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

Tenth meeting
Virtual, 23 - 25 November 2021

Decisions Adopted by the Contracting Parties

Preamble

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

Noting with appreciation the progress made in implementation of the work programme for 2018–2022, within the constraints posed by the COVID-19 pandemic, and cognisant of the need for a work programme for 2022–2024 that addresses the triple planetary crises of climate change, biodiversity and nature loss, and pollution and waste, as well as post COVID-19 recovery, in the marine and coastal environment of the Western Indian Ocean region,

Recalling that the 2018-2022 work programme was funded and implemented through regular payments of assessed and voluntary contributions to the Regional Seas Trust Fund for the Eastern African Region by the Contracting Parties and with contributions by partners through implementation of collaborative projects and activities,

Concerned about current and emerging threats to the Western Indian Ocean region's marine and coastal environment, especially those affecting critical habitats and endangered species, including mangroves, coral reefs, seagrasses, shark and rays,

Noting that we share a common responsibility and concern for ocean health and that the emerging issues in the whole ocean space are closely interrelated and require improved ocean governance,

Noting the decisions of the twenty-sixth meeting of the Conference of Parties to the United Nations Framework Convention on Climate Change that took place from 31 October to 13 November 2021 in Glasgow, and further recognizing the importance of protecting, conserving and restoring ecosystems to deliver crucial services, including acting as net carbon sinks, reducing climate change vulnerabilities and supporting local community's sustainable livelihoods,

Noting the progress made on ratifying 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, the finalisation of the draft Protocol on Integrated Coastal Zone Management in the Western Indian Ocean region and the need to review the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region,

Appreciating the progress made in implementing the decisions and programmes of the meetings of Contracting Parties, especially on oil spill preparedness and response, ocean acidification, marine spatial planning, the science-policy interface, marine litter and microplastics, shark and ray species, and the monitoring of the coastal and marine environment,

Noting the current global and regional processes, including on the United Nations 2030 Agenda for Sustainable Development, the post-2020 global biodiversity framework, the Paris Agreement on Climate Change, the 2021-2030 United Nations decade on ecosystems restoration, the United Nations Decade of Ocean Science for Sustainable Development 2021-2030, the 2022 United Nations Ocean Conference, the African Union Agenda 2063, the 2050 Africa's Integrated Maritime Strategy, areas beyond national jurisdiction, marine litter and plastic pollution, blue economy and circular economy, and ocean governance in Africa,

Acknowledging and thanking partners, including the Global Environment Facility, the Swedish International Development Cooperation Agency, the European Commission Programme in the African, Caribbean and the Pacific on Multilateral Environmental Agreements, and the Federal Ministry of Economic Cooperation and Development of Germany, Food and Agriculture Organization of the United Nations – South West Indian Ocean Fisheries Commission, and the Consortium for the Conservation of the Western Indian Ocean Coastal and Marine Ecosystems, for their contribution and collaboration in supporting the work of the Nairobi Convention,

Appreciating the support provided by the United Nations Environment Programme in the implementation of the work of the Nairobi Convention, its protocols, action plans and work programmes,

Decide,

Decision CP.10/1. Approval of the Programme of Work for 2022-2024

1. To approve and implement, with the support of partners, the Programme of Work for the period 2022–2024, within the four priority areas as defined in annex A.
2. To request the secretariat to report on the progress of implementation of the programme of work 2022-2024 at the regular meetings of national focal points and at the eleventh meeting of the Contracting Parties.

Decision CP.10/2. Ratification, accession, and implementation of the Amended Nairobi Convention and the Protocol on Land-based Sources and Activities.

1. To urge Contracting Parties that have not ratified or acceded to the Amended Nairobi Convention and the Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-based Sources and Activities to do so to enable the Amended Convention and Protocol to come into effect and request the secretariat, where necessary and requested, to support them in the process of ratification.
2. To urge Contracting Parties that have ratified or acceded to 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 to strengthen their institutional capacity and develop or harmonize policies, laws, regulations, and standards for the effective implementation of the convention and protocol.

Decision CP.10/3. Adoption of the draft Protocol on Integrated Coastal Zone Management

1. To request the secretariat to convene a Conference of Plenipotentiaries before the eleventh meeting of the Contracting Parties to adopt and sign the Protocol on Integrated Coastal Zone Management in the Western Indian Ocean region.

Decision CP.10/4. Review of the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and its annexes

1. To request the secretariat to convene an ad-hoc legal and technical working group to prepare a revised Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and its annexes, with priority for conservation action on marine ecosystems and critically endangered, endangered and vulnerable species, for negotiation and adoption, and report progress at the eleventh meeting of the Contracting Parties.
2. To request partners, in collaboration with the secretariat, to support the Contracting Parties in the process of the review of the Protocol Concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region and its annexes.

Decision CP.10/5. Ocean Governance Strategy

1. To request the secretariat to finalise the development, in a participatory process, with the support of partners, the ocean governance strategy for the Western Indian Ocean region as a contribution to the African ocean governance strategy.
2. To invite the African Union Commission and regional economic communities to enhance collaboration with the Nairobi Convention on ocean governance in the Western Indian Ocean region.
3. To request the secretariat to strengthen national data centres, through capacity development on information and knowledge management, and in collaboration with partners, to develop a regional information management strategy and mechanisms to address common challenges and take informed decision-making for ocean governance.
4. To invite Contracting Parties to cooperate and collaborate in Ocean governance matters within existing institutional mandates and coordinate actions on biodiversity beyond national jurisdiction.

Decision CP.10/6. Oil Spill Preparedness and Response

1. To request the secretariat, as part of the efforts to strengthen the regional response centres and oil spill coordination mechanisms, to support the:
 - a) review of national oil spill contingency plans,
 - b) identification of capacity gaps in oil spill preparedness and response, and
 - c) preparation of oil spill sensitivity maps for Contracting Parties, that require such support.

Decision CP.10/7. Regional Action Plan to address Ocean Acidification

1. To request the secretariat, with the support of partners, to develop a regional action plan to monitor and support national climate change intervention strategies to minimize the impacts of ocean acidification.

Decision CP.10/8. Area-based Planning Tools for Sustainable Blue Economy

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1. To request the secretariat to finalise the preparation of a regional marine spatial planning strategy for adoption at the eleventh meeting of the Contracting Parties.
 2. To urge Contracting Parties to mainstream marine spatial planning and the ecosystems-based approach into national development planning processes, including the sustainable blue economy.
 3. To urge Contracting Parties to establish a network of marine protected areas, and other effective conservation measures, such as, locally managed marine areas, community fisheries management areas, taking into account climate refugia for threatened habitats and species.

Decision CP.10/9. Monitoring of the marine and coastal ecosystems

1. To request the secretariat to develop a regional coastal and marine ecosystem indicator monitoring framework, to support Contracting Parties to periodically assess the state of the marine and coastal environment and for adoption by a meeting of national focal points before the eleventh meeting of the Contracting Parties.

Decision CP.10/10. Water Quality and Marine litter

1. To request the secretariat to establish a regional task force on water quality to support the development of a water quality monitoring framework and guidelines on national interventions, and for adoption by a meeting of national focal points before the eleventh meeting of the Contracting Parties.
2. To request the secretariat and partners to finalise the preparation of a regional action plan to address marine litter and plastic pollution for adoption at the eleventh meeting of the Contracting Parties.

Decision CP.10/11. Science-policy dialogue

1. To request the secretariat to continue organising regional and national science-policy dialogues for scientists and policy makers to support decision making for improved ocean governance.

Decision CP.10/12. Projects and Partnerships

1. To urge Contracting Parties to establish partnerships and programmes on ocean action taking advantage of the opportunities offered by climate change financial mechanisms and arrangements.
2. To request the secretariat to support the implementation of ongoing projects and agree to develop new projects, where necessary, including:
 - a) strengthening existing partnerships for the implementation of 2022-2024 programme of work with the support of International Union for the Conservation of Nature, World Wild Fund for Nature, Coastal Oceans Research and Development – Indian Ocean, Wildlife Conservation Society, including support to large-scale multi-stakeholder initiatives,
 - b) partnership with Seychelles for the development of a regional resilience and prosperity initiative,
 - c) Federal Ministry of Economic Cooperation and Development of Germany, in the development of an information management strategy, ocean governance strategy, and a

regional multi-stakeholder initiative to enhance coastal and ocean stewardship and accelerate the transition to a sustainable blue economy,

- d) develop and implement a regional mangrove action plan through the Western Indian Ocean Regional Mangrove Network, with support of Federal Ministry of Economic Cooperation and Development of Germany, World Wide Fund for Nature, International Union for Conservation of Nature and Wetlands International and report progress at the eleventh meeting of the Contracting Parties,
- e) transboundary marine protected area between Kenya and the United Republic of Tanzania;
- f) partnership with the France through the French Facility for Global Environment (*Fonds Français pour l'Environnement Mondial*) to support projects to strengthen coastal resilience and adaptation to climate change and initiatives on mangroves, and
- g) partnership with France to finance marine litter and plastic pollution through French Facility for Global Environment (*Fonds Français pour l'Environnement Mondial*)¹, including the dialogue between science and decision-makers for an integrated management of marine and coastal environments project 2021-2024.

Decision CP.10/13. Financial matters

1. To request the secretariat to provide invoices to the Contracting Parties for their current year's contributions by the first day of January, June or September of every year.
2. To request the secretariat to continue reporting on the status and use of the Regional Seas Trust Fund for the Eastern African Region at the meetings of the Contracting Parties.
3. To request Contracting Parties to support the secretariat in mobilising resources for implementation of projects and activities, including by providing staff and staffing resources within the provisions of the United Nations regulations.

¹ projects by :2M€ in 2021 for marine litter projects, 5M€ additional for 2022 supporting various actions in many regional conventions (Barcelona, Cartagena, Nairobi) 4M€ AFD and 1.7M€ FFEM project led by the Indian Ocean Commission (French presidency 2021- 2022) to support the circular economy in the Western Indian Ocean region (initiated in June 2021) 0.5M € project led by Earth wake to transform marine plastic waste into fuel in an island environment (technology low tech, low cost) 5M € preparatory phase for several projects to be launched in 2022; French Sustainable Actions for Innovative and Low-impact Shipping initiative to encourage maritime companies to put in place actions to reduce their environmental footprint.