



The Charter of the PEMSEA Network of Local Governments for Sustainable Coastal Development

Preamble

1. The Regional Network of Local Governments implementing Integrated Coastal Management (herein referred to as RNLG) was officially launched by the GEF/UNDP/IMO Regional Programme on Partnerships in Environmental Management for the Seas of East Asia (PEMSEA) in March 2001 as a forum for exchanging information and experiences in integrated coastal management (ICM) practices among local governments of the region. For the past several years, we have witnessed how ICM practices lead to improved governance of marine and coastal resources, and resulted in on-the-ground social, economic and environmental gains in our communities.
2. The RNLG has proven to be a unique and valuable partnership arrangement among local governments, focusing on the special challenges of coastal cities, municipalities and provinces with regard to sustainable growth and development, and providing a vehicle for sharing practical experiences, technical skills and management know-how on ICM practices among its members.
3. The Sustainable Development Strategy for the Seas of East Asia (SDS-SEA), as adopted by our national governments in December 2003, recognizes the vital role of local governments

in the collective effort of all stakeholders to reverse the continuing destruction and decline of our common heritage. The SDS-SEA challenges local governments in coastal areas throughout the region with the formidable task of reducing conflicting and non-sustainable usage of natural resources in their respective watershed and coastal seas, through the application and replication of ICM programs.

4. Our network, the RNLG, can make a valuable contribution to this regional effort, by encouraging non-member local governments to develop and implement ICM programs. We have the advantage of experience, skills and knowledge that are required for successful ICM application. Working within the framework of PEMSEA, we also have the advantage of accessing higher levels of government, international agencies, donors, and the private sector to support our cause and to ensure that local governments of the region are well equipped to turn environmental concerns into economic and employment opportunities and to facilitate their speedy resolution.
5. Therefore, the RNLG members decided to adopt the "Bali Resolution on the Establishment of the PEMSEA Network of Local Governments for Sustainable Coastal Development (PNLG)" on 27 April 2005, at Bali, Indonesia.

Wherefore, we, the representatives of the members of the PNLG,
do hereby ordain and promulgate the following charter.

I. Name and Office

Name

6. The name of this organization shall be the **PEMSEA Network of Local Governments for Sustainable Coastal Development**, which shall also be known by its acronym **PNLG**.

Office

7. The principal office of the PNLG shall be located in Xiamen, PR China.

Relation with PEMSEA

8. The PNLG shall function as an integral part of PEMSEA and may receive financial and technical support within available funding allocations and in accordance with the

administrative rules and regulations of PEMSEA, which may be in force.

II. Vision and Mission

PNLG Vision

9. The PNLG's vision states:
Coastal areas throughout the East Asian Seas region are managed in a sustainable manner.

PNLG Mission

10. The PNLG's mission shall be to serve as a network of local governments in the region, which, along with their stakeholders, shall promote the application of ICM as an effective management framework to achieve sustainable coastal development.

III. Goal and Objectives

Goal

11. The PNLG shall facilitate the sustainable development and environmental conservation of marine and coastal resources of the region through advocacy, knowledge sharing, forging multi-stakeholder participation and partnerships among local governments, national agencies, civil society groups including non-governmental organizations and people's organizations, and the private sector.

Objectives

12. The PNLG shall have the following objectives:
 - (a) To enhance the capacity of local governments to plan, develop, and manage their coastal and marine resources for sustainable use;
 - (b) To promote the application of ICM approaches, processes and tools in coastal planning, development and management;
 - (c) To facilitate the linkage between scientific/technical institutions and local governments, in order to provide capacity building and scientific input to local government decision-making, policies and programs;
 - (d) To implement innovative financing mechanisms and partnership arrangements for environmental investments with international and national financial institutions, private investors and operating companies, where appropriate;
 - (e) To strengthen multi-stakeholder involvement in managing coastal and marine resources, in order to enhance societal and corporate responsibility for sustainable development of natural resources; and
 - (f) To enhance local coastal governance, as well as inter-agency and multi-sectoral coordination mechanisms, in dealing with coastal and ocean management issues.

IV. Membership

Eligibility

13. The PNLG shall be open for membership to all local government units and other stakeholders that subscribe to the vision, mission, goal and objectives of the PNLG. The definition of local governments shall be consistent with the definitions provided in the respective countries of the East Asian Seas region.

Categories

14. The members of the PNLG shall be categorized into:
 - (a) Regular Members, which are limited to eligible local government units in the East Asian Seas region; and
 - (b) Associate Members, which may include local government units outside the East Asian Seas region, as well as

local government associations, governmental and nongovernmental organizations, universities and academic institutions, the business sector, foundations, international organizations and donor agencies within and outside the East Asian Seas region.

Application and Acceptance

15. Application for membership to the PNLG shall be made in writing and submitted, together with the first year's annual membership dues as well as an official document expressing the intention to subscribe to the PNLG Code of Conduct through the necessary internal adoption process, to the PNLG Head of Secretariat, who shall then review the application according to the guidelines developed and approved by the General Assembly.
16. The PNLG Head of Secretariat shall notify all regular members of such application and transmit the same, together with his/her recommendation, to the Executive Committee, which shall then make the decision on whether to accept or deny the application. The decision of the Executive Committee shall be final.
17. The PNLG Head of Secretariat shall send the applicant a written notice of the decision of the Executive Committee. In the case of unsuccessful applicants, annual membership dues submitted will be returned.

Termination of Membership

18. Members may terminate their membership by notifying the PNLG Head of Secretariat in writing. Membership can also be terminated by the PNLG if any member fails to perform their roles and obligations and observe the PNLG Code of Conduct as referred to in Section V.

V. Benefits, Roles and Obligations

Benefits

19. The PNLG shall work towards achieving the following benefits for its members:
 - (a) Participation in the annual network meeting/workshop;
 - (b) Information exchange concerning specific knowledge, skills and good practices related to ICM program development and implementation;
 - (c) PEMSEA publications and other information facilities;
 - (d) Representation at the PEMSEA Partnership Council, Ministerial Forum and other concerned regional/international forums and local government networks;
 - (e) An invitation to participate in the EAS Congress;

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- (f) Website linkage with PEMSEA and member local governments of the network;
 - (g) Policy, technical support and training services of the PEMSEA Resource Facility, on a cost-recovery basis, including:
 - PEMSEA training opportunities;
 - PEMSEA's public-private sector partnership program for mobilizing private sector financial resources and expertise;
 - Innovative financing programs for leveraging investment in environmental infrastructure improvements;
 - PEMSEA ICM certification, leading to ISO certification; and
 - PEMSEA certification for Port Safety, Health and Environment Management System, leading to ISO certification.

Roles and Obligations

- 20. The PNLG members shall:
 - (a) Attend the network annual meetings at their own cost;
 - (b) Exchange information, publication and experiences with other PNLG members;
 - (c) Link websites with PEMSEA and other PNLG members where possible; and
 - (d) Recruit new network members for participation in annual meetings and for development and implementation of ICM programs.
- 21. In addition, regular members shall:
 - (a) Pay an annual membership fee of 500 US\$;
 - (b) Develop, implement, consolidate and sustain ICM programs within their jurisdictions;
 - (c) Abide by the Code of Conduct for the PNLG members;
 - (d) Sponsor and host at least one network annual meeting and study tour; and
 - (e) Monitor environmental quality and submit a triennial state of the environment report.

Code of Conduct

- 22. Regular members shall subscribe to the Code of Conduct as follows:
 - (a) To work towards the development and implementation of institutional arrangements for ICM implementation, including an interagency, multi-sectoral mechanism to coordinate the efforts of different agencies, sectors and administrative levels, and where appropriate, to develop: policy and legislative measures to support ICM planning and management; capacity building programs to enhance required human resource skills and tools; scientific input to policy and planning processes; and enforcement mechanisms to ensure compliance with adopted rules and regulations;

- (b) To formulate and implement coastal strategies and action plans that provide a long term vision and strategy for sustainable development of the coastal area, and a fixed-term program of actions for addressing priority issues and concerns;
- (c) To implement public awareness programs to increase the level of understanding of, and appreciation for, the coastal and marine resources of the area, and to promote a shared responsibility among stakeholders in the planning and implementation of the ICM program;
- (d) To mainstream the ICM program into the local government's planning and socioeconomic development program and to allocate adequate financial and human resources for its implementation; and
- (e) To conduct integrated environmental monitoring for the purpose of measuring the status, progress, and impacts of management programs against sustainable development indicators, as may be established, and to use the information in decision-making, public awareness and participation, and performance evaluation.

VI. Governing Body

General Assembly

- 23. The governing body of the PNLG shall be the General Assembly, which shall be composed of regular members in good standing, in accordance with Section IV.

Functions of the General Assembly

- 24. The General Assembly shall perform the following functions:
 - (a) Elect the officers of the PNLG;
 - (b) Establish and provide policy guidelines and enunciate programs designed to fulfill the goal and objectives of the PNLG; and
 - (c) Approve proposed annual work programs, budgets and activities.

Quorum and Decision Making

- 25. In any meeting, whether regular or special, more than 50% of regular members shall be present in order to establish the quorum to transact business. Decisions shall be arrived at through consensus building. Members who are not able to attend the meeting can execute membership right by way of proxy.

VII. Officers

Election of Officers

- 26. The Officers shall administer the affairs of the PNLG in accordance with its goal and objectives. The regular members
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of the General Assembly shall elect the President and the Vice-President from among the regular members.

Terms of Office

27. All officers shall hold office for a term of three years and until their successors shall have been duly elected and qualified. No regular member shall be nominated and elected to hold any officer position for more than two consecutive terms.

President and Vice President

28. The President, and in his/her absence, the Vice President, shall represent the PNLG before international and regional meetings and forums. The President and the Vice President shall serve as chair and vice-chair in all meetings of the General Assembly and the Executive Committee.

Vacancy

29. An office shall be declared vacant in the event that an officer no longer represents the local government units, dies, becomes incapacitated, resigns, or his local government ceases to be a member of the PNLG. In case of the vacancy of the post of the President, the Vice President will automatically assume the position for the remaining period of the term. Vacancy of the post of the Vice President shall be filled for the remaining period of the term of office through appointment by the Executive Committee.

VIII. Executive Committee

Composition

30. The Executive Committee shall be comprised of the President and the Vice President of the PNLG, and the Executive Director of the PEMSEA Resource Facility, with the PNLG Head of the Secretariat serving as the secretary.

Functions

31. The Executive Committee shall ensure and oversee the implementation of the decisions of General Assembly, and report to the General Assembly.

IX. Secretariat

Secretariat Office

32. The Secretariat shall hold office in Xiamen, PR China and shall be managed by the PNLG Head of Secretariat.

The PNLG Head of Secretariat

33. The PNLG Head of Secretariat shall be appointed by the local government hosting the secretariat in accordance with the qualifications set by the Executive Committee.

Secretariat Functions

34. The activities of the secretariat shall include:
- (a) organizing the annual meetings of the PNLG;
 - (b) implementing/coordinating the decisions and actions requested by the PNLG General Assembly;
 - (c) informing network members of relevant activities, events and opportunities among its membership;
 - (d) representing the PNLG within PEMSEA;
 - (e) keeping and maintaining records of the members of the PNLG, including the membership data, status and other relevant information and documents;
 - (f) collecting all dues, regular or special, and all donations to the PNLG and disbursing funds in accordance with the PNLG Charter and By-Laws;
 - (g) preparing an annual financial and implementation report on the PNLG activities; and
 - (h) in general, performing all duties inherent to the office of the Secretariat and such other duties as may be assigned to him/her by the Executive Committee from time to time.

X. Annual Forum

35. The PNLG shall hold an annual forum at its principal office or another place as may be designated by the General Assembly. The annual forum shall consist of:
- (a) General Assembly Meeting — annual meeting of regular members to discuss, evaluate and approve the proposed annual work plans, budget and activities of the PNLG and other related matters; and
 - (b) Technical Meeting — annual meeting of all PNLG members including the regular and associate members for knowledge sharing, partnership building and monitoring of ICM scaling-up progress.

XI. Funds

Funds

36. The sources of funds of the PNLG shall be: (1) Membership fees; (2) Operational funds from local governments hosting the secretariat; (3) Grants and financial assistance from PEMSEA and other partners; and (4) Fund-raising and other revenue-generating activities.

Management of Funds

37. The funds shall be used for operations and implementation of activities aimed at achieving the goal and objectives of the PNLG, in accordance with the annual work plan and budget as approved by the General Assembly.
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38. The secretariat shall be responsible for administrative procedures and management of the approved funds, in accordance with work plans and budgets of the PNLG as well as accounting and auditing rules and regulations of PEMSEA.

more detailed information and procedures for the implementation of the provisions of the Charter. The Bylaws shall be adopted by the General Assembly after reaching consensus.

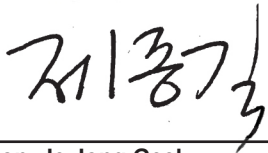
XII. Bylaws and Amendments

Adoption of the Bylaws

39. The Bylaws of the PNLG shall be developed to provide

- Amendment**
40. Every proposal to amend the Charter and any subsequent changes to the Bylaws shall be submitted in writing during the General Assembly meeting and shall be adopted after reaching consensus.

Ansan, R.O. Korea:



Hon. Je Jong Geel
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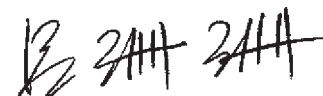
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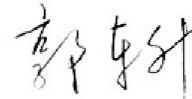
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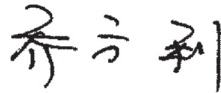
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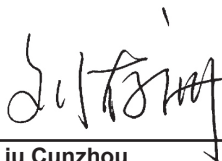
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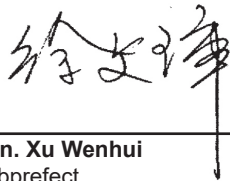
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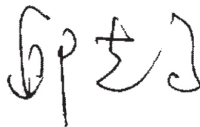
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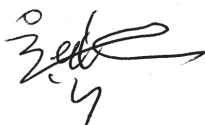
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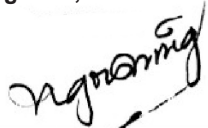
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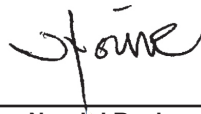
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