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**Third Negotiations Meeting on the
Integrated Coastal Zone Management Protocol
to the
Amended Nairobi Convention**

Zanzibar, 21-24 November, 2016

**REPORT OF THE FIRST NEGOTIATIONS MEETING ON THE TEXT OF THE
PROTOCOL ON INTEGRATED COASTAL ZONE MANAGEMENT IN WESTERN INDIAN
OCEAN REGION**

I. Introduction

1. In decision CP7/3 on '*Development of a Protocol on Integrated Coastal Zone Management*', the Contracting Parties of the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean region agreed to negotiate a protocol on integrated coastal zone management and present an agreed text for consideration for possible adoption at the next Conference of Parties serving as the Conference of Plenipotentiaries. The Contracting Parties also requested the Secretariat to facilitate meetings on negotiations on the protocol and its Conference of Plenipotentiaries.
2. In accordance with that mandate, the first negotiation meeting on the text of the Protocol on Integrated Coastal Zone Management in Western Indian Ocean Region was held on 25 and 26 September 2013 in Cape Town, South Africa.

II. Organisation of the Meeting

A. Opening of the Meeting

a) Welcome remarks by the Secretariat for the Nairobi Convention

3. The meeting was opened at 9.00am by Mr. Dixon Waruinge the Head of the Secretariat for the Nairobi Convention followed by introduction by the participants. Mr. Waruinge thanked the Government of South Africa for hosting the meeting despite their busy schedule, the focal points for facilitating the communication process during the preparation for the meeting and all the participants for their cooperation in organizing the meeting. While making reference to decision CP7/3, Mr. Waruinge acknowledged the contribution of the Indian Ocean Commission (COI) in facilitating the initial technical drafting sessions of the draft ICZM Protocol through the recently concluded project on 'Regional Programme for the Sustainable Management of the Coastal Zones of the Countries of the Indian Ocean' (ReCoMaP). Thereafter, he welcomed a representative of COI to make some opening remarks.

b) Welcome remarks by Indian Ocean Commission (COI) Representative

4. Mr. Jean Paul Gaudechoux representing the Indian Ocean Commission (COI) informed the participants that COI was promoting regional cooperation through implementation of its Strategic Action Programme for 2013-2015. In 2011, COI signed a Memorandum of Understanding with UNEP to prepare a protocol on ICZM which provided technical and financial support to the protocol development process through different projects that facilitated a platform for sharing and exchange of information related to the protocol. He also stated that COI supports member states in conservation of coastal and marine environment and will continue to partner with the Nairobi Convention Secretariat and the Western Indian Ocean Marine Science Association (WIOMSA) to address challenges such as coastal pollution and food security. In his closing remarks, Mr. Gaudechoux informed the meeting that COI remained committed to the ICZM Protocol development process.

c) Welcome remarks by a representative of the Government of the Republic of South Africa

5. The representative of the Government of South Africa welcomed the participants to the city of Cape Town. She stated that the Government of South Africa has undertaken harmonization of laws and policies on governance of South Africa's coastal and marine resources and natural ecosystems of the coastal zone in line with the ICZM Protocol.

III. Organizational matters

a) Presentation of Letters of Accreditation

6. The Secretariat guided the Contracting Parties in the submission of their “Letters of Accreditation” to the Secretariat. A Letter of Accreditation confers powers to the delegate to negotiate and make decisions on the text of the draft ICZM Protocol on behalf of their government. All the Contracting parties presented their letters of accreditation.

b) Election of Meeting Bureau

7. As per the established tradition, Tanzania assumed the role of the Chair of the Bureau of the session, with the assistance of the host Government of the Republic of South Africa, while Kenya assumed the role of a rapporteur.

IV. Adoption of the Agenda

8. The Chairperson, South Africa introduced and led the discussion on the adoption of the agenda for the meeting document number UNEP (DEPI)/EAF/NEG.1/ICZM/2. The provisional agenda was unanimously adopted without any amendments.

V. Presentations on Ocean Policy

a) Opening Presentation by the Head of the Secretariat for the Nairobi Convention

9. Mr. Waruinge opened by stating that the objective of his presentation was to demonstrate the nexus between the ICZM protocol and other processes such as global conventions and protocols. He defined governance as the exercise of economic, political and administrative authority to manage a country’s affairs at all levels involving key stakeholders such as the government, civil society and the private sector.
10. He explained that ocean governance takes a two-pronged approach i.e. legal- based approach and an ecosystem- based approach. The legal- based approach is zonal and zones the ocean into the Territorial Sea, Economic Exclusive Zone (EEZ) and Open Sea and focuses on the sovereignty of countries. On the other hand, the ecosystem- based approach views oceans as integrated, indivisible units. He noted that the Nairobi Convention will integrate the zonal and the integrated ecosystems approaches adding that the negotiations should create a nexus between these two approaches. Examples of conventions that have adopted a similar approach include the Convention for the Protection of the Marine Environment of the North-East Atlantic (the OSPAR Convention); Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Barcelona Convention, Vienna Convention, among others.
11. Mr. Waruinge gave a recollection of the ICZM Protocol development process highlighting the contribution by Indian Ocean Commission (COI) through the ReCoMaP project. He stated that during the Sixth conference of Parties, held in April 2010, the contracting parties adopted decision CP6/3 on “Strengthening Integrated Coastal Zone Management in the Western Indian Ocean Region” requesting the Secretariat to promote and strengthen the application of ICZM tools and develop an ICZM protocol for consideration at the next COP, and in this context work in collaboration with the Indian Ocean Commission (IOC) and other relevant regional and international organizations and programmes/projects, through a consultative process. In response to this decision, the Secretariat in partnership with COI organized seven Ad-hoc Legal and Technical Working Group Meetings (LTWG) and seven drafts of the ICZM protocol. The

seventh draft ICZM Protocol was submitted to COP7 held in December 2012, in Maputo Mozambique for consideration. In decision CP7/3, the Contracting Parties agreed to negotiate the ICZM protocol and requested the Secretariat to facilitate meetings on negotiations and its Conference of Plenipotentiaries. The COP7 also adopted “Guidelines for Drafters and Negotiators of the Protocol on Integrated Coastal Zone Management to the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean”.

12. Mr. Waruinge urged the negotiators to consider making the draft ICZM protocol effective and different i.e. should be current and forward looking. He challenged the participants to invest intellectual effort and to overlook national or regional weaknesses and think strategically and in a long-term wider perspective. In concluding, he urged the negotiators to use the guidelines to think as drafters and not to be restricted by the document and develop a protocol that captures current trends in ocean governance.
13. Thereafter, the Chair invited the Contracting Parties to make their country presentations.

b) Country presentations on Development of Ocean Policy and the Relationship between ICZM and Ocean Policy

i. Kenya

14. Ms. Irene Kamunge, the Legal Officer of the National Environment Management Authority (NEMA) informed the meeting that the Government of Kenya was in the process of developing an Ocean Policy. The Policy is expected to offer an integrated and coordinated framework designed to guide the management, utilization and protection of the marine and coastal ecosystems. The policy will promote public awareness, maritime security, conservation, protection and regulation on utilization and exploitation of ocean resources. She informed the meeting that the key issues considered in the policy include marine bio-prospecting, off-shore oil and gas operations, marine-based minerals, fisheries and aquaculture development.
15. Thereafter, the Chair invited the participants to make comments on the Kenya presentation. The representative of the Government of Madagascar Mme. Ralalaharisoa Christine Edmee informed the meeting that Madagascar did not have an ocean policy. She inquired on the lead ministry responsible for the ocean policy development process in Kenya as it was not clear from the presentation.
16. Ms. Kamunge responded that the policy development process was led by the Office of the Deputy President and NEMA and fully supported by all other arms of government. She further informed the meeting that the Government of Kenya had submitted a claim of its territorial waters and EEZ, and needed a legal instrument that would guide the governance of these areas hence the development of an ocean policy.
17. The representative of the United Republic of Tanzania inquired on why Kenya was developing an ICZM Policy as well as an Ocean Policy. Ms. Kamunge responded that Kenya’s environmental policy is not broad in scope which necessitates the development of sectoral policies. She added that the proposed ocean policy is broad enough not only to govern ICZM but other areas such as pollution and other ecosystems in the marine environment.

ii. Mauritius

18. The representative of the Government of Mauritius Ms. Nashreen Soguun informed the meeting that Mauritius does not have an ocean policy and all activities within the waters of Mauritius are regulated by different legislations. Examples of such legislations include: Maritime Zones Act of 2005, Fisheries and Maritime Resources Act of 2007, Environment Protection Act of 2008, Wastewater Management Act, Mauritius Oceanography Institute Act of 1999 (MOI) responsible for establishment of Mauritius EEZ, Merchant and Shipping Act, among others.
19. She stated that Mauritius held a national dialogue in July 2014 that created a roadmap on ocean economy and an ocean policy shall be developed thereafter.

iii. Mozambique

20. The representative of the Government of Mozambique stated that the country has no ocean policy but has several policies on coastal erosion, mangroves and waste management. There is also a coastal zone development centre that deals with capacity building and works with integrated coastal zone committees. Mozambique has ratified several international conventions and protocols such as CITES, CBD, Rotterdam and is currently developing a national contingency plan that covers issues such as sensitivity mapping and ballast water.

iv. South Africa

21. The representative of the government of South Africa stated that the country has a framework law, the National Environment Management Act that governs environmental issues.
22. Currently, South Africa has legislation that relates to oceans such as the Marine Protected Areas Act and the Maritime Act and the gap is the lack of cross-sectoral management of the oceans. The Integrated Coastal Zone Management Act came into force in 2009. Since 2011, South Africa started developing a national Ocean Policy (a Green Paper) which has been approved by government and is currently undergoing negotiations with different stakeholders and thereafter shall be taken back to cabinet for approval as a White Paper. The policy provides guidelines to manage the 4 coastal provinces and 400 estuaries in the region.
23. Kenya stated that it would borrow a leaf from South Africa on the way forward. Comoros inquired about the procedure of developing an Act i.e Ocean Policy Act. South Africa responded that once the Ocean policy white paper has been approved, it has to be translated into an Act with the approval of Parliament.

v. Tanzania

24. The representative of the Government of Tanzania stated that the country has no ocean policy but has different policies and legislations that relate to the marine and coastal environment.

vi. Seychelles

25. The Representative of the Government of Seychelles stated that the country has no ocean policy but a Sustainable Development Strategy of 2012 to 2020 that focusses on the Green economy (sustainable development and poverty eradication). Seychelles has also been instrumental in the development and discussions on Blue Economy.

26. There are currently several restoration projects such as the development of marine parks, restoration of mangroves, restriction on fisheries, low carbon energy, renewable energy from wind, education and awareness on sustainable tourism, reduction of pollution from marine debris and agriculture e.t.c. Seychelles is also revising several laws such as the Merchants and Shipping Act. With regard to governance and international cooperation, Seychelles has established Joint Management Areas with Mauritius.
27. Comoros asked Seychelles on how it deals with the release of raw waste water into the sea. Seychelles responded that before a developer's development plan is approved, they must submit a sewage treatment plan that shows that they shall recycle waste water for use in agriculture.

vii. Madagascar

28. The representative of the Government of Madagascar stated that Madagascar has no ocean policy and no coordinated management of coastal and marine resources. These resources are managed by different environmental sectoral laws and policies on different issues such as environment impact assessment, coastal mining, tourism, fisheries and management plans. There are also no institutions responsible for capacity building but Madagascar collaborates with COI on different projects.
29. Madagascar has ratified different global conventions and protocols which have not been domesticated into national law thus making implementation difficult. There is also a need to integrate the laws and policies for purposes of ICZM.

c) Overview of National and Global Oceans Governance and Relationship with ICZM

30. Mr Akunga made a presentation on the global overview on ocean governance and ICZM. He states that Areas beyond National Jurisdiction (ABNJ) cover half of the earth's surface and have significant biodiversity. There is currently no global and detailed legally binding framework to cover(ABNJ) and are governed by various regimes such as
 - UN Convention on Law of the Sea.
 - Regional Fisheries Management Organisations
 - Shipping by International Maritime Organisation
 - Ocean biodiversity by CBD,CITES,CMS
 - Regional Seas Conventions such as OSPAR and Barcelona Convention
31. Mr. Akunga stated that governance in ABNJ is complex because it is the territory of the commons and not under control of any nation and the operating principle in these areas is the 'principle of the commons'. There is legal fragmentation of ABNJ governance and weak institutional arrangements due to multiple institutions and frameworks.
32. The UN General Assembly (UNGA) established the 'UN ad hoc open-ended informal Working Group to study issues related to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction' (the BBNJ Working Group) in 2004 to examine this question. It is the UNGA itself — the countries of the world — that ultimately must vote and decide how to address this critical issue. In November 2011, Resolution A/RES/66/231 on Oceans and the Law of the Sea was adopted by the 66th Session of the UNGA. This breakthrough resolution calls for the initiation of a process by the General Assembly to address legal gaps in the conservation and sustainable use of marine biodiversity on the high seas, including through the possible development of a multilateral agreement under UNCLOS.

33. In June 2012, at the Rio+20 Summit, the proposal to go ahead with such an agreement received a great deal of support and attention. The overwhelming majority of States were firmly in favour of “the development of an international instrument under UNCLOS” aimed specifically at high seas biodiversity protection, but due to the concerns of a small minority of States, the final text of The Future We Want outcome document instead postponed the decision.
34. Mr. Akunga stated that the gaps in the management of ABNJ affects sovereign waters and areas within national jurisdiction because oceans are shared resources. Further, he stated that there is a need for Western Indian Ocean countries to cooperate and manage the areas adjacent to ABNJ because of the shared nature of the ocean and its resources i.e fisheries, straddling stocks and migrating mammals. He gave examples of Regional Seas Agreements that cover ABNJ such as:
- 1992 OSPAR Convention extends the definition of maritime area to ABNJ and features Marine Protected Areas.
 - Barcelona Convention.
35. In conclusion, he said that the gaps in ABNJ governance require an effective legal framework that includes Environment Impact Assessment and Strategic Impact Assessment and better implementation of existing legal frameworks.

d) Negotiating Skills and Etiquette

36. On behalf of the Secretariat of the Nairobi Convention, Mr. Robert Wabunoha made a presentation on the process of making treaties by focusing on the ICZM protocol. The purpose of the presentation was to strengthen the understanding of the negotiators on their role before, during and after the conclusion of the Protocol.
37. The presentation highlighted the processes and requirements for preparation, negotiation, adoption and ratification of a treaty. Some of the legal requirements mentioned included letters of accreditation and full powers. Also highlighted were the etiquettes of negotiations that if observed would result in effective negotiations and smooth conclusions. Specific examples of diplomatic words, methods of intervention on the floor and others were given to delegates.
38. Finally, the presentation underscored the importance of the negotiations meeting as an opportunity to improve on the draft Protocol (which was a product of previous consultations) that would ultimately agree on a negotiated text that would be presented for adoption at the Conference of Plenipotentiaries.

VI. Overview of the Draft Text of the ICZM Protocol

39. The Secretariat made a synopsis of the draft articles of the 7th Draft of the ICZM Protocol drawing the attention of the participants to the key issues, comments from the countries and responses of the Secretariat and made reference to decision CP7/3 on ‘*Development of a Protocol on Integrated Coastal Zone Management*’. The Chairperson then invited comments or reactions from representatives of the Contracting Parties. In the absence of any additional or contradictory comments, the delegates confirmed ownership of the comments in the draft document. Thereafter, the document was opened for negotiation.

VII. Consideration and Negotiations of the Draft Text of the ICZM Protocol

40. The Chairperson invited the delegates to consider each article of the draft text with a view of agreeing on a negotiated text ready for adoption by the conference of the plenipotentiaries. The

main articles of the Protocol were first considered and the preamble and the article on definitions were deferred and revisited after the conclusion of the substantive articles. The meeting was engaged in comprehensive negotiations of the proposals and comments provided earlier by Contracting Parties. In view of the fact that the negotiations were conducted on an article by article basis, and that the actual decisions on each article had been reflected in the text of the Protocol, only the highlights of the decisions or the basis for the decisions are given, as follows:

a) Article 1: Definitions

The negotiation discussions on this article were deferred to the next negotiating session.

b) Article 2: Geographical coverage [Protocol Area]

Kenya, Mauritius and Seychelles proposed to use the words “*Protocol Area*” for consistency with LBSA protocol of the Nairobi Convention as well as the “*alternative text for Paragraph 2*”.

South Africa, Mozambique, Tanzania and Madagascar proposed to use the words “*Geographical Coverage*”.

Mauritius, Seychelles and France were requested to translate the text in article 2 of the French version to be in sync with the English version.

c) Article 3: Purpose of Protocol

Article 3 on purpose of protocol, the word “the” was included in the title of the Article to read “*Purpose of the Protocol*”

South Africa proposed to amend the title of the protocol to read ...”*the Western Indian Ocean*”. The proposal on the change of title was deferred for later negotiation.

d) Article 4: Preservation of Rights

Article 4 was agreed upon without any amendment.

e) Article 5: General Obligations

The text of the article was adopted. However, it was noted that further deliberation should be considered on how countries establish mechanisms of implementing the concept of cooperation.

f) Article 6: Objectives of ICZM

Paragraph (c), the word “and” was deleted between*reduction and monitoring*.....

Comoros: proposed paragraph (a) to end the sentence at the word “...*coastal zone*.”

France to provide alternative text on separating human induced actions and natural ones

Tanzania to provide additional text on objective that captures “*oil and gas*”.

South Africa proposed to add the word “*anthropogenic*” in paragraph (g) to read “...*effects of anthropogenic activities on the coastal*....”

g) Article 7: Principles of ICZM

South Africa proposed to add a “*principle on ecological compensation principle*”

Madagascar, proposed to add the “principle of subsidiarity”

Tanzania, proposed to delete the word “*following*” in paragraph 1 and add the words “*among others*” at the end of paragraph 1.

South Africa proposed to combine sub articles 1 and 2.

PART II: ICZM Frameworks and Instruments**h) Article 8: National ICZM Frameworks**

Mauritius, proposed to delete the word “*regional*” in paragraph 4 before the word “*indicators*”

South Africa stated that the entire article on frameworks is a bit superfluous i.e. it’s not clear what is meant by the word ‘framework’ and whether it could be included or merged under article 9 as an instrument to implement ICZM as in the case of South Africa. There are already many frameworks identified or mentioned in the protocol i.e. national focal points, committees, etc, and the article does not seem to have any linkages to those frameworks.

France proposed to define the word “*frameworks*” in Article 1 on definitions. Dr. Akunga to propose text on the definition of “*frameworks*”

France proposed to have a paragraph on general obligations for parties to harmonise their programmes, policies and laws and other regulatory frameworks.

The contracting parties to consider retaining or deleting the article once the secretariat defines the term “*frameworks*”. The article remains bracketed.

i) Article 9: Various ICZM Instruments

Madagascar, proposed to add an instrument on the use of “*Geographic Information Systems*”

Secretariat to define the term “*instruments*” and communicate the definition to the Contracting Parties and get feedback from the Contracting Parties. It was agreed that Parties shall discuss inter-sessionally before the next meeting to further negotiate this article.

j) Article 10: Coastal Setback Line(s)

Proposal to bracket article 10 to be discussed once the term “*instrument*” has been defined and agree on whether there should be ICZM instruments, or they are tools that will be continuously developed in the implementation of the Protocol.

k) Article 11: Economic and Financial Instruments

The article was adopted.

France to provide comments on paragraph 2 and where possible provide alternative text in the next meeting.

It was agreed to review to delete or rephrase the sub-article 2 in the next meeting.

l) Article 12: Information, participation and access to justice

Tanzania, proposed the article to emphasis on “information sharing”. Tanzania to propose text on “*information sharing*”

Kenya proposed to retain the article since the emphasis on information sharing is captured in “*Article 13 on Compliance, Control and enforcement*”.

Proposal to move the text in Article 13 sub article 4 to article 12.

m) Article 13: Compliance, Control and enforcement

Paragraph 4 moved to Article 12.

n)Article 14: Monitoring and Reporting

Seychelles proposed to amend sub-article 2 as follows: Each contracting party shall establish a mechanism to ensure continuous assessment and management of data on the state of the coastal zone with provision for reporting.

South Africa, proposed that more information should be provided on the mechanism for reporting i.e. reporting to whom? Regional? National?

Mauritius, propose the reporting should be done to the national ICZM Committees. Kenya proposed to bracket the text on reporting to the [*national ICZM Committees*].

Kenya, proposed to add national reporting

Tanzania, proposed the reporting to the “Organization” through the “national reporting template”

The Secretariat was requested to copy the text in *Article 16 on Reporting, exchange of and access to information on the LBSA Protocol* sub-article 4 and the contracting parties to customise for ICZM Protocol.

Tanzania proposed to add the word “...*strengthen*...” in paragraph 1 before the word “...or provide”.

Kenya proposed:

- the text on ICZM committees to be as broad as possible to accommodate the emerging discussions on ocean policy which may take into consideration ICZM committees.
- The definition of coastal zone to include the EEZ.
- Kenya propose to bracket article 22 (b)

PART III: SPECIFIC ICZM ISSUES**o)Article 15: Conservation and Rehabilitation of Coastal Ecosystems, Biodiversity and Landscapes**

Kenya/France to provide text on the emerging topical issues i.e. oil and gas, marine bio-prospecting, marine based minerals, among others before the next meeting. Kenya to make reference to the COP7 decisions

Tanzania, proposed to maintain the term programmes and projects in paragraph 1.

France requested to provide additional text on this Article in the afternoon.

Kenya, proposed additional text at the end of paragraph 5 as follows: “*prior to undertaking development activities that are likely to affect the marine and coastal ecosystems or rehabilitation measures*”

p) Article 16: Climate Change and Variability in the Coastal Zone

Article adopted as was.

PART IV: REGIONAL COOPERATION IN ICZM**q) Article 17: Disaster Risk Management**

France to propose alternative text and the text to be further elaborated to capture the objective of the article.

r) Article 18: Research and Innovation

Tanzania, proposed to remove the brackets

South Africa proposed to add the words “*within available resources*”... in paragraph 1 before the words “*directly or with.....*”

Mauritius proposes in paragraph 1 to use an alternative text of the word “*shall*” to ease the mandatory obligation to countries.

s) Article 19: Bilateral and Multilateral Cooperation

Tanzania proposed to include text on regional cooperation on Areas Beyond National Jurisdiction (ABNJ) and proposed to add a new sub article 8 to read as follows: “The Contracting Parties [shall] [may] cooperate in the [management] [monitoring] of resources and ecosystems beyond national jurisdiction/that might affect the coastal zone. (The secretariat to provide guidance on the mandate or a role played by Nairobi Convention in the ABNJ issues and report back in the next meeting). All parties to provide their position on ABNJ in the next meeting.

South Africa, in paragraph 7, there is an incorrect reference to a Network in article 17. The text should make reference to Article 18 (c) or 23..

South Africa, sub article 4 to include text on “cooperation within the available resources”

Kenya, proposed to add “...in joint management of shared ecosystems” before the words “as well as.....” in paragraph 1.

Mauritius propose to delete the last section of paragraph 1 from the word “*as well as zoning....coastal zones*”

PART V: INSTITUTIONAL AND FINANCIAL ARRANGEMENTS**t) Article 20: Secretariat and Coordination Mechanism**

Article adopted as was.

u) Article 21: Financial Arrangements

It was agreed that the Secretariat will re-arrange the articles and put like items together i.e. those related to financial and institutional.

v) Article 22: National Focal Points

Seychelles proposed to remove the word institutional in paragraph 1.

Tanzania proposed to use alternative text for the word “periodically” i.e. “as appropriately” in paragraph 2.

w) Article 22b: National ICZM Committee

Kenya proposed to use appropriate legal language that refers to the committees and focus on the functions rather than the name of the Article to encompass the divergent names used by different contracting parties.

Mauritius proposed to use the term “Coordinating body”.

Kenya proposed that the institution’s name must demonstrate its multi- sectoral nature.

Mauritius, the setup including the TORs for the committee should be clear.

Comoros, proposed a national structure’ however, it should be the prerogative of the national institution to establish such an institution.

France proposed that the implementation of the protocol is the prerogative of the contracting party.

South Africa and Madagascar proposes to use the word “may’ and not “shall” in paragraph 3

It was agreed to bracket the whole of Article 22.

x) Article 23: Regional ICZM Network

Article to be deleted and the functions in sub article 2 to be moved to the secretarial functions and bracket the sub-article.

y) Article 24: Meetings of the Parties

France, proposed to add a function of the meeting of the parties: “to monitor the implementation of the protocol by the contracting parties”.

PART VI: FINAL PROVISIONS**z) Article 25: Relationship with the Convention**

Article adopted as was.

aa) Article 26: Relationship with Third Parties

Article adopted as was.

bb) Article 27: Signature, Ratification, Accession, Entry into Force

Article adopted as was.

VIII. Way Forward

41. It was agreed that the pending issues would be dealt with intersessionally before the next meeting.

IX. Concluding Remarks

42. The Chair thanked the Government of Kenya for leading the negotiations and the secretariat for taking notes and assured the participants that the Secretariat had recorded detailed notes on the deliberations. She also thanked the participants for their cooperation and contribution. COI thanked the participants for a job well done and much improvement on the Protocol.
43. Mr. Peter Ryan of South Africa thanked the participants for their valuable input and passed his apologies on behalf of Dr. Razeenn Omar who was unable to join the meeting during the closing session.
44. The venue and date for the next meeting was agreed be in 2014 before the COP.
45. There being no other business, the Chairperson declared the meeting adjourned at 5. 30pm.