HAIKOU PARTNERSHIP AGREEMENT ON THE IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT STRATEGY FOR THE SEAS OF EAST ASIA

Ministerial Forum, East Asian Seas Congress
Haikou, Hainan, the People's Republic of China
15 December 2006

1. We, the representatives of the countries of the Seas of East Asia region, have gathered together to establish implementing arrangements for the *Sustainable Development Strategy for the Seas of East Asia (SDS-SEA)*, building upon the foundation laid down in the *Putrajaya Declaration.* On 12 December 2003, this Forum adopted the SDS-SEA, through the *Putrajaya Declaration,* as the Region's common platform for achieving the goals and objectives of the *World Summit on Sustainable Development Plan of Implementation* and *the United Nations Millennium Development Goals* concerning sustainable coastal and ocean development. The *Putrajaya Declaration* is the first regional expression of commitment to the implementation of SDS-SEA.

2. We recognize the importance and urgency of putting into effect the SDS-SEA in order to sustain the resources provided by our seas. In this regard, we consider our cooperation for the SDS-SEA implementation as an essential part of the regional economic cooperation and integration.

3. Over the past decades, advocacy, political commitments and conservation efforts have been undertaken at national and regional levels. However, the environment of the Seas of East Asia continues to degrade at an increasing pace. One of the important concerns imparted by the tsunami which swept across the Indian Ocean on 26 December 2004 is how to prevent our people and coasts from being caught unprepared, thereby avoiding such devastating consequences. To arrest the trend of further degradation and to minimize both human and nature induced threats against our shared resource base, people's lives and properties are far more challenging than mere natural disaster response.

Long-Term Partnership for the SDS-SEA Implementation

4. We believe that participation in the SDS-SEA implementation by all the countries and other stakeholders, within their respective capacities and resources, holds the key to confronting the challenges facing us. In the past, intergovernmental arrangements have placed the responsibility for environmental and resource management primarily on government, with other users and beneficiaries of those resources functioning primarily as interested observers. The partnership approach encourages all stakeholders to work together as complements of each other, to act dynamically and in a coordinated manner to

bring into full play the role of each stakeholder within the framework of the SDS-SEA.

5. We consider partnership as an effective mechanism to facilitate concerted actions in our common endeavour to implement the SDS-SEA as it gives due consideration to the initiatives, shared responsibilities, desired outcomes, mutually supportive roles and the need to address disparities in capacity among the concerned countries and other stakeholders, including national and local governments, international agencies, non-government organizations (NGOs), the private sector, academic and scientific institutions, communities, financial institutions and donor agencies.

6. In this context, we are committed to forging a long-term stakeholder partnership for the implementation of the SDS-SEA. We encourage paradigm shifts, in management concept and action, from single-sector or single-purpose interventions to integrated coastal and ocean governance, from crisis-driven response to long-term capacity-building efforts, and from planning to ground-level implementation.

Priority Targets for SDS-SEA Implementation

7. We agree on and endeavour to achieve the following priority targets for the implementation of the SDS-SEA:

   a. Mobilization of the necessary resources, capacities and services, as well as legal, financial and economic arrangements, including the adoption of a rolling ten-year regional partnership programme and the production of a regional State of the Coasts report by 2009, building on the existing relevant national and regional initiatives and programmes.

   b. Formulation and implementation of national policies and action plans for sustainable coastal and ocean development in at least 70 percent of the participating countries by 2015, in order to develop and strengthen integrated coastal and ocean governance at the national level.

   c. Implementation of integrated coastal management (ICM) programmes in at least 20 percent of the Region's coasts by 2015, to achieve the sustainable development of coastal lands and waters and to promote intra-and inter-regional partnerships in ICM capacity building.

Regional Implementing Mechanism for the SDS-SEA

8. We are heartened to see tangible outcomes achieved by the Global Environment Facility/United Nations Development Programme/International Maritime Organization Regional Programme on Building Partnerships in the Environmental Management for the Seas of East Asia (PEMSEA). Over the past decade, through its pilot and present phases, PEMSEA has put in place and extended on-the-ground integrated coastal and marine management mechanisms and processes for

bridging resource sustainability and economic growth; mobilized stakeholder involvement and support; promoted public and private sector partnership processes; and contributed to the formation of critical masses of expertise on the regional, national and local levels in addressing priority coastal and marine issues in policy, science and financing.

9. We have noted in particular that these efforts have led to, in many of the program sites, the reduction of multiple use conflicts, the improvement of environmental quality, the restoration of damaged habitats, beach cleanup, and the protection of endangered species such as marine mammals and sea birds. In addition, PEMSEA has catalyzed the concerted efforts by the countries of the Region, regional and international organizations, NGOs, concerned programmes, and financing and donor institutions in the formulation of the SDS-SEA. Furthermore, PEMSEA is actively engaged in the coordination of efforts by the countries of the Region in the implementation of the SDS-SEA through the provision of technical guidance and assistance, as well as the promotion of bilateral and multilateral cooperation. In addition, PEMSEA has demonstrated itself as an effective collaborative mechanism in promoting partnership on the local, national and regional levels.

10. We recognize PEMSEA as the regional coordinating mechanism for the implementation of the SDS-SEA and resolve to transform PEMSEA from the existing project-based arrangement to a self-sustained and effective regional collaborative mechanism with a mandate to pursue the implementation of the SDS-SEA through collaborative, synergistic and responsible actions and the accomplishment of our individual commitments. For this purpose, we agree to adopt and implement, within the framework of PEMSEA, the *Partnership Operating Arrangements for the Implementation of the SDS-SEA,* particularly with regard to:

a. An EAS Congress to be held every three years to serve as a vehicle for various stakeholders, partners and the collaborators in the SDS-SEA to share knowledge and monitor the progress of SDS-SEA implementation;

b. An East Asian Seas (EAS) Partnership Council which will provide the policy and operational guidance for, as well as steer, monitor and review the progress of, SDS-SEA implementation;

c. A PEMSEA Resource Facility, which will provide two services in support of SDS-SEA implementation, namely:

   i. Secretariat services to the EAS Partnership Council, overseeing the implementation of Council decisions, the organization of the EAS Congress, and monitoring and reporting on the progress of SDS-SEA implementation; and

   ii. Technical support services to PEMSEA countries, including delivery and mobilization of policy and technical advice, capacity building and technical support for sustainable coastal ocean governance;

d. A Regional Partnership Fund to channel and ensure the best use of voluntary contributions from interested countries, donor agencies, institutions and individuals.

Follow-up Actions

11. Within the next three years, we will undertake the following actions and report on the results at the EAS Congress 2009:

a. Developing work plans, mobilizing resources and support, and undertaking concrete measures and steps to achieve the priority targets and *the Partnership Operating Arrangements for the Implementation of the SDS-SEA* as stated above, based on our respective international obligations, national laws and capacities, as well as in consultation and cooperation with our collaborators in the SDS-SEA and other interested parties;

b. Forging collaborative arrangements between and among various stakeholders to enhance and make the best use of the Region's intellectual capital for integrated management and sustainable uses of coastal and marine environment and natural resources, through stakeholder participation and networking, as well as scientific, technical and information support;

c. Enhancing our efforts on coastal and marine water pollution reduction at the national and regional levels, particularly for achieving time-bound wastewater emission targets and sustainable access to safe drinking water and sanitation in pollution hotspots;

d. Establishing innovative financing mechanisms, with a view to leveraging private sector investment and public-private sector partnerships, in collaboration with interested financing institutions and other stakeholders;

e. Fostering collaboration, cooperation and partnership between PEMSEA and other relevant regional and international organizations, initiatives and programmes, in order to minimize duplication of efforts and enhance synergy among them;

f. Developing and strengthening national interagency, multisectoral and multidisciplinary mechanisms and processes for facilitating the implementation of the SDS-SEA, taking into account specific national and local concerns and needs;

g. Promoting public awareness and stakeholder involvement to ensure broad based participation in the SDS-SEA implementation at the local, national and regional levels.

We thank the People's Republic of China for her hospitality and tremendous efforts in making our Forum a success.

Adopted at the East Asian Seas Congress 2006, Haikou, Hainan, the People's Republic of China, on 15 December 2006, in the English language.

[redacted]

for **Hon. Mok Mareth**
Senior Minister, Minister
Ministry of Environment
Kingdom of Cambodia

[redacted]

Hon. Sun Zhihui
Administrator
State Oceanic Administration
The People's Republic of China

[redacted]

Hon. Kim Kyong Jun
Vice Minister
Ministry of Land and Environment Protection
Democratic People's Republic of Korea

[redacted]

Hon. Masnellyarti Hilman
Deputy Minister for Nature Conservation Enhancement and Environmental Destruction Control
Ministry of Environment
Republic of Indonesia

[redacted]

Hon. Heizo Kito
Deputy Minister for Technical Affairs
Ministry of Land, Infrastructure and Transport
Japan

[redacted]

Hon. Noulinh Sinbandhit
Vice Minister, Vice President
Science Technology and Environment Agency
Prime Minister's Office
Lao People's Democratic Republic

[redacted]

Hon. Angelo T. Reyes
Secretary
Department of Environment and Natural Resources
Republic of the Philippines

[redacted]

Hon. Eun Lee
Vice Minister
Ministry of Maritime Affairs and Fisheries
Republic of Korea

[redacted]

Hon. Rosa Chen Huey
Deputy Secretary
Ministry of the Environment and Water Resources
Republic of Singapore

[redacted]

Hon. Estanislau Aleixo da Silva
Deputy Prime Minister and
Minister, Ministry of Agriculture, Forest and Fisheries
Democratic Republic of Timor-Leste

[redacted]

Hon. Dang Hung Vo
Vice Minister
Ministry of Natural Resources and Environment
Socialist Republic of Vietnam

PARTNERSHIP OPERATING ARRANGEMENTS FOR THE IMPLEMENTATION OF THE SUSTAINABLE DEVELOPMENT STRATEGY FOR THE SEAS OF EAST ASIA

I. The Partnership

1. Partnerships in the Environmental Management for the Seas of East Asia (PEMSEA) is a partnership arrangement involving all the stakeholders of the Seas of East Asia, including national and local governments, civil society, the private sector, research and education institutions, communities, international agencies, regional programmes, financial institutions and donors.

2. PEMSEA is also the regional coordinating mechanism for the implementation of the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA).

3. PEMSEA's role is to facilitate the realization of the shared vision, mission, action programmes and desired changes of the SDS-SEA.

4. PEMSEA brings together the stakeholders to work as complements of each other, act dynamically and in a coordinated manner, and bring into full play the role of each stakeholder within the framework of the SDS-SEA.

OBJECTIVES

5. The objectives of the Partnership are to:

   a) Strengthen consensus among partners on approaches and strategies for addressing the identified threats to the environment and sustainable development of the Seas of East Asia;
   b) Build confidence among partners through collaborative projects and programmes;
   c) Achieve synergies and linkages in implementing the SDS-SEA among partners; and
   d) Reduce in-country and regional disparities in capacities for sustainable coastal and ocean development and management.

SCOPE

6. The Partnership addresses priority concerns challenging the sustainable development of the Seas of East Asia region, including the six large marine ecosystems, namely the Yellow Sea, the East China Sea, the South China Sea, the Sulu-Sulawesi Sea, the Indonesian Seas and the Gulf of Thailand, their associated coastal lands and waters, and their interconnections with river basins and straits.

Special attention is given to those concerns that cut across legal and administrative boundaries.

7. The Partnership encourages the active participation in, and support for, the implementation of SDS-SEA by all the stakeholders, as well as the implementation of their individual programmes and actions that are consistent with the SDS-SEA.

II. The Partners

8. The Partners are, subject to paragraphs 14-18 on inclusion of Partners, the following:

a) Countries of the Seas of East Asia region;
b) Other countries using the Seas of East Asia region;
c) Local governments in the region;
d) Communities in the region;
e) Non-government organizations (NGOs) and other members of civil society in the region;
f) Research and educational institutions;
g) The private sector;
h) UN and international agencies that support or sponsor the implementation of the SDS-SEA;
i) Financial institutions that support or sponsor the implementation of the SDS-SEA; and
j) Other Concerned regional and global entities and programmes.

9. The Partners observe the following practices:

a) Work together in the spirit of partnership;
b) Seek actions that advance the goals of the Partnership without compromising the interests of individual Partners;
c) Strengthen communication and dialogue with each other regarding activities affecting the implementation of the SDS-SEA;
d) Undertake activities and honor schedules collectively agreed upon by the Partnership;
e) Act in a spirit of mutual assistance, good neighborliness and complementarity towards achieving the common goals; and
f) Exercise flexibility and take adaptive measures when needed.

RIGHTS OF PARTNERS

10. Partners have the following rights:

a) To participate, as provided in paragraphs 25-42, in the EAS Partnership Council;
b) To participate in the EAS Congress, the Regional Networks, and other activities and forums of PEMSEA, subject to the rules of these activities;
c) To access the opportunities offered by the partnership arrangements for SDS-SEA implementation;

d) To access PEMSEA's technical and secretariat services and information products; and
e) To participate in PEMSEA's knowledge sharing network.

ROLES OF PARTNERS

11. All Partners participate in the regional collaborative efforts to implement the SDS-SEA, and ensure that their individual programmes and actions are consistent with the SDS-SEA.

12. All Partners contribute to the regional endeavor to implement the SDS-SEA and support their respective representatives to attend the EAS Partnership Council meetings, meetings of the regional networks, and EAS Congresses, within their capacities.

13. The specific roles for the Partners are provided in the SDS-SEA.

INCLUSION OF PARTNERS

14. a) The countries of the Seas of East Asia region, referred to in paragraph 8 (a), will sign the Partnership Agreement.
    b) Other Partners, referred to in paragraph 8 (b) to (j) will sign on to the Partnership Operating Arrangements.
    c) These Partners will convene the first EAS Partnership Council Meeting.

15. Other countries of the East Asian Seas region can join the EAS Partnership Council by signing the Partnership Agreement.

16. Other stakeholders who are not yet Partners but are interested in participating in the implementation of the SDS-SEA may request for inclusion as a Partner of PEMSEA by sending a written notification to the Executive Director (as referred to in paragraph 46) of the PEMSEA Resource Facility of:

    a) its adherence to the Partnership Agreement and the Partnership Operating Arrangements, and the policies and decisions of the Council, and
    b) agreeing to enter into a partnership arrangement with PEMSEA through a Memorandum of Agreement or similar instrument on the implementation of the SDS-SEA.

17. Upon receiving the required written notification from the stakeholder, the Executive Director will submit a report concerning the request to the next meeting of the Executive Committee (as referred to in paragraphs 32 to 34), together with the relevant information on the requesting stakeholder. The Executive Committee will decide whether or not to include the requesting stakeholder as a partner of PEMSEA.

18. The EAS Partnership Council may modify the qualifications and procedures for the inclusion of Partners and withdrawal by Partners when it deems appropriate.

III. Major Operating Mechanisms

19. There are four major operating mechanisms: the East Asian Seas (EAS) Congress, the East Asian Seas (EAS) Partnership Council, the PEMSEA Resource Facility, and the Regional Partnership Fund.

EAST ASIAN SEAS CONGRESS

20. PEMSEA holds an EAS Congress every three years, consisting of a Ministerial Forum, an International Conference and other related activities.

21. The Ministerial Forum of the EAS Congress provides policy directions and commitments for improving and strengthening the implementation of the SDS-SEA.

22. The International Conference serves as the forum for:

a) Monitoring and evaluating the implementation of the SDS-SEA;
b) Facilitating knowledge exchange, advocacy and multi-stakeholder participation, through sessions, workshops, side events and exhibitions, etc.;
c) Promoting the ocean agenda as a priority programme in international and regional forums;
d) Promoting the development of financing mechanisms and investment opportunities for sustainable coastal and marine development;
e) Encouraging corporate responsibility and accountability in the business community; and
f) Discussing specific sectoral and cross-sectoral issues and concerns, as well as partnership arrangements for the subregional seas or environmentally sensitive areas, for the implementation of the SDS-SEA.

23. The hosting and venue of the EAS Congress will be determined by the EAS Partnership Council in consultation with the Partner countries.

24. The EAS Congress presents its conclusions and recommendations to the EAS Partnership Council for implementation.

EAS PARTNERSHIP COUNCIL

Nature of Council

25. The EAS Partnership Council is a regular body composed of all Partners, as defined in Section II, paragraph 8 of this document.

26. The Council formulates both program and operational policy in support of the implementation of the SDS-SEA, based on policy direction, recommendations and commitments provided by the Ministerial Forum, EAS Congress, and other Partners.

Council Composition

27. The Council has an Executive Committee and two types of sessions, an Intergovernmental Session and a Technical Session.

28. The Council elects a Chair to a three-year term. The Council Chair is the Chair of the Executive Committee and will sit in the Intergovernmental Session and the Technical Session *ex officio*.

29. The Intergovernmental Session and Technical Session elect their respective Session Chairs to a three-year term, who also serve as members of the Executive Committee.

30. Nominations for the positions of Council Chair and Session Chairs will be in accordance with the criteria and guidelines as established by Council.

31. The Executive Director of the PEMSEA Resource Facility serves as the Secretary of the Council and of the Executive Committee.

Executive Committee

32. The Executive Committee, comprised of the Council Chair, the Session Chairs, and the Secretary, act as officers of the EAS Partnership Council.

33. The Executive Committee ensures and oversees the implementation of the decisions of Council, and reports to the Council.

34. The Executive Committee will develop and adopt its terms of reference.

Intergovernmental Session

35. The Intergovernmental Session is composed of the duly designated representatives of the Partner countries of the Seas of East Asia region.

36. The Intergovernmental Session may formulate guidelines concerning the participation of other Partners in the Session, as it deems appropriate.

37. 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.

Technical Session

38. The Technical Session is composed of the duly designated representatives of the Partners.

39. The Technical Session, preceding the Intergovernmental Session, discusses issues, submissions and topics related to the scientific, technical and financial aspects of SDS-SEA implementation, partnership opportunities, collaborative research, capacity building and knowledge sharing, and makes recommendations to the Intergovernmental Session as appropriate.

Council Meetings

40. The Council convenes every eighteen months, and makes decisions on a consensus basis.

41. The Council formulates and adopts rules of procedure, including consensus building and conflict resolution.

42. The Technical Session and Intergovernmental Session will develop their respective terms of reference.

PEMSEA RESOURCE FACILITY

43. The PEMSEA Resource Facility (PRF) has two functions:

a) Providing Secretariat Services; and
b) Providing Technical Services.

44. The PRF Secretariat Services performs the following functions:

a) Providing secretariat support to the EAS Partnership Council, the Executive Committee, the Ministerial Forum, the Regional Partnership Fund and the EAS Congress;
b) Facilitating knowledge transfer and capacity building;
c) Preparing proposals for new initiatives, and mobilizing resources for their implementation, taking into account as appropriate the business plan and marketing strategy of the Technical Services for the implementation of the SDS-SEA;
d) Preparing and submitting to the Council a consolidated report of the programme development and implementation, including financial statements;
e) Monitoring and reporting on the implementation of the SDS-SEA;
f) Coordinating the updating of the SDS-SEA, taking into account changing conditions, emerging issues and other related factors, on a periodic basis; and
g) Performing such other functions as may be assigned to it by the EAS Partnership Council.

45. The PRF Technical Services performs the following functions:

a) Developing and implementing a dynamic business plan and marketing strategy for the implementation of the SDS-SEA, in coordination with the PRF Secretariat Service in terms of project proposal development;

b) Providing technical, financial, investment and management services for specific projects and programmes, as appropriate;
c) Developing and implementing a process for recognizing and certifying good practices in the implementation of the SDS-SEA;
d) Recommending the operation and management of the Regional Partnership Fund to the EAS Partnership Council, and implementing the Council's decision; and
e) Implementing projects approved by the EAS Partnership Council.

46. The PRF is headed by the Executive Director. The Executive Director ensures the coordination between the Secretariat and Technical Services particularly in terms of programme development and implementation.

47. The PRF Secretariat Services is funded by voluntary contributions from the Partner countries of the Seas of East Asia region and from other available sources. The PRF Technical Services are funded through sponsored projects and programmes.

REGIONAL PARTNERSHIP FUND

48. The Regional Partnership Fund, set up by the EAS Partnership Council, receives voluntary financial contributions from countries, international agencies, donors, institutions, individuals and any other entity for the implementation of the SDS-SEA.

49. The depositary of the Fund will be a sponsoring UN Agency for PEMSEA.

50. The Executive Committee ensures the best use of the Fund towards achieving the shared vision, mission and desired changes of the SDS-SEA by:

a) Developing policies and operational guidelines governing the identification of activities to be funded, its disbursement, replenishment, management, audit, and the guidance for the countries to consider their voluntary contributions to ensure that it serves its objectives;
b) Ensuring that earmarked funds are properly managed for its purpose; and
c) Appointing a fund manager as appropriate. The appointment is reviewed every three years.

51. The Council may organize fund-raising activities, such as donors' meetings.

IV. SUPPLEMENTAL MATTERS

52. The official language of PEMSEA is English.

53. These Partnership Operating Arrangements and any terms of reference, operating mechanisms, and rules of procedure referred to herein may be amended, modified, superseded or terminated in whole or in part by the EAS Partnership Council.

***

Signed the Partnership Operating Arrangements on 16 December 2006, at Haikou, Hainan, the People's Republic of China.

On behalf of Conservation International:

[redacted]

Romeo B. Trono
Executive Director
Conservation International Philippines

On behalf of CMC:

[redacted]

Rogelio O. Juliano
Executive Director
Coastal Management Center

On behalf of GEF SGP:

[redacted]

Delfin Ganapin
Global Manager
UNDP/GEF Small Grants Programme

On behalf of IOC/WESTPAC:

[redacted]

Wenxi Zhu
Acting Head of the Regional Secretariat
IOC Regional Office for WESTPAC

On behalf of KEI:

[redacted]

Yoon, Suh Sung
President
Korea Environment Institute

On behalf of KMI:

[redacted]

Jeong-Hwan Lee
President
Korea Maritime Institute

On behalf of KORDI:

[redacted]

Ki-Dai Yum
President
Korea Ocean Research and Development Institute

On behalf of OPRF, Japan:

[redacted]

Masahiro Akiyama
Chairman
Ocean Policy Research Foundation

On behalf of OSRL/EARL:

[redacted]

PP **Archibald Frederick Smith**
Director and CEO
Oil Spill Response and East Asia Response Limited

On behalf of Plymouth Marine Laboratory:

[redacted]

Nicholas J P Owens
Director
PML Applications Limited

On behalf of UNEP GPA:

[redacted]

Veerle Vandeweerd
GPA Coordinator
GPA Coordination Office
United Nations Environment Programme

On behalf of YSLME:

[redacted]

Yihang Jiang
Project Manager
UNDP/GEF Yellow Sea Project PMO