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Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean Region
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Progress in the implementation of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean Region

Report of the Executive Director

1. Much progress has been made by the Contracting Parties to the Convention towards achieving the vision, in partnership with non-State entities, including significant investments from the Global Environment Facility and other key partners which have contributed towards the implementation of solutions to a range of environmental stresses caused by land-based sources, marine pollution, and the over-reliance on and over-exploitation of marine resources such as fisheries and mangroves.
2. The Western Indian Ocean region coastal and marine environment has started showing signs of degradation, attributed to both natural factors, such as climate change and variability, leading to coral bleaching, sea-level rise, flooding and other effects, as well as a variety of human activities.
3. Efforts into the process for integrating ecosystem services into ecosystem-based management of the marine and coastal resources in the Western Indian Ocean region are progressing. Priorities for the programme of work for the Nairobi Convention therefore include: integrated ecosystem-based management of marine and coastal ecosystems including transboundary resources; assessments and capacity development on the valuation of coastal and marine ecosystems to contribute to regional and global assessments; adaptation to climate change to reduce vulnerability and build resilience; and environmental governance to strengthen regional instruments for intergovernmental dialogue and the development of policies and laws for transboundary ecosystems.
4. Rapid urbanization and population growth has led to higher demand for ecosystem goods and services and increased resource-use pressure around major industrial coastal cities. The growing population of poorly planned urban and peri-urban areas in cities has led to increased rate of degradation of the coastal and marine environments and habitats by the disposal of waste into streams and coastal waters including contamination of ground water sources. Degradation is further exacerbated by

the physical alteration of marine and coastal habitats through increased land reclamation and conversion for agriculture, aquaculture and coastal development.

5. Impacts of global climate change on natural and human systems on coasts and oceans are, according to the 2021 report by the Intergovernmental Panel on Climate Change (IPCC), ocean warming dominates the increase in energy stored in the climate system, accounting for 91 per cent of the energy accumulated between 1971 and 2018. Heating of the climate system has caused global mean sea level rise through thermal expansion from ocean warming. Thermal expansion explained 50% of sea level rise during 1971–2018. Over the rest of the 21st century, likely ocean warming ranges from 2–4 to 4–8 times the 1971–2018 change. Since the beginning of the industrial era, oceanic uptake of carbon dioxide has resulted in acidification of the ocean and the pH value of ocean surface water has decreased by 0.1, corresponding to a 26 per cent increase in acidity. Based on multiple lines of evidence, upper ocean stratification, ocean acidification and ocean deoxygenation will continue to increase in the 21st century, at rates dependent on future emissions. In the longer term, sea level is committed to rise due to continuing deep ocean warming and will remain elevated for many of years.

6. Thus, many marine species have shifted their geographic ranges, seasonal activities, migration patterns, abundances and species interactions in response to continuing climate change. These latter conditions, which have been extensively studied and measured in the Western Indian Ocean and elsewhere, suggest likely ecosystem phase shifts, for example, that coral reefs will become dominated by macroalgae (brown algae such as *Turbinaria* and *Sargassum* spp.).

7. The extensive deforestation of catchment areas is also contributing to changes in river flow regimes. Thus, coastal lowlands, deltas, estuaries and their associated ecosystems are now receiving altered freshwater flows and increased sediment loads. These changes have been witnessed in the Tana, Rufiji, Ruvuma, Incomati, Tukela, Zambezi and Betsiboka rivers, among others. The cumulative impact of these changes is a significant physical and ecological change in the structure and functions of marine ecosystems and deterioration of their ecosystem goods and services.

8. The Contracting Parties have, over the years, developed capacities across a broad range of technical, management and policy themes. The institutional infrastructure necessary for adaptive management, in other words management that involves an incremental learning process that is informed by continuous feedback from assessments and research, is still under development, however, and the interplay between governments, markets and civil society for collaborative environmental management remains weak in some coastal States.

I. Marine and coastal biodiversity: threats and response measures

9. The two major marine ecosystems in the Western Indian Ocean – the large marine ecosystems of the Agulhas and Somalia currents – contain critical tropical and subtropical habitats such as seagrass beds, coral reefs and mangrove forests. These ecosystems are characterized by relatively high biodiversity and high species endemism, as evidenced by their rich and complex populations of marine plant and animal species. The region has over 2,200 species of fish, including rare and endangered species such as the dugong, coelacanths, marine turtles, sharks, marine birds and over 350 species of corals and a diverse assemblage of mangrove forests and seagrass beds.

10. Coral reefs dominate the coastal ecosystems of the Western Indian Ocean. They are typically shallow fringing reefs, often enclosing a lagoon, and often closely associated with seagrass beds. Corals are threatened by sea surface temperature rise caused by global warming, which bleaches corals and eventually kills them if higher

temperatures persist. This threat was well documented following the 1998 El Niño event and the subsequent recoveries of coral reefs from bleaching events has been tracked, quantified and reported in the 2017 Coral reef status report for the Western Indian Ocean, demonstrating that recovery rates and resilience to bleaching vary considerably within the region, with the northern Mozambique and southern Tanzanian coral reefs appearing to be the most resilient.

11. The total area of mangroves in the Western Indian Ocean is estimated to be 1 million hectares representing about 5% of the global mangrove coverage. The best developed mangroves in the region are found in the deltas of Rufiji River (Tanzania), Tana River (Kenya), Zambezi and Limpopo Rivers (Mozambique) and along the west coast of Madagascar at Mahajanga, Nosy Be and Hahavavy. While the mangrove systems of the Western Indian Ocean have suffered less and are in relatively good health compared to those in the rest of the world, they face compounding factors that aggravate mangrove degradation and loss from overexploitation, land-use change, pollution and more recently climate change. The largest gas reserves in the world have been discovered off Cabo Delgado in Mozambique and extensive exploration is under way in the offshore waters throughout the Western Indian Ocean region. This is likely to have an impact on its marine and coastal resources, including mangroves, coral reefs and seagrass beds.

12. The Global Environment Facility, with the support of the Contracting Parties to the Nairobi Convention and their partners, has embraced an ecosystems approach to management of marine and coastal ecosystems. Between 2000-2010, the Facility invested over \$78 million to support large marine ecosystem projects in the Western Indian Ocean. The three main projects are the South-West Indian Oceans fisheries project, with a budget of \$35.67 million, implemented by the World Bank; the Agulhas and Somalia Current large marine ecosystem project, with a budget of \$31.186 million, implemented by the United Nations Development Programme (UNDP); and the project on land-based activities in the Western Indian Ocean, referred to as the WIO-LaB project, with a budget of \$11.413 million, implemented by the United Nations Environment Programme (UNEP).

13. These three projects developed strategic action programmes that were then endorsed by participating countries, with the aim of reducing impacts from land-based sources of pollution and activities and sustainably managing critical coastal-riverine and marine ecosystems through the implementation of the programme priorities, for the purpose of achieving effective long-term ecosystem management in the Western Indian Ocean large marine ecosystems.

14. The strategic action programme for the protection of the coastal and marine environment of the Western Indian Ocean from land-based sources and activities was designed to help the governments in the Western Indian Ocean region jointly or individually to tackle the challenges associated with the increasing demand for coastal and marine resources and the consequent destruction and degradation of critical habitats, changes in freshwater flow and sediment loads, and also challenges resulting from global climate change.

15. Implementation of the strategic action programme for the protection of the Western Indian Ocean from land based sources and activities (2017–2022), referred to as WIOSAP, is a five-year Global Environment Facility-funded project launched in response to a request by countries implementing the strategic action programme developed under the 2004–2009 WIO-LaB project. The WIOSAP project presents an opportunity for governments in the region and their conservation partners jointly to implement strategies to protect the coastal and marine ecosystems from land-based sources and activities, with the aim of providing essential goods and services on a sustainable basis. The project is being implemented by UNEP and administered by the Nairobi Convention secretariat, with funding of \$10,867,000.

16. The WIOSAP project has four objectives: first, to ensure the sustainable management of critical habitats through the protection, restoration and management of critical coastal habitats and ecosystems; second, to improve water quality in the Western Indian Ocean region to international standards by the year 2035; third, to effect the sustainable and sound management of river flows in selected river basins in the Western Indian Ocean region; and, fourth, to provide governance and regional collaboration by strengthening governance systems and raising awareness in the region.

17. The strategic action programme for the sustainable management of the Western Indian Ocean large marine ecosystems is the product of joint activities under two projects. The first of these was the South-West Indian Ocean fisheries project, implemented by the World Bank. The project dealt with offshore and near-shore commercial fisheries issues related to the Western Indian Ocean large marine ecosystems and tackled issues pertaining to the coastal and offshore areas of the large marine ecosystems that were not within the remit of the WIO-LaB project. The second, the Agulhas and Somali Current large marine ecosystems project, implemented by UNDP, addressed all other coastal and oceanic activities, including offshore ecosystem assessment, coastal livelihoods and community engagement, coastal artisanal and subsistence fisheries, larval transport, marine pollution, marine invasive species and others.

18. The Western Indian Ocean large marine ecosystem strategic action programme policy harmonization and institutional reforms, known as the SAPPHIRE project, is a six-year project (2018–2023) funded by the Global Environment Facility that seeks to implement the strategic action programme developed jointly under the Agulhas Somali Current large marine ecosystems project and the South-West Indian Ocean fisheries project in the Western Indian Ocean region. The SAPPHIRE project supports and assists the appropriate and formally mandated government institutions and intergovernmental bodies in the region to implement the activities necessary for implementation of the strategic action programme and to ensure the sustainability of efforts and actions undertaken for the long-term management of activities within the large marine ecosystems and to ensure the sustainability of associated institutional arrangements and partnerships. The project is being implemented by UNDP and administered by the Nairobi Convention secretariat, with funding of \$8,766,500.

19. In particular, the SAPPHIRE project has been pursuing the following four objectives: first, to support policy harmonization and management reforms in order to improve ocean governance; second, to reduce stress through community engagement and empowerment in sustainable resource management, including stress reduction through the commitment of the private sector and industries to transformations in their operations and management practices; third, to deliver best practices and lessons through innovative ocean governance demonstration; and, fourth, capacity development to realize improved ocean governance in the Western Indian Ocean region.

20. In order to ensure a comprehensive large marine ecosystem management approach (from watershed to outer offshore boundaries), the two strategic action programmes – that of the WIO-LaB programme and that of the joint Agulhas Somali Current large marine ecosystems project and the South-Western Indian Ocean fisheries programme – are being implemented collaboratively and administered by the Nairobi Convention secretariat through a cooperative understanding, while recognizing and respecting the mandates of the various management bodies and institutions. The approach will effectively tackle the following five issues: first, marine biodiversity loss, degradation and conservation, including in the adjacent waters of areas beyond national jurisdiction; second, offshore and on-shore oil and gas and mining of other extractives; third, pollution of the marine environment from marine litter and microplastics; fourth, the need to promote regional ocean governance through marine spatial planning for the blue economy; and, fifth, fulfilment of the 2030 Agenda and pursuit of the Sustainable Development Goals relevant to the coastal and marine environment.

21. Healthy ecosystems in the Western Indian Ocean are the foundation for sustaining and maximising the potential of the coastal and marine fisheries in the region in support of economic growth, livelihoods and food security, now, and in the future. Fishing has consequences, not only for the target species, but also on the wider marine ecosystems and the services they provide. Effective coordination and collaboration between fisheries and environmental governance systems will be essential to recognise, understand and address these linkages. In March 2019, the South West Indian Ocean Fisheries Commission signed a Memorandum of Agreement with the Nairobi Convention to provide a framework for co-operation with the overall objective of increasing and integrating the services provided by the Commission and the Convention to the member States. Countries in the Western Indian Ocean have committed to cooperate regionally on the protection of the coastal and marine environment and on fisheries management.

22. A partnership project was developed jointly by the Nairobi Convention and the South West Indian Ocean Fisheries Commission entitled “Partnership Project for Marine and Coastal Governance and Fisheries Management for Sustainable Blue Growth”. The project received a funding of \$8.67 million from the Swedish International Development Cooperation Agency for implementation of the project over the period 2019-2023, with the Secretariat being responsible for administration of \$3.065 million of the funding. The project support the implementation of the two strategic action programmes with the aim of enhancing resilience of coastal livelihoods based on healthy marine and coastal ecosystems and habitats, supporting coastal livelihoods through sustainably managed coastal fisheries using the Ecosystem Approach to Fisheries, and promoting co-operation and coordination between fisheries and environmental management institutions.

23. Recognizing that developing countries face considerable challenges in fulfilling their obligations as parties to Multilateral Environmental Agreements (MEA), a programme on Capacity Building related to MEAs in the African, Caribbean and Pacific (ACP) countries phase III (“ACP MEAs 3”) was designed by UNEP in partnership with the European Commission (EC-UNEP). The overall objective of the Programme is to promote environmental sustainability in ACP countries by strengthening environmental governance and the implementation of MEAs. The programme will achieve its objective by enhancing capacities to improve enforcement of and compliance with MEAs related to biodiversity, chemicals and waste, and oceans governance. The initial implementation period of the ACP MEAs 3 programme was envisaged to run from November 2019 to April 2024, and with a support of \$2.1 million, the Nairobi Convention activities will aim at reinforcing the Convention’s governance frameworks and its associated protocols; support the development of regionally representative networks of Marine Protected Areas; and enhance reduction of the influx of waste (plastics and other forms of human and industrial liquid and solid waste) entering the marine environment, including raising of awareness and outreach activities on waste management.

24. The Northern Mozambique Channel (NMC) area within Madagascar, Mozambique, Tanzania, France, Seychelles and the Comoros, covers an area of approximately 700,000 km². It is among the world's richest regions for biodiversity and serves as a biological reservoir for the entire Eastern African coast, in particular for coral reefs and associated ecosystems, besides being an important breeding and foraging areas for flagship marine and migratory species. The coastal population of the NMC is estimated at 10 million and expected to grow to 22-25 million by 2050. The population is largely dependent on healthy and productive ecosystems through fishing, coastal agriculture, and tourism. A partnership project between the Nairobi Convention secretariat and the Consortium for the Conservation of Coastal and Marine Ecosystems in the Western Indian Ocean (“WIO-C”) comprising a group of international and regional NGOs in partnership with intergovernmental organizations that have presence and are active in regional marine and coastal ecosystem management in the Western Indian Ocean developed the project on “the Integrated Management of the Marine and Coastal

Resources of the Northern Mozambique Channel Project (NoCaMo). The project had received funding from the Fonds Français Pour L'environnement Mondial (FFEM) of 1.5 million euros for implementation of the project activities over the period 2021-2025. The project seeks to lay the institutional and knowledge foundations for the application of multi-stakeholder based Marine Spatial Planning (MSP), promote effective planning best environmental practices in the emerging Oil & Gas sector in the NMC area, and enhance community livelihoods and well-being through the sharing and replication of best practices in community-based marine resource management.

II. Environmental governance

25. The economic value of the goods and services provided by the marine and coastal ecosystems in the Western Indian Ocean region excluding South Africa is estimated at over \$25 billion on an annual basis, with fisheries and tourism being the two main direct contributors to the economies of the region. In 2014, South Africa predicted that the oceans have the potential to contribute up to 177 billion rand (\$14.8 billion) to the country's gross domestic product and to create over 1 million jobs by 2033. A further analysis in 2017 by the World Wide Fund for Nature (WWF) and Coastal Oceans Research and Development – Indian Ocean (CORDIO) East Africa came up with a figure, considered conservative, for the natural assets of the Western Indian Ocean of \$333.8 billion. This represents the total asset base of the ocean, from which annual economic production (in other words, the gross marine product) is drawn. The Governments of the Western Indian Ocean have established blue or ocean economy ministries or departments in recognition of the potential of their ocean sectors. Economic sectors such as coastal tourism, marine transport, and manufacturing activities, including coastal shipping, trans-shipment, boat building, repair and refurbishment; offshore oil and gas exploration; aquaculture and marine protection services and ocean governance can potentially unlock the ocean economy and contribute to poverty eradication in the Western Indian Ocean region.

26. Despite their enormous potential, the importance of marine ecosystems for human health, well-being and prosperity is not effectively communicated to policymakers and decision makers. Consequently, the departments responsible for the management of marine and coastal resources remain underfunded. Thus, poorly developed institutional frameworks and lack of effective mechanisms for developing new comprehensive laws and regulations mean that environmental laws are not effectively enforced.

27. Effective environmental governance in the Western Indian Ocean, in the long run will aim to maximize ecosystem goods and services equitably across generations. It is widely acknowledged that the infrastructure required for effective environmental governance is dependent on the interplay between governments, markets and civil society. The roles played by these markets, civil society and governments are poorly defined, however, and not well coordinated. At best their roles are antagonistic, thus impeding the sustainability of ecosystem goods and services. Poor oceans governance is therefore exacerbating environmental problems in the countries of the Western Indian Ocean region. The prognosis is that these problems will be compounded by natural factors, such as climate variability and change, that may lead to severe droughts, coral bleaching, sea-level rise and coastal erosion. Development of adaptive governance and management frameworks that can surmount human impacts along with the effects of climate change will be an essential step towards long-term sustainability of marine and coastal ecosystems.

III. Nairobi Convention and the Regional Seas Programmes

28. The Nairobi Convention is one of the 18 regional seas conventions and action plans, [6](#) of which are administered by UNEP. The regional seas programmes were

developed by UNEP in 1974 as part of the implementation of the outcome of the United Nations Conference on the Human Environment held in Stockholm in 1972 and as a response to transboundary problems, such as marine pollution and the need for management of the marine and coastal environment. Each regional seas programme is designed to meet the priorities and needs of the countries sharing an ocean or sea, by developing, first, a legally binding convention embodying the general commitment and detailed protocols dealing with specific issues; and, second, an action plan for cooperation on environmental assessment and management. The regional seas conventions provide the legal framework for regional cooperation among governments to undertake collaborative actions towards solving interlinked problems of the coastal and marine environment.

A. Adoption and ratification of the Nairobi Convention

29. The First Conference of Plenipotentiaries on the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region was convened by the Executive Director of UNEP headquarters in Nairobi from 17 to 21 June 1985. The conference was attended by the representatives of France, Kenya, Madagascar, Mozambique, Seychelles, Somalia, the United Republic of Tanzania and the European Community and it adopted the Nairobi Convention and its two protocols, the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and the Protocol Concerning Cooperation in Combating Marine Pollution in Cases of Emergency in the East African Region.

30. In 2010 the Nairobi Convention was revised and a new Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-Based Sources and Activities (LBSA Protocol) was adopted. The LBSA Protocol provides the framework upon which Contracting Parties seek to address the principal source of pollution of marine and coastal environment, namely: pollution from substances and energy entering the marine environment by run off from land, rivers, pipelines and other outfall structures; and pollution from the atmosphere, generated from land-based activities. In 2019, the Countries finalised negotiations on the Protocol on Integrated Management of the Coastal Zone (ICZM) which is awaiting adoption at a Conference of Plenipotentiaries.

Table 1
Ratification of the Nairobi Convention

<i>Country</i>	<i>Date of ratification or accession</i>
Comoros	26 September 1994
France	18 August 1989
Kenya	11 September 1990
Madagascar	26 June 1990
Mauritius	03 July 2000
Mozambique	4 March 1999
South Africa	16 May 2003
Seychelles	20 June 1990
Somalia	1 March 1988
United Republic of Tanzania	1 March 1996

B. Nairobi Convention coordination arrangements

31. At their first meeting, held in Seychelles in 1997, the Contracting Parties adopted their rules of procedure and the terms of reference for the Bureau, in decision CP.1/2 on institutional matters. By decision CP.1/5 on financial matters, the Contracting Parties approved the financial rules for the management of the Eastern African Trust Fund as provided for under article 21 of the Convention.

32. The Convention's work programme is implemented through a coordination structure comprising the Programme Coordination Office in Nairobi, which provides strategic direction; a Bureau of Contracting Parties, which provides guidance in the implementation of the work programme; a network of national focal points; thematic expert groups such as the Coral Reef Task Force, the Mangroves Network, and the Legal and Technical Working Group; the Consortium for the Conservation of Marine Resources in the Western Indian Ocean and other partners.

(i) Bureau of Contracting Parties

33. The Bureau is elected at every meeting of the Contracting Parties. The heads of delegation that attended the ninth meeting of the Contracting Parties, held from 30 to 31 August 2018 in Mombasa, Kenya, elected the following members to the Bureau:

Chair: Representative of Kenya;
Vice-Chair (programme of work): Representative of Madagascar;
Vice-Chair (resource mobilization): Representative of Mauritius;
Vice-Chair (coordination): Representative of the United Republic of Tanzania;
Rapporteur: The Government of Seychelles

(ii) Regional Coordinating Unit

34. The Second Intergovernmental Meeting on the Action Plan for the Eastern African Region, held in Nairobi on 7 and 8 September 1993, established a regional coordinating unit in Seychelles to undertake Eastern African projects. At their first meeting, in March 1997, the Contracting Parties conferred the responsibilities of the secretariat of the Convention on the Regional Coordination Unit. At the outset, the plan was to support the Unit by providing its staff, including an interim coordinator, a senior programme officer, a project coordinator and support staff such as an administrative assistant and two secretaries. Owing to the shortage of funds in the Trust Fund, however, the Unit could not meet the cost of key staff members, including a director-level interim coordinator. As a consequence, only one senior programme officer was posted to the Unit to act as coordinator. The Unit was therefore severely understaffed and forced to close in March 1999.

35. Upon expiry of the coordinator's contract in March 1999, the Government of Seychelles, in consultation with UNEP, appointed a senior government official from the Ministry of Environment to oversee the activities of the Regional Coordinating Unit. Under this interim arrangement, the Unit's responsibilities were devolved to two offices, a Nairobi Convention secretariat, based at UNEP, to provide overall programmatic coordination and strategic direction, and a Seychelles-based office to implement activities that enhanced the political visibility of the Nairobi Convention. The Unit was also responsible for the mobilization of resources. This arrangement worked well for a limited period. Consequently, in 2010, in decision CP.6/4, the Contracting Parties requested a review of the current coordination structures with a view to establishing a new cost-effective coordination structure to deal with the issues of coordination, fundraising and implementation of the Convention protocols. This decision was followed up with decision CP.7/10, CP.8/14 and CP.9/14 on strengthening the operational functioning of the secretariat and further elaborated in a paper on the coordination mechanism for the Nairobi Convention.

C. Implementation of the decisions of the Contracting Parties

36. The Nairobi Convention holds meetings of its Contracting Parties every two years to review the implementation of their decisions. The ninth Conference of Parties for the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean Region (COP9) was held from 29-31 August 2018 at English Point Marina, Mombasa, Kenya. The meeting was attended by representatives of all 10 Contracting Parties to the Convention, representatives of partners, intergovernmental organizations and United Nations system organizations, non-governmental organizations and other groups. It adopted fifteen decisions, all of which have guided the work of the Convention.

37. COP9 was divided into two segments: a meeting of Technical Experts on 29 August and a meeting of the Heads of Delegations from Contracting Parties on 30 and 31 August. After the adoption of the agenda and organization of work on 31 August 2018, presentations were made by the secretariat and partners on upcoming publications, programme of work for the period 2018–2022, and financial reporting. Fifteen decisions were adopted at the Heads of Delegation meeting, followed by consideration and acceptance of the offer of the Government of Madagascar to host the tenth meeting.

38. The tenth Conference of Parties (COP10) was to be held in in October 2020 in Madagascar. It was postponed at the request of the hosting Government due to the ongoing global Covid-19 pandemic, to November 2021. The pandemic has affected all countries and impacted all aspects of the UN Environment Programme (UNEP)'s work with most staff having been working remotely, including at the global headquarters where the Nairobi Convention Secretariat is hosted. Contracting Parties to the Convention instituted measures to contain the spread of the virus, with face-to-face meetings and international travel being highly restricted which affected implementation of both national and regional-level activities during 2020 and 2021. A Briefing Note was shared to alert partners and stakeholders of the likely impacts on the activities and processes of the Convention, presenting the anticipated scenario in the Western Indian Ocean (WIO) region for the rest of 2020 and beyond

39. Intersessionally, the secretariat organizes meetings of the Bureau and the Convention focal points. The secretariat organized three meetings virtually in April 2020, in July 2020, and in October 2021, and also updated participants on progress in implementation of ongoing projects, and on new projects. An Ad-hoc Meeting of the Nairobi Convention Focal Points was organised virtually in August 2020 in response to the July 2020 grounding of *MV Wakashio* in Mauritius and the marine oil spill that resulted.

40. At their tenth meeting, the Contracting Parties will take stock of the progress achieved in the projects and programmes implemented over the 2018–2021 period as part of the 2018–2022 work programme, It is also coming at the onset of the UN Decade on Ecosystem Restoration and UN Decade of Ocean Science for Sustainable Development, as well as the time for adoption of the post-2020 Global Biodiversity Framework. Contracting Parties will take stock of the progress achieved in the projects and programmes implemented over the 2018–2021 period. Parties will also review decisions from their ninth meeting and will identify new areas that may require decisions at the tenth meeting, and which could form part of the 2022-2024 work programme. It is envisaged that the new programme would be collaborative in line with the recommendations of the partnership meeting held on 30 and 31 August 2021. It will also take into cognizance the recommendations of the Focal Points Meeting of.

D Implementation of the Decisions of the ninth Conference of Parties

41. The 2018–2022 Work Programme has been funded by governments, through the Eastern Africa Trust Fund. Assessed contributions of the Contracting Parties to the Trust Fund that are outlined in **Table 2** below as of 23 September 2021. [There are also additional sources of funding from donors and partners \(under Decision CP.9/15\).](#)

Country	Assessed Annual Contribution	Amounts collected in 2018 (USD)	Amounts collected in 2019 (USD)	Amounts collected in 2020 (USD)	Amounts collected in 2021 (USD)	Unpaid pledges for 2021 and prior years (USD)
Comoros	15,100					483,300
France	78,000	78,000	78,000	78,000		-
Kenya	45,302		271,812			135,906
Madagascar	22,651	248,887		45,302	22,495.84	96,861.47
Mauritius	30,201	30,201	30,201	30,201	30,201	31,005
Mozambique	45,302	181,208				1,013,288.52
South Africa	37,500	37,500	37,500		75,000	-
Seychelles	15,100		15,100			45,300
Somalia	15,100					456,100
Tanzania	45,302					586,629
TOTAL	349,558	575,796	432,613	153,503	127,696.84	2,848,389.99

1. Decision CP.9/1. Programme Work for 2018–2022

42. The work programme of the Nairobi Convention for 2018–2022 was adopted by Decision CP.9/1 which requested the Secretariat to develop and support the implementation of the priority areas identified. These included: the management of marine and coastal protected areas taking into account biodiversity conservation and connectivity, ocean governance, pollution from land-based sources and activities, climate change, ocean acidification, environmental management for the oil and gas industry, growth of the blue economy, scientific research, fisheries management, marine spatial planning, integrated coastal management and, the sustainable development of ports and harbours. Decision CP.9/1 further invited partners to support the implementation of the priorities.

43. The Secretariat was requested to develop a regional integrated programme for the full implementation of the strategic actions developed under the WIO-LaB project, the Agulhas and Somali Current Large Marine Ecosystems Project, the South West Indian Ocean Fisheries Project and the Climate Change Strategy for the Nairobi Convention area, and their extension beyond their respective lifespans. Moreover, the Secretariat was asked to report on progress on the implementation of decisions and the 2018–2022 programme of work to the Contracting Parties at their tenth meeting. The Secretariat has been implementing several key activities directly relating to this, notable among these being the Strategic Action Programme for the protection of the Western Indian Ocean from land-based sources and activities (WIO-SAP).

44. The *request* to the Secretariat to report on progress on the implementation of decisions and the 2018–2022 programme of work to the Contracting Parties at the tenth meeting was followed by significant advancement on multiple fronts. As an outcome of the March 2021 science to policy dialogue, the Nairobi Convention engaged contractual services to support the distilling of emerging key technical and policy issues related to Western Indian Ocean in May 2021, through the Partnership Project on African, Caribbean, and Pacific Countries Capacity Building of Multilateral Environmental Agreements (ACP-MEAs 3). The consultancy services include (i) support review the progress made in the implementation of the Decisions of the Ninth Conference of Parties (ii) review the technical briefs and scientific papers to provide policy relevant briefs for

policymakers, (iii) engage partners in the development of the policy briefs for presentation to COP10 for consideration. Other support includes the preparation of a new work programme that includes further engagement of Partners and national Focal Points of the Nairobi Convention in identifying priority issues and defining policy dialogue indicators relevant to fisheries and marine environment-related interventions in the region

45. The 2018–2022 Programme of Work was built on four priority areas: assessments and capacity building; management; coordination and legal aspects; and information and awareness. Considering that the tenth meeting will take place close to the end of the programme, it is imperative that the priorities of a new work programme for 2022–2024 be considered by the COP. The proposed work programme would be clustered around the following broad areas for which *Contracting Parties will review and approve the development and implementation of the Programme Work for 2022–2024*:

- (i) Backstopping Contracting Parties in implementing COP10 decisions, the development of approaches to ocean financing and ocean governance.
- (ii) Partner collaboration for the assessment and conservation of critical habitats and endangered species.
- (iii) Harnessing multi-stakeholder partnerships in contributing to improved ocean governance, pursuit of sustainable blue economy, marine spatial planning (MSP), reducing and mitigating the impacts of underwater noise.
- (iv) Strengthening partnership in the implementation of projects/mainstreaming strategic interventions into Covid-19 recovery.

2. Decision CP.9/2. Ratification, accession, and implementation of the Amended Nairobi Convention and the Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-based Sources and Activities.

46. Decision CP.9/2 urged the Contracting Parties that have not yet done so to initiate and expedite the process of ratification or accession to the Amended Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean and the Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-based Sources and Activities (LBSA). The decision also encouraged the Contracting Parties and, where necessary and with the support of the Secretariat, to develop, strengthen and harmonize policies, laws, regulations, standards and institutional capacity, and to further enhance implementation of action programmes to tackle pollution from land-based sources and activities.

47. In March 2020, the Secretariat notified Contracting Parties of editorial and translation errors in the official texts in French of the amended Nairobi Convention and the Protocol, in March 2020. Necessary corrections were subsequently undertaken on the texts and printed in November 2020 which supersede that adopted on 31 March 2010 and provide a critical step towards allowing countries sign the amended Convention as well as the protocol. *The Secretariat to continue supporting the implementation of the Amended Convention and the Protocol, and Contracting Parties to continue developing, strengthening and harmonizing policies, laws, regulations, standards and institutional capacity for implementation of the Convention.*

48. The decision also *encouraged* Contracting Parties to develop, strengthen and harmonize policies, laws, regulations, standards and institutional capacity, and to further enhance implementation of action programmes to tackle pollution from land-based sources and activities. In collaboration with the Global Programme of Action (GPA) of UNEP for the protection of the marine environment from land-based activities, the Secretariat organized a regional workshop to sensitize countries on the merits of ratifying the LBSA Protocol on 11-12 December 2018, Maputo, Mozambique. The workshop imparted skills and demonstrated the utilization of monitoring tools in the region. In

addition, the Secretariat organized a regional training on the application of constructed wetlands as a low-cost wastewater management technology in collaboration with WIOMSA and KMFRI, in December 2019.

3. Decision CP.9/3. Management of marine litter and municipal wastewater in the Western Indian Ocean

49. The decision to *request* the secretariat, in collaboration and cooperation with partners, to develop a regional strategy, or action plan or both, on the management of marine litter and microplastics and the establishment of a marine litter regional technical working group in the Western Indian Ocean region, resulted in several major achievements. These include development of a Regional Action Plan on Marine Litter in collaboration with the Institute of Marine Sciences (IMS), Zanzibar, completed in October 2018 and followed by support to its domestication through the development of National Marine Litter Action Plans. The WIOSAP pilot projects in Madagascar and South Africa represent good examples of this. The project has been supporting implementation of several activities to reduce marine litter, development of a national action plan and implementation of a community level management plan in Madagascar. In South Africa, WIOSAP is supporting a demonstration project that seeks improvements in the water quality of five river systems in KwaZulu-Natal using a “Source to Sea” approach to both reduce litter generation and recover litter with river basin-wide interventions.

50. The *request* for the secretariat, in collaboration with partners, to develop capacity-building programmes on marine litter and microplastics, including microbeads, for a harmonized approach to data generation, monitoring and reporting was met as part of the work plan for the Group of Experts for Marine Litter and Microplastics. A national marine litter action plan for Madagascar has been facilitated by GPA while ACP-MEAs 3 programme will support development of similar action plans in Comoros.

51. The Secretariat and the Western Indian Ocean Group of Experts on Marine Litter and Microplastics is undertaking a regional assessment that will document measures undertaken by different institutions to address marine litter challenges and highlight opportunities which can be harnessed. The First Meeting of the Group of Experts was held 13-14 June 2019, in Cape Town, South Africa.

52. A report on the Western Indian Ocean situation assessment on marine pollution and marine water quality management provides an overview of the current situation in countries of the WIO region and informs three other outputs: (a) A strategic framework for coastal and marine water quality management in the WIO region, (b) Revised guidelines for the development of environmental quality objectives and targets for coastal and marine environments in the WIO region, and (c) a policy brief on water quality monitoring for the WIO region.. *Establishment at the Convention level of a Regional Task Force on water quality is proposed to facilitate the implementation of the WIO water quality monitoring framework. The Contracting Parties to mainstream the regional water quality monitoring framework to inform national level interventions as appropriate and supporting implementation of the regional water monitoring guidelines.*

Decision CP9/4. Development of a protocol on integrated coastal zone management

53. The *request* to expedite the finalization of the negotiations on the draft protocol on integrated coastal zone management (ICZM) was fulfilled by 27 March 2019, culminating in a final draft text at the fourth round in Dar es Salaam, Tanzania. It provides a framework to promote and enhance cooperation for sustainable development in the region and moves to the crucial adoption stage at a Conference of Plenipotentiaries in 2022.

Decision CP.9/5. Amendment of the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region

54. The call on countries to agree to initiate the process of amending the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and the annexes thereto constituted a key plank for the Convention's work during the report period. Pursuant to the *request* to the secretariat, the ACP-MEAs 3 project initiated the review of the Protocol in October 2020 to ensure its consistency with the 2010 Amended Nairobi Convention. An expert was contracted to review the Protocol and to justify its need for amendment, the progress of which will be shared at the tenth meeting. *Contracting Parties to support the proposed amendment of the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and its annexes.*

55. At the *request* to the secretariat and partners responsible to expedite the process of finalization and validation of the status report on sharks and rays, including the regional roadmap, the commitment of a partner - Wildlife Conservation Society (WCS), working with TRAFFIC - was secured in June 2021 to complete the status report and roadmap. The ACP MEAs 3 Programme is keen to support the launch and promote awareness of the report, and support countries in developing action plans on sharks (as nationally promoted by the Convention on Migratory Species (CMS)).

56. The secretariat and partners were *requested* to develop a concept paper on mitigation options to minimize the impact of developments on biodiversity and the natural environment, with recommendations for consideration at the tenth meeting of the Contracting Parties. The Secretariat, in collaboration with the Western Indian Ocean Marine Science Association, the Maritime Technology Cooperation Centre (MTCC), Council for Scientific and Industrial Research (CSIR), Port Management Association of Eastern and Southern Africa (PMAESA), and the Macquarie University of Australia, are developing scenarios and a toolkit for Green Port development for the region for reporting between sessions. A paper presented by WCS to the WIO Regional Science Policy dialogue in March 2021 contained various recommendations for reducing impacts on shark and ray populations for consideration by the COP.

57. The Secretariat and partners were also requested in Decision CP.9/5 to develop a concept paper on mitigation options to minimize the impact of developments on biodiversity and the natural environment, with recommendations for consideration at the tenth meeting of the Contracting Parties. The Secretariat, in collaboration with the Western Indian Ocean Marine Science Association, the Maritime Technology Cooperation Centre (MTCC), Council for Scientific and Industrial Research (CSIR), Port Management Association of Eastern and Southern Africa (PMAESA), and the Macquarie University of Australia, are developing scenarios and a toolkit for Green Port development for the region for reporting between sessions.

Decision CP.9/6. Ocean Governance

58. The decision to *urge* the secretariat to work with partners to develop an ocean governance strategy for the Western Indian Ocean region that will contribute to the African ocean governance strategy was followed by broad response. This included the following:

- (i) A meeting between the Convention and Regional Economic Communities (RECs) in April 2019 agreed on a mechanism for collaboration and established working relationships with fisheries institutions and regional scientific bodies. A key recommendation was to establish a "core group" as a way for the Secretariat, RECs, Commissions and partners to communicate on agreed initiatives.

- (ii) The workshop on ocean planning and governance for Areas Beyond National Jurisdiction (ABNJ) in the WIO and Southeast Atlantic regions held 10-12 June 2019 in Cape Town, South Africa, discussed the current status and challenges of global and regional ocean governance and sought to foster exchange and build new networks.
- (iii) The Convention and partners hosted a Special Session of the Ocean Governance of the Marine Science Symposium on 5 July 2019 (organized in collaboration with WIOMSA) that identified problems, priorities, and stakeholders for the development of a regional Ocean Governance Strategy. The session discussed the institutional set-up, themes, and concerns for the strategy; and began to align the strategy with other global processes.
- (iv) The Western Indian Ocean Regional Ocean Governance Workshop in Seychelles, 4-5 September 2019, brought together stakeholders and actors involved in development of ocean governance to discuss and agree on the structure of a WIO strategy.
- (v) The assessment report on the State of Ocean Governance in the region was launched virtually on 16 September 2020, with support by the SAPPHIRE project.
- (vi) In November 2020, the Secretariat and GIZ met under the framework of the Western Indian Ocean Governance Initiative (WIOGI) to brainstorm on possible entry points for the project's orientation and subsequent phase project activities. Further discussions took place between the Secretariat and GIZ on 3 February 2021 to explore potential areas of the Western Indian Ocean Governance Initiative (WIOGI) Project support for engagement of RECs in the strategy development process and ABNJ in the context of MPA connectivity.
- (vii) A virtual Partnership Meeting in April 2021 brought together Regional Economic Communities (RECs), Commissions and key partners in the WIO to strategize on developing a Regional Ocean Governance Strategy expected to contribute to the process of developing AMCEN/AU led African strategy.
- (viii) Decision CP.9/6 urged parties to work with regional economic communities, regional fisheries management organizations and other appropriate regional initiatives to implement the Cairo Declaration on Managing Africa's Natural Capital for Sustainable Development and Poverty Eradication. Contracting Parties are urged to (a) designate a national science and research institution to support improved ocean governance and sustainable blue economy development, (b) designate representatives in the proposed regional inter-sectoral expert panel/strategy development team, and (c) to support the knowledge management strategy currently under development. In 2020 and 2021, and in support of the Nairobi Convention's commitment to making all data and information products as open and as accessible as possible via the Clearinghouse Mechanism, capacity building was provided for nine National Data Centres (NDCs) housing national Marine Ecosystem Diagnostic Analysis (MEDA) data.

59. The secretariat and the South West Indian Ocean Fisheries Commission were *urged* to complete the formulation, validation and implementation of the project on "A partnership for ocean governance and fisheries management in the Western Indian Ocean region" and report on progress at the next meeting of the Contracting Parties. Discussions between SIDA, SWIOFC, and Nairobi Convention were concluded in October 2018 and the project was signed by SIDA in December 2018. The signing of the UN-UN contribution agreement between FAO (for SWIOFC) and UNEP (for NCS) on 10 October

2019 paved the way for funds to be transferred by FAO to UNEP and subsequently to the Nairobi Convention Secretariat. A regional project inception workshop for the project was organised on 4-5 May 2021. Implementation is ongoing with the timeframe of 2019 to 2023.

Decision CP.9/7. Developing and supporting implementation of projects

60. Contracting Parties, the Global Environment Facility, the Green Climate Fund and other partners were requested, as appropriate, to further support implementation of ongoing projects and agree to develop new projects or studies, subject to the approval of all Contracting Parties concerned, in eight different areas (a-h). In line with this, the Nairobi Convention is currently implementing five projects as follows:

- (i) WIOSAP Project, whose goal is to reduce impacts from land-based sources of pollution on the WIO and sustainably manage coastal and river ecosystems,
- (ii) SAPPHIRE Project, which addresses effective, long-term ecosystem management in the WIO Large Marine Ecosystems,
- (iii) Partnership Project between the Nairobi Convention and the South West Indian Ocean Fisheries Commission (SWIOFC) for marine and coastal governance and fisheries management for sustainable blue growth in the WIO,
- (iv) Multilateral Environmental Agreements in Africa, Caribbean, and the Pacific (ACP) countries – Phase III (ACP MEAs 3) Programme which seeks to improve ACP countries capacities for the management of coasts and oceans in line with the related Regional Seas conventions.
- (v) Integrated Management of the Marine and Coastal Resources of the Northern Mozambique Channel (NoCaMo) Project. The project is entering its inception phase following the signing by the French Facility for Global Environment (FFEM) of a number of financial agreements with project Partners.

61. Specific to paragraphs areas (a-h), the convention secretariat has achieved the following:

- (i) collaboration was established with the Swedish Agency for Marine and Water Management (SwAM) through the WIO Symphony (WIOSym) project to enhance the collation of spatial data on human activities, and marine ecosystems data. The data would help support cumulative impact assessment and ecosystem based Marine Spatial Planning (MSP) in the region.
- (ii) secured interest in the Trans-Boundary Conservation Area (TBCA) project between Kenya and Tanzania from the German Ministry for the Environment, Nature Conservation and Nuclear Safety (through GIZ) to finance the project to the tune of €5 million. Implementing Partners include Kenya Wildlife Service, Kenya's National Environment Management Authority, Kwale County Government, WWF (Kenya), Tanzania's Marine Parks and Reserve Unit, Tanga Regional and District Administrations, Tanzania Forest Service, World Wildlife Fund for Nature (WWF) Tanzania, and Coastal Oceans Research and Development in the Indian Ocean (CORDIO).
- (iii) review of the Financing Agreement of the Northern Mozambique Channel integrated ocean management approach following a legal review by UNEP to be implemented under NoCaMo, being undertaken by FFEM of France.

- (iv) the project ‘Sustainable Fisheries Management and Biodiversity Conservation of Deep-Sea Living Marine Resources and Ecosystems in the Areas Beyond National Jurisdiction’ reached its sunset stage during the reporting period.
- (v) the FFEM-SWIO project (2014-2017) is winding up. A new project, DIDEM, led by IRD with FFEM, CRDI, UNEP, UNDP, Monaco Explorations will look at the high seas (continental shelves and international seamounts).
- (vi) Environmental management in the context of a rapidly developing oil and gas industry is reported upon elsewhere.
- (vii) A memorandum of understanding (MoU) was concluded between the Nairobi Convention and SWIOFC in March 2019 to provide a framework of cooperation and collaboration in areas of common concern and interest.
- (viii) A project concept “The Climate Change Strategy for the Marine and Coastal Environment of the Nairobi Convention Area” has been developed.
- (ix) The impact of anthropogenic underwater noise and shipping activities featured prominently in the 2021 Science-Policy dialogue during the reporting period.

62. Parties were also *urged*, in partnership with stakeholders, to develop and implement new transboundary initiatives for the management of shared resources. The Secretariat is supporting an economic valuation and development of potential investment opportunities for the TBCA between Kenya and Tanzania. The WIOSAP project organised a stakeholder consultations on 21 October 2020 to guide the assessment, identify other initiatives in the conservation area and to serve as a basis for a business case towards the establishment of a collaboratively managed area. The assessment kickstarted in May 2021. The economic valuation model will be extended at pilot sites in Madagascar, Mozambique and elsewhere in the WIO by the partnership project between the Nairobi Convention and SWIOFC, as well as the SAPPHERE Project.

Decision CP.9/8. Environmental management for oil and gas development

63. The *request* to the Contracting Parties, the Secretariat, UNEP and other partners to support partnerships, resource mobilization and regional capacity-building on environmental management of oil and gas culminated in the implementation of diverse interventions. These ranged from:

- (i) the Convention’s promotion of sustainable port development in realization of the unprecedented pace of large scale developments in the WIO region ranging from ports, mining, roads and railways, agriculture and oil & gas among others.
- (ii) the WIOSAP project commitment to assess the environmental impacts of operational, planned and proposed ports in the region aimed at developing different scenarios for future development, produce policy briefs that will contribute to sustainable port development in the WIO.
- (iii) a strategic partnership has been built with the International Maritime Organization including its Africa partner, the Maritime Technology Cooperation Centre, WIOMSA and WWF to develop a Toolkit for Green Port development for the region.
- (iv) MOUs have been signed with PMAESA and Macquarie University (Australia).

64. In response to the *request* to the secretariat, in collaboration with partners, to implement the regional oil and gas capacity-building programme;

- (i) The regional training on oil pollution: shoreline assessment and response on 6-9 November 2018, in Tanzania, focused on shoreline clean-up assessment and response.
- (ii) The joint Nairobi Convention - IMO oil spill emergency preparedness workshop in November 2019, addressed the establishment of a regional centre for spill preparedness and response,
- (iii) The SAPPHIRE project collaborated with IMO and prepared a background report on Oil Spill Preparedness and Regional Cooperation in Eastern Africa and the WIO and with the Indian Ocean Commission IOC-COI in organising a regional workshop on cooperation in preparedness and response to marine spills in Zanzibar in March 2020. The workshop recommended the establishment of a regional mutual assistance agreement for cooperation and response during pollution incidents and the development of a draft regional plan to implement this agreement.
- (iv) The Convention organized a regional workshop on 'cooperation in preparedness and response to marine pollution incidents' in collaboration with the International Maritime Organization (IMO) from 3-5 March 2020 in Zanzibar, Tanzania.
- (v) In May 2021, the IOC organised a consultative meeting through the MASE programme to discuss the way forward in the implementation of the recommendations of the MARPOL exercise held in Diego-Suarez in October 2019, and in the March 2020 workshop in Zanzibar on cooperation and preparedness. The meeting, which was informed by a background report on regional oil spill preparedness in Eastern Africa and the Western Indian Ocean, agreed on an action plan supporting updating national contingency plans, to inform the draft regional contingency plan (RCP).
- (vi) The Secretariat created a database of contact points responsible for receiving alerts on oil spills in the region.
- (vii) The July 2020 grounding of MV Wakashio in Mauritius highlighted the challenges presented by a significant marine oil spill in the region. An Ad-hoc Meeting of the Nairobi Convention Focal Points was organised virtually in August 2020 in response to the oil spill to explore the support to be extended to Mauritius following the running aground of MV Wakashio and subsequent oil spill crisis offshore at Pointe d'Esny. The meeting highlighted the need for member states to take a *decision on the Regional Response Mechanism/Centre and build the necessary capacity for better response better to incidents*.
- (viii) In September 2021, the Secretariat sought the services of a consultant to review the national oil spill contingency plans of the Contracting Parties and finalize the draft regional coordination and cooperation framework on oil spill preparedness for the WIO region. This was a first step towards addressing the deliverables envisaged in Component 3 of the SAPPHIRE project around the development of a regional coordination mechanism for oil spill response. The assessment of (a) national oil spill contingency plans (NOSCPs) for preparedness, (b) assessment of the presence of up-to-date sensitivity maps/atlasses in national plans, and (c) a review of national policy/legislations linked to oil spill response will allow comprehensive capacity building programmes on oil spill response at the national and regional level.

Decision CP.9/9. Climate change adaptation and mitigation

65. Contingent to the decision urging the Contracting Parties to address the impact of ocean acidification, papers presented at the March 2021 regional science – policy dialogue highlighted the hidden risk posed by OA to sustainable development in the WIO with recommendations to the Nairobi Convention and Contracting Parties indicating a clear need for policymakers to recognize the threats and advocate for political support. The papers urged countries to develop and implement an action plan that includes mitigation and adaptation solutions to address and minimize impacts of OA as part of their wider climate change intervention strategies. The dialogue also noted that escalating climate change has profound consequences for sustainability of coastal cities.

66. In accordance with the *request* to the Secretariat to develop and support the implementation of the priority areas in the work programme, partnerships have been identified with the IUCN, WIOMSA, the Ocean Acidification International Reference User Group (OA-iRUG), and the International Atomic Energy Agency (IAEA). These attained milestones in assessment of trends and impact of Ocean Acidification (OA). In addition, the Convention has supported observation systems in the field through “OceAn pH Research Integration and Collaboration in Africa - ApHRICA”, a pilot project to deploy ocean pH sensors intended to fill information gaps in East Africa. Further progress has been achieved in the implementation of the SDG 14.3.1 indicator methodology through Project-Practical Training Course on Ocean Acidification (OA); Applied Training Course on OA Advanced Study; and WIOMSA-IOC-UNESCO OA Funded Projects in East Africa. The priority actions identified during the OA workshop held in Zanzibar in 2019 are destined for inclusion in an Action Plan for the region. A consultancy to support preparation and development of an OA action plan for the Western Indian Ocean is also on track. The Secretariat, working with partners, *to support the development of a regional action plan for capacity building bringing together scientists, policy makers and ocean users; and to establish a community of practice in the WIO focused on OA.*

67. In response to a *request* to develop programmes and projects on the resilient blue economy and blue growth in the context of climate change adaptation and mitigation, the secretariat has completed a project concept on “**Transition to a Resilient Blue Economy**”. This is to be further developed into a “Project Preparation Facility (PPF) for submission to the Global Climate Facility (GCF). The Climate Change Vulnerability Assessments (CCVA) toolkit has been developed, for communities that are highly dependent on coastal and marine resources in the WIO. The WIOSAP and the Partnership Project for Marine and Coastal Governance and Fisheries Management for Sustainable Blue Growth in the Western Indian Ocean (NC-SWIOFC partnership project), are already undertaking CCVA for representative coastal and marine resource-dependent communities in four countries (Kenya, Tanzania, Mozambique, and Madagascar) as part implementation of the Climate Change Strategy for the Convention.

Decision CP.9/10. Marine spatial planning for the blue and ocean economy

68. The decision *urged* the Contracting Parties to continue to advance blue and ocean economy approaches in the context of Sustainable Development Goal 14. The Convention’s support the development of a regional marine spatial planning (MSP) began in 2020 to promote blue and ocean economic growth in the region. The WIO MSP Technical Working Group (TWG) became operational with 21 experts nominated through the support of Focal Points from the 10 Contracting Parties.

69. The *urge* on Contracting Parties, within the framework of the United Nations Convention on the Law of the Sea, to cooperate with existing regional institutions on ocean governance and the conservation of marine biodiversity in adjacent areas beyond

national jurisdiction was instrumental in many of the initiatives and project activities contained in this report.

70. The *request* for the secretariat, in collaboration with partners, to develop capacity-building programmes on marine spatial planning as a tool for sustainable economic growth was followed by the parties and partners meeting in March 2019 that requested the Secretariat to work with partners to develop a regional MSP strategy, strategic priorities that would contextualise the global blue economy narrative for the WIO region were identified during 2020 and 2021. The first meeting of the WIO MSP TWG took place in July 2020. From the WIO MSP strategy, Contracting Parties are (a) *requested to promote an enabling policy environment for MSP legislation and to assist with establishment and support cross-sectoral forums, committees, or working groups, to support MSP. Contracting Parties are called upon to (b) develop knowledge management systems, and a communication and stakeholder engagement plan that brings the private sector and smaller interest groups together. Contracting Parties are also urged to (c) legislate the regional MSP strategy, harmonise MSP development with the regional strategy, to secure funding and develop MSP capacity, and to enhance regional partnerships to ensure that MSP follows an ecosystems-based approach.*

71. Finally, the secretariat was *requested* to collaborate with partners in preparing a report on the feasibility, options and scenarios for the establishment of marine protected areas in areas beyond national jurisdiction and to report thereon at the tenth meeting of the Contracting Parties. This has been an important consideration in various interventions on ocean governance.

CP.9/11. Development of marine protected areas and critical habitats outlooks

72. Contracting Parties were *urged* to support and promote blue ocean carbon schemes in the management and protection of critical marine and coastal ecosystems and habitats, including mangroves, sea grasses and salt marshes. to ensure healthy marine environment in the WIO. The Convention has developed mangrove restoration guidelines, seagrass restoration guidelines and the environmental flows assessment guidelines, which have been validated and launched as of September 2020. Others are the economic valuation guidelines and the climate change vulnerability assessment toolkit developed through WIOSAP project which were presented at regional Science to Policy Workshop in May 2019. The development of a regional framework for coastal and marine water quality monitoring and management seeks to enhance the proper implementation Protocol dealing with land-based and sea-based marine pollution.

73. Regarding the further *urge* on Contracting Parties to promote and support monitoring of coral reefs for signs of stress or recovery and make appropriate management responses, the motivation derived from here is demonstrated in the prominence accorded to this issue in the Science to Policy dialogue.

74. Similarly, the *request* to the secretariat, in collaboration with partners, to revitalize and strengthen coral reef networks and other critical habitat networks, including other collaborative arrangements greatly informed many of deliberation of the Science to Policy dialogue, ongoing and emerging partnerships.

75. The other *request* to the secretariat was to, working jointly with the Contracting Parties, to periodically prepare thematic outlooks on the state of the marine and coastal environment, including marine protected areas, and critical habitats such as coral reefs, seagrass and mangroves. The Marine Protected Areas Outlook for the WIO documenting the progress made by countries towards the achievement of Sustainable Development Goal 14.5 target was launched on 16 July 2021 in a meeting attended by stakeholders from the region and beyond. It provides lessons and opportunities to increase momentum for achieving post-2020 Global Biodiversity Framework targets. The outlook

recommends the need for (i) dedicated budgets for MPAs; (ii) proactive law enforcement and compliance strategies; (iii) incorporating research and monitoring programmes on biodiversity and ecosystems into decision-making; and (iv) strengthening community engagement in marine protection.

CP.9/12. Science-Policy dialogue

76. The decision *urged* Contracting Parties to promote a science-policy interface by holding regular dialogues between scientists and policymakers. The dialogues aimed at promoting the exchange of science-based information and to support the development of appropriate policies and innovative solutions to address current and emerging threats to the coastal and marine environment in the WIO. In accordance to this, the Secretariat co-organized a regional consultation workshop for Africa and the Adjacent Island States on the United Nations Decade of Ocean Science for Sustainable Development (2021-2030) from 27-29 January 2020. The workshop provided opportunities for participating in research strategies and actions in line with the 2030 Agenda and continental and regional initiatives.

77. The secretariat was *requested* to enhance support for the science-to-policy platforms, including the Forum for Academic and Research Institutions in the Western Indian Ocean, and to review and expand the structure and scope of the Forum to include planning authorities and other relevant sectors. Efforts on this front have continued to evolve in relation to the implementation of COP9 decisions.

78. The secretariat and partners were also *requested* to convene regular science-policy dialogues. The Science-Policy Dialogue workshop held on 27-29 May 2019 in Mauritius discussed, (i) the need for regional ecosystems indicator monitoring frameworks and a roadmap for its development; (ii) emerging scientific findings with potential policy implications in management of coastal and marine resources in the WIO region and stocktaking of oceanographic research and data in the WIO region; (iv) the regional toolkits and guidelines being developed for the WIO region and (v) the Terms of Reference for the Science to Policy Platform, its membership and its operations. The 23-25 March 2021 dialogue was held virtually with the objective of promoting linkages for evidence-based decision-making and to provide timely technical advice and policy recommendations. It received 31 presentations with many key proposals on (i) Financing the transition to a sustainable ocean economy, (ii) assessment and conservation of critical habitats and endangered species, (iii) climate change adaptation and mitigation, (iv) establishing and managing area-based conservation measures, (v) emerging strategies and frameworks in support of regional ocean governance, and (vi) on the role of the private sector in the management of marine plastic pollution, for potential consideration by COP10. *Contracting Parties to support and strengthen science-policy dialogues at national level including supporting information and knowledge management systems and centres on marine and coastal issues.*

Decision CP.9/13. Enhancing cooperation, collaboration, and support with partners

79. The request to the secretariat to build broad-based strategic partnerships by enhancing existing partnerships and establishing additional partnerships stimulated cooperation on several fronts. Implementation of the decision has advanced four types of partnership namely (a) shared programmes to support joint implementation; (b) organizations that have a track record in providing solutions; (c) leveraging funding and guidance and support and; (d) governments, intergovernmental organizations and United Nations.

80. An MoU concluded with SWIOFC in March 2019 laid down the foundation for collaboration in areas of common interest. A financing agreement for the EU-funded

ACP-MEAs III project was signed on 28 April 2020 marking the inception of its preparatory phase, subsequent introduction to national focal points on 8 July 2020 and commencement of some activities soon after. A financial agreement for coordination of NoCaMo project has also been signed between the French Biodiversity Agency and UNEP.

- (i) Cooperation with members of the Consortium for the Conservation of Coastal and Marine Ecosystems in the Western Indian Ocean (WIO-C) included the WCS-led status report and regional roadmap for conservation of sharks and rays in the WIO.
- (ii) With WIOMSA, technical cooperation entailed the implementation of the Strategic Action Programmes by the WIOSAP and SAPPHIRE projects in addition to partnerships for leadership training, capacity-building, and implementation and sharing of experiences in integrated marine spatial planning in support of the blue economy.
- (iii) Collaboration with the Swedish Agency for Marine and Water Management (SwAM) rolled out capacity building on marine spatial planning (MSP) in November 2019 to promote the application of MSP for integrated planning and development at national and sub-national level in Somalia. That cooperation continues to deliver capacity development for adaptive management of marine protected areas and is further advancing a partnership with the recently launched Western Indian Ocean marine protected areas network (WIOMPAN) in June 2021.
- (iv) The Convention has continued to reach out to the Regional Economic Communities (RECs) including IGAD, COMESA, EAC, SADC and AU and partners to strengthen cooperation on ocean governance and blue economy issues.
- (v) Memoranda of Understanding (MoU) were concluded with the Ports Management Association of Eastern and Southern Africa PMAESA (2020) with regard to sustainable port development, Macquarie University (2020) to strengthen the science-policy dialogue, and between UNEP and SADC (2021) for cooperation in the support of environment and natural resources management.
- (vi) Additional partnerships explored were with Regional Economic Communities, with a meeting on 11 – 12 April 2019 in Durban, South Africa at which decisions of the African Ministerial Conference on the Environment (AMCEN) featured prominently. New MoUs are expected with IOTC, SIOFA, IGAD, SADC, COMESA and EAC. The Convention is also working towards a partnership with the Convention on Migratory species (CMS).
- (vii) The partnership between the secretariat and UNEP/GPA continues as evidenced by national marine litter action plan and practice in Madagascar.

81. Responding to the *request* to the Contracting Parties to form partnerships with the International Maritime Organization, an initiative relating to oil spill emergency preparedness and establishment of a regional centre for preparedness and response reported elsewhere (Decision CP.9/8.) is specifically linked to this.

82. Following up on the *request* to the secretariat to collaborate with the UN-Habitat, a new collaboration is under way relating to development of a regional action plan and roadmap for the New Urban Agenda specifically targeting coastal cities. In response to the request for the secretariat to undertake a baseline study and scenario

analysis, and develop a toolkit for green port development and expansion in the region organised a meeting of strategic partners on 28 May 2021 to discuss sustainable port development.

83. The *request* to the Contracting Parties to partner with the WIO-C to strengthen the implementation of the strategic action programmes and the work programme of the Convention was extensively articulated at the Partners meeting in August 2021. The meeting delved into mainstreaming strategic interventions related to Covid-19 recovery into the programme of work 2022-2024 to build resilience of people and ecosystems to withstand future shocks, embrace interconnectivity and complexity, and leverage on digitalization. Representatives of WIO-C members, representatives of regional economic communities (RECs), regional fisheries bodies, Forum for Academic and Research Institutions (FARI), representative of regional commissions, representative of Nairobi Convention Contracting Parties, active regional projects in the WIO region, networks and associations were in attendance. The meeting charted a way for strengthened and targeted approach towards partnerships for regional protection of the coastal and marine environment, management, and development around (i) promoting other effective area-based conservation measures, (ii) enhancing partnerships for conservation of critical habitats and endangered species, (iii) enhancing the capacity of member States on maritime security-based agreements and protocols, (iv) tackling illegal, unregulated, and unreported (IUU) fishing, (v) multi-stakeholder coordination and integration in marine spatial planning, ocean governance and blue economy, and (vi) on mainstreaming strategic interventions into Covid-19 recovery.

84. In order to promote joint programming for the implementation of priority areas and mobilization of resources, the Nairobi Convention unveiled, in March 2021, a strategic framework to improve private sector engagement for ocean governance. *Contracting Parties to the Nairobi Convention are called upon to strengthen collaboration with the private sector and other stakeholders for conservation and sustainable utilization of coastal and marine resources in the context of a sustainable blue economy.* Contracting Parties are implored to note the strategic framework for engagement of the private sector in the WIO and the recommendations therein including: (a) to develop an implementation plan and a framework for reporting on progress in adopting and implementing the strategic framework for private sector engagement (b) assess the feasibility of a WIO Blue Economy Platform (WIO-BEP) to support more effective private sector partnerships, and (c) establish focus groups to assess and drive forward the proposed partnerships contained in the strategic framework for private sector engagement. In addition *Contracting Parties are requested to support the strategic regional process of developing a Multi-Stakeholder Initiative (MSI)* to create an easy entry point for private sector engagement in coastal and ocean stewardship, encouraging companies to provide resources through individual actions and multi-stakeholder partnerships.

Decision CP.9/14. Strengthening the operational functioning of the Secretariat

85. Having *taken note* of the progress in the development of the analysis report on optimizing the secretariat functions, coordination and delivery, the options for use of in-house UNEP personnel and project funding, as well as for external support were explored at length. The report further provided options for secondments of national officers from the Contracting Parties and partners, appointment of Junior Professional Officers from Contracting Parties supported by Contracting Parties or third-party countries, UN Volunteers from Contracting Parties and v) internships. The WIOSAP project competitively recruited in October 2018 and directly supported a dedicated national project officer to work with the national Focal Points and provide coordination for project activities. National UN Volunteers continue to be engaged to support implementation of

projects of the Convention. France has considered providing direct support to the Secretariat through the secondment of a national staff and, in December 2020, a Memorandum of Agreement was re-initiated between UNEP and Expertise France for the latter to loan services of an expert to the Convention on a non-reimbursable basis.

Decision CP.9/15. Financial matters

86. Relating specifically to item 6 of the eight aspects of this decision on voluntary contributions to the Regional Seas Trust Fund for the Eastern African Region, 2019, 2020 and 2021 invoices for the assessed contribution to the Trust Fund were disbursed on time to the Contracting Parties.

Table 3

Expenditure report for the Eastern Africa Trust Fund for 2018–2020 for preparation and implementation of ongoing and proposed projects

(by calendar year in United States dollars)

Expenditure	2018	2019	2020
Personnel component			
Coordinator (P5)	214,143.06	227,596.20	239,518.51
Administrative Assistant (G5)	27,303.47	35,630.78	31,851.10
UNV		10,276.12	33,808.61
<i>Sub-total personnel</i>	241,446.53	273,503.10	305,178.22
Operational costs			
Operational costs	15,927.08	36,737.73	45,004.52
<i>Sub-total operational costs</i>	15,927.08	36,737.73	45,004.52
Activity cost			
Contract Services		431.84	(32.62)
Travel	4,265.59	57,726.77	1,214.59
<i>Sub-total activity costs</i>	4,265.59	58,158.61	1,181.97
Total	261,639.20	368,399.44	351,364.71
13% Programme Support Costs (PSC)	33,996.89	47,903.08	45,967.32
Grand Total	295,636.09	416,302.52	397,332.03

87. Pursuant to decisions CP.5/8, CP.6/5, CP.7/20 CP.8/15, and CP.9/15 the Contracting Parties will be urged to continue to make both assessed and voluntary contributions to the Eastern Africa Trust Fund.

88. The proposed 2022–2024 budget for the secretariat of the Nairobi Convention is set out in Table 4.

Table 4

Proposed 2021–2024 budget for the secretariat of the Nairobi Convention from the Eastern Africa Trust Fund in support of ongoing and proposed projects

(by calendar year, in United States dollars)

SECRETARIAT COSTS	2021	2022	2023	2024
Personnel Component				
Coordinator (P5)	246,000	256,000	266,000	276,000
Administrative Assistance (G5)	35,000	35,000	36,000	36,000
UNV	18,000	18,000	18,000	18,000
Contractual Costs				
Contractual services	30,000	20,000	30,000	20,000
Operational Costs				
Operational costs	10,000	10,000	10,000	10,000
Office Equipment and Misc.	-	3,000	3,000	2,000
Travel				
Travel	10,000	20,000	80,000	25,000
Grand Total	331,000	344,000	425,000	369,000
13% Programme support cost (PSC)	43,030	44,720	55,250	47,970
Working Capital Reserve 15% annually	49,650	51,600	63,750	55,350

89. The proposed 2022–2024 budget for ongoing projects executed by the Nairobi Convention is set out in Table 4a below.

Table 4a: Expenditure and budget for SAPPHIRE project

(by calendar year, in United States dollars)

	EXPENDITURE	BUDGET		
	2020 and prior years	2021	2022	2023
Personnel costs	1,007,001.27	540,000	395,400	360,450
Activity costs				
Contractual services - individual	49,500.00	233,340	482,100	381,200
Contractual services - company	877,229.20	1,458,660	837,630	313,475
Travel on official business	427,040.09	127,000	463,000	341,250
Equipment & furniture	15,054.81	11,000	81,700	61,150
Operation costs	50,635.72	28,250	112,650	88,269
Supplies	4,268.15	-	10,750	8,500
TOTAL	2,430,729.24	2,398,250	2,383,230	1,554,294

Table 4b: Expenditure and Budget for WIOSAP project
(by calendar year, in United States dollars)

	EXPENDITURE	BUDGET	
	2020 and prior years	2021	2022
Personnel costs	1,331,238.00	522,000	616,000
Activity costs			
Contractual services - individuals	301,838.00	189,115	143,240
Contractual services - company	3,732,564.00	969,776	335,248
Travel on official business	186,926.00	110,000	90,000
Meeting & training	1,171,647.00	281,336	185,000
Equipment & furniture	20,521.00		
Operation costs	42,307.00	50,000	25,000
Supplies	2,521.00	5,356	5,000
Subtotal activity costs	5,458,324.00	1,605,583	783,488
TOTAL	6,789,562.00	2,127,583	1,399,488

Table 4c: Budget for project on integrated management of the marine and coastal resources of the Northern Mozambique Channel
(by calendar year, in United States dollars)

	2021	2022	2023	2024	Total budget needed	Total FFEM (Grant)
Component 1: Laying the institutional and knowledge foundations for the application multi-stakeholder marine spatial planning	1,446,346	512,393	774,412	326,068	3,059,220	465,812
Component 2: Planning and adoption of environmental and social and best practices in the oil and gas sector	573,884	282,981	228,248	197,970	1,283,083	511,229
Component 3: Replication and upscaling of successful models for community-based resource management	115,289	492,014	526,076	547,329	1,680,708	407,586
Component 4: Coordination, management and evaluation	174,023	321,577	321,577	368,158	1,185,334	361,046
Total	863,196	1,096,572	1,850,313	1,439,525	7,208,345	1,745,673

Table 4d
Budget for partnership project for Marine and Coastal Governance and Fisheries Management for Sustainable Blue Growth (Component 1)
 (by calendar year, in United States dollars)

	BUDGET		EXPENDITURE	BUDGET		Total Budget (YR1-YR4)
	2019 (YR1)	2020 (YR2)	2020 and prior years	2021 (YR3)	2022 (YR4)	
Personnel costs						
Staff	119,274	143,128	246,286	143,128	143,128	548,658
consultants	72,800	150,500	60,626	122,850	91,105	437,255
<i>Sub-total personnel costs</i>	192,074	293,628	306,913	265,978	234,233	985,913
Activity costs						
Sub-contracts (SSFA/PCA)	375,000	310,000	19,420	100,000	70,000	855,000
Contractual services - company	30,000	90,000	-	90,000	-	210,000
Technical support	12,000	12,000		12,000	12,000	48,000
Travel	104,486	298,768	17,154	281,664	25,104	710,022
Equipment & furniture	2,000			-	-	2,000
General operating and maintenance expenses	13,584	13,584		13,584	13,584	54,336
Sub total activity costs	537,070	724,352	36,574	497,248	120,688	1,879,358
<i>Sub- total personnel and activity costs</i>	729,144	1,017,980	343,487	763,226	354,921	2,865,271
Direct cost (7%)	51,040.05	71,258.61	24,044	53,426	24,844	200,569
TOTAL	780,183.55	1,089,238.81	367,531	816,652	379,766	3,065,840

Table 4e
Budget for Capacity building project related to Multilateral Environmental Agreements (MEA) in African, Caribbean and Pacific (ACP) Countries - Phase three - (ACP-MEAs 3) Nairobi Convention
 (by calendar year, in United States dollars)

	BUDGET	EXPENDITURE	BUDGET				Total Budget YR1-YR5
	2020 (YR1)	2020	2021 (YR2)	2022 (YR3)	2023 (YR4)	2024 (YR5)	
Personnel costs							
1.1 Local UNV			15,488	15,504	15,504	15,504	62,000
1.2 UNEP Contribution Staff time	14,547		29,094	29,094	29,094	16,367	118,196
<i>Sub-total personnel costs</i>	14,547	-	44,582	44,598	44,598	31,871	180,196
Activity costs							
Output 2.1: Reinforcement of Regional Seas Conventions Governance Frameworks and associated protocols:	348,989		332,323	206,814	24,000		912,126
Output 2.2: Development of regionally representative networks of Marine Protected Areas: The expected result of this component is to develop regional	110,000		281,576	147,201	32,150		570,927

	BUDGET	EXPENDITURE	BUDGET				Total Budget YR1-YR5
	2020 (YR1)	2020	2021 (YR2)	2022 (YR3)	2023 (YR4)	2024 (YR5)	
representative networks of Marine Protected Areas							
Output 2.3: Reduction of the influx of waste (plastics and other forms of human and industrial liquid and solid waste) entering the marine environment of the four regions:	-		120,285	32,413	20,000		172,698
Output 2.4: Document best practices and lessons learnt in marine litter management at community level.	-		45,822	86,560			132,382
Sub total activity costs	458,989	-	780,006	472,988	76,150	-	1,788,133
3.1 Equipment & furniture	7,000	2,169	3,000	-	-	-	10,000
4.1 operation costs and other Direct costs	10,000		10,000	10,000	-	-	30,000
Sub- total direct costs	490,536	2,169	837,588	527,586	120,748	31,871	2,008,329
Administrative costs (7%)	33,319	152	56,595	34,894	6,416	1,085	132,309
TOTAL	523,855	2,321	894,183	562,480	127,164	32,956	2,140,638

90. The proposed 2022-2024 budget for proposed projects supported by the Nairobi Convention is set out in Table 5a, and 5b.

Table 5a
Budget for proposed project for implementation of climate change strategy – “Coastal Resilient Project (Kenya)”
 (by calendar year, in United States dollars)

Component	Indicative cost	Financing (Grant) Amount	Co-finance
Outcome 1: Reduced upstream sources of climate-induced erosion and increased sedimentation	6,827,273	5,000,000	1,827,273
Outcome 2: Vulnerable coastal communities Supported to restore and protect critical habitats	15,461,000	8,000,000	7,461,000
Output 3: Promote climate change mitigation	13,000,000	6 000 000	7,000,000
Output 4: Increased capacity and knowledge of coastal communities	1,500,000	1,000,000	500,000
<i>Project management</i>	1,800,000	1,400,000	400,000
Indicative total cost	38,588,273	21,400,000	17,188,273

Table 5b
**Budget for proposed project on Transboundary Conservation Area (TBCA)
 between Kenya and Tanzania**
 (by calendar year, in United States dollars)

Project Components	GEF Project Financing	Co-financing
Component 1. Supporting policy harmonisation and management reforms of marine transboundary resources between Kenya and Tanzania	1,800,000	12,600,000
Component 2. Community and private sector engagement and empowerment in marine conservation, natural resource management, and sustainable development	1,600,000	11,200,000
Component 3. Infrastructural development and equipment procurement to effectively manage existing MPAs	2,600,000	18,200,000
Component 4. Socio-ecological and economic research to inform decision making	1,500,000	10,500,000
Component 5. Capacity development to enhance marine conservation and natural resource management in the proposed TBCA	3,000,000	21,000,000
Subtotal	10,500,000	73,500,000
Project Management Cost	525,000	3,675,000
Total Project Cost	11,025,000	77,175,000