



UNITED NATIONS ENVIRONMENT PROGRAMME

*UNEP Regional Seas Programme:
the Eastern African experience*

UNEP Regional Seas Reports and Studies No. 53

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REGIONAL SEAS PROGRAMME OF UNEP

The 1972 United Nations Conference on the Human Environment (Stockholm) outlined a "masterplan" for the protection of the world's environment which linked environmental assessment, environmental management and supporting measures as basic and inseparable elements of a global strategy.

In the decade since the Stockholm Conference, the United Nations Environment Programme (UNEP) has served as a focal point for environmental action and co-ordination within the United Nations system for the implementation of the Action Plan adopted at Stockholm.

The early meetings of the UNEP Governing Council endorsed a regional approach to the control of marine pollution and the management of marine and coastal resources. Consequently, in 1974 the Regional Seas Programme of UNEP was initiated (UNEP, 1982).

The substantive aspect of any regional programme is outlined in an "action plan" which is formally adopted by an intergovernmental meeting of the Governments of a particular region before the programme enters an operational phase. In the preparatory phase leading to the adoption of the action plan, Governments are consulted through a series of meetings and missions about the scope and substance of an action plan suitable for their region. In addition, with the co-operation of appropriate global and regional organizations, reviews of the specific environmental problems of the region are prepared in order to assist the Governments in identifying the most urgent problems in the region and the corresponding priorities to be assigned to the various activities outlined in the action plan. UNEP co-ordinates directly, or in some regions indirectly through existing regional organizations, the preparations leading to the adoption of the action plan.

All action plans are structured in a similar way, although the specific activities for any region are dependent upon the needs and priorities of that region. An action plan usually includes the following components:

- (a) Environmental assessment. This concerns assessing and evaluating the causes of environmental problems as well as their magnitude and impact on the region. Emphasis is given to such activities as: baseline studies; research and monitoring of the sources, levels and effects of marine pollutants; eco-system studies; studies of coastal and marine activities and social and economic factors that may influence, or may be influenced by, environmental degradation; and the survey of national environmental legislation. Environmental assessment is undertaken to assist national policy makers to improve the management of their natural resources in a more effective and sustainable manner and to provide information on the effectiveness of legal/administrative measures taken to improve the quality of the environment.
- (b) Environmental management. Each regional programme includes a wide range of activities in the field of environmental management. Examples of such activities are: co-operative regional projects on training in environmental impact assessment; management of coastal lagoons, estuaries and mangrove ecosystems; control of industrial, agricultural and domestic wastes; formulation of contingency plans for dealing with pollution emergencies.

- (c) Environmental legislation. An umbrella regional convention, elaborated by specific technical protocols, most often provides the legal framework for co-operative regional and national actions. The legal commitment of Governments clearly expresses their political will to manage individually and jointly their common environmental problems.
- (d) Institutional arrangements. When adopting an action plan, Governments agree upon an organization to act as the permanent or interim secretariat of the action plan. Governments also are expected to decide upon the periodicity of intergovernmental meetings which are to be responsible for reviewing the progress of the agreed workplan and for approving new activities and the necessary budgetary support.
- (e) Financial arrangements. UNEP, together with selected United Nations and other organizations, provides "seed money" or catalytic financing in the early stages of regional programmes. However, as a programme develops, it is expected that the Governments of the region will progressively assume full financial responsibility. Government financing is usually channelled through special regional trust funds to which Governments make annual contributions. These funds are administered by the organization responsible for the secretariat functions of the action plan. In addition, Governments contribute by supporting their national institutions participating in the programme or by financing specific project activities.

At present, in accordance with the decisions of the Governing Council, there are eleven regional sea areas where action plans are operative, under development or to be developed (see figures 1 and 2): the Mediterranean region (adopted in 1975); the Kuwait Action Plan region (adopted in 1978) (UNEP, 1983); the West and Central African region (adopted in 1981) (UNEP, 1983 a); the Wider Caribbean region (adopted in 1981) (UNEP, 1983 b); the East Asian Seas region (adopted in 1981) (UNEP 1983 c); the South East Pacific region (adopted in 1981) (CPPS/UNEP, 1983); the Red Sea and Gulf of Aden region (adopted in 1982); the South Pacific region (adopted in 1982) (SPC/SPC/ESCAP/UNEP, 1983); the Eastern African region (under development, adoption expected in 1985); the South Asian Seas region (to be developed, adoption expected in 1986), and the South-West Atlantic region (to be developed).

As part of the action plans mentioned above, regional conventions for the protection and management of the marine and coastal environment have been adopted in six regions (Mediterranean region, convention signed in 1976, entered into force in 1978 (UNEP, 1982 a); Kuwait Action Plan region, convention signed in 1978, entered into force in 1980 (UNEP, 1983 d); West and Central African region, convention signed in 1981, entered into force in 1984 (UNEP, 1981); the South-East Pacific region, convention signed in 1981 (UNEP, 1984); Red Sea and Gulf of Aden region, convention signed in 1982 (UNEP, 1983 e); Wider Caribbean region, convention signed in 1983 (UNEP, 1983 f)). Negotiations concerning the adoption of a regional convention are at an advanced stage for the South Pacific region and for the Eastern African region. In all regions, the conventions that have been adopted may be described as "umbrella agreements". Each convention is designed to be elaborated by specific technical protocols.

It is essential to bear in mind that all components of a regional programme are interdependent. Assessment activities identify the problems that need priority attention in the region. Legal agreements are negotiated to strengthen co-operation among States in managing the identified problems. They also provide an important tool for national policy-makers to implement national control activities. Management

development of new ones, are one of the means by which States fulfill their treaty obligations. Co-ordinated assessment activities then continue to assist Governments by providing scientific information by which to judge whether the legal agreements and management policies are effective.

The key to the success of any regional seas action plan is the political agreement of the Governments concerned and the execution of the programme primarily by national and other appropriate institutions from the region in close co-operation with the relevant components of the United Nations system, regional organizations and other appropriate organizations. The successful implementation of any regional seas action plan also depends to a considerable degree on sound preparations which take into account the specific socio-economic and political situation in a given region, the priorities in environmental protection as defined by the Governments of the region, the recognized capabilities and needs of the national institutions which are participating in the action plan, and the results of past and ongoing activities.

Consultations with the Governments concerned, the United Nations system and other appropriate organizations are essential for the preparatory phase of a regional programme. As a result of such consultations the general strategy of developing a regional programme should be clarified, priority programme elements should be proposed, and the timing of, and responsibility for, substantive actions during the preparatory phase should be determined.

The procedures and activities that may be followed in developing an action plan are instrumental in determining the Governments' and experts' long-term commitment to the implementation of the plan's activities and whether or not the action plan corresponds to the real priorities and needs of the region. Without a strong governmental commitment and a realistic programme, efforts to promote regional environmental co-operation will be short lived. Consequently, the process leading to the adoption of an action plan is crucial.

In this presentation the Eastern African region (see figure 3) will be used to demonstrate the steps which have been followed in developing that regional programme. The Eastern African region should be of particular interest to this meeting as since from the very beginning Governments have assigned the highest priority to conservation concerns and conservation activities are likely to figure eminently when project development to implement the action plan is begun.

EXPERIENCE IN THE EASTERN AFRICAN REGION

Policy decision to initiate the regional programme

The decision to develop a regional programme within the framework of UNEP's Regional Seas Programme must be made by the Governing Council of UNEP. It is clear that if UNEP's staff and financial resources are to be devoted to formulating a programme then such activities must have support at the highest policy level of the organization.

A decision to initiate activities in a new region usually results from the initiative of one or more States from the region which are members of the UNEP Governing Council. For the Eastern African region, a decision was taken at the eighth session of the Governing Council in 1980. The draft decision was originally

Preparatory phase

As a first activity in Eastern Africa, in consultation with the Governments concerned, an exploratory mission was organized by UNEP which in late 1981 visited each State of the region. The mission was expected:

- (a) to assess each State's interest in participating in a regional programme;
- (b) to consult with Governments with a view to identifying activities that could usefully be included as part of a comprehensive action plan; and
- (c) to discuss with Governments the steps to be followed which might successfully lead to the early adoption of an action plan.

In order to involve the United Nations system and other organizations in the early formulation of the programme, UNEP invited seven organizations to assist it in organizing the mission. Specifically, each organization was invited to nominate a mission member in its field of competence as follows:

- (a) coastal land use management - United Nations (UN) and United Nations Educational, Scientific and Cultural Organization (UNESCO);
- (b) conservation of coastal and marine resources and ecosystems - International Union for Conservation of Nature and Natural Resources (IUCN);
- (c) industrial pollution affecting human health and the marine coastal environment - United Nations Industrial Development Organization (UNIDO);
- (d) marine pollution - Food and Agriculture Organization of the United Nations (FAO);
- (e) pollution by hydrocarbons - International Maritime Organization (IMO);
- (f) public health problems in the coastal zone - World Health Organization (WHO).

A UNEP staff member assumed the responsibility of mission leader.

In addition to contributing to the overall objectives of the mission as mentioned earlier, each mission member, in co-operation with his sponsoring organization or organizations, was requested to write a sectoral report on the basis of the mission's findings and other available information. Each sectoral report was expected to give a preliminary assessment of a specific environmental problem in the region, to identify national institutions and experts that could participate in implementing an action plan once it is adopted, and to recommend activities that could usually be developed within the framework of the action plan.

On the basis of the mission's findings six sectoral reports were published (UN/UNESCO/UNEP, 1982); UNIDO/UNEP, 1982; FAO/UNEP, 1982; WHO/UNEP, 1982; IMO/UNEP, 1982; IUCN/UNEP, 1982) together with an overview study prepared by UNEP (UNEP, 1982 b). The mission concluded that all Governments of the region expressed political support at the highest level for the proposed regional programme. However, many Governments expressed their concern with regard to the limited possibilities for funding in the region.

A review on the general characteristics of the marine environment of the Indian Ocean and its pollution was also prepared by UNEP (UNEP, 1982 d) in order to provide

Having confirmed the political support for the programme and having gathered technical information on which to judge the existing and potential problems in the region, UNEP thought it timely to convene a workshop of experts from the region. The purposes of the workshop were:

- (a) to give experts from the region the opportunity to comment upon the sectoral and overview reports and, if appropriate, to present material on issues of regional concern that might not have been adequately addressed in the reports;
- (b) to formulate the first draft of an action plan which would identify priority problems of regional concern; and
- (c) to advise the Executive Director of UNEP on the further development of the action plan.

The workshop was convened in the Seychelles in September 1982. Full support was given to the regional reports and a draft action plan was prepared. The experts also agreed upon a priority programme of activities to be developed within the framework of the action plan (UNEP, 1982 c).

From the workshop it became clear that the priority concerns of the region included:

- (a) conservation of marine and coastal ecosystems and wild fauna and flora;
- (b) support and training for monitoring and research related to the sources, levels and effects of pollutants;
- (c) contingency planning in cases of marine pollution emergencies;
- (d) fisheries related projects;
- (e) environmental impact assessment;
- (f) environmental education; and
- (g) coastal erosion.

The workshop recommended that negotiations be initiated on a regional convention for the protection and management of the marine and coastal environment of the Eastern African region, a protocol concerning protected areas and wild fauna and flora, and a protocol concerning co-operation in combating marine pollution in cases of emergency. Furthermore, the workshop agreed that the formal adoption of the action plan should await preparation of the legal agreements so that they could be adopted together. The meeting also called upon UNEP to try to develop project activities in conformity with the recommended priority programme as early as possible (UNEP, 1982 c).

UNEP's experience has demonstrated that this decision to link adoption of the regional convention with adoption of the action plan was a wise one. Such linkage strengthens the two and promotes a continuing political commitment at the highest political level by the Governments concerned. UNEP also considers that a formal legal agreement is fundamental to the long-term visibility of any regional programme for several reasons, including:

- (a) provision of a framework for harmonizing national legislation and creating, as necessary, new legislation relating to environmental problems;

- (b) provision of a forum for regular (periodic) high-level consultation among participating Governments on implementation of the regional programme;
- (c) establishment of guidelines for co-ordinating environmental programmes and institutions at the regional and subregional levels;
- (d) promotion of accession by more Governments within the region to existing global and regional conventions relevant to the environmental concerns of the region;
- (e) establishment of a financial framework for continuous co-ordinated action for the protection of the coastal and marine environment of the region.

Since the Seychelles workshop, in consultation with the Governments of the region and recognizing the limited financial resources available through UNEP, the further development of the action plan has been focused on activities directly related to preparations for the conference of plenipotentiaries, and in particular, on activities contributing to the negotiations of the three legal agreements. This included the preparation of a series of country reports by experts from the region which were commissioned by UNEP. Experience has shown that there is much to be gained for both the programme and for people in the region if national expertise is encouraged and used in the preparation of reports, studies and projects from the earliest stage possible. Therefore, for each State participating in the programme, three experts were requested to prepare a report on:

- (a) national legislation relevant to the marine and coastal environment;
- (b) natural resources and conservation;
- (c) socio-economic activities that may have an impact on the marine and coastal environment.

The preparation of the reports on national legislation was organized in close collaboration with FAO. In the framework of this collaboration an FAO staff member and a consultant visited the national experts working on the report, reviewed their work, and suggested any revisions or additions that may be necessary. After the national reports were completed (FAO/UNEP 1984), FAC prepared a regional, analytical report on the legal aspects of protecting and managing the marine and coastal environment of the Eastern African region (FAC/UNEP, 1985). The purpose of the report was to support the negotiations of the legal agreements: by assisting Governments to assess the present status of national legislation in the region; by identifying the gaps and weaknesses of such legislation; by giving examples of legislation in some States which may serve as examples of the sorts of national legislative measures the convention would require; and by providing a basis from which to promote the harmonization of national environmental legislation in the region.

The preparation of the national reports (IUCN/UNEP, 1984) on conservation was supervised in a similar way by IUCN, and IUCN also prepared the corresponding regional report (IUCN/UNEP, 1984 a). The co-operation with IUCN was more complex than the one with FAO as it foresaw more activities and a broader scope of outputs. The main objective of the joint IUCN/UNEP activity was to provide the technical information required for the negotiation of the protocol on protected areas and wild fauna and flora as well as for "setting the scene" in which to develop specific conservation project activities in the region as soon as the action plan is adopted. The information and data available at IUCN, in particular through the Conservation

When negotiating the co-operation with IUCN on the development of activities relevant to the Eastern African regional programme, IUCN informed UNEP that it was carrying out discussions with the South Carolina Sea Grant Consortium for a meeting/workshop on conservation to be held in Mauritius. It was agreed that it would be useful to combine the two activities so that the South Carolina Sea Grant Consortium/IUCN meeting could be used to review the regional conservation report prepared for UNEP. This was done and the meeting (Mauritius, October 1983) usefully served to "clear" the report with technical experts from the region prior to submitting it to Governments and their legal experts, thus facilitating the way for acceptance of its recommendations.

IUCN also agreed to comment upon the draft text of the protected areas protocol prepared by UNEP and to prepare the draft technical annexes to the protocol. IUCN's comments and technical contribution served to strengthen considerably the draft protocol which was submitted by UNEP to the Governments of the region.

The national reports on the socio-economic activities that may have an impact on the marine and coastal environment of the Eastern African region have been collated and published by UNEP (UNEP, 1984 c) together with a regional report prepared by UNEP on the same subject (UNEP, 1984 d).

In parallel with the development of the technical background papers prepared in collaboration with FAO and IUCN, IMO undertook to prepare a draft protocol on co-operation in pollution emergencies.

The preliminary text of a regional convention was prepared by UNEP.

As technical support to the development of the protocol on co-operation in pollution emergencies, IMO and UNEP organized a workshop on oil pollution, prevention, control and response in the Eastern African region (Mombasa, Kenya, November/December 1983). The purpose of the workshop was to give participants an understanding of how best to select and use methods for protection and clean-up of oil pollution which are appropriate to the local environment. An overview of relevant international marine pollution conventions was presented and subjects such as the economic impact of oil spills, liability, and compensation procedures were also addressed.

All of these documents were submitted to a meeting of experts on a draft convention and protocols for the Eastern African region, convened by UNEP in Nairobi in December 1983. Experts from all nine States of the region attended. The meeting made considerable progress in reaching a consensus on the agreements, but a few points, including the technical annexes to the protocol on protected areas and wild fauna and flora, were left unresolved (UNEP, 1984 a). Therefore, a second meeting of experts was convened in October 1984, also in Nairobi, to complete negotiations on the legal agreements and to review the institutional and financial arrangements required for the implementation of the programme.

The second meeting of experts (UNEP, 1984 b) concluded with a consensus on nearly all of the provisions of the convention and protocols, and the meeting recommended that a conference of plenipotentiaries be convened to adopt the final texts of the action plan and the three legal agreements. The meeting also considered the institutional and financial arrangements that would need to be adopted by Governments to support the co-ordination and implementation of the regional programme. Recognizing that all but one of the states of the region are developing and that they are currently facing severe economic restraints, the experts recommended that a regional trust fund be established to assume gradually

(beginning in 1989) the common costs of the regional programme (i.e. the expenses of the secretariat related to the co-ordination of activities) while recommending that funding for project activities should be sought from the United Nations system, other international organizations, and outside funding agencies. The meeting also recommended that UNEP be designated to assume secretariat responsibilities for the action plan, convention and protocols.

In addition to activities at the regional level, some assistance has been provided to Governments with regard to specific national problems. National projects are particularly interesting when they may serve as an example, a model for parallel activities in other States. For example, UNEP at present collaborates with IUCN to send a project development team to Mozambique to assist the Government to formulate a conservation strategy for Inhaca Island. Once a full project proposal is prepared, UNEP and IUCN will assist in efforts to secure funding for its implementation.

In reviewing the preparatory phase leading to the adoption of the action plan and the convention for the Eastern African region, one obvious criticism may be that it took a rather long time. The root cause of this, particularly in the last 18 months is simple: money or more precisely the lack of it. As all international organizations, UNEP is facing a period of economic austerity. The Regional Seas Programme's budget has remained more or less static while the number of regions with which it works has risen to eleven. The UN system and other organizations, while being extremely willing and co-operative, rarely have their own funds to commit to the Regional Seas Programme so that cost financing for all co-operative activities must come from UNEP funds. This has meant that in the past few years UNEP has been forced to assign "priorities" to regions. The philosophy has been to devote funds to regions where action plans have been recently adopted and the programme is in the critical, early operational stages of the programme's implementation during which international funds are vital before Governments progressively assume the costs of the activities. The entry into force of a regional convention is usually a major turning point for Government contributions as the Contracting Parties then see themselves as legally bound to contribute financially. At this stage, UNEP financing can begin to diminish in that particular region, and funds can be focused upon a new regional sea area. The corollary to this principle is that it has been necessary to slow the process of developing action plans in some of the regions until such time as funds may realistically be made available to support activities in that region at a worthwhile level.

Future developments

Most of the preparations for the adoption of the action plan and legal agreements now seem to be complete. It is expected that a conference of plenipotentiaries will be convened in mid-1985 to adopt the final texts.

To date, UNEP has spent over US \$850,000 for the development of the programme in the Eastern African region. On the expectation that the action plan and the convention and protocols will be adopted in mid-1985, it is planned to spend the last six months of 1985 developing project activities to be undertaken in the 1986-1987 biennium. A budget target of US \$2 million for the biennium will be proposed by UNEP to the governments and organizations participating in the regional programme. Whether such funds can be made available remains to be seen. It is clear, however, that whatever the financial ceiling for the programme, IUCN will have a major contribution to make in assisting in the development and implementation of regional conservation activities which are certain to remain a number one priority in the region.

CONCLUSION

Experience in the Regional Seas Programme has shown that the comprehensive approach embodied in the action plans, as described through the Eastern African example, has proven successful in responding to the environmental needs and concerns of the States participating in the various regional programmes. The action plans have provided a good mix of programme flexibility and institutional structure which has enabled the collaborative activities to evolve and expand in direct response to the experience and knowledge gained by the States through participation in the regional programmes. The action plans' substantive components (assessment, management and legal) have also been proven to provide appropriate scientific and managerial tools for resolving or controlling the marine and coastal environmental problems faced by most States. The regional programmes inevitably rely upon the assistance and collaboration of the international system to improve the capabilities of national expertise, to strengthen national infrastructures, and to collaborate with states in fostering regional co-operation. The important contribution of IUCN to this process is to be recognized and praised, and UNEP looks forward to continuing to benefit from their collaboration.

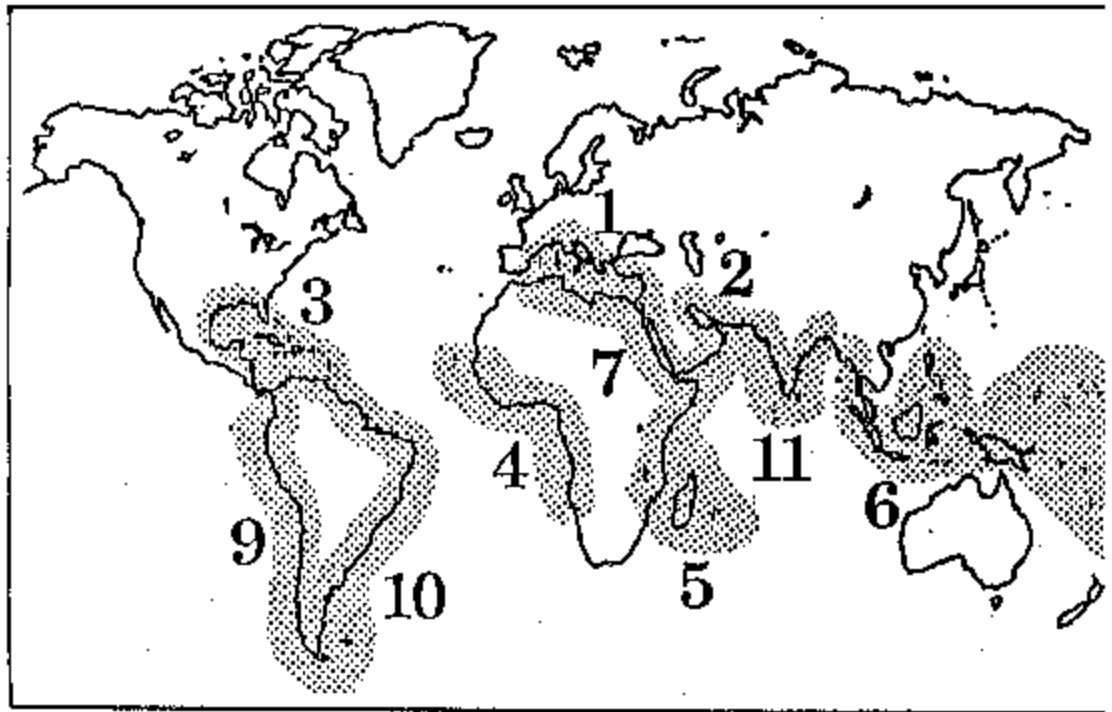
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Figure 1 : Geographic coverage of UNEP Regional Seas Programme



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|------------------------------------|---------------------------------------|
| 1. Mediterranean Region | (Action Plan adopted: 1975; Regional |
| 2. Kuwait Action Plan Region | (Action Plan adopted: 1978; Regional |
| 3. Wider Caribbean Region | (Action Plan adopted: 1981; Regional |
| 4. West and Central African Region | (Action Plan adopted: 1981; Regional |
| 5. Eastern African Region | (Action Plan preparation initiated; |
| 6. East Asian Region | (Action Plan adopted: 1981) |
| 7. Red Sea and Gulf of Aden Region | (Action Plan adopted: 1982 ; Regional |
| 8. South Pacific Region | (Action Plan adopted: 1982 ; Regional |
| 9. South-East Pacific Region | (Action Plan adopted: 1981; Regional |
| 10. South-West Atlantic Region | (Action Plan preparation to be initi |
| 11. South Asian Seas Region | (Action Plan preparation initiated) |

Figure 2: Participants in UNEP's Regional Seas Programme

1. MEDITERRANEAN REGION

Algeria	Israel	Morocco
Cyprus	Italy	Spain
EEC	Lebanon	Syrian Arab Republic
Egypt	Libyan Arab Jamahiriya	Tunisia
France	Malta	Turkey
Greece	Monaco	Yugoslavia

2. KUWAIT ACTION PLAN REGION

Bahrain	Kuwait	Saudi Arabia
Iran	Qatar	United Arab Emirates
Iraq	Oman	

3. WEST AND CENTRAL AFRICAN REGION

Angola	Ghana	Nigeria
Benin	Guinea	Rep. of Cameroon
Cape Verde	Guinea-Bissau	Sao Tome and Principe
Congo	Ivory Coast	Senegal
Equatorial Guinea	Liberia	Sierra Leone
Gabon	Mauritania	Togo
Gambia	Namibia	Zaire

4. WIDER CARIBBEAN REGION

Antigua and Barbuda	EEC	Netherlands
Bahamas	Grenada	Panama
Barbados	Guatemala	St. Lucia
Belize	Guyana	St. Vincent and the Grenadines
Colombia	Haiti	Suriname
Costa Rica	Honduras	Trinidad and Tobago
Cuba	Jamaica	United Kingdom
Dominica	Mexico	United States of America
Dominican Republic	Nicaragua	Venezuela
France		

5. EAST ASIAN REGION

Indonesia	Singapore
Malaysia	Thailand
Philippines	

6. SOUTH-EAST PACIFIC REGION

Colombia	Panama
Chile	Peru

7. RED SEA AND GULF OF ADEN REGION

Democratic Yemen	Palestine (PLO)	Sudan
Djibouti	Saudi Arabia	Yemen
Jordan	Somalia	

8. SOUTH PACIFIC REGION

American Samoa	Kiribati	Solomon Islands
Australia	Marshall Islands	Tokelau
Commonwealth of the Northern Mariana Islands	Nauru	Tonga
Cook Islands	New Caledonia	Tuvalu
Federated States of Micronesia	New Zealand	United Kingdom
Fiji	Niue	United States of America
France	Norfolk Island	Vanuatu
French Polynesia	Palau	Wallis and Futuna
Guam	Papua New Guinea	Western Samoa
	Pitcairn Island	

9. EASTERN AFRICAN REGION

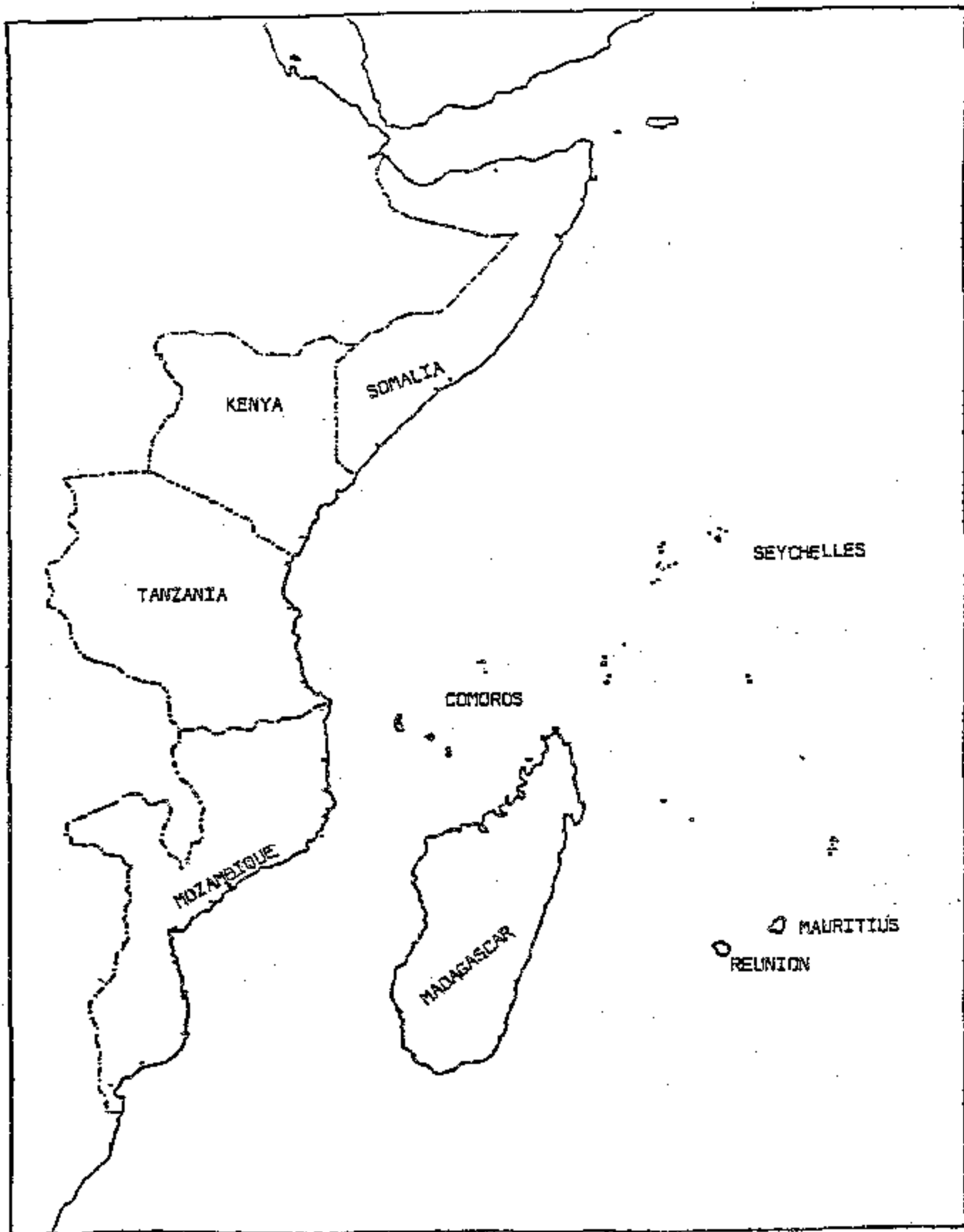
Comoros	Madagascar	Seychelles
France	Mauritius	Somalia
Kenya	Mozambique	United Republic of Venezuela

10. SOUTH-WEST ATLANTIC REGION

Argentina
Brazil
Uruguay

11. SOUTH ASIAN SEAS REGION

Bangladesh	Pakistan
India	Sri Lanka
Maldives	



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