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SECOND 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  
Port Louis, 2-4 November 1999

REPORT OF THE SECOND 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

Introduction

1. The first meeting of the Contracting Parties to the Convention for the Protection, Management and Development of Marine and Coastal Environment of the Eastern African Region (Nairobi Convention) was held in Mahé, Seychelles on 17 and 18 March 1997. Important regional and global developments since that meeting include the Pan-African Conference on Sustainable Integrated Coastal Management (PACSICOM), held in Maputo, Mozambique, in July 1998, and the Conference on Cooperation for the Development and Protection of the Marine and Coastal Environment in Sub-Saharan Africa, held in Cape Town, South Africa, in December 1998, culminating in the Cape Town Declaration on an African Process for the Development and Protection of the Coastal and Marine Environment, particularly in Sub-Saharan Africa.

2. The Cape Town Declaration set the stage and context for the second meeting of the Contracting Parties, which was convened to consider options and modalities for revitalizing the Nairobi Convention and the Convention for

Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan Convention).

#### I. ORGANIZATIONAL MATTERS

3. The meeting comprised several stages. First, a meeting of the Bureau of the Nairobi Convention was held on 2 November 1999, in which the members of the steering committee of the Abidjan Convention took part. Accordingly, this was, to all intents and purposes, a meeting of the joint bureaux of the two countries. The Bureau meeting was followed by the technical segment, on 3 November 1999, and that by the ministerial segment, on 4 November 1999.

4. The Preparatory Committee for the Partnership Conference for the Nairobi and Abidjan conventions, scheduled for early 2001, held its third meeting at the same venue on 1 November 1999. The main purpose of the meeting was to review progress in the arrangements being made to decide on the venue of the Partnership Conference and also to incorporate the recommendations of the Contracting Parties and meetings of the joint bureaux in the schedule of work of the Committee.

#### II. JOINT MEETINGS OF THE BUREAUX OF THE NAIROBI AND ABIDJAN CONVENTIONS

5. The joint meeting of the Bureau of the Nairobi Convention and the Steering Committee of the Abidjan Convention - effectively, a joint meeting of the bureaux of the two bodies - was chaired by Mr. Maurice Loustau-Lalanne, Chair of the Bureau of the Nairobi Convention. The meeting considered the following items:

(a) Progress report on the implementation of the decisions of the first meeting of the Contracting Parties to the Nairobi Convention: the Bureau endorsed the report;

(b) Report of the first meeting of the Contracting Parties to the Nairobi Convention, held in Mahé, Seychelles, on 17 and 18 March 1997, as contained in document UNEP (Water)/EAF CP.1/11: the report was duly approved;

(c) Issue of sustainable financing of the Nairobi Convention: Following a lengthy discussion, the joint meeting recommended that the key countries - Mauritius and South Africa - should be represented in the working group on sustainable financing;

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(d) Issue of membership of the new bureau: This was also discussed in the light of the existing rules of procedure and the need to have a bureau that would lead the implementation of the new proposals. The Bureau also examined the possibility of amending the rules of procedure to meet current requirements;

(e) Areas of cooperation between the Nairobi and Abidjan Conventions, including arrangements for joint meetings of their Conferences of Parties and bureaux in the near future: The chair of the steering committee offered to lead the Abidjan Convention in cooperation between the Nairobi and Abidjan conventions; and

(f) Meeting of the Preparatory Committee for the Partnership Conference: The chair of the Preparatory Committee briefed participants on the meeting of 1 November 1999 and on the issues considered by the Preparatory Committee of the Partnership Conference.

### III. TECHNICAL SEGMENT OF THE SECOND MEETING OF THE CONTRACTING PARTIES TO THE NAIROBI CONVENTION

6. The technical segment was officially opened by Mr. S. Seabaluck, Permanent Secretary, Ministry of Environment and Urban and Rural Development, Mauritius; and the Chair of the Nairobi Convention, Mr. Maurice Lousteau-Lalanne. Mr. Halifa Drammeh, Deputy Director, Division of Policy Development and Law, United Nations Environment Programme (UNEP), spoke on behalf of the Executive Director of UNEP, providing guidance on issues requiring further consideration.

7. The meeting formed three working groups to consider the six critical issues addressed by the Executive Director's report.

(a) Working Group I, on the draft decisions, to consider the following issues:

(i) Revision of the Nairobi Convention and the joint implementation mechanism for the Nairobi and Abidjan conventions;

(ii) Regional cooperation; and

(iii) Coordination arrangements among bilateral and multilateral conventions.

(b) Working Group II, on the new programme of work; and

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(c) Working Group III on sustainable financing for the Nairobi Convention.

A. Report of the working groups

1. Programme of work

8. It was recommended that the programme of work focus on the following major elements:

- (a) Assessment;
- (b) Management; and
- (c) Coordination.

2. Working group I

9. With regard to coordination, working group I concluded that the recommendation in paragraph 4.3.2.1. of the publication entitled Vitalization of the Nairobi and Abidjan Conventions, for a joint implementation unit should go forward, provided that a mechanism was developed to ensure effective coordination and contact between national focal points within each region.

10. The group further concluded that the recommendation in paragraph 4.3.3. of that publication concerning coordination between the Nairobi Convention and other conventions should go forward, with the addition of the following named conventions:

- (a) 1973 International Convention for the Prevention of Pollution from Ships (MARPOL), as modified by the Protocol of 1978;
- (b) 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter, (London Convention), as modified by the Protocol of 1996; and
- (c) 1990 International Convention on Oil Pollution Preparedness, Response and Cooperation.

3. Working group II

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11. With regard to the assessment priorities, working group II recommended that the focus should be on coral reefs, coastal erosion and land-based sources pollution and that priority should be placed on long-term monitoring programmes. The group identified a number of existing programmes already active in most areas, including:

(a) On coral reefs: the International Coral Reefs Action Network (ICRAN), and a Global Environment Facility (GEF) biodiversity project in the Comoros;

(b) On coastal erosion: the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO);

(c) On land-based sources of pollution: the UNEP transboundary diagnostic analysis, the Strategic Action Programme for the marine and coastal environment of the western Indian Ocean for the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, Indian Ocean Commission.

12. With regard to management priorities, the group emphasized that management actions were required in three areas:

- (a) Policy formulation;
- (b) Management activities in pilot areas; and
- (c) Capacity-building.

Table

SUGGESTED PRIORITY AREAS AND CORRESPONDING MANAGEMENT RESPONSES

	POLICY	ACTIVITIES ON THE GROUND	CAPACITY-BUILDING
Coral reefs	1. Marine protected areas - establishment of new marine protected areas and strengthening of existing marine protected areas  2. Public Awareness	1. Marine protected areas management	1. Marine protected areas

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	POLICY	ACTIVITIES ON THE GROUND	CAPACITY-BUILDING
	at community and Government levels		
Coastal erosion	Develop policies that promote incentive measures for waste management, recycling, and zero-discharge approach	Demonstration projects to initiate or restore habitats affected by coastal erosion by using appropriate "soft methods"	
Land-based sources pollution		Demonstration projects and the provision of appropriate waste disposal mechanisms, such as those identified in the Global Programme of Action, UNEP transboundary diagnostic analysis strategic action programme and other similar processes	

13. The group also recommended that the process to update and revise the Nairobi Convention and its protocols should be completed by July 2000 and, in any event, before the partnership conference scheduled for early 2001.

14. The group further recommended that the Contracting Parties should adopt the principle of joint meetings of the Nairobi and Abidjan conventions.

15. In addition, it was recommended that the proposed implementation mechanism should be strengthened by establishing a joint implementation unit in UNEP. The unit would carry out the priority elements identified for the work programme.

4. Working Group III

16. Working group III discussed issues relating to the need for sustainable financing mechanisms for the Nairobi Convention and drafted appropriate

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decisions which were recommended for adoption as decision CP2/4 on membership and sustainable financing mechanism.

17. The working groups further suggested that there should be an additional recommendation, to the effect that other ongoing regional and international programmes, such as the Global Programme of Action, the International Coral Reef Initiative (ICRI), the Indian Ocean Commission and the Secretariat for Eastern Africa Coastal Area Management (SEACAM) could play a major role in assisting with the implementation of the Convention and could contribute resources. There should therefore be active collaboration with those initiatives.

18. The recommendations of the working groups are duly reflected in the decisions as adopted by the Contracting Parties.

#### IV. MINISTERIAL SEGMENT OF THE SECOND MEETING OF THE CONTRACTING PARTIES TO THE NAIROBI CONVENTION

##### A. Opening of the segment

19. The ministerial segment was officially opened by Mr. Mohummud Siddick Chaddy, Minister of Environment and Urban and Rural Development of Mauritius. The Chair of the Bureau of the Nairobi Convention, Mr. Loustau-Lalanne, and the Chair of the Steering Committee of the Abidjan Convention, Mr. Cletus A. Avoka, Minister of Environment of Ghana, delivered opening statements. Mr. Halifa Drammeh, Deputy Director, Policy Development and Law, UNEP, read the statement of Mr. Klaus Töpfer, Executive Director of UNEP. Ms. Magda Verdickt, Assistant Resident Representative of UNDP in Mauritius, delivered a statement on behalf of the UNDP Resident Representative, Ms. Rose Gakuba. The Secretary-General of the Indian Ocean Commission, Mr. E. Mohamed Caabi, and Mr Peter Mokaba, Chair of the Preparatory Committee for the Partnership Conference, also addressed the meeting. Their statements are provided in annex IIB to the present report. In addition, statements were made by the heads of delegation of the following States: France (Reunion) Kenya, Mozambique, South Africa and the United Republic of Tanzania.

20. Representatives of the following organizations also made statements: SIDA, SEACAM, FAO, IMO, IUCN and ACOPS.

21. The full text of those statements is provided in annex IIB to the present report.

##### B. Election of officers.

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22. In accordance with the recommendations of the Bureau meetings, the Second Meeting of the Contracting Parties made an amendment to suspend the operation of rule 16 of the rules of procedure. The amendment was made in accordance with rules 35 and 48, to expand the Bureau to five members and to allow the participation of all member States in the election, subject to further review. It was unanimously agreed that the Bureau should be expanded on that occasion, in view of the special task set before the Nairobi Convention.

23. The following States, listed below, were elected to act as members of the Bureau of the Nairobi Convention until the Third Meeting of the Contracting Parties.

Table 2

BUREAU OF THE NAIROBI CONVENTION

<i>Office bearers</i>	<i>Special tasks</i>
Chair - Seychelles	To provide overall coordination and to provide direction guidance in close collaboration with the secretariat of the Nairobi Convention.
Vice Chairs	
1. United Republic of Tanzania	To provide guidance in the development of a costed work programme for 2000-2001 and to monitor implementation of the work programme carried out through subregional institutions selected by the secretariat
2. Mauritius	Resource mobilization and sustainable financing mechanism
3. Kenya	Relations with the secretariat (UNEP), promoting closer relations with the Abidjan Convention and monitoring progress in preparations for the partnership conference
Rapporteur - Reunion	Resource mobilization and sustainable financing mechanism

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The newly elected Bureau members were invited by the Chair to assume their responsibilities.

#### C. Attendance

24. The meeting was attended by representatives of the following Contracting Parties: Comoros, France (Reunion), Kenya, Madagascar, Mozambique, Seychelles and United Republic of Tanzania. In addition, the representatives of Mauritius and South Africa also attended. Both States have given notice of their intention to accede to the Nairobi Convention.

25. The following members of the steering committee of the Abidjan Convention attended: The Chair (Ghana); Vice Chair (The Gambia).

26. The host country of the Regional Coordinating Unit of the Abidjan Convention, Côte d'Ivoire, was also represented.

27. Representatives of the following United Nations bodies and specialized agencies attended as observers: Food and Agriculture Organization of the United Nations (FAO), International Maritime Organization (IMO), Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and United Nations Development Programme (UNDP).

28. Representatives of the following intergovernmental and non-governmental organizations attended as observers: Indian Ocean Commission, Swedish International Development Agency (SIDA), Advisory Committee on Protection of the Sea (ACOPS), World Conservation Union (IUCN) and West Indian Ocean Marine Science Association (WIOMSA).

29. Members attending the third meeting of the Preparatory Committee for the Partnership Conference were invited to attend the Second Conference of the Parties to the Nairobi Convention as observers. The third meeting of the Preparatory Committee for the Partnership Conference was attended by the following members: Cote d'Ivoire, Ghana, Kenya, Mozambique, Seychelles, South Africa, UNEP, UNESCO.

30. A full list of participants is attached to the present report at annex III.

#### D. Adoption of the agenda and organization of work

31. The ministerial segment adopted a consolidated provisional and annotated agenda for its work from 2 to 4 November 1999. The progress

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reports of the Executive Director (1997-1999) and that of the depositary were made available to the meeting.

V. ADOPTION OF DECISIONS AND RECOMMENDATIONS

32. The Second Meeting of the Contracting Parties adopted nine decisions, the texts of which are contained in annex I to the present report.

VI. CLOSURE OF THE MEETING

33. Following the customary exchange of courtesies, the Chair declared the meeting closed at 6 p.m. on Thursday, 4 November 1999.

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Annex IDECISIONS OF THE SECOND MEETING OF THE CONTRACTING PARTIES TO THE  
CONVENTION FOR THE PROTECTION, MANAGEMENT AND DEVELOPMENT OF THE  
MARINE AND COASTAL ENVIRONMENT OF THE EASTERN AFRICAN REGIONThe Contracting Parties,

Recalling decision CP.1/4 of the Nairobi Convention, in accordance with Article 17, paragraph 1 (d) of the Convention, decided to consider the feasibility and modalities of updating the text of the Convention and its related protocols and to formulate and adopt guidelines for the management of its Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region,

Taking note, with appreciation of the progress report of the Executive Director of the United Nations Environment Programme on the work done by the Ad Hoc Technical and Legal Working Group on the review to update the Nairobi Convention and the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region,

Further taking note that over fourteen years have elapsed since the adoption of the Nairobi Convention and that the African Governments recently embarked on a comprehensive assessment of the setbacks of the regional seas programme in Africa,

Taking note of decision 19/14 A of 7 February 1997 of the Governing Council of the United Nations Environment Programme, by which the Council decided, inter alia, to strengthen the regional seas programme and coastal zone management approach, as called for in the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,

Recalling Governing Council decision SS.V/2 of 22 May 1998, in which support to Africa was identified as a priority of the United Nations Environment Programme,

Recalling further that the African Governments have agreed on an African process for the protection, management and development of the coastal and marine environment, with nodal points so far including the Maputo Declaration of the Panafrican Conference on Sustainable Integrated Coastal Management, held in Maputo, Mozambique, from 18 to 24 July 1998, and the Cape Town Declaration of December 1998, hereinafter jointly referred to as the Maputo and Cape Town Declarations,

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Appreciating the endorsement by the Assembly of Heads of State and Government of the Organization of African Unity on the African process for the protection of the marine environment, as adopted in the Maputo and Cape Town Declarations,

Fully aware of the pressing challenges facing the African region to overcome the severe financial challenges hampering the implementation of its prioritized activities and the need to ensure the predictability and regularity of vital funding to support programmes aimed at the sustainable development of the marine and coastal environment,

Recognizing the contributions made by various national, regional and international institutions, programmes and initiatives in the implementation of the Nairobi Convention work plan,

Welcoming the request made in the Cape Town Declaration to call upon the United Nations Environment Programme, as secretariat of the Abidjan and Nairobi Conventions, to update the said instruments to develop, in close consultation with the relevant governing bodies of those Conventions, a concrete action plan for their revitalization and coordination, through the establishment of a joint implementation mechanism,

CP.2/1. Updating and restructuring of the 1985 Nairobi Convention

1. Authorize the Ad Hoc Technical and Legal Working Group, based upon the Group's recommendation, to continue with and complete by July 2000 the comprehensive review and update of the Nairobi Convention and related protocols, with the expanded mandate of taking into account the following:

(a) Maputo and Cape Town Declarations;

(b) Relevant global conventions;

(c) Redefined geographical area of the Nairobi Convention, as well as providing for a wider participation involving land-locked countries with drainage basins linked to the coastal areas, intergovernmental bodies and the private sector;

(d) Decisions taken by the Contracting Parties to the Nairobi Convention at their second meeting;

2. Decide to request the Executive Director of the United Nations Environment Programme to facilitate the formation and functioning of an ad hoc technical and legal working group to include technical and legal experts

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from the Abidjan and Nairobi Conventions to ensure cooperation and exchange of views on the development, protection of the marine and coastal environment in Africa, whose terms of reference will include studying and examining:

(a) The possibility and implications of establishing a new structure to provide for horizontal interlinkages with other regional seas and global environmental conventions;

(b) The feasibility and implications of revitalizing the regional seas agreements for Africa by developing a regional marine and coastal environmental instrument for the whole region with specific protocols or annexes for each subregion and/or as deemed necessary;

(c) The feasibility of including private sector, non-governmental organizations and other stakeholder groups as members of the new structure;

CP.2/2. New programme of work for the future

1. Adopt the proposed elements for the new work programme called for by the secretariat in response to the Maputo and Cape Town Declarations, the report of which is to focus on the following:

(a) Assessment;

(b) Management;

(c) Coordination;

2. Request the United Nations Environment Programme to identify institutions within the region with the requisite capacity to lead in the implementation of the adopted work programme;

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

1. Recommend the establishment of an appropriate mechanism in order to ensure the effective implementation of joint programming and processes of the Abidjan and Nairobi conventions;

2. Request the Executive Director of the United Nations Environment Programme to establish at the headquarters of the Programme a joint implementation unit, to be supported by regional coordinating units and to service the conventions with a core staff financed by the United Nations Environment Programme and the trust funds;

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3. Decide, as a support measure, to put at the disposal of the proposed joint implementation unit, one Professional officer to be funded by the Nairobi Convention Trust Fund;

4. Requests, Contracting Parties hosting subregional coordinating units to provide logistical facilities and support;

CP.2/4. Membership and sustainable financing mechanism

1. Request Contracting Parties to ensure a regular payment of assessed contributions with a fifty per cent contribution to be effected within the first six months of the budgetary year;

2. Authorize the secretariat to negotiate agreeable mechanisms and schedules for the payment of arrears by Contracting Parties, based on the current scale of assessed contributions for the biennium 2000-2001, whereby options and modalities for such payments may include suitable in-kind service or local currency payments;

3. Decide, that Contracting Parties acceding to the Nairobi Convention as from November 1999 are under no obligation to pay arrears but that they shall, however, be required to pay fully for their assessed contributions within the first six months of the budgetary year;

4. Recommend that countries acceding simultaneously to the Abidjan and Nairobi conventions shall pay fifty per cent of the assessed contributions payable to the respective conventions and within the first four months of the accession;

5. Decide, for the purpose of resource mobilization (human, technical and financial, to establish a consortium of partners for the Nairobi Convention the core members of which shall include partners that are supporting programmes in the protection, management and development of the marine and coastal environment of the eastern African region;

CP.2/5. Coordination and collaboration arrangements

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

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

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mandates, to address coastal and marine environmental issues of concern to the Parties to the Nairobi Convention;

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

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

(d) To explore possibilities of developing twinning arrangements with the developed regional seas conventions such as the Convention for the Protection of the Mediterranean Sea Against Pollution, the Convention for the Conservation of the Red Sea and Gulf of Aden, the Convention for the Protection of the Marine Environment of the North Atlantic, the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and the Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area;

2. Also request the Executive Director of the United Nations Environment Programme to inform the Organization of African Unity, through the African Ministerial Conference on the Environment, of the resolutions of the present meeting of the Contracting Parties, in order to ensure effective coordination;

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

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

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CP.2/7. Partnership Conference

1. Affirm the decisions in the Maputo and Cape Town Declarations to prepare and convene a partnership conference in the year 2000, 1/ which will, inter alia, submit action proposals aimed at strengthening cooperation through the relevant conventions, programmes, and institutional mechanisms, in particular, through a coordinating framework of the Abidjan and Nairobi conventions;

2. Urge the Preparatory Committee for the Partnership Conference to assist in the efforts:

(a) To strengthen the proposed joint implementation mechanism;

(b) To carry out the adopted work programme;

3. Request the Preparatory Committee to devise a mechanism for strengthening the capacity of the regional coordinating unit of the Nairobi Convention and for involving it in the preparation of the Partnership Conference;

CP.2/8. Follow-up arrangements

1. Request the Chair of the Bureau meeting of the Contracting Parties to the Nairobi Convention to share the contents of the present decisions with the Contracting Parties and secretariat of the Abidjan Convention;

2. Also request the Executive Director of the United Nations Environment Programme to initiate urgent consultations with the Contracting Parties to the Abidjan Convention, with a view to determining how the present recommendations could be realistically applied in that subregion;

3. Further request the Executive Director of the United Nations Environment Programme to report on the progress made toward the implementation of these decisions to the Contracting Parties at their third meeting;

CP.2/9. Amendments to the rules of procedure

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1/ The Preparatory Committee informed the Contracting Parties that the Partnership Conference will be held in the year 2001.



1. Authorize, in accordance with the provisions of rule 35.3 of the rule of procedures, all Contracting Parties present to vote during this business meeting;

2. Decide provisionally to suspend rules 16.3 (b) and 16.4, in order to provide for an equal platform for the eligibility and participation of all Contracting Parties, until the revision of the entire rules of procedure by the Ad Hoc Technical and Legal Working Group set up under decision CP.I/3 and the adoption of its report by the Contracting Parties at their third meeting;

3. Amend rules 16.1, 16.2, and 16.5, by providing for an expansion of the Bureau to include three vice-chairs in lieu of one;

4. Adopt, in consequence, the proposal for:

(a) Action based on a new vision of revitalizing the Abidjan and Nairobi conventions;

(b) A new composition of the Bureau, comprising:

(i) A chair with the special task of the overall direction and coordination of the convention programmes;

(ii) Three vice-chairs with the respective task of leading the work programme; resource mobilization and sustainable financing; and relation with the convention secretariat, Abidjan Convention and other relevant conventions;

(iii) A rapporteur.

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Annex II

Text of statements made at the Second Meeting of the Contracting Parties to the Nairobi Convention, Port Louis, 2-4 November 1999

A. OPENING STATEMENT BY THE EXECUTIVE DIRECTOR OF UNEP, READ ON HIS BEHALF BY MR. HALIFA DRAMMEH, DEPUTY DIRECTOR, DIVISION OF POLICY DEVELOPMENT AND LAW, UNEP

CRUCIAL POLICY RESPONSES REQUIRED TO REVITALIZE THE NAIROBI CONVENTION

Policy Issues

Policy Statement by Prof. Klaus Töpfer, Executive Director of UNEP

1. Mr. Chairman of the Nairobi Convention, Your Excellencies, Distinguished Guests, My Esteemed Colleagues and Dear Friends,

2. I am deeply honoured to be in Port Louis today to address this meeting of Special Character of the Conference of the Parties to the Nairobi Convention. I am also deeply conscious of the honour that you have done to UNEP in giving us responsibility to be the Secretariat of your Convention.

3. I want to begin by thanking our host - the Government of Mauritius for its generous hospitality and for the excellent arrangements made for this meeting. I must also express our appreciation and gratitude to the UNDP and the Indian Ocean Commission for extending all possible support and collaboration. Equally, I extend UNEP's gratitude to Mr. Maurice Lousteau-Lalanne, Chairman of the Nairobi Convention for the guidance and leadership he continues to provide. His leadership qualities are highly appreciated by the Secretariat. The Bureau has always been there for the Secretariat and I thank them for their support.

Excellencies,

4. More than 14 years ago, in 1985 to be more precise, the adoption of the Nairobi Convention generated great hopes and ambitious goals.

5. One would therefore have expected this meeting of the Parties to be pre-occupied with routine agenda items notably on progress made in the implementation of the decisions of your preceding meeting. In this case, we would have been meeting to review the status of implementation of your decisions taken in Mahé, Seychelles in March 1997.

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6. But it is almost 15 months ago that the African Governments embarked on a very comprehensive stock-taking of what went wrong with the Nairobi and Abidjan Conventions.

7. You will recall that it was for this very purpose that the African Governments agreed on an African Process for the Protection, Management and Development of the Coastal and Marine Environment in the Cape Town Declaration which they adopted, at the South African Parliament, in Cape Town in December 1998. Earlier on, the African Governments did also adopt the Maputo Declaration of the Pan African Conference on Sustainable Integrated Coastal Management (PACSICOM). These two important Conferences also called for a Partnership Conference which is being planned for the end of the year 2000.

8. One must also underscore the importance of the recent endorsement given to this process by the Heads of State and Government Summit of the Organization of African Unity in Algiers, Algeria in July 1999.

9. The Conclusions of the two Conferences are equally clear. African Governments need to take urgent measures to halt and reverse the downward trends in the implementation the Nairobi and Abidjan Conventions - two vital instruments for the protection, management and development of the coastal and marine environment in Africa.

10. That is why this meeting of the Conference of the Parties is so crucial and the special character. The urgent question before you is how your Governments can urgently equip and empower the Nairobi Convention to play the role for which it was adopted in the first place. This is therefore, a moment of truth for the Parties to the Nairobi Convention.

11. To assist you in your deliberations on this important question, the Secretariat has sketched a vision of a future Nairobi Convention equal to the challenges posed to the coastal and marine environment - a vitalised convention capable of providing the necessary inputs to the process of managing the coastal and marine resources of this great continent.

12. The documents you are considering highlights four indispensable elements of a reform package that would, taken together, help us realize the vision of a vibrant and effective Nairobi Convention.

13. We all understand that these are challenging times for national governments in particular on the environment front. We also understand how financially difficult it has been for some governments to demonstrate fully their commitments to the Nairobi Convention. But we are also convinced, that

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with good will and renewed commitment to the Nairobi Convention, we shall be able to find common grounds and agree on practical modalities for forging ahead.

14. It is indeed widely perceived that this meeting of special character of the Conference of the Parties is almost our last opportunity to save the Nairobi Convention. Neither the Parties to the Convention, UNEP nor the co-operation Partners want the Nairobi Convention to slip into irrelevance but if we do not equip it and empower it to succeed, it can only fail, silently.

It can only fail to gain our confidence. It can only fail to retain its credibility. And then it can only fail to help us protect the coastal and marine environment, which is why the Nairobi Convention was adopted, in the first place in 1985.

15. In saving the Nairobi Convention, it will not be enough for us to pledge contributions as usual, to promise to honour those pledges, or to undertake to deliver contributions on time in the future. What is needed is a new funding structure, one that guarantees the financial reliability and predictability so fundamental to the revival of the Nairobi Convention, its action plan and associated protocols as well as to the Regional Co-ordinating Unit of the Convention.

16. It must be fully recognized that the budgetary resources for this important instrument are overall vastly insufficient, given the scale and the pace of degradation of the coastal and marine environment. There should be no illusions that building the capacity of the Nairobi Convention, raising its stature and improving its effectiveness can be done without adequate resources.

17. In saving the Nairobi Convention, it will be necessary for this Conference of the Parties to enunciate, in no uncertain terms, your determination in supporting the vision outlined in the Cape Town and Maputo Declarations. It will be necessary to put in motion a process that will lead ultimately, and in short order, to the realization of that vision.

18. The responsibilities must be shared. It must be a shared burden - the Parties, the partners, the private sector and the international community at large. We in UNEP can be held accountable for using available resources in support of the Nairobi Convention. The Parties to the Nairobi Convention also have responsibilities to assume in the vitalization of the Nairobi Convention and for ensuring the emergence of a convention equal to that challenge.

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19. This is the challenge before us. All of us could do no greater honour to Africa, at the end of this millennium and on the eve of a new one, than to reconfirm our specific commitment to the redoubling of your support for its work and ensuring that it is positioned for success over the coming years.

20. This meeting of special character is critical for the future of regional co-operation as conceived in the principles of Partnership built into the African process for the protection, management and development of the coastal and marine environment in Africa. The achievement of the PACSICOM and Cape Town Conferences, whether substantive or cosmetic, will, in many ways, be put to the test today and the concrete decision taken at this meeting will be crucial.

21. This meeting should transform statements, facts and figures into potent catalysts. Indeed, in conformity with the goals of the Cape Town Conference, this meeting should agree on the concrete means for preventing the further erosion of the vision of the PACSICOM and Cape Town Conferences.

22. At this meeting, we require fertile ideas and fertile actions. We must take concrete decisions and agree on specific measures in the following areas:

**First, Updating and/or restructuring the Nairobi Convention.**

The first meeting of the Parties held in the Seychelles in March 1997, recognized the fact that since the adoption of the Nairobi Convention and its related Protocols and the time of its entry into force in May 1996, there had been an increased awareness of environmental issues, changes in the environment of the region, and developments in international law. Furthermore, the 1998 International Year of the Oceans provided Africa with a significant impetus to take stock of the progress made but most importantly of the constraints limiting the achievements of the goals envisaged in the adoption of the Nairobi Convention in 1985.

By recognizing the need to keep pace with changes that have taken place since the adoption of the Nairobi Convention, UNEP convened in Mauritius, from 15 - 18 December 1998, the First Ad-Hoc Meeting of Legal and Technical Experts to review the 1985 Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region and its related protocols. The recommendations made by the experts will be brought to the attention of the Conference of the Parties. The Parties will also be called upon to deliberate on the decision of the Government of South Africa to accede to the Nairobi Convention and its related protocols.

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**Secondly, A New work programme for the future**

The documents before you contain a very sobering record of the limited progress made. In order to effectively put in place the necessary remedial measures and to ensure the needed re-orientation and adequately tackle the new and emerging challenges, the Secretariat set up an independent ad hoc panel of experts to recommend elements for a new work programme for the Nairobi Convention. The proposed structure focuses on four main clusters and strategic actions:

Assessment

Management

Co-ordination

Sustainable financing mechanism for the Nairobi Convention, Action Plan and related Protocols

The foundation of the new work programme has already been laid by the strategic action programme developed in July 1998 with the help of the Global Environment Facility. That Strategic Action Programme gives us a long term programmatic framework.

**Thirdly, a Sustainable financing mechanism and arrangements for the Nairobi Convention**

The most pressing and important challenge for the Parties to the Nairobi Convention is to successfully overcome the severe financial constraints hampering implementation. There is a need also to ensure the predictability as well as regularity of contributions to the Trust Fund established under the Convention. To achieve this, we should urgently put in place a sustainable financing mechanism for the mobilization of a range of resources - human and financial - to support programme priorities. New sources of support for programme implementation should also be the focus of increased attention. The Secretariat has placed before you the documentation which contain its reflections on some options you may wish to consider.

**Fourthly, More effective regional co-ordination arrangements and mechanisms**

A Regional Co-ordinating Unit was established in the Seychelles in 1997, in line with the decisions of the Conference of the Parties which provided for the following personnel components: (a) interim co-ordinator (b) project co-ordinator (c) Programme officer (d) support staff such as administrative assistant, bilingual and unilingual secretaries. The Unit was expected to provide, inter alia, overall technical co-ordination of the activities related to the implementation of the Action Plan. UNEP, in its capacity as the Secretariat of the Regional Seas Programme, was responsible for providing overall co-ordination, strategic direction as well as technical guidance and assistance.

As a result of financial constraints the Unit was unable to recruit the necessary professional staff component including a Regional Co-ordinator. These constraints and concerns were major pre-occupations in the discussions, at the Cape Town Conference, on the future of the Regional Seas Programme in Africa. It also explains why in the Cape Town Declaration, the Governments of Africa, called upon UNEP, "as the Secretariat of the Abidjan and Nairobi Conventions, to develop, in close consultation with relevant governing bodies of these Conventions, a concrete Action Plan for the revitalization and co-ordination of the Conventions, through the establishment of a joint mechanism.

**Fifthly, Priority areas of co-operation and co-ordination between the (a) Nairobi and the Abidjan Conventions (b) Between the Regional (Africa) Conventions and the Global Conventions.**

It was evident at PACSICOM and subsequently at the Cape Town Conference, that there was ample opportunity as well as scope for closer co-operation and co-ordination between the Nairobi and Abidjan Conventions. Some countries are of the view that indeed it is desirable to agree on two fundamental needs i.e. (i) a joint implementation unit of the Nairobi as well as Abidjan Conventions and (ii) regular joint Bureaux and COP meetings (Nairobi and Abidjan Conventions) as a transition to possible agreements on joint planning, programming, implementation and co-ordination. This meeting will be invited to have a frank and open exchange of views on this perspective. The Cape Town Declaration contains the relevant details.

**Sixth, Organizing the preparatory process for the Partnership Conference on the Protection, Management and Development of the Coastal and Marine Environment (late 2000).**

It will be recalled that one of the decisions embodied in the Cape Town Declaration laid the basis for the establishment of a Preparatory Committee

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which was entrusted with the task of convening, in late 2000, a Partnership Conference for the purpose of mobilizing tangible support for the Nairobi and Abidjan Conventions. The membership of the Committee include, inter alia, the Chairmen, respectively of the Nairobi and Abidjan Conventions. The Committee has already held two meetings (Nairobi, February 1999 and New York April 1999). The terms of reference of the committee includes the preparation of solid programme/project portfolios for the consideration of the Partnership Conference. The third meeting of the Committee is to take place on 2-4 November 1999 in conjunction with the COP meeting.

Excellencies,

I wish to conclude by reiterating a number of points you may wish to take into account in deciding on the future of the Convention.

The most critical policy issue before us today revolves around the re-orientation of the Nairobi Convention, the role of its Conference of the Parties and Co-ordination mechanisms as well as partnership arrangements. There is a universal recognition of the role that the Parties to the Nairobi Convention should play in this re-orientation. At the same time, most Governments as well as observers agree on the time for urgent measures to tackle the gaps in the current arrangements..

To counteract these chronic weaknesses, highlights in the documents before us, many would like to see the establishment of conditions which allow the Nairobi Convention to flourish, develop a stronger identity and remain relevant. Regaining that credibility however, requires deep and far reaching organizational and operational reform.

Central to any attempt to bring about these reforms are discussions regarding the following:

- Reviewing and updating the terms of reference of the Conference of the Parties and its Bureau to enable them become more authoritative advocates of the needs of the Nairobi Convention and also to be directly involved in mobilizing Partnership arrangements;
- Establishing a Joint Implementation Mechanism for both the Nairobi and Abidjan Conventions to be located in UNEP for a pilot phase covering the year 2000 and 2001 after which the necessary assessment will be made.
- In the intervening period, the terms of the existing RCUs should be appropriately revised to give them responsibilities for consensus

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building, intergovernmental dialogue, resource mobilization including undertaking the necessary work for the Partnership Conference;

- Establishing a consortium of relevant intergovernmental bodies such as the Indian Ocean Commission, SADC and the EU to support the Nairobi Convention;
- The major partners in the region currently supporting the management efforts of the governments in coastal and marine environmental management can become members of the consortium;
- Other members should include the relevant UN agencies, private sector, bilateral agencies (SIDA, Finland, Belgium, Norway, UK, France etc.). The GEF and special projects must be part of the partnership agreements to vitalize the Nairobi Convention;
- Existing Regional Institutions which have demonstrated, over the years, solid scientific and technical leadership should now be brought to the centre stage of the life of the Nairobi Convention and its partnership arrangement;
- Staffing for the 2000 -2001 biennium. At this meeting, we must agree on a suitable formula for staffing the Joint implementation mechanism as well as the existing regional co-ordinating units (to become sub-regional co-ordinating units):

(a) With regard to the joint implementation mechanism, it is UNEP's view that the following formula should be considered as one of the options i.e. one professional staff to be provided by the Nairobi Convention Trust Fund; one professional staff to be contributed by the Abidjan Convention Trust Fund.

(b) In addition, UNEP will place at the disposal of the Convention the services of at least one professional staff and possibly two;

(a) This meeting may also wish to consider the additional measures required including:

(i) twinning arrangements with the developed Conventions e.g. Barcelona, OSPAR, Jeddah, HELCOM;

(ii) bilateral agreements with developed countries including Sweden, Belgium, Finland, France, U.K. Norway, Netherlands;

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(iii) Selected African countries such as South Africa and Nigeria to be formally requested to provide leadership and resources;

(iv) African Development Bank;

(v) European Union and from her bodies.

With regard to the sub-regional co-ordinating units, the governments hosting them should provide office space and also designate a senior government official to head the unit. The respective Trust Fund should provide support to sub-Regional Co-ordinating Units.

We must recognize the need to look forward to achieve our goals of vitalizing and reviving the Nairobi Convention. We must not leave Port Louis (Mauritius) without agreeing on two other crucial points i.e. an acceptable formula for contributions to the Trust Fund and arrangements for making available start-up funds for effecting, immediately, the decisions to be taken at this meeting.

The importance of this Special Meeting of the Conference of the Parties cannot be underestimated. This meeting should be an expression of our optimism in the endeavour for a sustainable future for the Nairobi Convention. We must ensure that the concrete outcome of this Special Meeting represents a vote of confidence in the regional co-operation efforts called for in the Maputo and Cape Town Declarations. It should represent a firm undertaking to build consensus on the measures required to vitalize the Nairobi Convention.

In conclusion, I would like to draw your attention to the Cape Town Declaration which the Governments of Africa adopted in December 1995. The Declaration clearly recognizes the urgency of the measures to be taken. We must, at this meeting meet that challenge.

I am hopeful that we shall all rise to the challenge.

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B. Statements by representatives of the Contracting Parties

1. **STATEMENT BY MR. STEPHEN K. OLE NTUTU, MP, ASSISTANT MINISTER FOR ENVIRONMENT OF KENYA**

I would first of all like to express my profound gratitude to the people and Government of Mauritius, on my own behalf and on behalf of the Kenyan delegation, for the warm welcome and hospitality extended to us since our arrival in this beautiful country.

Secondly, I would like to commend the members of the Bureau and UNEP, for the excellent preparatory work which they have undertaken and which will no doubt tremendously facilitate our deliberations.

The second Conference of the Parties to the Nairobi Convention comes at a time of heightened awareness about coastal and marine issues globally as well as regionally. It also comes during a period of unrelenting development pressures and conflicts in the coastal zone.

In Kenya, as I believe is the case in other countries in the region, the coastal zone is highly sought after for a variety of developmental and recreational purposes and the resultant activities have generated varying degrees of impacts. Many of these activities are in conflict with the needs of conservation and sustainable management and some even have had undesirable effects on the lives of local communities.

It was similar concerns and a desire to conserve the beauty and diversity of the coastal and marine environments against negative impacts of uncontrolled development that brought us together in 1985 when the Nairobi convention was adopted. The goals set out in the agreement may not have been realized fully, but nonetheless, we will all agree that the convention provided us with a starting point and a forum that regularly allows for exchange and sharing of ideas and experiences. And while not much may have been achieved collectively, I believe individual countries have

since embarked on efforts aimed at minimizing the negative impacts to our shared coastal and marine resources.

In the case of my country, many initiatives have been put in place to bring about a shift towards sustainable coastal development. A National Environment Action Plan that sets out clear strategies and actions was adopted in 1994.

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Within this plan coastal and marine issues have been given due attention. More recently, a Policy Paper on Environment and Development and a comprehensive framework bill on Environmental Management and Co-ordination, have been formulated and await parliamentary approval. Similarly, a National Biodiversity Strategy and Action Plan that outlines coastal and inland biodiversity conservation measures has also been completed and is at various stages of implementation.

Within the framework of the Nairobi Convention, a pilot Integrated Coastal Area Management Programme was launched in 1995 around Mombasa, the second most populous city. This programme supported by UNEP and USAID profiled issues in the area and developed a comprehensive strategy to address the pressing issues. The programme has had its own limitations and successes, but all are in agreement for the need of multi-stakeholder involvement in coastal issues.

At the global level, we do realize that since the adoption of the Nairobi Convention there has been many changes in international environmentalism with the conclusion and entry into force of many new agreements that address the rapid changes in the global environment. In many ways the Nairobi Convention coming at such an early period in the history of environmental consciousness was indeed a milestone. But the Convention needs to keep in pace with developments in International environmental law and we are of the view that the review undertaken by the Ad - Hoc Legal and Technical Working Group of the Parties to the Nairobi Convention was in the right direction. We wish to call for completion of the Group's work and consideration for adoption of suggested proposals. The proposals are in line with renewed regional efforts that began with the Pan African Conference on Sustainable Integrated Coastal Management (PACSIKOM) process including the Cape Town Declaration.

On the new work programme, we feel that the action plans suggested are in themselves reasonable. But let us be realistic about financing mechanism for the programmes.

Our countries are experiencing economic hardships, and the little resources available would hardly satisfy the most pressing socio-economic needs of the population. Any programme that we adopt here should therefore contribute to poverty alleviation strategies that are close to the hearts of our governments, or the success of such a programme cannot be guaranteed. In fact it was similar consideration that guided the priorities set out in the development of the UNEP initiated Transboundary Diagnostic Analysis project in 1998. The subsequent Strategic Action Programme (SAP) for the Western Indian Ocean, which was forwarded to the Global Environment Facility (GEF) for funding, emphasized coastal zone issues. But as we all know, the project

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did not see the light of day because our priorities were not seen as right in certain quotas. The priorities of Kenya, and I believe, for each other country in the region, are programmes that can contribute to the sustainable use of the coastal resources.

Such priorities could better be articulated by a functioning Regional Co-ordinating Unit.

I would therefore urge UNEP to strengthen the Regional Co-ordinating Unit and revitalize the unit as a matter of priority. The Unit if established should work vigorously to mobilize funds to support projects in the region as happens in other programmes. We are aware that many parties including Kenya, have not been able to make their contributions in the past. This has seriously affected implementation of the conventions projects and activities.

Let us now open a new chapter. Let us in future commit ourselves to making pledges for contributions that are timely, dependable and predictable. We are all experiencing serious economic difficulties due multiple pressing needs of our people, but the marine and coastal environment may partly have the potential to enable us meet the future challenges of our development. Thus we cannot afford to ignore the marine and coastal sector while drawing up our national budgetary allocations.

In conclusion, I wish to reiterate that the new spirit of concern of the coastal and marine environment occasioned by the PACSICOM Process should be further cultivated, and followed up with regional conservation initiatives for the benefit people of Western Indian Ocean.

Thank you all

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**2. STATEMENT BY MR. SIDICK CHADY, MINISTER OF ENVIRONMENT AND URBAN AND RURAL DEVELOPMENT OF MAURITIUS.**

Excellencies Ministers

Distinguished Delegates, Ladies and Gentlemen

On behalf of the Government of Mauritius and my own behalf, I wish to welcome all of you to our country. It is indeed a great honour to Mauritius that you have chosen our island as a venue for this important meeting. This meeting is of special character. It is almost a decade and a half since we adopted the Nairobi Convention which came into force in May 1996. Most of the countries in the region have already ratified it and the remaining

few are on the verge of doing so. I was pleased to inform that Mauritius has decided to adhere to the Convention and will imminently deposit the necessary instrument to make us a full party.

In spite of the fact that we are not yet a Party to the Convention we have endeavoured in the pursuit of its goals in many ways. This is because our development depends heavily on our coastal and marine resources. As an island we cannot speak of the environment without referring to the Coastal and Marine Environment.

Indeed, this explains why we attach a high degree of importance to the future of the Nairobi Convention for the Protection, Management and Development of the Coastal and Marine Environment in the Eastern African Region.

Let me also pledge our continued commitment to support regional sustainable development processes, specially through the Indian Ocean Commission, SADC, COMESA, the Indian Ocean Rim as well as the Regional Seas Programme.

We are gathered here to day to exchange views on how to address and tackle the critical challenges confronting the Nairobi Convention on the eve of the new millennium. We must begin by considering whether the resources - human, technical, political and financial - we have placed at the disposal of the mechanisms for the implementation of our decisions are adequate. I believe there is a general consensus on the need to renew our efforts on this front.

A second critical area is the need to ensure that our Convention keeps pace with national regional and global developments which have taken place since 1985 when it was adopted. We must ensure that it is always fine tuned to be relevant to the changing context and challenges of the day. It is for this

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purpose that the first meeting of the Contracting Parties to the Convention, decided in March 1997,- to put in place an ad hoc group of legal and technical experts to review the provisions of the Convention and its protocol so as to recommend the needed amendments. You will recall that the group met here in Mauritius to commence its work. Its recommendations have been presented to the technical segment held yesterday and I am confident that these will be endorsed at this Ministerial meeting. It is also necessary that we empower and entrust the ad hoc group with the task of completing its laudable assignment. We should also recommend that the mandate and membership of the group be expanded to encompass the Abidjan Convention. The future directions that the Cape Town Declaration has envisaged for the Nairobi Convention also require that we review the work programme that has been under implementation since we adopted the Convention in 1985. The work programme needs to be better structured and focused to enable it to serve as a framework for addressing a wide range of issues crucial to the protection, management and development of our Coastal and Marine Resources. We must think of innovative ways of financing such a new work programme in which our sub-regional and regional institutions must have an ever increasing role to play. We need to define specific roles for the bilateral and multilateral institutions as well as, for all major groups especially the private sector.

The time has come for our Governments to put in place a sustainable financing structure for the Nairobi and Abidjan Conventions. This is a pressing challenge and we have to explore innovative ways of putting in place a formula as well as arrangements acceptable to all our countries. I call on this meeting to devote a special attention to this agenda item and to examine all possible options. I note that the Secretariat has already made a number of useful and thought - provoking proposals.

It is also important to examine critically workable arrangements for effective regional co-ordination and co-operation. The recommendations, which our Government adopted at the end of the Cape Town Conference in December 1998, regarding a Joint Implementation Mechanism for the Nairobi and Abidjan Conventions deserve our full support. But we must go further; we must consider positively the holding of Joint Meetings of the Parties to the Nairobi and Abidjan Conventions.

I am pleased to note that Mauritius is also the stage for a start in this process by the convening of a Joint Meeting of the Bureaux of both the Nairobi and Abidjan Conventions. I can see no impediment to the future meetings of Contracting Parties to be a joint enterprise. I therefore look forward to a millennium Joint COP Meeting of the Nairobi and Abidjan Conventions. In the same spirit it is necessary to review the terms of

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reference and modalities of operation of the existing co-ordination arrangements under the two Conventions.

Our Governments also active in a number of Global Conventions such as those dealing with Climate Change, Biodiversity, Endangered Species, Land Degradations, Law of the Sea and others. It will be only appropriate that the Nairobi Convention develops a programmatic relationship with these Conventions. The synergy in this arrangement cannot be ignored and must be seen as an asset. Indeed the Nairobi Convention, should consider developing regional annexes for most of the key Global Conventions. In the same context, we should explore ways in which the more developed regional or global conventions can extend technical assistance or other forms of support to the Nairobi Convention and to the Abidjan Convention. This issue must receive adequate attention in our deliberations. The other challenge for us is to establish very close working relationships with the Nairobi and Abidjan Conventions. There are opportunities, I am sure, for joint planning, programming, implementations and co-ordination. In fact, the pursuit of cost-effectiveness and efficiency demands that we critically earn the legal implications of bringing these two Conventions as closely as possible.

I must also draw attention to the process initiated by the African Governments in 1998 the key components of which include the Pan-African Conference on Sustainable Integrated Coastal Management (PACSICOM) and the Cape Town Conference which culminated in the "African process for the Protection, Management, and Development of the Coastal and Marine Environment. A preparatory committee was put in place to facilitate arrangements for a partnership conference to be convened in about fifteen months time. This will provide a unique opportunity for African countries and their co-operation partners to come together and join hands in the collective effort to protect the coastal and marine environment. This partnership should augur well for both the Nairobi and Abidjan Conventions. It is against this background of pressing challenges and critical issues requiring urgent attention, that we must see the importance of this meeting of special character. I pay tribute here to the Secretariat of the Nairobi Convention for providing us with a roadmap for our discussions. I would also like to express my appreciation to the United Nations Environment Programme for continuing to provide Secretariat services to the Nairobi Convention. We are also gratified, that UNEP is the host of the Secretariat of the African Ministerial Conference on the Environment and that the recent twentieth session of its Governing Council adopted a major decision, making "support t" a top priority.

I must also thank Dr. Klaus Töpfer, the Executive Director of UNEP for extending full support to the Nairobi and Abidjan Conventions and for

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facilitating our meeting here today. I extend my thanks to our counterpart from the Abidjan Conventions, led by its Chairman Minister Cletus Avoka, Minister of Environment of Ghana.

Their presence here is of great significance and symbolizes African solidarity. I am sure our combined strengths will enable us to effectively address the issues on our agenda.

I look forward to successful deliberations and declare our meeting officially open.

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**3. STATEMENT BY MS. HELLEN MOTTA, HEAD OF DELEGATION, MOZAMBIQUE**

DEAR MR. Chairman, Honourable Ministers, Distinguished Delegates,

On behalf of the Government of Mozambique, I would like to thank the Government of Mauritius, UNEP and the Secretariat for the hospitality and the organization of this meeting.

Mozambique looks forward to the implementation of the decisions of this meeting, particularly those related to the up-dating of the Nairobi Convention and the establishment of the Joint Implementation Unit for the Abidjan and Nairobi Conventions.

Further, we would like to reassure you that the Mozambique's commitment to the Nairobi Convention obligations in its full membership.

Finally, let us take this opportunity to congratulate you, Mr. Chairman, for your competent Chairmanship of the Nairobi Convention Bureau and the Meetings held.

Thank you, Mr. Chairman

Helen Motta

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**4. STATEMENT BY MS. ANNE-FRANCE DIDIER, REGIONAL DIRECTOR FOR  
THE ENVIRONMENT OF REUNION, REPRESENTING FRANCE**

1. Je souhaite tout d'abord, au nom du gouvernement Français, vous féliciter, Monsieur le Président de la Convention, Monsieur le Directeur du PNUE, pour tout le travail accompli, qui permet aujourd'hui, dans le cadre de cette réunion historique, d'envisager de nouvelles perspectives fortes et novatrices pour la protection, la gestion et la mise en valeur du milieu marin et des zones côtières.

2. Tous les partenaires ont travaillé durant ces trois jours dans une ambiance de franche coopération avec lucidité et franchise; ceci a conduit à des propositions réalistes, crédibles et, je pense, acceptables pour l'ensemble des partenaires actuels de la Convention de Nairobi comme pour nos futurs partenaires, tels l'Afrique du Sud et Maurice dont, nous espérons la prochaine adhésion. La France se félicite qu'ainsi nous puissions sans doute bientôt compter sur la contribution d'un grand pays qui a une double façade sur l'Océan Atlantique et sur l'Océan Indien; nous vous félicitons bien sur de l'adhésion de Maurice ce qui permettra de compter au sein de la convention de Nairobi tous les pays de la commission de l'Océan Indien Ceci participera nécessairement à une meilleure coordination des efforts et à plus d'efficacité. La France continuera à oeuvrer au sein de la COI, aux côtés du PNUE et de toutes les autres partenaires pour que tous les efforts entrepris de part et d'autres, toutes les connaissances acquises soient au mieux valorisées dans un souci commun de protection et de valorisation de nos ressources marines et de nos zones côtières.

3. La France se félicite également qu'un pas important ait été franchi lors de cette réunion, dans l'intérêt de tous, pour renforcer la coordination entre les conventions d'Abidjan et de Nairobi et qu'une prochaine conférence se tienne en 2001 conformément aux décisions prises à MAPUTO et au CAP, dans un pays francophone.

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4. La France réitère l'intérêt qu'elle porte à ces conventions et sa détermination à y apporter son soutien. Elle émet toutefois le souhait que les propositions concrètes faites lors de cette réunion soient effectivement suivies d'effet. Je pense notamment aux nouvelles modalités financières permettant, de responsabiliser les pays partenaires et de montrer leur intérêt pour la convention mais aussi de donner des moyens pérennes pour le fonctionnement de la convention. Je fais référence également à la nécessité de poursuivre la révision juridique de la convention afin de l'élargir à d'autres partenaires, pays enclavés, acteurs privés, autres institutions et enfin à la nécessité de réviser les listes annexées à la convention concernant la faune et la flore dont nous avons constaté certaines inadaptations lors de précédentes réunions. Il est en effet, essentiel que l'ensemble des partenaires prenne conscience de l'importance à préserver les ressources côtières et à investir préventivement dans leur protection et leur valorisation. Nous savons tous qu'il s'agit là, non seulement de défendre des intérêts écologiques, mais aussi de préserver des enjeux économiques et sociaux. La réparation des dégâts causés à l'environnement coûte, très cher, à tous points de vue; l'effort consenti au titre de la prévention et l'investissement commun de tous les pays concernés, au travers des conventions, nous semble constituer des points essentiels, susceptibles de conduire au développement durable du Continent Africain.

5. Pour terminer, je souhaite simplement remercier le gouvernement de l'Ile Maurice d'avoir accueilli cette réunion importante des parties contractantes et renouveler notre satisfaction de constater la volonté du gouvernement Mauricien à adhérer à la convention de Nairobi et ainsi à joindre ses efforts aux nôtres.

**5. STATEMENT MADE ON BEHALF OF MR. REJOICE T. MABUDAFHASI, MP  
DEPUTY MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM OF  
SOUTH AFRICA**

Mr Chairman, Executive Director of UNEP, Ministers, Ladies and Gentlemen,

The South African Government is most pleased to be attending this important meeting of the Contracting Parties of the Nairobi Convention, as well as the Joint Meeting of the Bureau of the Nairobi and Abidjan Conventions. I am sorry that I am not able to attend this meeting personally. However, alongside many other ministers, I shall be attending the Climate Change Meeting in Bonn.

Accordingly, and in terms of the authority vested in me, I have assigned Hon. Peter Mokaba, MP to represent the South African Government on my behalf. Hon Peter R Mokaba, MP, the Chairman of the Preparatory Committee for the Partnership Conference and ACOPS' Vice-President continues this international work by direction and blessing of President , Hon. Thabo Mbeki and myself. I am delighted he, being my friend and comrade, has accepted to take on this task.

You will all know that the South African Government showed its strong commitment to the protection of the coastal and marine environment at the highest political level. Our President, Hon. Thabo Mbeki, opened the ministerial segment of the Cape Town Conference. This important initiative, which the South African Government displayed on that occasion, alongside **UNEP** and the Advisory Committee on Protection of the Sea (ACOPS) received the full backing of the entire cabinet. We were delighted with the results of the Cape Town process, and the new Government continued its support of the Cape Town process by introducing a resolution to the July session of the OAU meeting of the Heads of States. At its July 1999 session, the OAU Summit accepted this Resolution, endorsing the Cape Town Declaration and the resulting African Process for the Protection of Coastal and Marine Environment.

The most concrete demonstration of our support for this process is our resolve to accede to the Nairobi and Abidjan Conventions as soon as the legal and other identified obstacles have been resolved. Furthermore, South Africa has established a Secretariat for the Partnership Conference under the leadership of the Chairman of the Preparatory Committee for the Partnership Conference. .

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We appreciate that this COP of the Nairobi Convention is of crucial importance because the Nairobi and the Abidjan Conventions need urgent vitalization, both in institutional terms and in terms of enhanced funding. However, it is my firm belief that we cannot strengthen these legal instruments by passing resolutions only. We need action to ensure the effective implementation of these resolutions. Countries should also be encouraged to honour their contributions to the Trust Funds as a recognition of their tangible support to the two conventions.

The protection of the environment also enhances our economic development. If the high quality work on concrete projects is carried out in preparation of the forthcoming Partnership Conference, than a renewed interest and enthusiasm can be harnessed both within the contracting parties to the two conventions and also the partnership community. I sincerely hope this point will be taken on board.

I wish to reiterate yet again the South African Government's full backing for this important process. I wish you success in your deliberations.

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**6. STATEMENT BY MR. CLETUS A. AVOKA, MINISTER OF  
ENVIRONMENT, SCIENCE AND TECHNOLOGY, GHANA  
AND CHAIRMAN OF THE STEERING COMMITTEE OF  
THE ABIDJAN CONVENTION**

Mr Chairman,  
Colleague Ministers of State  
Distinguished Delegates  
Ladies and Gentlemen

It is with great pleasure and privilege that I address this second meeting of the contracting parties to the Nairobi Convention in my capacity as the Minister for Environment, Science and Technology of Ghana and also Chairman of the Abidjan convention.

In this respect I wish to thank first and foremost the Government and people of the Republic of Mauritius for accepting to host us, thus affording some of us the unique opportunity to visit this beautiful island and country for the first time.

Since our arrival at the airport, we have found the people to be so loving, gentle, kind and serviceable and no wonder the tourist industry is booming here. We feel very much at home.

Similarly, we commend UNEP and UNDP for facilitating and organizing this forum whilst we are grateful to the Bureau of the Nairobi Convention for inviting us to participate in their deliberations. God bless you all.

Mr. Chairman, this is the first time that the Bureau of the Abidjan Convention is participating in the meeting of the Contracting Parties to the Nairobi Convention since the two Conventions were adopted in 1981 and 1985 respectively. This is a sign of our determination to move together to solve our common environmental problems since environmental problems do not respect political boundaries and need no passports to travel.

This meeting, coming as it does, towards the end of 1999 is well timed to enable us make significant contributions towards addressing the problems and setbacks that have hampered the effective implementation of the Nairobi and Abidjan Conventions. This meeting will also enable us to enter the year 2000 with renewed commitments towards effective and efficient implementation of the actions, activities or programmes envisaged in the conventions.

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I see today's meeting as a continuation of the process that was started in Maputo and Cape Town leading to the Cape Town Declaration which has provided the impetus for the strengthening of the Nairobi and Abidjan Conventions. This meeting as envisaged is also intended to sensitize us on the need to fashion out a single convention for the Nairobi and Abidjan Conventions for effective and efficient implementation of identified critical programmes.

Against this background, Mr. Chairman, the importance of this meeting can not be over emphasized. We are all aware that since the adoption and consequent entry into force of the Nairobi and Abidjan conventions and their related Protocols not much has been done by way of their effective implementation. These two Conventions are the least developed under the Regional Seas Programmes of UNEP.

We are thus aware of the problems and constraints that have made the implementation of these Conventions very slow and ineffective.

For example as at the end of the 8<sup>th</sup> meeting of the Steering Committee and the 4<sup>th</sup> meeting of the Contracting Parties to the Abidjan Convention held in Accra in December 1995, only eleven countries out of twenty-one countries covered by the Convention (Benin, Congo, Cote d'Ivoire, Gambia, Ghana, Guinea, Liberia, Mauritania, Nigeria, Senegal and Togo) had signed the Abidjan Convention and its Protocol.

Of the eleven countries who had signed the Convention, eight had deposited their instruments of ratification while another two countries (Cameroon and Gabon) had acceded to it. This brings the number of Contracting Parties to ten out of the twenty-one countries in the West and Central African region.

The number of countries that have ratified the Abidjan Convention falls far short of the great hopes aroused by both the Conference of Plenipotentiaries held in March 1981 and the entry into force of the Convention in August 1984.

This shows how stagnant the process of ratification has been as compared to other similar conventions for seas that were ratified quickly by the respective countries after their adoption.

The Maputo and Cape Town process noted these shortcomings of the two conventions and hence proposed the strategies for the way forward.

I, therefore, wish to take this opportunity to urge states that have not ratified the two Conventions especially the Abidjan Convention to accelerate the process of ratification and accession for this is the cornerstone of our countries commitment to the cause of the protection and development of the coastal and marine environment of the region. All regional fora, including

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meetings of the OAU should be used to encourage our countries to sign and ratify the Conventions.

Mr. Chairman, Honorable Delegates, at this stage and without prejudice to our position on the need to strike a partnership to enable us achieve the objectives of the Conventions, permit me to play the devil's advocate by drawing our attention to the following issues:

1. should we maintain two conventions with identical and flexible protocols for cooperation or only one convention and the same protocol
2. Will one convention lead to an unwieldy body and another talking shop?
3. Will there be efficiency and effectiveness and equity in the implementation of the convention and its protocols, projects and programmes?
4. Will there be better capacity in resource mobilization, under one convention or two?
5. Have we sensitized the Donor Community and what will be their likely attitude to this?

I hope these issues will be taken care of during the Partnership Conference in the future. It is therefore important that political will and commitment by Governments and Ministers should be forthcoming. We should also expand our scope of sourcing funds.

Projects and programmes under the Convention should not be solely funded by Governments from Central Government budgets, consequently, the Private sector, tourism industry and trade should be involved in funding projects and programmes. We should be able to prepare projects and show how these can benefit the countries so as to be able to attract funding from our Ministries of Finance and our sources.

Ghana as Chairman is committed to ensuring that the Abidjan Convention is implemented and the various activities and programmes undertaken. It is now time for us to focus on actions and not words in addressing the crucial issues facing the implementation of the Nairobi and Abidjan Conventions since both Conventions experience similar constraints, bottlenecks and problems.

We the Bureau members of the Abidjan Convention are here to participate in the deliberations of this meeting and also to learn how events at this meeting can assist us in the task of steering the affairs of the Abidjan Convention. As we enter into deliberations on the agenda items before us, I

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hope we would be able to be open and frank in our discussions so as to come out with the arrangements and mechanisms that would be best for the implementation of the Nairobi and Abidjan Conventions so as to enable us achieve the goals and objectives of the Conventions.

Mr. Chairman, we wish to associate ourselves with the ideals of the Cape Town Declaration. We also take note of the sentiments expressed by the OAU at the Algiers' summit in July 1999 and we are committed to actualizing these concerns.

We also lend our support to the initiatives that have started here in Port Louis, Mauritius and are ready to push the process further.

I wish to conclude by once again thanking all the stake holders who have made this meeting possible and inviting us to participate in this forum.

The next meeting of the Contracting Parties to the Abidjan convention is tentatively fixed for 13 - 18 December 1999 to be held in Abidjan, Cote D'Ivoire and I wish to take this opportunity to extend an invitation to the Bureau of the Nairobi Convention to participate in our next meeting.

I wish you successful deliberations.

Thank you for your attention.

**7. STATEMENT BY MR. MAGNUS K. NGOILE, DIRECTOR GENERAL, NATIONAL ENVIRONMENT MANAGEMENT COUNCIL (NEMC) OF THE UNITED REPUBLIC OF TANZANIA**

Mr. Chairman,  
Honorable Ministers,  
Distinguished delegates,  
Ladies and Gentlemen.

It is a great pleasure and honor for me, on behalf of the Government of the United Republic of Tanzania and my delegation, to be addressing this auspicious meeting.

Let me take this opportunity to express our sincere appreciation to the Government of the Republic of Mauritius and the United Nations Environment Programme (UNEP) and UNDP for convening this meeting of the Contracting Parties to the Nairobi Convention. This is a very important meeting in the cause of fulfilling the desire and commitment of African Governments to vitalize the Nairobi and Abidjan Conventions, as expressed in the Maputo and Cape Town Declarations. These decisions will not only give the two Conventions a new framework for implementation, but also ensure long-term sustainability of coastal and marine resources for the benefit of our people.

**Mr. Chairman,**

Allow me to provide you with some basic facts about the coastal area in Tanzania. The total coastal area amounts to only 15% total land but it supports 25% of total human population that is estimated at 32 million people. Also 75% of total number of plants/factories in the country are located in the area. The coastal belt has the highest population growth rate in the country ranging from 2 - 6 percent. Out of the five poorest regions in the country, three are coastal.

**Mr. Chairman,**

Following the Rio Conference in 1992, Tanzania has been actively involved in promoting integrated coastal management (ICM) in the region. In 1993, Tanzania hosted the first regional Ministerial Conference on ICM for the Eastern Africa and the Island States, at Arusha, Tanzania. The second Ministerial Meeting was held in Seychelles in November, 1996, in which policy makers from the region assessed successes and failures in ICM since the Arusha Conference and recommended the appropriate actions to be taken. Tanzania is looking forward to participate in the third Ministerial Meeting scheduled for Year 2000 in Mozambique.

**I. Mr. Chairman**

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Tanzania has also been actively participating in regional and global initiatives for conservation of coastal and marine environment. Among the initiatives was the preparation of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region and related protocols (Nairobi Convention), which came into being in 1985. Within the Nairobi Convention, Tanzania implemented a number of activities contained in the Action Plan. These include:

- Training in ICM to coastal managers
- Identification and quantification of land based sources of pollution to the marine environment of Tanzania
- Preparation of a National Marine Contingency Plan
- Training in Environmental Impact Assessment for Coastal areas
- Training in coastal erosion control, and
- The preparation of a coastal atlas

Furthermore, Tanzania has participated in two other initiatives, which were:

- The land-based sources of pollution and activities affecting the marine, coastal and associated freshwater environment in the Eastern African Region, which is a regional contribution to the Global Programmes of Action
- Preparation of a Strategic Action Programme to combat pollution from land-based sources for the Eastern African Region

These activities have been implemented successfully and are acknowledged for laying a strong foundation from which most of the coastal management initiatives currently being implemented in Tanzania have been built.

**Mr. Chairman,**

In line with its regional and international commitment in promoting and implementing ICM, several important steps have been taken by Tanzania aimed at sustainable utilization of coastal and marine resources. These include the following pilot initiatives at local level:

- The Tanga Coastal Zone Conservation and Development Programme
- The Mafia Island Marine Park
- Menai Bay Conservation Area
- Rural Integrated Programme Support
- Rufiji Environmental Management Programme, and
- The Kunduchi Integrated Coastal Area Management Programme

I hope that most of you would have known at least one of these programs because have been presented in numerous fora in the region.

Lessons and experiences drawn from these initiatives have prompted Tanzania to initiate the process of developing a national policy and management

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strategy on integrated coastal management through the Tanzania Coastal Management Partnership (TCMP). This is a participatory and consultative process. May I on behalf of the Government take this opportunity to thank all our partners for their financial and technical support. These are USAID, SIDA-SAREC, IrishAid, NORAD, WWF, IUCN, the Netherlands Government, and Finnida.

**Mr. Chairman,**

The purpose for highlighting the above-mentioned programs is to show that in Tanzania like other countries in the region, a foundation for effective coastal governance has been built. This provides an excellent opportunity for building sub-regional and regional initiatives and co-operation. Let me emphasize that we can only achieve an effective regional mechanism based on local actions. Let us think **"regionally but act locally"**.

**Mr. Chairman,**

It is our hope that through this Conference, we will discuss and agree on practical ideas for sustainable financing of the prioritized activities. It is desirable that the Conference will come up with an appropriate financial mechanism. Important considerations should be, among others, the formula used to determine a party's contribution to the Trust Fund of the Convention and, the need to co-opt partners outside the Convention for the purpose of support. Tanzania recognizes the importance of protecting coastal and marine environment for the benefit of the current and future generations and for this reason we will continue to be an active participant in regional initiatives under the Convention.

**Mr. Chairman,**

Effective management of coastal and marine environment is a very challenging undertaking because of the complexities, interactions and interdependence of various issues and ecological settings. In this regard, our success at national and regional level will largely depend on our political will and commitment of member states to the convention.

Activities proposed for the short and long-term implementation in the vitalized Nairobi Convention are in line with the priorities of Tanzania. For some of the activities such as development of ICM at the national and local levels, Tanzania has been actively involved in, and we are willing to share our experiences with sister countries. Nevertheless, Tanzania like other countries in the region stands to benefit from the proposed activities. It is for these reasons; we are committed in playing our part in ensuring that these regional efforts succeed.

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**Mr. Chairman,**

One of the issues, which I would like to mention, is the problem of water shortage facing most of the coastal areas including the islands. The proposed priority areas for action are silent on water shortage in coastal areas and islands. With increasing population in coastal areas and development activities such as tourism and urbanization, this problem is likely to increase significantly in the coming few years. I hope it is not too late to consider it as one of the priority areas for action.

**Mr. Chairman,**

Let me conclude by reiterating Tanzania's support on the implementation of the Convention. The initiative taken to vitalize the Convention will catalyze our endeavors to conserve and utilize our coastal and marine resources in a sustainable way. The decisions reached in this conference should be taken up with in-depth consideration for all parties to the convention. This is the time to change, as leaders and experts of this region let us be responsible for people.

Ladies and gentlemen, with these few remarks, I thank you very much for your attention.

C. Statements by observers: United Nations bodies and specialized agencies

1. **STATEMENT BY MR. AUBREY HARRIS, REPRESENTATIVE OF FAO**

Honorable Ministers, Distinguished guests and delegates, Observers, Ladies and Gentlemen

On behalf of the FAO sub-regional Representative in Harare, I would like to thank Conference of Parties to the Nairobi Convention, its Bureau as well as on the host country, Mauritius for the opportunity to attend this important and auspicious meeting as an observer.

It was evident as of the first day that this conference was at a critical junction, to succumb to irrelevance or rise to the occasion offered of a well planned and well attended meeting.

It was encouraging therefore to see the serious, focussed and frank deliberations that took place these last days directed at a restructuring and financing the executive arm of the convention. It was particularly encouraging to learn by the proposed accession of Mauritius and South Africa and particularly the processes planned leading up to the Partnership Conference in March 2001.

I wish this conference and its planned process success over the next two important years. I will look into further links and support from FAO the subregional office in Harare.

Thank you.

Aubrey Harris, FAO

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**2. STATEMENT BY MR. J.P. MUHINDI, IMO REGIONAL COORDINATOR FOR  
EASTERN AND SOUTHERN AFRICA**

Mr. Chairman, Honorable Ministers, Distinguished delegates.

On behalf of the IMO Secretary General Mr. William O'Neil, I wish to express my sincere appreciation to have been invited to participate at this important meeting aimed at vitalization of the Nairobi Convention.

IMO, attaches great importance to Africa and particularly to this region of Eastern and Southern Africa. That is why when the IMO Council decided to launch the first IMO Regional office, this region was chosen. The choice was of course motivated by the past experience and activities that have been done by IMO in collaboration with other Regional institutions in the Region.

Mr. Chairman, the Nairobi Convention is complementary to the IMO activities in the region and therefore IMO has always given its full support to it.

As most of us present here are aware, and as I have indicated before, IMO has opened two Regional offices in Africa. One of these offices which I am the Regional Coordinator is based in Nairobi, Kenya, within the UN Gigiri complex. The second office is located in Accra Ghana within the UNDP offices. The Regional presence offices are currently established in tripartite partnership between the host government, IMO and UNDP.

The Regional Coordinators are in charge of implementation of the IMO Integrated Technical Cooperation Programs (ITCP) in their respective regions.

For this Region, the Coordinator is covering 18 countries some of them being Coastal States and the rest Landlocked countries. These include from the north: Sudan, Djibouti, Eritrea, Ethiopia, Somalia, Kenya, Tanzania, Uganda, Zimbabwe, Zambia, Malawi, Mozambique, Namibia, and Angola, then the island states of Madagascar, Seychelles, Comoros and Mauritius.

Most of these countries are party to the Nairobi convention. This has therefore called for a closer collaboration between the IMO Regional Coordinator and the secretariat of the Nairobi Convention.

As you are aware, IMO has been concerned over the implementation of its conventions on Protection of the Marine Environment in this region. These include:

1. The International Convention on Prevention of Marine Pollution by ships (MARPOL 73 /78)

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2.The international Convention on Oil Pollution, Preparedness, Response and Cooperation (OPRC 90)

3.The London Convention 72.

4.The Fund as well as Civil Liability conventions.

The above conventions deal with prevention and control of pollution of the marine environment by ships and other related activities, which are also the major concerns of the Nairobi Convention and especially its protocol on prevention of marine pollution. There is therefore all reasons to develop a close cooperation between IMO and the Secretariat of the Nairobi Convention.

One of the tasks of the IMO Regional Co-ordinators is to forge a closer Cooperation between IMO and the related Regional Organizations. For this region, I have already visited some of the relevant organisation with programmes on Protection of the Marine Environment, which include, COMESA, SATCC and IOC; and agreed on our future mode of Cooperation.

It is also the task of the IMO Regional Co-ordinators to do needs assessment of each country to be able to develop national programmes (projects) for each country.

Once these national programmes are identified they will be presented to the United Nations Country Representative for inclusions in the UN Development Assistance Framework (UNDAF)

The programmes will also be presented to the Ministries of Finance in each country through the appropriate Ministries for inclusion in national development plan, a phenomenon that has always been lacking in the national development plans for most countries in the region.

As the national as well as regional programmes will be presented to bilateral and multilateral donors for resources, and considering that some of these donors are also approached for activities by the Nairobi Convention. Close Co-operation will be needed to avoid duplication of efforts and translate the studies and conferences that have already been held before into action. It is important that we develop tangible programme to solve the problems related to marine Environment in the Region.

It is important to note that for this Region IMO developed in 1992, a Strategy and Action Plan for Protection of the Marine Environment in Eastern and Southern Africa which is in line with the activities of the Nairobi

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Convention. A lot of you present here will be consulted for update information on revision of the strategy and Action Plan to give a true representation.

Once again Mr Chairman,

I wish to thank the government of Mauritius for hosting this meeting and for the cordial hospitality that has been accorded to us since we came to this beautiful country.

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**STATEMENT BY MR. M. VERDICKT, UNDP OFFICER-IN-CHARGE, MAURITIUS**

Thank you, Mr. Chairman

Excellencies, Ladies and Gentlemen

Honorable Sidick Chady, Minister of Environment, Rural & Urban  
Development of Mauritius,

Honorable Ministers and Heads of Delegations,

Honorable Mr. Cleotus Avoka, Minister of Environment of Ghana

Honorable Mr. Peter Mokaba, Chairman of the Preparatory Committee to the  
Partnership Conference.

Mr. Maurice Loustau-Lalanne, Permanent Secretary, Ministry of Environment of  
Seychelles and Chairman Convention

Mr. Caabi Elyachrourou Mohamed, Secretary General, Indian Ocean Commission,  
Mr. Halifa Drammeh, Deputy Director, Division of Policy Development and Law,  
United Nations Environment Programme,

Heads of Delegations,

Members of the Diplomatic Corps

Distinguished Delegates

Distinguished Guests

Ladies and Gentlemen,

It is an honour for me to address a few words to this very important assembly  
on the occasion of the 2<sup>nd</sup> Conference of the Parties of the Nairobi  
Convention. I am also particularly pleased with the fact that the United  
Nations Development Programme (UNDP) has been associated with the  
organization of this Conference which is innovative in itself as it has also  
brought the members of the Western Africa region around the same table. This  
will allow for greater exchange of views, as such enriching the debates and  
will allow for finding the most appropriate solutions to vitalize both  
Conventions.

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The objective of the Nairobi Convention is to facilitate and strengthen co-operation between Eastern African States, to identify regional needs to protect and develop marine and coastal areas, and constitute the fundamental elements of sustainable development - a concept very dear to the work of the UNDP.

The protection of the environment is one of the main focus area of the UNDP.

Through our regular programme resources, we have been assisting the countries in their efforts to protect or rehabilitate both the coastal and terrestrial environment. The UNDP is also one of the implementing agencies for the Global Environment Facility and through its **work**, we have been assisting developing countries to find the right balance between development and the protection of its natural development.

Honorable Ministers, Distinguished Guests

We cannot disassociate development and improvement in the quality of life from the sustainable use and the great benefits derived from the potential exploitation of coastal zones - be it for tourism, fishing or recreation. Integrated Coastal Zone Management for the protection, development and management of marine and coastal areas, therefore, becomes imperative for these coastal states, especially Small Islands Developing States (SIDS) like Mauritius or Seychelles which depend greatly on their marine environment.

There are, however, certain phenomena common to most of these States. These include the surge in economic growth, rapidly expanding populations and increasing economic development both on the coastal zones. These developments are often spontaneous and at times uncontrolled. If left unchecked the future management of coastal areas and their hinterland may well turn out to be one of the most complex management challenges for this region.

The challenge we face today in the face of increasing poverty and escalating environmental degradation, is how to make this transition from largely unsustainable development toward development that is economically, socially and environmentally sustainable. The UNDP has no doubt that this gathering here today is a step in the right direction. By reviewing the achievements of progress under the Nairobi Convention and charting a new agenda for action, you will be able to make this transition.

Honorable Ministers, Distinguished Guests,

Marine environmental problems transcend national boundaries. No country or agency can do it alone. The Nairobi Convention and its protocols, provides

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this vehicle to coordinate regional efforts to find appropriate solutions to the regional problems for the protection, management and development of the coastal and marine resources in Eastern Africa.

At the dawn of the new millennium, it is appropriate for you members of the Nairobi Convention to take stock of what has been accomplished since the 1985 Conference of Plenipotentiaries, which adopted the Action Plan for the Protection of Coastal Areas of the Eastern Africa Region, to the entry into force in 1996 of the Nairobi Convention and its Related Protocols.

There is no doubt that progress has been made towards the protection of the coastal zone but, still there is a lot to do. We are confident that together we will succeed. The journey from Arusha, to Seychelles, to Maputo, to Cape Town and finally Mauritius, shows that there is still firm commitment on the part of the governments of the region to implement recommendations of the Convention and its Protocols.

Honorable Ministers,, Distinguished Guests, Ladies and Gentlemen,

Before I conclude, I would like to thank the Government of Mauritius for agreeing to hold the meeting in Mauritius. This the importance that the Government of Mauritius. This shows the importance that the Government of Mauritius accords to the Nairobi Convention and its Protocols. As a Small Island Developing State, we are aware of the importance that the Government of Mauritius places on the protection of the environment. The UNDP is proud to be associated in this effort to protect the marine environment through its Global Environment Facility (GEF) programme.

Honorable Ministers, Distinguished Guests, I wish you success in your deliberations.

Thank You.

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D. Statements by observers: intergovernmental, governmental and non-governmental organizations

1. **STATEMENT BY MS. H. MOTTA ON BEHALF OF SEACAM**

Dear Chairman, Honorable Ministers and Distinguished Representatives,

Subject: Joint Meeting of the Bureau for the Nairobi and Abidjan Conventions and Nairobi Convention Conference of Parties, November 2-4 1999

Please accept my sincere apologies for being unable to attend this important meeting. Given the significance of the discussions you will be holding, I regret that the senior SEACAM staff and I were already committed to other meetings when the invitation arrived nine days ago.

We look to this meeting to revitalize the Nairobi Convention, which we view as an essential framework for advancing coastal management in Eastern Africa.

The Secretariat is very supportive of the process you are undertaking to fully develop and implement the Convention, as shown by our active participation at the PACSICOM and Cape Town Conferences. We are also very pleased to note that the government of South Africa has decided to accede to the Convention.

SEACAM has worked closely with the Temporary Interim Coordinator of the Regional Coordinating Unit, and we look forward to continued collaboration with the Convention's future coordinating mechanism.

It is with pleasure that I inform you that preparations for the Third Ministerial Conference on Integrated Coastal Zone Management in Eastern Africa and Island States, which will take place in Maputo on May 15-19, 2000, are proceeding well. The Ministerial Conference is being jointly organized with WIOMSA and the Mozambican Ministry for Coordination of Environmental Affairs. The Conference is part of a long-term process to advance coastal management in Eastern Africa that was launched at the First Ministerial Conference in Arusha in 1993. It is also linked to the African Process for Coastal Environment.

I wish you success in your important deliberations and regret that I cannot join you for them.

I also look forward to seeing all of you in Maputo for the Third Ministerial Conference in May 2000.

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Best Regards I  
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Coordinator

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**2. STATEMENT BY MR. CAABI ELYACHROUTU MOHAMED, SECRETARY-GENERAL OF THE  
INDIAN OCEAN COMMISSION**

Intervention du Secrétaire Général de la COI  
Réunion Ministérielle de la Convention de Nairobi  
Pointes aux p 04 novembre 1999

M'le Minister de l'administrateur agent et l'environnement  
Monsieur le Président;  
Monsieur le Représentant le Directeur Exécutif du PNUE;  
M'me la représentante aux adjoint resident du PNUD;  
Mesdames et Messieurs les Ministres;  
Excellencies, Messrs les membres du Cops diplomatique  
Distingués delegates;  
Mesdames et Messieurs,

Je vous remercie de m'avoir permis de prendre la parole à l'occasion de cette réunion ministérielle de la Convention de Nairobi.

Je suis aussi heureux de constater qu'avec l'annonce faite par Maurice hier matin, les cinq îles membres de la Commission de l'Océan Indien sont parties intégrantes de la Convention de Nairobi.

Je voudrais saisir cette opportunité pour affirmer ici l'intérêt que porte notre Organisation pour la Convention de Nairobi et pour toutes initiatives visant à gérer durablement le milieu marin et les zones côtières.

Je suis persuadé que cette conférence va permettre aux partis contractantes de cette convention d'engager une concertation et un dialogue soutenu en vue d'assurer une meilleure efficacité de cet instrument si utile pour le continent africain et particulièrement pour les îles du Sud-ouest de l'Océan Indien.

Je voudrais dire aussi que nous sommes très conscients de la nécessité d'accorder une attention plus grande à une meilleure coordination entre tous les programmes impliqués dans la gestion des zones côtières et du milieu marin à travers le renforcement du dialogue régional, international et intergouvernemental.

Excellences, Mesdames et Messieurs,

En décembre dernier, pour le compte du Programme des Nations-Unies pour l'Environnement (PNUE), la Commission de l'Océan Indien a eu l'honneur

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d'accueillir une réunion des experts juridiques et techniques chargés de réexaminer la Convention de Nairobi. Au cours de cette réunion, des recommandations importantes ont été retenues pour soumission à la deuxième conférence des parties contractuantes à la Convention de Nairobi, parmi elles l'engagement des pays à prévenir et à réduire la pollution due aux déversements effectués à partir des côtes ou provenant des installations de décharge.

Une mention spéciale a été faite à la coopération scientifique et technique, et les mesures visant à tirer le maximum de bénéfices des activités entreprises dans le cadre des autres conventions en évitant toute duplication d'efforts.

Excellences, Mesdames et Messieurs,

La Commission de l'Océan Indien grâce à l'appui de l'Union européenne tente aussi de régionaliser les problèmes communs auxquels les îles du Sud-ouest de l'Océan Indien sont confrontées pour gérer durablement leur patrimoine naturel. Elle fait aussi un effort pour faire valoir auprès des instances internationales les problèmes spécifiques de ces îles et la vulnérabilité particulière liée à l'insularité.

Pour réussir ce pari, la Commission de l'Océan Indien envisage un renforcement institutionnel à travers la création d'un organe consultatif ayant pour mission de conseiller les instances de la COI sur la conception et la mise en œuvre de la politique régionale de développement durable, et une unité logée au Secrétariat général qui aurait la lourde charge de coordonner les actions régionales décidées par ses hautes instances.

Ainsi nous espérons qu'après une évaluation du programme régional environnement, l'Union européenne, au titre du 8e FED, soutiendra des nouvelles initiatives dans le cadre d'un nouveau programme.

La Commission de l'Océan Indien en signant un accord de coordination au niveau technique avec le Secrétariat de la Convention de Nairobi et le SEACAM, a affirmé l'importance qu'elle attache à la coordination internationale visant à faire converger toutes ses actions dans le but de garantir l'intérêt collectif des Etats en réalisant les économies d'échelle et des ressources humaines institutionnelles et financières.

Pour clore mon propos, permettez-moi de réaffirmer encore l'intérêt que nous portons au succès de cette Convention.

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Tout en souhaitant plein succès à nos travaux, je vous remercie de votre bienveillante attention.

**3. STATEMENT BY MS. ULRIKA SVENSSON, THE REPRESENTATIVE OF SIDA**

Honourable Ministers, Distinguished guests and delegates, Ladies and Gentlemen

I would like to take this opportunity to thank you for inviting me to this meeting. I would also like to thank the Government of Mauritius for the splendid hospitality. As for me personally I agree with Hon. Minister of Ghana that we would not have chosen a better place for a conference "at home".

I would on behalf of SIDA thank you for the opportunity of participating in this unique meeting. I believe I and I hope that the meeting will be historic. As the Honorable Minister, Mr. Mokaba said earlier in his statement I also believe that cooperation and action is crucial for the success of the conventions. I come from a very small cold country in the north, and I didn't help wondering where Sweden would have been today without cooperation with the rest of the world. People ask me why a small Nordic country had such a great interest in supporting developing countries in the rest of the world, I don't have a complete and full answer, but one explanation might be that we are wishing to be part of the African Solidarity mentioned earlier by the Honourable Minister of Environment, Mauritius. We were also talking yesterday over lunch about the importance of having a holistic view of the environmental issues. I believe that this initiative of joining the meetings of the two(2) conventions is a step in the right direction for assisting each other, for exchange of views and experience, and for, if it is possible, learning from others experiences. I have during these three(3) days listened and observed carefully to the discussions and the comments made, and I have found it most interesting especially the innovative discussions on the sustainable financing. As an environmental economist I also find it interesting to see the initiatives and ideas of the cost of environment pollution which is incentive for measures on pollution prevention. I will return to Sweden this evening already and I will make a full report to SIDA to the persons responsible for the Coastal and Marine issues where I will be sure to describe the fruitful discussions that have taken place here.

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**4. STATEMENT BY MR. PETER R. MOKABA, (SOUTH AFRICA), CHAIR OF  
THE PREPARATORY COMMITTEE FOR THE PARTNERSHIP CONFERENCE**

Mr Chairman, Your Excellencies, Ladies and Gentleman

I'll start off by reading a statement by the Minister of Environmental Affairs and Tourism of South Africa, who is in Bonn at the meeting on Climate Change and thus could not attend this special meeting.

With regard to the issues that are before us, I wish to make the following remarks:

1. Updating and restructuring the Nairobi Convention: Key challenges and Implications and New Work Programme

A great deal has been said about the need to update and restructure the Nairobi Convention. Indeed, some changes are necessary. Let us, however, - also acknowledge frankly that one of the main challenges we have is to change the perception of African political leadership towards environmental problems. Protection of the environment is still frequently regarded as a luxury that we can ill afford. It is for this reason that we accepted the best way to mobilize support for environmental protection is through the concept of "Ocean security". This is why we in South Africa managed to enlist the support of our President, of the entire cabinet, in preparation for the Cape Town Conference and now as we brace ourselves for the Partnership Conference.

We need to have less conferencing and move towards concrete actions if we are serious about environmental management and sustainable development in Africa.

For too long have Africa relied on donors to support particular programmes in Africa. It is important for Africa to take responsibility of its own destiny and change this relationship from one of donor-client to one of partnership, whilst also recognizing the importance of embracing the private sector in all our initiatives.

As far as actual revision and updating of the Conventions concerned, my primary advice would be to remove ourselves as far as possible from the grand monitoring schemes which will not be able to get us any closer to the solution of real problems. There are over 50 institutes in the Black Sea, now widely regarded as the most polluted one in the world, At the time when research for research sake was the rule of the day, all those institutions were telling us how big the problem was, few if anyhow to solve it. So, programmes need to be as project driven as possible.

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For biodiversity,. I think it is logical that we should be seeking close links between the two sub-Saharan regional conventions and the Climate Change Convention, Biodiversity Convention, the work of the GPA Secretariat in the Hague and with the Global International Water Assessment (GIWA).

5. Organizing the preparatory process for the Partnership Conference on the Protection, Management and Development of the Coastal and Marine Environment

As many, if not all, of you will know, South Africa has been much involved in the African process on Development and protection of marine and coastal environment. We organized the Cape Town Conference, supported a call on leaders of the Organisation of African Unity to recognize this fact (and are grateful that it has been done). I held here, as Chairman. The third meeting of the Preparatory Committee for this process and would like to place for your attention several problems outlined in my accompanying report.

I thank you

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**5. STATEMENT BY MS. SUE WELLS ON BEHALF OF THE IUCN EASTERN AFRICA  
REGIONAL OFFICE IN NAIROBI**

IUCN - The World Conservation Union is a Union of 880 members, which include states, government institutions, NGOs and affiliates spread across some 130 countries. Its activities are 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."

IUCN is not a donor organisation but rather provides technical guidance and support, in collaboration with its members and donors in response to specific requests. It operates at local, national, regional and global levels, primarily through the formation of partnerships with governments, communities and NGOs.

The IUCN Eastern Africa Regional Office was established in Nairobi in 1986, and its Marine and Coastal Programme has been operating since 1992. Our programme for the next triennium identifies priorities that closely reflect those identified in the proposed work programme of the Nairobi Convention, notably:

- The establishment and affective management of marine and coastal protected areas
- The development and implementation of integrated coastal area management programmes
- Continued focus on critical ecosystems and endangered species, such as marine turtles and, particularly at this time, coral reefs.

Specific activities underway at present include:-

1. Technical assistance with the implementation of a GEF biodiversity conservation programme in the Comoros
2. Technical assistance with a biodiversity conservation programme in Seychelles, in co-operation with the Dutch Trust Fund
3. At the request of the European Union, assistance with the development of a community-based environmental programme in Somaliland that includes the promotion of the concept of marine protected areas and small-scale fisheries management programmes

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4.A continuing role in the important integrated coastal area management programme that is being implemented in Tanga , Tanzania, and that is widely cited as a model in the region IUCN is also assisting with the development of a proposal to establish a new marine park in Southern Tanzania

5.At the request of the Kenya Wildlife Service, assisting with the development of mechanisms to test new approaches to the management and financing of marine parks and reserves in Kenya.

A number of regional level activities are also being developed with governments, donor agencies and other. These include:

- a proposal to facilitate implementation of the West Indian Ocean (WIO) Sea Turtle Conservation Strategy
- economic valuation of marine and coastal ecosystems in the WIO and the development of financing mechanisms for their conservation and sustainable use
- collaboration with regional initiatives addressing coral reefs such as the regional ICRI process and programmes such as CORDIO
- of particular interest to the Nairobi Convention, a proposal which is being developed with NORAD and several countries in the region to provide the implementation of the Jakarta Mandate. This will include close collaboration with the Nairobi Convention and should reinforce and contribute to the Workprogramme being development here.

IUCN remains committed to assisting the states of the region to achieve effective conservation of its biodiversity and to ensure that its marine and coastal resources are managed and used sustainably. We see the Nairobi Convention as one of the key mechanisms in this process and will continue to contribute to efforts to improve its implementation, for example, through the provision, as required, of technical assistance for the revision of the protocol on protected areas and wild fauna and flora.

IUCN is also delighted to have been selected as one of the three representatives of civil society, which will serve on a rotating basis on the Preparatory Committee for the Partnership Conference. I am very pleased that IUCN's Director General, Lis Maritta Koch Weser and ACOPS have reached an agreement whereby IUCN, through its Regional Offices in Africa, will begin contributing shortly to the work leading to the Partnership Conference. This

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will be a very concrete expression of IUCN's contribution to this process, especially in the areas in which we are acknowledged to have expertise.



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