







Regional Ocean Governance Strategy (ROGS): A Participatory and Multi-Stakeholder Process

Report on a Technical Dialogue among key stakeholders and the ROGS Task Force on: "Priority Actions on Water Quality in the WIO Region"

28 September 2023 14:00 - 17:00 EAT



Technical Dialogue Report

Co-organized by the Nairobi Convention Secretariat (NCS) and The Council for Scientific and Industrial Research (CSIR), with the ROGS Task Force and Support Team









Introduction

Background

Inspired by, and contributing to the African Ministerial Conference on the Environment (AMCEN) Cairo Declaration of 2015, Contracting Parties to the Nairobi Convention adopted a Decision at their <u>10th Conference of Parties</u> (COP) in November 2021 to develop a <u>Regional</u> Ocean Governance Strategy (ROGS) for the Western Indian Ocean (WIO) through participatory processes. Contracting Parties are Comoros, French Territories, Kenya, Madagascar, Mauritius, Mozambique, South Africa, Seychelles, Somalia, and Tanzania.

The <u>Nairobi Convention Secretariat (NCS)</u> is actively supporting the implementation of this Decision in partnership with the *Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)* through the Western Indian Ocean Governance Initiative (<u>WIOGI</u>), the Western Indian Ocean Marine Science Association (<u>WIOMSA</u>), and the Collective Leadership Institute_(CLI), which together constitute the ROGS Support Team. Since May 2022, the ROGS Support Team has been working in tandem with a multi-actor ROGS Task Force including members from across the WIO region.

The ROGS Support Team is currently organizing the **co-development of ROGS content through a series of participatory Technical Dialogues among ROGS Task Force members and other key stakeholders**, shown as part of this process architecture:



The Water Quality Technical Dialogue

The provided background paper outlines the development of a Strategic Framework for Coastal and Marine Water Quality Management (C&MWQM) in the Western Indian Ocean (WIO) region. The purpose of this framework is to address the challenges facing coastal and marine ecosystems in the WIO through coordinated actions, partnerships, and interventions. These actions are essential to protect biodiversity, socio-economic benefits, and global environmental well-being. Key factors contributing to the deterioration of water quality in the region include population growth, poverty, governance issues, and various sectors such as urban development, agriculture, fisheries, and industry introducing pollutants into coastal and marine environments.

The proposed Strategic Framework is a two-phase initiative, with the first phase focused on its development and the second phase dedicated to its implementation at national and sub-national levels. It emphasizes key principles, including pollution prevention, integrated assessments, and stakeholder participation. To support this framework, regional and national task forces, as well as local committees, will be established for coordination and oversight. The implementation includes the identification of marine pollution hotspots and the development of ecosystem-based approaches for C&MWQM. The paper highlights the need for collaboration among Contracting Parties and various stakeholders to achieve the ambitious objective of meeting international water quality standards by 2035.

The development of this framework aims to address marine pollution, which poses a significant threat to the WIO region's coastal and marine environments. It recognizes the importance of coordinated efforts and a participatory approach to overcome challenges related to water quality management and the protection of valuable natural resources in the region.

This online Technical Dialogue serves as a vital forum for sharing knowledge, insights, and ideas, fostering collaboration and understanding among participants to drive the successful development and implementation of the C&MWQM Strategic Framework in the WIO region

Dialogue Goals

Concrete Goals

- Increase shared understanding regarding water quality topics in the WIO region
- Discuss and generate inputs for the Regional Ocean Governance Strategy (ROGS) regarding water quality in the WIO region

Relational Goals

• Build trust and resonance for dialogue among key stakeholders and ROGS Task Force

Process Goals

 Understand how this Technical Dialogue fits into the participatory ROGS development process

Facilitator

• Mai ElAshmawy, Project Manager, Collective Leadership Institute (CLI)

Participants

30 participants, representing a diverse cross-section from countries across the Western Indian Ocean (WIO) region were actively engaged in the session.

Welcome and Opening

Opening remarks by Dr. Tim Andrew, Senior Programme Manager, Nairobi Convention Secretariat (NCS)

Tim Andrew recognised and welcomed all the partners and participants attending and thanked them for creating time for the important technical dialogue. He highlighted that the objective of the meeting was to identify some issues that could be important to consider when putting together the ROGS that relate to pollution, water quality and related subjects. He further outlined the support of the Nairobi Convention in the WIO region on water quality issues both within countries and at the regional level. He finalized by welcoming Jared Bosire who leads on water quality issues at the NCS and his team to the meeting.

This was followed by a brief recap of the process ROGS process architecture by Ms. Mai ElAshmawy (CLI) that was developed in May 2023 at the writeshop workshop held in Zanzibar which outlines planned milestones leading to the finalization of the ROGS and adoption at the next Nairobi Conference of Parties as shown below:



The Council for Scientific and Industrial Research (CSIR): "Strategic Framework for Coastal and Marine Water Quality Management in WIO Region by Susan Taljaard and Steven Weerts

The presentation by CSIR introduced a "Strategic Framework for Coastal and Marine Water Quality Management in the WIO Region," which serves as a vital response to environmental challenges in the Western Indian Ocean (WIO) Region. This framework emerges from the recognition by Contracting Parties of the Nairobi Convention that both regional and national actions are needed to address the stressors affecting the marine environment, with a particular focus on water quality. To harmonize monitoring and management efforts, a decision was made to develop this strategic framework. It also aims to provide guidelines for setting Environmental Quality Targets in the WIO Region.

The framework is built upon the progress made in the region regarding the coastal and marine environment. Notable initiatives like the Western Indian Ocean from Land-based Sources and Activities (WIOLab Programme) in 2009, WIOLaB Strategic Action Programme, and Land Based Sources and Activities (LBSA) Protocol of the Convention have paved the way for this comprehensive approach. It also integrates with several international and regional agreements and conventions related to marine pollution, reflecting a commitment to global environmental standards.

The framework's structure is detailed and comprehensive, emphasizing the importance of strategic objectives, basic principles, regional support and coordination, institutional arrangements, and country-level implementation. These components work in tandem to ensure that water quality in the WIO region complies with international standards by 2035. The basic principles encompass pollution prevention, the polluter pays principle, and a participatory approach. Regional and country-level task forces, as well as institutional arrangements, are crucial for successful implementation. The presentation underscores the need for activity-based management programs and long-term monitoring initiatives to evaluate the effectiveness of management strategies and actions continually.

In conclusion, the Strategic Framework is a well-structured, collaborative approach to tackling water quality challenges in the WIO Region. It builds upon international and regional agreements and integrates prior environmental protection programs. The presented framework highlights the importance of cooperation at different levels, from regional coordination to country-level implementation. Monitoring and evaluation are central to its success, along with the adoption of international standards. The recommendations call for its formal adoption, the establishment of task forces, and ongoing support mechanisms to ensure effective implementation, highlighting the commitment to sustainable environmental practices in the region.

The Importance of Water Quality in the WIO Region: Linkages to other Relevant Topics and Processes by Jared Bosire

Jared Bosire's presentation centered on water quality-related issues, regional processes, and their connection to global processes concerning water quality. He initiated the discussion by providing an overview of the WIOSAP project, established following a Transboundary Diagnostic Analysis (TDA) conducted by the WIOLAP project, funded by GEF. The TDA pinpointed environmental challenges in the WIO region, with a focus on water quality, particularly identifying water and sediment quality deterioration as a significant threat due to pollution. WIOSAP was subsequently developed to address priority areas identified under the SAP, aiming to enhance and sustain the environmental health of the region's coastal marine ecosystems through improved land-based stress management.

Within WIOSAP, water quality is one of the four key components. Various projects under this component have been funded, concentrating on wastewater management, marine litter management, effluent management, and the reinforcement of regulatory frameworks related to water quality.

Jared underscored critical decisions made during COP 9 and COP 10 that empowered the Nairobi Convention Secretariat and its partners to invest in water quality. These decisions included:

- Decision C9.9/3: Management of marine litter and municipal wastewater in the WIO.

- Decision CP.10/6: Oil Spill Preparedness and Response, encompassing a review of oil spill contingency plans, capacity building, and sensitivity maps.

- Decision CP.10/10: Water Quality and Marine Litter, involving the development of a water monitoring framework and guidelines on national interventions.

He pointed out that there has been a demand for capacity building at the country level regarding water quality from South Africa, Kenya, Tanzania, Seychelles, and Madagascar, highlighting the substantial need for capacity building in the region.

Jared further outlined the diverse outputs supported by WIOSAP projects and partners, accessible on the Nairobi Convention Community of Practice and WIOMSA website. These outputs encompass the WIO regional action plan on marine litter, reports on marine litter and microplastics in the WIO region, a situational assessment on marine pollution, and strategic frameworks for coastal and marine ecosystem monitoring..

In conclusion, Jared emphasized key policy processes integral to water quality issues, including the LBSA Protocol, the Protocol on Integrated Coastal Zone Management, the Indian Ocean Commission's 2021 report on marine plastic pollution, Goal 14 (especially target 14.1), UNEA 5.2 Resolution 14 on the INC Process, and the WIO Plastics and Chemicals Meeting held in Seychelles in December 2023, involving NC, BRS, and WIOMSA.

Participant Inputs for the Regional Ocean Governance Strategy (ROGS)

Following the above input, participants were asked to reflect first individually then in groups for the the following questions

Q1: Do you agree with the recommendations in the background paper and technical inputs? What might be missing or needs to be clarified?

Answers:

- General Agreement with the Proposed Framework: The respondents generally agree with the proposed framework, acknowledging its significance. However, there's a call for more detailed information on the work already done in the countries within the Western Indian Ocean (WIO) region. Some also express the importance of considering the different stages each country has achieved in national implementation.
- 2. Capacity Development: Respondents emphasize the need to review constraints related to human resources, infrastructure, institutional capacity, and financial resources in the context of water quality (WQ) management. While acknowledging that capacity exists in the region, they stress the importance of reaching out to leverage existing resources. Collaboration with universities and research institutions is suggested to ensure sustainability in capacity development.
- 3. Legal, Institutional, and Governance Capacity: The need for a review of legislative responsibilities concerning WQ, particularly focusing on the roles of national and municipal authorities and their capacity to implement these responsibilities, is highlighted. It's also recommended to look at existing frameworks at regional and national levels to avoid overlapping or conflicting structures.
- 4. **Research:** Respondents express the importance of gaining a better understanding of the various sources of pollutants, such as urban, agricultural, industrial, and mining waste, and whether there is any transboundary movement of water pollution. They stress the need for a harmonized monitoring strategy with sampling protocols for seawater, marine sediment, and biota.
- 5. **Financing:** There's a call for a comprehensive understanding of the current financing of WQ management, including treatment, pollution prevention, and monitoring. Some respondents note the financial constraints in pollution monitoring, especially when it involves universities and students.
- 6. Policy Development & Awareness (Science to Policy): It is recommended that scientific studies related to the carrying capacity of aquatic environments be made known to public authorities. Additionally, it's important to ensure that legislation and regulations are dedicated to monitoring and ensuring water quality for various purposes, including drinking, agriculture, and coastal waters.

Overall, the responses highlight the importance of considering regional specifics and addressing capacity development and financial constraints while implementing the proposed framework for coastal and marine water quality management in the WIO region. Additionally, the integration of research, harmonization of monitoring strategies, and effective policy development and awareness are emphasized to achieve sustainable outcomes in water quality management.

Q2: Who should take regional-level leadership on policy and technical aspects of water quality in the WIO?

<u>Answers:</u>

A. Leadership on Policy:

- 1. **Nairobi Convention**: The Nairobi Convention is viewed as well-placed to take overall leadership in policy matters related to water quality in the WIO. This suggests that the Convention can play a central role in setting the policy agenda.
- 2. **Regional WQ Task Force:** The existing Regional Water Quality Task Force is recognized as having a specific role in this context, but there's a call for it to strengthen its policy efforts at the national level. This indicates that it has a pivotal role in implementing and influencing policy.
- 3. **Regional Economic Communities:** Regional economic communities, including regional organizations and the Indian Ocean Commission (IOC), are seen as potential leaders in shaping policy. This suggests that these entities can contribute significantly to the policy framework.
- 4. **Collaboration and Coordination:** Many respondents emphasize that no single institution can address these challenges alone. They stress the need for fostering collaboration and coordination among various regional institutions.
- 5. **Private Sector and Industry Involvement:** It's recognized that the involvement of the private sector is essential, considering the diversity of industries and their often conflicting interests. This includes large corporations, small and medium-sized enterprises (SMEs), and informal economy participants.
- 6. **Polluter Pays Principle:** There's an emphasis on legislating and enforcing financial responsibilities based on the Polluter Pays Principle, including Extended Producer Responsibility (EPR). This underlines the importance of holding those responsible for pollution financially accountable.

B. Leadership on Technical Aspects:

- 1. Academics and Research Centers: Academics and research centers are identified as key leaders on technical aspects. They can provide valuable insights and expertise but need to have access to and be consulted by government authorities.
- 2. **River Basin Authorities:** River basin authorities are suggested to share responsibilities for monitoring and tracking pollutant flow, particularly in transboundary river systems.

- 3. **Transboundary MPAs:** Existing or potential Transboundary Marine Protected Areas (MPAs), such as the one between Kenya and Tanzania, are noted as potential leaders for similar roles in their respective regions. This emphasizes the importance of protecting shared marine spaces.
- 4. **Involvement of Multiple Stakeholders:** The composition of technical groups should involve a range of stakeholders, including the private sector and non-governmental organizations (NGOs). Diversity and potential conflicts of interest should be considered.
- 5. **Coordinated WQ Standards:** There's recognition of the need to coordinate and agree on water quality standards within and between countries due to the general lack of data.
- 6. **Capacity Building:** Capacity building is highlighted as a crucial element at all levels to effectively address the technical aspects of water quality management in the region.

In general, the responses emphasize the importance of collaborative efforts involving various stakeholders, including regional institutions, governments, academia, and the private sector, to lead policy and technical aspects of water quality management in the WIO region. Coordination, data sharing, and capacity building are central themes in these suggestions.

Q3: What additional human, financial, and institutional resources are required to advance water quality in the WIO?

<u>Answers:</u>

A. <u>Human Resources:</u>

- 1. **Training and Education:** Training courses at national and municipal levels, training for tourism operators (e.g., hotel wastewater treatment), and community-level awareness initiatives are essential to build human capacity.
- 2. **Community Engagement:** Involving coastal residents and residents' associations in water quality awareness and protection programs.
- 3. **Research and Innovation:** Encouraging research and innovation, especially in the area of water reuse, is seen as valuable.
- 4. **Collaborative Approaches:** Collaborative approaches that promote cooperation and coordination among different sector players to eliminate competition, duplication, and resource wastage.
- 5. **Watershed Protection:** Working with communities to protect water sources, such as providing incentives to farmers to protect watershed areas.

B. Financial Resources:

- 1. **Cost Assessment:** A realistic assessment of the costs associated with achieving good water quality in selected or pilot areas is crucial. This includes examining how these costs can be financed.
- 2. **Review of Cost Structures:** A review of the cost structure of existing water treatment and water quality monitoring to identify opportunities for cost savings.
- 3. **Cost-Benefit Analysis:** Utilizing cost-benefit analysis to illustrate the benefits of clean water, including its positive impacts on tourism, public health, and more.

- 4. **Funding Sources:** Diverse funding sources, including national budgets, municipal budgets, local taxes, loans, and payments by polluters, should be explored.
- 5. **External Financing:** Recognizing that some aspects of water quality improvement, particularly in urban areas, may require external finance due to high costs.
- 6. **Farm Practices:** Financing rural water quality improvement may involve changing farming practices to reduce pollution. This requires efforts to raise farmer awareness and implement alternative practices.

C. Institutional Resources:

- 1. Legislation and Regulations: A review of legislation and a stronger link between regulations and regional guidelines and best practices. The effectiveness of existing regulations should also be assessed.
- 2. **Compliance and Deterrence:** Promotion of institutional collaboration for sharing pollution monitoring facilities and equipment. Setting realistic targets and focusing on compliance with regulations, especially at pollution hotspots.
- 3. **Public vs. Private Laboratories:** Assessing the relative efficiency of public laboratories versus privately contracted water quality laboratories. Consideration of budget constraints and equipment procurement issues.
- 4. **Effectiveness:** Ensuring that regulations serve as a real deterrent and are effectively enforced.

In conclusion, addressing water quality in the WIO region requires investments in human capacity, financial resources, and institutional capabilities. Collaboration, awareness building, cost assessments, and a mix of funding sources are crucial elements in advancing water quality efforts in the region.

Q4: How can these resources be secured?

<u>Answers:</u>

A. Financial Resources:

- 1. **Collaboration and Pooling:** Collaboration with partners responsible for or involved in water quality (WQ) matters within a country or local region. This includes pooling resources with industries and businesses in the private sector that benefit from coastal environments.
- Domestic Resource Mobilization: A shift toward domestic resources, whether from private or public sectors or a mix of both, to reduce dependency on external funds. Over-reliance on external funding sources, with their increasing challenges and criteria, may limit the ability of countries to meet expectations.
- 3. **National Government Support:** National governments can support municipal authorities, providing up to 50% of the costs of waste management, including wastewater. Strategies should be developed to manage wastewater in less affluent communities where local taxation or charges may not be feasible.

- 4. **External Resources:** In some cases, external resources are required for large-scale projects. For example, institutions like the European Investment Bank (EIB) may finance wastewater treatment in urban areas, where capital costs can be substantial.
- 5. **Desalination:** Financial resources can be secured for installing desalination systems that utilize unpolluted coastal waters to address drinking water demand.
- 6. **Collaboration with Private Sector:** Closer collaboration with the private sector, including leveraging seed funding provided by local institutions and universities for research.
- 7. **Water Quality Observatories:** Mobilizing funds to establish and maintain water quality observatories, often with the support of international funders.

B. <u>Human Resources:</u>

- 1. **Private-Public Collaboration:** Decisive involvement of the private sector, working together with the public sector, is crucial for the development and enforcement of policies, laws, and regulations related to water quality. Collaborative efforts can ensure that regulations aim to improve practice and promote best practices rather than impose additional taxation.
- 2. **Sharing Knowledge and Skills:** Collaboration between WIO countries to share knowledge and skills, uplifting each other in addressing water quality issues.

C. Institutional Resources:

- 1. **Capacity Building:** Strengthening the capacity and knowledge of human resources involved in water management, including understanding legal statutes related to different types of waters (internal, coastal, marine).
- 2. **Budget Allocation:** Government authorities responsible for water quality management need to allocate dedicated budgets to implement water quality management initiatives effectively.

In summary, securing resources involves a combination of collaboration, leveraging domestic and external funds, public-private partnerships, capacity building, and dedicated budget allocations to support water quality initiatives in the WIO region.

Participant Feedback Summary

At the end of the Technical Dialogue, **participants rated fulfillment of goals** on a scale of 1 (low) to 5 (high). **Overall goal fulfillment was 4.5 / 5.0.**

Goal	Score
Increase shared understanding regarding water quality topics in the WIO region	5.0
Discuss and generate inputs for the Regional Ocean Governance Strategy (ROGS) regarding water quality in the WIO region	5.0
Build further trust among key stakeholders for onward dialogue and collaboration	4.0

Understanding how this Technical Dialogue fits into the participatory ROGS **4.0** development process

Furthermore, participants rated the organization and facilitation of the dialogue as 5.0.

Participants expressed satisfaction with today's session, appreciating the opportunity to reconnect and meet new participants while emphasizing the need for more information about how this session aligns with the broader Regional Ocean Governance Strategy (ROGS) development. Additionally, they found the breakout rooms and online shared document valuable.

Next Steps

This report is posted to the Nairobi Convention Community of Practice to enable a period of public consultation. If you wish to participate, <u>please sign up for the Nairobi Convention</u> <u>Community of Practice here</u> and add your comments. Thank you!

Together with public comments, the content generated during this Technical Dialogue will be integrated into the ROGS and delivered in draft form to Nairobi Convention Focal Points leading up to the Nairobi Convention COP in early 2024.

Learn more about the ROGS Task Force and participatory strategy development process <u>on the</u> <u>Nairobi Convention website.</u>

Strategic Framework for Coastal & Marine Water Quality Management in WIO Region

Purpose

The Nairobi Convention is an important regional platform to address challenges facing coastal and marine ecosystems in the Western Indian Ocean (WIO) through catalytic interventions, dialogue and partnerships. The Contracting Parties have agreed, through a highly consultative process, on a suite of national and regional collective actions to address major stresses on the region's coastal and marine environment, including the Implementation of the Strategic Action Programme for the protection of the Western Indian Ocean from land-based sources and activities (WIOSAP), The Western Indian Ocean Large Marine Ecosystems Strategic Action Programme Policy Harmonisation and Institutional Reforms (WIO LME SAPPHIRE), and Enforcing Environmental Treaties in African, Caribbean and Pacific (ACP) Countries (ACP-MEA Phase III). Towards addressing pollution threats, the implementation of appropriate strategic frameworks and capacity building was considered important, not only to enhance local socio-economic and environmental benefits, but also global environmental benefits. A regional Strategic Framework for Coastal and Marine Water Quality Management (C&MWQM) was considered a sound basis for adopting and integrating C&MWQM into national frameworks. This is done in two phases - Phase 1: Development of a Strategic Framework for C&MWQM (this project), and Phase 2: Implementation of the Strategic Framework at national and sub-national levels. While there are numerous threats to coastal and marine ecosystems in the WIO region, this project focuses on key problems associated with marine pollution, constituting the primary need for coastal and marine water quality management (C&MWQM).

Situation Assessment

At the core of C&MWQM is the protection of valuable natural resources, not only to protect biodiversity, but also to protect socio-economic benefits to society. A number of root causes contribute to the deterioration of coastal and marine water quality in the region, including population growth, poverty and inequality, inappropriate governance, inadequate knowledge and awareness, and lack of financial resources. While these root causes characterise the indirect, underpinning societal dynamics causing ecosystem deterioration, the major sectors contributing directly to marine pollution include urban development and tourism, agriculture and forestry, fisheries and aquaculture, industry and mining, marine transportation and energy production. These introduce numerous pollutants leading to microbiological contamination, nutrient enrichment (eutrophication), marine litter, suspended sediment loading and toxic pollution (e.g. metals, agrochemicals and petrochemicals), which contribute to an array of environmental impacts and socio-economic consequences.

At the regional level, Strategic Objectives and Targets pertaining to C&MWQM were defined in the WIOSAP project (UNEP/Nairobi Convention Secretariat 2009) and are now adopted into a formal Protocol on Land-Based Sources and Activities (LBSA) in support of the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (UNEP 2010). In 2010, a joint Transboundary Diagnostic Assessment and Strategic

Programme of Action was also undertaken under ASCLME and SWIOFP dealing with issues not covered under WIOSAP, leading to the SAP for Sustainable Management of WIO Large Marine Ecosystems (SAP WIO-LME) (ACSLME et al. 2014). At the national level, most countries are signatories to the main international conventions and agreements pertaining to the combating of marine pollution, and have some form of legislation in place to control and manage marine pollution. However, dedicated initiatives focusing on C&MWQM are limited, and where policies and plans have been put in place, implementation remains a major challenge. While numerous root causes will have to be addressed to achieve effective C&MWQM, a number of key measures can be undertaken to improve matters. For example, more holistic, ecosystem-based approaches, rather than fragmented, silo-based approaches which are currently applied in most countries, can be implemented. Silo-based management hampers coordinated C&MWQM and impairs, and often confuses policy decision-making and management intervention. Contracting Parties, therefore, urged the Secretariat to develop a regional **Strategic Framework for C&MWQM** to fast-track coordinated implementation, building on previous initiatives undertaken as part of the WIO-LaB Programme of the LBSA Protocol (e.g. UNEP et al. 2009a; UNEP et al. 2009b).

Proposed Strategic Framework for C&MWQM

In essence, the need for C&MWQM stems from a tension between the need to protect biodiversity (and associated socio-economic benefits) and the need for economic development in sectors which may contribute to sources of marine pollution. A Strategic Framework as conceptualised in Figure 1 will provide direction in achieving effective C&MWQM.



Figure 1 Conceptualisation of the Strategic framework for C&MWQM in WIO region

C&MWQM starts with establishment **Strategic Objectives and Targets**. The (UNEP/Nairobi Convention Secretariat 2009) sets the following Strategic Objective for water quality in the WIO region, to be achieved in an array of specific targets:

'Water quality in the WIO region meets international standards by year 2035'

Basic Principles provide broad direction within which to position implementation of C&MWQM. Five

basic principles are recommended for the WIO region, namely:

- Principle 1: Pollution prevention, waste minimisation and precautionary approach
- Principle 2: Receiving water quality objectives approach
- Principle 3: Integrated, adaptive assessment approach
- Principle 4: Polluter pays principle
- Principle 5: Participatory approach.

Harmonisation of C&MWQM in the WIO region requires **Regional Support and Coordination** (e.g. through the Nairobi Convention Secretariat and partners), for example by coordinating the development of regional standards, guidelines and best practice guides to assist in the development of regional capacity, and regional reporting processes.

Reflecting on the Strategic Objectives and Targets of the WIOSAP (UNEP/Nairobi Convention Secretariat 2009) and the SAP WIO-LME (ACSLME et al. 2014), a number of regional standards, guidelines and best practice guides, as well as other support efforts, relevant to C&MWQM have been identified, including:

- Regional standards for coastal and marine water quality
- Regional effluent discharge standards to facilitate harmonized approach across region •

Regional best practice framework models for municipal wastewater management • Oversee

adoption of Cleaner Production Technologies by industries at national-level • Regional

guidelines on oil spill contingency planning for inclusion in concession agreements ·

Coordinate establishment of regional support structure for oil spill disaster management .

Establish regional capacity building programmes on oil spill contingency planning.

To date Regional-level achievements supporting C&MWQM include:

· Land Based Sources and Activities (LBSA) Protocol of the Convention (UNEP

2010) • WIO Action Plan on Marine Litter (UN Environment 2018)

- African Marine Litter Monitoring Manual (African Marine Waste Network, Sustainable Seas Trust (Barnardo and Ribbink 2020)
- WIO Marine Highway development and Coastal and Marine Contamination Prevention Project (2020)
- Regional oil spill preparedness in eastern Africa and WIO (UNEP et al. 2020a&b).

Regional State of the Coast Reporting (UNEP et al. 2015), as required by the Nairobi Convention,

has also been undertaken, under the guidance of the Western Indian Ocean Marine Sciences Association (WIOMSA) in consultation with the Contracting Parties in terms of the political agendas. Ideally, in the case of future regional status reports, regional coordinators will be able to draw on national-level status reports produced as part of their C&MWQM implementation programmes.

Also critical in a strategic framework is the early establishment of appropriate **Institutional Arrangements** to facilitate and coordinate implementation across regional, national and hotspot scales (Figure 2).



Figure 2 Proposed institutional arrangements to facilitate and coordinate implementation of C&MWQM in WIO region

At regional scale, the Regional Task Force (RTF) for Water, Sediment and Biota Quality has been established under the WIOSAP project. This provides an ideal platform for regional coordination in the future. However, oversight and coordination within countries also will require national structures National Task Forces), preferable coordinated through national focal points to facilitate (e.a. alignment with the RTF. National Task Forces (NTFs) need to be cross-sectoral, comprising not only of environmental authorities, but also other authorities, such as urban development and tourism, agriculture. aquaculture and forestry, industry and mining, marine transportation and energy production. In turn, effective planning and implementation at the local (or hotspot) level needs local management. Dedicated local C&MWQM institutions are ideally positioned to test the effectiveness and applicability of regional and national legislation and policies, and should be utilised by higher tiers of government as a mechanism incremental improvement policies, supporting the principle of adaptive management. In the spirit of Principle 5: Participatory approach, stakeholder collaboration is also essential. Therefore, stakeholder forums have proven to be great platforms through which to facilitate a participatory approach to decision-making and implementation.

The **Implementation of C&MWQM Programmes** primarily happens at country-level in marine pollution hotspots, ideally in accordance with regional policies, coordinated through the RTF, NTFs and Hotspot C&MWQM committees, and in consultation with local stakeholder forums. Drawing on an existing model for Integrated Coastal Management (the broader domain within which C&MEQM is nested) an ecosystem-based Implementation Framework for C&MWQM is proposed for the region (Figure 3).



Figure 3 Ecosystem-based Implementation Framework for C&MWQM in WIO region, also showing context of Guidelines for setting sediment and water quality targets

To use human and financial resources wisely, it is best to tackle C&MWQM in a phased approach. The identification of **marine pollution hotspots** or emerging hotspots provides a transparent mechanism to prioritise study areas most at risk or impacted by marine pollution. Marine pollution hotspots usually occur in coastal urban centres (or cities) and near coastal industrial nodes (e.g. UNEP et al. 2009a. UNEP et al. 2015). The identification and mapping of **important ecosystems**. and key socio-economic beneficial uses, and identification of appropriate environmental quality objectives and targets are key components in a C&MWQM programme. Internationally, beneficial uses, in terms of water and sediment quality, are typically divided into four broad categories, i) Protection of aquatic ecosystems; ii) Recreational use (including tourism); iii) Marine aquaculture (including the collection of seafood for human consumption); and iv) Industrial uses (e.g. intakes for desalination, cooling water intake and seafood processing). Guidelines for Setting Water and Sediment Quality Targets for Coastal and Marine areas in the WIO region can be used to derive water and sediment quality targets (QTs). Selected water and sediment quality constituents, as well as their relevance to the protection of aquatic ecosystems and other beneficial uses are indicated Table 1. A participatory process (Principle 5: Participatory approach) is important in the negotiation of these QTs as the livelihoods of local communities, as well as local economies may be affected. The aim is to negotiate and achieve a balanced outcome that is both environmentally and socio-economically sustainable through an integrated, consultative process (Principle 3: Integrated assessment process).

Another key component is the identification and characterisation of potential **marine pollution sources** (both land-based and sea-based) that may alter water and sediment quality. In setting limits for pollution sources, a hierarchy of decision-making, as advocated by Principle 1: Pollution prevention, waste minimisation and precautionary approach, should be applied.

TYPE OF CO	NSTITUENT	PROTECTION OF AQUATIC ECOSYSTEM	RECREATION	MARINE AQUACULTURE	INDUSTRI AL USE
Water	Objectionable matter	•	•	Similar to Protection of	Based on site
	Physico-chemical properties	•	Refer to Drinking	Aquatic Ecosystems	requirements of industries
	Nutrients	•	guidelines		
	Toxicants	•			
	Microbiological indicators		•	•	
	Tainting substances			•	
Sediment	Toxicants	•		Similar to Protection of Aquatic Ecosystems	

 Table 1 Summary of constituent types for which QTs are addressed in the guidelines, as well as relevance to broad categories of beneficial uses

Activity-based management programmes, involve effective operation of activities potentially contributing to marine pollution. These programmes often show a strong sectoral focus (i.e. activities are managed by different governing authorities through activity-specific statutory systems). However, even though sector-based, these programmes remain nested in an ecosystem-based approach subservient to the agreed environmental quality objectives and targets for the study area (Figure 3). Importantly, the cost of managing and controlling such activities should follow the Principle 4: Polluter pay principle. The design and implementation of monitoring and evaluation programmes are also integral elements in the operational phase. However, in C&MWQM these programmes are a means to an end, providing the data and information needed to inform activity-based management intervention (Principle 3: Integrated, adaptive assessment process), as is illustrated in Figure 3 above by the feedback loop to activity-based management programmes. The data and information from these programmes also continuously renew understanding of the complexities of marine ecosystems and their uses, and so inform status assessments. In support of a transparent, participatory process (Principle 5: Participatory approach) findings from these programmes need to be communicated and shared with the broader society. Status reporting provides a mechanism for such feed-back giving a high-level reflection on progress, but also ensures transparency on issues of concern to be addressed in future (i.e. improving-by-learning, Principle 3: Integrated, adaptive assessment process). National status reports, in turn, can feed into overarching regional status reporting (e.g. WIO State-of Coast Report). Although the Implementation Framework for C&MWQM is largely executed at the country-level (e.g. at selected hotspot), it requires overarching support and guidance from the regional level, highlighting the importance of regional strategies.

Also important is the acknowledgement of linkages between C&MWQM implementation and other initiatives in the WIO region. While the Implementation Framework has unique elements specifically pertaining to the effective implementation of C&MWQM, elements within the framework are aligned with other, complimentary strategies and frameworks implemented in the WIO region (Figure 4). For

example, the demarcation of important ecosystems/uses and locations of activities contributing to marine pollution need to be coordinated with outcomes from the **marine spatial planning strategy**, and should in turn align with biodiversity, conservation and fisheries strategies in terms of zoning. Furthermore, outputs from monitoring and evaluation programmes can contribute to the **regional ecosystem monitoring framework**, in addition to informing C&MWQM actions and intervention. The implementation of C&MWQM, therefore, should acknowledge these linkages and operations and be coordinated wisely to prevent unnecessary duplication of effort.



Figure 4 Alignment of elements in Implementation Framework for C&MWQM with other related strategies and frameworks within WIO region

Policy Recommendations

Towards initiating the effective operationalisation of C&MWQM in WIO region, the following **policy recommendations** are proposed for consideration by the Contracting Parties:

• Contracting Parties adopt the Strategic Framework for C&MWQM for the WIO region, including the

Guidelines for Setting Water and Sediment Quality Targets for Coastal and Marine areas. •

Contracting Parties formally establish a Regional Task Force (RTF) for C&MWQM (which is currently a project-level task force under the WIOSAP – RTF for Water, Sediment and Biota Quality).

- Contracting Parties establish national C&MWQM Task Forces to facilitate and coordinate C&MWQM at country-level, feeding into the RTF through national focal points.
- Contracting Parties adopt, as appropriate, the Strategic Framework for C&MWQM at country-level, including the Guidelines for Setting Water and Sediment Quality Targets for Coastal and Marine areas.
- Established national C&MWQM Task Forces to coordinate the identification of country-level hotspots, as well as the establishment of local C&MWQM committees to oversee the execution of 'hotspot' implementation programme.

 Established national C&MWQM Task Forces coordinate the compilation of country-level status reports that would feed into overarching regional status reports - coordinated by the RTF - to inform various regional processes (e.g. WIO State-of-Coast reporting, Ecosystem Monitoring Strategies).

The following **technical recommendation** is proposed for consideration by the Contracting Parties in support of effective operationalisation of the Strategic Framework:

• The Nairobi Secretariat work with partners to support capacity building programmes in support of

the effective implementation of the Strategic Framework for C&MWQM, including the Guidelines for the setting of Water and Sediment Quality Targets.

Ultimately, the achievement of the Strategic Objectives set for coastal and marine water quality in the WIO region - Water quality in the WIO region meets international standards by year 2035 – will rely on countries embracing this Strategic Framework for C&MWQM and adopting the proposed implementation into national policy and best practice, as appropriate. It will also require political commitment to assist in securing dedicated financial resources and the skilled personnel required in the execution of C&MWQM programmes.

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Annex 2: Participants List

	Name	Organization	Country
1	Mai ElAshmawy	Collective Leadership Institute	Egypt
2	Florence Galletti	IRD	France
3	Kieran Kelleher	ROGS Advisor	Ireland
4	Yvonne Waweru	GIZ WIOGI	Kenya
5	Abel Kiprono	Nairobi Convention Secretariat (NCS)	Kenya
6	Bonface Mutisya	NCS	Kenya
7	Eunice King'ori	NCS	Kenya
8	Jared Bosire	NCS	Kenya
9	Melisa Wandia	NCS	Kenya
10	Nathan Majwa	NCS	Kenya
11	Timothy Andrew	NCS	Kenya
12	Mubarak Sodha	PMAESA Secretariat	Kenya
13	Daniel Munga	Technical University of Mombasa	Kenya
14	George Maina	The Nature Conservancy (TNC)	Kenya
15	Yves Mong	Centre National de Recherches sur	Madagascar
		L'Environnement (CNRE)	
16	José Victor	Ministry of Fishery and Blue Economy	Madagascar
	Randrianarimanana		
17	Gina Bonne	Indian Ocean Commission	Mauritius
18	Manoj Fakoo	Ministry of Blue Economy, Marine	Mauritius
		Resources, Fisheries and Shipping	
19	Jose Ariscado	Ministério do Mar, Águas Interiores e	Mozambique
		Pescas (MIMAIP)	
20	Ian Charlette	Ian Charlette Consulting	Seychelles
21	Sharon Gerry	Ministry of Agriculture, Climate Change	Seychelles
		and Environment	
22	Steven Weerts	CSIR	South Africa
23	Susan Taljaard	CSIR	South Africa
24	Sumaiya Arabi	Department of Forestry, Fisheries & the	South Africa
		Environment	
25	Motebang Nakin	Walter Sisulu University	South Africa
26	Thembinkosi Steven Dlaza	Walter Sisulu University	South Africa
27	Sibylle Riedmiller	Chumbe Island Coral Park (CHICOP)	Tanzania
28	Immaculate Sware	National Environment Management	Tanzania
	Semesi	Council (NEMC)	
29	Edith Tibahwa	COMESA	Zambia
30	Yoseph Shiferaw Mamo	COMESA	Zambia

Annex 3: Input slides

Regional Ocean Governance Strategy (ROGS): A Participatory and Multi-Stakeholder Process Technical Dialogue among key stakeholders and the ROGS Task Force on:

"Priority Actions on Water Quality in the WIO Region"

Organized by the Nairobi Convention Secretariat, with the ROGS Task Force and Support Team

28th September 2023

14:00 - 17:00 EAT



Welcome by Dr. Timothy Andrew, Nairobi Convention Secretariat (NCS)

Welcome by Ms. Mai ElAshmawy, Collective Leadership Institute (CLI)



ROGS Process Architecture May 2023 - March 2024



Process Architecture: Increasing Credibilitity for the submitted Ocean Governance Strategy for the Western Indian Ocean region (NC COP Decision 10.5; AMCEN Cairo Declaration, 2015)

Today's Goals

Concrete Goals

- Increase shared understanding regarding water quality topics in the WIO region
- Discuss and generate inputs for the Regional Ocean Governance Strategy (ROGS) regarding water quality in the WIO region

Process Goals

• **Understand how this Technical Dialogue** fits into the participatory ROGS development process



Updated Agenda

- **Welcome & Orientation**
- Strategic Framework for Coastal and Marine Water Quality Management in WIO Region by Susan Taljaard and Steven Weerts (CSIR)
- □ The Importance of Water Quality in the WIO Region: Linkages to other Relevant Topics and Processes" by Jared Bosire (NCS)
- □ Implementation of the water quality framework by Theuri Mwangi (NCS) + Q&A
- **D** Individual Reflection + Breakout rooms Discussion
- □ Insights, Feedback & Closing



Strategic Framework for Coastal and Marine Water Quality Management in WIO Region Input by Susan Taljaard and Steven Weerts (CSIR)



Towards a Regional Ocean Governance Strategy

28 September 2023



Background



Project under Nairobi Convention linked to Protection and Management of Coastal & Marine Environment in WIO Region



□ Contracting Parties agreed on need for regional & national actions to address stresses on marine environment, including water quality



 To harmonize monitoring and management - decided to Develop Strategic Framework for Marine & Coastal Water Quality Management (M&CWQM) (including monitoring)

D To include Guidelines to set Environmental Quality Targets



Supported by WIOSAP and WIO LME SAPPHIRE (funded by GEF), as well as ACP-MEA Phase III (funded by EU)

Background

Important to draw and build on progress made re Coastal & Marine Environment in region, e.g.:

- Western Indian Ocean from Land-based Sources and Activities (WIOLab Programme) (2009)
- UNEP 2009)
- Land Based Sources and Activities (LBSA) Protocol of the Convention (UNEP 2010)



Related International & Regional Agreements	5									
CONVENTION/ AGREEMENT	Co mo ros	Ke ny a	Ma da ga sc ar	M a ur iti u s	M o za m bi q u e	Re uni on (Fr anc e)	S e y c h el le s	So mal ia	So uth Afri ca	Ta nz an a
International Convention on Civil Liability for Oil Pollution Damage (CLC) (1969, enforced 1975),	•	•	•	•	•	•	•		•	•
International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION) (1969, enforced 1975)				•		•			•	•
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (1972) and London Protocol (1996)		•	•			•	•		•	•
International Convention for Prevention of Pollution from Ships (MARPOL) (1973)	٠	٠	٠	٠	٠	٠	٠		٠	٠
United Nations Convention on the Law of the Sea (UNCLOS) (1982)	٠	٠	٠	٠	٠	٠	٠	•	•	٠
Regional Seas Programme: Nairobi Convention (1985, enforced 1996)	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠
International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) (1990, enforced 1995)	٠	•	•	•	•	•	•		•	•
International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND) 1992 Protocol (1992, enforced 1996)	•	•	•	•	•	•	•		•	•
International Convention on Civil Liability for Bunker Oil Pollution Damage (BUNKER) (2001, enforced 2008)	•	•	•	•		•	•			
Stockholm Convention (2001, enforced 2004) (POPs)	٠	٠	٠	٠	٠	٠	٠	•	•	٠
International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM) (2004, enforced 2017)		•	•			•	•		•	
2030 Agenda for Sustainable Development (2015)	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠

Strategic Framework for Coastal and Marine Water Quality Management



Structure of Strategic Framework





Basic Principles...

- Principle 1: Pollution prevention, waste minimisation & precautionary approach
- **D** Principle 2: Receiving water quality objectives approach
- **D** Principle 3: Integrated, adaptive assessment approach
- **Principle 4:** Polluter pays principle
- **D** Principle 5: Participatory approach





Regional Support & Coordination...

Examples of existing Regional support mechanisms for C&MWQM:

- Land Based Sources and Activities (LBSA) Protocol of the Convention (UNEP 2010)
- **WIO Marine Highway development and Coastal and Marine Contamination Prevention Project**
- (2020) Strategic Regional Framework for M&CWQM, including Guidelines (UNEP et al. in press)
- UNIO Action Plan on Marine Litter (UN Environment 2018)
- African Marine Litter Monitoring Manual (African Marine Waste Network, Sustainable Seas Trust (Barnardo and Ribbink 2020)
- Regional oil spill preparedness in eastern Africa and WIO (UNEP et al. 2020)



Institutional Arrangements..





Country-level Implementation Framework...



Marine Pollution Hotspots...



Priority areas that require management intervention as a result of pollution pressures (e.g., urban and industrial nodes) e.g.

Country-level Implementation Framework...



To be useful for Management needs some context...

Country-level Implementation Framework...



Objective Setting Phase: Important Ecosystems and Uses & Pollution Sources...





Country-level Implementation Framework...



Activity-based Management Programmes...

'the environment cannot be managed, it's activities, products and services that need to be managed to prevent undesired environmental change'

Experience has shown effective activity-based management - within broader ecosystem-based approach - largely dependent on:

- Formal (activity-based) legislation provide legal avenue to enforce compliance, also consider incentive-based compliance
- Standards, Guidelines and Best Practice Guides assist decision-makers and managers with guidance on sustainable environmental best practice
- Resource Planning ensure sufficiently skilled and motivated personnel, equipped with appropriate material and financial resources
- Contingency Planning pre-emptive planning to mitigate and control potentially detrimental impacts



Country-level Implementation Framework...



Long-term Monitoring Programmes...







Long-term/compliance monitoring - ongoing data collection programmes to evaluate continuously effectiveness of management strategies/actions, e.g.:

- Monitoring of specific pollution sources (e.g., effluent discharges) and status of receiving marine environment and use areas (compliance)
- Dredge monitoring assess toxicant composition to inform disposal practice (e.g., linked to London Convention)
- Beach water quality assess suitability for recreational use
- 'Mussel Watch' programme long-term trends in toxicant accumulation
- Marine litter monitoring e.g., African Marine Litter Monitoring Manual (2020)

Long-term Monitoring Programmes...

Using Quality Targets in Monitoring Programmes ...



Country-level Implementation Framework...



Country-level Implementation Framework...



Links to other WIO Region Strategies



Recommendations for Way Forward



Recommendations to COP10

Adopt Strategic Framework for C&MWQM for WIO Region, including Guidelines for setting Quality Targets, also at country-level

Formally establish Regional Task Force for C&MWQM

COP10 (2021) approved Decision CP.10/10.... Secretariat to establish regional task force on WQ to support national roll out of framework

- Consider establishment of National and Local Task Forces for C&MWQM to facilitate and coordinate at country-level but also in marine pollution hotspots
- Secretariat work with partners to develop capacity building programmes to support effective implementation of Strategic Framework for C&MWQM in WIO Region

Country-level Pilot Studies







- Tackle in bit sizes...
- Confirm countries marine pollution hotspots and decide on a pilot site to test implementation framework and guidelines



- Develop site-specific monitoring programmes for marine pollution hotspot (following guidance in Framework document)
- □ Use generic Quality Target values to compare and refine as needed....

Ongoing Regional-level Support



Identify possible regional-level support mechanisms to assist countries, e.g.:

- □ Nairobi Secretariat facilitate follow-up country-level training workshops
- Nairobi Secretariat consider annual technical capacity development workshops - provide regional platform for continuous support, sharing and learning as CMWQM programmes (incl. monitoring) roll out across countries
- Financing mechanisms?



Thank you





D P Empowered lives Resilient nations

Susan Taljaard – <u>staljaar@csir.co.za</u> Steven Weerts – <u>sweerts@csir.co.za</u>

The Importance of Water Quality in the WIO Region: Linkages to other Relevant Topics and Processes Input by Jared Bosire (NCS)



Questions & Answers



Individual Reflection and Inputs (15 min)

https://docs.google.com/document/d/1Aic19U-A1WI-aO30LwEWwa9p-gCfOpSZ/e dit?usp=sharing&ouid=107455747843258888661&rtpof=true&sd=true



Individual Reflection and Inputs (15 minutes)

Record your own responses to the following questions in the shared document:

- **1.** Do you agree with the recommendations in the background paper and technical inputs? What might **be missing** or needs to be clarified?
- 2. Who should take **regional-level leadership on policy** and technical aspects of water quality in the WIO?
- 3. What **additional human, financial, and institutional resources** are required to advance water quality in the WIO?
- 4. How can these resources be secured?



Breakout Rooms: Clustering Responses (15 min.)

Each group has random members and is assigned <u>ONE question.</u>

For your group's question, please:

- 1. Read all the responses in the left column
- 2. Then copy and paste these responses into the right column and cluster/label each grouping
- 3. Check if anything might be missing



General Insights



Feedback and Next Steps

https://forms.gle/gHGNJRuV6hVGTk947



Next Technical Dialogues and Key Events

- 4th of Oct., Technical Dialogue on Finance (14:00 17:00 EAT)
- 11th of Oct., Technical Dialogue on BBNJ (14:00 17:00 EAT)
- 2nd of Nov. ROGS Strategy Check (14:00 17:00 EAT)

