intergovernmental, regional and non-governmental organizations, and potential donor or funding organizations concerned by the Action Plan for the Eastern African Region, were invited to attend the meeting as observers. A complete list of participants, including all observers, is presented in annex IX to this report.

## II. ORGANIZATIONAL MATTERS

### A. Opening of the meeting

5. The Deputy Director of the UNEP Division of Environmental Conventions, Mr. Robert Hepworth, on behalf of the Executive Director of UNEP, opened the meeting at 9.30 a.m. on March 17 1997. She welcomed the participants and expressed her gratitude to the Government of the Republic of Seychelles for hosting the meeting.

6. Ms. Melvasalo expressed heartfelt condolences to the Government and the people of Seychelles as well as to the participants. She recalled the critically important role played by the late Minister in mobilizing public opinion in the Eastern African region to protect its coastal and marine environment. After more than a decade, the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African region had finally become operational. Ms. de St. Jorre had tirelessly and devotedly led her Ministry's efforts to provide an enabling environment for the location and running of the coordination office in Seychelles.

7. The text of Ms. Melvasalo's statement is contained in annex II.

8. Ms. Melvasalo also took the opportunity to introduce to the meeting the interim Coordinator, Mr. Richard Congar, designated by UNEP to facilitate the establishment in 1997 of the Regional Coordinating Unit of the Action Plan for the Eastern African Region and the Nairobi Convention in Seychelles.

9. The interim Coordinator introduced to the meeting the structure of the Regional Coordinating Unit and the personnel employed by it.

10. Mr. David Kinyanjui, the representative of the Government of Kenya, which is the depositary of the Convention and its protocols and outgoing Chairman of the Bureau, conveyed condolences to the Government and the people of Seychelles. He also thanked the other members of the Bureau for their continued support to the

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work undertaken over the preceding years. The text of Mr. Kinyanjui's statement is contained in annex II.

11. The representative of the Government of Seychelles, Mr. Emmanuel Faure, welcomed the participants. He emphasized the importance of the first meeting of the Contracting Parties at the moment of the entry into force of the Nairobi Convention and the establishment of the Regional Coordinating Unit of the Action Plan for the Eastern African Region. He also conveyed the sincere appreciation of the Government of Seychelles to UNEP and all key players for their efforts in the implementation of the Nairobi Convention. The text of Mr. Faure's statement is contained in annex II.

#### B. Election of officers

12. The meeting unanimously elected the following States to act as members of the Bureau until the second meeting of the Contracting Parties:

Chairman:	Seychelles
Vice-Chairman:	Kenya
Rapporteur:	France

13. The following persons were elected as Bureau officers on behalf of their respective Governments: .

14. The newly elected Bureau members were invited by the former Chairman, , to assume the responsibilities of the meeting.

#### C. Attendance

15. The meeting was attended by representatives of the following Contracting Parties: Comoros, France, Kenya, Madagascar, Mauritius, Seychelles, United Republic of Tanzania.

16. In addition, representatives of the following countries and regional economic integration organization eligible to become Contracting Parties attended the meeting as observers: Madagascar, Mozambique, South Africa, European Union.

17. The representatives of the following other countries attended as observers: Sweden, United Kingdom of Great Britain and Northern Ireland.

18. Representatives of the following United Nations bodies and specialized agencies attended as observers: Food and Agriculture Organization of the United Nations (FAO), Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations

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Development Programme (UNDP), World Meteorological Organization (WMO).

19. Representatives of the following intergovernmental, governmental and non-governmental organizations attended as observers: Indian Ocean Commission, Swedish International Development Cooperation Agency (SIDA), World Conservation Union (IUCN).

D. Adoption of the agenda and organization of work

20. The incoming Chairman of the Bureau thanked the Contracting Parties for their trust and support to the newly elected members of the Bureau.

21. The meeting adopted the following agenda on the basis of the provisional agenda proposed by the Secretariat:

1. Opening of the workshop.
2. Organizational matters:
  - (a) Adoption of the agenda;
  - (b) Organization of work.
3. Election of officers.
4. Presentations by regional partners.
5. Adoption of report and decisions.

B. Meeting of heads of delegation

(6 and 7 December 2001)

1. Opening of the meeting:
  - (a) Statement by a representative of the UNEP secretariat;
  - (b) Statements from members of the Bureau;
  - (c) Statement by a representative of the host Government.
2. Election of officers.
3. Adoption of the agenda.
4. Report by the Executive Director of UNEP.
5. Statements by representatives of Contracting Parties and observers.
6. Revision of the Nairobi Convention.
7. Work programme.
8. Financial report:

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- (i)(a) Sustainable financing;
  - (ii)(b) Partnership meeting.
9. Adoption of decisions.
  10. Venue of the fourth meeting.
  11. Other matters.
  12. Closure of the meeting

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22. It was further agreed by the meeting that participants could deliver general statements under agenda item 2 (c).

23. As proposed by the Chairman, the meeting decided to work in plenary session only.

E. Credentials and general statements by the participants

24. The credentials of the representatives were examined by the Chairman, who found them in order.

25. The Chairman then invited the Contracting Parties to deliver general statements.

26. The representative of Madagascar announced that his Government had started the process leading to the ratification of the Nairobi Convention, and that the issue of regularizing its contributions was being discussed. He urged the Secretariat to provide information and support to the Government of Madagascar to facilitate the ratification process.

27. The representative of Mozambique informed the meeting that his country had ratified the Nairobi Convention in November 1996, that the instruments of ratification were still being finalized and that the depositary of the Nairobi Convention would receive the finalized instruments of ratification in due course.

28. The representative of South Africa announced that his country was keenly interested in the Nairobi Convention, its Action Plan and its protocols. He further announced that, once it had received the report of the First Meeting of the Contracting Parties of the Nairobi Convention, his Government would be in a position to make a decision on joining the Nairobi Convention and, to that end, requested the Secretariat to work in consultation with the Government to facilitate its accession. With regard to the ongoing projects in the eastern

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African region, he specifically requested that EAF/14, the database and atlas project, should extend its activities into South Africa, if the resources so permitted.

29. The statements by Contracting Parties (France and the United Republic of Tanzania), as well as statements by other participants are attached in annex II.

30. The Chairman commended Mozambique on its ratification of the Nairobi Convention in November 1996 and expressed his appreciation to Madagascar for its intention to accede. He also welcomed the interest shown by South Africa and its willingness to participate in the implementation of the Nairobi Convention, and encouraged it to join the Convention as soon as possible.

### III. REPORT OF THE EXECUTIVE DIRECTOR

31. The Secretariat presented the report of the Executive Director, contained in document UNEP(WATER)/EAF CP.1/3, and drew attention to a number of issues dealt with in that report, including: the state of the marine and coastal environment of the Eastern African region and current challenges requiring closer regional and international cooperation; the status of the Nairobi Convention; institutional and financial arrangements; international and regional cooperation; programme matters; and the priority programme framework and activities for the environment and development in the Eastern African region.

### IV. REPORT OF THE DEPOSITARY

32. The representative of Kenya, which is the depositary for the Convention and its Protocols, presented the report of the depositary of the Convention, contained in document UNEP(WATER)/EAF CP.1/4, on the status of the signature, ratification or accession to the Convention and related protocols. The text of the depositary's report is reproduced in annex III.

### V. DOCUMENTS BEFORE THE MEETING

33. The meeting discussed at length the following documents:

(a) Draft rules of procedure for the meetings and conferences of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (UNEP(WATER)/EAF/CP.1/5);

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(b) Draft terms of reference of the Bureau of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (UNEP(WATER)/EAF/CP.1/6);

(c) Draft terms of reference for the management of the Regional Seas Trust Fund for the Eastern African Region (UNEP(WATER)/EAF CP.1/7);

(d) Draft priority programme framework and activities on environment and development in the Eastern African region (UNEP(WATER)/EAF/CP.1/9); and

(e) Decision recommendations (UNEP(WATER)/EAF/CP.1/10).

34. The Director of UNEP Water Branch urged Eastern African Member States to participate in the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. The secretariat further expressed its appreciation to the United Republic of Tanzania for its offer to host the first regional workshop to review the Eastern African overview of land-based sources of pollution on 22-25 September 1997.

35. The Director of UNEP Water Branch also requested focal points for the Nairobi Convention to nominate national coordinators to implement, at the earliest possible date, the Global Environment Facility (GEF) project for the preparation of a transboundary diagnosis analysis and a strategic action programme for the marine and coastal environment of the western Indian Ocean. The terms of reference of national coordinators are attached as annex 2 to the document UNEP(WATER)/EAF/CP.1/INF.9. The nomination of national coordinators should be conducted in accordance with those terms of reference.

#### VI. ADOPTION OF DECISIONS AND RECOMMENDATIONS

36. The following decisions and recommendations, considered on the basis of the document UNEP (WATER)/EAF CP.1/L.1, were adopted by the meeting:

CP.1/1 on ratification of the Convention and protocols;

CP.1/2 on institutional matters;

CP.1/3 on regional Coordinating Unit;

CP.1/4 on establishment of an Ad Hoc Technical and Legal Working Group;

CP.1/5 on financial matters;

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CP.1/6 on programme;

CP.1/7 on extrabudgetary Resources;

CP.1/8 on coordination with other programmes; and

CP.1/9 on cooperation with the International Maritime Organization.

37. The text of the decisions and recommendations is contained in annex I to the present report.

#### VII. DISCUSSIONS AND STATEMENTS OF THE CONTRACTING PARTIES AND OBSERVERS

38. The representative of the United Republic of Tanzania stated that his Government was fully involved in the implementation of the Convention, in cooperation with other Eastern African States and relevant agencies. He informed the meeting that the United Republic of Tanzania had recently offered to support the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Sources of Pollution, by assisting Eastern African countries to update or finalize, as appropriate, their inventories of land-based sources of pollution and by assisting in the organization of a regional workshop to review the Action Plan for the Eastern African region, to be hosted by the United Republic of Tanzania. The text of his statement is contained in annex II.

39. The representative of France reiterated his country's full support for the Convention and informed the meeting that France was particularly interested in the implementation of programmes for the integrated management of coastal areas in the region, employing the catalytic function of UNEP, through cooperation between regional experts and relevant agencies, and particularly with the Indian Ocean Commission. He also pledged France's continued support for activities of the UNEP regional seas programme in the Eastern African region, taking into consideration recent developments in the implementation of Eastern African programmes, and said that France was willing to provide assistance as requested. He said that France would also support realistic and efficient institutional and financial arrangements related to the Convention, which were designed to strengthen cooperation and facilitate communication exchange in both official languages of the Convention. The text of his statement is contained in annex II.

40. The representative of the World Conservation Union (IUCN) and the World Wide Fund for Nature (WWF) informed the meeting of progress accomplished by IUCN in the Eastern African Region in the framework of its overall mandate to support societies in conserving the integrity and diversity of nature through sustainable

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- and equitable - management plans, thereby contributing to the implementation of the Convention and more specifically, the Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region. He reiterated the commitment of IUCN to Eastern African member organizations, and its full support to providing the necessary cooperation through institutional arrangements, in line with the memorandum of understanding between IUCN and UNEP, to implement the Nairobi Convention. The text of his statement is contained in annex II.

41. The representative of the World Meteorological Organization (WMO) informed the meeting of the contribution which WMO could make to a better understanding of meteorological phenomena for the integrated management of marine and coastal areas. He recalled the global cooperative efforts of WMO with the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and with UNEP, and their impact in Eastern Africa. He also highlighted the complementarity of WMO programmes to the implementation of the Nairobi Convention. The text of his statement is contained in annex II.

42. The representative of the Indian Ocean Commission informed participants of a meeting of the Commission's Regional Environment Programme, funded by the European Union, and conveyed the Commission's willingness to strengthen and support cooperation with UNEP and, in particular, with the ongoing projects in the Eastern African region. The text of his statement is contained in annex II.

43. The representative of the International Oceanographic Commission (IOC) of UNESCO informed the meeting of the continuous commitment by IOC to a better scientific understanding of global and regional phenomena, particularly in the Western Indian Ocean, with respect to the global climate and land-ocean interaction in the coastal zone. He also stressed the need for cooperation to achieve that objective, through regional capacity-building and support from the international scientific community. Turning to the assessment of the state of the marine environment, one of the many tasks proposed to the Contracting Parties by the secretariat, he assured the meeting that IOC was committed to ensuring the high quality of results, reliable at both regional and global levels. The text of his statement is contained in annex II.

44. The representative of Sweden reviewed the cooperative efforts undertaken by the Swedish International Development Cooperation Agency (SIDA) in the region since 1993, in the framework of the Convention. He stated that the entry into force of the Nairobi Convention would open up new paths of cooperation between SIDA, UNEP and Governments of the region, depending on the commitment of Governments to their own institutions, particularly the funding and programme of the Regional Coordinating Unit and the activities of the Action Plan for the Eastern African region. He also urged participants to ensure, in particular

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through the programme of the Regional Coordinating Unit, a cost-effective implementation of the Convention, taking advantage of the complementarity of other umbrella programmes and the opportunities provided by cooperation in the region. The text of his statement is contained in annex II.

45. The representative of the European Union expressed the support of the European Union for the Convention and the Action Plan for the Eastern African region. He also recalled the technical and financial support provided by the European Union in the Eastern African region, in particular, through the Regional Environment Programme of the Indian Ocean Commission, which was complemented by activities implemented in the framework of the Convention. He stressed the need to strengthen cooperation between the above-mentioned regional programmes and informed the meeting that the European Union would follow up on the Convention ratification process, taking into particular consideration the entry into force of the Convention and the strong commitment expressed by countries of the region which were not yet Contracting Parties.

46. A statement by the Secretary-General of the International Maritime Organization (IMO), which was not represented at the meeting, was delivered by the Chairman. In it the Secretary-General conveyed his wishes for the success of the meeting and congratulations for the entry into force of the Convention. Recalling the fundamental objectives of the IMO strategy, he summarized its activities implemented through cooperation and in the framework of regional agreements. Three Eastern African countries (Madagascar, Mozambique and, in cooperation with UNEP, the United Republic of Tanzania) had been involved in the recent past in programmes aimed at strengthening their capacity for national and regional actions to prevent, control, combat and mitigate marine pollution, and to promote technical cooperation to that end. A GEF/IMO/International Petroleum Industry Environmental Conservation Association (IPIECA) joint initiative had been launched for Africa, at a meeting in Cape Town on 12-15 March 1996, to enhance the capacity of countries to prepare for and respond to marine oil spills in the framework of the International Convention on Oil Pollution Preparedness, Response and Cooperation. In the Eastern African region, four countries (Comoros, Madagascar, Mauritius and Seychelles) were or would be involved in training courses on IMO standard materials, a workshop on waste management (April 1998), field missions (1997) and workshops on national sensitivity maps. Complementary to the above mentioned activities, a project already funded by SIDA would be implemented in the near future to achieve the following results: national profiles on marine pollution prevention and management (Comoros, Madagascar); regional networking on integrated waste management; and enhancement of capabilities to respond to oil pollution (Madagascar and Mozambique). The Secretary-General expressed the willingness of IMO to extend the scope of the subregional project to other interested coastal countries, through cooperation and partnership. The text of his statement is contained in annex II.

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47. The representatives of France and South Africa requested the secretariat to improve its financial reports by giving details of financial contributions and related sources of funding and, in particular, Trust Fund contributions (general and/or earmarked), in order that the financial situation could be clearly assessed for future actions. They also noted the high proportion of donor contributions, which was an uncertain source of funding, compared to resources made available to the Trust Fund by Contracting Parties.

48. The representative of France requested the secretariat to provide participants, prior to the meetings of Contracting Parties, with summaries and more informative reports on the interim and final achievements of projects and their impacts on the overall implementation of the Action Plan.

49. The representative of Seychelles stressed the need to establish working groups on specific technical and legal issues, in order to enhance the participation of regional experts in the implementation of the Convention, and also to improve the skills of those experts.

#### VIII. PLACE AND DATE FOR THE SECOND MEETING OF THE CONTRACTING PARTIES

50. The meeting decided that the second ordinary meeting of the Contracting Parties to the Nairobi Convention would be held in Seychelles, in the first quarter of March 1999.

#### IX. ANY OTHER BUSINESS

51. The interim Coordinator distributed the organizational chart of the Regional Coordinating Unit, attached to the report as annex VIII.

#### X. ADOPTION OF THE REPORT OF THE MEETING

52. The Rapporteur introduced the draft report, which was reviewed and amended by the meeting. The Secretariat undertook to distribute the amended draft by the end of the week for final comments by the participants and for finalization of the report by the secretariat in cooperation with the Bureau.

## XI. CLOSURE OF THE MEETING

53. The representative of Mozambique, on behalf of the participants of the meeting, thanked the Chairman and the other members of the Bureau, the secretariat and the Government of Seychelles, for their work and hospitality.

54. The Chairman of the meeting and the representative of the Executive Director of UNEP both expressed their satisfaction with the results of the meeting and thanked the participants for their cooperation and constructive spirit, which had contributed to the success of the meeting. The Chairman of the meeting and the representative of the Executive Director of UNEP declared the meeting closed at 6 p.m. on 18 March 1997.

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Annex I

I. DECISIONS AND RECOMMENDATIONS OF THE FIRST MEETING OF THE CONTRACTING PARTIES TO THE CONVENTION FOR THE PROTECTION, MANAGEMENT AND DEVELOPMENT OF THE MARINE AND COASTAL ENVIRONMENT OF THE EASTERN AFRICAN REGION

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

The Contracting Parties,

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

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

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

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

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

CP.1/2. Institutional Matters

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



A. Rules of procedureThe Contracting Parties,

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

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

2/

B. BureauThe Contracting Parties,

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

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

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

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

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

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

CP.1/3. Regional Coordinating Unit

The Contracting Parties,

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

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

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

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

The Contracting Parties,

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

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

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

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

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

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

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

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

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

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

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

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

CP.1/5. Financial matters

The Contracting Parties,

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

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

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

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

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

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

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

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

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

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

CP.1/6. Programme

The Contracting Parties,

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

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

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

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

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

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

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

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

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

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

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

CP.1/7. Extrabudgetary resources

The Contracting Parties,

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

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

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

CP.1/8. Coordination with other programmes

The Contracting Parties,

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

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

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

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

The Contracting Parties,

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

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

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

Annex II

TEXT OF STATEMENTS

I. OPENING STATEMENTS

A. Statement by Ms. Terttu Melvasalo, Director, Water Branch, representative of the Executive Director of the United Nations Environment Programme

[Original: English]

1. Your Excellencies, Distinguished Delegates, Ladies and Gentlemen, I wish to dedicate the first part of my statement to the memory of the late Madame Danielle de St. Jorre.
2. Madame de St. Jorre, in her capacity as Minister of Foreign Affairs, Planning and Environment, demonstrated extraordinary leadership in promoting actions aimed at integrating environmental considerations in economic and sectoral decision-making. She spearheaded many initiatives to ensure sustainability of the environment.
3. As the Vice President of the Advisory Committee on the Protection of the Seas (ACOPS) for the Eastern African region, she contributed immensely towards the development of a programme for the region that is currently advancing the protection of the marine environment.
4. She played a critically important role in mobilizing public opinion in the Eastern African region to protect its coastal and marine environment. After more than a decade, the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region has become operational. Madame de St. Jorre tirelessly and most devotedly led her Government's efforts to provide an enabling environment for the location and running of the coordination office here in the Seychelles.
5. It was with deep sorrow and regret that the Executive Director and the entire staff of UNEP received the sad news of the sudden demise of Her Excellency Madame Danielle de St. Jorre. Her death is a great loss to the environmental movement, in particular, in the African region, where her tireless efforts contributed tremendously towards moving the regional seas programme for Eastern Africa from the margins to the centre stage.
6. Nothing will be more befitting than for all of us to continue the efforts she has so ably spearheaded. We can do that by renewing our commitment,

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political, as well as financial, to the work programme presented to you, which reflects the concerns she so dearly wanted to see addressed by the Contracting Parties to the Nairobi Convention. This first meeting of the Contracting Parties must honour the legacy she has left us by reaching concrete agreement on the way forward.

7. We in UNEP have held Madame Danielle de St Jorre in very high esteem. She was, in the most concrete manner, a supporter of the objectives which brought us here today. On your behalf and on behalf of UNEP, we convey, once again our heartfelt condolences to her family and friends as well as to the people and Government of the Seychelles.

8. If I may now turn to the agenda items before us, I would like to begin by expressing the sincere appreciation of UNEP to the Government and people of Seychelles for their commendable commitment to the protection and management of the marine and coastal environments of the Eastern African region. Their offer and decision to host the Regional Coordinating Unit of the Nairobi Convention in this country is a clear testimony of this firm commitment. We thank them for the excellent facilities and arrangements put in place to facilitate the implementation of your decisions.

9. I also thank the cooperation partners of the Nairobi Convention, particularly SIDA (Sweden), the Government of Belgium, and the European Union for their continued support to the Nairobi Convention. The assistance that agencies like FAO, UNDP, UNESCO and its IOC, WHO, IAEA, the Economic Commission for Africa, together with African bodies, such as the Organization of African Unity (OAU) and the African Development Bank (ADB), provide, continues to be crucial and we thank them for that.

10. This support would not have been forthcoming had it not been for the firm political and financial commitment of the Parties themselves. Their ratification of the Convention and contributions to the Trust Fund have indeed been an important tool in the efforts to mobilize international support.

11. We are meeting today to take stock of how much we have collectively accomplished in the last decade. It will be recalled that the Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region was convened by UNEP in June 1985 and was attended by the representatives of France (Réunion), Kenya, Madagascar, Mozambique, Seychelles, Somalia, the United Republic of Tanzania and the European Community. That Conference adopted the Final Act, the Action Plan, the Convention, the Protocol on Protected Areas and Wild Fauna and Flora and the Protocol on Combating Marine Pollution, as well as four conference resolutions.

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12. In line with the decisions of that Conference, UNEP convened the first meeting of the Bureau of the Action Plan in November 1991; the First Intergovernmental Meeting in November of that same year; the first meeting of national focal points in October 1992 and the Second Intergovernmental Meeting in September 1993. With the assistance of SIDA, the African Subregional Ministerial Meeting on Conventions (for Eastern and Southern Africa) was convened in 1995.

13. You will recall that it was your Second Intergovernmental Meeting, in 1993, that discussed the possibility of establishing a Regional Coordinating Unit. At that meeting your countries thanked the Government of the Seychelles for offering to host the Regional Coordinating Unit. Your countries also agreed that the Regional Coordinating Unit should be located in the Seychelles and that it would commence functioning upon the ratification by the sixth Government. France, at the time, indicated that it wished to address the issue of the location as well as the budget of the Unit, once the Convention came into force.

14. In order to implement that decision which you took in 1993, at the Second Intergovernmental Meeting, and taking into account the entry into force, on 30 May 1996, of the Convention and its protocols, UNEP, in its capacity as secretariat, took the necessary measures for the establishment of the Unit in Seychelles. In doing so it has put in place, in consultation with your countries, the necessary arrangements to support the establishment and operation of your coordination unit in 1997 on an interim basis. The interim phase should culminate in firm arrangements, institutional, programmatic and financial, for the running of the office and for the implementation of activities.

15. The report of the Executive Director contains the details of the steps taken and to be taken and to be followed in moving from the transitional to the consolidation phases. This process was the subject of consultations between a UNEP delegation to Seychelles in October 1996, with the Ministers of the Environment respectively of Mauritius, Mozambique and Seychelles, as well as with senior representatives from France (Réunion) and the United Republic of Tanzania. The UNDP Resident Representative for Mauritius and Seychelles took part in those consultations.

16. It is against the backdrop of these developments that I wish to outline what, in my view, are the challenges before us in the next two days and the urgent tasks on which a firm consensus is required.

17. The first is sustaining the ownership of the process that began 11 years ago with the adoption, on 21 June 1985, of the Nairobi Convention. The coming into force of the Convention reinforced your ownership of the processes, both institutional and programmatic, being promoted within the framework of the Nairobi

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Convention and its Action Plan. This is further demonstrated by the fact that the basic costs of the Regional Coordinating Unit for this interim phase of 1997 are being met from resources provided in your Trust Fund. The recognition by the Eastern African States of their duty to protect their marine environment has also been underscored by your active participation in a number of important regional and global initiatives, such as Agenda 21 and the Rio Agreements and the African Common Position on Environment and Development.

18. Second, and perhaps most important, is the question of the long-term funding of the institutional arrangements, as well as your biennial work programme. The actions that will ensure that there is sustained funding must be predictable. A firm commitment to financial obligations, such as contributions to the Trust Fund, is crucial. The preceding intergovernmental meetings held under the auspices of your Convention have discussed the issue of contributions by the Parties.

19. In this regard, the urgent question before this meeting is how to equip and enable the recently established coordination office to carry out the terms of reference approved by the Parties at your intergovernmental meetings. The office must be empowered to catalyse, facilitate and coordinate actions on the marine and coastal environment in the region. This empowerment is essential if the Regional Coordinating Unit is to make much greater use of regional as well as international cooperation, working with your regional institutions and intergovernmental bodies, as well as with other agencies - bilateral, multilateral and non-governmental organizations.

20. Given the increasing evidence that financial and human resources are likely to continue being limited, there is a need for this meeting to define, as precisely as possible, what the office can effectively deliver. The proposed priority programme before this meeting, for the 1997-1998 biennium and beyond, suggests a number of priorities for action.

21. UNEP, through its secretariat role and programmes, will continue to provide support to the processes to be coordinated by the office, especially those linked to the implementation of the priorities for action determined by your Governments. The establishment of the office, which we fully welcome, here in Seychelles and the commencement of its operation, will facilitate this task.

22. Third, I wish to touch on the programme matters you will be considering. The proposals reflect the consensus developed on the concerted efforts needed to protect, manage and develop the coastal and marine environment of the Eastern African region. It is our hope that the donors will be able to consider the possibility of funding some of the programme activities.

23. Fourth, there is the important issue of international cooperation in

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support of the Nairobi Convention and its Action Plan. The previous intergovernmental meetings placed special emphasis on the crucial importance of effective international cooperation for the successful implementation of the Nairobi Convention and its Action Plan. Such cooperation continues to play a central role in enhancing capacity-building, technology transfer and cooperation and financial support. In the programme document which you will be examining, the Secretariat has outlined areas of focus in the medium and longer term priorities which are among those of major concern to your countries and which continue to receive financial support from donors.

24. It is to promote such international cooperation that UNEP, in its capacity as secretariat, continues to maintain close partnership with United Nations and donor agencies as well as with non-governmental organizations. The report of the Executive Director provides information on the nature of the ongoing partnership arrangements. It is the hope of UNEP that the partners of the region will confirm their support for the 1997-1998 work programmes.

25. We would also need your views and guidance on how the Nairobi Convention should take into account the various and very significant developments since it was adopted in 1985. Since then, the Parties to the Convention have joined the countries of the region and the world at large in adopting new strategies and principles for the sustainable use and management of the environment. The Executive Director's report draws attention to a number of obligations and responsibilities falling on countries, including the parties to this Convention, as a result of some of these developments. One of these important initiatives is the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, whose implementation will rely on regional mechanisms such as yours. This meeting of Contracting Parties therefore provides an appropriate forum for discussing modalities for the review of the Nairobi Convention and your active participation in the Global Programme of Action and other global initiatives.

26. These are among the major decisions that this meeting is expected to take in the next two days. In discharging these tasks, you can count on the readiness of UNEP to be fully supportive.

27. I am optimistic that goodwill will prevail and that we shall discover common ground for action on the shared concerns of the peoples of Eastern Africa, regarding the marine and coastal environment.

28. May I take this opportunity to introduce Mr. Richard Congar, who was designated by UNEP to act as interim Coordinator of the Regional Coordinating Unit of the Nairobi Convention, to facilitate the establishment of the Unit here in Seychelles. His previous duty has been as Coordinator of the Abidjan Convention

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and the West and Central African Action Plan for the last five years in Nairobi.

29. With these words I declare open the First Meeting of the Contracting Parties to the Nairobi Convention.

B. Statement by Mr. David Kinyanjui, Deputy Director,  
National Environment Secretariat,  
representative of Kenya

[Original: English]

1. Honourable Minister, Your Excellencies, distinguished representatives of Governments, distinguished participants, Ladies and Gentlemen, on behalf of the Kenyan delegation, I wish to express my gratitude to the Government and the people of Seychelles for their warm welcome and hospitality since my arrival in this beautiful country.

2. In June 1985, in Nairobi, the 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 and adopted the Final Act of the Conference.

3. The Final Act included an Action Plan for the protection, management and development of the marine and coastal environment of the Eastern African region; the Convention for the same purpose and two protocols, one concerning the protection of wild fauna and flora in the region and the other one calling for cooperation in combating marine pollution in the region.

4. Since then, as you have heard from the report of the Executive Director, several meetings have been held, including two intergovernmental meetings to deliberate and decide on modalities, ways and means of implementing the Convention and its related protocols.

5. We have come a long way from Nairobi, 1985, to this First Meeting of the Contracting Parties. We have achieved a lot but much more remains to be accomplished. Kenya, as your outgoing Chairman of the Bureau, would like to thank you all very much for the cooperation you have accorded us. I urge all of you to continue supporting the Convention both politically and financially so that we can collectively achieve its noble goals and objectives. Kenya, in its capacity as Depositary of the Convention, will be reporting later on the status of the Nairobi Convention and its protocols.

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C. Statement by Mr. Emmanuel Faure, Principal Secretary,  
Ministry of Foreign Affairs, Planning and Environment,  
representative of Seychelles

[Original: English]

1. Honourable Minister of Community Development, Excellencies, Madame Director, distinguished participants, Mesdames et Messieurs, on behalf of the Government and people of the Republic of Seychelles, it gives me great pleasure to extend to you all a warm welcome to our islands to attend the inaugural meeting of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (otherwise known as the Nairobi Convention).
2. The first Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region was convened as far back as 1985 in mainland Africa, more precisely, in Nairobi.
3. It may be considered fitting, therefore, that this meeting, marking a small but important step into the second phase in the implementation of the Nairobi Convention, should be held in a small island developing State which is equally committed to the task at hand.
4. In accordance with the resolutions on institutional arrangements approved by the various subregional meetings held to date, the Government of Seychelles has undertaken to hold true to its offer to host the Regional Coordinating Unit which will oversee the Action Plan for the region. The purpose of establishing and operating such a unit is to institutionalize the mechanism for the exchange of information between national focal points and the UNEP secretariat.
5. The office complex has been built on the island of St. Anne to host the headquarters, the Regional Coordinator, and various other administrative personnel. It is expected that the Regional Coordinating Unit will become fully functional by the end of this year.
6. The Government of Seychelles would like to place on record its sincere appreciation to UNEP, and all the key players, such as SIDA, the Government of Belgium, and the European Union, who have in one way or another contributed towards the creation of the subregional unit. We look forward to your continued support to ensure the maintenance of this regional institution and its programme of action.

[Original: French]

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7. The peoples of our islands, scattered across the Indian Ocean as far as the shores of the continent of Africa, with a rich diversity of cultures, share a single marine space; this space is remarkable for its physical beauty and its wealth of resources, but it is threatened by the dangers posed by pollution, destruction of natural habitats and increasing pressure from growing populations and from the expansion of tourism.

8. A concerted effort is needed to lighten the loads resulting from the growth of human populations: this situation is accompanied by numerous adverse effects, the consequences of unplanned development. It is important, on the other hand, to remember that actions oriented towards economic growth are closely interconnected and any effort to improve the processes of their implementation underlines the urgent need to share knowledge and information about the coastal zones, with a view to achieving a sustainable development.

9. This meeting, accordingly, offers our experts an opportunity to discuss both sectoral and general reports and, where necessary, to review the Plan of Action. The conservation and training sectors, and those dealing with forward planning, environmental impact assessment and popular education, have been identified as regional priorities since 1982, at a workshop held in Seychelles. Experience has shown that there is much to be gained, not only for the programme, but also for our region, in so far as our national expertise and our resources are pooled. A united approach has proved effective in meeting our needs and our concerns relating to the environment.

10. Progress, however, is not something achieved once and for all and, for that reason, I wish to take this opportunity to encourage each of the member States to do everything necessary to join the Convention, in order to strengthen our present day base and also, and above all, to promote the spirit of regional cooperation.

11. At this point, my mind turns to the areas of Eastern Africa where rainfall shortage brings with it droughts whose consequences are all too familiar to us. Surely this is also a situation where solidarity and this spirit of regional cooperation which I have just mentioned must be seen as a necessity? My Government keenly hopes that this meeting will contribute to the further strengthening, not only of our commitment to the protection of our vital ecosystem and our threatened species, but also, and this is something I stress, our commitment to the preservation and to the rational use of our marine environment for the long-term benefit of our children and of generations to come.

[Original: English]

12. Before I conclude, I would like to reiterate the gratitude of the Government of Seychelles to UNEP and to you, Ladies and Gentlemen, for the

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importance you have accorded to this meeting, as evidenced by your participation.

I am convinced that this is but the first of many more meetings to come - be it on a technical or political level - integrating all stakeholders of the region.

## II. STATEMENTS BY OTHER CONTRACTING PARTIES

### A. Statement by representative of France, Mr. Marcel Surbiquet, Ambassador of France to Seychelles

[Original: French]

1. First of all, Mr. Chairman, allow me to congratulate you and to convey the appreciation of the French Government for the invitation to this First Meeting of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region. Our thanks go equally to the Government of Seychelles for having offered its hospitality to the Regional Coordinating Unit of the Action Plan for the Eastern African Region, which has just been established in your beautiful country. Allow me also to take this opportunity to share a special thought for Ms. de St. Jorre, who did so much for the environment and for Seychelles' place on the international stage.

2. France, which was one of the first States to ratify the Nairobi Convention, welcomes the entry into force of the Convention and of its protocols, which will give new impetus to the Action Plan for the Eastern African region.

3. We have the opportunity today to recall the work accomplished for the region by UNEP, in the context of its regional seas programme, which has taken on itself the heavy burden of the secretariat of the Action Plan and of the Convention itself.

4. Almost twelve years elapsed between the adoption of the Convention and its entry into force, years during which it has been possible, however, to launch the programme of activities of the Action Plan. Some of these have been completed and others are still being implemented. It will be the task of the Regional Coordinating Unit to bring these to completion, with the new impetus provided by the entry into force of our Convention and its protocols.

5. My country, which has constantly manifested its interest in the regional seas programme of UNEP, would like to recall and even to stress the importance which it attaches, together with other States of the region, to the integrated nature of the coastal areas, which; all too often, are areas vulnerable to human activities and to the degradations which can result from them.

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6. We cannot give too much encouragement to UNEP, which must play a catalytic role in promoting and strengthening cooperation between experts of the region, as well as in developing its closer relations with the Indian Ocean Commission, to ensure that the Commission is fully involved in the activities of the Action Plan and of the Convention.

7. While this regional organization may already be involved in the Action Plan through its member States (Comoros, France (Réunion), Madagascar, Mauritius and Seychelles), the strengthening of cooperation between the Commission and the region can only benefit the establishment of a truly regional environmental policy among this group of islands in the Indian Ocean. In more general terms, one can only encourage the genuine and active coordination of all the projects carried out in this region.

8. Finally, I would like to close this statement by reaffirming the interest which France has in UNEP activities in the region - activities to which it will continue to provide its support. Furthermore, through Réunion, my country is ready to take a more active role in the activities already under way. On this important day for the Eastern African region, France is counting on the new dynamism generated by the entry into force of the Convention and the establishment of the Regional Coordinating Unit in Seychelles; but we are already able to express our satisfaction at the task which has recently been accomplished.

B. Statement by Mr. J.M. Daffa, representative of the  
United Republic of Tanzania

[Original: English]

1. The Global Programme of Action for the Protection of the Marine Environment from Land-based Activities in the Eastern African Region will be implemented within the framework of project EAF/5. Implementation will take into account the available country reports, from Comoros, Kenya, Madagascar, Mozambique, Seychelles and the United Republic of Tanzania. Countries that did not participate in the preparation of country reports on pollution assessment and control will shortly be requested to prepare their reports, for submission to the Institute of Marine Sciences of the University of Dar-es-Salaam in Zanzibar.

2. The Government of the United Republic of Tanzania has formally offered to provide institutional and secretariat support to Eastern African scientists who will prepare a regional overview of land-based sources of pollution. This support will be provided by the Institute of Marine Sciences, which has agreed:

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(a) To support national experts in the updating of inventories of land-based sources of pollution (an evaluation and analysis of major land-based sources);

(b) To develop a regional strategic action programme, focusing on the most appropriate modalities for intervention and solution to the problems;

(c) To hold a regional workshop to review the regional strategic action programme. The Institute of Marine Sciences will be supported by external experts within the framework of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities.

The proposed activities under the Global Programme of Action include:

(a) Activity I: Updating of national inventories of land-based sources of pollution, and evaluation and analysis of major land-based sources and activities affecting the quality and uses of the marine environment;

(b) Activity II: Preparation of a regional overview of land-based sources of pollution, based on the national reports;

(c) Activity III: Development of a regional strategic action programme which will focus on the most appropriate options for intervention and solutions to the problems; and

(d) Activity IV: Regional workshop to review the regional strategic action programme for the preparation of a transboundary diagnosis analysis and strategic action programme for the marine and coastal environment of the Western Indian Ocean (1997).

The Tanzanian focal point is the following:

National Environment Management Council  
P.O. Box 63154  
Dar-es-Salaam, United Republic of Tanzania.  
Fax No: (255 51) 34603  
Tel No: (255 51) 111325/34603

and the national coordinator for the United Republic of Tanzania is Mr. J. Daffa (at the above address).

### III. STATEMENTS BY OBSERVERS

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A. Statements by United Nations bodies and specialized agencies

1. Statement by the International Maritime Organization

1. The Secretary-General of IMO conveys to you his warmest wishes for the success of your deliberations and his most heartfelt congratulations for the coming into force of the Nairobi Convention.

2. As you all know, IMO, in cooperation with UNEP and other interested international and regional organizations, has been promoting and supporting regional agreements and mechanisms for the protection of the marine environment. A fundamental objective of the IMO strategy in this domain is to strengthen the capacity for national and regional action to prevent, control, combat and mitigate marine pollution, to promote technical cooperation to this end, with a view to ensuring a coordinated approach to the problem and avoiding the wasteful duplication of efforts.

3. Regional strategies are seen to be effective, for they take into account the problems, needs and possible solutions peculiar to a region while minimizing the considerable variations existing between continents in both maritime infrastructure and levels of development. It is therefore our conviction that, with the coming into force of the Nairobi Convention, many of the environment-related issues of the region will be addressed in a much more effective and coordinated manner. In this respect, it is my pleasure to convey to you the renewed willingness of IMO to continue and indeed further develop its cooperation with the countries of the region.

4. For the last three years or so, the level of technical cooperation activities in the region has not reached our expectations. Our common desire to achieve our common goals has always been there but has been hindered by financial constraints. It is, nevertheless, encouraging to report that, despite these difficulties, a number of positive actions have taken place with direct bearing on the countries in the subregion. The following events deserve to be brought to the attention of your meeting.

5. The first of those activities relates to the UNEP-funded project which made it possible to develop a national oil-spill contingency plan for the United Republic of Tanzania. Consultations with the authorities are under way to make use of the remainder of the initially allocated funds, to address outstanding issues such as contingency planning in relation to the big lakes and the lack of oil-spill equipment.

6. IMO and the oil industry have engaged in a joint initiative entitled "IMO/industry initiative to enhance the capacity of countries to prepare for and

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respond to marine oil spills". The purpose of this is to promote capacity-building and institutional strengthening at national and regional levels to deal effectively with marine oil spill incidents and to implement the International Convention on Oil Pollution Preparedness, Response and Cooperation.

7. Within the framework of this initiative, a joint seminar programme has been initiated which focuses on the contingency planning process and the need to promote government and industry cooperation in this process. Since September 1991, a series of eight such seminars have been held in the Association of South-east Asian Nations (ASEAN) region, the Mediterranean, Latin America, West Africa, the Persian Gulf, the Caribbean, Southern Africa and the Asian-Pacific region.

8. These seminars have demonstrated that response capabilities vary considerably from country to country, and cooperation between Government and industry is inadequate in many areas, and have highlighted the need for ongoing international support to sustain activities within regions. The one such seminar which involved this region took place in Cape Town, South Africa, from 12 to 15 March 1996.

9. The objective of the IMO/industry oil-spill planning meeting was to launch the IMO/industry global initiative in Africa. No less than 35 officials from the region participated in the meeting. As a result of that meeting, a number of follow-up activities have been identified, which include:

(a) A series of oil-spill training courses has been launched, with the aim of delivering IMO standard material using industry training centres. The first of these courses has already taken place in Durban, South Africa, from 27 to 31 January 1997. It was organized by Oil Spill Response Limited, Southampton, in conjunction with the South African Oil Industry Environment Committee and was fully supported by the oil industry in South Africa. Four government officials from the region participated free of charge, their travel and daily subsistence allowance paid for by IMO through an existing protocol between IMO and France.

(b) A workshop on waste management and marine pollution prevention in Southern and Eastern Africa is scheduled to take place in Cape Town in April 1998.

(c) Joint IMO/industry technical missions will be undertaken to Angola, Madagascar, Mozambique and Namibia for the primary purpose of identifying specific needs and developing joint government/industry projects which clearly delineate industry input and external funding requirements for government participation. It is hoped that, funding permitting, implementation of these missions will hopefully start before the end of 1998.

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(d) Another activity is the development of two project documents for Ghana and the United Republic of Tanzania with a view to assisting in the development of local capacity to create national sensitivity maps. Two thirds of the required funding has already been secured through the British Overseas Development Agency and project implementation may start as early as May 1997.

10. Apart from the above-mentioned activities, which evolved from the Cape Town meeting, the joint GEF/IMO/IPIECA mission that visited Comoros, Madagascar, Mauritius and Seychelles in October/November last year is another initiative that merits your attention. It has been fielded in order to build on the 1994 IMO report on the establishment of a regional oil spill response centre for the Western Indian Ocean region (the 1994 De Romilly report). The main objective of the mission was to explore the possibility of supporting a subregional project to respond to the risk of oil spills through GEF and with the participation of IMO and the oil industry. The ultimate result of the mission is a four-year project proposal with an estimated initial budget of around US\$ 3 million, with GEF financing amounting to US\$ 2.5 million and the remainder expected to be covered in kind by the oil industry. It is hoped that the project activities will start soon after agreement is reached on the institutional arrangements delineating the role which each of the parties concerned is to play in the whole process of project implementation. It is the view of IMO that, for reasons stated earlier, the scope of this project should be extended to cover the other interested coastal countries in the subregion.

11. One can say that quite substantial progress has been made in our common endeavour to tackle marine environment related matters. There is still much room for cooperation, given the many problems that still need addressing in the region. The implementation of the following activities, for which financing has been already secured through SIDA, will certainly give us a good start:

(a) RAF/96/803: National profiles on marine pollution prevention and management in Eastern and Southern Africa. This project aims at assisting the Comoros, Madagascar, Namibia and Seychelles to prepare baseline information pertaining to their capacity to manage and to respond to marine pollution issues;

(b) RAF/96/804: Regional networking on integrated waste management in Eastern and Southern Africa. This project has two aims: first, to establish an informal scientific, technical and operational network among relevant public and private organizations and bodies in the region, universities, professional associations, technical and scientific institutions; and second, to establish a sub-network of port authorities with a view to cooperation and standardization regarding waste management in ports and harbours in the region;

(c) RAF/96/801: Enhancement of capabilities to respond to oil pollution

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in Angola, Madagascar, Mozambique and Namibia. The overall objective of this project is to enhance the capabilities of the countries to respond adequately to an emergency involving oil pollution incidents and to maintain a viable response capability.

2. Statement by the representative of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization

[Original: English]

1. On behalf of Dr. Gunnar Kullenberg, the Executive Secretary of the Intergovernmental Oceanographic Commission (IOC), I cordially greet this first meeting of the Contracting Parties to the Nairobi Convention.

2. IOC is carrying out many projects and much work and cooperation is going on at country and regional level in the East African region and in the Western Indian Ocean. We are aware of the importance of this part of the Western Indian Ocean, for instance, with respect to the world climate. We know that, at the moment, Kenya and the United Republic of Tanzania are suffering from extreme and exceptional drought, whereas Mozambique is flooded in an exceptional and extreme way. From the scientific point of view, we are faced here by a global phenomenon, possibly the one called El Nino, but most certainly also a phenomenon involving the Indian Ocean.

3. These natural megaphenomena and the response of nature are not yet fully understood. By developing the Global Ocean Observation System (GOOS), IOC, in cooperation with UNEP, is seeking the answer to this unbalance and unfair distribution of water resources. IOC is making concerted efforts to reach such an understanding, in order to assist Governments and other agencies in solving these huge problems affecting everyday life in the region. This would not be possible without regional cooperation.

4. IOC has also opened the first dialogue in the Land-Ocean Interactions in the Coastal Zone (LOICZ) programme, a regional attempt to understand some large scale phenomena, specifically on the Eastern African coast. But even that programme on the East African coast will have strong global connections, mainly through the great importance of the coastal zone, its coral reefs and mangrove forests, as huge sinks for carbon dioxide, which is, without doubt, a global problem.

5. In the host country Seychelles, IOC has recently announced its readiness to contribute financially to the implementation of a project aiming at a sensitivity analysis by mapping the shallow water areas, using aerial photographs. This

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project is to be implemented in cooperation with the Seychelles Division of Environment, Seychelles Fishing Authority, COI/UE, FAO and the UNEP project EAF/14 on the Eastern African coastal and marine environment resources database and atlas.

6. For the last four years IOC has been substantially supporting capacity-building activities in the Eastern African region. Through a range of training measures supported by the Swedish, Netherlands, Belgian and British Governments, a family of skilled scientists, able to work with the most complicated marine analysis, has been created in the institutions along the East African coast. This was clearly seen last week in Mombasa, where the Kenyan Marine and Fisheries Research Institute hosted a LOICZ working group. The scientific plans were drawn up by a team of Scientists from different institutions, now acquainted with one another and ready to commit themselves to a variety of scientific programmes of great importance to the East African region.

7. One of the tasks of the present meeting here in Seychelles is to adopt the rules for the future cooperation of the Contracting Parties. These rules contain one essential part of the Nairobi Convention: the task of assessing the state of the marine environment. That task cannot be fulfilled without relevant data on the long-term variability in the water quality. For that assessment a collection of baseline monitoring data has to be available. IOC is contributing to this important activity by assisting countries to establish a monitoring network for the continuous baseline monitoring of the Eastern African coastal waters. The capacity has been built, the institutions are willing to commit themselves and the task is very clear. When these activities are gradually extended to full-scale monitoring in the Eastern African region, GOOS and the Nairobi Convention assessment will have reliable results for future use in their important work.

3. Statement by the representative of the World  
Meteorological Organization

[Original: English]

1. On behalf of the Secretary General of the World Meteorological Organization (WMO), I would like to thank UNEP and the organizers for their kind invitation to this important meeting. As everyone is aware, there could be no sustainability without a proper understanding of meteorological phenomena, namely weather and climate.

2. With regard to weather, our coastal zone in the region suffers occasional severe calamities caused by tropical cyclones. In response to that problem, WMO has set up the Southwest Indian Ocean Tropical Cyclones Committee and, more recently, a regional specialized centre for tropical cyclones forecasting in

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Réunion, France.

3. There are other WMO programmes to monitor climate in our region. To name just a few - over the period 1985-1995 - these include the Tropical Ocean Global Atmosphere (TOGA) programme, run jointly with UNESCO/IOC, the Global Climate Observing System (GCOS) and the Global Ocean Observing System (GOOS). Lastly, there is the joint UNEP/WMO Intergovernmental Panel on Climate Change (IPCC), concerned, inter alia, with the vulnerability of small islands and the coastal environment of eastern African region to climate and sea-level changes.

4. I believe that the above-mentioned WMO programmes and others are complementary to the Nairobi Convention.

C. Statements by intergovernmental, governmental and non-governmental organizations

1. Statement by the representative of the Indian Ocean Commission

[Original: French]

1. The Indian Ocean Commission, which it is my honour to represent, wishes, to strengthen through the Regional Environment Programme, financed by the European Union, its cooperation with the Nairobi Convention, cooperation which has already been initiated between the regional environmental programme and the Eastern African projects (EAF/5 and EAF/14) of UNEP, including in Seychelles. In the future, the Regional Environment Programme hopes to strengthen further its cooperation with the Nairobi Convention by lending it support and by formalizing its cooperation with the Eastern African projects of UNEP.

2. Statement by the representative of the Swedish International Development Cooperation Agency

[Original: English]

1. Swedish support to development and research in marine and coastal areas in East Africa goes back a large number of years. Most of the countries in the region have, for example, had contact with the marine research programme supported through the Swedish Agency for Research Cooperation with Developing Countries (SAREC) - SAREC is now an integrated part of a new Swedish International Development Agency (SIDA), comprising SAREC and four different Swedish Government donor agencies.

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2. The discussions with UNEP on support to development and implementation of the Action Plan for the protection, management and development of the marine and coastal environment of the East African region goes back to 1993, as a direct follow up to a Swedish-supported ministerial meeting in Arusha, United Republic of Tanzania. At that meeting a declaration was signed and the Nairobi Convention was recognized as a suitable framework for the implementation of the declaration. States were encouraged to ratify or accede to the Convention.

3. Subsequently an agreement was made with UNEP on funding, mainly to be used for training and some pilot work and to support a follow-up ministerial meeting on the implications of selected conventions for the region. The report from that meeting recognized that there was a rationale to work towards the implementation of the conventions - a rationale that goes beyond the short term possibility to reach additional donor funds. The meeting was seemingly instrumental in moving countries towards ratifying or acceding to the Convention.

4. A clearly stated Swedish condition before further Swedish support could be generated was that the Nairobi Convention would have entered into force. With the accession of the United Republic of Tanzania, the Convention entered into force. It also meant that more detailed discussion could be held with UNEP on future Swedish support.

5. As you heard from the presentation of Mr. Dixon Waruinge, the representative of FAO, the reviews support the view that a period of 18 months and more should be seen as a preparatory phase, including revision of the programme content; the Convention itself, in the light of events since 1995 (something that has also been noted during this meeting); and pilot activities and other forms of programme support.

6. You could say that this is a preparatory phase, not only for possible Swedish support, but also for the member States in terms of the content of the Action Programme and the role you wish to give to the Regional Coordinating Unit - and in terms of the level of commitment you are giving the programme both in practical - and even more important, financial - terms. These commitments will play an important role in the assessment of future support to the programme - this is something that will be increasingly looked at, not only by Sweden but also by other donor countries.

7. Especially important is the need to find ways to ensure that future financing of the Regional Coordinating Unit will rest with the member countries. What an agency like SIDA would primarily consider is support to elements of the Action Plan.

8. Following this, it should be stated that the Swedish support referred to in

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the document with regard to the establishment of the Regional Coordinating Unit itself is merely to be seen as a single effort and not support to the establishment and the operation of the Regional Coordinating Unit as such.

9. Still, this meeting is an encouraging start and it is good to see, and hear, the messages from Mozambique, Madagascar, South Africa and the European Union on the accessions to the Nairobi Convention already made, and those forthcoming.

10. I think that this meeting is an important first step - and it is also encouraging to see representatives from other programmes and projects operating in this region.

11. Increased coordination has been asked for during the meeting and it is important that the Regional Coordinating Unit will look beyond, and will be asked by the member countries to look beyond, those activities funded only through the Action Plan and will also collect and disseminate information and experiences on activities ongoing and funded under other umbrella arrangements, in order to become a truly "regional coordinating unit", to the benefit of the countries of Eastern Africa and the Western Indian Ocean.

12. This would also bring more efficient use of resources and avoid unnecessary overlapping of projects and activities, which is also reflected in the draft documents.

13. Finally, I would like to thank the host country, Seychelles, for this well organized meeting in such pleasant surroundings, and also to thank UNEP for the excellent preparations and the Chairman for chairing the meeting in a very pleasant and effective manner.

3. Statement by the representative of the World Conservation Union

[Original: English]

1. The World Conservation Union (IUCN) is a union of 880 members (including 73 States, 100 government institutions, 674 non-governmental organizations and a number of affiliates) spread across 133 countries. The focus of IUCN activities is determined by its mission, which is "to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable".

2. IUCN established a regional programme in Eastern Africa in 1986, based at an office in Nairobi. In mid-1992, IUCN expanded its programme in the region to

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include marine and coastal conservation activities. I will briefly summarize the marine and coastal activities undertaken by IUCN in the region.

3. First, however, I must emphasize that IUCN is not a donor organization. Our programme is driven by specific requests for assistance from our members. We then attempt to form the required partnerships between members and donors, in which process we usually provide the technical guidance and support, to formulate and implement projects and programmes. As a union of States, national and regional institutions and non-governmental organizations, we are well placed to form broad partnerships with Governments and communities and to operate at all levels of society - local, national, regional and global.

4. In this region, we have activities focused at all of these levels. We are working with communities, to establish community-based management plans for coral reefs in the United Republic of Tanzania: with countries, to develop and implement national biodiversity conservation strategies and action plans (Comoros, Djibouti, Eritrea, Ethiopia, Seychelles); and at the regional level, for the conservation of sea turtles, the establishment of marine protected areas, and training in integrated coastal zone management.

5. Of relevance to the Nairobi Convention and, in particular, to the Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern Africa Region, IUCN is working closely with UNEP Water Branch and WWF International to develop and implement a number of regional programmes, including:

(a) A regional coral reef programme that was initiated by IUCN but overtaken by ICRI, to which IUCN still contributes. One specific activity linked to this is the design and field testing of a rapid assessment methodology for coral reefs that UNEP intends to promote as a standard for the western Indian Ocean;

(b) A regional marine protected area initiative, which arose from a meeting held at Kruger National Park in 1994 and builds on the global review of marine protected areas undertaken by IUCN and the Great Barrier Reef Marine Park Authority with support from the World Bank;

(c) A regional turtle conservation programme, which arose from the regional meeting held at Sodwana Bay, South Africa in 1995. This workshop was designed to provide training in sea turtle research and management methods and to develop a collaborative regional conservation programme for the species. One output was a conservation strategy for the turtles in the western Indian Ocean. IUCN is attempting to raise funds for implementation of the strategy. A recent activity implemented under the strategy was a training workshop in turtle excluder device technology, for all the States in the region with trawl fisheries, held in

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Mombasa in January 1997;

(d) Regional networking for integrated coastal management practitioners to promote sharing of experiences, lessons learned and approaches, and direct observation of site projects. The first regional workshop was held at an IUCN-assisted project site in Tanga, United Republic of Tanzania;

(e) Activities to link the European Union-funded Indian Ocean Commission programme for the island States with mainland Africa. While recognizing that there are many differences facing the mainland and island States, both groups have much to learn from each other's programmes and much to gain from stronger collaboration in the conservation and management of shared resources. IUCN is attempting to bridge the gulf between the mainland and island States by including both in regional training activities and programmes.

6. In addition to these main regional activities, IUCN is assisting with the implementation of a number of activities at the national level that are directly relevant to the Convention and its protected areas and species protocol, including:

(a) Development of national biodiversity strategies and action plans in the countries indicated above;

(b) At the request of the Government of Comoros and UNDP, assistance in developing a biodiversity conservation programme for the Comoros, and the provision of technical assistance for its implementation later in 1997;

(c) At the request of the Government of Seychelles and the European Union, assistance with the preparation of a series of marine park management plans and review of the national conservation policy in Seychelles;

(d) At the request of the Government of Eritrea and UNDP, assistance with the design of the programme for conservation of marine, island and coastal biodiversity for Eritrea;

(e) At the request of the European Union, assistance in the development of a community-based environmental programme that includes coastal and marine components at sub-national level for Somalia. It is not possible to operate at a national level in Somalia at present;

(f) At the request of the Kenya Wildlife Service, provision of training and planning for a wide range of activities, that include marine protected areas, sea turtle and dugong conservation and marine and coastal aerial surveys along the entire Kenya coast;

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(g) At the request of the regional government authorities in Tanga, United Republic of Tanzania, assistance with the design and implementation of a comprehensive integrated coastal management programme for the 180-kilometre Tanga coast. This is the first such programme to be implemented in the region and has developed strong partnership between the coastal communities and different levels of Government to tackle a range of coastal management problems;

(h) At the request of the Mozambique Government and supported by the Norwegian Agency for International Development (NORAD), assistance in coastal profiling as a basis for developing and implementing integrated coastal management activities that would include the establishment of marine protected areas along the Mozambique coastal zone.

7. IUCN remains committed to assisting the States of the region, especially member organizations, to achieve effective conservation of the region's special biodiversity and to ensure the resources of the region are managed and used sustainably. We are grateful for the many opportunities we have had to build good working partnerships in the region, such as through our memorandum of understanding with UNEP, and look forward to expanded involvement through implementation of the Nairobi Convention.

Annex III

STATUS REPORT OF THE DEPOSITARY OF THE CONVENTION FOR THE PROTECTION,  
MANAGEMENT AND DEVELOPMENT OF THE MARINE AND COASTAL ENVIRONMENT  
OF THE EASTERN AFRICAN REGION

The Government of the Republic of Kenya, as the Depositary of the above Convention, reported on the status of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region as follows:

A. Ratification/Accession

The following countries had either ratified or acceded to the Convention on the following dates:

<u>Country</u>	<u>Date of ratification/accession</u>		
Somalia	1.3.1988	-	Ratification
France	18.8.1989	-	Ratification
Seychelles	29.5.1990	-	Ratification
Kenya	11.9.1990	-	Accession
Comoros	26.9.1994	-	Accession
United Republic of Tanzania	1.3.1996	-	Accession

B. Entry into force

In accordance with paragraph 2 of article 29, the Convention entered into force on 30 May 1996, after receiving the sixth ratification/accession, that of the Government of the United Republic of Tanzania.

Annex IVRULES OF PROCEDURE FOR THE MEETINGS AND CONFERENCES OF THE CONTRACTING PARTIES TO  
THE CONVENTION FOR THE PROTECTION, MANAGEMENT AND DEVELOPMENT OF THE  
MARINE AND COASTAL ENVIRONMENT OF THE EASTERN AFRICAN REGION

## PURPOSE

Rule 1

These rules of procedure shall apply to any meeting or conference of the Contracting Parties convened under the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region.

## DEFINITIONS

Rule 2

For the purposes of these rules:

(a) "Action Plan for the Eastern African Region" means the programmatic regional plan adopted by the Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, 17-21 June 1985, Nairobi, Kenya, as modified by subsequent intergovernmental meetings that reviewed this Action Plan;

(b) "Conference" means any conference of plenipotentiaries of the Contracting Parties to the Convention;

(c) "Convention" means the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, adopted on 21 June 1985, at Nairobi, Kenya;

(d) "Executive Director" means the Executive Director of the United Nations Environment Programme or his/her designated representative;

(e) "Meeting" means any ordinary or extraordinary meeting of the Contracting Parties to the Convention;

(f) "Organization" means the United Nations Environment Programme as provided in article 16 of the Convention;

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(g) "President" means the President of the Bureau elected in accordance with rule 16 of these rules of procedure.

#### PLACE OF MEETINGS AND CONFERENCES

##### Rule 3

Unless they decide otherwise, the Contracting Parties shall normally meet at the seat of the regional coordinating unit designated by the Contracting Parties as being responsible for the administration of the Action Plan of Eastern Africa.

#### DATES OF THE MEETINGS AND CONFERENCES

##### Rule 4

1. In accordance with article 17 of the Convention, Ordinary meetings of the Contracting Parties shall be convened once every two years and extraordinary meetings shall be convened in accordance with the conditions set forth in that article.

2. Each ordinary meeting shall fix the opening date and the duration of the next ordinary meeting.

3. No extraordinary meeting shall be convened less than fifteen days or more than ninety days after the date on which the request mentioned in article 17 of the Convention has been received or formulated by the Executive Director and supported by the requisite number of Contracting Parties.

4. A conference shall be convened in accordance with the conditions set forth in articles 18 or 19 of the Convention.

5. The opening date and the duration of conferences convened in accordance with articles 18 or 19 shall be fixed by joint agreement of the Contracting Parties which requested the convening of the conference.

6. In accordance with article 16 of the Convention, the Executive Director shall convene the meetings and conferences of the Contracting Parties.

#### INVITATIONS AND PARTICIPATION

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Rule 5

The Executive Director shall invite all Contracting Parties to the Convention to participate in the deliberations of the meetings or conferences and shall invite other States, intergovernmental organizations and international non-governmental organizations listed in rule 47 below to observe the meetings and conferences.

## AGENDA

Rule 6

In agreement with the President, the Executive Director shall prepare a provisional agenda for each meeting and conference.

Rule 7

The provisional agenda for each ordinary meeting shall include:

- (a) As appropriate, items mentioned in article 17(1) of the Convention and in relevant articles of the Protocols;
- (b) All items the inclusion of which was requested at a previous meeting;
- (c) A report by the Executive Director on the work undertaken or achieved as part of the Action Plan for the Eastern African Region since the last ordinary meeting and containing recommendations for activities to be undertaken in the forthcoming biennium;
- (d) Any item proposed by a Contracting Party; and
- (e) The provisional budget as well as all questions pertaining to the accounts and financial arrangements.

Rule 8

The invitation and provisional agenda, together with supporting documents, for each ordinary meeting shall be communicated by the Executive Director to the Contracting Parties at least five weeks before the opening of the meeting.

Rule 9

The provisional agenda for an extraordinary meeting, or for any conference

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provided for in articles 18 and 19 of the Convention, shall consist only of those items proposed for consideration in the request for the holding of the extraordinary meeting or the conference. It shall be transmitted to the Contracting Parties at the same time as the invitation to the extraordinary meeting or the conference.

Rule 10

The Executive Director shall, in consultation with the President, include any item suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening of the meeting in a revised provisional agenda which the meeting shall examine together with the provisional agenda.

ADOPTION OF THE AGENDA

Rule 11

At the opening of any ordinary meeting, the Contracting Parties, when adopting the agenda for the meeting, may add, delete, defer or amend items. Only items which are considered by the meeting to be urgent and important may be added to the agenda.

Rule 12

Any item of the agenda of an ordinary meeting, consideration of which has not been completed at the meeting, shall be included automatically in the agenda of the next ordinary meeting, unless otherwise decided by the Contracting Parties.

REPORT OF THE EXECUTIVE DIRECTOR

Rule 13

The Executive Director shall report to the meeting or conference on the administrative and financial implications of all substantive agenda items submitted to the meeting for consideration. Unless the meeting decides otherwise, no such item shall be considered until at least forty-eight hours after the meeting has received the Executive Director's report on its administrative and financial implications.

## REPRESENTATION AND CREDENTIALS

Rule 14

Each Contracting Party shall be represented by an accredited representative, who may be accompanied by such alternates and advisers as may be required.

Rule 15

The credentials of representatives and the names of the alternate representatives and advisers shall be submitted by the Contracting Parties to the Executive Director before the opening of the meeting or conference which the representatives are to attend. The officers of any meeting or conference shall examine the credentials and submit their report to the meeting or the conference. This rule does not, however, prevent a Contracting Party from changing its representative, alternate representative or advisor subsequently, subject to proper submission and examination of credentials as necessary. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

## OFFICERS

Rule 16

1. At the commencement of the first sitting of each ordinary meeting, a President, a Vice-President and a Rapporteur are to be elected from among the representatives of the Contracting Parties.

2. The President, Vice-President and Rapporteur shall constitute the Bureau of the meeting. The Bureau shall assist in the general conduct of the business of the meeting and shall serve in that capacity at any intervening extraordinary meeting or conference. The Bureau shall also perform the responsibilities set out in the Terms of Reference of the Bureau of the Contracting Parties.

3. In electing the members of the Bureau the following criteria will be taken into account:

(a) Equitable geographical distribution; and

(b) Contributions to the Regional Seas Trust Fund for the Eastern African Region and their regular payment.

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4. The President, Vice-President and Rapporteur elected at an ordinary meeting shall remain in office until their successors are elected at the next ordinary meeting. A maximum of two of these officers may be re-elected for only one further consecutive term.

5. The President, or Vice-President acting as President, shall participate in the meeting or the conference in that capacity and shall not at the same time exercise the rights of a representative of a Contracting Party. In such a case, the Contracting Party concerned may designate another representative who shall be entitled to represent the Contracting Party in the meeting or the conference and to exercise the right to vote.

Rule 17

If the President is temporarily absent from a sitting or any part thereof, the Vice-President shall assume the duties of President.

Rule 18

If an officer resigns or otherwise becomes unable to complete his/her term of office, a representative of the same Contracting Party shall be named by the Contracting Party concerned to replace him/her for the remainder of his/her mandate, subject to the approval of the other Contracting Parties.

Rule 19

At the first sitting of each ordinary meeting, the President of the previous ordinary meeting or, in his/her absence, the Vice-President, shall preside until the meeting has elected a President for the meeting.

ORGANIZATION OF THE MEETING

Rule 20

1. During the course of a meeting or conference, the Contracting Parties may establish such committees and other working groups as may be required for the transaction of its business.

2. Unless otherwise decided, the meeting or the conference shall elect a Chair for each such committee and working group. The meeting or the conference shall determine the matters to be considered by each such committee or working group and may authorize the President, upon the request of the Chair of a

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committee or working group, to adjust the allocation of work.

#### SECRETARY

##### Rule 21

The Executive Director shall act as secretary of any meeting or conference. He/she may delegate his/her functions to a member of the Organization.

##### Rule 22

The Organization shall arrange for interpretation of speeches made at meetings or conferences; receive, translate and circulate the documents of the meeting or conference and its committees and working groups; and publish and circulate the resolutions, reports and relevant documentation of the meeting or the conference. It shall have custody of the documents in the archives of the meeting or conference and generally perform all other work that the meeting or the conference may require.

#### CONDUCT OF BUSINESS

##### Rule 23

Two thirds of the Contracting Parties shall constitute a quorum.

##### Rule 24

In addition to exercising the powers conferred upon him/her elsewhere by these rules, the President shall declare the opening and the closing of the meeting or conference. He/she shall direct the discussions, ensure the observance of these rules, accord the right to speak, put questions to the vote and announce decisions resulting from the vote.

#### POINTS OF ORDER

##### Rule 25

Subject to the provisions of rule 40, a representative may at any time raise a point of order which shall be decided immediately by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be put to the vote immediately and the ruling

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shall stand unless overruled by a simple majority of the Contracting Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 26

Proposals and amendments shall normally be introduced in writing by the Contracting Parties and handed to the secretariat, which shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any sitting unless copies of it have been circulated to delegations not later than the day preceding the sitting. The President may, however, permit the discussion and consideration of amendments or procedural motions even though these amendments and motions have not been circulated or have been circulated only the same day.

Rule 27

1. Subject to the provisions of rule 25, the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- (a) to suspend a sitting;
- (b) to adjourn a sitting;
- (c) to adjourn the debate on the question under discussion; and
- (d) to close the debate on the question under discussion.

2. Permission to speak on a motion falling within (a) to (d) above shall be granted only to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 28

If two or more proposals relate to the same question, the meeting or conference, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 29

A representative of a Contracting Party may request that parts of a proposal or an amendment be voted on separately. If objection is made to the request for division, the President shall permit two representatives to speak, one in favour of and another against the motion, after which it shall be put immediately to the vote.

Rule 30

If the motion referred to in rule 29 is adopted, those parts of a proposal or of an amendment which have been approved shall then be put to the vote as a whole; if all the operative parts of a proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 31

A motion is considered to be an amendment to a proposal if it merely adds to, delete from, or revises parts of, that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 32

If two or more amendments are moved to a proposal, the meeting or conference shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote. The President shall determine the order of voting on the amendments under this rule.

Rule 33

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended. A proposal or motion withdrawn may be reintroduced by any other Contracting Party.

Rule 34

When a proposal has been adopted or rejected, it may not be reconsidered at the same session, unless the meeting or the conference, by a two-thirds majority of the Contracting Parties present and voting, decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall be put immediately to the vote.

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VOTING

Rule 35

1. Each Contracting Party shall have one vote.
2. A Contracting Party that is a regional intergovernmental integration organization shall have one vote for each of its member States Party to the Convention present and voting. Contracting Parties which are member States of such regional intergovernmental integration organization shall not have a separate vote.
3. A Contracting Party that is more than twenty-four months in arrears with its contributions shall not be entitled to vote. The meeting may, however, authorize the Contracting Party concerned to participate in the vote if the arrears are due to circumstances beyond its control.

Rule 36

For the purpose of these rules, the phrase "Contracting Parties present and voting" means Contracting Parties present at the sitting at which voting takes place and casting an affirmative or negative vote. Contracting Parties which abstain from voting are considered as not voting.

Rule 37

1. Decisions of a meeting or conference on all matters of substance shall be taken by a two-thirds majority vote of the Contracting Parties present and voting, unless otherwise provided by the Convention.
2. Decisions of a meeting or conference on matters of procedure shall be taken by a simple majority vote of the Contracting Parties present and voting.
3. Any difference of opinion as to whether a matter is one of a procedural or substantive nature shall be decided by a simple majority vote of the Contracting Parties present and voting.
4. If a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected.

Rule 38

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Voting shall normally be by show of hands. However, any Contracting Party may request a roll-call vote which shall be taken in the French alphabetical order of the names of the Contracting Parties, beginning with the Contracting Party whose name is drawn by lot by the President. Any Contracting Party may also request a secret ballot.

#### Rule 39

The vote of each Contracting Party participating in a roll-call vote shall be recorded in the relevant documents of the meeting or conference.

#### Rule 40

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The President may permit the Contracting Parties to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The President may limit the time to be allowed for such explanations.

### AD HOC WORKING GROUPS

#### Rule 41

1. In accordance with article 17 (1) (d) the Contracting Parties may establish ad hoc working groups with such representation as they deem appropriate, to consider any matters concerning the Convention and its Protocols.

2. Unless otherwise decided, each ad hoc working group shall elect its own officers.

3. These rules of procedure shall apply mutatis mutandis to such ad hoc working groups.

### LANGUAGES

#### Rule 42

English and French are the official languages of the meetings or conferences of the Contracting Parties.

#### Rule 43

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1. Statements made in a language of the meeting or conference shall be interpreted into the other official language.

2. A representative may speak in a language other than a language of the meeting or conference, if he/she provides for interpretation into one of the official languages.

Rule 44

All working documents of the meeting or conference and all reports, resolutions, recommendations and decisions of the meetings or conferences shall be drawn up in one of the official languages and translated into the other official language.

SOUND RECORDINGS OF THE MEETING

Rule 45

Sound recordings of the meeting or conference, and possibly of its committees and working groups, shall be kept by the secretariat in accordance with the practice of the United Nations.

PUBLIC AND PRIVATE MEETINGS

Rule 46

Plenary sittings of the meetings and conferences shall be held in public, unless the meeting or the conference decides otherwise. Sittings of ad hoc or subsidiary bodies of the meetings and conferences shall be held in private, unless the meeting or the conference decides otherwise.

PARTICIPATION OF OTHER STATES, INTERGOVERNMENTAL ORGANIZATIONS AND  
INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS

Rule 47

1. Any coastal State of the Eastern African region invited to participate in the 1985 Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, 17-21 June 1985, Nairobi, Kenya, may participate, without the right to vote, in the deliberations of the meetings or conferences.

/...

2. Any other State Member of the United Nations or member of its specialized agencies which so requests and has a direct concern in the protection and development of the marine and coastal environment of the Eastern African region may participate, upon invitation of the President and without the right to vote, in the deliberations of the meetings or conferences.

3. Representatives of any of the United Nations and its competent subsidiary bodies, the United Nations specialized agencies and the International Atomic Energy Agency which are concerned with the activities of the Action Plan for the Eastern African Region may participate, upon invitation of the President and without the right to vote, in the deliberations of the meetings or conferences.

4. Any intergovernmental organization other than the United Nations, its specialized agencies and the International Atomic Energy Agency and any international non-governmental organization which has specialized expertise related to the protection and development of the marine and coastal environment of the Eastern African region may participate, upon invitation of the President and without a right to vote, in the deliberations of the meeting or conference on matters of direct concern to the organizations they represent.

#### AMENDMENT OF RULES

##### Rule 48

These rules of procedure may be amended by a two-thirds majority vote of the Contracting Parties present and voting at a meeting.

#### OVERRIDING AUTHORITY OF THE CONVENTION

##### Rule 49

In the event of any conflict between any provision of these rules and any provision of the Convention, the Convention shall prevail.

/...

Annex V

TERMS OF REFERENCE OF THE BUREAU OF THE CONTRACTING PARTIES OF THE  
CONVENTION FOR THE PROTECTION, MANAGEMENT AND DEVELOPMENT OF THE  
MARINE AND COASTAL ENVIRONMENT OF THE EASTERN AFRICAN REGION

1. The Bureau shall consist of the President, Vice President and Rapporteur elected at the beginning of each ordinary meeting of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention).

2. The members of the Bureau will be elected for a two-year term and up to two of them may be re-elected for one additional term.

3. The President of the ordinary meeting elected in accordance with rule 16 of the rules of procedure of the meetings and conferences of the Contracting Parties shall serve as President of the Bureau.

4. The functions of the Bureau shall be:

(a) To represent the interests of the Contracting Parties to the Nairobi Convention during the interval between ordinary meetings of the Contracting Parties to the Nairobi Convention;

(b) To review and evaluate the progress of implementation of the Nairobi Convention between ordinary meetings of the Contracting Parties to the Nairobi Convention;

(c) To provide guidance to the Organization on all matters relevant to the implementation of the Nairobi Convention between the ordinary meetings of the Contracting Parties to the Nairobi Convention and to make adjustments in the programme and budget as necessary, within the framework of the decisions made by the meeting;

(d) To promote the active participation of the Eastern African countries in the Nairobi Convention and to urge Governments to fulfil their financial and other commitments;

(e) To review the preparations for the ordinary meetings of the Contracting Parties to the Nairobi Convention and any extraordinary meetings of the Contracting Parties or Conferences of Plenipotentiaries of the Nairobi Convention or intergovernmental meetings of the Action Plan;

/...

(f) To make recommendations to the ordinary meetings of the Contracting Parties to the Nairobi Convention and to any extraordinary meetings of the Contracting Parties or Conferences of Plenipotentiaries of the Nairobi Convention or intergovernmental meetings of the Action Plan on all programme, financial and institutional matters related to the Action Plan and the Nairobi Convention;

(g) To carry out such other tasks as may be determined by the ordinary meetings of the Contracting Parties of the Nairobi Convention or any extraordinary meetings of the Contracting Parties or Conferences of Plenipotentiaries of the Nairobi Convention or intergovernmental meetings of the Action Plan.

5. The work of the Bureau will normally be carried out by correspondence. There may, however, be need for a meeting of the Bureau in mid-term between the ordinary meeting of the Contracting Parties to the Nairobi Convention and/or immediately prior to the subsequent ordinary meeting of the Contracting Parties to the Nairobi Convention.

6. Such meetings of the Bureau will be convened by the Executive Director of UNEP, organized by the Organization and chaired by the President of the Bureau.

7. Invitations to attend meetings of the Bureau shall be issued to the members of the Bureau. All States participating in the Action Plan which are not members of the Bureau shall be invited to attend such meeting as observers.

8. The working languages of the meetings of the Bureau will be English and French.

9. The reports of the Bureau will be prepared by the Rapporteur and will be made available for meetings of the Contracting Parties to the Nairobi Convention.

Annex VI

TERMS OF REFERENCE FOR THE MANAGEMENT OF THE REGIONAL  
SEAS TRUST FUND FOR THE EASTERN AFRICAN REGION

1. The Regional Seas Trust Fund for the Eastern African Region (Trust Fund), which was established to provide financial support for the Action Plan for the protection, management and development of the marine and coastal environment of the Eastern African region (Action Plan) and the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region and its Protocols, shall be extended for a period of four years up to December 1999, to continue providing financial support for the aims of the Action Plan and the Convention and its related Protocols.
2. The administration of the Trust Fund shall continue to be 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).
3. The management of the Trust Fund shall be governed by the Financial Rules and Regulations of the United Nations and related administrative policies or procedures promulgated by the Secretary-General. It is understood that 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.
4. In the event that the participating States wish the Trust Fund to be extended beyond 31 December 1999, the Executive Director of UNEP shall be so advised in writing at least six months before that date. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
5. The Trust Fund for 1997-1999 shall be financed by contributions from Parties to the Convention as well as from States not party to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources. Contributions by Parties shall be made in accordance with the decision on financial arrangements adopted by the meeting of Parties to the Convention. The assessment for the period 1997-1998 is shown in the annex to these terms of reference.
6. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January 1996, 1997, 1998 and 1999. Contributions shall be paid into the following account:

/...

Account No. 001-0-507001  
 UNEP General Trust Funds Account  
 (for the Eastern African Trust Fund)  
 Chase Manhattan Bank, United Nations Branch  
 New York, NY 10017  
 United States of America

7. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

8. The Trust Fund shall be subject to audit by the United Nations Board of Auditors and/or the United Nations Internal Audit Service.

9. Appropriations from the Trust Fund towards the common costs or project costs of the Action Plan will be approved by the meetings of the Contracting Parties to the Convention.

10. The Secretary-General, or the organization designated by him/her to administer the Trust Fund, shall submit annual reports on the administration of the Trust Fund to the meetings of the Contracting Parties to the Convention.

#### Annex

#### SCHEDULE OF CONTRIBUTIONS TO THE REGIONAL TRUST FUND FOR THE EASTERN AFRICAN REGION FOR 1997 AND 1998

For the period 1997-1998, the Regional Trust Fund for the Eastern African Region is funded by the Contracting Parties and other States not yet contracting parties to the Convention. National contributions for 1997 and 1998 are as follows, in percentages and United States dollars:

	%	1997	1998
		US\$	US\$
Comoros	4.84	12,100	15,100
France	25.00	62,500	78,000
Kenya	14.52	36,000	45,302
Madagascar	7.26	18,150	22,651
Mauritius	9.68	24,200	30,201
Mozambique	14.52	36,300	45,302

/...

United Republic of Tanzania	14.52	36,300	45,302
Seychelles	4.84	12,100	15,100
Somalia	4.84	12,100	15,100
<hr/>			
	100.02	250,050	312,058



Annex VIIPRIORITY PROGRAMME FRAMEWORK AND ACTIVITIES ON ENVIRONMENT  
AND DEVELOPMENT IN THE EASTERN AFRICAN REGION

## I. INTRODUCTION

1. The layout of the proposed programme and budget for the forthcoming biennium 1997-1998 and beyond has been modified from that of previous presentations to take into account the entry into force of the Nairobi Convention, the need for strategies for the coming decade, and in order to provide a better presentation of a comprehensive programme and priorities for action.
2. The following programme conforms to the decisions of the Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (17-21 June, 1985) the First Intergovernmental Meeting on the Action Plan for the Eastern African Region (Nairobi, 8-9 November, 1989) as well as to the Second Intergovernmental Meeting (Nairobi, 7-9 September 1993). Furthermore, the programme is in line with Agenda 21, the provisions of the United Nations Convention on the Law of the Sea and the Convention on Biological Diversity and takes into consideration emerging global issues and programmes such as the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities.
3. The programme looks at the short-term activities (1997-1998) and the long-term framework of activities in which they fit. It also foresees issues which will need to be addressed in the long term in order that sustainable development can be achieved.
4. The programme is presented in priority order, and the indicative budget indicates the minimum funds required to initiate and develop the respective activities. The budget presented is independent of the funds available in the Regional Seas Trust Fund for the Eastern African Region. Additional sources of funding will be necessary and it is envisaged that a resource mobilization strategy will be formulated within the 1997 work programme.
5. The resolution on programme implementation, adopted by the Conference of Plenipotentiaries, Management and Development of the Marine and Coastal Environment of the Eastern African Region, held in Nairobi, from 17 to 21 June 1985, and by the Second Intergovernmental Meeting, held in Nairobi, from 7 to 9 September 1993 called for an early implementation of nine programme activities within the framework of the Action Plan for the Eastern African region. Within this framework the following projects are under way:

/...

(a) Protection and management of the marine and coastal areas in the Eastern African region (EAF/5) - 1997-1998

Government contributions to the Regional Seas Trust Fund for the Eastern African Region: US\$ 240,000

Special SIDA contribution to the Regional Seas Trust Fund for the Eastern African Region: US\$ 895,000

(b) Coastal resources database and atlas (EAF/14) (1993 - 1998)

Government in-kind contribution: about 180 man months spread over five years, together with infrastructure facilities.

Belgian contribution for 1997-1998: US\$ 1,000,000

(c) A GEF project of US\$ 325,000 entitled "Preparation of a transboundary diagnosis analysis and a strategic action programme for the marine and coastal environment of the western Indian Ocean (1997)" has recently been approved.

6. The focus for 1997-1998 will be:

(a) Programme coordination;

(b) Integrated coastal area management;

(c) Global Programme of Action for the Protection of the Marine Environment from Land-based Activities: assessment, prevention and control of marine pollution;

(d) Awareness and information programmes; and

(e) Biodiversity.

## II. 1997-1998 WORK PROGRAMME AND BUDGET

### A. Programme coordination

7. Objectives:

(a) To develop and prepare the work-programme and budget for the Eastern African Action Plan for approval by the Contracting Parties;

/...

(b) To coordinate the activities of the Regional Coordinating Unit of the Action Plan for the Eastern African Region with participating United Nations agencies and intergovernmental and non-governmental organizations and to manage the Regional Seas Trust Fund for the Eastern African Region.

1. Coordination and running of the Regional Coordinating Unit

8. Table 1 shows the budget adopted by the Second Intergovernmental Meeting on the Action Plan for the Eastern African Region, held at Nairobi, 7-9 September 1993.

Table 1

Indicative budget for the operation of the Regional Coordinating  
Unit during the initial two years  
(United States dollars)

	Year 1	Year 2
1. <u>Project Personnel Component</u> <sup>14/</sup>		
1 Programme Coordinator P.5/D.1	115,000	117,000
1 Project Coordinator P.3/P.4	70,000	72,000
1 Programme Officer P.3/P.4	70,000	72,000
Consultants (unspecified)	20,000	20,000
	<hr/>	<hr/>
Sub-Total 1	275,000	281,000
	<hr/>	<hr/>
2. <u>Administrative Support</u>		
1 Administrative Assistant G.6/G.7	12,000	14,000
2 Bilingual Secretaries G.4/G.5	20,000	24,000
1 Secretary G.4/G.5	5,000	7,000
	<hr/>	<hr/>
Sub-Total 2	27,000	45,000
	<hr/>	<hr/>
3. <u>Travel on official business</u>	15,000	15,000
	<hr/>	<hr/>
Sub-Total 3	15,000	15,000
	<hr/>	<hr/>
4. <u>Training component</u>		
Group training	20,000	20,000
Equipment:		
Expendable equipment	8,000	8,000
Non-expendable equipment Premises, rental and maintenance	65,000	10,000
	<hr/>	<hr/>
Subtotal 4	98,000	43,000
	<hr/>	<hr/>

<sup>14/</sup> Salaries are based on United Nations salary scales for Kenya.

/...

Table 2

Activities	Budget	
	1997	1998
(a) Second meeting of Contracting Parties to review and approve the 1999-2000 programme of work and budget.	0	30,000
(b) To coordinate and convene ad hoc meetings of technical and legal experts to review and update the Nairobi Convention.		
(c) First meeting of the Bureau of the Contracting Parties	30,000	30,000
(d) Resource mobilization strategy developed and implemented.	0	10,000
	5,000	5,000
Subtotal 5	35,000	75,000

Grand Total for Subtotals 1 - 5

	1997	1998
Subtotal 1	275,000	281,000
Subtotal 2	27,000	45,000
Subtotal 3	15,000	15,000
Subtotal 4	98,000	43,000
Subtotal 5	35,000	75,000
	<hr/>	<hr/>
GRAND TOTAL	450,000	459,000
	<hr/> <hr/>	<hr/> <hr/>

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Table 3

Revised indicative budget for basic requirements essential to the operation of the  
Regional Coordinating Unit during the initial two years (1997-1998)

(United States dollars) 15/

	Year 1	Year 2
1. <u>Project personnel component</u> <u>16/</u>		
1 Programme Coordinator P.5/D.1	115,000	117,000
1 Programme Officer P.3/P.4	70,000	72,000
	<hr/>	<hr/>
Subtotal 1	185,000	189,000
	<hr/>	<hr/>
Consultants (unspecified)	0	0
Subtotal	0	0
2. <u>Administrative support</u>		
1 Administrative Assistant G.6/G.7	0	0
2 Bilingual Secretaries G.4/G.5	0	0
1 Secretary G.4/G.5	0	0
Subtotal 2	0	0
3. <u>Travel on official business</u>	15,000	15,000
	<hr/>	<hr/>
Subtotal 3	15,000	15,000
	<hr/>	<hr/>
4. <u>Training component</u>		
Group training	0	0
<u>Equipment</u>		
Expendable equipment	1,000	1,000
Non-expendable equipment Premises, rental and maintenance	10,000 5,000	10,000 5,000
	<hr/>	<hr/>
Subtotal 4	16,000	16,000

15/ Budget will be reviewed taking into account the current costs.

16/ Salaries are based on United Nations salary scales for Kenya.

/...

## Grand Total for Subtotals 1 - 4

	1997	1998
Subtotal 1	185,000	189,000
Subtotal 2	0	0
Subtotal 3	15,000	15,000
Subtotal 4	216,000	220,000
	<hr/>	<hr/>
GRAND TOTAL	450,000	459,000
	<hr/> <hr/>	<hr/> <hr/>

Table 4Expected biennial contributions to the Trust Fund

Comoros	27,200
France	140,000
Kenya	81,602
Madagascar	40,801
Mauritius	54,401
Mozambique	81,602
United Republic of Tanzania	81,602
Seychelles	27,200
Somalia	27,200
Grand total	562,108

B. Integrated coastal area management9. Objectives:

(a) To assist countries in the formulation, approval and implementation of coastal management policies, plans and strategies, to contribute to the strengthening of capabilities of local and national institutions, authorities and experts for the implementation of the integrated coastal and marine areas management process, as well as to assist in the resolution of environmental problems in the coastal areas;

(b) To increase the accessibility to data and information on the coastal and marine environment through the publication of a coastal atlas and the establishment of a coastal resources Geographical Information System database;

(c) To support the development of sectoral strategies that impact on major watershed areas (practices) and identify the major environmental components (water and soil) and their impact on the marine and coastal areas;

(d) To ensure the sustainable development of tourism in the region, through capacity-building and demonstration projects for determining the carrying capacity of the environment;

(e) To identify the major water management actors, study their strategies and identify relevant areas for intervention to orient or reorient, their actions towards the sustainable use of water, as well as to assess the major use policies and their impact on industry (e.g., tourism), quality and availability; and

/...



(f) To develop and install the system of integrated water resources management in the region.

Table 5

Activities	Budget	
	1997	1998
(a) On-the-job training through demonstration projects, and the development of ICAM profiles, strategies and management plans, and their implementation	200,000	200,000
(b) Implementation of intervention projects to arrest environmental problems	250,000	250,000
(c) Implementation of demonstration bankable projects divided from ICAM strategies	250,000	250,000
(d) Assistance in the development of National ICAM policies and programmes	250,000	250,000
(e) Development and use of GIS maps, resource atlases for management of coastal areas	400,000	400,000
(f) Assessment of the practices and impacts (Control measures to be identified) of the agro-systems in the Eastern African Region and their impacts on the environment	40,000	40,000
(g) Training courses and on-the-job training in the application of environmentally sound approaches to the planning and development of tourism activities	50,000	50,000
(h) Water resources: identification of major aquifers in the region	50,000	50,000
(i) Support to the water component of the United Nations Special Initiative on Africa (demonstration projects)	50,000	50,000
(j) Training courses and on-the-job training through demonstration projects in the integrated development, management and use of coastal water resources	250,000	250,000
<b>Total</b>	<b>1,790,000</b>	<b>1,790,000</b>

/...

C. Global Programme of Action for the Protection of the Marine Environment from Land-based Activities: Assessment, prevention and control of marine pollution

10. Objectives:

(a) Qualitative and quantitative assessment of pollution loads reaching the marine and coastal environment of the region, and their harmful effects on the environment and human health;

(b) Assistance to Contracting Parties in the establishment or improvement of national monitoring programmes, and the development of intervention strategies;

(c) Formulation, adoption, and implementation of a regional action plan and development and implementation of national action plans for the reduction and control of pollution from land-based sources and activities; and

(d) Measures to strengthen the capacity of coastal States in the Eastern African region and to facilitate cooperation among them in order to intervene in cases of emergencies and accidents, as well as implementation of the Protocol concerning Cooperation in Combating Marine Pollution in Cases of Emergency in the Eastern African Region.

Table 6

Activities	Budget	
	1997	1998
(a) Identification of sources and assessment of pollution loads and the identification of "hot spots"	30,000	30,000
(b) Establishment of national monitoring programmes on biological contaminants	50,000	50,000
(c) Development of a regional strategy for the control of pollution from land-based sources and activities	15,000	15,000
(d) Adoption of regional strategy of on land-based activities through a series of expert meetings and intergovernmental meetings	30,000	30,000
(e) Assistance to Contracting Parties for the development and implementation of national action plans for the reduction and control of pollution from land-based sources and activities	45,000	45,000
(f) Assistance to Contracting Parties in the implementation and enforcement of adopted pollution control measures	30,000	30,000
(g) Assistance to States in developing their national marine pollution contingency plans	250,000	250,000
Total	450,000	450,000

D. Awareness and information programmes and strengthening of legal framework

11. Objectives:

(a) To strengthen public awareness on the protection and sustainable management of the marine and coastal environment and strengthen cooperation with appropriate non-governmental organizations and to inform the decision-makers, scientists, administrators of the Eastern African region.

(b) To review and update the Nairobi Convention and its related protocols, to promote the adoption of relevant national legislation and to ensure the compliance of the Contracting Parties with the provisions of the Nairobi Convention and its related Protocols.

/...

Table 7

Activities	Budget	
	1997	1998
(a) Promotion of environmental awareness, exchange and dissemination of information	25,000	25,000
(b) Support to public awareness and national campaigns	50,000	50,000
(c) Preparation of editing, printing, and dissemination of brochures, reports etc.	50,000	50,000
(d) Legal assistance to review and update the Nairobi Convention and its related protocols	15,000	15,000
(e) Expert meetings on the updating of the Nairobi Convention	30,000	30,000
(f) Assistance to countries to develop their national legislation in line with the Convention	20,000	20,000
Total	190,000	190,000

E. Biological Diversity

12. Objectives:

To assist the Contracting Parties in the implementation of the Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region.

Table 8

Activities	Budget	
	1997	1998
(a) Assisting countries in the implementation of the regional strategy on coral reefs	50,000	50,000
(b) Assisting in the assessment of the coral reefs in the region	100,000	100,000
Total	150,000	150,000

/...

	<u>1997</u>	<u>1998</u>
PROGRAMME GRAND TOTAL	<u>US\$ 2,535,000</u>	<u>US\$ 2,535,000</u>

III. LOOKING AHEAD: ORIENTATION NOTES FOR STRATEGIC ACTIONS  
FOR THE YEARS 1997-2007

13. The following programme of activities for the forthcoming decade 1997-2007, which takes into account Agenda 21, the United Nations Convention on the Law of the Sea and other pertinent international agreements, is submitted to the First Meeting of the Contracting Parties to the Nairobi Convention (17-18 March 1997) for adoption.

A. Programme coordination

(a) Reassessment of, or contribution to, the formulation of improved national strategies for sustainable development; and

(b) Development of appropriate instruments for the monitoring and assessment of the environment and development in the Eastern African Region.

B. Integrated coastal area management

(a) To develop appropriate measures and techniques for the integrated management of coastal areas and coastline protection;

(b) To develop the capabilities of each country to prepare ICAM plans through training; and

(c) To formulate and implement programmes on the preparation of ICAM plans and strategies, particularly in pilot zones.

C. Global Programme of Action for the Protection of the Marine Environment from Land-based Activities: assessment, prevention and control of marine pollution

(a) To assess, on the basis of agreed methodologies, the inputs of pollutants in the sea from watercourses, the atmosphere and diffuse sources, and to evaluate in each country the major sources of marine pollution;

(b) To prepare evaluations, at national and regional levels, on the quality of the marine environment; and

(c) To promote the reduction of the amount of pollution carried into the marine environment, particularly by strengthening capabilities to develop and implement national strategies.

D. Awareness and information programme

/...

(a) To encourage the development of a methodology for applying the participatory approach in the decision-making process related to sustainable development at national and local level; and

(b) To increase the flow of information on the environment and the objectives, relevance, implications and benefits of the Nairobi Convention to Governments and national and international institutions and to promote greater public awareness of these matters.

E. Biological diversity

(a) To prepare and approve national strategies for the conservation of biological diversity;

(b) To draw up inventories of the elements of biological diversity, lists of threatened species and of sites of natural or cultural value;

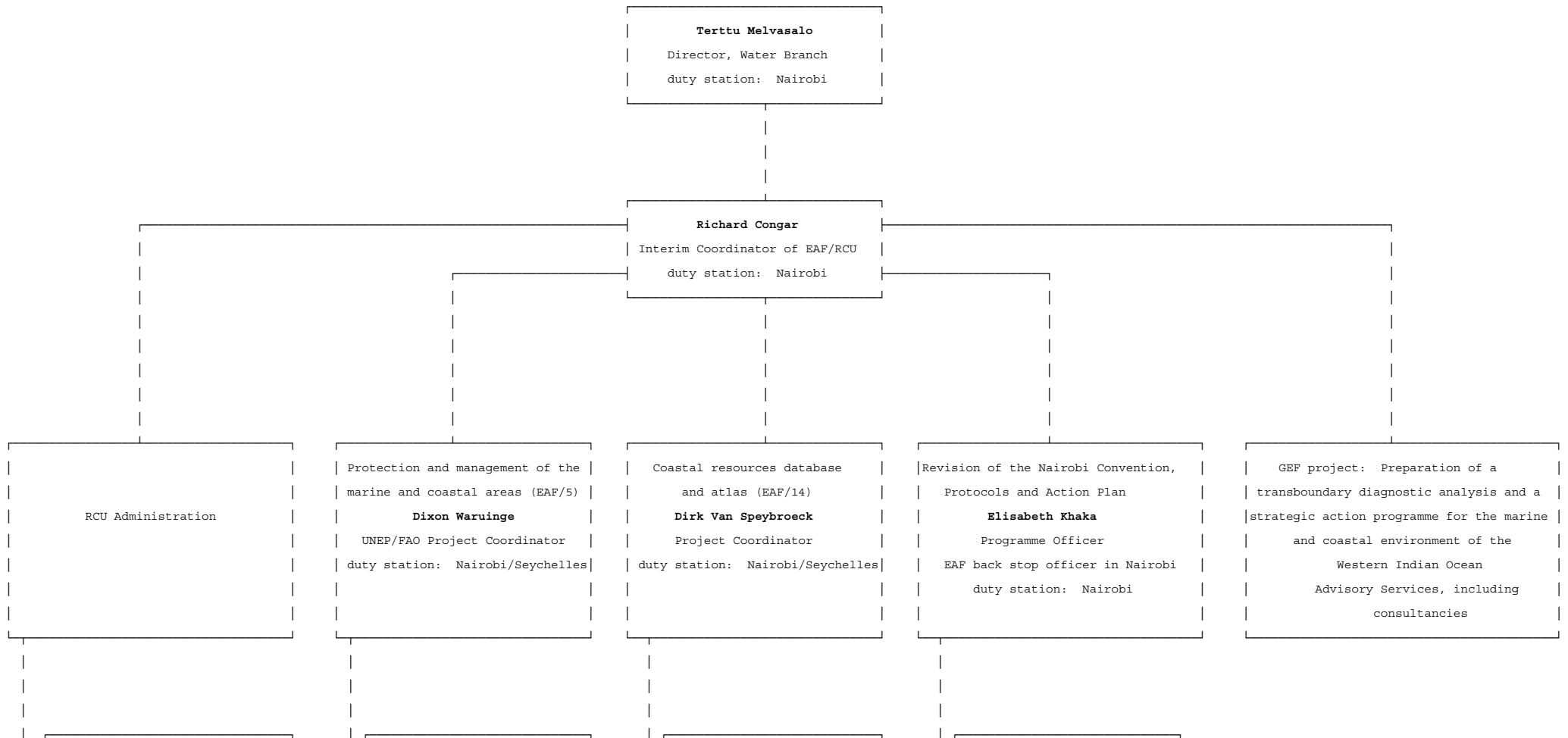
(c) To enhance the conservation and rational management of the Eastern African Wetlands; and

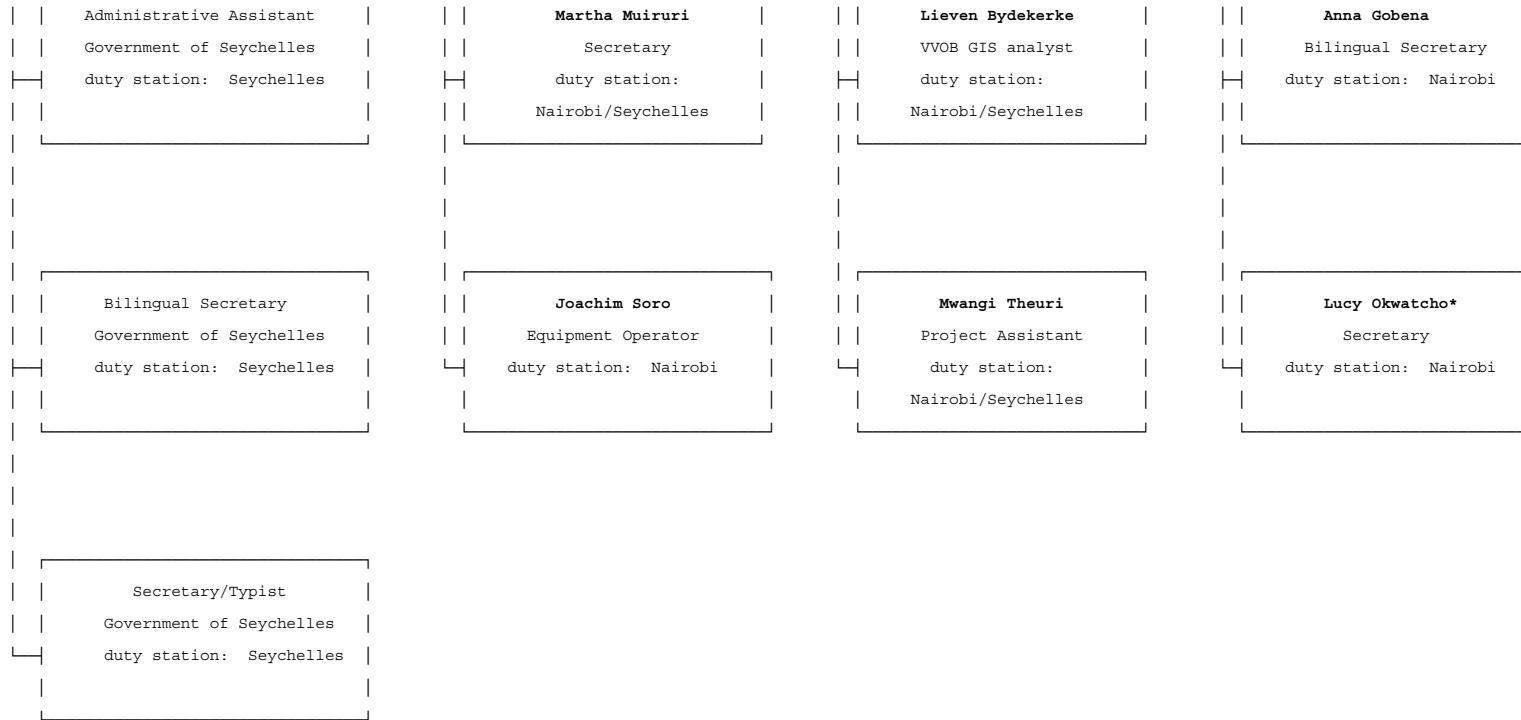
(d) To encourage the establishment of national inspection mechanisms and land use policy tools for safeguarding protection of the coastal areas which take into account the specific conditions in each country.



Annex VIII

ORGANIZATIONAL CHART OF THE REGIONAL COORDINATING UNIT OF THE ACTION PLAN FOR THE PROTECTION, MANAGEMENT AND DEVELOPMENT OF THE MARINE AND COASTAL ENVIRONMENT OF THE EASTERN AFRICAN REGION AND OF THE SECRETARIAT OF THE CONVENTION AND ACTION PLAN (effective January 1997)





Fund Management is the responsibility of the Chief, UNEP Fund Programme Management Branch, UNEP headquarters, Nairobi

contact person for EAF Trust Fund: Gerald Kafeero

contact person for UNEP Environment Fund: Marzena Jankowska

contact person for GEF: Nooriya Koshen

Chart reflects organizational and reporting structure

\* pending availability of funds

Annex IX

LISTE DES PARTICIPANTS A LA PREMIERE REUNION DES PARTIES CONTRACTANTES A LA  
CONVENTION POUR LA PROTECTION, LA GESTION ET LA MISE EN VALEUR DE  
L'ENVIRONNEMENT MARIN ET DES ZONES COTIERES DE LA REGION DE L'AFRIQUE  
ORIENTALE

LIST OF PARTICIPANTS OF THE FIRST MEETING OF THE CONTRACTING PARTIES TO  
THE CONVENTION FOR THE PROTECTION, MANAGEMENT AND DEVELOPMENT OF THE MARINE  
AND COASTAL ENVIRONMENT OF THE EASTERN AFRICAN REGION

1. PARTIES CONTRACTANTES A LA CONVENTION/CONTRACTING PARTIES TO THE  
CONVENTION

FRANCE/FRANCE

1. Mr Denis Clément Suppléant/Substitute  
Directeur de l'Environnement,  
DIREN,  
1, rue Amiral Lacaze  
97400 Saint-Denis  
La Réunion, France  
Tel. [262] 947250  
Fax [262] 947255
  
2. Mr Christian Job Suppléant/Substitute  
Chef de la Mission de co-opération et  
d'action culturelle,  
Ambassade de France,  
Victoria House, Victoria,  
Mahé, Seychelles  
Tel. [248] 224523  
Fax [248] 225248
  
3. S.E. Mr. Marcel Surbiguet Chef de Délégation/Head  
of Delegation  
Ambassadeur de France en résidence  
aux Seychelles,  
Victoria House, Victoria,  
Mahé, Seychelles  
Tel. [248] 224523  
Fax [248] 225248

KENYA/KENYA

/...

4. Mr. David Kinyanjui Délégué/Representative  
Deputy Director, National Environment Service,  
Ministry of Environment and Natural resources,  
P.O. Box 67839,  
Nairobi, Kenya  
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