



**JOINT REGIONAL CAPACITY BUILDING WORKSHOP FOR
COUNTRIES OF THE ABIDJAN CONVENTION**



19TH-21ST NOVEMBER 2018

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1.0 INTRODUCTION

The Abidjan Convention held a regional capacity building workshop for the countries of the Abidjan Convention in Ghana from the 19th – 21st November, 2018. The workshop was co-organized by the Abidjan Convention secretariat, Norwegian Oil for Development, London Convention secretariat and the OSPAR Commission. The 3-day session discussed the implementation of the additional protocol to the Abidjan Convention on Environmental Norms and Standards for Offshore Oil and Gas Exploration and Exploitation activities.

1.1 WELCOME ADDRESS

The conference started with welcome addresses from representative of the Abidjan Convention, Richard Dacosta, the Norwegian Ambassador in Ghana, Gunnor Holm and the Deputy Executive Director of EPA Ghana, Ebenezer Appah-Sampong. The speeches are in the Annex of this report.

1.2 WORKSHOP OBJECTIVES

The objective of the three-day workshop hosted by the Environmental Protection Agency, Ghana from 19th - 21st November, 2018 with support from the Norwegian Oil for Development, London Convention and the Abidjan Convention Secretariat was to bring members states of the Abidjan Convention to discuss the implementation of additional Protocol to the Abidjan Convention on the Environmental Norms and Standards for Offshore Oil and Gas Exploration and Exploitation Activities.

2.0 WORKSHOP PROCEEDINGS

2.1 DAY ONE

At the end of the welcome addresses and introduction by the participants from the various countries at the workshop, there were a number of presentations by the resource persons.

Mr Andrew Birchenough gave the first presentation on the London Protocol. His presentation focused on the Legal Framework for Marine Pollution Management and Global Standards. He provided a brief introduction about the International Maritime Organization (IMO) before speaking on the London Protocol.

Mr Birchenough explained that the London Convention and the London Protocol to a large extent have been used interchangeably but are not the same. The London Convention was adopted in 1972 banning the dumping of specific waste at sea making a significant step towards regulating the dumping of waste at sea and protecting the marine environment from human activities. The

London Protocol however, was adopted in 1996, built on and modernized the principles developed under the earlier treaty.

The Protocol ensures that nothing can be dumped at sea except some types of waste that may be considered for dumping at sea following a stringent assessment and licensing process. He further outlined some of the goals of the protocol as;

- Promoting capacity building for technical, legal and administrative programs
- Promote improvements for compliance
- Maintain outreach efforts and activities for current and new parties.



Figure 1 Mr. Birchenough during one of his presentations

The second presentation of the day was by Mr. Olle Akesson on the legal framework of the OSPAR Convention (the Convention for the Protection of the Marine Environment of the North-East Atlantic) Mr. Akesson mentioned that, under the Commission's Ministerial Strategy, The North-East Atlantic Environment Strategy, OSPAR is taking forward work related to the implementation of the Ecosystem Approach, with a suite of five thematic strategies to address the main threats that

it has identified, and he explained as follows; Eutrophication, Biodiversity, Hazardous substances, Offshore industry, Radioactive substances.

He concluded that OSPAR recognises that, to achieve its commitment to an ecosystem approach, it needs to cooperate with other organisations through bilateral arrangements, MoUs and other formal frameworks such as the Abidjan Convention.

Some of the questions after his presentation bothered on how to sign on to the Convention, and what motivation can be given to countries to encourage them to sign on. He responded by saying that the focal persons for each country have the responsibility of convincing their various governments to sign on to the Abidjan Convention. Such programs give the focal persons the capacity to justify the protocol to their government. The benefits of these protocols are enough motivation for signing on.

There was a final presentation by Mr. Kojo Agbenor-Efunam and Mr. Richard Dacosta on the Abidjan Convention's Protocol on Environmental Standards for offshore oil and gas.

Richard Dacosta began by giving a brief on what the convention is all about. The scope of the convention spanning from Mauritania to South Africa with plans far advanced to sign on Morocco. He gave an update of the organogram of the Convention's Secretariat. He explained the several expertise in the secretariat in the areas of marine spatial planning, invasive species, coastal zone and mangrove etc. These experts are sourced from both local and international sources.

Mr. Agbenor-Efunam continued by explaining the structure of the MOU. The geographical scope of the application covers the zone within the convention. He explained that the MOU can't be in conflict with national legislations so they are sent out early in time for all legal and policy issues to be addressed in order to be in conformance with local laws and legislation of individual countries.

Mr. Agbenor-Efunam elaborated on some parts of the MOU including Environmental Impacts, safeguards, cooperation, industrial and financial arrangements

2.2 DAY TWO

Mr. Birchenough began the presentations for the second day, speaking on the Scope and Impacts of Dumping in the London Convention and Protocol, identifying the issues with dumping activities at sea.

He explained how the seas have been a convenient place for getting rid of waste arising on land, stating that more than 80 % of marine pollution is coming from land based activities.

He further explained that, the ability of the oceans to cope was taken for granted and concern began to grow in the 1970s about using the sea as an uncontrolled rubbish dump, hence the need for the Convention and its adoption in 1972.

He continued by saying that, only eight specific types of waste may be considered for dumping in the ocean under the London Protocol. All other wastes or other matter are prohibited from being dumped in the ocean, except under an emergency situation. He showed a video that highlighted all that had been discussed.

A delegate sought clarification on whether the London Protocol makes provisions for specific dumping sites. This was a follow-up question from a delegate requesting to know the bodies responsible for the authorisation of lands serving as disposal sites. The response was that the implementing country's environment agencies and regulations ensures proper authorisation of dumping sites. The Protocol does not provide dumping site.

Olle Akesson continued by speaking on the Dumping of waste in the North-East Atlantic – Introduction to OSPAR's measures (decisions, recommendation and other agreements) related to offshore oil and gas.

His presentation was mainly on Article 4 of the OSPAR Convention which focuses on pollution by dumping or incineration. The Article states that the Contracting Parties shall take, individually and jointly, all possible steps to prevent and eliminate pollution by dumping or incineration of wastes or other matter in accordance with the provisions of the Convention, in particular as provided for in Annex II on the prevention and elimination of pollution by dumping or incineration.

He added that in 1992 OSPAR prohibited the dumping of low and intermediate level hazardous substances in the OSPAR maritime area (North-East Atlantic) followed by a global ban in 1993 under the London Convention

According to him, the hazardous substances strategy further declares that the OSPAR Commission will implement this Strategy progressively by making every endeavour, through appropriate actions and measures to ensure that by the year 2020 discharges, emissions and losses of radioactive substances are reduced to levels where the additional concentrations in the marine environment above historic levels, resulting from such discharges, emissions and losses, are close to zero.

To this end, the hazardous substances Strategy requires the OSPAR Commission to continue the annual collection of data on discharges from the non-nuclear sector. Regular reporting is therefore required in order to review progress towards the targets of the Radioactive Substances Strategy.

There was a question from a delegate on how the OSPAR works to prevent blow outs, oil spills and who takes responsibilities for such incidents. The OSPAR does not directly prevent these incidents however the oil and gas companies working within the OSPAR regions are regulated by the environment agencies of the various countries through a permitting system and the companies are obliged to ensure that their activities are conducted in most safe manner in order not pollute the environment. However, if there should be an oil spill the Polluter Pay Principle would be applied.

Mr Akesson provided his second presentation of the day on the Article 5, Annex III of the OSPAR Convention which prohibits the deliberate disposal of waste or other matter from offshore installations. Mr. Akesson mentioned however that, the prohibition does not relate to:

- Discharges or emissions from offshore sources, which are subject to authorisation or regulation by the competent authorities;
- Carbon dioxide streams from carbon dioxide capture processes for storage, provided they meet a number of requirements.

According to him, permit is needed for dumping of disused offshore installations and pipelines and for leaving an installation in place. Placement of disused offshore installations or pipelines for a purpose other than for which they were originally designed or constructed also requires authorisation or regulation.

In order to assess progress against the objectives of the Offshore Industry Strategy, the OSPAR Joint Assessment and Monitoring Programme 2014-2021 requires the preparation of a stocktaking report on impacts of certain pressures of the offshore oil and gas industry on the marine environment (JAMP product O-1).

In conclusion, he mentioned a number of decisions and recommendations that the OSPAR Commission have made over the years on the following broad subjects which is available on their website; Discharge of chemicals and Oil; Use of chemicals Offshore; Decommissioning, Environmental Management; and Offshore Drilling Activities.



Figure A section of the delegates during Mr. Akesson's presentation.

Mr. Akesson's last presentation for the day centred on the OSPAR Commission Decision 98/3 on the disposal of disused offshore installations.

The 98/3 decision introduced a blanket ban of disposal at sea, with very limited possibilities for derogation. While there is a five-yearly review cycle of the OSPAR convention, the original intent of the decision was to see the allowable derogations further limited, rather than reversed. This approach overlooks the fact that many of these structures are largely fabricated steel, designed for extended submersion in the marine environment, and therefore pose little or no contamination risk to the marine environment.

In the absence of storage cell facilities, only the topsides of a platform would be in contact with hydrocarbons, whereas the sub-structure or jacket is generally clean and relatively inert steel or concrete. The removal of many such structures or installations may result in greater environmental harm than leaving them in situ.

He concluded by mentioning that the Commission has a Database of all offshore Oil and Gas installations of Denmark, Germany, Ireland, the Netherlands, Norway, Spain and the United Kingdom, with 1357 being operational and 165 have been decommissioned.

A delegate asked about the purpose of decommissioning of offshore platforms. Mr. Akesson explained that after the resources have been depleted there is the need to remove the facility because it may pose danger to other users of the sea.

Anne-Grethe made the next presentation which focused on how Norway was implementing the OSPAR convention. She mentioned that Norway falls within Region I and II of the four regions shared with UK, Iceland, Denmark, Germany and the Netherlands. She mentioned that Norway has a very wide sea area of about 2,279,965 km², with some opened areas for petroleum activities with restrictions (Yellow Areas) and other areas without restrictions (Green Areas) and some areas not open.

The processes of Opening new areas, Nominating Blocks, Awarding blocks (petroleum Licenses) and Field Development (POD / EIA) are led by the Ministry of Petroleum and Energy but subject to the overall policy laid down in the Integrated Management Plans (and other White Papers).

In Norway the issue of drilling and the possible conflict with vulnerable marine resources is always of concern. Adding that the most difficult assessments and decisions any, at some locations, for instance in the North or close to sensitive areas, may be about impact if a blow-out should happen (eg. Sandeel, Guillemots). Norway has a marine strategy which is cross-sectorial and have developed plans for Integrated Management of the Marine Environment (Management Plan) for the three Seas constituting the Sea Area.

The HSE regulations are key in regulating the offshore petroleum industry and in Norway the Environment Agency shares the HSE regulation with the Petroleum Safety Authority (PSA). Norway has regulations on Emission and discharge to the external environment (oil content in produced water discharge to sea), Ecotoxicological testing and monitoring of the external environment.

Anne-Grethe concluded that Norway has transposed the OSPAR goal of zero discharge by 2020 into Norwegian goals by White Papers. The White Paper is endorsed by the Parliament and commits the Government, but not legally binding.

The last presentation of the day was by Wendy Brown, Environment Director IOGP on measures Towards Successful Implementation of Abidjan Offshore Oil and Gas Protocol.

She mentioned that the IOGP is the voice of the upstream petroleum industry, working on behalf of the world's oil and gas companies and organizations to promote safe, responsible and sustainable exploration and production. The environmental committee develops and promotes good environmental practices to manage environmental risk and improve performance of oil and gas exploration and production industry among others. The environmental committee have produce a number of reports including; Induced Seismicity, Drill cuttings management, NORM management ESHIA process etc.

Wendy shared the IOGP's experience with other Regional Frameworks like the OSPAR, Barcelona Convention, Abidjan Convention and Europe, and engagement with regulators like European Union Offshore Authority Group (EUOAG), International Regulators Forum (IRF) and International Offshore Petroleum Environment Regulators Forum (IOPER). She mentioned some good practices from IOGP and IPIECA on various topics including waste management, operational discharges and decommissioning among others.

On sustainable development, Wendy mentioned that there is the need to map the oil and gas industry to the SDGs. The aims of such Atlas will be to develop shared understanding of the implications of the SDGs for Oil and Gas, demonstrate the importance of oil and gas in achieving SDGs; identify gaps, challenges and opportunities of the industry to make the most effective contribution.

Wendy spoke about the draft action plan for the implementation of the Abidjan Offshore Oil & Gas Protocol and mentioned some of the recommendations for inclusion in the implementation plan. She concluded her presentation on some implementation challenges and concerns that the Abidjan Offshore O&G protocol may face going forward. These challenges or concerns according to Wendy includes the clarification of definition such as 'Coastal areas', 'Operators', 'Sensitivity Area', 'wastewater'; consistency of terminology; chemicals management (Article 10, Annexes I, IIA, IIB) and E&P Discharges (Articles 14 – 21, Annex III, and Annex IV (Environmental Assessment))

2.3 DAY THREE

On the final day, Mr. Birchenough presented on Permitting and Permitting Authorities under the London Convention & London Protocol. He spoke broadly on establishing a national permitting system, types of permits, examples of permits issued by contracting parties, permit conditions and follow-up.

In the London Protocol, Andrew stated that, only eight specific types of waste /other matter may be considered for dumping. There is therefore a permitting system to control dumping through regulatory regimes.

He gave examples of some authorities across the world from Canada, Germany, Republic of Korea and Mexico. The designated authorities of the various countries develop standard forms for applicants based on the London Protocol's Waste Assessment Guideline (WAG). He added that questions taken from the WAG bothers on; assessing alternatives and pollution prevention options, characterizing waste (physical, chemical and biological), selecting a suitable disposal site, assessing impacts/conflicts, enabling later monitoring.

He took participant through the application process; the responsibilities of the applicant, how applications are submitted, how the permit decision is taken, types of permits, permit terms and conditions, issuance and follow-up.

He continued with a second presentation on the London Convention & London Protocol – Specific Waste Assessment Guidance; Platforms & Man-made Structures. His presentation covered IMO Guidelines and Standards on Removal of Platforms, Specific Waste Assessment Guidance and Best Management Practices.

He explained the analysis of economic, social and environmental factors considered in waste management options. Appropriate consideration must be given to the following hierarchy of waste management options under the London Protocol, annex 2. Some of the options include, reuse of the platform or other man-made structure, recycling, disposal on land and disposal into water.

He spoke on comparative risk analysis touching specifically on the potential impact to the environment, impact on human health, technical and practical feasibility and economic considerations.

He ended by stressing the need for particular attention be given to but not limited to potential impacts on amenities, sensitive areas, habitats and migratory patterns. Consideration should also be given to potential impacts on other users of the sea including fishing, navigation, engineering uses and areas of special concern and value.

3.0 RECOMMENDATIONS

Recommendations came from the two (2) group works done and presented. The groups were tasked to come up with an action plan for implementation of the Abidjan Convention in their various countries indicating the responsible bodies, time frame and the outcome expected of each outcome outlined. The groups came up with a similar outcome which was finally merged. This is attached in the Annex.

4.0 CLOSING REMARKS

Dacosta Richards thanked the participants for highlighting the areas that needs to be worked on going forward. He expressed his gratitude to the Norwegians for sponsoring the workshop and mobilizing the expertise from London /Protocol, the IMO and the OSPAR Convention. He then thanked Ghana's Ministry of Environment through the EPA for the hospitality, expertise and willingness for hosting the conference.

Anna-Grethe gave the closing remarks hoping that participants found the 3-day program very useful and have agreed on some common action plans that the countries need to start working on. She further thanked Richard Dacosta of the Abidjan Convention, Kojo Agbenor-Efunam of the EPA and the staff of the Petroleum Department of the EPA for their support in the organization of this workshop.

Kojo also expressed his appreciation to the organizers for choosing Ghana. He thanked Richard, Anna- Grethe, Andrew and Olle for being here with us. He also thanked the participants for the level of involvement during the group work and for coming up with the necessary action plans within a short time. He further admonished the participants to network and share notes and contact each other when they require further assistance.

ANNEXES

A. WELCOME ADDRESSES

Ebenezer Appah- Sampong – Deputy Executive Director, Epa - Ghana

He welcomed participants to this joint regional capacity building workshop for the countries of the Abidjan Convention co-organized by the Abidjan Convention secretariat, Norwegian Oil for Development, London Convention secretariat and the OSPAR commission to discuss the implementation of the additional protocol to the Abidjan Convention on environmental norms and standards for offshore Oil and Gas exploration and exploitation activities. He added that over the past five years, the Abidjan convention has embarked on the process of developing regional Cooperation instruments for the sustainable and participatory management of the WACAF Region.

These instruments have undergone the necessary member country consultation where inputs have been made. We are here today as representatives of 22 member countries of the Convention to learn and share experiences from our counterpart countries from the North-East Atlantic Region (OSPAR), the London Convention Secretariat and the Norwegian Environment Agency.

In conclusion, the EPA Deputy Executive Director, expressed the Agency's appreciation and for that matter Ghana, to the Norwegian Oil for Development for the key role it has played and continuous support in developing countries, including Ghana, for better management of their oil and gas resources.

He wished the participants a fruitful three-day discussions and asked them to enjoy their stay in Ghana.

Norwegian Ambassador, Gunnur Holmd

The Ambassador in his opening address expressed his pleasure to be called upon to open the three-day workshop on this important issue. He mentioned that the workshop forms part of the Norwegian Oil for Development program which has been in Ghana for the past ten (10) years.

Mr Holm added that Oil for Development program is an inter-ministerial program where key Agencies involved in petroleum management in Norway share their experiences, knowledge and various work tools with their counterparts in Ghana. Over the past years, Norwegian authorities have worked together with Ghanaian authorities, EPA and MESTI to build capacity and help develop systems to tackle environmental challenges of oil and gas activities.

All the countries present here share a common concern and interest for a sustainable ocean economy. He mentioned that for Norway, the oceans are critical and that they are the second exporter of fish in the world after China. Our prosperity and welfare depends on the oceans, also for future generations. That is why international cooperation is so important for us, both regionally and globally.

The government, on behalf of the citizens of Norway have pushed for the highest industry standards when it comes to safety and environment. He said that the ocean presents a fantastic resources which when managed well can create prosperity and stability for all countries in the region.

In conclusion, Mr Holm said that these three days can be important steps for achieving that vision and the participants here are critical elements for achieving the vision. He therefore wished the participants all the best and looks forward to learning more of the outcome of the workshop.

B. FINAL GROUP WORK

AbC Oil & Gas Protocol Implementation (ACTION PLAN)					
Themes	Action	Who	When	Outcome	Progress update
Governance	Designation of competent authority Designation of Focal Point Ratification of the Oil & Gas Protocol Identification of relevant stakeholders in the Oil & Gas sector Conduct national consultations on Oil & Gas Protocol Establishment of national and sectoral working group. Harmonization of laws and policies relating to the Oil & Gas sector. (National) domestication –	Abidjan Convention Member States	Short & Medium Term		

	developing national policy and legislation				
Technical and Operational Implementation	<p>Gap analysis – revision of existing legislation of Oil & Gas</p> <p>Develop port reception facilities</p> <p>Decommissioning of Oil & Gas platforms</p> <p>Development of national oil spill contingency plan</p> <p>Conduct assessment of the State of Marine Environment (SOME).</p> <p>Development of guidelines:</p> <ul style="list-style-type: none"> • for issuance of permits; • chemicals management and Oil & Gas exploration and exploitation; • dumping • waste water management, etc. <p>Compliance, control & enforcement – roles and responsibilities of stakeholders and to avoid overlap of functions</p>	Abidjan Convention Member States	Short & Medium Term		
Research – Transfer of Science and Technology	Identify research institution (s) – nationally or regional to provide technical	Abidjan Convention Member States	Short & Medium Term		

	<p>capabilities to collate and analyse data on relevant Oil & Gas activities.</p> <p>Develop a list of experts in the region to validate data and report(s) emanating from national sectors to support the drafting of policy suggestions for the sector.</p> <p>Agree on the transfer of platform or research facility in the region, etc.</p> <p>Sensitivity mapping</p>				
Capacity Building	<p>Building national and regional capacities for chemicals management, oil spill preparedness and response, waste management and decommissioning platforms, etc.</p> <p>Hosting sensitization workshops</p>	Abidjan Convention Member States	Short & Medium Term		
Education – Information & Communication	<p>Awareness for issuance of permits</p> <p>Dissemination of reports and analysis</p>	Abidjan Convention Member States	Short & Medium Term		
Mobilization of Resources (Financial)	<p>National budget provisions to support the implementation of oil and gas protocol</p> <p>Solicit external funding for the implementation of the protocol.</p>	Abidjan Convention Member States	Short & Medium Term		

	Develop bilateral, sub-regional, regional mutual assistance arrangements.				
Monitoring – Evaluation & Learning	Monitoring of permit conditions Monitoring, evaluation and review of Protocol implementation at national level.		Short & Medium Term		

C. PICTURE GALLERY



**The Deputy Executive Director
(EPA, Ghana)**



Richard Dacosta (Abidjan Covention)



Figure 2 Mr. Kojo Agbenor-Efunam delivering his speech



Figure 3 The Norwegian Ambassador delivering his speech

Participants in session



Figure 4 Wendy Brown (immediate left) during the session



Figure 5 A section of the delegates at the workshop

D. ATTENDANCE LIST

ATTENDANCE FOR JOINT REGIONAL CAPACITY BUILDING WORKSHOP FOR COUNTRIES OF THE ABIDJAN CONVENTION, AT COCONUT GROOVE, ACCRA-GHANA

19TH NOVEMBER, 2018 – 21ST NOVEMBER, 2018

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