

## SEYCHELLES MARINE SPATIAL PLAN (MSP) INITIATIVE

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### 5<sup>th</sup> Workshop for Governance Arrangements to Implement the Marine Spatial Plan

MSP Executive Committee, Steering Committee, Technical Working Groups

Workshop #30

Date: Monday 21<sup>st</sup> June 2021

Time: 2-4pm

Location: virtual meeting

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### Minutes

#### Workshop Objective:

1. Update MSP committee members on governance arrangements discussion since 4<sup>th</sup> workshop in 2018
2. Review implementation options
3. Briefing from the Ministers for the preferred option at this time
4. Stakeholder inputs for opportunity and challenges

#### Present:

Mr. Flavien Joubert - Minister, Ministry of Agriculture, Climate Change & Environment (FJ)

Mr. Denis Matatiken – Principle Secretary Environment (DM)

Mr. Wills Agricole- Principle Secretary for Climate Change, MACCE (WA)

Mrs. Marie-May Muzungaile– DG Biodiversity Conservation and Management, MACCE (MMM)

Lt. Col. Leslie Benoiton- National information Sharing Coordination Centre – (LB)

Captain Joachim Valmont – SMSA (JV)

Dr. Joanna Smith- MSP Science and Process Lead, TNC (JS)

Ms Angelique Pouponneau – CEO SeyCCAT (AP)

Mr. Glenny Savy - IDC (GS)

Dr. Frauke Fleischer-Dogley –SIF (FFD)

Mr. Laurent Moser –Chelonia Company Ltd (LM)

Mr. James Lea- SOSF-DRC (JL)

Mr Chris Mason-Parker – MCSS (CMP)

Ms. Wilna Accouche- Green Islands Foundation (WA)

Mr. Louis Desnousse- Tourism Department, Ministry of Tourism & foreign affairs (LD)

Mr. Philippe Michaud – Blue Economy Department (PM)

Ms. Elke Talma - GOS-UNDP-GEF Project Coordinating Unit (ET)

Ms Helena Sims- MSP Project Manager, TNC (HS)

Mr. John Nevill- Independent Consultant (JN)

Ms Cynthia Adrienne –GIS Section, MLH (CA)

Mr. Patrick Samson – PetroSeychelles (PS)

Mrs. Joanna Prosper – GoS- UNDP GEF Ridge to Reef Project Manager (JP)

Dr. Jan Robinson – SWIOFISH3 (JR)

Mr. Daig Romain – GoS-UNDP-GEF PA Finance Project (DR)

Ms. Kelly Hoareau- UniSey (KH)

Ms. Vania Robert, SeyCCAT (VR)

Ms. Francesca Adrienne- Blue Economy department (FA)

Mr. Stuart Laing- UniSey (SL)

Ms. Henrietta Grimmel – SOSF-DRC (HG)  
Ms. Isabelle Ravinia- SNPA (IR)  
Mr. Errol Renaud- Seychelles Energy Commission (ER)  
Mrs Amina Antat – SFA (AA)  
Mr. Herve Barois- Independent consultant (HB)  
Ms Veronica Alphonse-Uzice – SFA (VAU)  
Mr. Ameer Ebrahim –SFA (AE)  
Ms. Elsa Pool- SIF (EP)  
Ms. Isadora Moniz – OPAGAC/AGAC (IM)  
Ms. Sandrine Griffiths – SOSF-DRC (SG)  
Mr. Keith Rose-Innes – Blue Safaris (KRI)  
Ms. Estelle Lucas- SMSA (EL)  
Ms. Magalie Essack –SMSA (ME)  
Ms. Corianna Julie – SIF (CJ)  
JL (Full name and affiliation to be confirmed)  
Eric (Full name and affiliation to be confirmed)  
Gabrielle (Full name and affiliation to be confirmed).

Agenda Item Number	Agenda Item	Notes/Comments/Advice	Action_Response (with initials for who provides response)
1.1	Welcome	Members of the MSP EC, SC and TWG were welcomed to the meeting by the Minister Joubert who was also chairing the meeting.	
1.2	Agenda Review	The agenda was reviewed and adopted without any changes. An overview of Zoom meeting protocols was provided to all participants.	See Annex I
1.3	Summary of last consultation with stakeholders and meetings since that	A high-level summary of the consultations and decisions that were taken in 2017 and 2018 was provided to the members present.	
1.4	Summary of donor funds in pipeline secured for implementation of MSP to date.	The CEO of SeyCCAT provided a summary of the donor funds that are in the pipeline for implementation of the MSP. These include 3 grants to the amount of 4.7m USD from 5 international partners (BNA, O5, TNC, SOSF and Waitt I & F).	
1.41	Blue Nature Alliance (BNA) Grant	The BNA grant is for 2.3m USD for 3 years but needs a cabinet decision on the governance mechanism before the funds can be unlocked. A significant part of this grant will fund the operationalisation of the approved governance mechanism.	
1.42	Oceans5 (O5) and Waitt Foundation/Institute Grant	The O5 and Waitt F/I is for 1.1m USD for 3 years starting 1 <sup>st</sup> July 2021 and is funding MPA Management Planning, Fisheries Reform and Finance Planning.	
1.43	The Nature Conservancy (TNC) Scale Up Funds Grant	TNC grant is for 1.5m USD for 3 years looking to fund an MSP implementation plan, socio-economic analyses and capacity gap analyses and trainings.	
1.45	Others	Other donors such as the Commonwealth have also shown interest to support implementation of the MSP, as well as the GEF7 cycle.	

2.0	Presentation of Implementation Options	Independent consultant, Mr. Nevill presented on 3 governance mechanisms for implementation of the SMSP. These were developed through a Consultancy in Q1 of 2021 following some concerns expressed by the government on the setting up of a new Authority at this point in time. These options were presented to a ministerial group of 5 ministers in March and June of 2021. The presentation provided by Mr. Nevill included an overview of each mechanism and a traffic light system analysis of the pros and cons analysis of each.	Annex II: See presentation in supporting documents and shared with participants.
2.1	Clarifying questions on the presentation	A query was made as to the most significant difference between an independent Authority and an Agency under the EPA.	An authority would have distinct governance powers while an agency would be a functional unit under the Ministry. E.g. of Authorities in Seychelles include SFA with a board and an Act. Though an agency can be given recognition and powers, it does not stand alone outside its line Ministry. JN.
		Following deliberations, it was mutually agreed by attendees that legal opinion on these definitions and differentiations may be sought further.	
		A proposal was made to consider combining responsibilities that currently fall under different ministries under one act as an alternative governance option.	It was clarified that to create an inter -ministerial agency using other laws would not be practical. JN.

		<p>A concern was raised that the proposed executive committee under option 2 may not need to heed to the advice of the management and scientific committees.</p>	<p>Although the scientific and management committees are always advisory to the executive committee, mechanisms can be used to allow impartiality e.g. rotation of the chairperson, having key representatives from different organisations etc. This would be similar to the planning authority under the TCPA. JN.</p>
		<p>Members requested clarity on the different timeframes for operationalisation of interim options 1 and 2 compared to a timeline for SOA establishment.</p>	<p>It was clarified that these timelines may be included in regulations to describe the interim mechanism and transition process to an Authority. JN.</p>
3	Summary of Ministerial Meeting 7 June 2021	<p>Minister Joubert provided a summary of the High-level ministerial briefings, which were held on 24<sup>th</sup> March and 7<sup>th</sup> June 2021. The Minister advised that there was agreement between the Ministers present for an interim option 2 and that after 2 years, a complete review would need to be carried out to consider a revised governance mechanism such as an SOA.</p>	
4.0	Plenary discussion		
4.1	Cost Benefit Analysis	<p>A question was raised to the committees as to why a cost &amp; benefit analysis tool was not used to determine the preferred governance option (in addition to the legal/institutional analyses).</p>	<p>To date there have been high-level discussions with a ministerial sub-committee before proceeding to Cabinet for a decision. It was not the intention to the revise work that had already been done. However, if members feel that such an analysis will be beneficial, this can be carried out. FJ.</p>

4.2	Funding for transition	<p>The question was raised as to the funding available at this point in time and if an interim structure is adopted, whether there will be funding after 2 years to transition to an Authority. Similar concerns on whether these revisions and transitions are included in the donor funds were raised. It was proposed that the cabinet should also be briefed on the financial implications of an interim option and transitioning to an authority in 2 years.</p>	<p>Discussions with donors to date indicate a willingness to support a preferred governance mechanism selected. FJ.</p> <p>It was proposed that revisions of an interim structure could be carried out at mid-term project review, which is 18 months after the commencement of the project to help guide an effective transition. AP.</p>
4.3	Effective use of grant funding	<p>Concerns were raised on the effective use of funding to include revisions and transitions later on.</p>	<p>Effective use of funds to ensure transitions could be included in GEF7. Staffing support would transition from one mechanism to the other if there were a subsequent transition. AP</p>
4.4	Flexibility of the donors on governance options	<p>Queries were raised on the flexibility of the donors on the governance mechanism that is selected.</p>	<p>It was further clarified that there is no prescribed structure (from the donors) in order to secure the funding (BNA) although the concepts were originally developed and designed for operationalisation of an SOA – which was novel and attracted the donors to fund. AP.</p>
4.5	Cost-effectiveness	<p>One concern was raised in that the primary objective was to develop the most cost-effective option to implement an innovative initiative. There were fiscal concerns raised with respect to the alternative and interim options being proposed.</p>	<p>The Minister clarified that the concerns are not only fiscal, but also governance related and that it is thought that it would be premature to operationalise a new authority before the mandates of other ministries/entities are defined (based on recent restructuring). FJ.</p>

4.6	TNC's position on MSP governance	A query was raised as to TNC's position on these proposed changes in governance.	Members were reminded that TNC is both a facilitator of the MSP initiative and a donor that provides funding for it. From a funder's perspective, the position is similar to that of other donors to support the government, (funding cannot drive outcomes) and realising changes due to the pandemic although this would need to be corroborated by TNC-Africa region (Dr Awad). It is however recognised that the idea of an SOA is what garnered the attention of other donors as it was seen as an innovative approach to support implementation. From a process (facilitator's perspective), the decisions need to be made through a transparent and participatory process, using the Seychelles MSP guiding principles. Hence, if a decision is taken that is not as per the discussions in 2018, this needs to be discussed transparently and be ideally science and evidence based. JS.
4.7	TNC engagement and support	One member expressed concern that there has been a lot of support from TNC to Seychelles to date and that this is highly appreciated and valued. It was felt that it is important to engage TNC to determine which option can still meet the objectives that had originally been set out.	

4.8	Seychelles as a global leader	Concerns were raised that Seychelles is a leading example and that the whole world is watching what the next steps will be.	
4.9	Initial MSP objectives need to be met	Members felt it was important to convince those engaged in the process that the initial MSP objectives will be achieved as governance alone will not lead to successful implementation if there is no compliance.	
4.10	Blue Economy Department – Option 2	Representatives from the Blue Economy Department expressed their preference for Option 2.	
4.11	SMSA needs capacity for enforcement	Representatives from the SMSA reminded all that capacity for enforcement will be a challenge. Currently most of the assets remain with the Seychelles Coast Guards and SMSA will need support for implementation.	
4.12	Private Sector: Co-management Agreements	Representatives from the Private Islands (Denis Island) reminded members that co-management is a new concept in Seychelles and that there remain many uncertainties (reference to Nature Reserves and Conservancy Bill). Although Denis Island is willing to move forward with co-management, it remains unclear what the format will be as well as the roles and responsibilities of respective partners in the agreement. It was mentioned that assistance with enforcement would be crucial with training and capacity building for the implementation of these areas.	Funding for legal support for drafting of co-management agreements, and for a capacity gap analysis, as well as for trainings that will be determined through the former have been secured through TNC scale up Funds. HS.
4.13	SOA was the ultimate goal	Representatives from SOSF expressed that Seychelles should target to achieve the goal it has set out for and that the SOA was the ultimate goal with option 2 the closest to the SOA, includes input from scientific community and which is more likely to be achieved at this point in time. From a management perspective, it was pointed out that SOSF is interested in the management of D'Arros Z1 and waters around St Joseph Z2.	



4.14	Research to support decisions and adaptive management	Representatives from academia pointed out that originally the SOA brought in aspects of integrated management, governance and research to support decisions and adaptive management. It was expressed that it is important to ensure that these key functions are not lost as another governance option is considered (option 2 provides for more scientific input) as well as how to manage the committees under option 2 to ensure that input is effective and that the strategic focus is not lost.	
4.15	Next steps if option 2 is not approved	A query was raised as to what would happen if option 2 were not chosen.	There have been 2 meetings with five ministers to try to get to a workable solution and the necessary support so that when the preferred option is taken to the cabinet, it is more likely to be approved. FJ.
4.16	Stakeholder engagement	Members from the private sector expressed the importance to keep partners engaged in the process and to keep the momentum.	
4.17	Governance of Z3	A query was raised as to how the remaining 70% of the Exclusive Economic Zone will be implemented using either options 1 or 2.	The coordination mechanism will require regulations for the Allowable Activities Tables for that zone, which are yet to be finalised. These regulations may fall under a different portfolio. JN.

5.0	Next steps	<p>The Chair elaborated that when the paper goes to the Cabinet it may be proposed that decisions are written on paper that bind the process, the interim structure and the review. He noted that it is important to make use of the resources we have and to ensure that we have the capacity required for these proposed options as well as making sure that the objectives of the MSP are met. The minister confirmed that the engagement with the committees and stakeholders will be maintained. He added that the option chosen should remain independent of the parent Ministry with the correct safeguards to ensure that there will be no interference. The Minister closed by confirming that once a summary of these deliberations are taken back to the EC and discussed, the paper will be finalised and taken to the Cabinet with recommendations from the EC.</p>	
5.1	Closing remarks	<p>The Minister thanked all the members for their engagement and participation.</p>	
6	Adjourn	<p>There being no further business, the meeting was adjourned at 1610 hrs</p>	

Minutes submitted by: Helena Sims on 30 June 2021

## Annex I: Agenda

### 5<sup>th</sup> Workshop for Governance Arrangements to Implement the Marine Spatial Plan

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### Draft Agenda

#### Workshop Objective:

5. Update MSP committee members on governance arrangements discussion since 4<sup>th</sup> workshop in 2018
6. Review implementation options
7. Briefing from the Ministers for the preferred option at this time
8. Stakeholder inputs for opportunity and challenges

#	Time	Topic
1	2:00	Opening Remarks – Minister Joubert, Chair MSP EC - MACCE <ul style="list-style-type: none"><li>• Agenda review – Dr. Joanna Smith</li><li>• Summary of last consultation with stakeholders and meetings since that time – Ms. Helena Sims &amp; Mr. John Nevill</li><li>• Summary of donor funds in pipeline secured for implementation of MSP to date – Ms Angelique Pouponneau</li></ul>
2	2:30	Presentation of Implementation Options – Mr. John Nevil
3	2:50	Summary of Ministerial Meeting 7 June 2021 – Minister Joubert
4	3:00	Plenary discussion – facilitated by Dr. Joanna Smith <ul style="list-style-type: none"><li>- Opportunities and challenges</li><li>- Considerations for interim options to bring to Cabinet</li><li>- Summary of main points from stakeholders</li></ul>
5	3:45	Next steps – Dr. Joanna Smith Closing remarks – Minister Joubert, MACCE
	4:00	Adjourn

#### Annex II: Documents provided for the meeting

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SeyMSP\_Wkshp30\_Governance\_options