



**PEMSEA Meeting Report 8**

**PROCEEDINGS OF  
THE SECOND EAST ASIAN SEAS  
PARTNERSHIP COUNCIL MEETING**

**Tokyo, Japan  
14–17 July 2008**



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## **PROCEEDINGS OF THE SECOND EAST ASIAN SEAS PARTNERSHIP COUNCIL MEETING**

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### **COUNCIL SESSION**

#### **A. INTRODUCTION**

- i. The Second East Asian Seas Partnership Council Meeting was held at the Toranomon Pastoral Hotel, Tokyo, Japan, from 14-17 July 2008. The Ministry of Land, Infrastructure, Transport and Tourism (MLIT) and the Ocean Policy Research Foundation (OPRF) of Japan hosted the Meeting.
- ii. The Meeting was attended by delegates from PEMSEA Partner countries namely: Cambodia; Indonesia; Japan; Lao PDR; People's Republic of China; Philippines; Republic of Korea; Singapore; Timor-Leste; and Vietnam; as well as delegates from non-State Partners namely: Conservation International (CI); Coastal Management Center (CMC); International EMECS Center, IOC/WESTPAC; International Ocean Institute (IOI); Korea Maritime Institute (KMI); Northwest Pacific Action Plan (NOWPAP); Ocean Policy Research Foundation (OPRF); Oil Spill Response and East Asia Response Limited (OSRL/EARL); Plymouth Marine Laboratory (PML); and UNDP/GEF Yellow Sea LME Project.
- iii. Observers represented at the Meeting were: the Government of Thailand; the PEMSEA Network of Local Governments (PNLG); and the UNEP COBSEA Secretariat.
- iv. The GEF Implementing Agency was represented by the United Nations Development Programme (UNDP) Manila and the UNDP Regional Centre in Bangkok. The PEMSEA Resource Facility (PRF) served as the Secretariat.
- v. A full list of participants is attached as Annex 1.

#### **B. OPENING CEREMONY**

- i. On behalf of the EAS Partnership Council, Dr. Chua Thia-Eng, Council Chair, welcomed all the participants to the Meeting and expressed sincere appreciation to the Government of Japan through the Ministry of Land, Infrastructure, Transport and Tourism (MLIT) and the Ocean Policy Research Foundation (OPRF) for hosting and providing support to the 2<sup>nd</sup> EAS Partnership Council Meeting. Dr. Chua highlighted that the 2<sup>nd</sup> EAS Partnership Council Meeting is the very first PEMSEA meeting hosted by the Government of Japan and it became all the more memorable as it coincided with the first anniversary of the enactment of Japan's Ocean Basic Law. With Japan's increasing focus on sustainable coastal and ocean management, it is expected that the country will play a stronger role in protecting and securing the oceans.

- ii. Dr. Chua outlined the key progress made by PEMSEA and changes that occurred since the 1<sup>st</sup> EAS Partnership Council Meeting, including: a) the smooth transition of the Executing Agency from the International Maritime Organization (IMO) to the UN Office for Project Services (UNOPS); b) the continuing transformation of the Regional Programme Office (RPO) to the PEMSEA Resource Facility (PRF); c) the inauguration of the PEMSEA Office Building; d) the appointment of the new PRF Executive Director and setting up of the PRF Secretariat and Technical Services; and e) the finalization of the cost-sharing agreements between UNDP, Japan, PR China and RO Korea. With these accomplishments, Dr. Chua acknowledged the support provided by the IMO, UNDP and UNOPS to PEMSEA.
- iii. Dr. Chua urged the Council to seriously consider the PRF Secretariat's proposal to establish PEMSEA's Legal Personality, which would enable PEMSEA to enter into contracts, open bank accounts, and accept and implement new projects without coursing through external agencies. These opportunities/privileges are also expected to address challenges, brought about by the US dollar's depreciation.
- iv. Dr. Chua expressed confidence that the PRF under the leadership of the new Executive Director, Prof. Raphael P.M. Lotilla, would be able to lead PEMSEA to greater heights of achievement by establishing PEMSEA's self-sustainability and making PEMSEA one of the successful stories of regional cooperation and partnership. Dr. Chua together with the members of the Executive Committee, expressed continuous support to PEMSEA and the new PRF Executive Director in moving PEMSEA forward.
- v. In the absence of Prof. Raphael P.M. Lotilla, Mr. S. Adrian Ross, PRF Chief Technical Officer delivered the Executive Director's message to the 2<sup>nd</sup> EAS Partnership Council Meeting and welcomed all the participants on behalf of the PEMSEA Resource Facility.
- vi. Prof. Lotilla thanked the GEF for their support to the GEF/UNDP/UNOPS Project on the Implementation of the SDS-SEA and congratulated all the Partners in the successful planning and development of the third phase of PEMSEA. He urged the Council to provide inputs on the implementation of various PEMSEA activities, particularly in identifying ways and means of doing more for SDS-SEA implementation, within the existing constraints of time and resources. He also commended the support from the Philippines, PR China, Japan and RO Korea to the PRF as well as to UNDP Manila and UNDP-GEF Regional Office in Bangkok and looked forward to stronger collaboration in the future. Lastly, Prof. Lotilla acknowledged the significant role of the three Council Chairs in the planning and development of the PEMSEA Programme and their guidance during the intersessional period of the Council.
- vii. Prof. Lotilla sought the guidance and participation of all the Partners in discussing the key issue of sustainability of PEMSEA and the recognition of PEMSEA's Legal Personality. The Executive Director underlined that this initiative is a first crucial step in achieving the Haikou Partnership Agreement's objective of establishing a sustainable regional mechanism for the implementation of the SDS-SEA.

- viii. In closing, Prof. Lotilla expressed his appreciation to the Government of Japan, the MLIT and the OPRF for hosting and supporting the 2<sup>nd</sup> EAS Partnership Council Meeting, which symbolizes Japan's increasing commitment and involvement in PEMSEA's activities.
- ix. Ms. Nileema Noble, Resident Representative, UNDP Manila, delivered the opening remarks on behalf of the Implementing Agency. Ms. Noble expressed her appreciation to the Government of Japan, MLIT and OPRF of Japan for their great hospitality, and extended warm greetings to the Council Chairs and the PEMSEA State and non-State Partners.
- x. Ms. Noble commended PEMSEA's achievements over the past 14 years and successful transformation from a sectoral programme on land-based marine pollution to a de facto coordinating mechanism on sustainable development for the East Asian Seas region. She also commended PEMSEA for achieving the adoption of the Putrajaya Declaration, the Haikou Partnership Agreement and the Partnership Operating Arrangements, as well as the establishment of the Strategic Partnership with The World Bank and an investment fund for pollution reduction. She further exhorted the National Focal Points to decide on the preferred alternative for PEMSEA's juridical personality and urged them to ensure the establishment of such juridical personality at the Ministerial Forum in 2009.
- xi. Apart from the recognition of PEMSEA's juridical personality, Ms. Noble underscored the need to ensure the availability of resources for PEMSEA's long term sustainability. In particular, the Partnership Fund must be augmented and the Revolving Fund of the Strategic Partnership with The World Bank must be operationalized as soon as possible. Similarly, Ms. Noble urged PEMSEA to forge partnerships with emerging coastal and marine initiatives in the region (i.e., Coral Triangle Initiative, Mangroves for the Future) as they are important in catalyzing funds for SDS-SEA implementation. Moreover, she encouraged PEMSEA to use its unique position to prepare countries in addressing the impacts of climate change, and offered UNDP's assistance in providing further information on disaster risk reduction and its links to and implication for climate change risk management.
- xii. Ms. Noble paid tribute to the leadership of the Council in steering PEMSEA and for establishing PEMSEA as a formidable partnership in the region and globally. Ms. Noble expressed UNDP's as well as IMO's and UNOPS' support and aspiration to see PEMSEA come into its own and looked forward to the recognition of PEMSEA's legal personality.
- xiii. On behalf of the Government of Japan, Mr. Masafumi Shukuri, Vice Minister, MLIT, opened the Council Meeting by welcoming PEMSEA Partners, sponsoring agencies and observers. Mr. Shukuri indicated that the conduct of the 2<sup>nd</sup> EAS Partnership Council Meeting in Japan was very timely as it coincides with the first year anniversary of the enactment of the Basic Act of Ocean Policy of Japan. The Act signifies Japan's initiatives to contribute to the sound development and use of coasts and oceans, as well as to promote international cooperation on ocean policy and integrated coastal management.

- xiv. The Vice Minister informed the Council of the efforts undertaken since 1970 to counter the negative impacts of industrialization and development in the country. To further these efforts, Japan participated in the PEMSEA Programme and committed itself to the sustainable development of the region through the signing of the Putrajaya Declaration, the Haikou Partnership Agreement, and the Cost-sharing Agreement with UNDP, PR China and RO Korea for the PRF Secretariat Services. Mr. Shukuri reaffirmed Japan's commitment to continue its support to the operations of the PRF Secretariat Services as much as possible.
- xv. As PEMSEA moves into a new phase, the Vice Minister expects greater involvement on the part of Japan. The 2<sup>nd</sup> EAS Partnership Council Meeting, the PEMSEA/Japan Joint Seminar and the field trip organized by Japan provide opportunities for Japan to know more about PEMSEA and vice versa.
- xvi. The Vice Minister expressed sincere appreciation to the OPRF and Nippon Foundation for their support in co-hosting the Meeting.
- xvii. The full text of the Opening Ceremony speeches may be found in Annex 2.

## **1.0 ORGANIZATIONAL MATTERS**

- 1.1 Dr. Chua Thia-Eng chaired the Council Session. The head of the delegation of Japan was invited to serve as Co-Chair.
- 1.2 The Secretariat introduced the principal reference documents for the Meeting (Annex 3) and briefed the Meeting on general organizational arrangements.

## **2.0 ADOPTION OF AGENDA**

- 2.1 The Meeting adopted the Agenda without modification, as contained in Annex 4.

## **3.0 RULES OF PROCEDURE FOR THE EAS PARTNERSHIP COUNCIL MEETING**

- 3.1 The Secretariat reminded the Meeting that the 2<sup>nd</sup> EAS Partnership Council Meeting would consist of a Council Session, a Technical Session and an Intergovernmental Session. The Council and Technical Sessions would include representation from State and non-State Partners, sponsoring agencies, and invited observers. The Council Session considers progress reports on intersessional activities and other general matters. The Technical Session discusses issues, submissions and topics related to technical aspects of SDS-SEA implementation, partnership opportunities and knowledge sharing. The Intergovernmental Session would be limited to the participation of State Partners and sponsoring agencies. The Intergovernmental Session considers the recommendations of the Technical Session and provides policy guidance, coordination and evaluation of the progress of the SDS-SEA implementation.



#### **4.0 REPORT OF THE COUNCIL CHAIR ON EXECUTIVE COMMITTEE MATTERS**

- 4.1 The Meeting was informed of the intersessional activities of the Executive Committee (EC) of the EAS Partnership Council including matters pertaining to: guidelines/rules and procedures for the Conduct of Meetings, Election of EC Chairs, and Recruitment of the Regional Programme Director/Executive Director; sustainability of the PEMSEA regional mechanism; and operation of the PEMSEA Resource Facility. The EC convened three times since its formation at the 1<sup>st</sup> EAS Partnership Council Meeting in July 2007.
- 4.2 Members of the Council expressed their gratitude to the EC for its productive activities related to the transition of PEMSEA from a regional project to a regional coordinating mechanism for the implementation of the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA). During the discussion on guidelines/rules and procedures, the Meeting suggested minor modifications to the text, regarding: a) the inclusion of State Partners as resource persons to EC meetings; and b) the inclusion of representatives of GEF's Implementing and Executing Agencies in the selection panel for recruitment of the Regional Programme Director/Executive Director.
- 4.3 Some issues were raised regarding the proposed supplemental procedures concerning Election of Officers of the EC. To address the issues, the Meeting agreed to form a small working group, which was comprised of delegates of Indonesia, RO Korea, KMI and YSLME, to discuss and propose changes to the procedures, and to report the results to the Technical Session.

#### **The Council Session noted with appreciation:**

- 4.4 The recommendations of the Executive Committee with respect to: a) their Terms of Reference; b) Guidelines for the Conduct of Executive Committee Meetings; c) Supplementary Guidelines on the Election of the three Council Chairs, with reference to Section 3, paragraph 3.3.1 of the Guidelines for the Conduct of Meetings; and d) Procedures for the Recruitment and Appointment of the Regional Programme Director for the Implementation of the SDS-SEA and the Executive Director of the PEMSEA Resource Facility.

#### **The Council Session recommended:**

- 4.5 The submission of the documents pertaining to Terms of Reference, Guidelines/Rules and Procedures for the Conduct of Meetings, Elections and Recruitment, as revised and agreed to by the Council Session, to the Technical Session for their consideration and endorsement to the Intergovernmental Session.

## **5.0 REPORT OF THE REGIONAL PROGRAMME DIRECTOR/PEMSEA RESOURCE FACILITY EXECUTIVE DIRECTOR**

- 5.1 Mr. S. Adrian Ross, PRF Chief Technical Officer, delivered the Regional Programme Director/PRF Executive Director's Report. The Report presented the key accomplishments and outputs of PEMSEA since the 1<sup>st</sup> EAS Partnership Council Meeting, focusing on: the closure of the GEF/UNDP/IMO Regional Programme; the establishment of the PEMSEA Resource Facility (PRF); and the start up of the GEF/UNDP/UNOPS Project on the Implementation of the SDS-SEA.

### **The Council Session noted with satisfaction:**

- 5.2 The successful completion of the Regional Programme, including the financial audit and the fully satisfactory rating provided by the GEF Evaluation Office;
- 5.3 The smooth start-up of the new GEF-supported project, including the recruitment of the Executive Director and the staffing of the PRF Secretariat and Technical Services;
- 5.4 The efforts by the Executive Director to establish good relations with various embassies representing State Partners and collaborators of PEMSEA in Manila to solicit their support for various PEMSEA activities, as well as visits conducted to participating countries to discuss the recognition of PEMSEA's legal personality and the successful organization and conduct of the EAS Congress 2009;
- 5.5 The work undertaken by the PEMSEA Resource Facility during the intersessional period with regard to bridging activities in participating countries and the preparation of work programmes for the new GEF project on implementation of the SDS-SEA;
- 5.6 Various technical cooperation initiatives implemented with non-State Partners and collaborating organizations and institutions in support of the targets and objectives of the SDS-SEA; and
- 5.7 The technical publications and communication materials produced and disseminated, and particularly the *Securing the Oceans – Essays on Ocean Governance* (a joint project with the Nippon Foundation) and the *Manila Bay Area Environmental Atlas* (an output of the Manila Bay Environmental Management Project).

### **The Council Session noted with appreciation:**

- 5.8 The offer by UNDP Manila to disseminate the GEF Evaluation Office report on the Terminal Report of the PEMSEA Regional Programme to all Partners;
- 5.9 The able leadership of Mr. S. Adrian Ross during the transition period; and
- 5.10 The dedication and commitment of the staff of the PEMSEA Resource Facility in completing the transition to the new phase of PEMSEA.

**The Council Session recommended:**

- 5.11 The adoption of the Regional Programme Director/Executive Director's report by the Intergovernmental Session; and
- 5.12 The PRF continue to dialogue with Brunei, Malaysia, Thailand and other countries on their participation in SDS-SEA implementation including the signing of the Haikou Partnership Agreement.

**6.0 INTRODUCTION OF NEW PARTNER**

- 6.1 The Council Chair introduced the International EMECS Center (EMECS). The Chair informed the Meeting that EMECS had fulfilled all the requirements of the Partnership Operating Arrangements (POA) regarding application as a new non-State Partner. The Chair also informed the Meeting of the contribution and experience of EMECS in addressing transboundary issues in the Seto Inland Sea and that its capacity building activities and broad international network would contribute significantly in the PEMSEA partnership.

**The Council Session noted:**

- 6.2 With appreciation, the application by EMECS for inclusion as a non-State Partner of PEMSEA, and the contribution being made by EMECS in promoting academic exchanges on an international level and conducting research, training and support activities, in order to preserve or rehabilitate existing enclosed coastal sea environments.

**The Council Session endorsed:**

- 6.3 The recommendation of the Executive Committee to include EMECS as a non-State Partner of PEMSEA.

**Signing of Letter of Cooperation between PEMSEA and International EMECS Center**

- 6.4 The Council Chair invited the representative from EMECS to deliver a speech as a new Partner of PEMSEA. Mr. Akira Hasegawa, Executive Director, EMECS Board of Directors, expressed the desire for future collaboration with PEMSEA, and invited PEMSEA's participation in the International Conference titled EMECS8, which will be held in Shanghai in October 2008.
- 6.5 A Letter of Cooperation between EMECS and PEMSEA was signed by the representatives of EMECS and the PRF.

## TECHNICAL SESSION

**Mr. Hiroshi Terashima assumed the Chair of the Technical Session, with the head of delegation from Japan as Co-Chair.**

### **1.0 MATTERS PERTAINING TO SDS-SEA IMPLEMENTATION**

#### ***GEF/UNDP/UNOPS Implementation of the SDS-SEA***

- 1.1 The Meeting was informed of the start up of the project entitled “GEF/UNDP/UNOPS Implementation of the SDS-SEA”, which was endorsed by the GEF CEO on 7 November 2007. The report included information on staff appointments, overview of the project components, and summary of country work programmes. The Meeting was further informed that MOAs between the PRF and the respective participating countries were scheduled to be signed before the end of August 2008.
- 1.2 Members of Council raised the following points during the discussion on the Project:
- PEMSEA was requested to send an official letter to UNDP Office in Hanoi with a copy being furnished to the Ministry of Natural Resources and Environment (MONRE) regarding the signing authority for the Project Document;
  - The onerous work load related to implementation of the new project needed to be reviewed, with due consideration to staff reductions as a consequence of the US dollar depreciation. The Secretariat was urged to revisit the project activities and consider whether these were feasible in light of the reduced staffing and financial resources;
  - Project activities identified in the Project Document may be modified, but one could not change outcomes and impacts that had been agreed upon without GEF approval;
  - Mobilization of partnerships with other programmes and projects in the region could generate additional support and resources for implementation of the SDS-SEA, including initiatives involving research institutions and the academe;
  - The coordination and integration of overlapping projects and programmes at the national and sub-regional levels was a challenge. The role of the countries was emphasized especially in setting the direction for project development and implementation; and
  - Assessment of contribution of coastal and marine economy to the country’s GDP will be very useful. It was admitted that contribution of coastal and marine sectors to national economy has not been fully documented.
- 1.3 Clarification was sought on the difference between the PEMSEA Trust Fund and the Partnership Investment Fund. It was explained that the Trust Fund is being set up under the management and governance of PEMSEA, established through voluntary support funding. On the other hand, the Partnership Investment Fund is established under the GEF-WB Project designed to support pollution reduction initiatives in the Seas of East Asia region.

**The Technical Session noted:**

- 1.4 With appreciation, that the Project Document had been signed by 7 participating countries and that the new project had been initiated on 1 April 2008;
- 1.5 The urgency of mobilizing and fully engaging participating countries in project implementation, to ensure the efficient use of available resources within the country in support of SDS-SEA implementation; and
- 1.6 The benefit of consolidating and coordinating related projects in marine and coastal management being planned and/or implemented at the sub-regional and regional levels (e.g., Coral Triangle Initiative; Mangroves for the Future; Sulu-Sulawesi Seas; Arafura-Timor Seas) to better utilize existing tools, skills and experience in the region, reduce overlap and duplication among projects, and enhance the use of available funds.

**The Technical Session recommended that:**

- 1.7 The PRF send a letter to UNDP Vietnam with a copy furnished to MONRE in order to facilitate the signing of the Project Document;
- 1.8 State Partners sign MOAs with the PEMSEA Resource Facility by the end of August in order to start up the implementation of their country work programmes;
- 1.9 The PRF focus on identification and delivery of priority and urgent outcomes and impacts in the Project Document, with a view to reducing the number of activities planned over the next three years to a realistic level, and to make a progress report to the next Technical Session;
- 1.10 Participating countries take the lead in consolidating and coordinating the various planned and ongoing projects in marine and coastal management, by delineating their priorities and preferred approaches in achieving common goals and objectives across projects to donors and international sponsoring organizations;
- 1.11 The PRF, in collaboration with participating countries, proactively pursue opportunities for mobilizing additional resources, particularly through the promotion of its value-added expertise, skills and tools in the development and implementation of ICM, to donors, international financial institutions and NGOs implementing sub-regional and regional projects; and
- 1.12 The UNDP coordinate with the various marine and coastal management projects that it is sponsoring in the region, to enhance opportunities for cross-project sharing of skills and expertise and, more specifically, the application of PEMSEA's ICM experience, products and services, in order to avoid or reduce duplication of effort.

***GEF/World Bank Partnership Investment Fund for Pollution Reduction***

- 1.13 The Meeting was informed of the status of the project entitled, *GEF/World Bank Partnership Investment Fund for Pollution Reduction in the East Asian Seas* and the

sub-project, *Project Preparation Revolving Fund*. It was recalled that the Partnership Investment Fund was designed to be the investment component of the regional project on SDS-SEA implementation.

- 1.14 The Meeting learned that the revolving fund sub-project, which was approved in 2005 and which PEMSEA was requested to implement, still had not been initiated due to the extended contract negotiations between The World Bank and potential Executing Agencies. The Meeting was advised that The World Bank and UNDP/GEF have agreed to review the Executing Agency contract with UNDP and UNOPS, and would try to resolve the problem by the end of August 2008.

**The Technical Session noted that:**

- 1.15 The identified projects were initiated with very little coordination and interaction between The World Bank and PEMSEA due to the fact that the Partnership Investment Fund project was initiated in 2005, while the regional project on Implementation of the SDS-SEA was only approved in 2007. The World Bank had proceeded with project implementation, with little input from PEMSEA;
- 1.16 The Project Preparation Revolving Fund was an essential component of the Partnership Investment Fund for pollution reduction in the region;
- 1.17 The lack of a legal personality has prevented PEMSEA from signing a contract directly with the World Bank for execution of the project, thereby putting at risk the region's access to a GEF-supported revolving fund;
- 1.18 Developed State Partners can play a lead role in addressing pollution reduction in other countries of the region by promoting and sharing their knowledge, capacities and technologies aimed at pollution reduction; and
- 1.19 Developing countries can improve the climate for investments in pollution reduction by scaling up and implementing ICM programmes in collaboration with local governments.

**The Technical Session:**

- 1.20 Urged The World Bank, UNDP and UNOPS to resolve the issues regarding Executing Agency for the Pollution Reduction Investment Fund project, with due consideration to the best interests of the countries of the region in achieving the objectives of the SDS-SEA.

***Sub-regional Transboundary Projects***

- 1.21 The Meeting was reminded that a number of sub-regional transboundary projects were underway in the region, which were relevant to the objectives and targets of the SDS-SEA. Brief presentations had been organized for the purpose of providing the Partners with information on the status and achievements of the projects.

- 1.22 Dr. Anna Tengberg, Regional Technical Advisor, UNDP Regional Centre in Bangkok provided information on the GEF support for the Coral Triangle Initiative, Sulu-Sulawesi LME, Arafura-Timor Seas, and IW: LEARN and Knowledge Management, and the related budgets. The Meeting was informed that PEMSEA was identified in the GEF Programme Document in support of the Coral Triangle Initiative as one of the possible collaborators.
- 1.23 Dr. Tengberg also introduced the Mangroves for the Future (MFF) project, which is being coordinated by the MFF Secretariat, i.e. IUCN-ARO. The Meeting was informed of the background, objectives and the framework for implementation of the MFF. Dr. Tengberg mentioned that the MFF has the elements of ICM and that there might be possibility of future collaboration with PEMSEA on this aspect.

#### YSLME

- 1.24 Mr. Yihang Jiang, Project Manager, UNDP/GEF Yellow Sea Project PMO, provided information on two major achievements of the project thus far, i.e., the development of the Strategic Action Plan, which is structured in accordance with the ecosystem-based approach, and the Co-operative Cruises implemented by PR China and RO Korea. The Meeting was informed that YSLME succeeded to get the basin-wide data of the Yellow Sea and is providing access to the information through its website. Mr. Jiang also mentioned that there is a preference of the relevant countries to move into a second phase of the project, focused on implementation of the SAP.
- 1.25 The Meeting was also informed that the project is trying to involve DPR Korea and had already initiated the interaction, such as inviting the participants from DPR Korea to join the workshop held by YSLME. Mr. Jiang emphasized the importance of involving DPR Korea in sub-regional projects, in spite of the moratorium on the UN agencies' operations in the country. In closing, Mr. Jiang indicated that the YSLME project was considering co-convening a sub-regional transboundary workshop during the EAS Congress 2009.
- 1.26 The Meeting congratulated the successful implementation of the Co-operative Cruises of YSLME and signified its importance in opening up of the possibility of sharing data among countries.

#### Northwest Pacific Marine Environment Protection

- 1.27 Mr. Takashi Sakakibara, Head, Wastewater System Division, National Institute for Land and Infrastructure Management, MLIT Japan, made a presentation on a research initiative on Northwest Pacific Marine Environment Protection. The Meeting was informed that the initiative aims to investigate the current status of water pollution and pollution loads discharged from the land-based areas, as well as to assess the sufficiency of land-based countermeasures, such as sewage treatment facilities.
- 1.28 The Secretariat reviewed the potential for strengthening interactions between the PRF and the several various sub-regional transboundary projects. An overview of their geographical distribution as well as their contribution to the SDS-SEA was

provided. The PRF proposed several proactive interactions with the sub-regional transboundary projects to develop and/or strengthen collaborative activities.

**The Technical Session noted:**

- 1.29 The numerous sub-regional projects being implemented in the region, and the common objectives, activities and outputs of the projects;
- 1.30 The importance of data sharing to strengthen management of the sub-regional sea areas among countries;
- 1.31 The value of this agenda item as an attempt to delve into the sub-regional transboundary projects for the enhancement of the information sharing among Partners and collaborators;
- 1.32 The need to include the programmes and projects of non-State Partners under this agenda item in the future, in order to capture the full range of initiatives being implemented sub-regionally and nationally in support of the SDS-SEA;
- 1.33 The various UN, international financial institutions and organizations, donors, NGOs and countries involved in the sub-regional projects, who were also sponsoring agencies, State and non-State Partners and/or collaborators of PEMSEA;
- 1.34 The lack of coordination at the regional or country levels among the various projects and implementing agencies/organizations, resulting in duplication of effort, inefficient use of resources, and limited sharing of knowledge, experience, skills and tools;
- 1.35 The SDS-SEA was developed as a platform for regional cooperation for marine and coastal management in East Asia;
- 1.36 Recognizing the legal personality of PEMSEA would provide the region with mechanism for improving the development and coordination of sub-regional and regional projects within the framework of the SDS-SEA; and
- 1.37 The Framework for Sustainable Development of Coastal Areas, which was developed by PEMSEA based on 14 years of practical experience in ICM implementation in the region, provided countries with the direction and means for achieving the targets in the various sub-regional projects.

**The Technical Session recommended that:**

- 1.38 The PRF increase its efforts to interact with the project offices/secretariats of sub-regional and regional projects, to develop concrete proposals for improving interaction with such projects and programmes, and to report its progress to the next Technical Session;
- 1.39 The PRF package and disseminate information on the various products and services available from PEMSEA in order to promote increased access/use of such products/services by sub-regional projects and programmes;



- 1.40 State Partners consider utilizing the Framework for Sustainable Development of Coastal Areas as a common framework for developing and implementing national and sub-regional projects; and
- 1.41 UN agencies, international financial institutions and donors work together to build upon the mechanisms, capacities, products and services that they have already invested in, thereby helping the region to move forward in the sustainable development of its marine and coastal resources and areas.

## **2.0 AREAS OF COLLABORATION AMONG PARTNERS**

### ***Recognition of PEMSEA's Legal Personality***

- 2.1 The Meeting was informed of the work undertaken pertaining to the recognition of PEMSEA's legal personality. It was stressed that the recognition of PEMSEA's legal personality is an imperative, given that the Haikou Partnership Agreement mandates the transformation of PEMSEA from a project-based initiative into a self-sustaining regional mechanism.
- 2.2 The rationale for recognition of PEMSEA's legal personality is three-fold:
- It is a necessary step towards PEMSEA's transformation into a self-sustaining regional mechanism;
  - It is in accordance with international policy, supported by the UN and other donor agencies, to promote programmes that are driven by member countries themselves; and
  - It is becoming increasingly more difficult to fund programmes that do not have a legal personality.
- 2.3 The Meeting acknowledged that the draft Protocol is a simple and straightforward document. The document recognizes PEMSEA as a legal personality with capacity to contract and own property. Aside from the recognition, the Protocol imposes no other obligation or support from the Partners. The salient features of the Protocol were highlighted in the discussion.
- 2.4 The Meeting was informed further that the draft Protocol was sent to the National Focal Points in May requesting them to discuss with their respective foreign affairs offices in accordance with their national processes. Thus far, responses have been received from Cambodia, Japan, the Philippines and RO Korea suggesting revisions to the text.
- 2.5 The Meeting was invited to review the proposed changes and to come up with a working draft for endorsement to the countries.

### **The Meeting noted that:**

- Some of the terms are legal and may not be understood by many countries. Specifically, the terms "Protocol", "signature", "ratification" and "accession" were questioned; and

- The word “shall” is very legal and urged the use of a more appropriate word.
- 2.6 A working group, composed of representatives from China, Indonesia, Japan, the Philippines and RO Korea was organized to look at the proposed changes and to finalize a working draft of the Protocol for endorsement to the Intergovernmental Session.

**The Technical Session concluded that:**

- 2.7 The Legal Personality of PEMSEA is an imperative and the first step toward the establishment of a self-sustaining regional mechanism;
- 2.8 The Partners of the EAS Partnership Council should consider this as their priority issue in support of SDS-SEA implementation; and
- 2.9 The twin documents, the Protocol and the Concept Paper, should be carefully reviewed by State Partners for identifying the legal process for ratification.

**The Technical Session recommended that:**

- 2.10 The PRF further explain the rationale and objectives of the Protocol to the State Partners, especially the Foreign Ministries, in consultation with the NFPs of PEMSEA to promote the process of internal review of the Protocol;
- 2.11 The Intergovernmental Session discuss the twin documents, the Protocol and the Concept Paper, in detail for endorsement to State Partners; and
- 2.12 The PRF feature PEMSEA’s legal personality as a key agenda for the Ministerial Forum at the EAS Congress 2009.

***Framework of Partnership Programmes***

- 2.13 The Meeting was briefed on the development of the Framework of Partnership Programmes (FoPP) as a tool for improving the planning, coordination and tracking of marine and coastal management projects. The Meeting was further informed of the conduct of a case study on the application of the FoPP in the Philippines, and the preparation of the FoPP with non-State Partners.
- 2.14 It was reported that the implementation of the FoPP in the Philippines had assisted the Department of Environment and Natural Resources in identifying overlaps, gaps and needs among the respective projects and programmes of concerned national agencies, particularly with respect to the development and implementation of a national ICM programme.
- 2.15 The Meeting recognized that the proposed process did not address important issues, such as the impact and benefits derived from the identified projects, and that further effort would be needed in order to achieve such an output. Nevertheless it was

agreed that it was a good start and that the Partners should move forward and develop the process through practical experience.

- 2.16 The Meeting noted the potential value of the FoPP as a tool which enables State Partners to:
- Strengthen national planning processes with regard to coastal and ocean governance objectives, targets and programmes, and their relative contribution to national development objectives;
  - Improve coordination within departments and across agencies, thereby facilitating integration of coastal and marine initiatives; and
  - Provide a national information base, which may be developed to track, evaluate and report on the progress and impacts of the various undertakings.

**The Meeting further noted:**

- 2.17 The potential benefits of making such information available to interested international organizations and donors, by uploading the results on the PEMSEA website.

**The Meeting recommended that:**

- 2.18 All the Partners consider FoPP development and application;
- 2.19 The results of the FoPP be utilized in the development of the rolling 10-year Regional Partnership Programme, with the assistance of the PRF, using the FoPP template and process as a common procedure;
- 2.20 The PRF present the rolling 10-year Regional Partnership Programme to the next meeting of the Technical Session; and
- 2.21 The PRF pursue further improvement of the FoPP through practical experience and in collaboration with the Partners.

***Implementation of SOC Reporting***

- 2.22 The State of Coasts (SOC) Reporting was introduced as a system to assess the progress and impacts of ICM implementation by local governments. It aims to: identify the trends and progress in sustainable coastal development; determine issues; evaluate governance mechanisms; assess effectiveness of ICM programs; identify implications of changes; and promote adaptive management.
- 2.23 The reporting system was based on the ICM framework which focuses on governance and sustainable development aspects. The indicators used are simple, meaningful and measurable with easy applicability in the region but complements those of WSSD, MDGs, Agenda 21, SDS-SEA and other relevant regional and international instruments.
- 2.24 The reporting system was tested and validated in Batangas Province. The Case Study of Batangas Province was presented to the Meeting. It primarily consists of the

following parts: Executive Summary, a summary of trends, and a detailed description and analysis of 35 core indicators. The Case Study came up with key recommendations for improving coastal and marine management in Batangas.

- 2.25 SOC reporting was recognized by the Meeting as a good tool to monitor ICM implementation, since the core indicators clearly show the trends in the coastal environment of the local areas. Although the difficulties of getting the data were pointed out by the Partners, the value of initiating the effort to develop the SOC report was recognized.

**The Meeting noted that:**

- 2.26 The SOC reporting system, as developed and applied, was focused on local governance, conditions, targets and trends;
- 2.27 Other international and regional reporting systems have been established and these are providing environmental information at global, regional and country levels (e.g., GIWA, IOI and Millennium Environment Assessment, COBSEA, UNEP Global Environment Outlook, The World Bank Environment Monitor, and the Global Marine Assessment or UN Regular Process);
- 2.28 RO Korea invited PEMSEA and PEMSEA Partners to attend the workshop on UN Regular Process to be hosted by RO Korea;
- 2.29 The SOC initiative of PEMSEA was unique, and provided information for continual improvement of ICM programmes of local governments;
- 2.30 As the number of ICM sites increase along the coastlines of the region, the SOC reporting system would eventually be able to provide a more comprehensive indication of the environmental status and trends occurring in the coastal areas; and
- 2.31 The SOC reporting system will evolve into a more sophisticated tool over time, but it is better to start now with a practical system that has immediate application and benefit to local governments rather than wait for the more sophisticated products.

**The Meeting concluded:**

- 2.32 The SOC reporting system is a value-added operational tool for local governments implementing ICM programmes, and is a systematic method of evaluating and reporting the progress, trends and impacts of development in coastal areas.

**The Meeting recommended that the PRF:**

- 2.33 Continue to assist interested countries to develop and implement the SOC reporting system as part of national ICM scaling up programmes;
- 2.34 Work with national and local governments to prepare a series of SOC reports from ICM sites across the region for packaging and dissemination during the EAS Congress 2009, and make the data available to all interested parties; and

- 2.35 The Meeting further recommended that the PEMSEA SOC reporting system stay focused as an operational tool for local governments and as a reporting system focused on on-the-ground local actions in ICM, and their impacts and benefits.

***EAS Congress 2009***

- 2.36 The Meeting was introduced to the theme, key features, provisional programme, work plan, and preparations for the East Asian Seas (EAS) Congress 2009. The introduction was followed by a presentation by Ms. Mundita Lim, Director, Protected Areas and Wildlife Bureau (PAWB), DENR, Philippines, regarding the in-country preparations for the Congress and information pertaining to Manila.
- 2.37 Various members of the Council expressed their intention to participate in and support the conduct of the EAS Congress, namely: Japan; RO Korea; Singapore; International Ocean Institute; and Ocean Policy Research Foundation.

**The Meeting noted:**

- 2.38 With appreciation, the efforts being undertaken by the PRF and the Government of the Philippines in organizing the EAS Congress 2009 and the Ministerial Forum; and
- 2.39 The expression of interest from various State and non-State Partners, to actively participate in the promotion and conduct of the EAS Congress 2009.

**The Meeting concluded:**

- 2.40 The need to highlight the EAS Congress as an intellectual marketplace involving developed and developing countries, an important venue for sharing information and partnership building, as well as a mechanism in measuring the progress made in line with the implementation of the SDS-SEA.

**The Meeting recommended:**

- 2.41 The PRF work closely with Partners and confirmed co-conveners in developing quality workshop/session programs and papers for the International Conference;
- 2.42 The adoption of a more open and active approach in securing the participation of the governments and various stakeholders from the East Asian Seas countries;
- 2.43 The early engagement of Partners in the planning and organization of various sessions/events to ensure the efficient organization of the EAS Congress; and
- 2.44 Partners, particularly the State Partners, take the lead in securing and encouraging increased participation of local governments, the private sector, and other local stakeholders from various East Asian Seas countries.

### ***Regional Task Force/National Task Force Development and Implementation***

- 2.45 The Meeting was informed of the rationale, objectives and strategies in developing and mobilizing RTF/NTF. Details of the 3 phases of development, which included the establishment, mobilization and maintenance of RTF/NTF in tandem with the RTF/NTF management and accreditation system, were provided. The strategy targeted that the short-term goal was to provide technical assistance and training to countries that are implementing national ICM scaling up programmes. However, over the medium-term, by the end of 2013, the PEMSEA Partners would have access to an accredited pool of experts, institutions and organizations, and/or would oversee the accreditation of organizations and individuals providing training and services within their respective countries.
- 2.46 The Meeting noted that the term “accreditation” was confusing. The word “standard” was considered to be more relevant considering the objective was to maintain and control the quality of technical support, training and training materials.

#### **The Technical Session recommended that:**

- 2.47 The establishment of core teams of capable trainers/technical support for scaling up ICM programs in participating countries is a priority issue and should be the focus of this activity; and
- 2.48 The PRF consider the development of the RTF/NTF in a step-wise manner taking into consideration the concerns raised on the operationalization of the RTF/NTF, the ambitious schedule and the selection of appropriate candidates for RTF/NTF.

### ***PEMSEA Training Programme***

- 2.49 The Meeting was informed of the training programmes of PEMSEA to strengthen the region’s intellectual capital and human resources for addressing policy, economic, scientific, technical and social challenges and constraints to integrated management and sustainable development of the marine and coastal environment and resources.
- 2.50 The strategies of the training programme included the conduct of ICM Train-the-Trainers Courses as well as the Specialized Training Courses, implementation of the Internship Program, establishment of ICM Learning Centers, and Development of ICM Post-graduate Curriculum.

#### **The Meeting noted that:**

- 2.51 The training program as presented was quite comprehensive;
- 2.52 Based on the training schedule for 2008-2010, around 80 trainings will have to be given; this translated to almost 2 trainings per month;
- 2.53 Considering the PRF’s limited human and financial resources, the number of trainings may not be realistic;

- 2.54 The training schedule was developed to meet countries' demands for trainers and technical support for their respective work programmes; and
- 2.55 Trainers require time and experience to develop their skills. PEMSEA needs to be mindful that support will be needed from the PRF over the medium term to assist new trainers during their transition to experienced trainers.

**The Technical Session recommended that:**

- 2.56 The PRF link with various capacity development initiatives on ocean and coastal management that are undertaken by State and non-State Partners to facilitate complementarity and synergies for effective and efficient delivery of services;
- 2.57 The PRF make training programs accessible to non-State Partners and collaborators, as appropriate; and
- 2.58 The PRF review the current training programs and schedules in consideration of the reduced capacity of the PRF.

***PEMSEA ICM and Port Safety, Health and Environmental Management (PSHEM) Codes and Recognition Systems***

- 2.59 The Meeting was informed of PEMSEA's initiatives on ICM and PSHEM Codes and Recognition Systems development. The primary objectives of these initiatives are to: i) standardize the ICM and PSHEM practices through codification; and ii) systemize the practices through establishing the recognition mechanism. It was noted that full roll-out of the systems require more effort by the PRF including testing and demonstration of these systems, peer review of the Codes, and setting up Governance Systems to oversee the quality of the services and recognition systems.
- 2.60 The Meeting was further informed that the two systems were developed based on International Standards including ISO 9001 (Quality Management), ISO 14001 (Environmental Management) and OHSAS 18001 (Occupational Health and Safety) in order to establish internationally acceptable systems that conform to ISO certifications, as desired.
- 2.61 While the PSHEM Code and recognition system have been tested in two ports (i.e., the Port of Bangkok and PTP Johor, Malaysia) and have been successfully demonstrated, the ICM Code and Recognition System are still under development. The Meeting was reminded that although ICM has been implemented at a number of sites, relatively little documentation has been reported so far. In this sense, the development of the ICM Code is an unprecedented innovative approach, which prescribes systematic documentation of ICM processes and practices.
- 2.62 Members of Council appreciated PEMSEA's new initiatives on systematizing the ICM and port management practices in support of SDS-SEA implementation. During the discussion, the Meeting noted the following:

- a. The ICM Code and Recognition System will be useful in addressing variations in ICM practices in different countries;
- b. The ICM Code will be tested at PEMSEA's ICM demonstration sites, taking advantage of the processes that are already in place, and the capacity of local government units in ICM at those sites; and
- c. The ICM Training Course and ICM Code are being developed using the PEMSEA framework for sustainable development of coastal areas.

**The Technical Session concluded that:**

- 2.63 The ICM Code is as an important achievement of PEMSEA as a result of 14 years of ICM practice at the local level;
- 2.64 The PSHEM Code and recognition system has been demonstrated and the time is right for promoting the system to the maritime sector in the region and internationally; and
- 2.65 Some countries are already implementing recognition systems and should be encouraged to share experiences among themselves and PEMSEA. There is a need to explore the advantages and lessons that can be shared among the different recognition systems, with a view to possible harmonization.

**The Technical Session recommended that:**

- 2.66 Given the importance of the initiatives, Partners be requested to review the ICM and PSHEM Codes and Recognition Systems further, and provide their comments and suggestions to the PRF;
- 2.67 The PRF continue to develop and refine the ICM Code and Recognition System through field tests at existing ICM demonstration sites, within the limits of available budget and resources;
- 2.68 The PRF promote the PSHEM Code and Recognition System to the regional and international maritime sector, with a view to developing and/or expanding a regional market for the PSHEM system;
- 2.69 The Intergovernmental Session adopt the Concept Papers and strategic initiatives for the development, demonstration and adoption of the ICM and PSHEM Codes and Recognition Systems;
- 2.70 The PRF proceed with work plans and schedules for testing and demonstrating the ICMS and PSHEMS and Recognition Systems;
- 2.71 The PRF organize workshops during the EAS Congress 2009 to provide further information and experiences regarding the implementation of the ICM and PSHEM Codes and Recognition Systems; and
- 2.72 The PRF report the progress on the two Codes and Recognition Systems to the next Technical Session.



### ***Corporate Social Responsibility***

- 2.73 The Meeting was informed of a concept paper on Corporate Social Responsibility (CSR), an initiative which PEMSEA is promoting to engage private corporations in the development and implementation of ICM in partnership with local governments. The CSR initiative is based on PEMSEA's experience in Batangas and Bataan, Philippines, which will be replicated at other ICM sites across the region, as appropriate.

### ***Regional Centers of Excellence (RCoE) Program***

- 2.74 The Meeting was informed of the establishment of PEMSEA's Regional Centers of Excellence (RCoE) Program, an initiative in support of capacity building for SDS-SEA implementation. The RCoE program is designed to link the needs of Partners with available expertise within scientific and technical institutions, thus facilitating cost-effective and efficient responses to challenges to sustainable marine and coastal protection and management.
- 2.75 RCoEs are expected to contribute to the protection and improvement of the regional marine environment by sharing their technical and scientific expertise to help build the capacity of the region.
- 2.76 The criteria for consideration as an RCoE include excellence in a specific field or area contributing to marine and coastal governance, relevance, quality of service and outputs. RCoEs should have a demonstrated area of expertise and be recognized by their Peers. The process used by PEMSEA in selecting an RCoE was presented to the Meeting.
- 2.77 The Meeting was advised that the first RCoE considered under the selection process was the Centre for Marine Environmental Research and Innovative Technology (MERIT), one of the eight "Areas of Excellence" selected by the Hong Kong University Grants Committee (UGC). The Technical Session was asked to consider the recognition of MERIT as a PEMSEA RCoE. MERIT is internationally recognized and its expertise is relevant to PEMSEA's efforts in marine pollution prevention and management.
- 2.78 The Meeting noted that cost-sharing agreements for linked programmes may be concluded between the provider of the service, the user of the service and the PRF. The challenge is how to find a good and willing RCoE.

### **The Technical Session concluded that:**

- 2.79 The selection process developed by PEMSEA, and utilized for the designation of MERIT as an RCoE is transparent and fair; and
- 2.80 MERIT is internationally recognized as an Area of Excellence in Marine Pollution and is scientifically and organizationally capable. MERIT has the necessary expertise for transferring knowledge and skills in marine pollution prevention and management to State and non-State Partners.

**The Technical Session recommended the:**

- 2.81 Endorsement of the Centre for Marine Environmental Research and Innovative Technology as a PEMSEA Regional Center of Excellence in Marine Pollution.

***Twinning Arrangements***

- 2.82 The Meeting was informed that the RO Korean government had launched the Twinning Secretariat on 17 June 2008, as an initial step in action for the implementation of a three-year programme on Twinning Arrangements.
- 2.83 Dr. Jong-Deog Kim, the interim head of the Twinning Secretariat, presented the concept paper on the Twinning Arrangements, including Rationale, Objective and Approach, Sites, Work Programmes from 2008 to 2010 and Twinning Secretariat Functions. He further informed the Meeting that the Fourth Twinning Workshop will be held in October 2008, in Indonesia.
- 2.84 Dr. Keita Furukawa from the National Institute of Land and Infrastructure Management of Japan introduced the Tokyo Bay Restoration Plan, as adopted in March 2003, and the approaches being applied to achieve the Plan's objectives, namely: 1) reduction of land-based pollution load; 2) promotion of environmental restoration offshore; and 3) implementation of environmental monitoring scheme. He mentioned that the action group for Tokyo Bay Restoration Project, which consisted of various stakeholders, was established in May 2008.
- 2.85 Mr. Munesumi Shinoda from the Ministry of Environment of Japan introduced the Support for the Total Pollution Load Control System (TPLCS) in the Countries of East Asia. The Ministry of Environment of Japan initiated a project in China to implement the TPLCS in 2007. He also informed the Meeting that the Ministry of Environment will prepare a guide on the use of TPLCS for dissemination to interested countries in the region.
- 2.86 Mr. Kentaro Ozaki from Chugoku Bureau of Economy, Technology and Industry, Ministry of Economy, Trade and Industry of Japan made a presentation on water environmental restoration technologies in Chugoku region in Japan. The Meeting was informed that the programme has contributed to water quality improvement by applying the advanced yet economical technologies for water restoration. The Chugoku Bureau of Economy, Technology and Industry expects to promote this technology through future cooperation with PEMSEA and its strong network of local governments.

**The Meeting noted with appreciation:**

- 2.87 The establishment of the Twinning Secretariat by the Government of RO Korea, through the Ministry of Land, Transport and Maritime Affairs (MLTM) and the Korea Maritime Institute (KMI).

**The Meeting recommended that:**

- 2.88 The Twinning Secretariat in RO Korea and the PRF work closely together to further develop the detailed work programmes of the Twinning Arrangements, including seeking a good match of developed and developing sites, with careful consideration of the characteristics of the approaches and schemes for pollution reduction at respective sites; and
- 2.89 The PRF elaborate on the various terminologies being used in documents related to the twinning arrangements and projects, in order to avoid confusion among stakeholders and Partners.

***PEMSEA Network of Local Governments for Sustainable Coastal Development (PNLG)***

- 2.90 Mr. Lin Huaiyuan, Deputy Head of the PNLG Secretariat, introduced the PNLG, the activities undertaken over the past six years, as well as future activities that contribute to SDS-SEA implementation.
- 2.91 Of particular note, the PNLG Secretariat expressed the intent of the PNLG to apply for partnership status in the EAS Partnership Council in response to the recommendations of the PNLG Executive Committee during its meeting in Xiamen, China in November 2007. The intention was to give the local governments a voice in the Council.
- 2.92 The PNLG Secretariat also reported to the Meeting that the 2008 PNLG Meeting will be held in Sihanoukville, Cambodia on 19-21 November 2008 to be hosted by the Municipal Government of Sihanoukville and that the forum program is currently being finalized.
- 2.93 The representative from Cambodia expressed appreciation for the work of the PNLG Secretariat in organizing the next PNLG meeting in Cambodia, and invited all PNLG member local governments of the State Partners to attend.

**The Meeting expressed:**

- 2.94 Appreciation to Xiamen Municipal Government, to the Officers of the PNLG Executive Committee and to the PNLG Secretariat for the continuing support and commitment to a self-sustaining PNLG; and
- 2.95 Support for the PNLG Forum, which is designed to promote sharing of experiences and networking among local governments implementing ICM.

**The Meeting recommended that:**

- 2.96 The PNLG Secretariat, through the PNLG Executive Committee, make formal application to the PRF ED indicating its intention to become a non-State Partner of the EAS Partnership Council; and
- 2.97 The PRF provide assistance to the PNLG in facilitating the application process.

### **3.0 CRITICAL AND EMERGING ISSUES IN THE SEAS OF EAST ASIA**

- 3.1 Coastal land reclamation, coastal use zoning, island management and adaptation to climate change through ICM framework were presented as some suggested topics for discussion on critical and emerging issues that pose challenges to the implementation of the SDS-SEA within the region.
- 3.2 Much emphasis was devoted to the climate change adaptation issue. The Meeting was informed that ICM could be an effective tool to address climate change in coastal areas by enabling the local governments through the implementation of the ICM framework and process. It was further informed that ICM can serve to operationalize a comprehensive climate policy with the help of ICM tools, such as capacity development, risk assessment, the State of the Coasts (SOC) reporting, and the Coastal Strategy and implementation plan.
- 3.3 The Meeting welcomed PEMSEA's approach to addressing these critical and emerging issues, especially adaptation to climate change. During the discussion, the following comments and suggestions were proposed:
- a. PEMSEA should address the climate change issue as a priority agenda together with some emerging global agenda such as food and energy security issues;
  - b. Coastal reclamation is important and further opportunities should be available to discuss possible solutions;
  - c. The increase in the frequency and intensity of tropical storms induced by climate change could be an area to consider in the discussion; and the resulting impact on coastal communities; and
  - d. PEMSEA and all PEMSEA Partners should participate in global joint efforts to solve the environmental problems which are affecting the environment of East Asian Seas.
- 3.4 Several Partners expressed their interest in co-convening and collaborating with the PRF in organizing workshops regarding adaptation to climate change during the EAS Congress 2009 in Manila, Philippines.

#### **The Meeting recommended:**

- 3.5 The PRF table critical and emerging issues such as coastal reclamation, island management, coastal use zoning and climate change adaptation as topics for the International Conference of the EAS Congress 2009; and
- 3.6 The PRF modify the programme of the EAS Congress in order to cover a broader scope of climate change issues, in addition to those topics already tabled.

### **4.0 PARTNERS' REPORT ON SDS-SEA IMPLEMENTATION**

#### **4.1 Cambodia**

During the intersessional period, the Government of Cambodia has undertaken a number of activities in line with SDS-SEA implementation, including: the analysis of

national priorities, programs and policies related to SDS-SEA and ICM; the continuous implementation of activities on the ground in Sihanoukville; and the review and refinement of the Draft Sub-Decree on the Establishment of a National System for Oil Spill Preparedness, Response and Cooperation.

For the next three years, the country will focus on the implementation of a National ICM Program, approval and implementation of the Sub-Decree of the national oil spill response, implementation of the Second Cycle ICM and Capacity Development for Port Safety, Health and Environmental Management.

#### 4.2 **China**

In support of SDS-SEA implementation, the Government of China has embarked on various activities both at the national and local levels. The major activities and outputs include: organization of ICM study tours for local government officials and coastal cities; hosting of and participation in the Twinning Workshop; development of a comprehensive management plan for the Bohai Sea; development of a draft National Strategic Action Plan on the Yellow Sea LME; development of an ICM Plan for Jiulong River basin; development of a curriculum for ocean zoning based on the experiences and achievements of China (to be used in future PEMSEA trainings); designation of 18 July as national ocean day celebration in China; proposed enactment of a national law on island management; and restructuring and expansion of the State Oceanic Administration's responsibilities to cover a wider range of issues on marine affairs.

The Government of China is in the process of conducting internal consultations for the recognition of the legal personality of PEMSEA and expressed support in recognizing PEMSEA's legal personality. China is currently finalizing the MOA with PRF for the new PEMSEA project.

#### 4.3 **Indonesia**

SDS-SEA is in line with national development on coastal and marine resources and areas, and therefore the Government of Indonesia is open to the several international, regional as well as bilateral collaboration initiatives, including PEMSEA, as long as they provide mutual benefit.

Indonesia has goals pertaining to SDS-SEA implementation such as: i) to develop derivative regulation/guidelines for implementation of Coastal Zone and Small Island Act, Spatial Planning Act, Environment Management Act, and Act of Disaster Management; ii) to develop regulation, policy and strategy on disaster management including in coastal areas, as well as adaptation to climate change in coastal areas; iii) to scale up ICM as an on-the-ground framework for achieving sustainable development of coastal and marine areas in at least 5% of the Indonesian coastline by 2013; iv) to develop marine conservation areas of around 10 million hectares by 2010; and v) to increase the number of industries complying to the environment regulation.

Major activities, which Indonesia is currently preparing for, include: i) the World Ocean Conference at Manado, North Sulawesi Province, Indonesia (May 2009); ii)

several regional collaborations on coastal and marine management, such as CTI, SSME, ATSEF, SCS, APEC, COBSEA, ASEAN and MEH projects; iii) ICM Scaling up, particularly in existing sites with various focuses, such as coastal zoning, adaptation to Climate Change, and oil spill issues; and iv) Twinning Program for ICRBM in Jakarta Bay (October 2008).

#### 4.4 **Japan**

In line with the initiatives to preserve the marine environment and contribute in the plan on water management, Japan introduced four major activities:

- o Research Initiative on Northwest Pacific Marine Environment Protection;
- o Regional and governmental action plan and its implementation for baywide environmental restoration in Japan;
- o Introduction of support for the total pollutant load control system in the countries of East Asia; and
- o Development program of water environmental restoration technologies in Chugoku region to Asia.

Pertinent information on each activity were discussed under the agenda on Subregional transboundary projects/initiatives and Twinning Arrangements.

#### 4.5 **Lao PDR**

Lao PDR is the source of about 38% of the annual flow of the Mekong River which contributes largely to the national economy in terms of hydropower generation and agricultural production including fishery resources. As a PEMSEA participating country, Lao PDR will benefit from the capacity development on ecosystem-based management as part of the local implementation of the SDS-SEA.

The focus of local SDS-SEA implementation in the next three years will be the Xedone River Basin. In preparation for the Xedone Integrated River Basin Management Program, several activities were undertaken, including: the establishment of a Project Coordinating Office (PCO) in Pakse, Champasack Province; designation of staff for the PCO; stakeholder identification; and preliminary consultations facilitated through a rapid appraisal mission by the Regional Task Force in October 2007.

The implementation of the SDS-SEA remains highly relevant in a developing country such as Lao PDR. In recognition of this, the country expressed its support to the transformation of PEMSEA into a regional mechanism for the implementation of the SDS-SEA within the next three years.

#### 4.6 **Philippines**

Building upon Executive Order No. 533, which adopted ICM as a national strategy and framework for the sustainable development of marine and coastal areas in the Philippines, the Government of the Philippines has initiated a number of activities to implement ICM as a national framework, including:

- The implementation of the Operational Plan for the Manila Bay Coastal Strategy (OPMBCS);
- The development of a Pollution Reduction Investment Plan for Bulacan (Marilao-Obando-Meycauayan River) to support the implementation of the Philippine's Clean Water Act;
- The preparation of a three-year ICM work program in collaboration with other key national government agencies and stakeholders;
- The implementation of the Coastal Land- and Sea-Use Zoning Plan (CLSUZP) of the Province of Bataan;
- The ongoing efforts to institutionalize a national ICM training program for local government units or LGUs, with assistance from PEMSEA and the Local Government Academy;
- The transformation of the Manila Bay Project Coordinating Committee (MBPCC) into the Manila Bay Coordinating Committee (MBCC), to oversee the implementation of the Operational Plan for the Manila Bay Coastal Strategy;
- The mainstreaming of Manila Bay Environmental Management Project (MBEMP) in the DENR structure through DENR Administrative Order No. 2007-27 and placing it under the River Basin Control Office; and
- The ongoing preparations for the EAS Congress 2009.

To further strengthen SDS-SEA implementation in the country, the Philippines will work on the following:

- Elevation of E.O. 533 into a Republic Act in order to address sustainability of ICM initiatives both at the national and local level;
- Support to the establishment of PEMSEA's legal personality;
- Establishment and operationalization of the National ICM Coordinating Committee and National ICM Coordinating Unit within DENR with corresponding funding;
- Establishment of at least two additional ICM sites before the end of 2008.

#### 4.7 Republic of Korea

Pursuant to the sustainable development policy and the SDS-SEA in the country, the Government of RO Korea, through the Ministry of Land, Transport and Maritime Affairs (MLTM) provided significant resources for the implementation of projects and programmes. Selected achievements pertinent to the Council Meeting are:

- Enactment of the Marine Environment Management Act (2007);
- Establishment of the Twinning Secretariat;
- Financial support for the operation of the PRF Secretariat Services;
- Ocean governance reform to promote synergy between land and ocean management; and
- Increase in environmental investment.

RO Korea expressed support to the transformation of PEMSEA into an international organization with its own legal personality and ensured the country's contribution in fulfilling the priority targets of the Haikou Partnership Agreement, such as the State of the Coasts (SOC) Report and 10-year rolling Partnership Programme. RO Korea will also play a key role at the EAS Congress 2009 and the Ministerial Forum with the

objective to share and exchange knowledge and technologies on coastal and ocean management.

RO Korea reiterated its initial interest to host the EAS Congress 2012 in Yeosu in concurrence with the Yeosu EXPO 2012, subject to consultation with the Finance Ministry.

#### 4.8 **Singapore**

Singapore welcomes PEMSEA's new role as a full-fledged regional partnership to advance integrated coastal management. Singapore recognizes that the integrated coastal management system, through its emphasis on the involvement of multi-stakeholders, is a practical and useful approach to sustainable development. It also encourages countries to take a more holistic approach to marine and coastal environmental issues, including tackling land- and ship-based pollution, and protecting the marine biodiversity.

To prepare for the implementation of the SDS-SEA, Singapore has introduced a series of activities and initiatives. Singapore's approach includes the following: i) improving inter-agency coordination to better support a more holistic and integrated approach; ii) encouraging public awareness through educational programs; iii) promoting public, private and people sector partnership in marine environment protection; iv) improving understanding and protection of marine resources through better R&D efforts; and v) providing capacity building for regional efforts.

#### 4.9 **Timor-Leste**

Even with limited resources, the Government of Timor-Leste, through the Ministry of Agriculture and Fisheries has already made some progress towards the sustainable development of coastal and ocean resources. In particular, surveys on water catchments as well as a baseline study on coastal habitats have been conducted. A preliminary study on marine resources was undertaken three years ago as well as a study on the impact of sedimentation on marine productivity and coral reefs.

Timor-Leste is also currently undertaking a number of activities both at the national, sub-regional and international level. To enable the country to design an appropriate strategy to preserve and protect the reefs and marine coastal environment, a project entitled "Coastal/Marine Habitat Mapping for Tourism and Fisheries Development" was developed and is fully funded by the government. Educational programs for farmers and reforestation measures were also initiated to address issues related to the degradation of watersheds. At the sub-regional level, Timor-Leste participates regularly in the Arafura-Timor Sea Expert Forum and is also involved in the Coral Triangle Initiative. Timor-Leste is also a signatory to the UN Convention on Biodiversity, the Convention on Climate Change and the Convention on Combating Desertification.

The Government of Timor-Leste is fully committed to working with regional neighbours to protect the East Asian Seas and to implement the SDS-SEA.



#### 4.10 Vietnam

Vietnam has identified its goals and objectives for 2010 to 2020. Its targets include: i) the establishment of MPAs; ii) replication of ICM in coastal provinces; iii) development of a legal framework with key laws; iv) establishing effective institutional arrangements for coastal and ocean governance; and v) enhancing comprehensive environmental surveys and international cooperation.

In the 2007-2008 intersessional period, Vietnam has undertaken a number of activities relating to SDS-SEA implementation. The activities focused on ICM and MPAs. ICM is being implemented and/or replicated in Danang City, Central Vietnam and Tonkin Gulf. Three pilot MPA sites were established to promote sustainable livelihood for local communities. A national regulation on MPA Establishment and Management has been passed and a national system for MPAs as well as the Law of Biodiversity, and a Decree of Marine Environment and Resource Management and the Law of Seas is currently being developed and considered for approval. The Vietnam Strategy of Seas towards year 2020 has been approved. The Vietnam Administration of Seas and Islands (VASI), with two ICM Centers (Northern and Southern), was established in March 2008 to promote integrated governance and management for coastal, marine and island areas.

Vietnam has identified the following as the major needs: i) strengthening human resource and institutional capacity for management of coasts, seas, and islands; ii) creating a legal framework to promote proactive participation and enhancement of stakeholder awareness in protecting coastal and marine resources and environment; iii) collaborating to address transboundary environmental issues in the region and in-country; and iv) improving international and regional cooperation to develop effective marine economies while also protecting the country's marine environment.

#### 4.11 Conservation International (CI)

Conservation International continues to support the implementation of the SDS-SEA mainly through its Sulu-Sulawesi Seascape (SSS) Project. CI will continue to strive towards fully developing the SSS into a full-fledged Seascape Program that can demonstrate good governance at all scales, sustainability in all aspects, and clearly characterized by the following elements:

- *Enabling Framework* of laws, conventions, regulations and policies that facilitates marine conservation and appropriate governance structures for managing the marine ecosystem and its species at all scales;
- *Adequate Institutions and Capacity* including personnel, infrastructure and equipment, to make the governance structures work effectively and efficiently;
- *Marine Protected Area Networks* with effective planning, implementation, monitoring and evaluation mechanisms using multi-disciplinary scientific information;
- *Ecosystem-based Management* of marine ecosystem and species at larger scales, including national marine territories and Exclusive Economic Zones (EEZs);

- *Private Sector Engagement* that promotes major economic activities compatible with conservation so that the processes of conservation and development are increasingly convergent within the Seascope;
- *Social and Political Support* to demonstrate that marine conservation is an integral part of sustainable development and enjoys broad support at all scales from local MPA stakeholders up to national leaders;
- *Sustainable Financing* of marine conservation programs. This includes sustainable financing of Seascope-wide coordination, cooperation and ecological monitoring; and
- *Threatened Species Recovery* to intensify efforts that can reverse declining population trends for threatened marine species in the Seascope.

CI proposes a deeper and more meaningful partnership with PEMSEA within the SSS in the development, implementation, and monitoring of joint projects relevant to both programs (e.g., capacity building for ICM; communication and awareness building; engaging the corporate sector; policy development, sustainable financing, etc.).

#### 4.12 **Coastal Management Center (CMC)**

The goals of the Coastal Management Center (CMC) are to promote the concept of integrated coastal management; assist in institutional capacity building; assist in the formulation, planning and implementation of ICM programs in some developing countries; and promote South-South and North-South collaboration.

CMC has gone through a period of self assessment and review to examine its role in the East Asian Seas region and in order to be more relevant to the SDS-SEA. The thrust of CMC will remain on capacity building activities with special focus on formal and informal training programs on ICM. It will play a catalytic role in generating and coordinating activities in research, human resources development and information management and exchange in tropical developing countries. CMC will continue to rely on its network of scientists and ICM practitioners to help undertake and complement PEMSEA's activities in the region.

A decision to collaborate and work closely with PEMSEA is being worked out to support PEMSEA management and coordinate PEMSEA/CMC joint and complementary initiatives to develop and implement programs, projects and events, including the East Asian Seas Congress in 2009.

#### 4.13 **IOC/WESTPAC**

WESTPAC/IOC/UNESCO has started to revitalize its activities, commencing from its 7th Session held on 26-29 May 2008. WESTPAC set its High-Level Objectives at the Session, and will be organizing an Advisory Group to provide scientific and technical advice on the development, planning and implementation of its activities. WESTPAC will also identify leaders and activities for 13 projects. WESTPAC has a new set of officers — Chair, Dr. Zhang Zhanhai (China); 1st Vice-Chair, Dr. Yasuwo Fukuyo (Japan); 2nd Vice-Chair, Dr. Nor Aieni Bin Hj Moktar (Malaysia) — and will soon have a director for its Regional Office in Bangkok, Thailand.

WESTPAC, as the Regional Subsidiary Body of IOC/UNESCO, wishes to play an important role in establishing partnerships and understanding with other UN and non-governmental regional bodies who have similar and/or overlapping interests. WESTPAC considers the EAS Congress 2009 as one of the best venues to initiate closer cooperation between PEMSEA and WESTPAC.

#### 4.14 **International EMECS Center**

In line with SDS-SEA implementation, EMECS will contribute especially to capacity building through various exchanges between Japan and other East Asian countries. Last fiscal year, EMECS organized an international workshop in November 2007 in Tianjin, China together with some Chinese organizations, and conducted a training course in Japan for public organizations from developing countries from around the world. On October 27 to 30 this year, the EMECS will organize the 8th EMECS Conference (EMECS 8) in Shanghai, China with some Chinese organizations. The conference is expected to be a good opportunity to exchange information on sciences and practices between countries in East Asia and the world.

In conjunction with EMECS8, EMECS will also organize an international workshop under the theme of "Sato-Umi", defined as "high productivity and biodiversity in the coastal sea area with human interaction," which could also serve as a workshop topic at the EAS Congress 2009.

The experience of EMECS in developing and implementing training programs and coastal and marine environmental education can be further expanded to cater to the needs of other East Asian countries. In particular, EMECS is currently planning to develop an environmental education program targeting local governments or NGOs in East Asian countries.

#### 4.15 **International Ocean Institute (IOI)**

The International Ocean Institute (IOI), with its Headquarters in Malta, has six of its 26 operational centers and host organizations in the EAS Region (China, Australia, Pacific Islands, Indonesia, Japan and Thailand); these centers provide an ideal mechanism for cooperation with the SDS-SEA, and with the wider IOI global network. One of the strengths of the IOI is its global capacity-building program, coordinated under *IOI-OceanLearn*, as well as a variety of community awareness programs conducted through its Operational Centers.

Training courses on Ocean Governance, Coral Reef Monitoring, Marine Biodiversity, Marine Invasive Species and Responsible Fisheries can be made available within the region. In the EAS region, the IOI has expertise in food security and disaster preparedness (Thailand), marine biodiversity and marine invasive species (Australia), community-based marine fisheries and aquaculture (Thailand), ocean governance (Australia, Pacific Islands), and marine protected areas (Pacific Islands, Australia). IOI looks forward to participating in the next EAS Congress in Manila, Philippines in 2009. IOI organizes the *Pacem in Maribus* Conferences, and for the past 20 years has published the *Ocean Yearbook*, which includes cutting edge articles, reports and reference materials devoted to the issues and concerns affecting the world's oceans.

Food security is emerging as a critical area in the EAS, and priority topics include monsoon variability in South Asia, and equitable delivery of ecosystems services in China. IOI's Women, Youth and Sea Programme present opportunities for collaboration in this important community-based programme.

#### **4.16 Korea Maritime Institute (KMI)**

The KMI is a national research institute run by government and plays the role of a think tank in the field of general marine policy. Since 1997, KMI has been developed as an exclusive national research institute for marine affairs including conducting research on policy issues related to ocean governance, shipping and ports, and fisheries, with about 150 researchers and USD20 million annual budget. In addition, KMI serves as a main research center for international marine policy analysis, marine territory research, and forecasting of fisheries industries. The total number of research projects is over 130 as of June 2008. The KMI is also keeping a close network through MOA/MOU with 15 overseas organizations such as PEMSEA and UNESCAP, and 25 domestic organizations.

As a PEMSEA Partner, KMI currently serves as the Twinning Secretariat, which is a functional Secretariat of PEMSEA to assist the effective implementation of the SDS-SEA, together with the Ministry of Land, Transport and Maritime Affairs (MLTM) of RO Korea. The Twinning Secretariat is expected to play a critical role in exchanging technologies and experiences for capacity development between leading countries and developing countries for the purpose of pollution reduction.

#### **4.17 Northwest Pacific Action Plan (NOWPAP)**

NOWPAP has initiated a number of activities contributing to SDS-SEA implementation. The NOWPAP Regional Activity Centres (RACs), for instance, have conducted an assessment of the current state of several transboundary environmental threats, such as harmful algal blooms (HAB) and atmospheric deposition of contaminants, among others, in the Northwest Pacific.

National reports and regional overviews on: 1) Marine and Coastal Biodiversity Data and Information in the Northwest Pacific Region; and 2) Marine and Coastal Nature Reserves (Marine Protected Areas) in the Northwest Pacific Region were also compiled by the NOWPAP Data and Information Network Regional Activity Centre (DINRAC).

Moreover, NOWPAP has conducted the following initiatives: launching of Integrated Coastal Area and River Basin Management (ICARM) in 2007; implementation of the NOWPAP Regional Action Plan on Marine Litter (RAP MALI) since 2008; implementation of the Regional Oil Spill Contingency Plan; and updating of the "Regional Overview of Legal Aspects of the Protection and Management of the Marine and Coastal Environment of the Northwest Pacific Region."

#### **4.18 Ocean Policy Research Foundation (OPRF)**

The Ocean Policy Research Foundation (OPRF), advocating the principle of "coexistence between mankind and the ocean," undertakes a wide variety of

activities including ocean policy and marine traffic, security, management of the coastal zone and marine environment, and marine education, from a comprehensive and global point of view.

In order to maintain harmony between rational use of the sea and conservation of the marine environment, OPRF seeks cross-disciplinary expertise, makes policy proposals, and disseminates information through publications such as the White Paper on the Oceans, and the Ship and Ocean Newsletter.

OPRF contributed to the formulation of the Basic Act on Ocean Policy, which came into force in July 2007. In line with Japan's Basic Act on Ocean Policy, OPRF recently established a committee to examine the promotion of marine education in primary schools to discuss the current state of marine education in the schools. As a result, OPRF submitted a "Recommendation on promoting marine education in primary schools" to the Minister of Education, Culture, Sports, Science and Technology and the Minister for Ocean Policy in February 2008.

#### 4.19 **Oil Spill Response and East Asia Response Limited (OSRL/EARL)**

Oil Spill Response and East Asia Response Limited (OSRL/EARL) is a not-for-profit International Tier 3 oil spill response cooperative funded by major oil companies. OSRL/EARL recognizes the importance of public and private stakeholders working together to enhance oil spill preparedness and response in the region and is committed to work within the "Public-Private Partnership" framework of PEMSEA towards the implementation of the SDS-SEA.

OSRL/EARL shares the desire of the International Petroleum Industry Environmental Conservation Association (IPIECA) and oil industries in protecting the marine environment for future generations, and is therefore dedicated to work with stakeholders in the East Asian Seas region to facilitate the achievement of the goals in the OPRC 90, specifically in:

- Developing deeper working relationship between governments and industries;
- Enhancing preparedness and response in the region;
- Capacity building through training and exercise; and
- Addressing transboundary issues to assist importation and movement of oil spill response resources.

#### 4.20 **Plymouth Marine Laboratory (PML)**

Plymouth Marine Laboratory (PML) is a Collaborative Centre of the UK Natural Environment Research Council. It is an independent, impartial provider of scientific research in the marine environment, with a focus on scalable interdisciplinary science to underpin a fundamental understanding of biodiversity and ecosystem function. This is critical to providing solutions in terms of measures of ecological sensitivity (from human impacts to climate change and ocean acidification), through to biogeochemical cycling and forecasting the role of the oceans in the Earth System. PML has centers of expertise providing skills and knowledge, particularly in molecular science, development and applications of novel technology, marine systems modeling and satellite remote sensing; these strengths feed into advanced training programmes.

The raison d'être of research activity at PML is to carry out fundamental and applied research of a world-class standard, with its core funding coming from the UK government and the European framework programmes. The research and applications from PML have been delivered around the world and PML is currently engaged in projects as diverse as chemical safety and management in India and Vietnam, coastal biodiversity and ICZM in Thailand, to running specialist workshops on "Ocean Acidification" and "Environmental Health" in China.

#### 4.21 **UNDP/GEF Yellow Sea Project**

UNDP/GEF Yellow Sea Project have accomplished the two major initiatives, i.e., the development of the Strategic Action Plan, and the Co-operative Cruises implemented by China and RO Korea. The YSLME succeeded to get the basin-wide data of the Yellow Sea and is providing access to the information through its website. The YSLME is planning to move into a second phase of the project, focused on implementation of the SAP with the preference of the relevant countries.

As a PEMSEA Partner, YSLME project is considering co-convening a sub-regional transboundary workshop during the EAS Congress 2009 in order to share information to various entities and stakeholders not only within the region but internationally.

### OBSERVERS

4.22 Observers to the Council meeting were also requested to deliver their statements and identify areas of collaboration in line with the implementation of the SDS-SEA.

#### 4.23 **Thailand**

Thailand's national policy related to marine conservation and management highlights the need for stakeholder participation, in order to instill ownership of natural resources as well as to emphasize the importance of an interdependent ecosystem.

This policy is in line with the Putrajaya Declaration and the SDS-SEA, to which Thailand is a signatory. Thailand continues to develop and implement marine conservation policy and projects for domestic, regional and international issues.

Some of the notable activities undertaken by the country in cooperation with PEMSEA include: ICM scaling up programme in Chonburi Province; Implementation of the Framework for Joint Oil Spill Preparedness, Response and Cooperation in the Gulf of Thailand; Scaling up of the Port Safety Health and Environmental Management System, as well as various training and knowledge sharing initiatives.

#### 4.24 **COBSEA**

The 19th Meeting of COBSEA in January 2008 adopted the "New Strategic Direction for COBSEA (2008-2012)" which outlines COBSEA's priorities for the next five years

and includes a number of opportunities for COBSEA and PEMSEA for continued collaboration.

The new strategic direction outlines three priority areas: Coastal and marine habitat conservation; Marine- and land-based pollution; and Management and response to coastal and marine disasters. To address the said areas, four inter-linked strategies were identified:

- *Information management* - development of an East Asian Seas Knowledgebase and the East Asian Seas Environment Outlook, which has already been initiated;
- *National capacity building* - involves strengthening of member countries capacities to meet obligations under relevant Multilateral Environmental Agreements (MEAs);
- *Strategic and emerging issues* - COBSEA will identify priorities in line with the new strategic direction. The activities are currently focusing on nutrient pollution, marine litter, sustainable tourism and climate change adaptation; and
- *Regional cooperation* - intends to enhance cooperation between COBSEA and regional partner organizations while implementing the new strategic direction.

PEMSEA is considered one of the main regional partners of COBSEA and technical collaboration would be most welcome during the implementation of the abovementioned activities.

## **5.0 OTHER BUSINESS**

- 5.1 The Secretariat introduced the output of the Working Group that was set up during the Council Session. The output included proposed revisions to the: a) Draft Guidelines on the Conduct of Executive Committee Meetings; b) Supplementary Document on Guidelines for the Conduct of Meetings Pertaining to the Provisions on Elections; and c) Procedures for the Recruitment and Appointment of the RPD for the Implementation of the SDS-SEA and the Executive Director of the PRF.
- 5.2 The Meeting recommended the adoption of the documents, with minor revisions (Annexes 5, 6, 7 and 8).
- 5.3 The Meeting recommended that the agenda item on Partners' Reports on SDS-SEA implementation be moved to the Council Session to allow additional time for interaction among Partners.
- 5.4 The Meeting recommended that the Partners be accorded more time to review the Proceedings of the Council and Technical Sessions.

## **6.0 ADOPTION OF THE COUNCIL AND TECHNICAL SESSIONS REPORT**

- 6.1 The Meeting adopted the Council and Technical Sessions Report with some minor modifications at 12:00 NN, 16 July 2008.

## **7.0 CLOSING CEREMONY**

- 7.1 The Technical Session Chair, Mr. Hiroshi Terashima, expressed his sincere thanks to all the participants for their active participation and significant inputs during the Meeting. Mr. Terashima declared the Technical Session closed at 12:15 PM, 16 July 2008.



**ANNEX 1**  
**List of Participants**  
**Council and Technical Sessions**

**2<sup>nd</sup> EAS Partnership Council Meeting**  
**Toranomon Pastoral Hotel**  
**Tokyo, Japan**  
**14-17 July 2008**

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**ANNEX 2**  
**Full Text of Speeches**  
**Opening Ceremony**

### **Opening Remarks of Dr. Chua Thia-Eng Chair, EAS Partnership Council**

The Honorable Mr. Masafumi Shukuri, Vice-Minister, Ministry of Land, Infrastructure, Transport and Tourism of Japan;  
Ms. Nileema Noble, UNDP Resident Representative Manila;  
Prof. Raphael Lotilla, PEMSEA Executive Director;  
Distinguished delegates from our Partners, collaborators and observers;  
Ladies and Gentlemen

A pleasant good morning to all of you!

On behalf of the East Asian Seas Partnership Council, I welcome all of you to the second meeting of the EAS Partnership Council and on your behalf, I wish to express our sincere thanks to the Government of Japan, especially the Ministry of Land, Infrastructure, and Tourism (MLIT) for hosting and supporting this important event. We also wish to express our grateful thanks to our long-time partner, the Ocean Policy Research Foundation (OPRF) of Japan for co-sponsoring this meeting.

This is the first time that Japan hosted the EAS Partnership Council meeting in Japan and it occurs at a time Japan is celebrating its first anniversary of the enactment of the Ocean Basic Law which is a significant achievement in the maritime history of Japan. Japan will now play an increasing role not only in ensuring sustainable and peaceful use of the ocean resources, it certainly can play an important collective role in protecting and securing the oceans for ourselves and our generations to come.

#### **Regional cooperation in securing the East Asian Seas and regional achievements**

The seas and oceans continue to play an increasing role in the maritime economy of the coastal nations; they also influence the environment we live in. Much of today's environmental concerns such as climate change are closely linked to the disruption of physical, chemical and biological processes of our seas and oceans largely due to policy and management failures in coastal and ocean governance. The solution to climate change and many other environmental concerns lies in our own hands. We therefore need to make special efforts not to impair the productive and protective functions of our valuable coastal and marine ecosystems.

Your adoption of the Putrajaya Declaration in 2003 to implement the 217 action programs of the Sustainable Development Strategy for the Seas of East Asia presents a far-sighted, long-term commitment in addressing a wide spectrum of environmental concerns underscored by several international conventions, protocols and international agreements. Therefore by implementing the SDS-SEA, countries are able to meet various concerned international commitments.

For example, Integrated Coastal Management (ICM) can be used to demonstrate ground implementation of the adaptation strategy recommended by the IPCC while the ICM framework and process can also be applied to address biodiversity issues outlined in the Conventions of Biodiversity, pollution issues outlined in the GPA and overfishing issues as

outlined in the FAO code of conduct. As such our state-partners can take advantage of the ICM approaches developed by PEMSEA and its many years of experience in coastal governance to help meeting the implementation of a major requirement of Climate Change Convention and other convention requirements as well.

We are particularly encouraged by the increasing efforts of several countries such as China, Japan, Indonesia, Philippines, ROK and Vietnam for initiating, developing and implementing appropriate coastal or ocean/marine policy, ICM legislations/strategies or institutional reforms that place greater emphasis on coastal and ocean governance. We have seen with great admiration the efforts being made by countries like Cambodia, DPRK, Malaysia and Thailand for able to continue their efforts in integrated management of their coastal areas especially their efforts to scaling up to ICM practices. These together with other efforts related to coastal and ocean governance are surely contributing immensely to the implementation of the SDS-SEA.

For the last several years, we have seen an increasing level of cooperation and partnerships between regional projects and programs as well as private sectors, NGOs and international organizations that share common interest and visions of the SDS-SEA. There are currently 11 state-partners and 16 non-State Partners and we are sure the number will increase in the coming years. We are pleased that several of them such as NOWPAP, GEF-Yellow Sea Project, WESTPAC and COBSEA have made serious attempts to cooperate with each other and with PEMSEA at least in the sharing of information and conducting joint workshops. The active participation of our partners from the private sector such as EARL on oil spill responses and from NGOs such as OPRF, Conservation International and WWF related to collaboration in workshops and joint project activities is another demonstration of partnerships at work. Continuation of such working relationship will certainly result in joint planning and execution of many more programme of actions of the region.

Another best illustration of partnership at work was the successful organization of 33 technical workshops and seminars during the 2<sup>nd</sup> East Asian Seas Congress held in Haikou, PR China in 2006, participated by more than 40 partners and collaborators within and outside the region. Through joint activities, we have better understanding and appreciation of regional cooperation. I hope similar levels of cooperation and if not more can be seen in the forthcoming 3<sup>rd</sup> East Asian Seas Congress to be hosted by the Government of the Philippines in Manila in November 2009.

### **PEMSEA's progress**

As many of you are aware, significant progress has been made by PEMSEA since the 1<sup>st</sup> Partnership Council meeting held in Manado, Indonesia. Major progress includes: the smooth transition of executing agency for the PEMSEA GEF – project from IMO to UNOPS; the continuing transformation of the Regional Programme Office (RPO) to the PEMSEA Resources Facility (PRF); the completion and inauguration of the PEMSEA office building in Manila, the appointment of the new PRF Executive Director and the setting up of the PRF Secretariat Services and Technical Services including finalization of the cost-sharing agreements between UNDP and China, Japan and ROK for their financial contributions. I expect the details on these changes will be presented in the Executive Director's report. However, I would like to take this opportunity and on your behalf to thank IMO, UNDP and UNOPS for making this possible.

## **Legal Personality**

The Putrajaya Declaration (2003) underscores the long-term national commitment in implementing the SDS-SEA. In supporting the region's endeavor, GEF is providing US\$10.8 million for the third consecutive phase for assisting the establishment of a sustainable implementing mechanism in the form of the PEMSEA Resource Facility for the implementation of the SDS-SEA as well as for strengthening the enabling mechanism for scaling up of an integrated management, development of a coastal/national policy/legislation and a sustainable financing mechanism so that PEMSEA will be able to continue its long term efforts on a self-sustaining basis.

The contribution of China, Japan, and ROK as well as the joint construction of the headquarters building by the Government of the Philippines are best examples of the response of some of the participating countries to GEF's efforts. The commitments of the participating countries were further enhanced through the Haikou Agreement of 2006 that makes PEMSEA the operating mechanism for implementing the SDS-SEA. In line with this effort, this Partnership Council will be discussing the Secretariat proposal to provide PEMSEA the "International Legal Personality" so that it can contract projects, open a bank account and accept and implement new projects without coursing through an external executing agency.

Having been involved with the development and operation of PEMSEA since its inception, I share the wishes and aspiration of the Secretariat. The need for a self-sustainable mechanism is even more urgent given the current depreciation of US dollars which has resulted in the loss of at least 30% of the original value, seriously affecting the implementation of the proposed GEF project activities. Therefore, I wish to urge the State Partners to give serious thought to this request and assist in convincing your government to support this noble objective. The Secretariat is not asking you to provide funding support unless you are willing to do so, however, your agreement and support to provide them an enabling mechanism which is only the first step towards self-sustainability, is most crucial to PEMSEA's future.

## **New PEMSEA Executive Director**

As part of the renewable process, I am pleased that we have found a capable and dynamic Executive Director to head the PEMSEA Resource Facility who at the same time serves as the Regional Programme Director for the GEF project. Prof. Raphael Lotilla whom you have already been introduced earlier has officially joined PEMSEA in May of this year. With his long experience in the cabinet of the Government of the Philippines and his many years of association with bilateral and multilateral donors, private sectors, NGOs and close working relationship with governments of the region, Prof. Lotilla will be able, I am sure, to lead PEMSEA to a great height of achievement not only in achieving self sustainability but also making PEMSEA one of the successful stories of regional cooperation and partnership.

As you are aware, I have retired from the UN service and no more located in Manila. However, with your continuous trust in me and support, I, now as your Council Chair along with members of the Executive Committee will do our best during the term of our office to help the new ED and PEMSEA in moving forward towards achieving its goals and vision.

Finally, I look forward to a fruitful council meeting and I wish all of you a pleasant stay in Tokyo.

Thank you.

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**Welcome Remarks of Prof. Raphael P.M. Lotilla  
Executive Director, PEMSEA Resource Facility**

The Honorable Vice Minister, Mr. Masafumi Shukuri, Ministry of Land, Infrastructure, Transport and Tourism; Mr. Masahiro Akiyama, Chairman of the OPRF; Dr. Chua Thia-Eng, EAS Partnership Council Chair; Ms. Nileema Noble, Resident Representative of UNDP Manila; Mr. Hiroshi Terashima, Technical Session Chair; Dr. Anna Tengberg, UNDP Regional Center, Bangkok; distinguished delegates of Partners and friends, ladies and gentlemen,

On behalf of the PEMSEA Resource Facility, I would like to welcome all of you to this important meeting. I am very sorry not to be there with you. It was my greatest desire and honor to present myself to all the Partners of PEMSEA at this meeting. However, such is not the case, but I look forward to meeting all of you in the not too distant future.

During the past two months since I joined PEMSEA, I have had the opportunity to visit some of our State Partners to discuss PEMSEA and its transformation plans. I have been received warmly, and I sense that such a reception is originating from the legacy of PEMSEA, which is characterized by excellence and achievement. I am heartened by these experiences.

Being the Executive Director of an organization like PEMSEA is both an honor, and a challenge. As a regional cooperative mechanism, PEMSEA is attempting to achieve “measurable targets” for sustainable development of coasts and oceans, as stipulated in the Haikou Partnership Agreement. Such targets are a first for East Asia and our common sea areas. Providing the required secretariat and technical services to Partners, as well as promoting collaboration among State and non-State Partners in implementing the SDS-SEA, entails dedication and commitment on the part of the Partners and the PRF. Although these tasks may seem daunting, I am confident that we will be successful in serving the region with the collective commitment of our Partners and the able staff of the PRF, which are an inheritance of Dr. Chua and their previous experience in providing timely and quality services during previous projects.

Ladies and gentlemen,

With the generous financial support from the GEF and administrative support from UNDP and UNOPS, PEMSEA officially embarked on the regional project entitled implementation of the SDS-SEA, on 1<sup>st</sup> April 2008. In this regard, I would like to congratulate all of you for the effort that you have put forward in planning and developing this 3<sup>rd</sup> phase of PEMSEA. To say that the new project is a challenge would be an understatement in the face of the numerous objectives, outputs and outcomes that have been included in the Project Document. Over the next few days, I encourage your input during discussions on the project strategies and approaches being proposed for project implementation, particularly on ways and means of doing more for SDS-SEA implementation, within the existing constraints of time and resources.

Aside from the financial support by the GEF, I would like to mention the commitments provided within our Partnership. In particular, I wish to express our sincere appreciation to PR China, Japan and RO Korea for their financial support to the staffing and operation of the PRF Secretariat Services, which commenced in September 2007, as well as to the

Government of the Philippines for its contribution to an expanded office building, the PEMSEA Office Building, in Manila, which was opened in November 2007. I sincerely hope that each and every one of you will visit “your PEMSEA office” in Manila in the not too distant future.

Ladies and gentlemen,

During this meeting, we are going to discuss various agenda items that will have a direct impact on the future of PEMSEA. The key issue is the sustainability of PEMSEA and, specifically, the recognition of PEMSEA’s legal personality. But let’s keep in mind that the recognition of PEMSEA’s legal personality is but a single step towards the Haikou Partnership Agreement objective, that being a sustainable regional mechanism for the implementation of the SDS-SEA. At this juncture, we need to collectively come up with innovative and practical ways of moving toward this objective. The PRF is not able to achieve this for you... only with you. We seek your continuing guidance and participation.

Ladies and gentlemen,

During the process of transformation from the second phase of PEMSEA to the third phase, UNDP Manila has been a helpful and stalwart supporter, as has the UNDP-GEF Regional Centre in Bangkok. On behalf of the PRF, I would like to convey our sincere gratitude to these two offices of UNDP. We look forward to future cooperation and collaboration as we tackle the various administrative and coordination challenges that are bound to arise in a complex and wide ranging project as SDS-SEA implementation.

I would also like to acknowledge the role of the Executive Committee in the planning and development of the PEMSEA programme. The experience and wisdom of the three members of the EC, Dr. Chua Thia-Eng, Dr. Li Haiqing and Mr. Hiroshi Terashima, have been instrumental to the progress achieved during the intersessional period of Council. The PRF highly appreciates the interaction with the EC, and their commitment to innovativeness and self-reliance of the partnership here in East Asia, which are the unique characteristics of PEMSEA.

Before I close my welcome message, I would like to draw attention to the PEMSEA/Japan Joint Seminar entitled “Integrated Coastal Management in the Seas of East Asia,” which will follow the Council meeting. I consider this initiative as an expression of Japanese government’s advocacy to the Integrated Coastal Management. For this important event, the government of Japan together with OPRF generously provided all the resources and arrangements. We are thankful for this support and I would like to invite all of you to join this event.

I would like to conclude my welcome message by expressing our sincere gratitude to the Government of Japan, MLIT and OPRF for their wonderful hospitality in hosting this important event. We are most appreciative of your strong support to PEMSEA and its objectives, and are humbled by your generosity and assistance.

I wish all of our Partners a pleasant meeting.

Thank you and a pleasant good morning.

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**Opening Remarks of Ms. Nileema Noble  
Resident Representative, UNDP Manila**

Hon. Vice Minister, Mr. Masafumi Shukuri,  
Dr. Chua, Council Chair,  
Mr. Hiroshi Terashima,  
Mr. Adrian Ross,  
Ladies and Gentlemen,

Good morning and a very warm welcome to you all. On behalf of UNDP, I would like to thank the Government of Japan, through the Ministry of Land, Infrastructure, Transport and Tourism, and the Ocean Policy Research Foundation of Japan, for hosting this important meeting in PEMSEA's history. We are deeply grateful for your hospitality. Let me also personally extend my warm greetings to the Council members and Council Chairs, Dr. Chua and Mr. Terashima, who have come from all corners of the region to this beautiful city of Tokyo. Despite the rather full agenda, we hope that all of us would be able to enjoy everything that it has to offer.

We have seen the evolution of PEMSEA, from a sectoral programme on land-based marine pollution prevention in 1994, to a de facto coordinating mechanism on sustainable development for the East Asian Seas region. Today, we are witnessing another milestone in the sense that this Meeting marks the start of the formal configuration of PEMSEA's legal personality.

UNDP is very proud of its 14-year association with PEMSEA programme. The PEMSEA Partnership has certainly come a long way, from the adoption of the Putrajaya Declaration which adopted the SDS-SEA, to the Haiku Declaration and the corollary agreements, formally establishing the PEMSEA Partnership Council and its Operating Arrangements. The strategic partnership with World Bank and an Investment Fund for Pollution Reduction are the other important milestones. We would, therefore, like to exhort the Government focal points to decide on the preferred alternative for PEMSEA's juridical personality, and ensure that the Ministerial Forum in next year's East Asian Seas Congress, formally direct the establishment of such a juridical entity.

PEMSEA's long term sustainability will also depend on the availability of financial resources not only to support its Secretariat services, but to support the implementation of integrated coastal resources management initiatives recommended in the SDS-SEA programme. We urge the Meeting to ensure that these financial resources are made available for these purposes. The Partnership Fund must now be significantly augmented and the Revolving Fund, an innovative feature of the partnership with World Bank, operationalized, as soon as possible. Predictability of flow of funds to these two financial mechanisms must be ensured.

Forging strong partnerships with new and emerging marine and coastal initiatives in the region, such as the Coral Triangle Initiative and Mangroves for the Future will also be important in catalyzing financing to the implementation of the SDS-SEA. As a trusted development partners at both national and regional level, UNDP is well placed to assist in creating synergies and linkages between all these initiatives.

In tandem with PEMSEA's institutionalization process, we would like to strongly encourage the Meeting to also adopt the common reporting system on the state of coastal and marine resources (State of the Coasts), to track important progress of the SDS-SEA, as well as, the Framework for monitoring the partnership contributions to the implementation of the SDS-SEA.

The Meeting will also discuss new and emerging challenges to the region's coastal resources and its communities. One of the most important is climate change. Unfortunately, coastal communities are among the most threatened and likely to be impacted by climate change and must, therefore, be adequately prepared and ultimately made more resilient. PEMSEA is in a unique position to advocate, and promote anticipatory adaptation. With its wide experience of working with countries and communities on the ground, UNDP is happy to contribute substantively to these discussions, including on future courses of action. For example, we would be happy to share the experiences and results of UNDP's extensive work on disaster risk reduction, its links to, and implication for climate change risk management.

Let us not forget the gains and successes of PEMSEA over these years. We need to reflect on how we would be able to effectively replicate and upscale its positive experiences. We are beyond piloting and are now into the wide-scale implementation of ICRM approaches. The provision of the right enabling environment is a critical factor in this upscaling process. We hope that national coastal and marine policies and programmes are truly catalyzed at this stage of PEMSEA's history. Implementation modalities too, are very important, such as the networks and task forces which not only promote synergy but amplify the results, enabling this region to leap frog and attain its development objectives more rapidly.

I would like to pay tribute to the leadership of this Council. Through their able guidance and competent steering of PEMSEA all these years, it has emerged among the more formidable partnerships not only in the region but globally. We hope that together with the new leadership of the Secretariat, under Raphael Lotilla they would be able to steer PEMSEA into its new era of autonomous existence. Rest assured that the UNDP and the Executing Agencies (IMO in the first 2 phases and now, UNOPS) will be truly happy to see PEMSEA come into its own, as UNDP is administratively dissociating itself from a very successful initiative.

In next year's Congress, we eagerly anticipate this dissociation because it means our efforts at administering this programme have been truly successful. The ownership and buy in of the stakeholders, as evidenced by their active support for and participation in PEMSEA initiatives, as well as, provision of resources for its continued functioning, would be the best indicators of this success.

I would like once more to commend the Secretariat and the host, the Government of Japan, for the excellent meeting preparations. Such efficient support renders our own participation easier and more effective.

We look forward to fruitful discussions and positive outcomes from this meeting. Thank you and good day!

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**Opening Address of Mr. Masafumi Shukuri  
Vice Minister, Ministry of Land, Infrastructure, Transport and Tourism  
Japan**

Distinguished Delegates of State Partners, International organizations and non-State Partners, Ladies and Gentlemen, welcome to Japan.

It is my great honor and privilege to have the opportunity to make an opening address, on behalf of the government of Japan.

The ocean, occupying broad portion of the globe, is an indispensable factor for maintaining the lives of the living beings including mankind. It is important to harmonize its peaceful, positive development and use of the oceans with the conservation of the marine environment, under the international cooperation.

The Basic Act of ocean policy was enacted to contribute to the sound development of economy and society of our State and to improve the stability of the civil lives as well as to contribute to the coexistence of the oceans and mankind, through promoting comprehensive and systematic, measures with regard to the oceans. The act seeks to promote of international cooperation on ocean policy and Integrated Coastal Management. It is great pleasure to host this Meeting in Tokyo on this first anniversary of the act, which will also support PEMSEA activities.

Japan is surrounded by sea and people have utilized coastal zone for various purposes, living in coastal flatland adequate for residence, and using marine transportations for communication with other regions. Some places with beautiful ocean views have served as scenic spots.

In addition, people have enjoyed daily food from fertile ecosystems and biota in tidal flats, seagrass, seaweed beds, rocky shores, shallow waters and brackish water region where salty and fresh water meet. People's activities and life in the coastal area for long years have generated their own life styles specific to each region and have created regionally unique culture, such as festive activities at seas and harbors, etc.

In the past half century, industrial development and modernization of life caused pollution of the coastal area in Japan. Since around 1970, Japan has been making effort to improve ocean water quality, through such approaches as industrial water quality control, development of sewage system, river water purification projects and measures against pollution from ships, etc.

PEMSEA attaches high priority on "Sustainable development harmonious with environment" based on the concept of managing development and conservation synthetically.

I believe that, with those experiences, Japan will need to take an active role in the PEMSEA family, and collaborate with its partners as much as possible.

In 2003, we agreed on the SDS-SEA which embodies the distinct future strategies of PEMSEA. In 2006, we adopted "Haikou Partnership Agreement" which defines implementing mechanism of the SDS-SEA.

Under the agreement, New PEMSEA started last year. Japan, People's Republic of China and Republic of Korea started financial contribution for PEMSEA Resource Facilities secretariat services. Japan will contribute to PEMSEA continuously as far as possible.

This year, Dr. Chua, who has greatly contributed to development of PEMSEA for long time, retired from the PEMSEA secretariat, and we welcome a new executive director of PRF, Prof. Lotilla.

PEMSEA is now taking further steps toward new era of PEMSEA.

I think that it is very timely to hold this council meeting in Tokyo at this moment.

Since we have many participants from Japanese related circles, it will deepen their knowledge for PEMSEA. I hope this meeting is beneficial not only for Japan but also for all PEMSEA partners.

On Wednesday, you will visit Tokyo Bay by MLIT vessel which sustains Japanese metropolitan area. You can see various activities such as a huge project; expansion of Haneda airport, oceanic education in an elementary school.

On Friday, after the council meeting, the PEMSEA and Japan joint seminar will be held. The seminar invites many Japanese partners to PEMSEA activities.

Finally I would like to express sincere appreciation to the PEMSEA Secretariat for their excellent and great efforts in making this meeting successful. I would also like to thank Ocean Policy Research Foundation and Nippon Foundation for their support to hosting this meeting.

I conclude my opening address, expecting fruitful discussion in the second meeting under new PEMSEA secretariat.

Thank you.

\*\*\*

**ANNEX 3**  
**List of Documents**

**2<sup>nd</sup> EAS Partnership Council Meeting**  
**Toranomon Pastoral Hotel**  
**Tokyo, Japan**  
**14-17 July 2008**

**List of Documents**

| ITEM NO.                 | AGENDA ITEM  | DOCUMENT   | DOCUMENT NUMBER |
|--------------------------|--|--|-----------------|
| <b>Council Session</b>   |  |  |                 |
| 1.0                      | Organizational Matters   | List of Documents  | PC/08/DOC/01    |
|                          |  | List of Participants   | PC/08/DOC/02    |
| 2.0                      | Adoption of Council Meeting Agenda                               | Provisional Agenda   | PC/08/DOC/03    |
|                          |  | Annotated Agenda   | PC/08/DOC/04    |
| 3.0                      | Rules of Procedure for the EAS Partnership Council Meeting       | Rules of Procedure for the EAS Partnership Council Meeting       | PC/08/DOC/05    |
| 4.0                      | Report of the Council Chair on Executive Committee matters       | Report of the Council Chair on Executive Committee matters       | PC/08/DOC/06    |
| 5.0                      | Report of the Regional Programme Director/PRF Executive Director | Report of the Regional Programme Director/PRF Executive Director | PC/08/DOC/07    |
| 6.0                      | Introduction of New Partner(s)                                   | EMECS Profile  | PC/08/DOC/08    |
| <b>Technical Session</b> |  |  |                 |
| 1.0                      | Matters Pertaining to SDS-SEA Implementation                     |  |                 |
| 1.1                      | GEF/UNDP/UNOPS Implementation of the SDS-SEA                     | GEF/UNDP/UNOPS Implementation of the SDS-SEA                     | PC/08/DOC/09    |
| 1.2                      | GEF/World Bank Pollution Reduction Investment Fund               | GEF/World Bank Pollution Reduction Investment Fund               | PC/08/DOC/10    |
| 1.3                      | Subregional Transboundary Projects                               |  |                 |
|                          |  | Information Paper: Coral Triangle Initiative                     | PC/08/DOC/11    |
|                          |  | Information Paper: Mangroves for the Future                      | PC/08/DOC/12    |
|                          |  | Information Paper: Sulu-Sulawesi Seas                            | PC/08/DOC/14    |
|                          |  | Information Paper: Arafura-Timor Sea                             | PC/08/DOC/16    |
|                          |  | Information Paper:   | PC/08/DOC/17    |

|      |  |  |               |
|------|--|--|---------------|
|      |  | Yellow Sea   |               |
|      |  | Summary Paper: Subregional Transboundary Projects and their Contribution to SDS-SEA Objectives | PC/08/DOC/18  |
| 2.0  | Areas of Collaboration among Partners  |  |               |
| 2.1  | Recognition of PEMSEA's Legal Personality  | Recognition of PEMSEA's Legal Personality Towards a Self-Sustaining Regional Mechanism         | PC/08/DOC/19  |
| 2.2  | Framework of Partnership Programmes  | Framework of Partnership Programmes  | PC/08/DOC/20  |
| 2.3  | Implementation of SOC Reporting  | State of the Coasts Reporting  | PC/08/DOC/21  |
| 2.4  | EAS Congress 2009  | Provisional Programme: EAS Congress 2009   | PC/08/DOC/22  |
| 2.5  | Regional Task Force (RTF)/National Task Force (NTF) Development and Implementation | Regional Task Force (RTF)/National Task Force (NTF) Development and Implementation             | PC/08/DOC/23  |
| 2.6  | PEMSEA Training Programme  | PEMSEA Training Programme and Schedule for SDS-SEA Implementation                              | PC/08/DOC/24  |
| 2.7  | PEMSEA ICM and PSHEM Codes and Recognition Systems                                 | ICM Code and ICMS Recognition System for SDS-SEA Implementation                                | PC/08/DOC/25a |
|      |  | PSHEMS Code and Recognition System   | PC/08/DOC/25b |
| 2.8  | Corporate Social Responsibility  | Concept paper: Corporate Social Responsibility   | PC/08/DOC/26  |
| 2.9  | Areas of Excellence Work Programme   | Regional Centers of Excellence Programme   | PC/08/DOC/27  |
| 2.10 | Twinning Arrangements  | Progress report: Twinning Arrangements   | PC/08/DOC/28  |
| 2.11 | PNLG   | Progress report: PNLG  | PC/08/DOC/29  |
| 3.0  | Critical and Emerging Issues in the Seas of East Asia                              | Critical and Emerging Issues in the Seas of East Asia  | PC/08/DOC/30a |
|      |  | Adaptation to Climate Change through Integrated Coastal Management (ICM)                       | PC/08/DOC/30b |
| 6.0  | Partners' Reports on SDS-SEA Implementation  |  |               |
|      |  | Cambodia   | PC/08/DOC/31  |
|      |  | China  | PC/08/DOC/32  |
|      |  | DPR Korea  | PC/08/DOC/33  |

|                                  |  |  |              |
|----------------------------------|--|--|--------------|
|                                  |  | Indonesia  | PC/08/DOC/34 |
|                                  |  | Japan  | PC/08/DOC/35 |
|                                  |  | Lao PDR  | PC/08/DOC/36 |
|                                  |  | Philippines  | PC/08/DOC/37 |
|                                  |  | RO Korea   | PC/08/DOC/38 |
|                                  |  | Singapore  | PC/08/DOC/39 |
|                                  |  | Thailand   | PC/08/DOC/40 |
|                                  |  | Timor-Leste  | PC/08/DOC/41 |
|                                  |  | Vietnam  | PC/08/DOC/42 |
|                                  |  | CI   | PC/08/DOC/43 |
|                                  |  | CMC  | PC/08/DOC/44 |
|                                  |  | SGP  | PC/08/DOC/45 |
|                                  |  | IOI  | PC/08/DOC/46 |
|                                  |  | IOC/WESTPAC  | PC/08/DOC/47 |
|                                  |  | KEI  | PC/08/DOC/48 |
|                                  |  | KMI  | PC/08/DOC/49 |
|                                  |  | KORDI  | PC/08/DOC/50 |
|                                  |  | NOWPAP   | PC/08/DOC/51 |
|                                  |  | OPRF   | PC/08/DOC/52 |
|                                  |  | OSRL/EARL  | PC/08/DOC/53 |
|                                  |  | PML  | PC/08/DOC/54 |
|                                  |  | SENSA  | PC/08/DOC/55 |
|                                  |  | YSLME  | PC/08/DOC/56 |
|                                  |  | UNEP/GPA   | PC/08/DOC/57 |
|                                  |  | EMECS  | PC/08/DOC/58 |
|                                  |  | Summary of Partners' Report  | PC/08/DOC/59 |
| <b>Intergovernmental Session</b> |  |  |              |
| 2.0                              | Action Plan for the Transformation of PEMSEA                               |  |              |
| 2.1                              | Recognition of PEMSEA's Legal Personality                                  | Draft Protocol Recognizing the International Legal Personality of PEMSEA in Implementation of the Haikou Partnership Agreement | PC/08/DOC/60 |
| 2.2                              | PEMSEA Partnership Fund  | PEMSEA Partnership Fund  | PC/08/DOC/61 |
| 2.3                              | PEMSEA Resource Facility (PRF) Sustainability Plan                         | PEMSEA Resource Facility (PRF) Sustainability Plan   | PC/08/DOC/62 |
| 3.0                              | Ministerial Forum 2009   | Ministerial Forum 2009   | PC/08/DOC/63 |
| 4.0                              | GEF/UNDP/UNOPS Implementation of SDS-SEA: Work Plan and Budget (2008-2010) | GEF/UNDP/UNOPS Implementation of SDS-SEA: Work Plan and Budget (2008-2010)   | PC/08/DOC/64 |
|                                  |  | Information Paper on Research Initiative on  | PC/08/DOC/65 |



|                            |  |  |              |
|----------------------------|--|--|--------------|
|                            |  | Northwest Pacific Sea Marine Environment Protection  |              |
|                            |  | Information Paper on Regional and Governmental Action Plan and its Implementation for Baywide Environmental Restoration in Japan | PC/08/DOC/66 |
|                            |  | Information Paper on the Introduction Support of Total Pollutant Load Control System for the Countries of East Asia              | PC/08/DOC/67 |
|                            |  | Information Paper on Water Environmental Restoration Program by METI Chugoku   | PC/08/DOC/68 |
| <b>REFERENCE DOCUMENTS</b> |  |  |              |
|                            |  | Putrajaya Declaration  | PC/08/REF/01 |
|                            |  | Haikou Partnership Agreement   | PC/08/REF/02 |
|                            |  | Partnership Operating Arrangements   | PC/08/REF/03 |
|                            |  | Guidelines for the Conduct of Meeting  | PC/08/REF/04 |
|                            |  | GEF/UNDP/UNOPS Project Document  | PC/08/REF/05 |

**ANNEX 4**  
**2<sup>nd</sup> EAS Partnership Council Meeting Agenda**

**2<sup>nd</sup> EAS Partnership Council Meeting**  
**Toranomon Pastoral Hotel**  
**Tokyo, Japan**  
**14-17 July 2008**

**Meeting Agenda**

**14 July, Monday**

|               |                  |
|---------------|------------------|
| 08:40 – 09:30 | Registration     |
| 09:30 – 10:00 | Opening Ceremony |
| 10:00 – 10:10 | Group Photo      |
| 10:10 – 10:30 | Coffee Break     |

**A. COUNCIL SESSION**

|               |     |   |
|---------------|-----|---|
| 10:30 – 10:40 | 1.0 | Organizational Matters  |
| 10:40 - 10:50 | 2.0 | Adoption of Council Meeting Agenda  |
| 10:50 – 11:00 | 3.0 | Rules of Procedure for the EAS Partnership Council Meeting                                  |
| 11:00 – 11:30 | 4.0 | Report of the Council Chair on Executive Committee matters                                  |
| 11:30 – 12:20 | 5.0 | Report of the Regional Programme Director/PEMSEA Resource Facility (PRF) Executive Director |
| 12:20 – 12:30 | 6.0 | Introduction of New Partner(s) and LOC Signing Ceremony                                     |
| 12:30 – 14:00 |     | Lunch   |

**B. TECHNICAL SESSION**

|               |     |  |
|---------------|-----|--|
| 14:00         | 1.0 | Matters Pertaining to SDS-SEA Implementation       |
| 14:00 – 14:45 | 1.1 | GEF/UNDP/UNOPS Implementation of the SDS-SEA       |
| 14:45 – 15:30 | 1.2 | GEF/World Bank Pollution Reduction Investment Fund |
| 15:30 – 16:00 |     | Coffee Break                                       |

- |               |     |  |
|---------------|-----|--|
| 16:00 – 18:00 | 1.3 | Subregional transboundary projects <ul style="list-style-type: none"> <li>○ Coral Triangle Initiative</li> <li>○ Mangroves for the Future</li> <li>○ Marine Electronic Highway</li> <li>○ Sulu-Sulawesi Seas</li> <li>○ South China Sea</li> <li>○ Arafura-Timor Seas</li> <li>○ Yellow Sea</li> <li>○ Potential Areas of Collaboration</li> </ul> |
|---------------|-----|--|

18:30 – 21:00 Dinner (hosted by the Government of Japan)

**15 July, Tuesday**

- |               |      |  |
|---------------|------|--|
| 09:00         | 2.0  | Areas of Collaboration among Partners  |
| 09:00 – 09:45 | 2.1  | Recognition of PEMSEA's Legal Personality  |
| 09:45 – 10:30 | 2.2  | Framework of Partnership Programmes  |
| 10:30 – 11:00 |      | Coffee Break   |
| 11:00 – 11:45 | 2.3  | Implementation of SOC Reporting  |
| 11:45 – 12:30 | 2.4  | EAS Congress 2009  |
| 12:30 – 14:00 |      | Lunch  |
| 14:00 – 14:25 | 2.5  | Regional Task Force (RTF)/National Task Force (NTF) Development and Implementation |
| 14:25 – 14:50 | 2.6  | PEMSEA Training Programme  |
| 14:50 – 15:20 | 2.7  | PEMSEA ICM and PSHEM Codes and Recognition Systems                                 |
| 15:20 – 15:35 |      | Coffee Break   |
| 15:35 – 15:55 | 2.8  | Corporate Social Responsibility  |
| 15:55 – 16:15 | 2.9  | Areas of Excellence work programme   |
| 16:15 – 16:50 | 2.10 | Twinning Arrangements  |
| 16:50 – 17:10 | 2.11 | PEMSEA Network of Local Governments (PNLG)   |
| 17:10 – 18:00 | 3.0  | Critical and Emerging Issues in the Seas of East Asia                              |
| 18:00 – 18:10 | 4.0  | Other business   |
| 18:10 – 18:30 | 5.0  | Conclusions and Recommendations of the Technical Session                           |

**16 July, Wednesday**

|               |     |  |
|---------------|-----|--|
| 09:00 – 10:30 | 6.0 | Partners' Report on SDS-SEA Implementation                                   |
| 10:30 – 10:45 |     | Coffee Break   |
| 10:45 – 11:15 | 6.0 | Partners' Report on SDS-SEA Implementation (continuation)                    |
| 11:15 – 12:00 | 7.0 | Review and Adoption of the Proceedings of the Council and Technical Sessions |
| 12:15 – 18:00 |     | Field Trip   |

**17 July, Thursday**

**C. INTERGOVERNMENTAL SESSION**

|               |     |   |
|---------------|-----|---|
| 09:00 – 09:10 | 1.0 | Adoption of Conclusions and Recommendations of the Council and Technical Sessions |
|               | 2.0 | Action Plan for the Transformation of PEMSEA                                      |
| 09:10 – 11:00 | 2.1 | Recognition of PEMSEA's Legal Personality   |
| 11:00 – 11:20 |     | Coffee Break  |
| 11:20 – 12:00 | 2.2 | PEMSEA Partnership Fund   |
| 12:00 – 13:30 |     | Lunch   |
| 13:30 – 14:10 | 2.3 | PEMSEA Resource Facility (PRF) Sustainability Plan                                |
| 14:10 – 14:50 | 3.0 | Ministerial Forum 2009  |
| 14:50 – 15:50 | 4.0 | GEF/UNDP/UNOPS Implementation of SDS-SEA: Work Plan and Budget (2008-2010)        |
| 15:50 – 16:20 |     | Coffee Break  |
| 16:20 – 16:40 | 5.0 | Other Business  |
| 16:40 – 17:00 | 6.0 | Conclusions and Decisions   |
|               |     | Close of Session  |

**18 July, Friday**

09:00 – 18:00 PEMSEA/Japan Joint Seminar

18:00 – 21:00 Dinner (Hosted by the Government of Japan)

## **ANNEX 5**

### **Terms of References of the Executive Committee**

## **Terms of References of the Executive Committee**

### **1. The Executive Committee**

The Executive Committee (EC) is a body of the EAS Partnership Council tasked to ensure that the decisions and recommendations of the EAS Partnership Council are implemented.

### **2. Composition**

2.1 The Members of the Executive Committee are elected by the EAS Partnership Council to a three-year term and shall serve as the officers of the EAS Partnership Council.

2.2 The members of the Executive Committee are:

- a. Council Chair
- b. Intergovernmental Session Chair
- c. Technical Session Chair
- d. PRF Executive Director

The PEMSEA Resource Facility (PRF) Executive Director is a member of the Executive Committee and serves as Secretary to the EC. The Council Chair serves as Chair of the Executive Committee. The immediate past PRF Executive Director will sit ex-officio in all Executive Committee Meetings.

### **3. Frequency of Meetings**

The EC will meet at least twice during the intersessional period, subject to the budget as may be approved by the EAS Partnership Council. Special meetings of the EC will be organized upon the request of any Officers of the EC, with the consent of the Council Chair, subject to budget availability.

### **4. Mode of Conduct of Executive Committee Business**

The Executive Committee may conduct EC business through correspondence, telephone conference or video conference. For the transaction of EC business, at least two elected Chairs of the Council must participate.

### **5. Functions and Powers of Executive Committee**

5.1 **The Executive Committee will perform the following functions:**

- a. To oversee the implementation of the decisions, resolutions and recommendations of the EAS Partnership Council during intersessional periods;
- b. To provide guidance to the PRF and advice to the EAS Partnership Council regarding the implementation of the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA);



- c. To facilitate decision-making by the EAS Partnership Council on policy issues related to the operation and sustainability of the PEMSEA regional mechanism;
- d. To review and evaluate applications of stakeholders for inclusion as partners of PEMSEA and to recommend their application for the consideration of the EAS Partnership Council;
- e. To conduct and coordinate the nomination and election process for the Council Chair, Intergovernmental Session Chair and Technical Session Chair;
- f. To review, approve and support fund raising activities of the PRF and develop policies and operational guidelines on the management, allocation and utilization of resources in the PEMSEA Partnership Fund;
- g. To recommend to the EAS Partnership Council, as appropriate, policies, programs and partnership arrangements to promote regional cooperation in the governance of the Seas of East Asia.
- h. To invite resource persons (i.e., partners, agencies, experts, institutions, individuals) to the EC Meetings as and when required, subject to available budget;
- i. To represent the EAS Partnership Council on the appointment of the PRF Executive Director.

**5.2 The Secretary shall perform the following functions:**

- a. Organize EC meetings, give all notices required and document the proceedings;
- b. Have custody of the register of partners, all documents pertaining to partnerships, and all correspondence files of the EC;
- c. Perform duties and work as the EC may, from time to time, require or assign.

**6. Executive Committee Interactions**

To support the Executive Committee with the discharge of its functions, and within the limits of available human and financial resources:

- a. The PRF Executive Director will ensure the availability of necessary technical support, as well as access to pertinent information, within the PRF;
- b. The Chair of the EAS Partnership Council will call upon Officers of the Executive Committee to represent PEMSEA in key functions or activities at a regional or global level, as and when appropriate;
- c. The appointment of the PRF Executive Director by the Executing Agency will be undertaken in consultation with the Executive Committee, on behalf of the Council;
- d. The performance of the PRF Executive Director will be evaluated by the Executive Committee on behalf of the Council, on an annual basis;
- e. The PRF Executive Director will keep the Executive Committee informed of the major activities and decisions undertaken by the PRF through periodic reports/updates.

\*\*\*

## **ANNEX 6**

### **Guidelines for the Conduct of Executive Committee Meetings**

## **Guidelines for the Conduct of Executive Committee Meetings**

### **Members of the Executive Committee**

The members of the Executive Committee (EC) are:

- a. Council Chair
- b. Intergovernmental Session Chair
- c. Technical Session Chair
- d. PRF Executive Director

### **Schedule and Venue of Meetings**

The EC meets at least twice during the intersessional period. Special meetings of the EC may be organized upon the request of any Officers of the EC, with the consent of the Council Chair, subject to budget availability.

### **Agenda and Timetable**

The Secretary, in consultation with the other members of the Executive Committee, prepares a provisional agenda and timetable for each Executive Committee Meeting.

### **Meeting Documents**

The Secretary circulates copies of the provisional agenda and timetable as well as other draft meeting documents to the members of the Executive Committee prior to the Meeting.

### **Proceedings of the Executive Committee Meeting**

The Secretary is responsible for the preparation, review, and refinement of the proceedings of each Executive Committee Meeting. Draft proceedings will be distributed to the Executive Committee members for review within 5 working days of each EC Meeting. Final Proceedings of the Executive Committee Meeting will be distributed to all Partners.

### **Resource Persons**

The Executive Director on behalf of the Executive Committee may invite resource persons, including State Partners, to the meeting to provide necessary information on key agenda items, in consultation with the other members of the Executive Committee.

### **Conduct of Executive Committee Meetings**

The Executive Committee may conduct EC business through meetings, correspondence, telephone and/or video conference. For the transaction of EC business, at least two elected Chairs of the Council must participate.

The Council Chair shall preside all EC meetings. Should the Council Chair be unable to attend the EC Meeting, the EC members will select an Acting Chair for the EC Meeting from either the Intergovernmental Session Chair or Technical Session Chair.

### **Amendment of Guidelines**

These guidelines may be amended, modified, or replaced by the Executive Committee in consideration of changing circumstances.

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## **ANNEX 7**

### **Supplementary Document on Guidelines for the Conduct of Meetings Pertaining to the Provisions on Election**

## **Supplementary Document on Guidelines for the Conduct of Meetings Pertaining to the Provisions on Election**

### **3.3 Election**

After the nomination period, the Executive Committee notifies the nominees of their nomination and requests for their acceptance/confirmation. The confirmed nominees will be requested to submit their formal acceptance together with their curriculum vitae and other supporting information. Nominees shall not accept nomination for two positions at the same time. Nominations received after the nomination period will be considered invalid.

The Executive Committee communicates to Partner members of the Council the consolidated list of the confirmed nominees and curriculum vitae received. The Executive Committee conducts consultations in order to reach a consensus among the Partner members of the Council. Outcome of consultations is reported to the Council members at each stage.

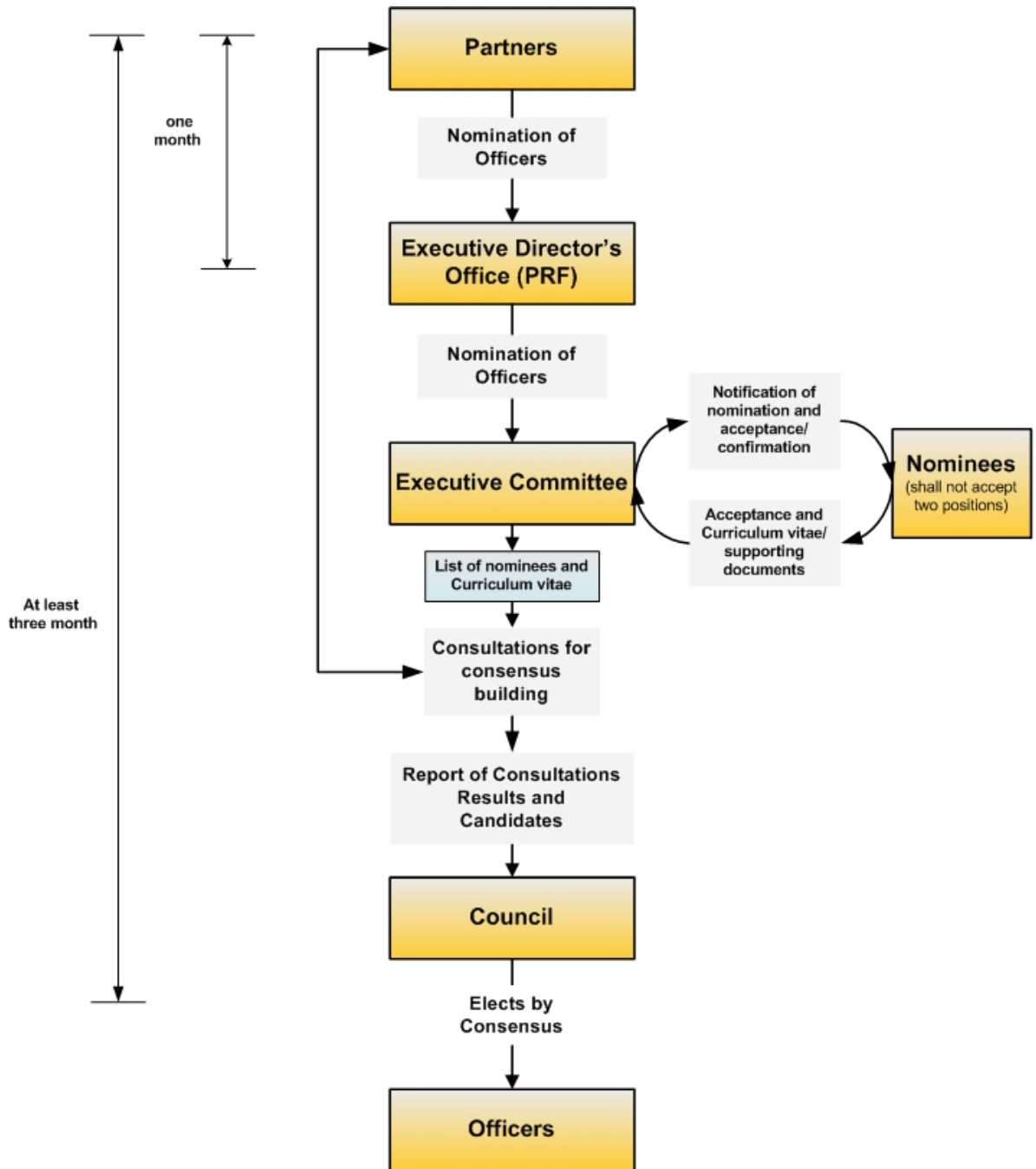
In case there are more than one confirmed nominees for one position, the EC undertakes consultation with Partners in accordance with the Guidelines, in order for the Partners to reach consensus on a single candidate for the position.

The Executive Committee consults with the candidates and reports the results of its consultation to the Council. Apart from the list of nominees and information on them, other details of the nomination process will be confidential (i.e., who was nominated and by whom). Detailed information on the nominations will be divulged by the Executive Committee only upon the request or decision of the EAS Partnership Council. The Council elects the officers by consensus with due consideration to the consultation results.

**Possible Scenarios that might arise during the nomination process (considered in the preparation of the Supplementary Document on the Guidelines on elections)**

| <b>Possible Scenarios</b>   | <b>EC's Consensus building Measures</b>   |
|---|---|
| A. The Partners nominate the same person for more than one position.  | The Executive Committee contacts the nominee and informs him/her of the nominations received. The EC secures the nominee's confirmation for only one position. The EC informs the Partners of the outcome of the consultation with the nominee.   |
| B. The nominees identified for the three positions are all from the Northern Asian countries or Southeastern Asian countries of PEMSEA. | In view of geographical consideration and to ensure a more balanced representation at the Council, the EC representing the interest of the entire EAS Partnership Council, may exercise its discretion to encourage Partners to consider in their nominations the importance of geographical representation at the Council. In such case, EC may recommend extension of the nomination. |
| C. After several consultations, the Partners still are not able to reach a consensus on a single candidate for a certain position       | In the final consultation, the EC releases a list of confirmed nominees for a position. The candidate to garner the most support from Partners remains as the single candidate for the position.  |
| D. A Partner/nominator would like to withdraw its nomination for a particular candidate.  | The Partner/nominator informs the nominee and submits a formal letter to the EC expressing its intention to withdraw a nomination. The EC informs the members of the Council of the withdrawal of nomination and updates the list of confirmed nominees.  |
| E. A nominee wishes to withdraw his/her candidacy   | The nominee notifies the EC in writing of his/her desire to withdraw as candidate. The EC informs the members of the EAS Partnership Council of the withdrawal of candidacy and updates the list of confirmed participants.   |

**A diagram depicting the entire process of the Election of Officers**



## **ANNEX 8**

### **Procedures for the Recruitment and Appointment of the Regional Programme Director for the Implementation of the SDS-SEA and the Executive Director of the PEMSEA Resource Facility (PRF)**



**Procedures for the Recruitment and Appointment of the  
Regional Programme Director for the Implementation of the SDS-SEA  
and the Executive Director of the PEMSEA Resource Facility (PRF)**

The recruitment and appointment of the Regional Programme Director for the Implementation of the SDS-SEA and the PRF Executive Director shall be undertaken in a collaborative manner involving the Executing Agency of the GEF Project, where applicable, and the EAS Partnership Council, represented by the Council Chair or his designated representative from the Executive Committee.

The procedure for the recruitment and appointment shall entail the following:

1. Preparation and adoption of the terms of reference;
2. Advertisement of the post vacancy internationally by the PRF;
3. Establishment of a Screening Committee within the PRF, which shall collate and evaluate all applications and shortlist the candidates;
4. Review and approval of the shortlisted candidates and the establishment of the Interview/Selection Panel, which shall include the Council Chair or his designated representative from the Executive Committee, together with representatives from GEF Implementing and Executing Agencies as members of the Selection Panel;
5. Agreement on the most appropriate candidate by consensus by the Selection Panel;
6. Appointment of the Regional Programme Director and PRF Executive Director by the Executing Agency, where applicable, and the Executive Committee on behalf of the EAS Partnership Council, respectively; and
7. Report of the Executive Committee on the recruitment and appointment process to the EAS Partnership Council.

**PROCEEDINGS OF THE SECOND EAS PARTNERSHIP COUNCIL MEETING  
INTERGOVERNMENTAL SESSION**

**Tokyo, Japan  
17 July 2008**

## **PROCEEDINGS OF THE SECOND EAST ASIAN SEAS PARTNERSHIP COUNCIL MEETING**

**Tokyo, Japan, 14-17 July 2008**

### **INTERGOVERNMENTAL SESSION**

#### **A. INTRODUCTION**

- i. The Intergovernmental Session of the 2<sup>nd</sup> EAS Partnership Council Meeting was held at the Toranomom Pastoral Hotel, Tokyo, Japan on 17 July 2008. The Intergovernmental Session was hosted by the Ministry of Land, Infrastructure, Transport and Tourism (MLIT) and the Ocean Policy Research Foundation (OPRF) of Japan.
- ii. The Intergovernmental Session was attended by representatives from ten Partner countries of PEMSEA, including: Cambodia; China; Indonesia; Japan; Lao PDR; Philippines; RO Korea; Singapore; Timor-Leste; and Vietnam. The Government of Thailand was represented as a participating country in the GEF/UNDP/UNOPS Project on Implementation of the SDS-SEA.
- iii. The Intergovernmental Session was also attended by the representatives from the United Nations Development Programme (UNDP) Country Office in Manila and UNDP Regional Centre in Bangkok. The PRF served as the Secretariat.
- iv. In view of the absence of the Intergovernmental Session Chair, Dr. Li Haiqing, Dr. Chua Thia-Eng, Council Chair, presided over the Intergovernmental Session in line with Guidelines for the Conduct of the EAS Partnership Council Meeting.
- v. Mr. Akihisa Suzuki, MLIT, Japan was invited to serve as co-chair of the Intergovernmental Session.
- vi. A list of participants is attached as Annex 9.

#### **1.0 ADOPTION OF CONCLUSIONS AND RECOMMENDATIONS OF THE COUNCIL AND TECHNICAL SESSIONS**

- 1.1 The Meeting reviewed and adopted the Conclusions and Recommendations of the Council and Technical Sessions, with minor modifications.

#### **2.0 ACTION PLAN FOR THE TRANSFORMATION OF PEMSEA**

##### ***Recognition of PEMSEA's Legal Personality***

- 2.1 The Executive Director of the PEMSEA Resource Facility made a brief presentation on the efforts being undertaken for the recognition of PEMSEA's legal personality.

- He presented the imperatives for the recognition, the activities that need to be undertaken as well as the indicative workplan. He also presented the revisions proposed by the Philippines to comply with its national administrative requirements for entering into a headquarters or host country agreement. The Draft Protocol will serve as the legal basis for the Philippines to negotiate with PEMSEA for the headquarters agreement.
- 2.2 Country partners expressed their support for the recognition of PEMSEA's legal personality and agreed that a legal personality is an imperative for the sustainability of PEMSEA.
- 2.3 Bearing in mind the administrative requirements of the Philippines, the session walked through the draft protocol per paragraph. The country partners reviewed and proposed revisions on relevant paragraphs. They also stressed that words should be simple and easy to understand. Specifically, suggestions were made as follows:
- a. The Haikou Partnership Agreement and the Haikou Partnership Operating Arrangements should be highlighted in the preambular paragraphs. If possible, reference to the Haikou Partnership Agreement and the Partnership Operating Arrangements should be contained in the first paragraphs in the preamble.
  - b. If there is reference to the Haikou Agreements, it is useful to use the language of the Haikou Agreements, for instance, the use of the term "project-based arrangement rather than "programme-based."
  - c. The signature page containing the names of the signatory countries should not be included in the working document yet until such time as consultations are made with the countries concerned.
  - d. Article V should identify the forms of expressions of consent, ie., signature, ratification and accession. The parties should also be given as much time as possible to become parties to the Agreement.
- 2.4 In the title, the term "Protocol" was changed to "Agreement" and reference to the Haikou Partnership Agreement was deleted so as to give opportunities for other countries that did not sign the Haikou Partnership Agreement to sign the Agreement on PEMSEA's Legal Personality. There may be difficulties with some countries since the Haikou Partnership Agreement is not binding while the Protocol, which is a mere supplement, is binding.
- 2.5 The protocol was revised accordingly and is now termed "Agreement Recognizing the International Legal Personality of the Partnerships in Environmental Management for the Seas of East Asia".
- 2.6 The PRF was directed to revise the Agreement based on the discussions as well as the administrative requirements of the Philippines, such as: the headquarters seat; the organization and the organizational structure; and the hosting of PEMSEA office and facilities by the Department of Environment and Natural Resources under a Memorandum of Agreement. The country partners agreed to the proposed revisions of the Agreement but asked for time to consult with their respective foreign affairs offices and relevant agencies.

- 2.7 The work plan for the activities relating to the recognition of PEMSEA's international legal personality was presented and revised considering the limitations or concerns of the country partners. The revised timeline was approved by the country partners.

**The Intergovernmental Session concluded that:**

- 2.8 Recognizing the legal personality of PEMSEA is an imperative for the sustainability of the regional mechanism for SDS-SEA implementation;
- 2.9 Recognition of legal personality of PEMSEA is necessary to serve as a legal basis for the Philippines to negotiate a Headquarter's Agreement for PEMSEA, with a view to sign the HQ Agreement at the EAS Congress 2009; and
- 2.10 State Partners need time to consult with their respective foreign affairs offices and relevant agencies.

**The Intergovernmental Session decided to:**

- 2.11 Accept the rationale for recognizing the legal personality of PEMSEA;
- 2.12 Adopt the title of the working document, "Agreement Recognizing the International Legal Personality of the Partnerships in Environmental Management for the Seas of East Asia", and to highlight the Haikou Agreements in the preamble;
- 2.13 Adopt the draft Agreement, as revised in Annex 10, for use by State Partners for consultations with their respective foreign affairs offices and the relevant agencies;
- 2.14 Adopt the following work schedule:
- a. Dissemination of the clean text to the State Parties on or before July 22, 2008;
  - b. Comments submitted by the State Partners to the PRF on or before September 30, 2008;
  - c. Meeting of State Partners and PRF to finalize the text of the Agreement to resolve outstanding issues, as required, by October 31, 2008; and
  - d. Indications by State Partners of willingness to sign the Agreement by November 30, 2008.
- 2.15 Invite Brunei Darussalam, Malaysia and Thailand to participate in consultations concerning the development of the Agreement and possible signature.

***PEMSEA Partnership Fund***

- 2.16 The Meeting was informed of the status and progress made during the intersessional period on the PEMSEA Partnership Fund, including the formulation of the operating principles of the Fund developed by the Executive Committee, the consideration of eligible sources of capital, the methods of identifying projects supported by the Fund, and eligible expenditures of the Fund.
- 2.17 The Meeting was also informed of the proposed arrangement between the PRF and UNOPS regarding the establishment of a bank account for the PEMSEA Partnership

Fund, subject to a certain administrative fee for managing the bank account on behalf of PEMSEA.

- 2.18 The difference between the IMO Trust Fund, PEMSEA Partnership Fund, and the Partnership Investment Fund was clarified as follows:
- a. The IMO Trust Fund refers to funds generated from PEMSEA events and activities (i.e., EAS Congress registration fees, registration for training workshops; sale of publications, etc.);
  - b. The PEMSEA Partnership Fund is one of the major operating mechanisms established under the Haikou Partnership Agreement to channel and ensure the best use of voluntary contributions from interested countries, donor agencies, institutions and individuals for SDS-SEA implementation; and
  - c. The Partnership Investment Fund was established under the GEF/World Bank Project designed to support pollution reduction initiatives in the Seas of East Asia region.

**The Intergovernmental Session decided that:**

- 2.19 The PRF will develop the details of the PEMSEA Partnership Fund, i.e., principles, sources, allocation, expenditure, auditing, reporting, etc., under the guidance of the Executive Committee, and report the results to the next EAS Partnership Council.

***PEMSEA Resource Facility Sustainability Plan***

- 2.20 The background, objective of the PRF Sustainability Plan was introduced to the Meeting, including possible major options regarding the sustainability of the PRF over the longer term as follows:
- a. Engaging other donors to finance the PRF;
  - b. Cost-sharing PRF costs across State and non-State Partners through CSA's or similar arrangements;
  - c. Cost recovery for requested PRF services; and
  - d. A combination of a), b), and c).
- 2.21 In line with the Meeting's recognition of PEMSEA's legal personality as a prerequisite or an imperative for the sustainability of the PEMSEA, the Meeting requested the PRF to focus on the Legal Personality issue prior to developing any comprehensive plan for the sustainability.

**The Intergovernmental Session decided:**

- 2.22 That the legal personality is the first priority of the PRF and that the development of the sustainability plan will be addressed subsequent to the achievement of legal recognition of PEMSEA.

### **3.0 MINISTERIAL FORUM**

- 3.1 The Meeting was introduced to theme, draft programme and preparatory activities for the Third Ministerial Forum. The Ministerial Forum is scheduled to be held on 25–26 November 2009 in Manila, Philippines during the EAS Congress 2009.
- 3.2 Building upon the discussions on Critical and Emerging issues at the Technical Session, and taking into consideration the role of the Ministerial Forum to engage in dialogue on critical and global issues affecting the SDS-SEA implementation, the Meeting proposed to focus the theme of the Forum on “Climate Change Adaptation through Integrated Coastal and Ocean Management.”
- 3.3 In identifying the theme of the Forum, the Meeting also took up the issue of mitigation vis-à-vis adaptation and arrived at the following major points:
- a. Global focus has been more on mitigation with less emphasis and efforts on adaptation;
  - b. Adaptation requires more public and government involvement, particularly at the national and local levels as costs and benefits of adaptation accrue locally and nationally;
  - c. A major strength of PEMSEA is in Integrated Coastal Management that can respond to changing condition, including climate change, especially at the local level;
  - d. The UN Climate Change Convention is increasingly focusing on adaptation; and
  - e. In order to effectively address climate change, the EAS region through PEMSEA should focus more on actions on the ground, which will in turn contribute to meeting global targets on climate change.
- 3.4 The Third Ministerial Forum is also seen as a good opportunity/venue to celebrate the launching of PEMSEA as an international organization or legal entity, but in order to do so participating countries should have already signed the Agreement on PEMSEA’s Legal Personality prior to the EAS Congress 2009.
- 3.5 The Meeting also provided the following inputs to the draft Ministerial Forum Programme:
- a. Taking into consideration the busy schedule of Ministers, the Meeting suggested to identify and schedule key features of the programme on the first day, while exhibition and other activities be scheduled on the second day;
  - b. In line with the proposed theme, the Meeting also emphasized the need to focus the Report of Council Chair and Ministers’ Statements on progress and commitments toward the adaptation to climate change;
  - c. Inclusion of some innovative outdoor activities with regard to the climate change adaptation would serve as additional attractions for the Ministerial Forum;
  - d. Consider the decisions of UN Climate Change Convention so that countries of the region can contribute in addressing global issues by joining the regional efforts on climate change.

**The Intergovernmental Session concluded that:**

- 3.6 The Ministerial Forum is an integral part of the EAS Congress involving high level governmental leaders of the region;
- 3.7 Adaptation to Climate Change through Integrated Coastal and Ocean Management is a timely and attractive theme for the third Ministerial Forum;
- 3.8 The theme of the Ministerial Forum is in harmony with the theme of the EAS Congress 2009; and
- 3.9 The Ministerial Declaration will highlight regional cooperation on Climate Change Adaptation. The Ministers' statements will include national concerns and efforts with regard to Climate Change Adaptation.

**The Intergovernmental Session decided that:**

- 3.10 The PRF further refine the programme of the Ministerial Forum in line with the suggestions and inputs of State Partners;
- 3.11 The theme of the forum will be "Adaptation to Climate Change through Integrated Coastal and Ocean Management";
- 3.12 The proposed outdoor activity will be made more relevant to the theme;
- 3.13 The Ministerial Declaration will be completed in collaboration with the host country;
- 3.14 The PRF will develop a package regarding PEMSEA's strategy and approach to adaptation to climate change, for dissemination to countries;
- 3.15 The PRF would explore opportunities for integrating other regional issues such as the Coral Triangle Initiative into the theme of the Ministerial Forum in order to engage Ministers from other relevant agencies in the forum; and
- 3.16 The Secretariat will revise the meeting document and disseminate it to the State Partners.

**4.0 GEF/UNDP/UNOPS IMPLEMENTATION OF THE SDS-SEA: WORK PLAN AND BUDGET (2008-2011)**

- 4.1 The Meeting was informed of the status of preparations for the roll-out of the GEF/UNDP/UNOPS Implementation of SDS-SEA project. It was anticipated that MOAs will be signed between national focal agencies, ICM sites and the PRF by the end of August 2008, confirming the targets, activities, work schedules, budget and co-financing arrangements for implementation of the SDS-SEA for 2008 to 2011.
- 4.2 The Meeting was also informed of the difficulties encountered by the PRF in view of the devaluation of the US dollar in late 2007, resulting to increased personnel costs that amounted to as much as 37 percent at the time of the staff recruitment process.



As a consequence and in order to allow the project to balance its personnel budget, 5 posts under the PRF Technical Services were deferred: two international officers posts (i.e., Programme Officer Learning Center; Programme Officer Partnership Applications) and three national posts (i.e., one Country Programme Manager; one Programme Officer for Project Development; and one IT Assistant).

- 4.3 The staff shortage however leaves the PRF Technical Services with limited back-up capacity that may affect the full roll-out of the project implementation. In this regard, the Meeting considered some possible actions, including:
- a. To streamline administrative procedures with UNDP and UNOPS, providing the Executive Director with the authority and flexibility to adapt the management of the project to changing circumstances;
  - b. To fast track the development and operationalization of the RTF/NTF networks, including partnering arrangements with organizations and institutions;
  - c. To second qualified technical personnel from participating countries to the PRF on project assignments;
  - d. To set up a Junior Professional Officers (JPO) program with donor countries; and
  - e. To develop new project proposals for submission to donors and international organizations, to create additional budget sources.

**The Intergovernmental Session decided:**

- 4.4 To adopt the work plan and budget, in principle, and requested the ED to finalize the work programmes with participating countries and to sign MOAs on behalf of the East Asian Seas Partnership Council before the end of August;
- 4.5 To request the ED to:
- a. fast track the development and operationalization of the RTF/NTF networks;
  - b. develop project assignments and seek secondment of qualified technical personnel from participating countries; and
  - c. explore and implement a junior professional officers program with donor countries.
- 4.6 To request the ED to review and adjust the proposed activities and outputs identified in the Project Document in consideration of the reduced staff and budget for the project.

**5.0 OTHER BUSINESS**

- 5.1 The Meeting took up the issue of the date and venue of the succeeding EAS Partnership Council Meetings. It was suggested that in order to maximize the limited time available to prepare and discuss key issues pertaining to the EAS Congress 2009, the 3<sup>rd</sup> Ministerial Forum and other outstanding issues, an expanded Executive Committee Meeting be conducted in July 2009 in Manila, Philippines. The agenda for the said Meeting will be circulated to all State and non-State Partners to enable them to decide on their participation or involvement in the meeting.
- 5.2 The 3<sup>rd</sup> EAS Partnership Council Meeting, which was initially scheduled to take place during the EAS Congress 2009, will be moved to July 2010 in order to give the PRF

enough time to consolidate the key results and recommendations from the EAS Congress 2009 and the Third Ministerial Forum for the consideration of the EAS Partnership Council. The modified schedule will also accord the Council with more time to prepare and review the meeting documents, as well as more time to deliberate on key issues.

- 5.3 In line with the EAS Congress, the representative of RO Korea expressed his country's interest to host the EAS Congress 2012, subject to further consultation with the Ministry of Finance of RO Korea. The MLTM of RO Korea will notify the PRF on the result of the said consultation by August 2008.

**The Intergovernmental Session decided:**

- 5.4 To convene an expanded Executive Committee Meeting in Manila, Philippines in July 2009 for interested State and non-State Partners to discuss preparations for the EAS Congress 2009 and 3<sup>rd</sup> Ministerial Forum and other possible outstanding issues;
- 5.5 To convene the 3<sup>rd</sup> EAS Partnership Council in July 2010 to discuss the results and implementation of recommendations received from the EAS Congress 2009 and the 3<sup>rd</sup> Ministerial Forum; and
- 5.6 With high gratitude to accept the proposal by the delegation of RO Korea to host the EAS Congress 2012, expecting RO Korea to notify the PRF the result of consultation with the Ministry of Finance.

**6.0 ADOPTION OF CONCLUSIONS AND DECISIONS**

- 6.1 The Meeting adopted the conclusions and decisions of the Intergovernmental Session at 5:00 PM, 17 July 2008.

**7.0 CLOSING CEREMONY**

- 7.1 Dr. Chua Thia-Eng expressed his sincere appreciation to all the State Partners and PEMSEA sponsoring agencies for their participation to the Intergovernmental Session. He also acknowledged the efforts made by the PRF and the local Secretariat in ensuring the successful organization and conduct of the Meeting. Lastly, he accorded special thanks to the Ministry of Land, Infrastructure, Transport and Tourism for hosting the Meeting, as well as to the Ocean Policy Research Foundation of Japan for co-sponsoring the Meeting and its related activities.
- 7.2 The various representatives from State Partners commended the Council Chairs, MLIT and OPRF of Japan, and the PRF for the hard work and successful conduct of the Meeting. They reiterated commitment to ensure the implementation of the SDS-SEA.
- 7.3 On behalf of the PRF, Prof. Raphael P.M. Lotilla, expressed his gratitude to all the PEMSEA Partners for their cooperation and understanding during the deliberations of key agenda items of the Meeting. He reinforced the commitment made by PEMSEA

to live up to the best expectations of all Partners. Prof. Lotilla invited all the Partners to take an active role and participate in the forthcoming EAS Congress 2009 in Manila, Philippines. In closing, Prof. Lotilla thanked the MLIT and OPRF of Japan for hosting the Meeting, and expressed his sincere appreciation to the guidance and support provided by the Council Chairs.

- 7.4 The representative from Japan expressed sincere appreciation to all the Partners, sponsoring agencies and observers for their participation in the Meeting. Special thanks were also accorded to the PRF for the support provided to Japan in the preparation and conduct of the Meeting.

**ANNEX 9**  
**List of Participants**  
**Intergovernmental Session**

**2<sup>nd</sup> EAS Partnership Council Meeting**  
**Toranomon Pastoral Hotel**  
**Tokyo, Japan**  
**17 July 2008**

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## **ANNEX 10**

### **Draft Agreement Recognizing the International Legal Personality of the Partnerships in Environmental Management for the Seas of East Asia**

**AGREEMENT RECOGNIZING THE INTERNATIONAL LEGAL PERSONALITY OF  
THE PARTNERSHIPS IN ENVIRONMENTAL MANAGEMENT FOR THE SEAS OF  
EAST ASIA**

**THE PARTIES TO THIS AGREEMENT,**

**RE-AFFIRMING** that the Haikou Partnership Agreement and the Partnership Operating Arrangements, adopted and signed at the Ministerial Forum held in Haikou, China on 15 December 2006, transformed the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA) from a programme-based arrangement to a regional mechanism mandated to serve as the regional coordinating mechanism for the SDS-SEA;

**RECOGNIZING** that this mandate requires PEMSEA to carry out its responsibilities through contractual relations and collaborative arrangements, as it provides technical advice and assistance and promotes bilateral and multilateral cooperation in the region, to manage and conserve its property and resources in accordance with best practices;

**CONSCIOUS** that the Haikou Partnership Agreement and the Partnership Operating Arrangements established the organizational structure of PEMSEA to ensure the effective implementation of the SDS-SEA;

**RECALLING** that the States of the Seas of East Asia Region, through the Putrajaya Declaration signed in Putrajaya, Malaysia on 12 December 2003 adopted the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA) as a common platform for regional cooperation and as a framework for policy and programme development and implementation;

**AWARE** that PEMSEA, supported by the Global Environment Facility implemented through the United Nations Development Program and executed by the International Maritime Organization and United Nations Office for Project Services, has been playing a critical role in establishing stakeholder partnerships and confidence building in addressing the increasing environmental challenges in the Seas of East Asia Region since 1993;

**MINDFUL**, that the Partner Countries and all other stakeholders involved in the operations and programmes of PEMSEA act in synergetic and cooperative unity to carry out the broad-ranging functions set forth in the Haikou Partnership Agreement;

**ACKNOWLEDGING** that PEMSEA, represented by its Interim Executive Director, and the Department of Environment and Natural Resources of the Philippines (DENR), represented by its Secretary, entered into a Memorandum of Agreement in July 2007 under which the latter commits to host PEMSEA and provide office facilities for its use from 1 September 2007 to 31 December 2017 located within the DENR Compound, Visayas Avenue, Diliman, Quezon City;

**HEREBY AGREE AS FOLLOWS:**

**ARTICLE I  
RECOGNITION OF INTERNATIONAL LEGAL PERSONALITY**

1. PEMSEA is hereby recognized as an organization with international legal personality. It shall have the legal capacity to contract, hold and dispose of property, and such capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.
2. Other than recognition of the international legal personality of PEMSEA, this Agreement imposes no obligation on any of the Parties to provide any form of financial contribution or support to PEMSEA nor guarantees any of the liabilities, debts and other financial obligation incurred by PEMSEA.
3. PEMSEA shall have its seat in Manila, Philippines.

**ARTICLE II  
ORGANIZATIONAL STRUCTURE**

1. The PEMSEA Resource Facility serves as the secretariat providing technical and secretariat services for the implementation of the SDS-SEA and is headed by its Executive Director.
2. The PEMSEA Resource Facility is responsible to the East Asian Seas (EAS) Partnership Council through the Executive Committee. The EAS Partnership Council provides the policy and operational guidance for the implementation of the SDS-SEA, as well as steers, monitors and reviews its progress.
3. The Technical Session of the EAS Partnership Council, composed of the duly designated representatives of the Partners, discusses matters related to the scientific, technical and financial aspects of SDS-SEA implementation and makes appropriate recommendations to the Intergovernmental Session.
4. The Intergovernmental Session of the EAS Partnership Council, composed of the duly designated representatives of the Partner countries, considers and decides on the recommendations of the Technical Session, and provides policy guidance, coordination and evaluation of the progress of the SDS-SEA implementation.
5. The Executive Committee, comprised of the Council Chair, the Session Chairs, and the Executive Director as Secretary, ensures and oversees the implementation of the decisions of the Council. They also act as the officers of the EAS Partnership Council.

### **ARTICLE III DEPOSITARY**

1. The Executive Director of the PEMSEA Resource Facility shall be the depositary of this Agreement and of the instruments of notification and of accession.

### **ARTICLE IV ENTRY INTO FORCE**

1. This Agreement shall enter into force on the date on which at least three Parties, including the Host Country, have expressed their consent to it.

2. Subject to the internal legal requirements of the Parties, consent to this Agreement may be expressed by signature, ratification or accession. With respect to ratifying or acceding Parties, this Agreement shall enter into force on the date of deposit of the instrument of ratification or of accession with the Depositary.

### **ARTICLE V WITHDRAWAL**

After this Agreement has entered into force, a Party may withdraw from it by giving written notice of withdrawal to the depositary. The withdrawal shall be effective one year from the date the notice is received by the Depositary.

### **ARTICLE VI AMENDMENTS**

Any Party may propose an amendment to this Agreement. The amendment shall take effect upon approval by all of the Parties.

### **ARTICLE VII DISSOLUTION**

This Agreement shall lapse once the Partner Countries dissolve PEMSEA or when, as a result of withdrawals and denunciations, less than three (3) Partner Countries remain as Parties.

**ARTICLE VIII  
TEXT OF THE AGREEMENT**

The authentic text of this Agreement shall be in English.

**IN WITNESS WHEREOF, the undersigned have signed this Agreement.**

**Done this \_\_\_ day of \_\_\_ 200\_\_ in Manila, Philippines.**