

**The Eighth Conference of the Parties to the Nairobi Convention
for the Protection, Management and Development of
the Marine and Coastal Environment of the Western
Indian Ocean (Nairobi Convention)**

Mahe, Seychelles, 22-24 June 2015

Decisions for COP8

Preamble

The Contracting Parties to the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean Region (Nairobi Convention),

Noting with appreciation the Report of the Executive Director of the United Nations Environment Programme, the efforts of the Secretariat and the Contracting Parties to implement the Work Programme for 2013 to 2017;

Noting the need to strengthen and optimize the Secretariat functions and coordination; and delivery of the Nairobi Convention, its protocols, action plans and programmes of work;

Noting the ongoing process by the Contracting Parties and partners in the development of a protocol on integrated coastal zone management, the difficulties experienced in the definition, principles, frameworks and resource constraints that is delaying the conclusion of the process;

Recognizing the existence of other conventions and acknowledging their work which contributes to the protection and conservation of the marine environment;

Noting also the outcomes of various global and regional meetings and processes, including the 15th session of the African Ministerial Conference on Environment held in Cairo, 2-6 March 2015, Agenda 2063, Africa's Integrated Maritime Strategy 2050, the progress in the Development of the Post 2015 Development Agenda and the outcomes of the 21st Conference of Parties to the United Nations Framework Convention on Climate Change (UNFCCC), 12th Conference of Parties to the Convention on Biological Diversity and the United Nations General Assembly resolution 69/292 on development of an instrument on marine biodiversity of areas beyond national jurisdiction under United Nations Convention on the Law of the Sea;

Acknowledging the adoption of the Amended Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean Region (Amended Nairobi Convention) and the Protocol for the Marine and Coastal Environment of the Western Indian Ocean from Land Based Sources and Activities (LBSA Protocol) during the sixth Conference of Parties as well as subsequent efforts to ratify and implement the Amended Convention and Protocol and lauding Mozambique for ratifying the LBSA Protocol;

Recalling also past decisions of the Contracting Parties endorsing ecosystem approaches to coastal and marine management; in particular CP5/2 on protection of ecosystems and endangered species, CP5/3 on assessment and monitoring activities and CP7/6 on Small Island Developing States, and in this regard appreciating the progress made in advancing ecosystem based marine and coastal management approaches;

Noting the work of the Convention for Biological Diversity in the identification and description of ecologically or biologically significant marine areas as a tool for ecosystem-based management and establishment of areas that are important for conservation and sustainable use of marine and coastal biodiversity in the Western Indian Ocean Region;

Aware of the potential for economic growth from oil and gas as well as the need for regional and national environmental safeguards;

Noting the progress made in the advancement of the blue or ocean economy pathways by the Contracting Parties,

Recognizing the work of United Nations Economic Commission for Africa (UNECA) on blue economy and the outcome of the meeting held in Madagascar on 3-5 March 2015, on the theme “harnessing the blue economy for the development of Eastern Africa.”

Acknowledging the collaboration of the Nairobi Convention Secretariat, Western Indian Ocean Marine Science Association, national governments and partners in the preparation of the State of Coast Report as a contribution to the World Oceans Assessment and other assessment processes;

Taking note of the information on the status of endangered species contained in the State of Coast Report, and other reports, as a basis for updating the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region;

Recalling decision CP.1/5 on financial matters approving the financial rules for the management of the Eastern African Trust Fund as provided for under Article 21 of the Nairobi Convention;

Acknowledging the work of Western Indian Ocean Marine Science Association, World Wide Fund for Nature, Consortium for the Conservation of Coastal and Marine Ecosystems in the Western Indian Ocean, International Union for Conservation of Nature, Indian Ocean Commission, the Wildlife Conservation Society, GRID-Arendal, the Governments of Sweden and Norway and other partners in the development and implementation of the work of the Convention and in the protection of the marine and coastal environment of the West Indian Ocean Region;

Acknowledging the work, financial and technical contributions made by the partners in supporting the Contracting Parties to develop and implement programmes and activities;

Appreciating the continued support provided by the Executive Director of the United Nations Environment Programme to the Nairobi Convention;

Decide

Decision CP8/1: *Preparation of a New Work Programme for the Nairobi Convention, 2018-2022*

1. To *request* the Secretariat in the remaining period of work programme for 2013-2017, to develop a new Work Programme for the period 2018-2022 for adoption at the Ninth Conference of Parties;
2. To *request the* Secretariat to take note of the outcomes of the ongoing Post 2015 Development Agenda process and the expected Sustainable Development Goals, and incorporate the relevant outcomes into the new work programme for 2018-2022, especially those relating to sustainable management of marine and coastal environment.

Decision CP8/2: *Ratification, Accession and Implementation of the Amended Nairobi Convention and the Protocol on Land Based Sources and Activities*

1. To *urge* Contracting Parties that have not ratified or acceded to the Amended Nairobi Convention to expedite the process of ratification or accession;
2. To *urge* Contracting Parties to develop policies, make laws and standards as well as implement programmes in compliance with the Protocol on LBSA;
3. To *urge* Contracting Parties, with the support of partners, to implement their action programmes on waste water in the Western Indian Ocean Region.

Decision CP8/3: *Development of a Protocol on Integrated Coastal Zone Management*

1. To *request* the Secretariat to review the current status of the draft Protocol on Integrated Coastal Zone Management in collaboration with Contracting Parties and other partners and facilitate discussions to explore other possible options for the effective management of marine and coastal environment and report back on the options at or before the next conference of parties.

Decision CP8/4: *Review of the Protocol Concerning Protected Areas and Wild Fauna and Flora Eastern African Region*

1. To request the Contracting Parties in collaboration with the Secretariat and implementing partners to finalize the review of the protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and its annexes; and report back on the progress at the Ninth Conference of Parties.

Decision CP8/5: Agenda 2063 and the Africa Integrated Maritime Strategy 2050

1. To *urge* Contracting Parties to implement the Cairo Declaration of the 15th Session of the African Ministerial Conference on Environment (AMCEN) on Africa Integrated Maritime Strategy 2050 and Agenda 2063 on ecosystem-based management approaches for marine resources in the exclusive economic zones and adjacent waters and inform on progress at AMCEN sessions;
2. To *request* the Secretariat, in collaboration with Barcelona Convention, Abidjan Convention, Jeddah Convention, with the support of the United Nations Environment Programme, to contribute to the development of an African strategy on ocean governance in the context of the Africa Integrated Maritime Strategy 2050 and Agenda 2063.

Decision CP8/6: Support to Implementation of Projects

1. To *request* Contracting Parties, the Global Environment Facility and other partners, as appropriate, to support projects on:
 - a) Transboundary marine protected area between Kenya and the United Republic of Tanzania as an example of a cross-border management system of marine protected areas,
 - b) Northern Mozambique Channel as an good example of integrated ocean management approach,
 - c) Partnerships for Implementing the Western Indian Ocean-Strategic Action Programme financed by the Global Environmental Facility,
 - d) Sustainable fisheries management and biodiversity conservation of deep-sea living marine resources and ecosystems in the areas beyond national jurisdiction by the Food and Agriculture Organization of the United Nations, and the United Nations Environment Programme,
 - e) Conservation and sustainable exploitation of seamount and hydrothermal vent ecosystems of the South West Indian Ocean in areas beyond national jurisdiction and collaborate in the management of activities in their adjacent waters by International Union for Conservation of Nature,
 - f) Guiding environmental management in the context of a rapidly developing oil and gas industry in the Western Indian Ocean Region by GRID-Arendal,

and *request* implementing partners to report on the progress on or before the next Conference of Parties;

2. To *urge* the Contracting Parties, with the support from partners, to develop and implement new transboundary initiatives for management of shared resources.

Decision CP8/7: *Environment Management for Oil and Gas development*

1. To *request* the Secretariat to prepare regional guidelines on environmental management for oil and gas development, based on best practices, for consideration by the Contracting Parties at the next session;
2. To *urge* Contracting Parties to seek support of other countries and partners involved in oil and gas development such as GRID-Arendal, to conduct and implement a regionally coordinated strategic environmental assessment, of social and environmental sustainability of oil and gas in the Western Indian Ocean Region;
3. To *request* Contracting Parties, with support of United Nations Environment Programme and other partners, to explore the development of Western Indian Ocean regional compliance monitoring initiatives for oil and gas.

Decision CP8/8: *Climate Change Adaptation and Mitigation*

1. To *request* the Secretariat to expedite the finalisation of the climate change strategy for the Nairobi Convention Area and circulate the draft strategy for comments by the Contracting Parties by 30 September 2015 and further urge the Contracting Parties to submit their comments by 30 November 2015 for adoption by the Bureau by 31st December 2015;
2. To *urge* Contracting Parties to integrate relevant recommendations of the Climate Change Strategy for the Nairobi Convention Area into their national climate change strategies and develop policies, programmes and projects on climatic variability and climate change.

Decision CP8/9: *Threatened and Endangered Marine Species*

1. To *urge* the Secretariat, in partnership with the Wildlife Conservation Society, to finalize the Regional Status Report on Sharks and Rays in the Western Indian Ocean and circulate the report to all Contracting Parties for review and submit the final report with findings for consideration at the next Conference of Parties;
2. To *urge* the Contracting Parties to build partnerships with partners to strengthen the enforcement capacity for reducing or eliminating illegal exploitation and trade in threatened and endangered marine species;
3. To *urge* Contracting Party range states to effectively implement the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South East Asia, enhance marine turtle conservation and establish sites of importance for marine turtles in the Western Indian Ocean.

Decision CP8/10: Blue and Ocean Economy

1. To *urge* Contracting Parties to apply blue or ocean economy approaches as pathways for sustained economic growth, food security, poverty eradication, job creation and environmental sustainability;
2. To *welcome* blue and ocean economy initiatives undertaken by Seychelles with blue economy, Mauritius with ocean economy and South Africa with ocean economy Operation Phakisa and to encourage other Contracting Parties to consider developing and implementing similar initiatives, as appropriate;
3. To *invite* the Contracting Parties to consider for implementation, as appropriate, the key messages and action points agreed at the 19th session of the Intergovernmental Committee of Experts on the Blue Economy held in Antananarivo 2-5 March 2015;
4. To *urge* Contracting Parties to cooperate in improving the governance of areas beyond national jurisdiction, building on existing regional institutions including the Nairobi Convention and developing area based management tools such as marine spatial planning to promote the blue economy pathways in the Western Indian Ocean Region.

Decision CP8/11: National and Regional State of Coast Reports

1. To *urge* Contracting Parties to consider the findings of the Regional State of Coast Report for the Western Indian Ocean Region in their decision-making processes;
2. To *welcome* the national reports presented by the Contracting Parties and to *request* Contracting Parties to fulfill their obligations under the Article 17 and 23 of the Convention, to prepare national state of coast reports periodically, as a contribution to the Regional state of coast report;
3. To *request* the Secretariat, jointly with the Contracting Parties, to prepare a Regional State of Coast Report every five years for consideration by the Conference of the Parties.

Decision CP8/12: Establishment of a Platform for Science to Policy Dialogue

1. To *urge* Contracting Parties to promote science to policy interface in order to enhance informed decision making;
2. To *agree* to establish a dialogue platform to strengthen the links between science, policy and action and to mandate the forum of the Heads of National Academic and Research Institutions to act as the technical and advisory body of the platform;
3. To *request* the Secretariat, in collaboration with partners, to develop terms of reference, mode of operation and composition of the platform and transmit them to the Contracting Parties for subsequent approval by the Bureau.

Decision CP8/13: Enhancing Cooperation, Collaboration and Support with Partners

1. To *urge* Contracting Parties, with support of the Secretariat, to continue engaging and cooperating with existing partners for the development and implementation of the decisions of the Conference of Parties and the work programme of the Nairobi Convention;
2. To *agree* to establish additional partnerships, including with regional economic communities, such as the East Africa Community, Common Market for Eastern and Southern Africa, Southern Africa Development Community, Indian Ocean Commission and United Nations agencies; Regional Fisheries Management Organisations, such as the Indian Ocean Tuna Commission, South West Indian Fisheries Commission on sustainable fisheries management; West Indian Ocean Challenge on matters of environmental assessment, Food and Agricultural Organisation, Convention on Migratory Species and CITES on conservation and trade of sharks and rays; ecologically or biologically significant marine areas as well as sustainable ocean initiative on capacity building of the Convention on Biological Diversity (CBD);
3. To *invite* all Contracting Parties and request the Secretariat to collaborate with the Secretariat of the Convention on Biological Diversity, Western Indian Ocean Marine Science Association and other partners on capacity building, implementation and sharing of experiences on integrated marine spatial planning in support of blue economy;
4. To *request* the Secretariat to establish a partnership with United Nations Environment Programme Global Programme of Action on matters of marine litter, waste and waste water for the West Indian Ocean Region and to report to the Conference of Parties at the next session;
5. To *encourage* collaboration and communication between Contracting Parties and civil society, private sector, non-governmental organisations, local governments and municipal authorities in the implementation of the work programme of Nairobi Convention for increased impact and commitment so as to harness the benefits of synergies and collaboration, such as in the work of the coral reef task force of the Nairobi Convention in 2015-2016 in preparing the regional status of coral reef report for the Western Indian Ocean;
6. To *agree* to promote joint programming between Contracting Parties, United Nations Framework Convention on Climate Change (UNFCCC), UNECA, partners, civil society and private sector for implementation of priority areas and mobilisation of resources;

7. To *request* Contracting Parties to partner with the Consortium for the Conservation of Coastal and Marine Ecosystems in the Western Indian Ocean for increased science based information sharing.

Decision CP8/14: *Strengthening the Operational Functioning of the Secretariat*

1. To *urge* Contracting Parties to take note of the report on optimizing secretariat functions, coordination and delivery of the Nairobi Convention, its protocols, action plans and programme of work;
2. To *request* the Secretariat to prepare and circulate to the Contracting Parties by 31 December 2015, an analysis of the report on the strengthening the operational functioning of the secretariat, including, inter alia, the financial implications of the options contained in the report, proposals for secondment of staff by contracting parties and partners, proposals for utilizing the existing capacities of national institutions to advance the work of the Convention, and to submit the report to the next Conference of Parties;
3. To *request* the Secretariat, in the immediate term, to approach Contracting Parties and other partners, in a position to do so, to support the effective implementation of the Nairobi Convention programme of work by, inter alia, providing staff and staffing resources within the provisions of the UN regulations.

Decision CP8/15: *Financial matters*

1. To *commend* the Contracting Parties who have made their assessed contributions to the Trust Fund and to urge all Contracting Parties to continue to make their contributions in a timely manner;
2. To *request* the Secretariat to prepare, in consultation with the Contracting Parties, for approval by the Bureau, a framework of options for settlement of arrears and to further urge Contracting Parties that are in arrears to use this framework to communicate their preferred settlement plan to the Secretariat;
3. To *request* the Secretariat to prepare a status report on the progress in the settlement of arrears by the Contracting Parties every six months and present the report to the Bureau;
4. To *request* Contracting Parties and partners in a position to do so to make voluntary contributions into the QAW trust fund¹ to support effective implementation of the work programme of the Convention;

¹QAW is reference given to a trust fund created by UNEP to receive voluntary contributions from Contracting Parties and other partners in support of the programme of work for Nairobi Convention

5. To *request* the Secretariat to present at the next Conference of Parties a proposal on how to enhance the effectiveness of the QAW trust fund and reporting on its progress and status;
6. To *request* the Secretariat to prepare updated Financial Procedures to the Nairobi Convention, taking into account the UN financial regulations and to present the proposal at the next conference of parties.