



PEMSEA EC Meeting Report 3

# PROCEEDINGS OF THE THIRD EXECUTIVE COMMITTEE MEETING

OPRF, Tokyo  
Japan

13 July 2008



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## **PROCEEDINGS OF THE THIRD EXECUTIVE COMMITTEE MEETING**

**OPRF, Tokyo, Japan, 13 July 2008**

### **A. INTRODUCTION**

- i. The Third Executive Committee Meeting was held at the Office of the Ocean Policy Research Foundation (OPRF) in Tokyo, Japan on 13 July 2008.
- ii. The Meeting was attended by the EAS Partnership Council Chair, Dr. Chua Thia-Eng and the Technical Session Chair, Mr. Hiroshi Terashima. Two researchers from OPRF, namely: Mr. Eiji Sakai, International Affairs Team, and Dr. Aiko Endo, Research Fellow, attended the Meeting as observers. The PEMSEA Resource Facility (PRF) served as the Secretariat.
- iii. A full list of participants is attached as Annex 1.

### **B. OPENING**

- i. Dr. Chua Thia-Eng opened the meeting and invited the PRF to provide information on the preparations for the EAS Partnership Council as well as other organizational matters.
- ii. The PRF's Chief Technical Officer, Mr. S. Adrian Ross, informed the Meeting that the Executive Director (ED) was not able to attend the meeting because of health reasons. Mr. Ross briefed the Executive Committee on the major agenda items for the 2<sup>nd</sup> EAS Partnership Council Meeting. The three agenda items highlighted for discussion at the Council were: 1) the Recognition of PEMSEA's Legal Personality; 2) the work programme for the GEF/UNDP/UNOPS project on the Implementation of the SDS-SEA; and 3) preparations for the EAS Congress 2009 and the third Ministerial Forum.
- iii. On behalf of the Executive Committee, Dr. Chua Thia-Eng expressed appreciation to the Secretariat for their efforts in preparation for the 2<sup>nd</sup> EAS Partnership Council Meeting. He emphasized the importance of the 2<sup>nd</sup> Council Meeting for consensus building opportunity on PEMSEA's future direction, especially on the recognition of PEMSEA's legal personality and the EAS Congress 2009. He informed the meeting that the Intergovernmental Session Chair, Dr. Li Haiqing was not able to attend the meeting due to urgent matters within his organization, the State Oceanic Administration (SOA) of the People's Republic of China.

### **C. PREPARATIONS FOR THE 2ND EAS PARTNERSHIP COUNCIL MEETING**

#### **1.0 Briefing on the Council Session**

- 1.1 The Executive Committee reviewed the preparations for the 2<sup>nd</sup> EAS Partnership Council, including meeting documents, participants, rules of procedure for the Council Meeting, and the opening ceremony and PEMSEA/Japan Joint Seminar. It was noted that the meeting documents were complete except for some Partners' Reports.

- 1.2 In the absence of the Intergovernmental Session Chair, the Meeting agreed that the EAS Partnership Council Chair would chair the Intergovernmental Session, in accordance with the Guidelines for the Conduct of Meetings. Representatives from the host country would be invited to serve as co-chairs in the Council, Intergovernmental and Technical Sessions.
- 1.3 The Executive Committee requested the Secretariat to introduce the Report of the Council Chair during the Council Session, highlighting its intersessional activities, the policy documents that the EC had prepared for Council approval, and the role served by the EC in overseeing the transition of PEMSEA.
- 1.4 The Executive Committee noted the comprehensive RPD/ED report, which summarized the work of the PRF from August 2007 to July 2008. The Executive Committee expressed confidence that the PRF is continuing its good work under the leadership of the PRF ED.
- 1.5 The Executive Committee also took note of the introduction of EMECS as the newest non-State Partner of PEMSEA, and the scheduled signing of a Letter of Cooperation between the PRF and EMECS.

## **2.0 Briefing on the Technical Session**

- 2.1 The Executive Committee reviewed the documents prepared for the Technical Session. It was noted that limited time had been allocated for the discussion on PEMSEA's Legal Personality. To cover this important matter effectively, the Executive Committee recommended that the Secretariat introduce the need and rationale for recognition of PEMSEA's legal personality, and the draft Protocol, which had previously been circulated to all State Partners. The Executive Committee also requested the Secretariat to clarify some of the legal matters identified in the documents, such as the definition of "protocol", and why three (3) countries constituted the basis for recognition of PEMSEA's legal personality.
- 2.2 The Executive Committee confirmed that the Technical Session would be invited to review and comment on the text of the draft Protocol, and forward their recommendations to the Intergovernmental Session. It was proposed that a small working group be set up during the Technical Session, if necessary, to discuss the text of the Protocol in detail and to come up with recommendations for consideration by the Intergovernmental Session.
- 2.3 Regarding other agenda items, the Executive Committee noted a number of issues that required the Council's consideration, including:
  - The inability of The World Bank to contract out the execution of the Project Preparation Revolving Fund (PPRF) project to various UN agencies, with serious potential implications on the sustainability of the Partnership Investment Fund, and highlighting the importance of PEMSEA moving forward with recognition of its legal personality;

- Strengthening cooperation among various on-going transboundary projects in the region, with a view to creating synergies for SDS-SEA implementation, and providing a vehicle for promoting the PRF's services and products;
- The application of the Framework of Partnership Programmes (FoPP) by State and non-State Partners as a means of identifying focus, coverage and commitments to sustainable development of marine and coastal areas and resources, as well as determining gaps, overlaps and opportunities for improved coordination of SDS-SEA implementation;
- The State of the Coasts (SOC) reporting system as a value-added operational tool for local governments implementing ICM programmes, encompassing the assessment of a local government's progress towards recognized national and international sustainable development targets through ICM;
- The active participation of State and non-State Partners by co-convening workshops for the EAS Congress 2009;
- The various networks and services being set up as a means of strengthening and mobilizing the region's intellectual capital in support of a sustainable regional mechanism, including: a PEMSEA regional task force (RTF); ICM national task forces (NTFs); model ICM training courses; regional centers of excellence (RCoE); ICM learning centers; ICM Code and Recognition System; PSHEM Code and Recognition System; twinning arrangements; PEMSEA Network of Local Governments (PNLG); special skills training courses; internships/fellowships; postgraduate curriculum in ICM; corporate social responsibility (CSR) recognition, etc.;
- The inclusion of workshops in the EAS Congress 2009 covering critical and emerging issues in the region, such as coastal reclamation, island management, and coastal zoning; and
- The consideration of "adaptation to climate change through ICM" as a topical matter for discussion during the Ministerial Forum in 2009.

2.4 The Executive Committee recommended that the PRF:

- a. Actively pursue linkages and cooperation with other subregional transboundary projects;
- b. In consideration of the heavy work load, attempt to reduce the number of planned activities, focusing on activities that result in high impact and outcomes that support of SDS-SEA objectives;
- c. Develop and implement the FoPP and the SOC reporting system incrementally, starting with practical applications to meet the needs of Partners and local governments, and evolving over time as experience is gained;
- d. Link RTF and NTF development to the needs of countries, and particularly to the national programmes that countries prepare and adopt in support of SDS-SEA;
- e. Organize (a) technical working group(s), comprised of interested State and non-State Partners and other international experts/institutions to evaluate and refine the ICM and PSHEM Codes, related guides and resource documents, and the respective Recognition Systems;
- f. Transform the twinning arrangement into a knowledge-sharing and technical support network for integrated river basin and coastal area management projects;

- g. Activate the PNLG as an advocacy network supporting the scaling up of ICM across the region;
- h. Work with the corporate sector at the regional, national and local levels, focusing on CSR for improved coastal and ocean governance; and
- i. As soon as possible, identify and invite keynote speakers, experts and resource persons to the EAS Congress 2009, in order to ensure high quality presentations and knowledge-sharing.

2.5 The Executive Committee also recommended that their next meeting, scheduled for July 2009, include State and non-State Partners, for the purpose of reviewing and finalizing the preparations for the EAS Congress 2009.

### **3.0 Briefing on the Intergovernmental Session**

3.1 The Executive Committee reviewed the documents prepared for the Intergovernmental Session.

3.2 The Executive Committee noted the following:

- a. The discussion on recognition of PEMSEA's legal personality should lead to a common understanding of the rationale and content of the draft Protocol, and consensus among the State Partners on an agreed schedule for country acceptance and signature;
- b. The PRF Sustainability Plan (PC/08/DOC/62) is highly dependent on recognition of PEMSEA's legal personality;
- c. PC/08/DOC/63 is not consistent with the proposed climate change adaptation theme proposed for the Ministerial Forum; and
- d. The work plan and budget for the GEF/UNDP/UNOPS project are still being negotiated with participating countries, with MOA signatures scheduled by the end of August 2008.

3.3 The Executive Committee recommended:

- a. The PRF continue with the development of the PRF Sustainability Plan, but to give priority to the recognition of PEMSEA's legal personality;
- b. Building on the experiences of PEMSEA, ICM be featured as a tool for the climate change adaptation at the Ministerial Forum;
- c. The document PC/08/DOC/63 be revised and submitted to the Intergovernmental Session, with a focus on climate change adaptation through ICM implementation;
- d. The PRF interact with the World Ocean Conference 2009 in Manado, Indonesia, the BioMarine 2008 Forum in France, and other relevant international conferences, for the development and promotion of the EAS Congress 2009 and the Ministerial Forum; and
- e. The work plan, budget and MOAs be completed and the project implementation commence as soon as possible, recognizing the limited timeframe for the project.

3.4 The Executive Committee reviewed the PRF's progress with respect to the establishment of a PEMSEA bank account. Discussions have been made with the

Metropolitan Bank and Trust Company of the Philippines, the banking institution used by IMO/PEMSEA for the past 14 years, for PEMSEA to open its own bank account, subject to the submission of a Resolution from the Executive Committee:

- a. Granting authority to the PRF Executive Director to open an account with a Philippine Bank and to deposit funds; and
  - b. Confirming the designation of signing authorities and their corresponding signing limits.
- 3.5 The Executive Committee reviewed a Draft Executive Committee Resolution authorizing the PRF Executive Director to establish and open a PEMSEA bank account and designating signing authorities.
- 3.6 The Executive Committee resolved as follows:

EPC3-001 Opening of PEMSEA Bank Accounts

To grant, as it hereby grants, authority to the Executive Director of the PEMSEA Resource Facility (PRF), subject to accounting, auditing and reporting rules currently in force to:

- a. Establish or open such PEMSEA savings and current bank accounts with Metropolitan Bank and Trust Company or such other banks in the Philippines as are necessary for the proper conduct of PEMSEA's functions,
- b. Designate the signing authorities for the management of such accounts;
- c. Deposit, withdraw or transfer funds to the new PEMSEA accounts, issue, encash or negotiate checks for the account of PEMSEA ;
- d. Effect the transfer of funds from the IMO account to the new PEMSEA account; and
- e. Perform any and all acts necessary to effect the foregoing.

EPC3-002 Designation of Signing authorities

To confirm, as it hereby confirms, the designation made by the Executive Director of the PRF of the following signing authorities with corresponding signing limits:

- a. For withdrawals up to USD 30,000 or its equivalent, any two signatures of the following PRF officers:

<i>Name</i>	<i>Position</i>
Raphael P.M. Lotilla	Executive Director
Stephen Adrian Ross	Chief Technical Officer
Nancy Bermas	Country Programme Manager



- b. For withdrawals of more than USD 30,000 or its equivalent, the signatures of both of the following PRF officers, upon approval of the Executive Committee:

<i>Name</i>	<i>Position</i>
Raphael P.M. Lotilla	Executive Director
Stephen Adrian Ross	Chief Technical Officer

- c. The authorities of the foregoing shall have full force and effect until revoked or modified by a duly notarized written notice actually received by the bank at its office, certifying that a resolution to that effect has been adopted by the Executive Committee of PEMSEA.

#### EPC3-003 Preparation of Guidelines on the Use of Funds

To direct the PEMSEA Resource Facility to draw up and submit Guidelines on the Use of Funds for approval by the Executive Committee.

#### **4.0 Other Business**

- 4.1 The Executive Committee discussed the date and location of the next EAS Partnership Council meeting. In view of the fact that the EAS Congress 2009 would entail significant commitment on the part of the PRF and the State and non-State Partners, it was suggested that the Council meeting be deferred for six months following the EAS Congress 2009.
- 4.2 The Executive Committee recommended that the Council consider rescheduling the 3<sup>rd</sup> EAS Partnership Council meeting to July 2010.

#### **D. CLOSING**

Dr. Chua Thia-Eng thanked the Secretariat for the preparation of the 2<sup>nd</sup> EAS Partnership Council Meeting.

Mr. S. Adrian Ross thanked the Executive Committee members for their thoughtful input to the various matters pertaining to the agenda items of the 2<sup>nd</sup> EAS Partnership Council Meeting.

Dr. Chua declared the Meeting closed at 6:15 PM, 13 July 2008.

## **Annex 1**

### **LIST OF PARTICIPANTS**

**Third Executive Committee Meeting  
Tokyo, Japan  
13 July 2008**

**Executive Committee**

Dr. Chua Thia-Eng  
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Mr. Hiroshi Terashima  
Technical Session Chair  
EAS Partnership Council and  
Executive Director  
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**PEMSEA Secretariat**

Mr. Stephen Adrian Ross  
Chief Technical Officer  
PRF

Dr. Won-Tae Shin  
Programme Specialist  
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Ms. Kazumi Wakita  
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**Observers**

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**Annex 2**  
**List of Documents**

**Third Executive Committee Meeting  
Tokyo, Japan  
13 July 2008**

**List of Documents**

<b>ITEM NO.</b>	<b>AGENDA ITEM</b>	<b>DOCUMENT</b>	<b>DOCUMENT NUMBER</b>
1.0	Adoption of Agenda	Provisional Agenda	EC/08/DOC/01
2.0	Review of the Previous EC Decisions	Review of the Previous EC Decisions	EC/08/DOC/02
	Preparation for the 2 <sup>nd</sup> EAS Partnership Council Meeting		
3.0	Briefing on Council Meeting Sessions		
3.1	Briefing on the Council Session	Chair's Briefing (Council Session)	EC/08/DOC/03
3.2	Briefing on the Technical Session	Chair's Briefing (Technical Session)	EC/08/DOC/04
3.3	Briefing on the Intergovernmental Session	Chair's Briefing (Intergovernmental Session)	EC/08/DOC/05

### **Annex 3**

## **Third Executive Committee Meeting Agenda**

**Third Executive Committee Meeting  
Tokyo, Japan  
13 July 2008**

**Provisional Agenda**

**13 July 2008 (Sunday)**

- |               |  |
|---------------|--|
| 13:30 – 13:35 | Introductions and Welcoming Remarks  |
| 13:35 – 13:40 | 1.0 Adoption of Agenda<br>Introduction of Documents and reference materials            |
| 13:40 – 14:30 | 2.0 Review of the Previous EC Decisions  |
|               | <i>Preparation for the 2<sup>nd</sup> EAS Partnership Council Meeting</i>              |
|               | 3.0 Briefing on Council Meeting Sessions   |
| 14:30 – 15:20 | 3.1 Briefing on the Council Session  |
| 15:20 – 15:40 | Coffee Break   |
| 15:40 – 16:40 | 3.2 Briefing on the Technical Session  |
| 16:40 – 17:40 | 3.3 Briefing on the Intergovernmental Session  |
| 17:40 – 17:50 | 4.0 Other Business   |
| 17:50 – 18:10 | 5.0 Summary of Conclusions and Recommendations   |
|               | ***  |
| 18:30 – 20:30 | Welcome Cocktails for the 2 <sup>nd</sup> EAS Partnership Council Meeting Participants |