REPORT ON THE 1st EASTERN AND SOUTHERN AFRICA PORTS ENVIRONMENT MANAGERS WORKING CONFERENCE

(2ND meeting under the Africa Ports Environment Initiative (APEI))

20th – 22nd September 2010

MOMBASA, KENYA

Creating a Platform for Exchange of Experiences to Improve Environmental Performance in the Port Area and its Hinterland Logistics
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The 1st Eastern and Southern Africa Ports Environment Managers Working Conference took place between 20th and 22nd September, 2010 in Mombasa, Kenya. This conference was the first of its kind for the Eastern and Southern Africa Maritime Region and the second under the African Ports Environment Initiative (APEI), an initiative aimed at developing a cooperative and collaborative action to tackle environmental challenges facing African ports and improve their environmental performance and hinterland logistics. The kick-off meeting for the initiative was held in Tema, Ghana, for the West and Central Africa (WACAF) region in June 2010. The conference was jointly organised by the Ports Environmental Network Africa (PENAf) and the Port Management Association for Eastern and Southern Africa (PMAESA) with the support of Kenya Ministry of Environment.

The essence of the Conference was to pursue the Africa Ports Environment Initiative in creating a forum and platform for the sharing of environmental knowledge and experiences between Eastern and South African (EASAF) ports and cooperating at regional levels on concrete collaborative environmental projects. The conference was set to identify and agree on common environmental challenges ports in the region face and also find a common approach into tackling them. It sought to increase knowledge about African port environmental issues and catalyze the integration of environment into the agenda of ports in the region as being done in other regions globally towards achieving an overall sustainable environment. The major topics tackled and discussed were (MARPOL73/78) Port Reception Facilities, Ballast Water Management, Oil Spill Response and Detection and Handling of Illegal Shipment of Hazardous Wastes. These issues are trans-boundary in nature and of global concern. There were also other presentations and case studies that gave participants insight into Multi-lateral Environmental Agreements (MEAs) relating to ports and appreciated the implications of environmental challenges of port activities. Participants visited the Port of Mombasa.

The key issues identified during the conference include:

- There is the lack of awareness on environmental issues in African Ports
- Environmental managers often face budgetary constraints as port authorities and other stakeholders under prioritize the environment
- Ineffective enforcement of environmental conventions and their associated guidelines
- Legal instruments do not effectively address environmental issues
- Poor environmental governance with unclear roles and responsibilities
- No harmonized environmental standards and codes tailored to African ports
- Inadequate capabilities, technical skills and knowledge on environmental issues
Participants appreciated the need to work together and proposed actions for next steps. They endorsed the initiative and recommended the setting up of environmental networks both at individual ports and also at regional level to jointly tackle common environmental problems, monitor them, exchange information and also look for solutions in the bid to promote environmental cooperation within and among ports.

The following outcomes were agreed:

- There is the need to set up the Eastern and Southern African Ports Environmental Network (EASAF-PEN) in promoting environmental co-operation for improved environmental performance.
- Terms of Reference of EASAF-PEN to include training, sensitization and involvement of the civil society and other stakeholders in the setting up of the Network
- Establishment of the working group and to identify the focal persons for communication, ratification and other activities related hereto.
- Widen the composition of the Network to include landlocked countries in order to effectively address environmental issues flowing from upstream
- Setting up of assessment mechanism of the existing environmental situation in the ports to establish baseline data, action plans with dates and deadlines
- Lobbying port authorities and stakeholders for budgetary support for environmental management activities.
- PMAESA/PENAF to be in the frontline in identifying the focal persons in the setting up of the network group.
- EASAF-PEN must have frequent consultative forums
- A website should be developed for information sharing among members of the network

Outcome for final action requires:

- Financing for awareness creation
- Training of relevant staff on environmental issues and related activities.
- Maintenance of a continuous flow of correspondence/communication through focal persons to be identified
- Plans for and engagement of players in the launching of APEI at the continental level
- Deliverables to be drawn with set deadlines by the network team.
Acknowledgements

Special thanks to the IMO, Mr. Adnan Awad of the International Ocean Institute based in South Africa, Mr. Patrick Verhaert of Port of Antwerp, Mr. Leslie Andrews of Ro-Clean Desmi, INECE, South Africa Council for Scientific and Industrial Research, ASCLME, UNEP and all dignitaries and participants that were present; for their active participation, contributions and support.
1.0 BACKGROUND

The 1st Eastern and Southern Africa Ports Environmental Managers Working Conference was under the theme, “Creating a Platform for Exchange of Experiences to Improve Environmental Performance in the Port Area and its Hinterland Logistics”.

Participants included representatives from member countries of PMAESA, some member countries from the Port Management Association of West and Central Africa (PMAWCA), representatives of the International Maritime Organization(IMO), INECE, South Africa Council for Scientific and Industrial Research, ASCLME, UNEP and the International Ocean Institute. A complete list of participants is provided in Appendix III.

The activities of the three day conference included:

- A number of presentations by the participants. The presentations are available on both PMAESA and PENAf websites.
- A visit to the Port of Mombasa
- Group sessions to discuss the terms of reference for an East and Southern Africa Port Environmental Network(EASAF-PEN) and action plan and road map for the network

The main focus of the conference was to expose participants to information and knowledge on major port/marine environment issues. Participants at the end of the conference were to be able to identify and prioritise environmental challenges facing EASAF ports and come out with actions to address them. It was hoped that all participants through the conference appreciated the need for creating an environmental steering and cooperative mechanism for building synergies to improve environmental performance in EASAF ports, as intended for ports in the two other African maritime regions – West and Central Africa (WACAF) and Northern Africa (NAF).

The conference opening was chaired by Captain Twalib Khamisi on behalf of Mr. Gichiri Ndua, Chairman of PMAESA and Director General of Kenya Ports Authority.
2.0 PRESENTATIONS

2.1 DAY ONE (MORNING):
The theme for the first day was, “State of the Environment in Eastern and Southern African Ports”.

The conference was opened by Mr. Jerome Ntibarekerwa, Secretary General, PMAESA. He welcomed and acknowledged the distinguished delegates present. Mr. Harry Barnes – Dabban, Executive Coordinator of PENAf gave a brief background of the conference and was followed by opening remarks from Captain Twalib Khamisi on behalf of Mr. Gichiri Ndua, Chairman of PMAESA and Managing Director of Kenya Port Authority.

2.1.1 Welcome Address - Mr. Jerome Ntibarekerwa, Secretary General, Port Management Association of Eastern and Southern Africa (PMAESA)
Jerome Ntibarekerwa welcomed participants to the conference and stated that the conference aimed to bring ports in the East and South Africa sub-region together to prioritize their environmental challenges or risk becoming a dumping ground. He emphasized that ports are intermodal knots and generally preferential sites for industrial activities with usually large urban areas nearby. By their nature they are in closer proximity to highly sensitive pollutant sources, and are also the only place to effectively regulate shipping related environmental impacts. He went further to say that these characteristics make them a challenging place for environmental compliance, and therefore under increasing scrutiny by the environmental community and a wide variety of interest groups for compliance and implementation of both local and international environmental regulations. He mentioned the Probo Koala incident in Abidjan as being the freshest bad experience of illegal dumping suffered by an African port due to the lack of prioritising of the environment. Jerome Ntibarekerwa then indicated that the initiative to hold the conference was to build a network for environmental cooperation among ports in the sub-region. Many developed countries, he said, have done it with ports collaborating on the environment in order to share knowledge and solutions. They have through this developed common environmental policies and key performance indicators through which they could monitor and assess both the efficacy of management and the quality of the environment itself. The willingness to work together toward common development is one of the key elements, he said, could be learned from these examples. He ended by expressing sincere gratitude to some organizations which contributed in making the conference a reality.
2.1.2 Introduction of Conference Background – Mr. Harry Barnes – Dabban, Executive Coordinator, Ports Environmental Network Africa (PENAf)

Harry Barnes – Dabban made it known that an event as this had not occasioned by chance. It had come after a number of research findings revealed that though the huge increase in environmental awareness over the last decade has resulted in a number of proactive measures being adopted by ports in other parts of the world to reduce their environmental impacts, African ports are missing in action. Our ports, he said, are crucial to our economies and they cannot continue to ignore environment as it has moved into the centre stage of global development Agenda. He indicated that his initial encounter with the subject was in 1998, when he did a research on implications of seaport activities on the urban environment with Port of Tema in Ghana as a case study. He then realized how the issue of environment had not started receiving attention in our part of the world. He then followed up with another research on how African Ports were modernizing according to an ecological criteria and the findings were not different – a lack of attention for environment in our ports. Harry Barnes – Dabban stated that the knowledge and information from his research findings generated huge interest in him to initiate action and be part of the solution to have African ports situation improved. This culminated in the setting up of Ports Environmental Network Africa (PENAf), a non-profit organization with an interest in environmental performance in African ports. PENAf, he said, was set up as a vehicle to bring the dream to improve environmental performance in African ports into fruition through the initiative dubbed, “AFRICAN PORTS ENVIRONMENT INITIATIVE” (APEI). He went ahead to give the essence of the conference and outlined the major topics that were subsequently tackled and discussed during the three day conference. He further revealed that going round a number of ports, one observes that environmental management is mostly focused on land based sanitation, cleanliness, and beautification. However, port environment goes beyond these. Environmental issues for ports, he indicated, traverse through all forms of pollution ranging from water, land and air to cover issues of biodiversity, climate change mitigation and adaptation, energy use, water use, noise, odor nuisance, waste management, sustainable land use, among others and requiring a commitment to corporate social responsibility. For most of our ports, one sees the management of environmental issues fragmented among various departments; harbor master; administration; technical; engineering etc. without any coordinating responsibility. The best for some ports, he stated, is an environment committee as though environment is an ad-hoc subject. He reiterated the need for the rallying of our ports in particular and associated maritime sector operators to take responsibility and appropriate authority for environmental management and protection of our ports and hinterland logistics; under a common and harmonious framework, through a cooperative and collaborative approach; which is believed will bring about both direct and indirect socio-economic and ecological benefits. He emphasized that African ports need to begin working together to build capacity and efficiency. He revealed that the ports of Rotterdam and Amsterdam have already made commitment to partner Africa Ports Environment Initiative in the pursuit of its vision.
The port of Bremen in Germany, he said, has accepted to offer ports that were interested, a study visit to the Port of Bremen to enable them share their operation and experience of MARPOL. He made it clear that these exchanges would not only be for port authorities but also various stakeholders as shipping lines, terminal operators and governmental organizations such as maritime administrations and environmental authorities.

2.1.3 Welcome Remarks – Captain Twalib Khamisi, Harbour Master, Kenya Ports Authority on behalf of Mr. Gichiri Ndua, Managing Director, Kenya Ports Authority

Gichiri Ndua welcomed all participants to the beautiful port city of Mombasa and continued by giving a snapshot of the term, “Environment”. He said that environment simply means the surroundings. He mentioned that the dynamic inter play of socio-economic, institutional and technological activities by human species in a particular area lead to destabilization of the ecological system and eventual environmental degradation. He spoke briefly on population and its effect on the environment and how transport activities contribute to Global Warming and Climate Change. He indicated that port authorities worldwide are now increasingly at the center of climate change initiatives. The recent GreenPort 2010 conference in Stockholm, he cited, agreed that ports must address their own operations in line with environmental issues such as energy efficiency, waste management and waste reception facilities. He urged African ports to learn from European ports by adopting the “ports helping ports concept” in delivering effective environmental management. He highlighted briefly on some successes of the Kenya Ports Authority in handling of environmental issues and ended by stressing the need for collaboration amongst African Ports.

2.1.4 Introduction of Participants – Mr. Njuguna Mutonya of PMAESA

Njuguna Mutonya introduced the conference programme and asked each participant to introduce themselves.

2.1.5 Presentation 1 – Ship shore Interface and Landside Environmental Regulations – Mr. Isaiah Kyengo on behalf of Dr. Ayub Macharia, Ag. Director General, National Environment Management Authority

Isaiah Kyengo pointed out that Kenya’s coastal and marine ecosystems constitute a rich and diverse national asset that supports the livelihoods of 2.7 million people in coastal communities and contributes to the national economic development; The principal economic activities along Kenya’s 600 km coastline that are dependent on natural resources are tourism, fishing, ports, shipping, agricultural industry and mining.
He stated that important ecosystem services that support these economic sectors include provisioning of goods and services; regulation of climate and natural hazards; cultural services and ecological services. However he said, there were existing gaps in the understanding and management of the complex processes and trends at work in the coastal and marine environment. He however said that to address the challenges and to effectively manage the marine and coastal environment Kenya has put in place various policy and regulatory interventions as follows:

- Enactment of the national Framework environmental law – the environmental Management and Coordination Action (EMCA 1999);
- Establishment of the National Environment Management Authority which coordinate and supervises all issues of environment;
- Review of environmental policy;
- Development of climate change response strategy;
- Development of an Integrated Coastal Zone Management (ICZM) which has been institutionalized in EMCA as a tool to promote sustainable coastal zone management;
- Development of the state of the coast report for improved governance of the coastal environment through conservation of our vital coastal and marine resources;
- Shoreline management strategy to address the unplanned development along the coast shoreline which has led to loss of key habitats and shoreline erosion.

Isaiah Kyengo said all these actions are being implemented in view of the importance which the country as a coastal state attaches to the marine and coastal environment. Stakeholder participation in all projects and programmes is also taken seriously to ensure by-in, ownership and ease of programmes implementation. He went further to list various regulatory frameworks that have been put in place. Notably amongst these frameworks are the Environmental impact Assessment / Environmental Audit (EIA/EA) Regulations of 2003; Conservation of biological diversity and access benefit sharing regulation of 2006; Water quality Regulations-2006 and the Waste management Regulations of 2006. He gave a brief insight on these regulations and mentioned various projects that are required to meet the standards of these regulations. He ended with some few lessons learned in the implementation of EMCA.

**Remarks and Questions from participants**

1. What Act does NEMA uses to assist port cities?
2. How does NEMA enforce compliance of the various regulations mentioned and how does NEMA rectify any illegal activity or activities that begin without authorization?
Response from NEMA

1. Various regulations are developed to assist port cities. The Water Quality Regulation measures and ensures water sources for consumption and Agriculture meet set standards. The Waste Management Regulation also assists port cities. NEMA in its bid to assist local authorities to meet standards has what it calls “Negotiated Compliance”; which gives local authorities a set time frame to improve to meet standards set by the Waste Management Regulation. NEMA through its efforts will have two sanitary land fills completed by next year.

2. Projects are categorized as High Impact, Medium Impact and Low Impact to determine the level of impact on the environment and then subjected to corresponding environment law or framework. There about 77 sectoral laws. NEMA has a Memorandum of Understanding with other lead organizations to set up environment desks and so consult other institutions as well as civil society for information. Under the Environment Law there are lists of projects that must undertake Environmental Impact Assessment (EIA). Monitoring officers visit project sites from time to time to ensure compliance to EIA standards. NEMA also has in place prosecution procedures for defaulters. For projects that begun before the enactment of the law, they undergo environmental audits and improvement notices are served. NEMA demand immediate attention to Improvement Notices.

2.1.6 Presentation 2 – Environmental challenges for Eastern and Southern Ports – Mrs. Nancy Karigithu, Director General, Kenya Maritime Authority

Nancy Karigithu’s presentation covered the challenges ports in the region faced as they tried to balance developments such as port expansion with environmental conservation against economic benefits. She noted that coastal ecosystems are under major threats posed by shipping activities resulting in ship operational waste, garbage, poor water quality around the port and loss of degradation of habitat. In addition, she said, bunkering operations as well as infrastructure was also causing pollution. She explained the international conventions that have been developed to deal with marine environment protection starting with the London dumping convention of 1975, the international convention on Management of Pollution (MARPOL) and the National Environmental Action Plans, a response from the governments in the region. However, she pointed out that there is need for more work in this area for instance on ratified convention so that implementation can be done. The region, she said, should search for solutions and develop enforcement controls. It was noted that Kenya had ratified several conventions; however, there were challenges on implementation such as getting in place a regulatory framework which needs drafting subsidiary regulations to the principle act. KMA is seeking assistance from IMO in this regard. She also dealt on the challenges of oil spills and ballast water discharge and called for the building of regional oil spill and response unit.
She then enumerated priorities for future actions as increasing capacity, strengthening hazardous monitoring systems and environmental impact assessment which should be conducted and integrated in the region. Noting that the issues are common to all, she said ports must embrace collaborating mechanisms to resolve these matters. She ended the presentation by pointing out that the decision by ports to become cleaner and cleaner seems to be unanimous and in this regard organizations such as IAPH, AAPA, etc have shown willingness to support the region in dealing with climate change.

**2.1.7 Presentation 3 – Case Study on State of The Environment In Tema Port, Ghana – Mr. Bright Andy Berko, Senior Estate & Environment Officer, Tema Port**

Bright Andy Berko’s presentation gave a brief background of the Tema port and mentioned a list of institutions that operate in the port. He pointed out that port activities lead to various environmental challenges which he categorized into air, water and land aspects. The main sources of emissions in the port, he said, are from vessels which emit pollutants such as SO2 and NO2; and trucks and cargo handling equipment which also emit pollutants such as CO2 and CO. Sandblasting at the dry dock produces paint residue which are full of heavy metals; these heavy metals are often blown by prevailing winds which creates environmental health challenges.

He also mentioned that waste water running through the “CHEMU” lagoon and untreated sewage and foul water in open drains contribute to the stench in some parts of the port. He revealed that Ghana’s major oil refinery has a jetty at the Port and occasional oil spills occur during discharge of oil and bunkering of vessels. He indicated the problem of laid up and abandoned vessels. These, he said, also contain certain iron and chemical products which pollute the harbour basin. He went further to mention some various land pollutants of the port and however said that there is little soil contamination in the port’s operational area. The port, he said was also faced with end of life electronic waste shipments, traffic congestion as well as noise pollution. Andy Berko however emphasized that the Ghana Ports and Harbours Authority has put measures in place to address environmental issues the port faces. Amongst these measures are institutional strengthening, capacity building, the use of the Triad-Network Approach to issues, The Polluter Pays Principle, Oil Spill Contingency Plan, port waste and treatment facilities, creation of green belts as carbon sinks and port biological survey of the harbour basin with particular reference to monitoring water quality from ballast water discharge. Implementation of these measures, he said, face some challenges. He highlighted a few of the challenges and gave the way forward for the Tema port.

**Remarks and Questions from participants**

1. All bunkering activities should be checked and monitored to avoid oil spills.
2. What is the port’s responsibility during oil spillage?
3. Does the port outsource for oil spillage cleaning equipment?
4. How does the port enforce the “polluter pays principle”?
5. Will you recommend anyone to swim or eat fish caught from your port? Is it safe?

Answers to Questions

1. The Port of Tema conducts biennial oil spillage cleaning mock exercises. These exercises sometimes address not only Tier one response but Tier two. It often includes other institutions such as the police and national fire service.
2. In enforcing the “polluter pays principle”, polluters are charged and subsequently fined. Whatever resources used to clean up are also billed to the polluter.
3. The Tema port is safe and fish caught at the fishing harbour is wholesome.

2.1.8 Presentation 4 – Case Study on the State of the Environment in the Port of Mauritius – Mr. Shreenath Parahoo, Port Emergency & Environment Controller, Mauritius Port Authority

Shreenath Parahoo gave a brief description of the port and mainly dealt with the main actions on the environment. Mauritius, he cited, is amongst the few countries that have ratified the MARPOL Convention. He said though fortunately oil spills in the port barely occur, the port has a fully trained oil spill combat team. The port, he said, recently procured a new state of the art incinerator which is used to incinerate waste from ships. The annual air quality tests conducted in the port indicate levels far below the set threshold.

The port of Mauritius, he said does not have a Waste Reception Facility. He attributed this to the lack of space in the port to accommodate the facility. He also said that five main rivers flow through the port and these rivers during down pours carry variety of waste into the port. He ended his submission on the various ways the port authority addresses the environmental issues facing the port.

Remarks and Questions from participants

1. In the absence of a National Waste Management Agency, who coordinates waste management in the port city?
2. Don’t you think the incinerator will emit fumes that could risk reaching or exceeding air quality threshold?

Answers to Questions

1. All projects are subjected to Environmental Impact Assessment procedures. The port makes use of the services of a waste contractor to manage waste.
2. The incinerator purchased is a state of the art and does not pose major threats to the air quality of the port.
2.1.9 Presentation 5 – Case Study on the State of the Environment of the Port of Mombasa, Kenya – Mr. Francis K. Kombe, Lead EIA Expert, NEMA

Francis Kombe mentioned that all procedures and management systems of the Kenya Port Authority (KPA) are geared to ensuring attainment of a clean, healthy and safe work environment. He said the KPA was established by an act of parliament to manage the scheduled Ports along the Kenyan coast, the largest being the Port of Mombasa and the Inland Container Depots. He gave a brief description of the Port of Mombasa and highlighted the core activities of the port. Francis Kombe cited that these activities have numerous environmental, health and safety aspects and involve intensive use of equipment/machinery and labour. KPA has a policy that guides health, safety and environment (HSE) processes and procedures; these he said comprise commitment statements which defines and assigns specific responsibilities; Rules and regulations made in conformity to legal requirements, international standards and guidelines (KPA is ISO 9001:2008 QMS certified, ISM certified, ISPS Code Compliant and is now working on ISO 14000 EMS certification); and Management systems to ensure safe work practices, safe work persons, conservation and protection of the environment among others. Francis Kombe highlighted the scope and specific objectives of the HSE policy; and the tenets of KPA for the successful implementation of the policy. Some of the procedures and processes for the implementation of the policy include Maritime Disaster Management & Preparedness plans, pollution control services and port state control activities. Others also are environmental assessment and monitoring, environment impact assessments and safety audits for all projects, equipment/ machinery safety (Inspection and Preventive maintenance), strict adherence to hazardous cargo handling procedures and response to environmental emergencies. He ended by mentioning a few challenges faced in the implementation of the HSE policy.

Remarks and Questions from participants

1. How did you get approval ISO standards without a waste reception facility?
2. Will you recommend anyone to swim or eat fish caught from your port? Is it safe?
3. What is the port responsible for during oil spillage?
4. Does the port outsource for oil spillage cleaning equipment?
5. How do you solve the black plastic bags problem which is catastrophic in some other African states?

Answers to questions

1. There used to be a waste reception facility at the port which was operated by a private investor but some administrative problems caused the removal of the facility. Kenya has a Quality Management System Certification and is now looking further to get the Environmental Management System Certification.
2. Fishing is restricted in the port. There is frequent assessment and monitoring of flora and fauna.

3. The bulk of oil spill cleaning equipment is owned by KPA. Oil marketing companies and KPA put resources together, train together and work together to mitigate oil spillage.

4. NEMA with the help of other stake holders creates awareness of good environmental practices.

General Remarks

An example of the innumerable benefits of cooperation and effective exchange of information among ports was noted when it was revealed that the Port of Tema in its bid to set up a waste reception facility visited the Port of Mombasa to study the pros and cons in the management of their facility which was in place then. Though that of the port of Mombasa was removed due to some administrative problems; that of Tema port is still in operation because they learned from the mistakes which were associated to management of the Waste Reception Facility in the Port of Mombasa.
3.0 DAY ONE (AFTERNOON):

3.1 Presentation 6 – IMO’s Support to Maritime and Ports Authorities in Management Initiatives of Protection of the Marine Environment in the PMAESA Region – Mr. John Paul Muindi, IMO Regional Coordinator, Eastern and Southern Africa.

John Muindi gave a brief background of IMO. He stated that IMO has been collaborating with PMAESA since 1992 and that this collaboration was initiated when the Strategy and action plan for the Protection of Marine Environment of Eastern and Southern Africa (SPMEESA) was developed. He noted that the strategy was developed following a needs assessment for marine environment protection in the coastal states of Eastern and Southern Africa Region. He went ahead to speak on the rationale and action plan for the strategy. He also stated that the overall goal of the regional strategy is to maintain, protect and enhance the quality of the marine environment of the Eastern and Southern Africa Region. John Muindi explained the objectives and the strategy elements of SPMEESA. He explained that the following programme elements were identified as of highest priority when the strategy was developed:

1. Prevention of Pollution from Shipping Activities-Implementation of MARPOL 73/78
2. Port State Control
3. Marine Pollution Preparedness and Response
4. Waste Management
5. Baseline Information, Pollution Problem Identification and Assessment
6. Ballast water management -IMO guidelines for the control and management of ships’ ballast water

It was revealed by John Muindi that funding for sensitivity maps are available but most countries within the region are not making the effort to have their own sensitivity maps. He mentioned Tanzania as one of the countries currently accessing funds to get a sensitivity map. He also spoke briefly on the AU Maritime Transport Charter; giving the specific objectives and various articles contained in the charter. He concluded that with the adoption of the charter, the UN system has called upon the UN agencies operating in Africa, Regional Economic Communities (RECs) and organizations like PMAESA to program their activities in line with the charter’s priorities and objectives. SPMEESA, he said, needs to be revised to reflect the provisions of the AU Maritime Transport Charter as this will make it easier for SPMEESA to be funded along with other AU-NEPAD programmes; and also reduce duplication.
3.2 Presentation 7 – The Nairobi Convention – Mrs. Doris Mutta, Division of Environmental Policy Implementation (DEPI), UNEP

Doris Mutta gave a presentation on the strategic action programme of the Nairobi Convention for the Western Indian Ocean and Ports. She mentioned that to mitigate impacts of climate change, there is a need to understand the adaptation options available. She described the area of application of the convention and noted that The Nairobi Convention was adopted in 1985, implemented in 1996 and was reviewed in 2010. She then highlighted some physical alteration and destruction of habitats which she said include habitat conversion; overexploitation; marine pollution which involve crude oil vessels accidental oil spills; and chemical pollution. Dredging activities, she said also caused Mangroves dieback and sea grass- decline productivity etc. She also mentioned pollution from land-based sources and a brief presentation on Climate Change. She also discussed the convention and the role of shipping and ports. Some articles of the convention she mentioned were:

- Articles 5: Pollution from ships
- Article 6: Pollution caused by dumping waste from ships
- Article 7: Pollution from land based sources
- Article 8: Pollution from sea-bed activities

Doris Mutta went ahead to explain The Convention’s Protocols and Legal Frameworks. This included the Emergency Protocol which is a protocol concerning cooperation in combating marine pollution in cases of emergency. The Emergency Protocol takes all necessary measures to prevent, remedy and protect marine and coastal environment; establish and maintain means of responding to marine pollution incidents and reduce risks; enact relevant legislation and prepare contingency plans. She also spoke on partnership with International Maritime Organisation (IMO) and the Strategic Components and Environmental Quality Objectives of the convention. She stated that by 2035 in the Western Indian Ocean region critical coastal habitats will be protected, restored and managed for sustainable use; water quality will meet international standards; and river flows will be wisely and sustainably managed. She also said that by 2015, there will be effective collaboration at regional level in addressing trans-boundary challenges. She briefed delegates on a National roll-out plan of the Convention.
3.3 Presentation 8 – Addressing Climate Change in the Western Indian Ocean region – Mr. Julius Francis, Executive Secretary, Western Indian Ocean Marine Science Association (WIOMSA)

Julius Francis gave the background information of WIOMSA; climate change and its effects on the ports industry; what WIOMSA does; and potential areas of collaboration. He stated that WIOMSA was established in 1993 and has similar membership with the Nairobi Convention (i.e. 10 states).

WIOMSA, he said, aims to foster research excellence; develop expertise for effective management; raise awareness and enhance access to knowledge and information; promote networking, cooperation and exchange; and finally promote and advocate appropriate policies and practices. Willingness to achieve these objectives has driven WIOMSA to adopt various mechanisms which include the award of research grants; training courses and writing workshops; policy briefs and biennial symposiums; and the formation of partnerships and networks. Julius Francis then presented key findings pertaining to climate change and ports along the Indian Ocean. At the end of his presentation, he added that climate change may increase the severity of cyclones and shifting zones of storminess. This may increase the number of port operation closures and also increase damage to ships as a result of wave-current interaction. He said that WIOMSA:

- Provide consultancy - to assess the situation in the coastal and marine areas of the WIO region in relation to climate change; identify existing climate change response measures; and make an assessment of the key lessons that such existing response measures have to offer.

- Organize regional Conferences - Conference on “Climate Change Impacts, Adaptation and Mitigation in the Western Indian Ocean (WIO) region: Solutions to the Crisis”, Grand Baie, Mauritius from 21 – 23 March 2011.

- Provide research grants – supporting eleven research projects covering all nine countries in the region.

In conclusion he mentioned that the Potential areas of collaboration of WIOMSA is to quantify the impacts of climate change on major ports and its operations and also to make known to stakeholders that to mitigate impacts of climate change, there is a need to understand the adaptation options available.
3.4 Presentation 9 – THE LBSA PROTOCOL AND PORTS – Mr. Akunga Momanyi, University of Nairobi

Akunga Momanyi’s presentation focused specifically on the newly adopted Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land Based Sources and Activities (LBSA Protocol) to the Nairobi Convention, and how it relates to or applies to ports and harbours. He highlighted on some pollution and degradation issues associated to ports and harbours. He stated the provisions of the protocol to address these issues and also gave the geographic scope and area of application of the protocol. He also spoke briefly on the Annex II of the protocol which focuses on priority substances and activities. Priority activities include ports and harbours development and operations, shipbuilding and repairing industry, and dredging. Priority substances include many associated with ports and harbours such as heavy metals and their compounds, used lubricating oils, radioactive substances, crude oils and hydro carbons of petroleum origin, litter, thermal emissions, organophosphorous compounds, organometallic compounds, etc. Participants also learnt from his presentation that the LBSA Protocol makes provision for effective implementation, which translate to obligations of Contracting Parties, and these include the following:

- Compliance and enforcement
- Common guidelines, standards and criteria
- Data collection, monitoring and evaluation
- Environmental impact assessments and environmental audit
- Scientific and technological cooperation, technical assistance and capacity building
- Public participation, educational and awareness programmes
- Reporting, exchange of and access to information

At the end of his presentation he revealed that the Contracting Parties of the LBSA Protocol are yet to ratify the instrument for quick implementation.
3.5 Presentation 10 – Making Science Work for Port Management: A CSIR Experience – Dr. Neville Sweijd

Neville Sweijd revealed the CSIR’s Key areas of relevance to port management which include:

- Environmental health and compliance assessment and monitoring.
- Informing sustainable and safe port design and operations.
- Environmental planning and management framework

He also indicated that assessing and monitoring the natural environment in and around ports have economic, environmental and human health benefits. In spite of these benefits the CSIR faces some problems in carrying out their mandate. These, he indicated include:

- Research and monitoring in ports is often performed ‘grudgingly’ by port operating authorities. Therefore they often provide limited funds for this purpose.
- Research and monitoring in ports is expensive and needs to be solution oriented - much monitoring in ports are often not solution oriented and perhaps explain the unwillingness of port operating authorities to spend large amounts of money on environmental research and monitoring. This he said represents a failure by the scientific community to demonstrate the benefits of research and monitoring.

Dr. Neville Sweijd then demonstrated a few case studies of how the CSIR believe they have assisted port operating authorities in both seeing and realizing the value of sound science for the management of port environments.

Case Study One was a dredging assessment in a South African port. He gave a detailed account on practical steps the CSIR undertook to save the port an amount of US$ 720,000. He gave a simplified explanation of metal geochemistry for participants to understand the benefits of research. He indicated that the case study convinced the port operating authority to develop site specific baseline metal concentrations.

Case study Two was on Contaminant Source Identification. He stated many benefits of this case study to port environment.

Case study Three was on Strategic Integrated Port Planning and Management. He noted that a port focussed Strategic Environmental Assessment (initiated by CSIR), integrates all economic, environmental and social aspects into port planning processes. He expressed the need to move to a multi – sector and ecosystem scale approach. The CSIR, he said, provides information for sustainable port designs. Research into water quality, shore erosion trends and design of sand traps as noted from the case study informs sustainable port designs.
At the end of the presentation participants learnt that:

- Port operating authorities must, in consultation and in partnership with other authorities (e.g. environmental protection) and stakeholders, define explicit and measurable goals and targets for the natural environment in ports. The goals and targets provide the blueprint for action.

- Ports need an ecosystem scale focus.

- Ports need to define measurable indicators for the attainment of these goals and targets and also be realistic.

- Ports must communicate frequently and often with research and environmental consultant partners.

- There is not a one size fits all approach – each port has a unique set of circumstances that may require a unique approach.

- Ports should incorporate environmental considerations into the planning stages of activities

- There is the need to invest in appropriate research and monitoring.

- The environment cannot be out-engineered.

**General remarks**

- There is the need to show relevance of policies and researches on our port activities. The relation between protocols and productivity should always be made clear.

- About 80% of marine pollution is land generated. There is also the need to control pollution and activities up-stream.

- Awareness and training should extend to the civil society as well.
4.0 DAY 2 (MORNING)

The theme for the second day was “Environmental Management and Relationship with Ports”

4.1 Presentation 11 – Management of MARPOL Waste Reception Facility – Mr. Toby Godwin Brown, Managing Director, Tilbury Environmental Group (TEG), Ghana

Toby Godwin Brown gave a background of MARPOL 73/78 in which he stated all six Annexes. He stressed on the fact that Annex I and Annex II are obligatory for countries that ratify whereas the remaining is optional. Annexes I and II require member states to provide adequate Waste Reception Facilities at their ports for oily waste and noxious substances in liquid form. He made it known that TEG operates only in Tema port under a Build, Own and Operate (BOO) Concession Agreement for Annexes I and V of the MARPOL Convention. He indicated that the facility is a compulsory user facility and therefore a charge is levied on all vessels calling the port. The tariff is chargeable depending on the gross tonnage of the vessel. He then gave a brief description on the operations of the Waste Reception Facility and noted dewatered oil and water as the main end product of a treatment cycle. The dewatered oil, he said, is given to accredited agents at an administrative charge and the water is also discharged into the sea after it has been tested to meet EPA standards. He ended by highlighting a few operational challenges of the facility as well as its benefits to the port environment.

4.2 Presentation 12 – Waste Management in a Flemish Port (The Port of Antwerp) – Mr. Patrick Verhaert, Manager Port Dues, Port of Antwerp, Belgium

Mr. Patrick Verhaert made a presentation on Waste management in Flemish Ports. He gave a brief background information as well as main lines of policy of EU Directive 2000/59/EC. The Directive, he stated, requires all vessels calling at a port to notify it of ship-generated waste and cargo residues; deliver their ship-generated waste; and contribute to the costs for reception and processing of waste. He also said each port has to ensure adequate reception facilities, draw up a waste management plan and exchange information on the delivery behaviour of vessels so that a directional enforcement becomes possible. He gave an outline of the steps for waste management which comprises:

• notification procedures
• fees for ship's waste
• refund or no charge of the waste fee
• refund or no charge of the variable waste fee
• how to deliver your waste
• principles for financial compensation
• conditions for financial compensation
• reporting inadequacies of a port reception facility

The mentioned substantial waste fee consists of:

• a fixed waste fee which is 1/3 of the average costs
• a variable waste fee which is 2/3 of the average costs

Average cost per call, he explained as a multiplication of the total quantity of the collected ship-generated waste by the average price for collection and processing and a division of this amount by the number of calls. He noted that not every vessel generates the same amount of waste. He however stated that some vessels are exempted and went ahead to state various criteria for exemption.

4.3 Presentation 13 – Marine Invasive Species and Ballast Water Management – Mr. Adnan Awad, Director, IOI-SA and Technical Director (Marine) – GISP

Preceding the presentation there was a video documentary “invaders from the sea” on ballast water and the negative impact it has on the environment. Ballast water was shown as being a transport medium of organisms from their natural habitats to foreign areas where they have thrived and caused environmental problems, with examples given on depletion of fish stocks, and problems to engine parts of power plants. Adnan Awad then gave a detailed presentation on marine invasive species from ballast water, and some of it transported on the ships’ plating. He cited that bigger ships and changing shipping patterns are compounding the situation. He explained that there is a new convention dealing with treatment of ballast water on board ships. He gave an example of Article 5 on sediment reception facilities which calls for safe disposal of sediments so that the environment is not damaged. On ballast water management he noted that there was need to create awareness, have political engagement and further develop policies and legislations for the control and management of ship’s ballast water. In addition, management approach should also include risk assessment; biological surveys in ports, compliance monitoring and development of a regional strategy. In Africa, the regional strategies are under development, through facilitation of Large Marine Ecosystem (LME) such as the ASCLME project. Organizations like PMAWCA, PMAESA and PENAf will play a very important role in Africa’s approach. Adnan Awad highlighted some already existing regional frameworks and also policies and legislations that could be adopted both on national and regional levels. He gave a brief detail on the processes and procedures for Ballast Water Management; identifying the major risk areas globally and the existing technologies for the effective management of ballast water.
On capacity building, he stated available short courses which include Introductory Course on Ballast Water Management; Management of Invasive Species in Marine & Coastal Environments; and Training Course on Port Biological Baseline Surveys.

4.4 Presentation 14 – Oil Spill Response/Contingency Planning, Mr. Leslie Andrews, General Manager, Ro-Clean Desmi Ltd.

Leslie Andrews introduced Ro-Clean Desmi to participants. He said Ro-Clean Desmi is over 30 years old; is a subsidiary of DESMI Group of Companies; and is a market leader in development and manufacture of Oil Pollution Equipment. He stated that cleaning of oil spillage require a contingency plan. A contingency plan, he said, is broken into Tier Response Concept. Tier One cater for small spills and Tier Two and Tier Three cater for medium spills and large spills respectively. All ports, he indicated should be resourced enough to handle Tier One spills. However he mentioned that most ports may require help from neighbours in their vicinity to handle Tier Two spills and no single port can handle Tier Three spills alone because it requires international attention. He explained in detail the steps involved in a contingency plan and emphasized that port plan must fit into the national contingency plan. Leslie Andrews indicated that combating oil spills is a result versus time scenario. The longer one takes the more the spread of oil. The components of an oil spill clean –up, he stated, should achieve the steps of containment, collection and temporary storage. Equipment used for containment are mostly booms. Booms are used to hold or deflect the oil to facilitate collection and to protect sensitive areas. Skimmers are used for collection of oil and are designed to recover oil off the surface of water. They vary greatly in capacity & operating principle. He also mentioned that storage tanks are used when the location of the clean –up operations or the quantity of oil makes it impractical to immediately transport or dispose of the recovered oil. He mentioned other equipment such as chemical dispersants and absorbents. He emphasized that every port is different therefore it is important to draw up plans specific for individual ports.

4.5 Presentation 15 – Port Sustainability and Environmental Challenges( A South African Perspective) – Mr. Lesedi Boihang, Environment Manager, TRANSNET

Lesedi Boihang gave a case study on South Africa giving a background trends on sustainability and environmental challenges and the response from the port community. He stated that practical interpretation of sustainability involves strategic development decisions that affect long-term environmental, economic and social performance and sustainability; and the integration of the environmental protection and sustainable principles into a port authority’s daily operation. He highlighted some challenges facing port development and sustainability.
The challenges facing port development and sustainability were enumerated as meeting cargo demand, managing cargo traffic and port infrastructure development. TRANSNET, he said, works closely with other stakeholders to implement the developments according to the guidelines. He emphasized that engagement with other parties outside TRANSNET is crucial. Lesedi Boihang gave a brief insight on Strategic Environmental Assessment (SEA). He stated that SEA allows for the decision makers to proactively determine the most suitable development type for a particular area, before development proposals are formulated. SEA defines the basic standards of good practice for the port sector. Ports, he said, should grow and expand in a sustainable way across board. He elaborated on some implementation tools and overall drivers for sustainability in ports; the various steps of implementing an Environmental Management System; and immediate solutions for successfully addressing growth challenges. Lesedi Boihang in conclusion emphasized that sustainability pressures and drivers will continue to grow and will become standard business practice. Some port sustainability drivers pose unique challenges but if properly addressed, sustainability enhances ability to meet goals. Therefore successful approaches require new types of analysis, collaboration and communication at national, provincial and local levels.
5.0 DAY TWO (AFTERNOON) – Visit to the Port of Mombasa

Participants visited the Port of Mombasa; where they were given a tour and a demonstration on how some oil spill response equipment work.

Photograph 1: some absorbents on display

Photograph 2: beach cleaning equipment

Photograph 3: a boom on display

Photograph 4: an anti pollution work boat
6.0 DAY THREE (MORNING)

The theme for the third day was “African Ports Cooperation in Ports Area and Hinterland Logistics: Possible Next Steps”.

6.1 Presentation 16 – (Group Presentations) – Oil Spill Contingency Plan in Ports.
Group one made a presentation on contingency plans in ports and pointed out that there are various types of plans but the group had dwelt on the fast track contingency plan. The following was found necessary and important for the plan: - components of the plan, definition of a tier, requirements of the plan and means of getting the contingency plan. The Plan, they said should fit into the national contingency plan as well as the regional plan. The group established each port is unique and therefore contingency plans should be tailored for individual ports. Simulations models were singled out as a means to developing unique plans. Plans need not be restrictive to oil alone; but also incorporate substances such as hazardous waste which is catching up gradually. The incorporation of non-related aspects in the plans such as the media, security etc were found necessary, and agencies concerned with these have to be incorporated in the Action Team which must include Booming team; Skimming team; Beach cleaning team; Boat operators; and On-scene commander (harbor master or head of pollution control), etc.

6.2 Presentation 17 – (Group Presentations) – Ballast Water Management
Group two looked at the strengths that exist in the region to manage ballast water, the key weaknesses, gaps, needs and priorities. Further they explored the means of how to capture the key requirements for institutional support and commitment.

Strengths that exist in the region to manage Ballast Water:

- Environmental Infrastructure – port authorities
- Legislation (SA, Kenya)
- Reception facilities
- Inspections – multi-sectoral capacity in place
- PMAESA
  ✓ Strength through Member States (political will)
What are the key Weaknesses / Gaps / Needs / Priorities?

- Resources for management regime
- Human capital/capacity
- Capital investment
- Awareness of options/alternatives

Ratification – What are the obstacles?

- Awareness
- Technical ways to proceed
- Those participating at IMO aren’t from the ports
- Assessment of the costs/benefits

How do we capture these for Institutional support & Commitment?

- Ports can drive the issue – to the Administrations
  - At least in some areas
- Engagement of shipping regulators
- Need training programme
- Set up dialogue
- Awareness
- PENAf/PMAESA should play the coordination role for this issue in the region
  - Need a work plan (PENAf) with relevant partners

6.3 Presentation 18 – INECE Seaport Environmental Security Network (Current Activities and Call for Participation) – Mr. Isaiah Kyengo, NEMA Coast Province, Kenya

Before this presentation, participants watched a documentary on E-waste in Africa “The Digital Dump” by Basel Action Network (BAN). Isaiah Kyengo, representing INECE, gave a quick snapshot of the International Network of Environmental Compliance and Enforcement (INECE).
He stated that INECE is a global network of environmental compliance and enforcement practitioners with over 4000 participants from over 120 countries, including government officials, international governmental organizations and non-governmental organizations.

He then mentioned some key partners of INECE and highlighted on the goals of the Seaport Environmental Security Network (SESN). The goals he highlighted include:

1. Raise awareness of illegal movements of hazardous waste through seaports, their environmental risks, and the need to take action against them.

2. Build capacity for inspections and enforcement actions.

3. Facilitate international enforcement collaboration among government officials on ways to detect and stop illegal and dangerous shipments of hazardous waste.

Isaiah Kyengo spoke briefly on some of the activities of the SESN. Notably amongst the activities he mentioned was the “International Hazardous Waste Inspection Month at Seaports” which took place in June-July 2010. He expatiated on this activity by stating the objectives of the inspection month, benefits to participating countries, planning and preparation procedure and inspection approaches. He went on to state the preliminary outcomes of the inspection month and the next steps to be taken. He ended by encouraging individuals, governments and organizations to become involved in SESN. Additional information on SESN can be found on http://www.inece.org

6.4 Presentation 19 – The Agulhas and Somali Current Large Marine Ecosystems (ASCLME) Project – Ms. Lucy Scott

Lucy Scott gave a brief introduction to the Large Marine Ecosystem approach. According to her, since 1995, the Global Environment Facility (GEF) has provided substantial funding to support country-driven projects for introducing multi-sectoral ecosystem based assessment and management practices for Large Marine Ecosystems (LMEs). The GEF IW Programme, she said, has the potential to deliver the ecosystem approach as it defines systems within a natural boundary rather than political ones. She indicated that presently 110 developing countries are engaged in the preparation or implementation of GEF-LME projects within several of the 64 LME regions. The LME approach uses indicators of ecosystem such as productivity; fish and fisheries; pollution and ecosystem health; socioeconomics; and governance. Lucy Scott outlined the objectives of the ASCLME project and listed the countries involved. The ASCLME project, she said, aims to clearly define the ecosystem boundaries; understand; the major trans-boundary impacts with these ecosystems; strengthen scientific and management expertise; and with the view to introducing an ecosystem approach to managing living marine resources.
She explained briefly the deliverables of the project and indicated that National Marine Ecosystem Diagnostic Analyses (MEDAs) are being developed by teams in each country to compile comprehensive, updated state of the environment information together, as well as to develop a diagnostic analyses of threats to the marine ecosystem. This she said is based on existing state of the environment reports/fisheries reports, reports to conventions and commissions. Lucy Scott briefed conference participants on the current status, time lines and on-going activities of the project. She said a joint Strategic Action Programme (SAP) will be developed to address all components of the marine ecosystem. Priorities of the SAP will be mainstreamed into national policy and legal frameworks, development plans and budgets such as National Action Plans Integrated Coastal Zone Management Plans or Environmental Management Plans. The SAP will form the basis for the development of specific follow up projects and interventions. She however emphasized that the signature of SAP is the beginning of the cooperative trans-boundary LME management commitment. She highlighted on the project’s component related to marine pollution and invasive species and various areas of partnership with other projects and organizations such as PMAESA and PENAf.

6.5 Presentation 20 – Interactive Session on Eastern and Southern Africa Port Environmental Network (EASAF-PEN) – Mr. Harry Barnes-Dabban, Executive Coordinator, Port Environmental Network Africa(PENAf)

Harry Barnes - Dabban led participants through the background, vision, objectives, operating mechanism and proposed activities of the African Ports Environment Initiative (APEI) under which the 1st EASAF Ports Environmental Managers Working Conference is being organized. He indicated that the initiative had come about as a result of growing concern about threats to global environmental quality which requires the effective implementation of international environmental regulations and also development of sustainable systems. Africa’s ports, he reiterated, lagged behind in effectively pursuing any environmental agenda although the environment is a key component in the global development agenda. Africa’s ports like all other ports in the world face common environmental challenges, but whilst ports in other regions of the world were collaborating to improve environmental performance and develop new sustainable concepts of environmental management, this does not seem to have caught attention in Africa. He emphasized that ports need to cooperate rather than compete among themselves.

With this, he said, he found it necessary to stimulate discussions on initiatives aimed at encouraging Africa’s ports to balance their economic interest with environment and become proactive in environmental management performance.
6.5.1 Vision of the Initiative
He stated the vision of the initiative as “Build a Coordinated Environmental Network among EASAF Ports to serve as Platform for Information and Best Practice Exchange to Improve and Harmonize Environmental Performance”.

6.5.2 Objectives of the Initiative
• Raise environmental awareness among EASAF ports
• Influence environmental policies concerning African ports by creating a bridge between environmental principles and practice
• Promote environmental cooperation through exchange of information and best practice
• Support capacity building for sound environmental management in African ports
• Encourage a common approach to issues through collaborative networks to support the implementation of the overall vision

6.5.3 Operating Mechanism of the Initiative
The operating mechanism, he said will apply a Bottom up Approach. The components of the mechanism include:
• Local Level (Port Environmental Network at Individual Ports)
• Regional Level [Eastern and Southern Africa Port Environmental Network (EASAF-PEN)]
• Continental Level [Pan-African Ports Cooperation (PAPC)]

6.5.4 Proposed Activities of the Initiative
Harry Barnes- Dabban emphasized that the initiative proposes to carry out the following activities to inform, support and strengthen existing environmental management efforts in Africa’s ports:
• Awareness Raising
• Facilitating the Development of a Common Environmental Management Framework
• Promoting Environmental Co-Operation

To be able to achieve these, he said, there is the need to secure a written agreement and arrangement (Memorandum of Understanding) between Ports Environmental Network Africa (PENAf) and each of the three Port Management Associations as well as Pan-African Ports Cooperation (PAPC).
This agreement and arrangement would acknowledge the importance of environmental sustainability for ports as well as the commitment of parties to work together to achieve improved environmental performance in ports.

6.5.5 Target Group of the Initiative
He mentioned the target group as:

- Port Authorities
- Associated Actors in the Maritime Sector
- Private Port Operators
- Clearing/Forwarding Agents
- Ship Owners & Agents
- Maritime Administrations
- Shippers’ Councils etc

6.6 GROUP EXERCISE – ACTION PLAN AND WAY FORWARD

In developing an action plan for achieving the desired objective of the conference, “Establishing a EASAF Ports Environmental Network (EASAF-PEN) in Promoting Environmental Co-operation for Improved Environmental Performance” participants were divided into two groups. Each group was required to do the following:

1. Review the draft Terms of Reference
2. Define from the presentations and their practical background information and knowledge, what is the cause for the lack of environmental commitment in EASAF ports.
3. What strengths and weakness exist to address this cause?
4. Identify the main environmental challenges/issues facing EASAF Ports
5. What are the top five (5) priorities?
6. Propose actions that must be carried out to address these priority challenges/issues
7. How can an environmental cooperation network be established among EASAF Ports?
A copy of the Draft Terms of Reference and the outcome of the group exercise are attached as Appendix I and Appendix II respectively.

7.0 COMMUNIQUÉ AND CLOSING REMARKS

A communiqué concerning the conference was read to participants. A copy is attached to this report as Appendix IV.

7.1 Closing Remarks – Secretary General of PMAESA, Mr. Jerome Ntibarekerwa

Jerome Ntibarekerwa said that he was extremely gratified by the serious levels of engagement during the conference and was sure that the outcomes of the deliberations will form the groundwork for the setting up of an effective mitigation programme in the management of the maritime environment in the EASAF region. He mentioned that he was sure that the emerging network will be up to the task that is required to put into place the mechanisms needed to address the identified challenges and also pro-actively resolve the problems that might be hampering Africa’s ports stride into the future. The conference, he said, is the culmination of a process that was identified by the planning committee and will now automatically propel Africa’s port to the third and final phase of the launch of the Africa Green Ports Initiative. He took the opportunity to invite participants to the forthcoming 8th Pan African Association of Ports Cooperation (PAPC) Conference which will be held at Arusha, Tanzania between the 6th and 9th of December 2010. He cited that the Africa Green Ports Initiative will be launched at the conference. In conclusion, he thanked all who supported and participated in the conference.

END OF CONFERENCE
Appendix I
Draft Terms of Reference – EASF PORTS ENVIRONMENTAL NETWORK (EASAF-PEN)

1. **PURPOSE**
The Network is a mechanism for promoting improved environmental performance in EASAF ports by facilitating and supporting the following:

i. Raising awareness in EASAF ports on marine and port management issues

ii. Promote coherent compliance and enforcement of environmental conventions and their associated guidelines, recommendations and practices in EASAF Ports

iii. Promote the implementation of activities, measures and action plan developed at the local, Regional and continental levels under the Africa Ports Environment Initiative (APEI)

iv. Promote environmental information sharing, exchange of experience and practices, and forge collaborative and cooperative links within and among EASAF ports and at continental as well as international levels

2. **ESTABLISHMENT OF EASAF-PEN**
   - EASAF-PEN is established as an environmental platform and working group

   - EASAF-PEN is set up during the 1st EASAF Ports Environment Managers Working Conference held in Mombasa, Kenya

   - EASAF-PEN shall be coordinated as a regional environmental platform by PENAf in collaboration with PMAESA. It shall also promote partnerships with regional bodies as Nairobi Convention, PAPC, and AASU as well as other international bodies as IMO, UNEP, INECE, ESPO, AAPA, EcoPorts, GreenPort etc.

   - The Network comprises of:
     - Focal Persons (FP) or designated Port Representatives
     - Representatives of collaborating relevant organizations
     - Representatives of regional agreements
     - Representatives of the ports, shipping and marine community
     - Representatives of major actors (eg. scientific and academic community, NGOs etc.)

3. **MANDATE OF EASAF-PEN**
The mandate of EASAF-PEN will lie within:

   - Developing and adopting a regional environmental strategy for EASAF Ports as well as an Action Plan for its implementation
   - Serving as a mechanism for promoting environmental responsibility and integration of environment into the operations and policy-making in EASAF Ports.
   - Creating mechanisms for partnerships, collaboration and interaction with private sector, civil society and other actors on environmental performance
   - Providing recommendations to PENAf and PMAESA on environmental issues and concerns, and generating status reports for consideration at local, regional and Pan-African meetings
   - Examining and reviewing national environmental legislations, management and practices in EASAF ports with a view to promoting a consistent and harmonized approach
   - Identifying capacity building needs for port environmental management
   - Promotion of measures designed to enhance awareness of port environmental issues
4. FUNCTIONING OF EASAF-PEN

i. Chair and Secretary of EASAF-PEN

   ➢ Focal Persons (FP), Representatives of Ports, will chair the Network on rotation starting with Lead Partnering Ports (LPPs) during the 1st, 2nd and 3rd Chairmanship term. A term shall be of 2 year duration
   ➢ PENAf will serve as Secretary to the Network and its conferences and meetings

ii. Modus Operandi

   ➢ The Network will carry out its work by correspondence
   ➢ It would organize yearly environmental working conference to deliberate on pertinent issues and also evaluate progress made in implementation of its Strategy and Action Plan
   ➢ It can organize technical subject meetings at various levels of local, national, regional, or international as may be appropriate
   ➢ The Network should periodically examine and review the present Terms of Reference and make appropriate recommendations

iii. Reporting

   Reports of EASAF-PEN shall consist of:

   ➢ Port Status Reports by Representatives of Ports, Focal Persons and members of the Network. Reports should take the form of a progress report, including activities, appropriate recommendations and proposals on strategy implementation and action plan both at the port and regional levels. This report shall be fed by reports of Port Environmental Networks, where such structures have been established
   ➢ Issues raised, recommendations, and conclusions of EASAF-PEN meetings will be forwarded to PENAf, PMAESA and PAPC.
Appendix II

OUTCOME OF GROUP EXERCISE

CAUSES FOR LACK OF ENVIRONMENTAL COMMITMENT IN EASAF PORTS

- Lack of awareness
- Budgetary constraints
- Ineffective enforcement of laws
- Environmental governance
- No harmonizing standards tailored to ports
- Inadequate capabilities, technical skills and knowledge on environmental issues

STRENGTHS THAT EXIST TO ADDRESS CAUSES

- Increasing awareness
- There are pockets of ports capacities existing
- Forums for networking
- Existing Legislation
- Availability of Information
- Existing structures within government

WEAKNESSES THAT EXIST

- Lack of clear roles and responsibilities
- Legal instruments do not effectively address environmental issues
- Limited enforcement strength
- Inadequate trained people
- Under prioritizing environmental issues

ENVIRONMENTAL CHALLENGES THAT EASAF PORTS FACE

- Oily wastes or oil spills pollution
- Atmospheric emissions contributing to climate change
- Lack of environmental baselines
- Pressure for expansion
- Dredging
- Poor compliance of policies and legislation
- Upstream runoffs

TOP PRIORITIES

- Developing baselines in Port Environment Assessment
- Formation of EASAF-PEN
- Developing a contingency plan
- Building capacity and creating awareness
- Budgetary provision
PROPOSED ACTIONS

• Develop an action plan and implement priorities.

HOW THE ENVIRONMENTAL COOPERATION NETWORK CAN BE ESTABLISHED

• All partners and stakeholders must be involved
• Members must have frequent interactions
• There must be a focal person who must be a member of the organization
• Must have frequent consultative forums
• A website should be developed for information sharing

CONTRIBUTIONS TO DRAFT TERMS OF REFERENCE

• There should be training and capacity building between ports
• The purpose should include activities beyond port premises
• Criteria for port assessment must be developed
• Environmental advocacy or lobbying should be ensured
• Ensure monitoring is done beyond the port
• Sustainable port development should be ensured
• Enforcement should include national laws

PROPOSALS FOR FUNDING

• Support from PMAESA for a start
• Conference fees
• Donations from interested partners (UN, AU, IMO, UNEP). Conference report should be circulated to these partners.

OVERALL SUMMARY

• Terms of Reference to include training, sensitization and involvement of the general public and other stakeholders in the setting up of the Network
• Establishment of the working group and to identify the focal persons for communication, ratification and other activities related hereto.
• Widen the composition of the Network to effectively address this otherwise unknown area
• Setting up of basic baseline assessment of the existing position in the ports, their action plan with dates and deadlines
• Lobbying the ports and stakeholders for budgetary support for the activities of the environmental committee
• PMAESA/PENAF to be in the frontline in identifying the focal persons in the setting up of the network group.
PMAESA, having been mandated by the Board, take this as one of their main activities. Outcome for final action requires:

- Specific financing for creating awareness on the symbiotic relationship between performance and environment.
- Training of the relevant staff on environmental issues and related activities.
- Maintenance of a continuous flow of correspondence/communication lifeline through the focal persons in the institutions
- Plans for and engagement of players in the re-launching of EASAF-PEN
- Deliverables to be drawn with set deadlines by the network team.
## LIST OF DELEGATES

<table>
<thead>
<tr>
<th>TITLE</th>
<th>NAME</th>
<th>ORGANIZATION</th>
<th>COUNTRY</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>MR. A Y JIM FUGAR</td>
<td>Ghana Ports Harbours Authority</td>
<td>Ghana</td>
<td></td>
<td><a href="mailto:jimfugar@yahoo.com">jimfugar@yahoo.com</a></td>
</tr>
<tr>
<td>MR. ABDALLA J. ABDALLA</td>
<td>Director of Marine Services, Zanzibar Ports Corporation</td>
<td>Zanzibar</td>
<td></td>
<td><a href="mailto:mikenikeaj@hotmail.com">mikenikeaj@hotmail.com</a></td>
</tr>
<tr>
<td>MR. ABDU SILYE LAKO</td>
<td>Director, Ministry of Transport &amp; Roads</td>
<td>Southern Sudan</td>
<td></td>
<td><a href="mailto:silyabdu@yahoo.com">silyabdu@yahoo.com</a></td>
</tr>
<tr>
<td>MR. AKUNGA MOMANYI</td>
<td>University of Nairobi</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:akungamomanyi@yahoo.com">akungamomanyi@yahoo.com</a></td>
</tr>
<tr>
<td>MR. ALEX KIMANI</td>
<td>Security Group Ltd</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:akimani@securitygroupke.com">akimani@securitygroupke.com</a></td>
</tr>
<tr>
<td>MR. ALEXANDER A. AWAD</td>
<td>Int'l Oceanographic Institute</td>
<td>South Africa</td>
<td></td>
<td><a href="mailto:awad.adnan@gmail.com">awad.adnan@gmail.com</a></td>
</tr>
<tr>
<td>MR. ALI H. HAJI</td>
<td>Planning Manager, Zanzibar Ports Corporation</td>
<td>Zanzibar</td>
<td></td>
<td><a href="mailto:soffially@hotmail.com">soffially@hotmail.com</a></td>
</tr>
<tr>
<td>LT. COL ANDRE CISEAU</td>
<td>CEO - Seychelles Ports Authority</td>
<td>Seychelles</td>
<td></td>
<td><a href="mailto:ceo@seychellesports.sc">ceo@seychellesports.sc</a></td>
</tr>
<tr>
<td>MR. ANDY B. BERKO</td>
<td>Ghana Ports Harbours Authority</td>
<td>Ghana</td>
<td></td>
<td><a href="mailto:bandyberko@yahoo.com">bandyberko@yahoo.com</a></td>
</tr>
<tr>
<td>Ms. ANNICK MIQUEL</td>
<td>General Manager – Indian Ocean Observatory Cities au d Ports</td>
<td>Reunion Island</td>
<td></td>
<td><a href="mailto:a.miquel@io-aivp.org">a.miquel@io-aivp.org</a></td>
</tr>
<tr>
<td>CLLR. BADI TWALIB</td>
<td>Mombasa Municipality</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:badibadi94@yahoo.com">badibadi94@yahoo.com</a></td>
</tr>
<tr>
<td>MR. BANGOURA MOMO</td>
<td>Cadre a la Secton Remourguage de PAC, Port Autonome Conakry Guinee</td>
<td>Guinee</td>
<td></td>
<td><a href="mailto:sakomohamed62@yahoo.fr">sakomohamed62@yahoo.fr</a></td>
</tr>
<tr>
<td>MR. BENJAMIN ROTICH</td>
<td>Deputy OCPD - Kilindini(Port)</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:kikorir@yahoo.com">kikorir@yahoo.com</a></td>
</tr>
<tr>
<td>MR. BERNARD OSERO</td>
<td>Public Relations Manager - Kenya Ports Authority (KPA)</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:bosero@kpa.co.ke">bosero@kpa.co.ke</a></td>
</tr>
<tr>
<td>MR. CONRAD TEFFO</td>
<td>Office of the CEO, Transnet National Ports Authority</td>
<td>South Africa</td>
<td></td>
<td><a href="mailto:conrad.teffo@transnet.net">conrad.teffo@transnet.net</a></td>
</tr>
<tr>
<td>MR. DIALLO ALPHA OUMAR</td>
<td>Comandant Adjoint de PAC, Port Autonome Conakry Guinee</td>
<td>Guinee</td>
<td></td>
<td><a href="mailto:kourabappe2007@yahoo.fr">kourabappe2007@yahoo.fr</a></td>
</tr>
<tr>
<td>Ms. DORIS MUTTA</td>
<td>Nairobi Convention – UNEP</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:doris.mutta@unep.org">doris.mutta@unep.org</a></td>
</tr>
<tr>
<td>Ms. FLORENCE BET</td>
<td>Pollution Control Master - KPA</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:fbet@kpa.co.ke">fbet@kpa.co.ke</a></td>
</tr>
<tr>
<td>MR. FRANCIS K. KOMBE</td>
<td>Principal Safety Officer - KPA</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:fkombe@kpa.co.ke">fkombe@kpa.co.ke</a></td>
</tr>
<tr>
<td>MR. HARRY BARNES- DABBAN</td>
<td>Executive Coordinator, Ports Environmental Network Africa</td>
<td>Ghana</td>
<td></td>
<td><a href="mailto:info@penaf.org">info@penaf.org</a></td>
</tr>
<tr>
<td>MR. HUMPHREY MWACHARI</td>
<td>Health &amp; Safety Environment, Kenya Ports Authority</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:hmwachari@kpa.co.ke">hmwachari@kpa.co.ke</a></td>
</tr>
<tr>
<td>MR. ISAIAH KYENGO</td>
<td>National Environmental Management Authority</td>
<td>Kenya</td>
<td></td>
<td><a href="mailto:kyengoi@nema.go.ke">kyengoi@nema.go.ke</a></td>
</tr>
<tr>
<td>MR. JACOB HYDE- COOPER</td>
<td>Ghana Ports Harbours Authority</td>
<td>Ghana</td>
<td></td>
<td><a href="mailto:hydecooper@yahoo.com">hydecooper@yahoo.com</a></td>
</tr>
<tr>
<td>MR.</td>
<td>NAME</td>
<td>POSITION/ASSIGNMENT</td>
<td>LOCATION</td>
<td>EMAIL</td>
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<tr>
<td>JEROME</td>
<td>NTABAREKERWA</td>
<td>Secretary General - PMAESA</td>
<td>Kenya</td>
<td><a href="mailto:intibarekerwa@pmaesa.org">intibarekerwa@pmaesa.org</a></td>
</tr>
<tr>
<td>JOHN</td>
<td>MUNIDI</td>
<td>Regional Co-ordinator, IMO</td>
<td>Kenya</td>
<td><a href="mailto:jmuindi@imo.org">jmuindi@imo.org</a></td>
</tr>
<tr>
<td>JOSEPH</td>
<td>K. MWANGI</td>
<td>Snr Commercial Officer - KPA</td>
<td>Kenya</td>
<td><a href="mailto:kmwangi@kpa.co.ke">kmwangi@kpa.co.ke</a></td>
</tr>
<tr>
<td>JULIUS</td>
<td>FRANCIS</td>
<td>Western Indian Ocean Marine Science Assoc</td>
<td>Kenya</td>
<td><a href="mailto:julius@wiomsa.org">julius@wiomsa.org</a></td>
</tr>
<tr>
<td>JULIUS</td>
<td>MAGHANGA</td>
<td>Manager: Health, Safety &amp; Environment (KPA)</td>
<td>Kenya</td>
<td><a href="mailto:maghanga@kpa.co.ke">maghanga@kpa.co.ke</a></td>
</tr>
<tr>
<td>KAVUTSE</td>
<td>ANANIAS</td>
<td>Dir. IT and Technology, Magerwa</td>
<td>Rwanda</td>
<td><a href="mailto:kavuna@hotmail.com">kavuna@hotmail.com</a></td>
</tr>
<tr>
<td>KEVIN</td>
<td>WEERTS</td>
<td>Senior Environmental Manager, Mott Macdonald</td>
<td>South Africa</td>
<td><a href="mailto:kevin.weerts@mottmac.com">kevin.weerts@mottmac.com</a></td>
</tr>
<tr>
<td>LAUD</td>
<td>OKANTENY</td>
<td>Tilbury Environmental Group</td>
<td>Ghana</td>
<td><a href="mailto:laudok@yahoo.com">laudok@yahoo.com</a></td>
</tr>
<tr>
<td>LESEDI</td>
<td>BOIHANG</td>
<td>Environment Manager, Transnet</td>
<td>South Africa</td>
<td><a href="mailto:lesedi.boihang@transnet.net">lesedi.boihang@transnet.net</a></td>
</tr>
<tr>
<td>LESLIE</td>
<td>ANDREWS</td>
<td>General Manager, DESMI RO-CLEAN</td>
<td>UK</td>
<td><a href="mailto:lpa@desmi.com">lpa@desmi.com</a></td>
</tr>
<tr>
<td>LUCY</td>
<td>SCOTT</td>
<td>ASCLME Project</td>
<td>South Africa</td>
<td><a href="mailto:lucy.scott@asclme.org">lucy.scott@asclme.org</a></td>
</tr>
<tr>
<td>MARTIN</td>
<td>SHIMBA</td>
<td>Compliance &amp; Enforcement Officer - NEMA</td>
<td>Kenya</td>
<td><a href="mailto:shimbam@nema.go.ke">shimbam@nema.go.ke</a></td>
</tr>
<tr>
<td>MMUTLE</td>
<td>LENTLE</td>
<td>Chief Information Officer, Transnet;</td>
<td>South Africa</td>
<td><a href="mailto:mmuttle.lentle@transnet.net">mmuttle.lentle@transnet.net</a></td>
</tr>
<tr>
<td>MOHAMED</td>
<td>SAKO</td>
<td>Consultant/Sociologue, Port Autonome Conakry</td>
<td>Guinee</td>
<td><a href="mailto:sakomohamed62@yahoo.fr">sakomohamed62@yahoo.fr</a></td>
</tr>
<tr>
<td>NANCY</td>
<td>KARIGITHU</td>
<td>Director General, Kenya Maritime Authority</td>
<td>Kenya</td>
<td><a href="mailto:dpkma@maritimeauthority.co.ke">dpkma@maritimeauthority.co.ke</a></td>
</tr>
<tr>
<td>NEVILLE</td>
<td>SWEIJD</td>
<td>Snr. Researcher - Council for Scientific &amp; Industrial Research (CSIR)</td>
<td>South Africa</td>
<td><a href="mailto:nsweijd@csir.co.za">nsweijd@csir.co.za</a></td>
</tr>
<tr>
<td>PATRICK</td>
<td>VERHAERT</td>
<td>Port of Antwerp</td>
<td>Belgium</td>
<td><a href="mailto:patrick.verhaert@haven.antwerpen.be">patrick.verhaert@haven.antwerpen.be</a></td>
</tr>
<tr>
<td>PAUL</td>
<td>MWAKA</td>
<td>Safety Officer - KPA</td>
<td>Kenya</td>
<td><a href="mailto:pmwaka@kpa.co.ke">pmwaka@kpa.co.ke</a></td>
</tr>
<tr>
<td>PETER</td>
<td>R. SABWA (RTD)</td>
<td>Security Group Ltd</td>
<td>Kenya</td>
<td><a href="mailto:sabwabob@yahoo.com">sabwabob@yahoo.com</a></td>
</tr>
<tr>
<td>ROBERT</td>
<td>MHIDZEH</td>
<td>Director, Novotech Enterprises Ltd</td>
<td>Tanzania</td>
<td><a href="mailto:novotech@bol.co.tz">novotech@bol.co.tz</a></td>
</tr>
<tr>
<td>ROPHUS</td>
<td>M. MWANDEMBO</td>
<td>Snr Safety Officer - KPA</td>
<td>Kenya</td>
<td><a href="mailto:rmwandembo@kpa.co.ke">rmwandembo@kpa.co.ke</a></td>
</tr>
<tr>
<td>SALL</td>
<td>M. ALPHA</td>
<td>Chef Service Environment du PAC, Port Autonome Conakry Guinee</td>
<td>Guinee</td>
<td><a href="mailto:sakomohamed62@yahoo.fr">sakomohamed62@yahoo.fr</a></td>
</tr>
<tr>
<td>SHREENATH</td>
<td>PARAHOO</td>
<td>Port Emergency &amp; Environment Controller, Mauritius Port Authority</td>
<td>Mauritius</td>
<td><a href="mailto:s.parahoo@mauport.com">s.parahoo@mauport.com</a></td>
</tr>
<tr>
<td>TOBY C.</td>
<td>GODWIN-BROWN</td>
<td>Tilbury Environmental Group</td>
<td>Ghana</td>
<td><a href="mailto:tgbeeg@yahoo.com">tgbeeg@yahoo.com</a></td>
</tr>
<tr>
<td>TWALIB</td>
<td>KHAMISI</td>
<td>Harbour Master - Kenya Ports Authority</td>
<td>Kenya</td>
<td><a href="mailto:tkhamis@kpa.co.ke">tkhamis@kpa.co.ke</a></td>
</tr>
<tr>
<td>VENANT</td>
<td>NTAHONSIGAYE</td>
<td>Transit Transport Coordination Authority / Northern Corridor(TTCA/NC)</td>
<td>Kenya</td>
<td><a href="mailto:vntahonsigaye@ttcanc.org">vntahonsigaye@ttcanc.org</a></td>
</tr>
<tr>
<td>WADINGHAM</td>
<td>MAKONYOLA</td>
<td>Asst. Director, Responsible for Ports, Min. of Transport &amp; Public Infrastructure</td>
<td>Malawi</td>
<td><a href="mailto:wmakonyola@yahoo.com">wmakonyola@yahoo.com</a></td>
</tr>
<tr>
<td>WAKANA</td>
<td>ADOLPHE</td>
<td>Environment Expert - FCBN</td>
<td>Burundi</td>
<td><a href="mailto:nsabjodi@yahoo.fr">nsabjodi@yahoo.fr</a></td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
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</tr>
<tr>
<td>MR. WILFRED OSURO</td>
<td></td>
<td>National Environmental Management Authority</td>
<td><a href="mailto:osurow@nema.go.ke">osurow@nema.go.ke</a></td>
<td></td>
</tr>
<tr>
<td>Ms. ZOLA STEPHEN</td>
<td>Executive Legal &amp; Compliance, Environment and Safety; Transnet</td>
<td>South Africa</td>
<td><a href="mailto:zola.stephen2@transnet.net">zola.stephen2@transnet.net</a></td>
<td></td>
</tr>
<tr>
<td>MR. JAMES MWAYAYI</td>
<td></td>
<td>Principal Logistics Officer - KPA</td>
<td><a href="mailto:jmwayayi@kpa.co.ke">jmwayayi@kpa.co.ke</a></td>
<td></td>
</tr>
<tr>
<td>MR. JAMES KAMULA</td>
<td></td>
<td>Snr. Marine Officer - NEMA</td>
<td><a href="mailto:kamulajim@gmail.com">kamulajim@gmail.com</a></td>
<td></td>
</tr>
<tr>
<td>CAPT. BRIAN WATT</td>
<td></td>
<td>Maritime Consultant/IMO Representative</td>
<td><a href="mailto:brwatt@iafrica.com">brwatt@iafrica.com</a></td>
<td></td>
</tr>
<tr>
<td>Ms. GRACE-DIVINE BARICAKO</td>
<td></td>
<td>Student</td>
<td><a href="mailto:dkirumara@hotmail.com">dkirumara@hotmail.com</a></td>
<td></td>
</tr>
<tr>
<td>MR. CLEMENT ACHEAMPONG</td>
<td>PENAf</td>
<td>Coordinator</td>
<td><a href="mailto:clement2gain@yahoo.com">clement2gain@yahoo.com</a></td>
<td></td>
</tr>
<tr>
<td>MR. HENRY A. OKINE</td>
<td>PENAf</td>
<td>Coordinator</td>
<td><a href="mailto:henryjustice@yahoo.com">henryjustice@yahoo.com</a></td>
<td></td>
</tr>
<tr>
<td>MR. ISAAC ONYANGO</td>
<td>PMAESA Secretariat</td>
<td>Statistics Officer</td>
<td><a href="mailto:ioomokw@pmaesa.org">ioomokw@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MR. JEAN RUKANKAMA</td>
<td>PMAESA Secretariat</td>
<td>Communications Consultant</td>
<td><a href="mailto:jnrukanakama@pmaesa.org">jnrukanakama@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MR. NJUGUNA MUTONYA</td>
<td>PMAESA Secretariat</td>
<td>Communications Consultant / Editor</td>
<td><a href="mailto:dmutonya@pmaesa.org">dmutonya@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MRS. LUCY ONYANGO</td>
<td>PMAESA Secretariat</td>
<td>Administrator</td>
<td><a href="mailto:pmaesa@pmaesa.org">pmaesa@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MRS. JEMIMAH MWANYUMBA</td>
<td>PMAESA Secretariat</td>
<td>Project Development Officer</td>
<td><a href="mailto:jmwanyumba@pmaesa.org">jmwanyumba@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MR. MUBARAK A. SODHA</td>
<td>PMAESA Secretariat</td>
<td>IT Officer</td>
<td><a href="mailto:msodha@pmaesa.org">msodha@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MR. ISAAC GWARO</td>
<td>PMAESA Secretariat</td>
<td>Admin. Assistant</td>
<td><a href="mailto:pmaesa@pmaesa.org">pmaesa@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MR. HAMISI SHAMBI</td>
<td>PMAESA Secretariat</td>
<td>Admin. Assistant</td>
<td><a href="mailto:pmaesa@pmaesa.org">pmaesa@pmaesa.org</a></td>
<td></td>
</tr>
<tr>
<td>MS. BARANI KHATIB</td>
<td></td>
<td>Hostess</td>
<td><a href="mailto:baranikhatib@yahoo.com">baranikhatib@yahoo.com</a></td>
<td></td>
</tr>
<tr>
<td>MS. AGNES NGIMA</td>
<td></td>
<td>Hostess</td>
<td><a href="mailto:agnesngima@yahoo.com">agnesngima@yahoo.com</a></td>
<td></td>
</tr>
<tr>
<td>MS. ALICE WAIRIMU</td>
<td></td>
<td>Hostess</td>
<td><a href="mailto:wrm_ic@yahoo.com">wrm_ic@yahoo.com</a></td>
<td></td>
</tr>
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Appendix IV

The 1st EASTERN AND SOUTHERN AFRICA PORTS ENVIRONMENTAL MANAGERS WORKING CONFERENCE

20 – 22 September 2010

MOMBASA CONTINENTAL RESORT, MOMBASA, KENYA

Communiqué

1st Eastern and Southern Africa Ports look at Cooperation in Environmental Management

Eastern and Southern African have for the first time held an environmental conference with the theme “Creating a Platform for Information and Experience Exchange to Improve Environmental Performance in Port Area and Hinterland Logistics”. The conference was organized by the Port Management Association for Eastern and Southern Africa in collaboration with the Ports Environmental Network-Africa (PENAf), a non-profit organization with an interest in environmental performance in African ports and supported by Kenya Ministry of Environment and the UNEP/Nairobi Convention. It was attended by ports in Eastern and Southern Africa as well as Western and Central Africa with facilitators and presenters from Africa and Europe.

The conference initiated a platform aimed at stimulating discussions on environmental challenges facing Eastern and Southern Africa ports and sharing good practice experiences in environmental protection and management. The presentations covered topics ranging from the need to undertake coastal risk and vulnerability mapping as one essential component of port environmental management, the need for research directly aimed at answering key questions posed to port environmental managers, the need to link various international protocols and conventions to local structures and legislation to facilitate their implementation.

Several opportunities for furthering good environmental management practice in the ports were identified. The significant benefits gained from implementing a coordinated and co-operative approach by acting in partnership with other competent authorities and stakeholders are a cornerstone to successful port environmental management. This would also assist in ensuring that landlocked countries distant from the port recognized that impacts arising from their activities also affected the ports and took responsibility for those ensuring good environmental management practices. One example of such a co-operative approach should be the sharing of environmental expertise and lessons learnt in each of the ports in implementing their environmental management systems between the ports. The concept of “negotiated compliance” was also identified as a practical approach to facilitating port operators, users and stakeholders accepting responsibility for the environmental consequences of their activities.
Several key environmental challenges facing the ports were identified and discussed including illegal and hazardous waste shipments which raised awareness on its implications and underscored the need for ports to build capacity and play an effective role in handling and detection. The focus areas were waste management, responses to emergency incidents such as oil spills, and the management of ballast water, specifically the risks associated with the potential introduction of alien invasive species to the ports. Although all these issues are subjects of international conventions, international protocols and, in many cases, local legislation, the implementation and management of those protocols is not consistent across the ports. This provides opportunity for systemic failures and possible environmental disaster. The platform initiated by this conference is an important tool in facilitating regional and international cooperation between the ports and the sharing of expertise and experiences, which will promote achieving a uniform high standard of environmental management throughout the region.

The conference concluded with the drafting of terms of reference for the setting up the EASAF ports environmental cooperation network. Key environmental issues facing each of the ports in the region were discussed and a list of five key common issues facing the EASAF ports was compiled together with an action plan on how these challenges could be addressed through the new cooperative network. The conference was considered a great success by all the participants.
Appendix V

INTRODUCTION TO PORTS ENVIRONMENTAL NETWORK AFRICA (PENAf)

PENAf – “Co-operation for Improved Environmental Performance in African Ports”

Ports Environmental Network Africa (PENAf) is a non-profit organisation with an interest in environmental performance in African Ports. Africa ports like all others are obliged to deal with environmental issues generated from shipping as well as those generated in port areas. They have to find ways of meeting this demand by complying with international and national regulations in practice but however lack capacity.

Ports Environmental Network Africa (PENAf) seeks to create a platform aimed at stimulating discussions, information and exchange of experiences to find practical solutions in addressing environmental challenges facing African ports and putting them on the path of effective, efficient and proactive environmental management and performance.

VISION

To build a coordinated platform for African ports to cooperate in the area of environmental management and performance through information sharing and exchange of experiences with the aim of improving and harmonising environmental practices.

MISSION

To form environmental networks of Port Authorities and related stakeholders in each of the three maritime regions in the African continent; West and Central Africa, East and Southern Africa, and Northern Africa; to serve as a platform to stimulate discussion and exchange environmental information and best practice experiences. It would seek to achieve this through the organisation of national, regional and continental port environment workshops, seminars and conferences in collaboration with the Port Management Associations and other bodies with an interest in port environment and related issues. It will build upon good practice experience in these fields in ports in Europe, South America and Asia by a structural cooperation with Ecoports, a worldwide network of port environmental specialists.

OBJECTIVES

Raise environmental awareness and information dissemination among African ports

Influence environmental policy in African ports by creating a bridge between environmental principles and practice through supporting the development of norms and mechanisms for the implementation of obligations under multilateral environmental agreements relevant for ports

Promote environmental cooperation through exchange of information and best practices, training and research for environmentally sound and sustainable African ports

Facilitate collaborative networks to support the implementation of the overall vision of improving environmental performance in African ports, in which individuals, organisations, research institutions, public, and private entities will be engaged

Promote, facilitate and support capacity development (human, capital, technical, legal and informational resources) required for sound environmental management and performance among African ports at local, national, regional and continental levels

Promote the establishment of standardised environmental practices for African ports through cooperative and collaborative approaches

Information on PENAf is available through its website on www.penaf.org
INTRODUCTION TO PORT MANAGEMENT ASSOCIATION OF EASTERN AND SOUTHERN AFRICA (PMAESA)

The Port Management Association of Eastern and Southern Africa (PMAESA) is a regional organization of port authorities and maritime organizations in the region. PMAESA was established in July 1973 under the auspices of the United Nations Economic Commission for Africa.

MISSION

PMAESA seeks to promote and nurture best practices among member ports by creating an enabling environment for exchange of information and capacity building to contribute to the economic development of the region.

VISION

To be a centre of excellence in regional integration in transforming our ports into global competitive platforms for international trade.

OBJECTIVES

PMAESA works to provide its members with a chance to exchange ideas and information through conferences, workshops and media interface in matters related to transport and trade facilitation. It also assists members to modernize their systems in a bid to enhance productivity and service delivery. It also creates and maintains relations with other development partners, regional/sub-regional, international organizations and transport authorities through mutual projects and studies in matters beneficial to members.

Facilitate implementation of IMO Conventions and programs

BENEFITS

PMAESA has a global outreach strategy, in which members are represented in relevant regional/sub-regional and international organizations.

The Association organizes international port conferences annually, where key experts participate, share experience and network.

It facilitates access to information on market analysis, corridor reports and performances in the region.

More information on PMAESA can be found on www.pmaesa.org