

**Pollution Control and other Measures to Protect Biodiversity in Lake
Tanganyika
(RAF/92/G32)**

***MINUTES OF THE SIXTH MEETING OF THE REGIONAL STEERING
COMMITTEE***

Lusaka, 4-5 May 2000

Summary of the Main Conclusions and Recommendations

1. The minutes of the 5th meeting of the Regional Steering Committee were adopted with minor modifications. *Para. 6.*
2. UNOPS informed the Committee that the Final Evaluation report was expected to be submitted by the end of May and was crucial for GEF deliberations regarding future support. *Para. 8.*
3. The meeting was informed that UN security rating in Burundi had been changed from Phase IV to Phase III, which allowed some activities of co-operation to resume again in the country. *Para. 9.*
4. UNOPS was requested, and agreed, to provide descriptions of the different UN security phases. *Para. 10*
5. The Progress Report presented by the Project Co-ordinator was accepted by the Committee. *Para. 17.*
6. It was agreed that provision for a Technical Committee for Pollution should be included in the Convention. *Para. 32.*
7. With regard to taking the legal Convention forward toward eventual signing the Committee agreed to adopt the proposal a) under section 5 of the Legal Briefing Document. *Para. 33.*
8. It was agreed that the qualifications of the team leader of the Planning Support Unit, proposed under the PDF-C project, should stress planning and sustainable development rather than economics. *Para. 40.*
9. The presented PDF-C proposal was revised to include inter alia provision of financial support to national planning activities. This reduced the time period for the project from 18 to 12 months. *Para. 44.*
10. No agreement was reached on the location of the regional Planning Support Unit envisaged under the PDF proposal. Burundi wished it to be in Bujumbura whereas

the other delegations felt that it should be elsewhere owing to the security situation in Burundi. The delegation from Burundi agreed to take the views of the committee back to their Government for consideration. *Paras. 46-55.*

11. It was agreed that equipment currently housed in the PCU offices in Dar es Salaam and Bujumbura would be handed over to the Planning Support Unit once it was operational. In the interim the equipment will be put in store at the respective UNDP country offices. *Paras. 58-61.*
12. It was agreed that a half day presentation should be organised to seek donor support for future interventions on Lake Tanganyika. This to be held in Nairobi on 12th July 2000. *Paras. 62-67.*
13. The seventh and final meeting of the Regional Steering Committee and the Final TriPartite Review will take place on 13&14 July 2000. *Para. 68.*
14. It was agreed that all project data should be on the web-site and in the public domain. *Para. 70.*

1. Introduction

The following minutes are a summary of the issues that were discussed and decisions taken and not a verbatim record of the meeting. All comments on a particular agenda item are therefore, wherever possible, grouped together, regardless of when the comments were made during the course of the meeting.

2. Venue

The Sixth Regional Steering Committee Meeting took place at the Mulungushi International Conference Centre in Lusaka, Zambia on Thursday 4 May and Friday 5 May 2000. The complete list of participants is given in Appendix 1, together with a list of documents tabled at the meeting in Appendix 2.

3. Introductory Speech

On behalf of Dr Jewette H. Masinja, Permanent Secretary in the Ministry of Environment and Natural Resources of Zambia, Mrs Marcharligne U.N. Nkhuwa, Director for Human Resources and Administration in the same Ministry, welcomed delegates, made an introductory speech stressing the importance of the project and formally opened the meeting. The full text of the speech is given in Appendix 3.

After thanking Mrs Nkhuwa the Project Co-ordinator (PC), noted that they were fortunate in having Mr Richard Fuller, FAO Representative for Zambia and Mr George W. Ssentongo from the Sub-Regional office for Southern and Eastern Africa, and Secretary to the CIFA Sub-Committee for Lake Tanganyika, as resource people at the meeting. They would be able to offer information regarding the progress of the LTR Fisheries Management Framework Plan for lake Tanganyika and explore ways of integrating the two main initiatives (LTR and LTBP) for the future management of the lake's resources. Unfortunately a representative from AfDB was not able to attend as originally expected.

4. Selection of Chairperson

Given that the five previous meetings of the Steering Committee had been chaired by Zambia, Tanzania, Burundi and DR Congo respectively, Zambia proposed that Tanzania chair the current meeting. This was seconded by DRC and accepted by the other two delegations. Mr Abubakar Rajabu, Permanent Secretary in the Vice President's Office and Head of the Tanzanian delegation, was duly elected as Chairperson for the meeting.

5. Proceedings

5.1 Welcome by Chairperson

1. Mr Abubakar Rajabu, thanked the participants for having elected him as Chairperson and after thanking Zambia for hosting the meeting, welcomed all delegates to the Sixth Meeting of the Regional Steering Committee, which he declared formally open.

5.2 Item 3: Review and adoption of agenda

2. The Chairperson presented a 14 item provisional agenda. This was amended slightly and agreed as follows:

ITEM

- 1 Opening of the meeting and selection of chairperson
- 2 Welcome by Chairperson
- 3 Review and adoption of agenda
- 4 Confirmation of minutes of 5th SCM
- 5 (a) Matters arising from 5th SCM and (b) Project Progress
- 6 Progress on SAP and TDA
- 7 The Legal Convention Progress and next steps
- 8 Current status on funding for planning of second project
- 9 GEF final project evaluation
- 10 Fate of current project equipment
- 11 End of project presentation meeting and final SCM and TPR
- 12 Release of LTBP Internet Site
- 13 AOB
- 14 Closure

3. The delegation from Burundi requested that the Meeting make provision for a private meeting of heads of delegations to discuss issues that were related to the matter of the location of the headquarters of any subsequent projects. It was agreed that this would take place after the coffee break between agenda Items no 6 and 7.

5.3 Item 4: Confirmation of minutes of the fifth Regional Steering Committee Meeting held in Arusha on the 2nd and 3rd of December 1999.

The following amendments/corrections were made to the minutes:

4. On page 6, point 4.7, § 4, Zambia proposed to include the dollar currency unit before the amounts indicated at the second and third lines.
5. On page 7, point 4.9, Tanzania suggested to replace the year 1999 with 2000 in the title.
6. With these amendments the Minutes were adopted

5.4 Item 5: Matters arising from minutes of 5th SCM and project Progress

7. The Project Co-ordinator, Dr Andrew Menz, presented the item in two parts a) and b) as indicated in the Agenda.
- a) He presented to the meeting document SCM6/5, "Summary of Progress on Principal Resolutions of SCM5". The following comments arose.

8. Regarding point No 3, where stating “UNOPS should approach for a second time the consultants who carried out the Mid-Term Evaluation and ask if they would consider amending their report to incorporate riparian countries’ and NRI responses in order to produce a consolidated report”, Mr Schuetz-Muller from UNOPS said that he had approached the former evaluators twice, but that they had categorically refused to amend their report. However, he informed the meeting that for GEF the Final Evaluation report was crucial and they would wish at least a draft of this final project report to be transmitted to them before they made any decisions regarding the PDF proposal or other future activities. The draft final evaluation report was due by the end of May 2000.
 9. On point No 4, concerning the security situation in Burundi and DR Congo; Burundi stated that as from the 25th of April, the UN security rating in Burundi had been changed from Phase IV to Phase III, which allowed some activities of co-operation to resume again in the country.
 10. Participants requested that they be provided with descriptions of the different UN security phases and the kind of activities linked with the different phases. UNDP representatives who were present in the meeting were asked to produce written explanations related to this and send them to the Project Co-ordinator who would then distribute them to different heads of delegations. However, finally UNOPS was requested to take on this task. Note UNOPS have since responded and UN security phase descriptions are given in Appendix 4.
 11. On point No 5, regarding the production of a promotion video on the Lake and the Project, the Project Co-ordinator explained that this would be funded by the UNOPS controlled portion of the project budget and be of about 20 minutes duration presenting the key lake issues, especially the threats, the people and their livelihoods.
 12. Delegates expressed concern as to whether the film crew would be able to visit Eastern Congo and if so, that great care should be taken with respect to security for them. The PC reassured delegates that although the film crew would visit Uvira it would be for a short time and they would only go if the Director General of CRH-Uvira agreed it was safe. The project had high regard for the Directors judgement in these matters and the system had worked well in the past when LTBP had been operating in Uvira.
 13. On point No 9 regarding the inclusion of Rwanda in the Convention, the Project Co-ordinator explained that Rwanda was not being mentioned specifically because there was not a representative from this country in the various meetings, and that it would be advisable to say “other states” instead of a specific name.
- b) The PC presented the document SCM6/6 “Summary of Project Progress, November 1999-April 2000”.

14. The PC highlighted the key events that had taken place since the last meeting. In general, progress was good and it was particularly gratifying that advances had been made with the development of the draft proposal for the provision of funds under the GEF, PDF scheme, for the detailed planning of the next project.
15. On page 2 first paragraph, concerning the legal Convention, it was stated that “a number of issues were left outstanding to be resolved at the next meeting of the Regional Steering Committee”, Mr Cormac Cullinan, the Legal Consultant, explained that, in fact, participants had reached consensus on all points during the final Arusha workshop.
16. Tanzania commented that since the holding of National Working Groups was mentioned in the report, the holding of National Steering Committee Meetings should also be recognised in order to show that there is commitment in the region.
17. The Progress Report was accepted by the Committee.

5.5 Item no 6: Progress on SAP and TDA

18. This was presented by Mr Nick Hodgson who dealt with the Project objectives, the way the SAP had evolved through extensive participation and consultation, the three cornerstones - SAP, TDA and Convention, the seven steps in developing the SAP and the proposals for the Interim Lake Tanganyika Management Body. He concluded by outlining what remained to be done, namely the endorsement of the final project SAP at the final SCM as well as the identification of financial support mechanisms for an interim period.
19. Delegates raised the point that all the special studies except for Pollution had reported adequately to the SAP process. It was explained that although the report that had been produced for the SAP was not as detailed as the others it did contain the important recommendations and a complete report would be available by the end of the project.

5.6 Item no 7: The Legal Convention, Progress and next steps.

20. Two documents were provided as background for this item: SCM6/7 a briefing prepared by the legal consultants and the latest version of the draft Convention. Mr Cormac Cullinan, the Legal Consultant first took the meeting through the whole Convention explaining and clarifying the various articles.
21. DR Congo congratulated the Legal Consultant for his presentation and urged other delegations to adopt the proposed procedure in order to accelerate things. The delegates wished to know whether there were similar conventions on the African continent. Mr Cullinan said that there were no similar conventions in Africa and that this was an opportunity for the four countries to break new ground in this respect.

22. It was suggested that the Executive Director mentioned in article 26 should be called “Executive Secretary” as he would be heading an Executive Secretariat. Mr Cullinan said that this would not cause any difficulties.
23. It was suggested that it might be appropriate to refer to “Continental Shelf” in the Convention. The consultant noted that as it was not a marine convention, and the lake did not have a continental shelf as such, he had only referred to the boundaries of the four riparian countries as these are already clearly defined.
24. The Briefing Document was presented and raised the main issues requiring decisions by the Steering Committee especially with regard to the procedure of the further development of the Convention, now that LTBP's work had effectively ended.
25. Regarding the inclusion of Rwanda in the Convention, DR Congo noted that although Rwanda contained part of the Lake Tanganyika basin, it was not riparian to the lake and was not taking direct advantage from the lake and hence should not be party to the convention. If by any chance that country would cause pollution to the lake through the river that flows from its territory, then the principle of Polluter Paying should be applied.
26. Mr LaRoche from GEF advised of the risk of eliminating Rwanda and the basin approach, because by not being a member of the convention, Rwanda could potentially become a source of problems for the whole basin. Mr Schuetz-Mueller supported this, noting that the obligation not to pollute the lake should apply not only to riparian countries but also to “other” states of the lake watershed who would be in a position to pollute. He gave the example of other International Waters projects where a similar provision based on the basin wide approach has been included.
27. Burundi felt that as Rwanda was not present, there was no need to talk of it at this meeting. They suggested that if Rwanda had to become party to the Convention in the future, then a protocol relating to the issue could be produced at that time. Zambia and Tanzania agreed.
28. The Chairperson noted that at the previous meeting of the Regional Steering Committee it had, according to the minutes of that meeting, been agreed that the Convention could make reference to the inclusion of “other states” at some future time. He noted however that legal texts required a deep reading and that it was not the business of the present SCM to amend the convention.
29. Burundi pointed out that contrary to what had been stated on page 8 of the Briefing document, important issues do have to go through the Burundi Parliament before they are ratified. They also queried whether the role of the legal consultants, mentioned in different scenarios on page 9 of the same document, had not ended and whether they should not leave room for national representatives.

30. Concerning the role of legal consultants, Mr Cullinan explained that it was never the intention to say that any change to the draft convention would be made by the legal consultants but that this was left to riparian governments.
31. Burundi enquired about the issue of headquarters of the various bodies. It was indicated that Article 24 para. 2 of the draft convention stated that the headquarters of the Authority would be at a place designated by the Conference of the Parties. Mr Cullinan added that in accordance with the same Article, the location will be decided by the Ministers and even if the Regional SCM decided today, it would be invalid as the decision could be overruled by Ministers.
32. Zambia felt that a committee for pollution should have been included in technical committees mentioned in Article 27 of the draft convention. This was supported by the other delegations. The consultant noted that although this had been discussed at the various legal workshops and rejected, it could, of course, easily be included.
33. With regard to the way forward the Committee agreed to adopt the proposal a) under section 5 of the Briefing document that states:

“The Steering Committee could accept the harmonised texts of the Convention as agreed at the Arusha workshop and forward them, together with all the substantive comments made subsequent to the Arusha workshop, to the governments of each of the four countries. The effect of this would be to leave it up to governments to decide in formal negotiations whether or not they agreed with particular comments and consequently whether the draft Convention should be amended”.

34. Mr Cormac Cullinan promised to compile all the comments, old and new and forward these to the PCU.

5.7 Item no 8: Current status on funding for planning of second project

35. This item was presented by Mr David LaRoche from GEF on the basis of document SCM6/8 “Proposal for PDF Block C Grant” prepared by NRI and National Co-ordinators. In his introduction, he recalled that the two principal steps still to be taken were, the submission of a PDF-C funding proposal to GEF, and the subsequent implementation of the Strategic Action Programme. The main objective of the PDF-C project will be to prepare for the implementation of the SAP under a larger project. During this period the development of the Convention would continue and the planners will further define, prioritise and implement the actions identified in the TDA and the SAP. GEF will use its influence with other financial backers to increase funds available for national priority measures which are not GEF fundable but by so doing this will increase the baseline funding and hence increase the potential amount of GEF contributions for the implementation of those activities that address transboundary concerns.

36. Mr David LaRoche explained that at the level of PDF-C funding being requested, there will not be a need for approval by GEF Council, but that the Secretariat level will suffice and hence be more expeditious. If the riparian countries are successful in their efforts and have the PDF-C approved in July, implementation could begin in August this year. He added that one of the outstanding things to do is the designation of a location from where the PDF-C project will operate.
37. A good deal of discussion ensued on this point, the main issues and points of clarification raised were as follows:
38. Tanzania wished to know why only one capital was mentioned on page 2 para. 1 and not others. It was explained that it was because Bujumbura is the only capital situated on the lakeshore, while other capitals are not part of the environment of Lake Tanganyika. It was finally decided to delete the name "Bujumbura" from the text.
39. An explanation of the term "transaction costs" on page 6, para. 21 was requested. Mr LaRoche explained that the use of "transaction costs" instead of "incremental costs" was due to GEF jargon. They prefer the first term because it implies that the funds are completely covered by GEF, while the second one implies that funds are only partially covered.
40. A number of queries arose regarding the provision of a full time Chief Technical Adviser (CTA) and recruitment of other staff. It was noted that:
- The CTA and team leader mentioned would be one and the same person.
 - The CTA post would be open to international competition, including nationals of the riparian states but that the other posts would be reserved for national personnel only.
 - Mr Schuetz-Mueller (UNOPS) pointed out that as a general rule, in a UNDP/GEF funded project, if scope and complexity render it appropriate to have a long-term CTA in order to ensure that the work will be done efficiently and effectively, the organisation will opt for that solution. He further noted that when the CTA is an expatriate, his salary is usually set according to international standards but when the CTA is a national, he does not normally receive the salary of an expatriate even if he has the same qualifications.
 - It was agreed that the qualifications of the team leader should stress planning and sustainable development rather than economics.
41. The Committee felt that if the national units mentioned in the PDF proposal were to be strong enough, they would require some financial support from GEF and that the proposal should include such a provision. It was suggested that GEF pays

the salaries of 1 or 2 people within the institution or offer some topping-up above national salaries in order to boost productivity.

42. Mr Schuetz-Mueller explained that the reason why UNDP/GEF might have difficulties with that proposal is that the available funds are quite small and that GEF expects national contributions, notably in staff time, to be funded by recipient countries to show their commitment. Mr LaRoche emphasised this point noting that he thought GEF could refuse the PDF-C proposal if they were not seeing any real effort from countries to show their commitment.
43. The Chairperson reassured GEF and UNOPS that the countries were fully committed, and that the fact of requesting funding of some elements should not be considered as a lack of commitment. He also supported UNDP's proposal of specifying exactly what kind of activities would be funded by the additional request.
44. The above issues were discussed further at a side meeting and a revised PDF-C proposal formulated to incorporate, as far as possible, the wishes of the delegations. The main impact of this was to reduce the time period from eighteen months to one year.
45. Finally, Mr LaRoche explained that if the PDF-C proposal is accepted by GEF Secretariat, then a new Project Document would have to be written by UNDP that would include more specific budget lines and Terms of Reference for the personnel required for the PDF-C period.

Location of the headquarters of future interventions:

46. This was of considerable concern to delegations and much discussion ensued both in plenary and in separate meetings. Heads of delegations met for 3 hours on the first day. They were briefed prior to their deliberations by Mr Schuetz-Mueller (UNOPS) and Mr David LaRoche, (GEF). A further head of delegations meeting, plus UNOPS, GEF and PC, was held at lunch time on the second day. Owing to a lack of consensus by the four countries no agreed statements were issued from these meetings.
47. The main issue of contention was composed of three aspects, two of which were already taken care of in agreed documents. The three components being:
 - The location of the permanent Lake Tanganyika Management Secretariat, as envisaged under the Convention. It was noted and accepted by all that the location of this body would be formally decided at the first Conference of Parties as provided for in the Convention.
 - The location of the Interim Lake Tanganyika Secretariat, as envisaged under the SAP. This body would, most likely, only come into being within the remit of a second project designed to implement the SAP. It was noted and finally accepted

by all, that the location of this body would be decided at the first meeting of the Interim Lake Tanganyika Management Committee as provided for in the SAP.

- Of immediate concern, therefore, was the location of the headquarters of the Planning Support Unit. This temporary planning group to be supported by GEF/PDF funds would have a duration of 12 months (originally 18 months but reduced at this meeting to 12). It was stressed by GEF, that such matters must be country driven and that the PDF application could not go forward without agreement on this point.

48. Early on the first day Burundi made the following statement which they requested appear verbatim in the minutes of the meeting and which reads as follows:

“The Burundian delegation notes that the issue regarding the place for the Co-ordination Support and Planning Unit of the Lake has not been evoked. We are intervening to give the position of Burundi on this issue. Concerning the headquarters for both the 18 month interim period and the Interim Lake Management Body, our Authorities which have mandated us to this meeting of Lusaka had the feeling that the present meeting of Lusaka would decide that Bujumbura, the capital of Burundi, would be the place, given the fact that Burundi returned to Phase III. It is in this way that we received instructions before coming here to Lusaka. Therefore, if the present Lusaka meeting would decide that the place will be set elsewhere, my delegation is unable to pronounce themselves. We shall have to report to Authorities in Bujumbura. I will also precise for the attention of participants, that all PBLT activities regarding Burundi were carried out while Burundi was in Phase III. The pretext of insecurity is therefore unacceptable for Burundi”. (The original text in French is given in Appendix 3).

49. In addition Burundi pointed out that they believed Bujumbura was a crucial place for the project and that little progress would have been possible under the current project without Bujumbura’s continuous commitment to the Project.

50. The other three delegations rejected the formal statement believing that it was not appropriate at this time for Bujumbura to be designated as the HQ for the Planning Support unit. The main elements of their position were:

- They accepted that Bujumbura was logistically the most fitting place for the regional headquarters of future regional interventions on the lake. Nevertheless, in spite the UN security phase had been reduced from IV to III, this had occurred only very recently and that there were still genuine concerns regarding security in Bujumbura.
- They were not fully cognisant of the implications for project activities of the various UN phases and requested that in order to come to a decision, this information be made available to them. (UNOPS was requested and agreed to do this). Nevertheless, they felt that given the recent history of events in the region there was “certainty of the uncertainty” of the current security situation.

- In view of this they felt that it would be most appropriate to have the HQ of the planning unit outside Burundi and appealed to Burundi to use the interim period to consolidate their position through diplomatic and other channels and obtain detailed information on the security situation from the relevant authorities during this period. Whether or not security would allow the location of the HQ of the second project to be in Bujumbura could then be reassessed.
51. Mr Schuetz-Mueller (UNOPS), expressed concern over the fact that the issue of project headquarters was not finding a solution and that this could jeopardise the next steps of the project. He indicated that it would be possible to designate the HQ as being in one place but actually locate it elsewhere temporarily for reasons of security. Such temporary relocation because of security reasons is well recognised by the UN system. DR Congo, Tanzania and Zambia stated that they could not endorse this idea at this stage.
52. Mr LaRoche from GEF warned that the four countries had the obligation of agreeing on the backbone documents of the project, i.e. SAP, TDA and Convention, as well as on the PDF-C proposal if they wanted future assistance from GEF. Failure to do so would require a completely new reformulation of new proposals for anything dealing with Lake Tanganyika.
53. DR Congo concluded with the following statement that it wished to appear verbatim in the minutes.

“After the exchange of views concerning the headquarters for the interim period, GEF clearly indicated their position that in order for the countries to benefit from PDF funds, they must be unanimous about the name of the headquarters. Three of the delegations clearly said that the previous site of Dar es Salaam should continue to host the headquarters and not Bujumbura because of the security situation that still has to improve. In order to have funds released, it is necessary that the four countries get consensus on the issue. Therefore, we invite all the countries to think in terms of interest of the region, i.e. all must work in a concerted manner so that they should not lose this financing. All four countries should write back to the PCU early enough about their final decision in order to avoid loss of PDF-C benefits”. (The original statement in French is given in Appendix 3).

54. Zambia stated their position and interest to host the Planning Unit and requested that this be done for purposes of regional capacity building in a regional spirit.
55. Burundi indicated that they would report the situation to the authorities who mandated them, and who are best indicated to confirm or change the position expressed during the meeting.

5.8 Item 9: GEF Final Project Evaluation

56. This point was presented by Ms Margaret Chi from UNOPS. She indicated that they had recruited two consultants to carry out the evaluation exercise, namely Mr Stanislaw Manikowski and Lothar Guendling, who were present at the meeting as observers. She added that the evaluation schedule indicated last week of May or first week of June as the deadline for submission of their report.
57. Delegates regretted that the riparian countries had not been involved in the recruitment process of the evaluators and in the preparation of their terms of reference.

5.9 Item no 10: Fate of current project equipment

58. The Project Co-ordinator informed the meeting that a great deal of equipment had been purchased under the current project and that the majority was within the various national institutions affiliated to the project. A much smaller amount of office equipment was in the PCU offices in Dar es Salaam and Bujumbura.
59. Regarding the latter he noted that it would be required by the Planning and Support Unit as envisaged in the PDF-C proposal as the proposal makes no provision for the purchasing of new equipment. In the interim between the closure of LTBP offices and the establishment of the Planning Support Unit the equipment (vehicles, photocopiers, computers, etc) will be put in store at the respective UNDP country offices.
60. The equipment located in national institutions will remain within the institutions but will continue to be under the title of UNDP until the new project is in place. At that time it might be expected that some of the equipment will go to the new project and the rest would become the property of the institution in which the equipment was housed.
61. The PC noted that a full inventory of equipment had been given to all delegates at the last SCM and that prior to the final TPR country by country inventories would be prepared.

5.10 Item no 11: End of project presentation meeting and final SCM and TPR

62. Following proposals and explanations provided by the Project Co-ordinator, it was agreed that:
63. To begin the process of getting donor support for the second project a half day presentation to donors would be arranged. Emphasising the future implementation of the SAP and the role the main bilateral and multilateral donors could play. The opportunity would also be used to try and interest the donors in supporting a full scale scientific conference in about July 2001.
64. The venue for the meeting would be Nairobi, Kenya as this was where many of the principal target donors had their bases.

65. On the following day, at the same venue, the final meeting of the Regional Steering Committee would be held. This would take half a day and the main topic on the agenda would be the formal endorsement of the SAP. It was agreed that as this was not a legally binding document Ministerial signature was not appropriate but that it should be at the level of Permanent Secretary or equivalent.
66. In the afternoon of the same day the final Tri-Partite Review would take place. This would consider the final evaluation report, the fate of project equipment and the status of the PDF proposal.
67. Mr Schuetz-Mueller (UNOPS) noted that it was most encouraging that GEF had on its own suggested a new project phase which is unusual. He felt that this was due to the good image that LTBP has, and which was officially recognised during the STAP meeting in Malawi. He congratulated LTBP for their present PR efforts, saying that inter alia videos for instance are a very good way of catching the attention of donors. He concurred that because GEF demands cost-sharing with other donors, Nairobi will be the best venue for the meeting because several UN agencies as well as NGOs and others donors reside there.
68. It was agreed that the meetings would be held 11-12 July 2000. (Note: these were subsequently changed to 12-13 July)

5.11 Item 12: Release of LTBP Internet Site

69. The PC informed the meeting that the web-site had been completely remodelled and translated into French. It was now the principal repository of all project information including data, reports and publications. Currently the web-site included all the data collected by the project and it was for the Committee to decide whether all or only part of this information should be placed in the public domain and accessible through the internet.
70. All delegations were in agreement that all project data, information and technical reports, photographs, etc should be on the web site and made public. Noting that this would derive maximum benefit from the information and was also in accordance with GEF policy.
71. The Project Co-ordinator explained that in parallel with the internet site the address of which is **Error! Bookmark not defined.**, a CD-ROM containing the same information would be produced and distributed widely as soon as all project final reports had been received and incorporated into the web site.
72. The question of updating the databases was raised. It was pointed out that it was hoped that the Planning Support Unit envisaged under the PDF proposal would take responsibility for this until the second project was in place.

5.12 Item no 13: AOB

73. The FAO representative, Mr George Ssentongo, expressed his thanks to the chairperson and to the PCU for having invited him and Mr Fuller. He praised the good collaboration that had taken place between FAO/FINNIDA project and LTBP and said that FAO will hopefully participate in the forthcoming July meeting in Nairobi as observer.

74. Finally, the chairperson thanked everybody for having fully participated in the discussions and asked the delegations to keep hope as regards the issues that had not found a consensus. He recommended to delegations to go home and report the situation to their respective authorities, who will give their final opinion to the PCU as soon as possible in order to allow preparation of following scenarios.

5.13 Item 14: Closure.

75. After thanking all delegates for their contributions and Zambia for their excellent organisation of the meeting and their hospitality the Chairperson officially closed the meeting at 17:40 on 5 May 2000

**APPENDIX 1:
LIST OF PARTICIPANTS**

BURUNDI

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| 1. Mr Jérôme Karimumuryango | Coordinateur National, Directeur Général INECN |
| 2. Mr Boniface Nyakageni | Conseiller au MINATE |
| 3. Mr Benoît Bihamiriza | Directeur, Dép. Affaires Juridiques et Contentieux |
| 4. Dr Gaspard Ntakimazi | Professeur de Biologie, Université du Burundi |

DR CONGO

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| 5. Mr Mbusu Ngamani | Secrétaire Général, Ministère de l'Environnement |
| 6. Mr Mady Amule | Coordinateur National, Directeur, Min. de l'Env. |
| 7. Dr Nshombo Mudherwa | Directeur General du CRH-UVIRA |
| 8. Amb. Mapango Kemishanga | Directeur, Dép. Affaires Juridiques et Contentieux |

TANZANIA

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| 9. Mr Abubakar Rajabu | Permanent Secretary, Vice President's Office |
| 10. Mr Eric Mugurusi | Director, Division of Env., Vice President's Office |
| 11. Mr Rawson Yonazi | National Co-ordinator, Assistant Director - DoE) |
| 12. Mr W.V. Haule | Assistant Director, Fisheries Division |
| 13. Ms Hawa Msham | Assistant National Co-ordinator, Division of Env. |

ZAMBIA

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| 14. Mr J. S. Phiri | National Co-ordinator; Director ECZ |
| 15. Ms M.U.N. Nkhuwa | Director, HRA, Min of Env and Natural Resources |
| 16. Ms Maureen Chungu Nsomi | Head, Water Resources Research Unit, NISIR. |
| 17. Mr J. Mwengo | Chief Aquaculture Research Officer, DoF |
| 18. Mr George Munshimbwe Chitalu | Assistant National Co-ordinator, ECZ/LTBP |
| 19. Mr S.Y. Nsongela | Senior Inspector, EIA, ECZ. |
| 20. Mr G.N. Zulu | Senior Planning Officer, Min.Env and Nat Resources |

GEF

- | | |
|-----------------------|--------------------------------------|
| 21. Mr. David LaRoche | Senior Advisor, International Waters |
|-----------------------|--------------------------------------|

UNOPS

- | | |
|-------------------------------|--|
| 22. Mr Ingolf Schuetz-Mueller | Senior Environment Adviser (formerly Chief, Division for Environmental Programmes) |
| 23. Ms Margaret Chi | Project Management Officer |

UNDP

- | | |
|-------------------------|--|
| 24. Mr Louis Nduwimana | Environmental Programme Officer, Burundi |
| 25. Ms Winnie Musonda | Zambia |
| 26. Mr Silvester Sisila | Ass Res Rep, Env and Natural Resources, Tanzania |

NRI

- | | |
|-------------------------|-----------------|
| 27. Mr Nicholas Hodgson | SAP Facilitator |
|-------------------------|-----------------|

MRAG

- | | |
|------------------------|---------------------------------------|
| 28. Mr Cormac Cullinan | Consultant, Env Law and Policy. ENACT |
|------------------------|---------------------------------------|

OBSERVERS

- | | |
|-----------------------------|---|
| 29. Mr Stanislaw Manikowski | Consultant, final evaluation |
| 30. Mr Lothar Guendling | Consultant, final evaluation |
| 31. Mr Richard Fuller | FAO Representative for Zambia |
| 32. Mr George W. Ssentongo | FAO Sec. CIFA sub-committee for Lake Tanganyika |

PCU

- | | |
|-------------------------------|-------------------------------------|
| 35. Dr Andrew Menz | Project Co-ordinator |
| 36. Dr Kelly West | Scientific Liaison Officer |
| 37. Mr Pierre-Claver Nzimpora | Rapporteur |
| 38. Ms Maria Hiza | Conference Secretary/Administration |

APPENDIX 2.

LIST OF DOCUMENTS

1. SCM6/1 List of documents
2. SCM6/2 Schedule
3. SCM6/3 Provisional agenda
4. SCM6/4 Minutes of Fifth Meeting of Regional Steering Committee
5. SCM6/5 Summary of Progress on Principle Resolutions of SCM5
6. SCM6/6 Project Progress Report – November 1999 to April 2000
7. SCM6/7 Legal Briefing Paper
8. SCM6/8 GEF Proposal for PDF-C Grant
9. SCM6/9 List of Participants
10. SCM6/10 Travel Itineraries

Reference Documents

11. Transboundary Diagnostic Analysis
12. Strategic Action Plan
13. Convention (Draft 4)
14. Text of Slides presented by Nick Hodgson and Cormac Cullinan

APPENDIX 3: ZAMBIAN WELCOME SPEECH

STATEMENT OF THE PERMANENT SECRETARY, MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES, DR. JEWETTE H. MASINJA READ BY MRS MARCHALIGNE U.N. NKHUWA, DIRECTOR, HUMAN RESOURCES AND ADMINISTRATION

TO THE

SIXTH STEERING COMMITTEE MEETING FOR THE LAKE TANGANYIKA BIODIVERSITY PROJECT

4TH MAY 2000 - MULUNGUSHI CONFERENCE CENTRE – LUSAKA, ZAMBIA.

Mr Chairman,

The Secretary General, Ministry of Environment, Democratic Republic of Congo,
The Permanent Secretary, Vice President's Office, United Republic of Tanzania,
Country delegations from Burundi, Democratic Republic of Congo, United Republic of Tanzania, Zambia,
Country Programme Representatives of the United Nations Development Programme in the region,
The Global Environmental facility and United Nations Office for Project Support team,
The Project Co-ordinator, National Co-ordinators, Ladies and gentlemen,

On behalf of the Zambian delegation and indeed on my own behalf, it is with great honour that I welcome you to Zambia and to Lusaka in particular. The honour is also for the whole country, which has been privileged to host this historic meeting, *the Sixth but Second last Regional Steering Committee Meeting* of the Lake Tanganyika Biodiversity Project whose purpose is the reason for your gathering.

Mr Chairman Sir, allow me to recast and briefly look at the efforts and resources, which have gone into the development and implementation of the Lake Tanganyika Biodiversity Project otherwise officially called "Pollution Control and Other Measures to Protect Biodiversity in Lake Tanganyika".

The project has its documental genesis in 1991 in Bujumbura when concerned scientists including those from the riparian states met and decided to initiate measures necessary to protect the quality and biodiversity of Lake Tanganyika. The threats identified then are by and large the threats we face now albeit in much larger magnitudes as no one real interventions have been taken to counter the causes of the threats. Mr Chairman Sir, these threats are largely caused and exacerbated by anthropogenic activities in and around the lake. The anthropogenic activities are:

1. Unsustainable utilisation of resources, worsened by increasing populations and demands of both the estimated on million lakeshore communities and the larger communities far away from the lake.
2. Natural, domestic and industrial related pollution directly affecting the quality of water and biodiversity negatively.

Mr Chairman Sir, the concerted efforts of the scientists culminated into the development of a project proposal. The proposal was successfully sold and attracted funding of US\$10 million from the Global Environmental Facility for a period of five years commencing 1995.

Mr Chairman Sir, the First Steering Committee Meeting in Lusaka endorsed the work of the Dar es Salaam meeting and looked into institutional issues essential to the implementation of the project. It was at this meeting that the principal issues on national and regional consultation was emphasised as a means to instilling ownership of the project by the riparian states. This was essential for the creation of capacity of the riparian states to manage the lake on a regional basis as a sound and a sustainable environment. The capacity would then be applied in the long term to establish regional long-term management programmes for pollution control, conservation and maintenance of biodiversity in Lake Tanganyika.

Mr Chairman Sir, through the joint commitments of the riparian states driven by the common desire to protect and conserve the Lake and its biodiversity, in the spirit of regional Cupertino, the project has attained significant achievements in spite of some severe constraints beyond the control of all parties involved. Notable among these achievements are the two documents in their final stage of development:

1. The First Strategic Action Programme for Sustainable Management of Lake Tanganyika (SAP) in draft form and
2. The Convention on the Sustainable Management of Lake Tanganyika (the Convention) in draft form.

Mr Chairman Sir, I would be doing de-service to the project if I did not recognise the body of knowledge that has been generated during the past five years in this project. The project has generated Special Study Reports, which along with the Transboundary Diagnostic Analysis document will remain at the disposal of the riparian states for future referencing.

Mr Chairman Sir, the development of the Draft SAP and Draft Convention present real challenge ahead: *The documents must be implemented in the nearest future by the riparian states.* But before this can be done, the documents must be finalised, signed and the institutional mechanisms proposed therein established. You will agree with me that this requires strong political commitment within the region but certainly also outside the region.

Mr Chairman Sir, I note with pleasure that this project has already initiated an action that would ensure maintenance of momentum of the project beyond the span in July 2000. Therefore, I urge this meeting to support the efforts of the project to leverage interim funding from GEF with the objective to *finalise the documents and have them signed and ensure that the legal mechanisms proposed in them are put in place.*

Finally, Mr Chairman, I do not doubt the ability of this meeting to discuss these issues exhaustively and provide guidance to the project thereby paving a smooth way forward in readiness of the State of the Lake Conference and the last Steering Committee meetings in Arusha, Tanzania in July 2000.

May the good hand of the Almighty God guide you through the deliberations on these and other issues. Although I am unable to be with you now due to circumstances beyond control, I hope to join you in the latter part of the day.

Thank you and have a fruitful discussion.

BURUNDI ORIGINAL STATEMENT

« La délégation du Burundi constate que la question du lieu de l'Unité de Soutien et de Coordination de la Planification du Lac n'a pas été évoquée. Nous intervenons pour donner la position du Burundi sur cette question.

Concernant le lieu d'implantation de la période intérimaire de 18 mois et du siège de l'Autorité Intérimaire, nos Autorités qui nous ont mandaté dans cette réunion de Lusaka avaient le sentiment que la présente réunion de Lusaka déciderait que ce lieu soit Bujumbura, la capitale du Burundi, étant donné que le Burundi est retourné dans la Phase III.

C'est dans ce sens que nous avons reçu des instructions avant de venir ici à Lusaka. Par conséquent, si la présente réunion de Lusaka devait décider que le lieu soit fixé ailleurs, ma délégation n'est pas en mesure de se prononcer. Elle devra faire rapport aux autorités à Bujumbura.

Je préciserais aussi, à l'attention des participants, que toutes les activités du Projet sur la Biodiversité du Lac Tanganyika en ce qui concerne le Burundi, ont été réalisées pendant que le Burundi était dans la Phase III. Le prétexte d'insécurité n'est donc pas acceptable pour le Burundi. Point final. »

ORIGINAL DR CONGO STATEMENT

« Au terme de l'échange de vues au sujet du siège de la Phase Intérimaire du Projet, le FEM a exprimé très clairement sa position selon laquelle pour avoir accès à un financement PDF-C, il faut que les quatre pays puissent avoir un accord unanime. Pour le choix du siège, trois délégations ont exprimé leur position selon laquelle il est bon que cette phase intérimaire continue avec l'ancien site de Dar es Salaam, et non Bujumbura à cause de la situation sécuritaire qui doit s'améliorer.

Pour que la libération des fonds soit effective, il est nécessaire que les quatre pays aient un consensus. Par conséquent, nous invitons tous les pays à penser davantage aux intérêts de la région, c'est-à-dire que tous doivent travailler de manière concertée pour que l'on ne perde pas ce financement.

Nous souhaitons que les quatre pays puissent répondre auprès du Chef de l'Unité de Coordination assez rapidement pour qu'on ne puisse pas perdre le bénéfice de ce PDF-C. »

Appendix 4.

United Nations Security Phases and their definitions

Depending on the situation in a country, United Nations adopts one of Five security phases. These five Phases are:

Phase 1: *Precautionary*

This is a warning phase for staff members that the security situation of the country or parts of the country is such that precaution should be exercised. Travel to that station will require prior authorisation from designated Official.

Phase 2: *Restricted Movement*

Phase 2 is usually a transitional or short-term situation after which the phase either changes to a lower phase (1) or moves up to a higher phase (3+) depending on the severity or changing threats.

This phase shows a higher level of alert and puts major restrictions on the movement of staff members and their families. In this phase all staff members and their families are required to stay at home unless specifically instructed. No travel within or incoming will occur unless authorised by the designated official as required.

Phase 3: *Relocation*

Phase 3 indicates a major deterioration in the security situation, which may result in the relocation of staff members and their families. In this phase either of the following will take place:

- a) Temporary concentration of all international staff and their families in one or more sites within a particular area;
- b) Relocation of all international staff and their families to other, safer locations within that country;
- c) Relocation outside the country of dependants of staff members and/or non-essential international staff members.

Phase 4: *Programme Suspension*

This phase is to enable the designated official to recommend to the UN Secretary General, the relocation outside the country of remaining international staff except staff members that are directly concerned with the emergency, humanitarian relief operations, and security matters.

In this phase all programmes except the three mentioned earlier will be shut down.

Phase 5: *Evacuation*

This phase can only be declared by the approval of the Secretary General of the UN. This phase declares that the situation in that country has deteriorated to such an extent that remaining staff members and programmes (emergency, humanitarian, and security) will be evacuated and closed.

Phases 1 and 2 can be declared by discretion of the designated UN official, phase 3 and 4 can only be declared by designated UN official after authorisation of UNSECOORD and phase 5 can only be declared by designated UN official after authorisation from the UN Secretary General through UNSECOORD.