Thirteenth Conference of the Contracting Parties (CoP13) to the Convention on Cooperation for the Protection, Management and Development of the Marine Environment and Coastal Areas of the Atlantic Coast of the West, Central and Southern African Region (Abidjan Convention)

Virtual Meeting, 13th to 15th December 2021

OCEAN GOVERNANCE
CHALLENGES AND OPPORTUNITIES FOR SUSTAINABLE DEVELOPMENT IN AFRICA

DRAFT ANNOTATED AGENDA
MONDAY, DECEMBER 13, 2021

A. EXPERT SEGMENT

The following annotations to the draft agenda have been prepared by the Secretariat to make the deliberations of the meeting easier. The opening session is usually preceded by an informal meeting of the heads of delegation from 08:00 to 08:30.

1. Opening of the Experts segment

The meeting will be held online via a zoom platform.

The meeting will start with the general statement of the Executive Secretary of the Abidjan Convention and the address of the Executive Secretary of UNEP or his representative. Then His Excellency Mrs. Arlette Soudan Nonault, Minister of Environment and Sustainable Development of Congo, will deliver her opening speech.

2. Organizational matters

The plenary session will be reopened by the Chairman of the COP or his representative to address practical organizational matters relating to

(a) The election of the chairing Bureau of the meeting

   In accordance with Rule 21 of the Rules of Procedure of UN Environment (Ecosystems Division) /ABC-WACAF/COP. 13/. Ref.3, the Meeting attendees shall elect its chairing officers on the basis of the proposals made.

(b) Admission of observers

   In accordance with the rules of procedure, the Executive Director of UN Environment will invite international bodies and national governmental and non-governmental organizations as observers to the meetings of the Contracting Parties (a COP document with the list of registered observers will be recommended at the meeting).

(c) Appointment of the Credentials Committee

   In accordance with the Rules of Procedure for Meetings and Conferences of the Contracting Parties of UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/.Ref.3, the Meeting will establish a committee to review credentials.

(d) Adoption of the rules of procedure of the meeting

   The Conference will consider the document titled UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/.Ref.3 Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Abidjan Convention and adopt it as the Rules of Procedure for the 13\textsuperscript{th} Meeting of the Contracting Parties.

(e) Adoption of the meeting agenda - Experts’ segment

The tentative agenda prepared and finalized by the Secretariat in agreement with the Bureau of the Contracting Parties was produced as document “UN Environment (Ecosystems Division) /ABC-WACAF/COP. 13/1”

Subject to the rules of procedure referred to in paragraph 2.d), the meeting may adopt the agenda set out in the Annex to this document or as amended from time to time.
3. Workshop on Ocean Governance - Challenges and Opportunities for Sustainable Development in the Convention Countries

Following the completion of all formalities related to the opening ceremony and organizational matters, the experts will be invited to take part in the workshop on integrated coastal and ocean management policy in Africa. This workshop will include the following presentations:

3.1 Introduction of the COP13 theme: «Ocean Governance: Challenges and Opportunities for Africa’s Sustainable Development» (Robert Wabunoha, Governance Officer, UNEP Africa Office)

The panel speaker will set the general context and the main objectives related to the implementation of the theme in the countries of the Abidjan Convention.

At the end of the presentation, the speaker will be invited to answer questions from the participants.

3.2 Review and consideration of the Pointe Noire Declaration on Ocean Governance in Africa

Participants will make their contributions to the draft Pointe Noire Declaration to be adopted by the COP13 ministerial Session. A committee will be set up to finalize the draft on day 2 of the expert segment for adoption.

3.3. Workshop Conclusions and Recommendations

This session will wrap up the workshop on ocean governance in Africa and compile its conclusions and recommendations.

4. Report of the Abidjan Convention Secretariat on the progress made in the implementation of the COP12 decisions (Abou BAMBA, Executive Secretary of the Convention)

This item will cover document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/3: Report of the Abidjan Convention Secretariat”. The work done by the Secretariat and its partners on the implementation of COP12 decisions will be presented to the meeting for consideration in an oral presentation.

5. Report of the Chairman of the Ad Hoc Committee on Science and Technology (Chairman of the Committee)

This item will cover documents “UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/.Inf.20 - Report of the fifth meeting of the Ad Hoc Committee on Science and Technology”. The Chairman of the Ad Hoc Committee on Science and Technology will submit the report of the second meeting of the CST held on February 8-10, 2021, which is mainly aimed at guiding the Parties and the Secretariat on the scientific and technological issues identified in the agenda items of the twelfth meeting of the Conference of the Contracting Parties, taking into account its proposed deliberations and budgeted.

6. Consideration of draft COP13 Decisions by the Parties

This item will consider document “UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/6: Draft decisions” for consideration by the Contracting Parties to the Abidjan Convention in which all draft decisions are embedded:
a) Draft Decision CP13/1 on the implementation of COP12 decisions

This item will consider document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/3 entitled: Report of the Executive Secretary”. The purpose is to provide guidance to the Secretariat on future efforts on the implementation of COP12 decisions in the next triennium.

b) Draft Decision CP13/2 on the 2022-2024 Work Programme

The document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/4 - 2022-2024 Work Programme for the implementation of the Abidjan Convention” will be reviewed. The focus will be on implementation, with special emphasis on its main strands, including evaluation, management, coordination and legal considerations, information/awareness-raising and cross-cutting/emerging issues. The review will also factor in the Secretariat’s impediments related to non-payment of contributions and contribution arrears, allotted time and available resources.

c) Draft Decision CP13/3 on Financial Issues

This section will cover document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/5 - Financial Report for the 2019-2021 biennium of the Abidjan Convention as well as the 2022-2024 budget (trust fund).

The experts will ascertain the critical and worrying level of unpaid contributions and will expressly request the Contracting Parties that are not up to date to pay back their arrears, in order to ensure the financial viability of the Convention Secretariat.

They will particularly call on the largest debtors to honor their commitments: Angola, Cameroon, DR Congo, Congo, Gabon, the Gambia, Guinea, Guinea Bissau, Liberia, Nigeria, Senegal, Togo.

They will empower the Convention Secretariat to enforce the sanctions provided for in Procedure 4 (see doc. ABC-WACAF/COP13/.inf.7) to Members not up to date with their contributions at the next COP14;

Then, they will urgently launch a final appeal to preserve the Abidjan Convention’s achievements by undertaking to support the Secretariat in the collection of unpaid contributions from non-updated members.

They shall recommend the establishment of a high-level Ad Hoc Committee, chaired by a Vice President of the Board, in consultation with the Executive Secretary to assist in the recovery of arrears.

Finally, they will recommend that the Secretariat should diversify the mechanisms for raising funds.

d) Draft Decision CP13/4: Amendment of the legal instruments of the Abidjan Convention

This item will cover document “UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/7- on the amended texts of the Abidjan Convention”.

It provides an overview of the effort to revise the constitution of the Convention, highlighting emerging issues pertaining to the Convention and the latest developments in the field of protection and conservation of the marine and coastal environment, as well as the relevant provisions of modern multilateral environmental agreements, in consultation with the Contracting Parties. The Secretariat of the Convention, conducted regional and national consultations in order to seek the parties’ views but also and particularly to disseminate that
constitution to national stakeholders. The experts discussed the amendments proposed by the Parties and submitted the present draft for validation.

The Parties will also be invited to comment on the UN Environment’s observations and to validate the revised document. A Contact Group will be set up to submit the final version of the amended text for approval at COP14 and to initiate the preparedness process of the plenipotentiary meeting that will adopt the said document.

e) Draft Decision - CP 13/5: on the development of an Additional Protocol on Marine Protected Areas (MPAs)

The expert meeting will review document “UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/6 entitled: draft decisions of the COP13”.

The process of formulating the Protocol on marine protected areas has started with the setting up of an Experts Unit tasked with preparing the consultant’s terms of reference who will be responsible for drafting it under its oversight. National consultations will then be conducted to seek the opinions and comments of the Parties to the Convention.

The expert group will submit the final version of the Protocol for approval at COP14 and will initiate the preparation process for the meeting of plenipotentiaries that will adopt the said Protocol.

f) Draft Decision CP13/6 on the implementation of SDG14 in the countries of the Abidjan Convention

The expert meeting will review the document “UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/6 entitled: draft decisions of COP13”.

This talking point will hinge on the implementation of SDG14 in the countries of the Abidjan Convention while calling for the strengthening of the coordination of the implementation and dissemination of the results of the SDGs in Africa. This will involve encouraging States Parties to set an SDG14 group within existing national frameworks to implement and monitor SDGs in general and SDG14 in particular.

g) Draft Decision CP13/7 on Ocean Acidification

The meeting of experts will review the document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and will invite States to take part in the UNESCO international symposium on the subject: «Oceans in an overly acidic world» held every four years. This interdisciplinary forum aims to assess the knowledge gained on ocean acidification and to set priorities for future research. This session will encourage Member States to consider the importance of oceans in sustainable development strategies and plans to the extent possible:

h) Draft Decision CP13/8 on the integrated coastal and marine management policy in the Abidjan Convention area

The expert meeting will review document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” to recognize the need for an integrated approach ensuring consistency between existing sectoral strategies by factoring in their impact on ecosystems. This will involve requesting the Secretariat to engage the Panel for Ocean Governance in Africa to pursue its efforts to provide guidance for the alignment of existing relevant mechanisms; and to develop, in cooperation with regional and international partners, including the African Union and the International Ocean Institute, a comprehensive capacity building program in ocean governance.

The Contracting Parties will also be urged to strengthen the coordination of activities at national levels, in particular between the national focal points and other respective national and regional sectoral institutions, including NGOs, so as to ensure enhanced integration,
sustainable use of resources and information sharing with the aim of strengthening the Convention, its impact and visibility in the countries and the region;
Finally, the group will invite the Contracting Parties to actively participate in the Decade of Ocean Sciences for Sustainable Development spearheaded by the UNESCO’s IOC.

i) Draft Decision CP13/9 on the adoption of a rule or a regulation implementing Community law for incorporating the Protocols Additional into domestic law

The meeting of experts will review the document "UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and will empower the Secretariat to formalize its cooperation with the Regional Economic Organizations falling under its geographic coverage through the execution of a Memorandum of Understanding.

It will invite the regional economic cooperation entities to issue regulatory acts for the direct incorporation of the Protocols Additional into the domestic laws of the States parties to the Abidjan Convention and of the States signatories to the said Protocols.

Finally, the meeting of experts will invite the Regional Organizations, African Union NEPAD Agency as well as other partners to support the Contracting Parties and the Abidjan Convention Secretariat in the ratification process of the Additional Protocols and the implementation of the action plans of the mentioned Protocols.

j) Draft Decision CP13/10 on cooperation with the other regional seas conventions in Africa

The expert meeting will review the document "UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and will encourage the Secretariat to develop partnerships with the Barcelona and Nairobi Conventions to strengthen regional cooperation and cause to arise the regional seas Africa.

Finally, the Secretariat is welcomed to take the necessary initiatives to harmonize continental views in international discussions on seas and oceans.

TUESDAY, DECEMBER 14, 2021

Review of draft COP13 Decisions by Parties (Continued)

k) Draft Decision CP13/11 on Blue Economy in the context of poverty reduction in Africa

The expert meeting will review the document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and recall the Cape Town Declaration on Blue Economy for the Sustainable Development of the Marine and Coastal Environment of the West Coast of Africa, adopted on 21st March, 2014 in Cape Town, South Africa;

The goal is to support and promote the marine and coastal sectors to contribute to the development of the blue economy in Africa including: new sources of renewable energy and their production, environmentally friendly exploitation of marine mineral deposits, hydrates, ocean oil and gas, activities on the protection of coasts, ocean exploration and scientific research, fish-farming activities, marine biotechnology, maritime transport and port development, sustainable coasts development, protection, security, monitoring and surveillance, mitigation and adaptation to coastal and marine hazards, marine ecotourism, submarine cables, as a major economic activity, etc.

The group will discuss ways to call on all relevant international organizations, partners and the private sector entities to support Africa’s transition to sustainable marine and coastal growth
through intensive capacity building programs for current and future activities to promote the blue economy.

It will also request the Secretariat to cooperate with other relevant organizations in drafting the Abidjan Convention’s «Blue Economy Poverty Reduction Strategy» and analyze the contribution that the blue economy can make to hunger reduction, poverty eradication and sustainable livelihoods. All this can be achieved by providing a framework for protecting and enhancing the value of marine and coastal systems and services, through an integrated approach to sustained protection and sustainable use of marine-related activities, in the countries of the Abidjan Convention.

**I) Draft Decision CP13/12 on Marine Areas beyond National Jurisdictions (ABNJ)**

The meeting of experts will review the document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and will reiterate the call of the Contracting Parties, as part of the Abidjan Convention and the United Nations Convention on the Law of the Sea, to acknowledge the importance of the Conservation and Sustainable Use of Marine Biological Diversity beyond National Jurisdictions.

The group will also discuss the environmental connectivity and socio-economic importance of marine areas beyond National Jurisdictions and in particular the adjacent waterways to the geographical area of the Abidjan Convention.

The group will urge Parties to strengthen their national and sub-regional research capacity and decision-making processes related to the conservation and sustainable use of marine biological diversity beyond National Jurisdictions.

Finally, the Parties will be asked to be more active in the discussions currently underway to negotiate a legally binding agreement on the management of marine resources beyond National jurisdictions.

**m) Draft Decision CP13/13 on the creation of The Abidjan Convention "Excellency Award on Sustainable Marine and Coastal Management**

The meeting of experts will review document “UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/6” and will request the Secretariat to establish an Abidjan Convention award to recognize the efforts of individuals or entities that have distinguished themselves in their commitment to the sustainable management of marine and coastal biodiversity in the Abidjan Convention area. It is planned that an ad-hoc committee will be set up to implement this decision.

**n) Draft Decision CP13/14 on Marine Spatial Planning (MSP)**

The meeting of experts will review document “UN Environment (Ecosystems Division) ABC-WACAF/COP.13/6” and will urge the other Contracting Parties to draw on the experience of Benin, Côte d’Ivoire, Ghana and South Africa to develop their marine spatial planning system.

**o) Draft Decision CP13/15 on Marine Plastic Waste**

The expert meeting will review “UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/6” and propose to consider the plastic challenge at each stage of the value chain, in schools and with the public as well as businesses.

It will request the Secretariat and its relevant partners to establish a database on marine litter that would serve as a basis for strategies formulated in the region on marine litter, thus contributing to well-grounded decisions and policies at the municipal, national, sub-regional and regional levels.
The group will invite the Parties to use the database developed and the resulting analyses to develop a common assessment of the current status of waste generation in Africa, the environmental status of the marine waters of the Abidjan Convention area, the economic and social pressures on the system, and the effectiveness of the steps taken to mitigate their effects.

The group will ask the Secretariat and partners to develop an awareness-raising programme on the harmful effects of marine litter and the need to address it.

Discussions will also focus on the willingness of Parties to combat plastic microbeads and take measures to ban their use in the region, as well as to promote the exchange of know-how, best practices and lessons learned.

Finally, advocacy will be made to encourage member states to follow suit with the momentum for the adoption of a legally binding international treaty against plastic pollution.

**p) Draft Decision CP13/16 on the Youth Ocean Ambassadors Network**

The meeting of experts will review the document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and will encourage the Secretariat to develop the production and dissemination of ocean related information by setting the network of young ambassadors of the Abidjan Convention.

The group will invite the Secretariat to create callings for ocean sciences by involving young students, researchers, artistic performers... whenever possible, in initiatives and activities related to marine and coastal biodiversity in the sub-region.

Finally, the group will encourage the Secretariat to link the network of young ambassadors to other initiatives of the same nature around the Atlantic and on the African continent.

**q) Draft decision CP13/17 on the preparation of a report on the State of the marine and coastal environment in the Abidjan Convention area.**

The meeting of experts will review document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6”, requesting the Secretariat and partners to prepare a regional report on the State of the Marine and Coastal Environment of the Abidjan Convention area as a basis for decision-making.

**r) Draft decision CP13/18 on the action plans for the implementation of the Additional Protocols to the Abidjan Convention**

The meeting of experts will review document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6”, requesting the Secretariat to strive towards the process of developing the action plan to implement these protocols in the countries that did not develop theirs.
s) Draft decision CP13/19 on the collection, management and sharing of data and information (link to the Resource Center and the monitoring and evaluation system)

The meeting of experts will review the document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and encourage the Secretariat of the Abidjan Convention to cooperate with its partners including GRID-Arendal, USAID, MAVA Foundation, World Bank, IDDRI-IASS Potsdam, IUCN, Wetlands International, PRCM, OSPAR Commission, Convention on Migratory Species (CMS), Convention on Biological Diversity (CBD), BirdLife International, DOALOS, US-AFRICOM, etc., in order to further feed the database of the Convention’s Resource Center.

Finally, the Secretariat of the Abidjan Convention will be asked to operationalize this Resource Centre and make it accessible to all Parties as soon as possible.

t) Draft Decision CP13/20 on the proliferation of sargassum algae

The meeting of experts will review the document ”UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and will ask the Secretariat to facilitate the development of policy tools and integration of harmful algae blooms, with emphasis on sargassum, in national legislation in order to ensure coordinated management of ocean health for future generations and general well-being of the marine environment.

u) Draft Decision CP13/21 on a Vote of Thanks to the Government of Congo

The meeting of experts will review document “UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/6” and approve the draft decision to express the delegates’ gratitude and appreciation to H.E. the President of the Republic of Congo, the Government and the Congolese people for the active participation in the successful hosting of the thirteenth meeting of the Contracting Parties to the Abidjan Convention.

7. Discussions and finalization of the Pointe Noire Declaration

The meeting will review the draft Pointe Noire Declaration discussed on day one of the workshop on Ocean Governance and Sustainable Development in Africa. The declaration will be finalized for readout and adoption at the ministerial Session.

8. Adoption of the report and recommendations made by the Expert segment

The meeting will consider the draft report and recommendations from the experts session prepared by the Secretariat for submission to the Ministerial Session.

9. A.O.B

Participants will be invited to comment on any other issues regarding the draft decisions and the Pointe Noire Declaration discussed during the session and confirm the formation of the new Bureau to carry out the activities of the Convention until COP14 before they are submitted to the Ministerial Session for adoption.

10. Closing of the Experts segment

The experts session is expected to complete its proceedings at approximately 6:00 p.m. on Tuesday, December 14, 2021.
B. HIGH LEVEL MINISTERIAL SEGMENT
This session of the COP13 Ministerial Session will help review the final draft decisions and consider the credentials granted to parties.

11. Opening of the meeting
A plenary session will hold and the opening of the meeting will include addresses of high level officials. The first speech will be that of the Executive Secretary of the Abidjan Convention, followed by that of the representative of the Secretariat of UN Environment. These remarks will be followed by that of the Representative of the Government of Congo, and finally the guest of honor will deliver his address.

12. Organizational matters and adoption of the agenda
The purpose is to consider the documents UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/1 regarding the draft agenda and UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/2 concerning the draft annotated agenda.

There will be equally an address by the Chair of the meeting on the conduct of the proceedings and the Contracting Parties will be asked to adopt the agenda for the meeting after review.

This item will consider document UN Environment (Ecosystems Division)/ABC-WACAF/COP.13/3 on the Report of the Abidjan Convention Secretariat.

The Secretariat will submit a report highlighting the progress made in implementing the decisions of the twelfth meeting of the Contracting Parties to the Abidjan Convention. Additional comments will be made on the issues and challenges facing the Convention and potential ways forward.

14. Report of the Chairman of the Ad Hoc Committee on Science and Technology
This item will consider document UN Environment (Ecosystems Division) /ABC-WACAF/COP.13/. Inf. 20: Report of the fifth meeting of the Ad Hoc Committee on Science and Technology (CST) The Chair of the Ad Hoc Committee on Science and Technology will provide an overview of the report of the fifth meeting of the CST held in Abidjan, emphasizing the role of this Committee in supporting the work of the Convention.

15. Report on credentials and full powers
The report of the Credentials Committee that reviewed the credentials will be presented to the Ministers and their representatives. As in the past, these officials shall confirm that the credentials of delegates representing the Contracting Parties are read out in English, French, Portuguese or Spanish and, in accordance with the rules of procedure, issued by the Head of State or Government, the Minister of Foreign Affairs, or by an official legally empowered by the State concerned to allow representatives into international meetings.

16. Adoption of decisions
The draft decisions as discussed and approved during the experts’ segment to allow for consensus building prior to the Ministerial session will now be submitted for adoption. Contracting Parties may make new proposals at the meeting, provided that such proposals relate to:
- Urgent matters arising from the discussions at the meeting, or
- New developments that could not be foreseen ahead of time.
The Conference will consider the decisions endorsed by the Ministerial Committee for adoption. In the absence of any objections, or if should no amendment be made to the document adopted in plenary session, the COP will proceed to adopt the draft decisions considered in the un-amended agenda and there will be no further discussion of such draft decisions.

If, however, any Contracting Party objects to the draft decision, or suggests to delete, add or modify the relevant text, consensus on these changes will first be sought in Plenary session. Should consensus be reached, the Secretariat will prepare and make available a revised draft decision for formal adoption.

In case of disagreement on a number of aspects of the text of a draft decision, the Chair will direct the plenary session based on the rules of procedure of the Abidjan Convention COP.

17. Date and next of the forthcoming ordinary meeting of the Contracting Parties
The meeting will decide on the date and venue of the 14th Meeting of the Contracting Parties, which in principle should be held in March 2024.

18. the States Declaration
Ministers who wish to take the floor may make their statements.

19. Adoption of the Pointe Noire Declaration
Parties may request the floor to voice out other items related to the implementation of the Abidjan Convention until COP14.

20. A.O.B
The meeting participants will consider for adoption the Pointe Noire Declaration that was submitted and discussed during the Experts session.

21. Adoption of the Report of the Thirteenth Conference of the Contracting Parties to the Abidjan Convention
The Contracting Parties shall adopt the report of the meeting upon reviewing it.

22. Closing of the Meeting
The closing ceremony will include brief remarks by the Executive Director of UN Environment or his representative, the Chairperson, the Minister representing the host government who will declare the meeting closed.
The ministerial session is expected to complete its proceedings at approximately 6:00 p.m. on Wednesday, December 15, 2021.