



PROCEEDINGS OF THE SECOND EXECUTIVE COMMITTEE MEETING

**PEMSEA Office, Quezon City
Philippines**

14–15 March 2008



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A. INTRODUCTION

- i. The Second Executive Committee Meeting was held at the PEMSEA Office, Quezon City, Philippines on 14-15 March 2008.
- ii. The Meeting was attended by the EAS Partnership Council Chair, Dr. Chua Thia-Eng; the Intergovernmental Session Chair, Dr. Li Haiqing; and the Technical Session Chair, Mr. Hiroshi Terashima. During the discussion of Agenda Item No. 8 on PEMSEA's Legal Personality, members of the Technical Working Group on the Recognition of PEMSEA's Legal Personality, and representatives from the Philippines National Focal Agency and United Nations Development Programme (UNDP) Country Office attended the meeting. The PEMSEA Resource Facility (PRF) served as Secretariat.
- iii. A full list of participants is attached as Annex 1.

B. OPENING MESSAGE

- i. The Acting PEMSEA Regional Programme Director and Interim PEMSEA Resource Facility (PRF) Executive Director, Mr. Stephen Adrian Ross, welcomed the members of the Executive Committee to the Meeting. Mr. Ross informed the Meeting of the major agenda items to be discussed, including the GEF/UNDP Project Document, the 2nd EAS Partnership Council Meeting, and recognition of PEMSEA's Legal Personality.
- ii. On behalf of the Executive Committee, Dr. Chua Thia-Eng, Council Chair, expressed appreciation to the Secretariat for the arrangements made for the Executive Committee members. Dr. Chua emphasized the delineation of roles between the Executive Committee and the PRF. As representative of the EAS Partnership Council, the Executive Committee looks into the interest of both State and Non-State Partners while the PRF implements the decisions of the EAS Partnership Council and executes the GEF project. With PEMSEA's move towards self-sustainability, Dr. Chua expressed his confidence that, in the long-term, PEMSEA will transform from a UN-driven mechanism into an organization highly driven by the interest of Partners.

C. ADOPTION OF AGENDA AND ORGANIZATIONAL MATTERS

- i. Dr. Chua introduced the meeting documents (Annex 2) and the provisional agenda.
- ii. In addition to the meeting agenda, Mr. Ross informed the Meeting that a request had been received from the International Center for the Environmental Management of Enclosed Coastal Seas (EMECS) for inclusion as Non-State

Partner. He informed the Meeting that the request would be discussed under Agenda Item 10.0 on Other Business. Mr. Ross then briefed the Meeting on general organizational matters.

- iii. The Meeting adopted the Agenda, as contained in Annex 3.

BUSINESS ARISING FROM THE 1ST EXECUTIVE COMMITTEE MEETING

1.0 RECRUITMENT OF THE EXECUTIVE DIRECTOR AND PRF TECHNICAL SERVICES STAFF

- 1.1 The Meeting was updated on the status of PRF staff recruitment for the new GEF project.

Recruitment of the ED

- 1.2 The Meeting was informed that the interview of candidates for the Regional Programme Director/PRF Executive Director was completed and the results had been submitted to UNOPS. The UNOPS' internal review panel is now reviewing the report of the Selection Committee prior to submission to UNDP New York for final confirmation of the Regional Programme Director. The Meeting was advised that the Council Chair, Dr. Chua, participated as a member of the Selection Committee.
- 1.3 Dr. Chua briefed the meeting on the Selection Panel's decision concerning the RPD post. He informed the meeting that among the four candidates, Atty. Raphael P.M. Lotilla was selected as the preferred candidate based on his experience in intergovernmental affairs, knowledge of the region, expertise in the Law of the Sea, and demonstrated skills as a high ranking government official, including Secretary of Energy and Undersecretary of the National Economic Development Authority in the Philippines.
- 1.4 The Meeting discussed a number of issues regarding the recruitment and appointment process for the RPD/ED post, as follows:
 - a. The post has two functions, namely the Regional Programme Director of the GEF project, and the Executive Director of the PRF;
 - b. UNOPS as Executing Agency of the GEF project appoints the Regional Programme Director, while the EAS Partnership Council appoints the ED of the PRF;
 - c. In the future, a problem could arise if the Executing Agency and the Council disagree with the selection of the preferred candidate.
- 1.5 As a consequence, the Meeting decided that a formal procedure needed to be established for any future situation involving the selection and appointment process for the RPD/ED post.
- 1.6 At the request of the Meeting, the PRF drafted a procedure for the recruitment and appointment of the RPD and ED. The draft procedure was presented by the PRF to the Executive Committee for consideration, refinement and adoption.

The EC recommended that:

- 1.7 The Procedure 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, as refined and agreed to by the Executive Committee (Annex 4), be endorsed to the 2nd EAS Partnership Council Meeting in July 2008 for adoption.
- 1.8 Atty. Lotilla be appointed Executive Director of the PEMSEA Resource Facility, in accordance with the adopted Procedures, recognizing that UNOPS is still in the process of appointing Atty. Lotilla as the Regional Programme Director.
- 1.9 A full report of the recruitment and appointment process be submitted to the 2nd EAS Partnership Council.
- 1.10 The new ED/RPD be formally introduced to the EAS Partnership Council at its next meeting in July 2008.
- 1.11 The PRF inform UNOPS of the procedure adopted by the EC.

Recruitment of the PRF Staff

- 1.12 The Meeting was briefed on the status of recruitment for PRF staff. Nine new staff have been recruited through open competition and nine existing staff are being transferred from IMO to UNOPS contracts. The PRF posts and the names of the new and transferring staff are provided in Annex 5.
- 1.13 The Meeting was informed of the assistance provided by the PRF to assist UNOPS throughout the recruitment process. The assistance was necessary for two reasons, namely: a) UNDP Manila was unable to provide UNOPS with the required support due to staff shortages and the short timeframe for recruitment (January to March 2008); and b) UNOPS does not have the capacity to recruit at the local level.
- 1.14 The Meeting was advised that UNDP Manila would be unable to issue the PRF staff contracts by the end of March 2008. In order to facilitate the process, the PRF was offering to provide two or three staff to support UNDP Manila with the preparation of documents/contracts for the staff, which needed to be issued by the end of March.

The EC noted that:

- 1.15 The service provided by UNOPS and UNDP Manila during the PRF staff recruitment process did not meet the expectations of Council. UNOPS and UNDP Manila appeared to have limited capacity to manage and implement the recruitment process, relying heavily on the PRF to complete the work on their behalf, despite the fact that substantial GEF project funds had been committed to both organizations. While recognizing that such delays might be due to the change of executing agency, the Meeting stressed the importance of establishing

PEMSEA's legal personality which could resolve most of such problems in the future.

- 1.16 The EC expressed its appreciation to the PRF for its efforts and efficient conduct of the recruitment process.

The EC recommended that:

- 1.17 The PRF prepare a list of current PRF posts, both open and filled, for discussion at the 2nd EAS Partnership Council Meeting.

2.0 GEF/UNDP PROJECT ON IMPLEMENTATION OF THE SDS-SEA

- 2.1 The Meeting was advised that the GEF/UNDP Project on Implementation of the SDS-SEA had been signed by four participating countries, namely, Cambodia, the Philippines, Indonesia and Timor-Leste, as well as by the Executing Agency (UNOPS) and the Implementing Agency (UNDP) represented by UNDP Manila. The project is scheduled for start up on 1 April 2008.
- 2.2 It was emphasized that, in accordance with UNDP requirements, all GEF-eligible countries must sign the Project Document in order for GEF funds to be committed to project activities within the respective countries. Therefore, further efforts are required to obtain the signatures of the UNDP Focal Agencies in China, Lao PDR, Thailand and Cambodia in order to facilitate the start up of project activities in those countries. Dr. Li agreed to follow up on the status of the project document signature in China and provide feedback to the PRF before end of March 2008.
- 2.3 A number of issues related to the start up and implementation of the new GEF project were discussed by the Meeting, including:
 - a. The IMO, UNDP and GEF have agreed to extend the Regional Programme to 31 March 2008, using the residual funds from the existing project, in order to facilitate a smooth transition from the Regional Programme to the SDS-SEA implementation project;
 - b. Communication with DPR Korea has been very difficult since the close of the UNDP office in Pyongyang. The few times that communication has been successful are when the call, fax or email originates in DPR Korea; and
 - c. With the recent initiative on a planned joint scientific survey of the South China Sea involving China, Philippines and Vietnam, it was suggested that the PRF should give special attention to developing subregional seas initiatives with Partners and collaborators, including the Sulu-Sulawesi Seascape, Mangroves for the Future, Coral Triangle Initiative, the Yellow Sea LME project, and the Timor-Arafura Seas project.

The EC concluded that:

- 2.4 By facilitating the sharing of information among various subregional activities, PEMSEA's value as a regional partnership network would be further recognized and appreciated. The Technical Session of the EAS Partnership Council provides

a means and opportunity for State and Non-State Partners to put forward and access information on subregional projects, as well as explore mutually beneficial working arrangements among Partners.

The EC recommended that:

- 2.5 The PRF make every effort to establish contact with NFPs in China, Lao PDR, Thailand and Vietnam to secure the signature of the project document and to initiate country work programmes in April 2008.
- 2.6 The PRF include GEF and UNDP focal points in all future interactions in order to establish and maintain strong relationships.
- 2.7 In view of the current difficulty in communicating with DPR Korea, the PRF explore courting communication through China as virtual office, until direct communication is reestablished.
- 2.8 The new ED conduct a mission trip to DPR Korea to strengthen the working relationship between the PRF and the government.
- 2.9 The PRF setup a small working group to look into subregional activities and create new proposals that will enhance the synergies between and among these activities.
- 2.10 The PRF invite the various subregional Partners and collaborators to share information concerning their work through such actions as submissions/participation in the Technical Session of the EAS Partnership Council, *Tropical Coasts* articles, and co-convening workshops during the EAS Congress 2009.

3.0 FRAMEWORK OF PARTNERSHIP PROGRAMMES

- 3.1 The Framework of Partnership Programmes is a methodology being developed by the PRF for the purpose of gathering, collating and evaluating the programmes and project initiatives of State and Non-State Partners in support of SDS-SEA implementation. The status, progress and the test result of the Philippines case study of the Framework of Partnership Programmes was presented to the Executive Committee.

The EC concluded that:

- 3.2 The case study must convince the State and Non-State Partners of the EAS Partnership Council to develop their respective Framework of Partnership Programmes, and as such the benefits derived from the Framework must be clearly understood and appreciated.
- 3.3 The Framework should help State Partners identify where resources are already available as a basis for what else needs to be done.

- 3.4 The Framework should serve as the basis for preparation of MOAs between PEMSEA and State Partners for the implementation of the SDS-SEA.
- 3.5 Non-State Partners should be able to use the Framework to define their specific contribution to the implementation of the SDS-SEA, as well as where they can further contribute (e.g., donors; NGOs; private sector).
- 3.6 The Framework should provide a foundation for joint planning between State and Non-State Partners. The initial baseline study/information gathered by the RPO in 2005 provides a good baseline for the Framework of Partnership Programmes in the respective countries, and can be employed by the PRF in drafting the Frameworks for each country.

The EC recommended that the PRF:

- 3.7 Make further effort to refine the Philippines case study in order to demonstrate its usefulness and value in the region.
- 3.8 Focus on the preparation of the case study and refinement of the template for presentation and endorsement by the 2nd EAS Partnership Council meeting.
- 3.9 Proceed with the development of Framework of Partnership Programmes with Non-State Partners only, for submission to the EAS Partnership Council in July 2008.

4.0 STATE OF COASTS REPORTING SYSTEM

- 4.1 The SOC is being developed primarily to monitor the progress and impact of ICM implementation of local governments. It monitors the economic, social and environmental benefits of ICM and closes the loop of the efforts in the region with respect to SDS-SEA implementation through ICM. It will be developed and applied as a regular reporting system which will be updated on an annual basis at the local level.
- 4.2 The Meeting was informed that an initial case study for Batangas was accomplished in about 5-6 months involving 3 stakeholders' workshops, which included representation from local and national government agencies, nongovernmental organizations, the private sector and the academe. An SOC guide is also currently being developed by the PRF and should be ready by end of March. An early draft of the SOC report for Batangas was presented to the EC.

The EC concluded that:

- 4.3 The SOC report, and the indicators used in the analysis, should be consistent with PEMSEA's Sustainable Development Framework for Coastal Areas, covering both governance and sustainable development aspects of ICM programmes.

- 4.4 The case study must demonstrate a comprehensive analysis of the sustainable development indicators, and inform the local Chief Executive of areas where progress has been made, and areas where improvements are still required.
- 4.5 Information in the SOC report must be reliable and sound, and therefore there needs to be quality assessment and quality control of all information and the analysis, including discussion of trends.
- 4.6 The matrix of the indicators and information gathered should be appended to the report.
- 4.7 The SOC should be prepared and presented as an operational tool for local governments, not as a research report. The refined report will be presented to the EAS Partnership Council in July 2008.
- 4.8 The implementation of the SOC reporting scheme should be focused at the local level until it is demonstrated that the system is working. The value and uniqueness of the SOC reporting is that it is built into ICM programs and implemented at the local level.
- 4.9 The Regional SOC report should be developed as an integration of the ICM site reports and should be linked with other subregional and regional reporting initiatives, such as the Assessment of Assessments (AoA) initiated by the United Nations Environment Programme (UNEP) and Intergovernmental Oceanographic Commission (IOC).

The EC recommended that:

- 4.10 The PRF refine the SOC case study for Batangas in line with the Sustainable Development Framework, and demonstrate the use of the SOC as an operational tool for local governments.
- 4.11 The refined report be submitted to the 2nd EAS Partnership Council Meeting in July 2008 for endorsement as an operational tool for local governments implementing ICM.
- 4.12 The PRF interact with other Partners and regional collaborators (e.g., IOC) who are currently working on regional and subregional reporting systems, with a view to integrating the local governments' SOC reports into the regional/subregional reports, for the production of a regional SOC report.

5.0 PRF SUSTAINABILITY PLAN

- 5.1 The development of the PRF Sustainability Plan is in line with the decision of the 1st EAS Partnership Council Meeting (July 2007) to further assess viable options for moving toward the goal of a long-term sustainable regional mechanism for SDS-SEA implementation (para. 3.35 Technical Session, and para. 2.8, Intergovernmental Session of the 1st EAS PC Meeting).

- 5.2 The Meeting was advised that the proposed Sustainability Plan will be exploring four particular options for achieving a sustainable PRF, namely:
- a. Engaging other donors at the local, national and regional levels;
 - b. Cost-sharing the PRF services across State and Non-State Partners through CSAs or similar arrangements;
 - c. Recovering costs for PRF services, as requested and provided to State and Non-State Partners and collaborators;
 - d. A combination of: (a), (b) and (c).
- 5.3 The Meeting was presented with an example of a sustainability plan for a specific PRF service, namely the Port Safety Health and Environmental Management Code and Recognition Service. The proposed sustainability strategy includes a three-level Award of Recognition to organizations that have complied with the PSHEM Code and have shown considerable improvement on their ports' safety, health and environmental performance. The PRF will offer, additionally, related services ranging from audits for the award process to training to companies seeking award/recognition.

The EC concluded that:

- 5.4 While the sustainability plan seemed viable, there is no appreciation of how State Partners view a cost-recovery strategy, even though cost-sharing arrangements have been implemented with State and Non-State Partners in the past.
- 5.5 Packaging and presentation of the PRF services in a readily understandable format is crucial to the success and acceptance of the proposed plans or strategies by the State Partners.
- 5.6 There is a need to explore various ways to recover PRF's costs while, at the same time, carefully balancing its operations in relation to the implementation of the SDS-SEA.
- 5.7 The demand for a PEMSEA Award implies that the PSHEM Code can become an industry standard. This will require building credibility and prestige for the Code. Based on the success of the previous recognition of the Port of Bangkok and PTP Johor, the PRF should explore arrangements with the other ports. If more ports will strive towards PSHEM recognition, the PRF can implement the SDS-SEA while achieving safety in the ports.
- 5.8 The PRF must ensure that it has access to sufficient and skilled manpower to address and serve the demand, once the PSHEM Code and recognition system is rolled out. The mobilization of the PEMSEA Regional Task Force (RTF) is seen crucial in addressing this concern. Another option is to become an accrediting body, where the private sector can participate by providing training services in adherence to the PSHEMS standard, while the award-recognition will solely be by the PRF.

The EC recommended that the PRF:

- 5.9 Formulate a Sustainability Plan in line with the four options identified above, for submission to the 2nd EAS Partnership Council Meeting in July 2008.
- 5.10 Consider other options for sustaining the PSHEM Code and Recognition Service, including developing proposals for donor support in collaboration with selected ports as beneficiaries.

6.0 PEMSEA LEGAL PERSONALITY

- 6.1 The Technical Working Group (TWG) for Recognition of PEMSEA's Legal Personality was established in September 2007 following the recommendation of the Executive Committee. The TWG consists of: Atty. Raphael P.M. Lotilla, Chair, former Secretary of the Department of Energy; Prof. Merlin Magallona, Former Dean of the School of Law, University of the Philippines; Dr. Antonio La Viña, Dean of the Ateneo School of Government; Atty. Maria Teresita G. Lacerna, consultant; and Mr. S. Adrian Ross, Acting Regional Programme Director and Interim PRF Executive Director. Atty. Lotilla introduced the following documents: a) the *Concept Paper on the Establishment of PEMSEA's Legal Personality Towards a Self-Sustaining Regional Mechanism*; b) the *Protocol to the Haikou Partnership Agreement*, and c) the proposed work plan of the TWG, to November 2009, the proposed date for signature of the Protocol.

Need for Legal Personality

- 6.2 During the ensuing discussion, the following points were iterated by the EC members and the various participants:
 - a. Countries are not ready for regional seas convention, as was evident during the two-year long consultation and consensus-building process leading to the Haikou Partnership Agreement;
 - b. It is important to inform the countries that the recognition of PEMSEA's legal personality will not result in the assessment of contributions. Contributions will be on a voluntary basis only;
 - c. As international organization, PEMSEA will be able to:
 - Receive funds from donors and international agencies and organizations without paying management fees (however, this would not preclude PEMSEA from implementing UN projects); and
 - Enter into contracts with other Partners and collaborators that do not sign the Protocol. Such contracts will be recognition of PEMSEA's legal personality;
 - d. Recognition of PEMSEA's legal personality should be established as a lasting benefit to State Partners, and something to which Partners willingly agree, such as materializing the SDS-SEA;
 - e. Involvement of the Partners in the decision-making process for the recognition of PEMSEA's legal personality is critical. Separate discussions may be pursued with countries to enhance their level of understanding and to build consensus; and

- f. Eligible Partners under the Haikou Partnership Agreement can sign the Protocol.
- 6.3 Mr. Kyo Naka, Deputy Resident Representative, UNDP Manila, informed the Meeting that UNDP is very supportive of PEMSEA's move from a project-based activity to an institution that can execute projects on its own. He added that PEMSEA needs to consider opportunities for revenue generation, as a major challenge of operating outside the UN framework;
- 6.4 Atty. Analiza Rebuelta-Teh, DENR Assistant Secretary, informed the Meeting that the Philippines is rationalizing its commitments to different organizations in the region and that currently, they are mainstreaming PEMSEA activities with national plans and programmes. The Secretariat was requested to provide assistance to the DENR in order to facilitate their effort to spearhead securing the recognition of PEMSEA's legal personality in the Philippines.

The EC concluded that:

- 6.5 A letter needs to be prepared to all State Partners of PEMSEA, providing strong justification to Partners of the urgent need for, and benefits to be derived from, recognition of PEMSEA's legal personality.
- 6.6 There should be clear strategies to have a buy-in by countries, as well as deeper involvement of State Partners in the process of recognizing PEMSEA's legal personality.
- 6.7 The engagement of the PEMSEA National Focal Points is a first step in country buy-in, in order to assess any political sensitivities associated with the legal recognition of PEMSEA, and to determine the respective legal processes. The PRF will need to interact closely with the National Focal Points.
- 6.8 The purpose of the Protocol may be more easily understood with a title change, such as "*Protocol to Give Effect to the Haikou Partnership Agreement*".
- 6.9 Priority countries for promoting the signature of the Protocol are States that have already demonstrated their commitment to PEMSEA's sustainability, namely: China, Japan, RO Korea and the Philippines.
- 6.10 The EAS Congress 2009 should be an occasion to celebrate the recognition of PEMSEA's legal personality. Activities for the Congress should include a site visit to the PEMSEA Office Building. The Secretariat should ensure that the efforts of the Philippines will be given recognition and made known to the Partners and the rest of the Congress participants.

The EC recommended that the PRF/TWG:

- 6.11 Refine the concept paper and protocol to emphasize the benefits to be derived by countries with recognition of PEMSEA's legal personality, including: a) achieving a sustainable regional mechanism; and b) providing added value to country efforts in materializing the SDS-SEA. The Protocol should be simplified to be easily understood by State Partners.

- 6.12 Draft a cover letter explaining the rationale and significance of the recognition of PEMSEA's legal personality. The PRF to provide assistance in facilitating the circulation of these documents to the EC members for comment initially, and then to National Focal Points for information and internal consultation process with their respective Ministries of Foreign Affairs. Feedback should be collected from State Partners for presentation to the 2nd EAS Partnership Council Meeting in July 2008.
- 6.13 Draft a Headquarters Agreement for consideration by the Government of the Philippines, including preparation of a strategy and process to facilitate signature, in consultation with the EC.
- 6.14 Develop/implement a marketing plan for recognition of PEMSEA's legal personality among State Partners.
- 6.15 Start linking up with other organizations (ASEAN, Asian Disaster Center, Asian Institute of Technology-Bangkok, etc.) to market PEMSEA in the region.
- 6.16 Work on getting the endorsement of the four State Partners that have already made commitments in support of a sustainable regional mechanism, namely: China; RO Korea; Japan and the Philippines. Three other state partners that may buy in are Cambodia, Timor-Leste and DPR Korea. Develop strategic approaches for each country to secure their endorsements in accordance with their national legal processes and try to secure three signatures even before the EAS Congress 2009.
- 6.17 Encourage Philippine DENR and Department of Foreign Affairs (DFA) to champion the recognition of the legal personality of PEMSEA at the EAS Partnership Council, including development of a strategy to assist the Philippines to champion the endorsement of the Protocol.
- 6.18 Be prepared to provide briefings on the working documents, and participate in consultations at the country level upon the request of the NFPs.
- 6.19 With respect to the expanded members of the TWG, the National Focal Points should be requested to recommend appropriate officials or legal advisers to contribute to the drafting of the working documents as required.

NEW BUSINESS OF THE 2ND EXECUTIVE COMMITTEE MEETING

7.0 2ND EAS PARTNERSHIP COUNCIL MEETING

- 7.1 The status of the preparation for the 2nd EAS Partnership Council Meeting and provisional agenda were introduced to the EC.
- 7.2 The Meeting discussed various options for organizing the 2nd EAS Partnership Council Meeting as an effective venue for promoting joint planning and mutual benefits among Partners. In particular, the Meeting agreed to include the following items in the Agenda of the EAS Partnership Council Technical Session:

- a. Subregional Transboundary Initiatives, with the aim of encouraging input from and closer collaboration between subregional projects and programmes and PEMSEA initiatives in the region, in line with the implementation of the SDS-SEA;
 - b. Climate Change Adaptation, with the objective of promoting the application of Integrated Coastal Management (ICM) as a tool to facilitate local government response to sea level rise and climate change, and encouraging State Partners to consider applying for external funds, e.g., GEF/UNDP's Climate Change Adaptation Fund, when developing/implementing ICM programmes; and
 - c. Critical/Emerging Issues, such as Coastal Reclamation and Coastal Use Zoning, for the purpose of promoting the further development of these topics as themes during the EAS Congress 2009 and/or the Ministerial Forum.
- 7.3 With regard to the Intergovernmental Session, the Meeting agreed to highlight the matter of PEMSEA's Legal Personality in order to enhance the understanding and cooperation of the State Partners.
- 7.4 The Meeting was informed that a PEMSEA-MLIT joint seminar currently being organized by Ministry of Land, Infrastructure, Transport and Tourism will be conducted following the Council Meeting. For information to all Council members, the Meeting suggested the inclusion of the said seminar in the proposed 2nd EAS Partnership Council Meeting Agenda.

Securing Japanese Government's Confirmation

- 7.5 Based on informal communication between the Japanese Government and PRF, the Meeting was informed that the tentative date for the 2nd EAS Partnership Council Meeting is scheduled on 14–17 July 2008 at the Toranomon Pastral Hotel, Tokyo, Japan.
- 7.6 However, the Meeting was further informed that the confirmation letter from the Japanese Government would not likely be available until early to mid-April 2008. The Meeting noted that the delay in official confirmation would delay the release of announcement and invitation to all Partners.
- 7.7 Mr. Terashima indicated to the Meeting that he would communicate with Mr. Suzuki, the National Focal Point for PEMSEA in Japan, to seek the confirmation to host the EAS Partnership Council Meeting, as well as the date and venue of the meeting.

The EC recommended that the PRF:

- 7.8 Revise the provisional agenda in line with the Meeting discussions (see revised Provisional Agenda in Annex 6).
- 7.9 Include information concerning the PEMSEA-MLIT joint seminar in the Provisional Agenda.

8.0 EAS CONGRESS

8.1 EAS CONGRESS 2009

- 8.1.1 An update was provided on the status of preparations for the East Asian Seas (EAS) Congress 2009, which is scheduled for 23 to 27 November 2009 in Manila, Philippines.
- 8.1.2 In addressing the challenges identified, the Meeting highlighted the need to establish the following:
- a. A unique and interesting programme focusing on practical issues/topics relevant to the region and in line with the objectives and action programmes identified in the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA);
 - b. A good implementing and marketing strategy that would reach out to the target and other potential participants of the EAS Congress, giving priority to the need to engage Partners, previous Congress participants and supporters, collaborators and other organizations or stakeholders from within the region; and
 - c. Ensure the linkages of the past two Congresses with the EAS Congress 2009.
- 8.1.3 The Meeting emphasized the significance of the EAS Congress as an intellectual marketplace and a platform/opportunity to establish the concept of Partnership as a reality. By engaging key PEMSEA Partners (both State and Non-State) and other potential partners and making them the core group, the sustainability of the EAS Congress will be significantly enhanced.

The EC recommended that the PRF:

- 8.1.4 Revise the EAS Congress Programme, using the Sustainable Development Framework for Coastal Areas as a guide for developing the central themes of the International Conference, and focusing on practical issues relevant to the region that will highlight the uniqueness of the EAS Congress.
- 8.1.5 Engage PEMSEA Partners (both State and Non-State) and other potential partners in the organization and identification of key issue-areas or Partners' programmes that can be aligned with the EAS Congress.
- 8.1.6 Formulate and implement a good marketing strategy to entice participation and support for the EAS Congress and mobilize necessary funding.
- 8.1.7 Identify and secure the participation of leading experts to serve as key speakers for plenary sessions or workshops of the International Conference and provide financial support for their participation, as required and available.
- 8.1.8 Accelerate preparations for and promotions of the EAS Congress 2009, including the new PRF Executive Director establishing improved communication/interaction with DENR.

- 8.1.9 Communicate with the GEF to ensure that there will be no conflict between the EAS Congress 2009 schedule and the GEF IW Biennial Conference 2009.
- 8.1.10 Explore a new conference format by combining selected workshops with the exhibition.

8.2 3RD MINISTERIAL FORUM

- 8.2.1 The status of preparations for the 3rd Ministerial Forum was introduced.
- 8.2.2 The EC made a number of suggestions concerning the Ministerial Forum as its status as a regular event for Ministers of the region, including:
- a. Each participating Minister be requested to make a policy statement concerning topical policy issues in the region. In such a situation, it would be essential that the Minister or Vice-Minister attend on behalf of their Government;
 - b. Arrange a half-day discussion of major issues, such as Ocean Policy, Coastal Reclamation, and Coastal and Island Management;
 - c. Feature a report from the EAS Partnership Council on the progress of work during the past three years;
 - d. Conclude each Forum with a report on the achievements of the Ministers, in the form of a Declaration, covering important topics and/or emerging issues such as coastal governance, ocean security, etc.; and
 - e. Organize a Ministerial banquet and field trip as opportunities for Ministers to interact with Congress participants and stakeholders.

The EC recommended that:

- 8.2.3 The PRF organize the 2009 Ministerial Forum taking into consideration the following aspects:
- Ministerial policy statements;
 - EAS Partnership Council progress report on SDS-SEA implementation;
 - Signing of the Protocol for Recognition of PEMSEA's Legal Personality;
 - A Ministerial Declaration or Statement;
 - A field trip or side event, such as mangrove planting or sea turtle release; and
 - Facilitating closer and dynamic interaction between and among the participants and Ministers.

8.3 EAS CONGRESS 2012 HOST COUNTRY

- 8.3.1 The Meeting was reminded of RO Korea's expression of interest to host the EAS Congress 2012 in conjunction with the EXPO 2012. However, recent developments in the country, and in particular the governmental reform plan by the new President, have resulted in the dismantling of the Ministry of Maritime Affairs and Fisheries (MOMAF), PEMSEA's national focal agency. MOMAF's responsibilities have been allocated to two ministries, namely, Ministry of Land,

Transport and Maritime Affairs (MLTM) and Ministry for Food, Agriculture, Forestry and Fisheries (MFAFF).

The EC recommended that:

8.3.2 The PRF maintain communications with RO Korea with the objectives of:

- a. Determining the new focal agency for PEMSEA;
- b. Securing the participation of the new focal agency at the 2nd EAS Partnership Council Meeting; and
- c. Confirming RO Korea's interest to host the EAS Congress 2012.

9.0 PRF OPERATIONS

9.1 PEMSEA TRUST FUND

9.1.1 The IMO/PEMSEA Trust Account is scheduled for closure at the end of March 2008, with the departure of IMO as Executing Agency. The Trust Account was set up to provide the Regional Programme with a means of depositing and utilizing revenue generated from the sale of publications and technical assistance projects, as well as from registration fees for training workshops and the EAS Congresses 2003 and 2006. The funds in the Trust Account were dedicated to capacity development initiatives among PEMSEA participating countries in the region. The current Trust Account balance is USD676,000, of which USD162,000 is identified as EAS Congress funds.

9.1.2 At present, UNOPS has indicated its willingness to open up a Trust Account and transfer the funds from the IMO/PEMSEA Trust Account. The service commission by UNOPS is expected to be 3%, but this has not been confirmed. UNOPS is in the process of drafting an agreement for submission to PEMSEA, however it is unlikely that such an agreement will be in place by 31 March 2008. UNOPS has indicated that IMO has informally agreed to extend the IMO/PEMSEA Trust Account to 30 April 2008.

9.1.3 During the ensuing discussion the EC made the following points:

- a. With regard to the usage of the PEMSEA Trust Fund, proposed activities to be supported by the Fund (Annex 7) must be in line with the development of technical skills in coastal management;
- b. EC will sign an MOA with UNOPS on behalf of the EAS Partnership Council to address the issue during the intersessional period and oversee that the funds are properly allocated by the PRF;
- c. Transferring the funds to UNOPS is acceptable but it should be confirmed that the EC will be responsible for managing the money; and
- d. The PEMSEA Trust Fund should be used as a means to leverage collaborative activities with Partners and facilitate cost-shared activities and projects;
- e. The Fund should: 1) be used for the benefit of the countries; 2) attract other sources of funding as co-financing, through project proposals; 3) fill gaps in capacity for SDS-SEA implementation; 4) catalyze additional funding; 5)

- support the organization and implementation of the EAS Congress 2009; and 6) support/generate additional funds for the EAS Congress 2012.
- f. Each EAS Congress should have a cost-recovery mechanism for sustainability.
 - g. Corporate partners need to be identified and nurtured in order to finance some activities in line with CSR. PRF needs to be aggressive in leveraging the support of corporate partners, as an area of priority.

The EC recommended that:

- 9.1.4 The PRF/EC negotiate with UNOPS regarding the terms of the MOA, including the roles and responsibilities of the two Parties, and the commission charges on the PEMSEA Trust Fund.
- 9.1.5 The EC sign the MOA with UNOPS regarding the PEMSEA Trust Fund, on behalf of the EAS Partnership Council.
- 9.1.6 The PRF set up the principles and policy of the use of the PEMSEA Trust Fund for review by the EC.
- 9.1.7 The PRF identify priority areas for project development and implementation, and leveraging co-financing support from donors, private sector and other entities.

9.2 WORK PROGRAMME AND BUDGET

- 9.2.1 The Meeting was informed that as a result of the depreciating US dollar (from USD 1 = PhP 55 to USD 1 = PhP 40), there will be a budget shortfall of USD 97,000 in the GEF project, if all identified posts are filled. At the same time, the costs of PRF Secretariat Services has increased but remained within the budget allocation for 2008.
- 9.2.2 To address the forecast budget deficit, several actions were proposed that would result to an estimated savings of USD 177,000, which can then serve as cushion against further depreciation of the US dollar and increased operating cost. The proposed actions include: the deferment of staffing of two international posts in the PRF Technical Services (i.e., Programme Officer for the Learning Center; Programme Officer for Partnership Applications) and three national posts in the PRF Technical Services (i.e., one Country Programme Manager; a Programme Officer for Project Development; and an IT Assistant); maximize the use of PRF Secretariat Services staff to support project implementation activities; development and implementation of the PEMSEA National Task Force (NTF) and Regional Task Force (RTF) to support field activities.

The EC recommended that the PRF:

- 9.2.3 Inform the State Partners of the current budgetary restrictions of the PRF arising from the US dollar depreciation at the EAS Partnership Council meeting.

- 9.2.4 Inform the three contributing countries (PR China, Japan, RO Korea) of the PRF budgetary constraints and appeal to them to send their contributions in their respective currencies.
- 9.2.5 Proceed with the proposed actions, in particular:
- a. defer staffing of two international posts in the PRF Technical Services (i.e., Programme Officer for the Learning Center; Programme Officer for Partnership Applications) for at least one year;
 - b. defer staffing of three national posts in the PRF Technical Services (i.e., one Country Programme Manager; a Programme Officer for Project Development; and an IT Assistant) for a period of 6 to 12 months;
 - c. in the interim, to cope with the staff shortage the two international staff of the PRF Secretariat Services will be assigned technical activities; and
 - d. develop and implement the PEMSEA National Task Force (NTF) and Regional Task Force (RTF) to support field activities.
- 9.2.6 Review the situation in 6 to 12 months to gauge the viability of undertaking additional staffing, and further explore possibilities of co-financing with State Partners, solicit additional funding from the GEF; and develop new project proposals for submission to donor agencies and other organizations.

9.3 DEVELOPMENT AND IMPLEMENTATION OF A QMS

- 9.3.1 The status of developing Quality Management System (QMS) for PRF operations was reported. The PRF is now developing the QMS to ensure a systematic approach and strategic improvements in the conduct of its operation and delivery of services. The QMS will ensure streamlining its processes to avoid duplication of work and generate economies of scale in its operations and by continuously monitoring its performances to find areas for improvement in its operations.
- 9.3.2 A business process map for the PRF operations was developed including the process description of core and support services. The process of developing standard operating procedures and work instructions for various services are ongoing. After the rolling out of the procedures, there will be a regular internal audit to ensure that the system is functioning properly.
- 9.3.3 The EC expressed that it is important that: a) the PRF staff fully understand and support the QMS development; b) the cost effectiveness and efficiency of the PRF is improved through implementation of the QMS; and c) clients of the PRF, including the EAS Partnership Council, should benefit from the Quality Management System and serve as proof that the QMS is working.

The EC recommended that:

- 9.3.4 PRF administration/management take a strong role in explaining and engaging the PRF staff in the development and implementation of the QMS.

9.4 ICM TRAINING COURSE AND MANUALS

- 9.4.1 The Meeting was informed that the existing ICM training curriculum has been modified to make it more effective and responsive to the needs of the clientele. The new ICM training curriculum is structured into 3 levels.
- 9.4.2 Training manuals have been developed for each level to serve as model courses for the ICM training courses. It was emphasized that the strength of the PEMSEA ICM training curriculum is that it incorporates its 14 years of experience and lessons learned in ICM implementation. The training manual for Level 1 has been completed and is being reviewed by Dr. Chua. The timetable for completion of Level 1 and Level 2 is end of April and May respectively.
- 9.4.3 A number of challenges were identified in the implementation of the new ICM training curriculum, such as: a) the need to establish a pool of lecturers with experience and exposure to the PEMSEA ICM approach; b) the need to translate the training manuals into other languages (Chinese, Vietnamese and Bahasa) to ensure the effective delivery of the course; and c) the need to develop a cost-recovery mechanism to be able to respond to the future demand for the course and related materials by individuals and institutions.
- 9.4.4 The Chair emphasized that the new ICM training curriculum is designed to complement the ICM Code and attempts to develop a standard training that will cover various aspects of the sustainable development framework.

The EC recommended that the PRF:

- 9.4.5 Proceed with the testing of the newly developed ICM training course curriculum prior to publication.
- 9.4.6 Continue with its plan to organize the Training of Trainers for the newly developed ICM training course curriculum and involve the academe.
- 9.4.7 Explore the role of academe and other institutions in the conduct of training and develop mechanism for the accreditation of these institutions.
- 9.4.8 Identify measures to ensure quality control in the delivery of the ICM training courses including an auditing system for training providers.
- 9.4.9 Give priority to parallel sites in the selection of participants for the national ICM training courses for wider dissemination/transfer of knowledge. These participants for the parallel sites are potential members of the National Task Force.

9.5 ICM CODE AND RECOGNITION SYSTEM

- 9.5.1 The ICM Codification project consists of the following: a) the ICM Code; b) Guidance on the application of the ICM Code; c) Guidance on the ICM implementation cycle; d) Guidance on the ICMS levels of recognition; and e)

Delineation of the ICM Code relationship with other international standards. The ICM Code is scheduled for peer review by April 2008.

- 9.5.2 It was emphasized that there is a need to accelerate the validation and testing of the ICM Code and Recognition System in response to the increasing interest among local/national governments and PEMSEA ICM sites. Although, the Project Document calls for Code implementation at only two sites, the ICM Code is now being recognized as an essential component of national ICM scaling up programs in several countries.
- 9.5.3 The EC underscored the rationale for developing the ICM Code which is to formulate a systematic approach to integrated coastal management and to standardize ICM practice in the region. Thus, the Code will provide guidance to local governments in ICM implementation. Moreover, it was stressed that several environmental organizations are skeptical on the initiative and are challenging PEMSEA in proving the Code is applicable. It was emphasized that the ICM codification project should be one of PRF's key success areas for the new phase.

The EC recommended that the PRF:

- 9.5.4 Focus its efforts on the testing of the ICM Code and in securing two to three sites to be awarded with the ICM Code recognition in the next 3 years.
- 9.5.5 Ensure that the development of the ICM Code will be carefully studied to ensure that it is practical and doable.

9.6 PSHEM CODE AND RECOGNITION SYSTEM

- 9.6.1 The PSHEM Code and Recognition System was discussed as part of Agenda Item 5.0 PRF Sustainability Plan. Please refer to paragraphs 5.3 to 5.8 of this document.

9.7 ACTIVITIES OF THE EXECUTIVE COMMITTEE (2008–2010)

- 9.7.1 The Meeting was informed that in addition to its normal oversight functions, members of the Executive Committee are expected to conduct visits to each participating country in 2008–2009 for the purpose of:
- a. briefing Ministers of National Focal Agencies on the PEMSEA regional mechanism, the EAS Congress and the Ministerial Forum 2009;
 - b. interacting with Ministries of Foreign Affairs to discuss the PEMSEA partnership arrangement and government recognition of PEMSEA's legal personality; and
 - c. interacting with donor agencies related and mobilizing additional funding for the operation of the PRF.

The EC concluded that:

- 9.7.2 Taking into consideration the hectic schedule of the EC members, the EC be mobilized only when the need arises.
- 9.7.3 The PRF ED take the lead role and responsibility in negotiating with countries for the identified initiatives.
- 9.7.3 The EC members may be invited to accompany the ED to countries where assistance is deemed necessary.
- 9.7.4 EC members may visit related ministries in their own countries to assist in securing endorsements for the PEMSEA Legal Personality and promotion of the EAS Congress 2009 and Ministerial Forum.

The EC recommended that:

- 9.7.5 The PRF explore the possibility of a financial package (including full-fare air-ticket, terminals, departure tax, allowance/DSA, local transport, etc.) to enable members of the EC to travel smoothly and comfortably without having to subsidize their trips.

10.0 OTHER BUSINESS

10.1 REQUEST OF EMECS FOR INCLUSION AS NON-STATE PARTNER

- 10.1.1 The request from the International Center for the Environmental Management of Enclosed Coastal Seas (EMECS), dated 19 February 2008, for inclusion as a Non-State Partner of PEMSEA was reported to the EC. The overview of EMECS, the benefits and risks of the potential partnership with EMECS, and the nature of the Partnership relative to the SDS-SEA implementation were also presented.
- 10.1.2 EMECS is a non-profit organization, located in Kobe, along the Seto-Inland Sea in Japan. The Seto-Inland Sea is the origin of the development of the total water pollutant load control system in Japan. EMECS has strong networks of nongovernmental organizations, researchers and prefectural governments regarding the pollution reduction and preservation of the environment of the Seto-Inland Sea. In addition, EMECS has multisectoral networks including concerned national government agencies, i.e., Ministry of Environment.
- 10.1.3 The EC members expressed their approval to include EMECS as a Non-State Partner of PEMSEA, for the following reasons:
 - a. EMECS is a well-known international organization based in Japan and has sound experiences and knowledge regarding marine environment of the Seto-Inland Sea; and a partnership with EMECS is expected to bring benefit to PEMSEA; and
 - b. EMECS has made a significant contribution in addressing the transboundary issues along the Seto-Inland Sea in Japan. EMECS expertise/experience in

enclosed and semi-enclosed seas and in addressing transboundary issues combined with PEMSEA's efforts in Integrated Coastal Management (ICM) can further strengthen the implementation of the SDS-SEA.

The EC recommended:

- 10.1.4 The acceptance of EMECS as a full Non-State Partner of PEMSEA, for endorsement to the 2nd EAS Partnership Council Meeting in July 2008;
- 10.1.5 The PRF enter into an MOA with EMECS to delineate terms of cooperation.

10.2 Schedule of the Next Executive Committee Meeting

- 10.2.1 The EC recommended that the next EC Meeting be conducted on 13 July 2008 prior to the 2nd EAS Partnership Council Meeting in Japan.

D. CLOSING

- i. The Chair thanked the Secretariat for the organization of the Meeting and advised the Meeting to prepare for the 2nd EAS Partnership Council Meeting to be held in Japan in July 2008.
- ii. Mr. Ross thanked the EC members for their thoughtful inputs to the various matters raised during the Meeting and the direction provided to the PRF in preparation for the next phase of PEMSEA.
- iii. The Chair declared the Meeting closed at 4:40 PM, 15 March 2008.

Annex 1

LIST OF PARTICIPANTS

**Second Executive Committee Meeting
Manila, Philippines
14-15 March 2008**

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Ms. Daisy Padayao
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Annex 2
List of Documents

**Second Executive Committee Meeting
 Manila, Philippines
 14-15 March 2008**

List of Documents

ITEM NO.	AGENDA ITEM	DOCUMENT	DOCUMENT NUMBER
1.0	Organizational Matters	List of Documents	EC/08/DOC/01
2.0	Adoption of Agenda	Provisional Agenda	EC/08/DOC/02
		Annotated Agenda	EC/08/DOC/03
	Business Arising from the 1 st Executive Committee Meeting		
3.0		Recruitment of the Executive Director and PRF Technical Services Staff	EC/08/DOC/04
4.0		GEF/UNDP Project on Implementation of the SDS-SEA	EC/08/DOC/05
5.0		Framework of Partnership Programmes	EC/08/DOC/06
6.0		State of the Coasts Reporting System	EC/08/DOC/07
7.0		PRF Sustainability Plan	EC/08/DOC/08
8.0		PEMSEA Legal Personality	EC/08/DOC/09
	New Business of the 2 nd Executive Committee Meeting		
9.0		2 nd EAS Partnership Council Meeting	EC/08/DOC/10
10.0		EAS Congress	
10.1		EAS Congress 2009	EC/08/DOC/11
10.2		3 rd Ministerial Forum	EC/08/DOC/12
10.3		EAS Congress 2012 Host Country	EC/08/DOC/13
11.0		PRF Operations	
11.1		PEMSEA Trust Fund	EC/08/DOC/14
11.2		Work Programme and Budget	EC/08/DOC/15
11.3		Development and Implementation of a	EC/08/DOC/16

		QMS	
11.4		ICM Training Course and Manuals	EC/08/DOC/17
11.5		ICM Code and Recognition System	EC/08/DOC/18
11.6		PSHEM Code and Recognition System	EC/08/DOC/19
12.0		Activities of the Executive Committee (2008-2010)	EC/08/DOC/20

