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Thirteenth Meeting of the Coordinating  
Body on the Seas of East Asia (COBSEA)  
on the East Asian Seas Action Plan

Bangkok, Thailand, 18-19 November 1998

**REPORT OF THE THIRTEENTH MEETING OF THE  
COORDINATING BODY ON THE SEAS OF EAST ASIA (COBSEA)  
ON THE EAST ASIAN SEAS ACTION PLAN**

## INTRODUCTION

1. The Intergovernmental Meeting on the East Asian Seas Action Plan which was held in Bangkok during 9-11 December 1981, *inter alia*, established the Coordinating Body on the Seas of East Asia (COBSEA) in order to serve as the overall authority to determine the contents of the Action Plan, to review the progress of the Action Plan and to approve its programme of implementation in the annual meetings of the governments (intergovernmental meetings) that participate in the action plan. The eleventh meeting of the Coordinating Body on the Seas of East Asia (COBSEA) was held in Bangkok during 28-29 October 1994. This meeting was preceded by the Meeting of Plenipotentiaries on the East Asian Seas Action Plan (Bangkok, 27-28 October 1994). The meeting of plenipotentiaries decided on the enlargement of the geographical coverage of the Action Plan in order for Australia, Kingdom of Cambodia, People's Republic of China, Republic of Korea and Socialist Republic of Vietnam to join the activities in the Protection and Sustainable Development of the Coastal and Marine Areas of the East Asian Seas. The decision to revise the Action Plan, originally adopted by five countries of the region in 1981, was in order to:

- (a) bring it in line with the new developments, particularly with regards to the decisions of the United Nations Conference on Environment and Development (UNCED) and its programme, Agenda 21;
- (b) allow the joining of the new member-states; and
- (c) take into consideration emerging environmental issues of the past thirteen years.

2. The Executive Director of the United Nations Environment Programme (UNEP), in accordance with the above-mentioned institutional arrangements of the Action Plan, and in consultation with National Focal Points of the East Asian Seas Action Plan, convened the Thirteenth Meeting of the Coordinating Body on the Seas of East Asia in the United Nations Conference Centre, Bangkok, Thailand, 18-19 November 1998.

3. Representatives from Australia, Cambodia, People's Republic of China, Indonesia, Republic of Korea, Malaysia, the Philippines, Singapore, Thailand and Socialist Republic of Vietnam attended the meeting.

4. The meeting was also attended by the following observers: ESCAP, IOC/WESTPAC, IUCN, CCOP, UNESCO, GEF/UNDP/IMO Regional Project.

5. This document is the report of the Thirteenth Meeting of the Coordinating Body on the Seas of East Asia (COBSEA). The list of participants and observers appears as Annex I to this report.

### **Agenda item 1. Opening of the meeting**

6. Mr. Hugh Kirkman opened the meeting by welcoming all participants and invited Mr. Suvit Yodmani, Director of the UNEP Regional Office for Asia and the Pacific to formally open the meeting.

7. On behalf of the Executive Director of the United Nations Environment Programme (UNEP), Mr. Klaus Toepfer, Mr. Suvit presented an opening speech. He welcomed participants from member countries and organisations participating as observers in the 13<sup>th</sup> Meeting of the COBSEA.

8. Mr. Suvit briefly reviewed the implementation of the regional projects since the Twelfth Meeting of COBSEA in Manila, the Philippines, which included development of a regional action plan for the Global Programme of Action for the Protection of Marine Environment from Land-based Activities in the East Asian Seas region and the development of the Transboundary Diagnostic Analysis and Strategic Action Programme for the South China Sea.

9. Mr. Suvit noted that these are difficult times for most countries in the Region and that the economic recovery that is now occurring is commendable but fraught with dangers for the environment.

10. With regard to the financial arrangement of the COBSEA, Mr. Suvit informed the meeting that UNEP, in its role as a catalyst, has continued to substantially assist the funding of the operation of the EAS/RCU and that in the long term, COBSEA member countries are expected to take sole responsibility for this. He encouraged the participants to further examine the documents which provide several options regarding potential increases in contributions to the EAS Trust Fund, and to take an appropriate decision on this matter.

### **Agenda item 2. Organisation of the meeting**

#### (a) Designation of officers

11. The Delegate from Malaysia nominate Mr. Sudariyono from Indonesia to be the Chairperson of the meeting. The nomination was seconded by the delegate from the Philippines. Mr. Sudariyono was elected as Chairperson by acclamation.

12. The Delegate from Cambodia nominated Ms. Wanee Samphantharak from Thailand to be the Vice-Chairperson of the meeting. The nomination was seconded by the Delegate from Indonesia. Ms. Wanee was elected as the Vice-Chairperson by acclamation.

13. The Delegate from Cambodia nominated Mr. Fong Peng Keong from Singapore to be the Rapporteur of the meeting, and the nomination was seconded by the Delegate from Australia. Mr. Fong was designated as Rapporteur.

#### (b) Organisation of work

14. Mr. Yihang Jiang, Programme Officer of the EAS/RCU provided information with regard to the working documents and working hours. The meeting was informed that two documents originally intended to be presented for the meeting were not available, as the discussion and preparation of the proposed activities had not been concluded (UNEP(WATER)/EAS IG.9/4 Annexes VII, VIII).

### **Agenda item 3. Adoption of the agenda**

15. The draft provisional Agenda was adopted without amendment and is attached as

Annex III.

**Agenda item 4. Report of the Executive Director**

16. Mr. Kirkman introduced this agenda item by referring to the document UNEP(WATER)/EAS IG.9/4 and its annexes. He informed the meeting that relevant activities were to be considered under the following agenda items.

**Agenda item 5. Review of 1997-1998 programme activities**

(a) Closure of East Asian Seas projects

17. Mr. Kirkman presented a tabular form on the status of the projects, indicated that all previous projects have been completed and closed. The detailed information was provided in the document UNEP(WATER)/EAS IG.9/4, Annex II, Report on Status and Achievements of the EAS projects.

18. The Delegate from Indonesia sought clarification regarding the status of the project EAS 23, Component II. The EAS/RCU clarified that as no donor was forthcoming to fund this component, the project had been closed.

19. The representative of the GEF/UNDP/IMO Regional Project on Programme for the Prevention and Management of Marine Pollution in the East Asian Seas indicated that his programme had co-sponsored EAS 29 project, and requested that copies of the project report be provided. The report was provided.

(b) Development of the South China Sea Project Proposal for GEF funding consideration

20. Mr. John Pernetta, Senior Programme Officer in International Waters in the UNEP-GEF Co-ordination Office, recalled the decision of the Twelfth Meeting of COBSEA to endorse the activities to be funded by the GEF under the project development facility grant approved by the GEF in late 1996. He noted the requirement of the GEF Operational Strategy that a Transboundary Diagnostic Analysis (TDA) and Strategic Action Programme (SAP) be developed. He further noted that in this context, national co-ordinators in each country had prepared national reports that provided the basis for the preparation of the draft TDA and SAP which were presented to the present meeting. He further noted that the size of the International Waters portfolio of the GEF resulted in careful programming of the allocation of funds to projects by the GEF Secretariat, and that funds had nominally been allocated in support of a South China Sea Project. The intention of the EAS Regional Co-ordinating Unit and the UNEP-GEF Co-ordination Office was to prepare, with the approval of COBSEA, a GEF Project brief for submission to the April, 1999 GEF Council Meeting.

21. The meeting encouraged all the delegates to provide the project documents to the National Operation Focal Point for GEF for reviewing and endorsement.

22. Mr. Yihang Jiang, introduced the draft documents by outlining the process that led to their development, including the convening of three meetings of national co-ordinators and regional experts from each of the participating countries. These meetings had agreed upon the format and content of the national reports, the TDA and the SAP and had reviewed and revised

drafts at various stages in the process. The last of these meetings had taken place during the three days preceding the Thirteenth meeting of COBSEA and a revision of the draft SAP was tabled for consideration by the present meeting.

23. Mr. Jiang provided a brief overview of the purpose and contents of the TDA. This document represents a scientific and technical analysis of: the nature of the environmental problems of the South China Sea; the priorities for action; the sources and causes of the problems; the nature and extent of the transboundary water related issues and problems; and, the actions required to address the priority issues and problems identified. Regarding the draft SAP, Mr. Jiang noted that this document had been less well elaborated than the TDA due to time constraints. Despite this the draft provides a series of targets and activities at the regional and national levels that address each of the identified priority issues and problems. The Secretariat invited distinguished delegates to discuss, amend and endorse the contents of the document.

24. The Chairperson invited the meeting to discuss and endorse the Strategic Action Programme, section by section, and opened the first section for discussion.

### ***Mangroves***

25. For the mangroves section, the meeting noted the regional and global importance of the mangrove habitats in this region. Some delegates and participants even proposed the protection of all existing mangroves. Taking into account the extensive discussion during the National Experts meeting regarding the practicality of setting such a target, and the existing situation in the region, the meeting endorsed the targets as proposed by the National Experts. With regard to the proposed actions at both regional and national levels, it was suggested and agreed that capacity building should be added to the proposed activities. The meeting endorsed the proposed actions with some minor modifications.

### ***Coral Reefs***

26. The Secretariat provided some clarification regarding the proposed targets and following discussion and agreement regarding minor amendments, the section on coral reefs was endorsed. The Delegate from Australia informed the meeting that the International Tropical Marine Ecosystems Management Symposium of the International Coral Reef Initiative will be organised in Townsville, Australia, 23-26 November 1998. It would be appropriate if the countries participating in this project could examine the outputs of the meeting, and propose amendments to the document if necessary.

27. The Delegate from Malaysia suggested that the aspect of capacity building was a very important element for all issues in order to ensure the full participation of all countries. This suggestion was supported by the Delegate from Philippines and the meeting agreed that capacity building should be included in the proposed actions for each set of activities relating to habitats and pollutions.

28. The Delegate from Australia suggested that application of the various guidelines was an important element to ensure that targets were achieved. The meeting agreed to this suggestion and decided that the word "implementation" should be inserted where appropriate in the activities sections of the document.

29. The meeting endorsed the section with minor modifications.

### **Seagrass**

30. The meeting endorsed the section with minor modifications following a discussion of the difficulties of assessing the status of this habitat in the region due to a comparative lack of data and information.

### **Wetlands**

31. With regard to the section concerning wetlands, the representative of IUCN suggested that the countries participating in this project should be encouraged to ratify the International Convention on Wetlands (RAMSAR). The meeting agreed with this suggestion and endorsed this section of the document.

32. The representative of IUCN also suggested the public awareness on the values of the above-mentioned habitats should be included in the document. The meeting agreed and recommended the inclusion of public awareness activities in the relevant parts of the document.

### **Over-exploitation and Pollution**

33. With regard to the section on over-exploitation of fisheries, the Delegate from Australia indicated that the regional catch level should not depend solely on the maximum economic yield but should also encompass ecological considerations. She proposed the following alternative text for the target included in the SAP document, which the meeting agreed should be inserted:

*“By 2005 to determine regional catch levels of key economic/commercially important species according to levels that are economically welfare-maximising, while still preserving the resource base.”*

34. The Delegate from Philippines indicated that endangered species should be included in the project actions. The meeting agreed with this suggestion.

35. It was recognised by several delegates that co-operation and co-ordination with other international organisations would be necessary to achieve the objectives of the Strategic Action Programme. The meeting agreed that a paragraph should be added to the introductory section of this document. Mr. Pernetta provided a paragraph that it was agreed by the meeting should be inserted. It should read as:

*The actions proposed in the framework of the draft Strategic Action Programme are wide ranging in both context and proposed areas for action. Successful implementation of the Programme will depend upon co-ordination of actions by diverse organisations, agencies, non-governmental organisations, private sector, and stakeholder groups. Recognising the mandate of the United Nations Environment Programme to co-ordinate environmental actions across the United Nations System, the widest possible range of appropriate partners at national and regional levels will be encouraged and assisted to participate in the execution of the Programme. It is the intention of the participating countries that all actions be undertaken in a spirit of collaboration and partnership, to enhance synergy between on going initiatives at national and regional levels, to ensure complementarily and eliminate duplicative and conflicting actions.*

36. The Delegate from Malaysia stated that it is essential to include preparedness and respond programme to handle oil spill and spillage of chemical or hazardous wastes. Following proposed target and actions to be added.

Proposed target

- Establish a regional contingency plan for SCS to handle incidents of oil spill or spillage of chemical or hazardous wastes

Proposed Activities

- International organization such as UNEP EAS/RCU will initiate the production of package programmes to help member countries facing problems associated with LBAs.

37. The meeting endorsed the sections on over-exploitation and pollution with minor modifications including the addition of issues of ship-based wastes and transportation of hazardous chemicals.

**Regional Co-operation**

38. With regard to the section on Regional Co-operation, the Chairperson opened discussion of this section of the document by asking for general comments and any over-riding concerns that delegates might have concerning the content of this section.

39. The delegate from Indonesia opened the discussion by raising objections to the wording of the introductory paragraphs, and specifically to the use of the terms Convention and Protocol. The Secretariat apologised, noting that the agreement of the National Co-ordinators Meeting had been to replace these words with the term "legal framework" throughout. The retention of the terms had been an over-sight on the part of the Secretariat during the editing and revision of the text. It was agreed that the text of the entire document would be revised to remove all reference to conventions and protocols except where these referred to specific existing conventions or agreements encompassing the seas of other regions of the world.

40. The delegate from Indonesia raised similar objections to the term 'legal framework', since, he stated that his government was not in favour of making legal/formal commitments. The delegates from Australia and Malaysia also expressed that the section of this document requires more extensive discussion at a national level prior to being formally endorsed. In response the Secretariat indicated that it was not the intention at this stage of the process, to secure any formal commitment regarding the finalisation of any form of legal agreement. Rather, what was being sought, was endorsement for initiating a process of intergovernmental discussion that could lead to more formal arrangements for providing protection to the environment of the South China Sea.

41. The delegate from China indicated that in his view if agreement needed, the area should be the entire East Asian Seas region, presently covered by the COBSEA not only the South China Sea. The delegate from the Philippines, while noting his support in principle for the development of an appropriate legal instrument, proposed as a compromise the use of the word 'mechanisms' in place of 'legal framework'. The participant from Vietnam, noted that in his view the term 'mechanism' was weaker than 'legal framework' and hence he was in support of the use of the term 'legal framework'.

42. The Secretariat informed delegates that the GEF had supported the development and elaboration of regional conventions and agreements, and actions to implement them, most notably in the Black Sea and Caspian. It was noted that the development of these agreements required an extensive period of negotiation and consultation at both the national and regional levels. It was further noted that various Global agreements, including *inter alia* the Global Programme of Action for the Protection of the Marine Environment from Land Based Activities, and the United Nations Convention on the Law of the Sea, to which most COBSEA countries were signatory, called upon states to establish appropriate regional arrangements for the management and protection of semi-enclosed seas and other shared marine waters. It was suggested that agreement on the part of COBSEA to initiate a dialogue leading to the establishment of more formal arrangements for the protection of the South China Sea would be taken by bodies external to the region, such as the GEF, as a clear signal of a strong commitment on the part of the Governments of the region to addressing and halting the trends of environmental degradation. These trends were clearly apparent from the information and data assembled in the regional TDA.

43. Several delegates noted that agreement concerning the content of this section of the document required more extensive consultations with other sections of government in their countries. The Chairman pointed out to delegates that the meeting was being asked to endorse the present document as a 'draft' Strategic Action Programme that would be further elaborated and refined during the next two years before being finally adopted and approved. Recognising this fact the meeting agreed to retain the term 'legal framework' for the present, and requested the Secretariat to revise and amend the text in the light of the discussions, prior to its distribution to the member countries.

44. The SAP was endorsed as a working draft document that would be further discussed, elaborated and amended over the next two years. Participants authorised the Secretariat to proceed with the development of a GEF Project brief for endorsement by the countries and submission to the Global Environment Facility.

- (c) Development of EAS Plan of Action for the GPA for the Protection of the Marine Environment from Land-based Activities and Acceptance of Regional Overview Report

45. Mr. Hugh Kirkman introduced this agenda item and referred to the documents UNEP(WATER)/EAS IG.4 Annex V and VI. He informed the meeting that following the Workshop on the Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities in the East Asian Seas Region, held in Cairns, Australia, 30 April – 3 May 1997, a Regional Plan for Action had been prepared and distributed to the National Focal Points. In the meantime, an Overview of GPA Land-Based Sources and Activities Affecting the Marine Environment in the East Asian Seas had been prepared and sent to the National Focal Points by the EAS/RCU. There was only a limited response from countries to these documents, and they had not yet been published.

46. The Delegate from Philippines noted the data/information included in the Overview and the workshop report did not appropriately reflect the current situation of the Philippines with regard to land-based pollution. He suggested that new data and information should be added to the document. This suggestion was supported by several other countries. It was further suggested that reference should be made to the Transboundary Diagnostic Analysis and the Strategic Action Programme of the South China Sea.

47. The Delegate from Australia indicated that the Regional Plan for Action was based on the outcome of Cairns workshop. She proposed that the information contained in the two documents (the draft Regional Overview and the Draft Regional Plan for Action for GPA/LAB) should be reconciled and that the regional GPA document should make reference to the TDA and SAP for the South China Sea. She noted that the most effective way forward might be to engage a consultant to consult with the countries and update and finalise the documents. She further noted the willingness of Australia to work with the Secretariat to try to identify the necessary resources. The suggestion was supported by several countries, and the meeting endorsed the proposal made by Australia.

48. Detailed comments and suggestions were presented to the meeting with regard to the modification of the documents. The meeting agreed that the detailed comments and suggestions should be collected and provided to the EAS/RCU for integration into the document by the consultant.

#### **Agenda item 6. Long-term plans for EAS/RCU**

49. On the invitation of the Chairperson, Mr. Kirkman introduced this agenda item (Document UNEP(WATER)/EAS IG.4, Annex I). He indicated that the Long-term Strategy of COBSEA (1994-2009) presented at the Fifth Meeting of the Experts on the East Asian Seas Action Plan requires a pragmatic approach to give tangible results and to achieve the objectives of the East Asian Seas Action Plan. He emphasised that the primary function of the EAS/RCU, as its name implies, is to co-ordinate activities that result in improved marine environmental quality.

50. He further elaborated the details of the plan, including Regional Objectives, Scientific Activities and Proposed Projects. Projects proposed include the establishment of a regional database and information system covering marine environmental protection and management, a regional monitoring system, and activities regarding: environmental education, restoration of marine habitats, marine protected areas, mapping and capacity building, environment impact assessment, cost benefit analysis, and state of the environment reporting.

51. The Delegate from Australia indicated that the plan is a very useful strategic approach. She indicated that the activities listed on the overhead presented (see paragraph 50) were slightly different from those in the document, in particular regarding the absence of pollution activities in the overhead list and marine protected areas in the document. The Co-ordinator indicated that the document and overheads will be amended accordingly.

52. The Delegate from Indonesia stated that the document presented to the meeting needed to be further modified, taking into consideration past experience and project outcomes. The Delegate from Australia supported the intervention made by Indonesia on the need for the document to be modified, in particular taking into account the outcome of the Seventh Meeting of the Commission on Sustainable Development, to be held in April 1999. She emphasised that co-operation and co-ordination with other organisations are important, and should be included in the document. She stated that development of the long-term plan should be encouraged.

53. The representatives from GEF/UNDP/IMO Regional Project, CCOP, IOC/WESTPAC and UNESCO welcomed the initiatives and expressed their willingness to co-operate with COBSEA on the existing programmes in the region.

54. The meeting agreed that the EAS/RCU should continue the development of long-term plan based on the intervention and suggestion. The revised version of the plan should be sent to the member countries for consideration.

#### **Agenda item 7. Financial arrangements**

(a) Financial report for the period 1997-1998

55. The Co-ordinator introduced this agenda item by referring to the document UNEP(WATER)/EAS. IG.4, Rev I. The tabulation of the status of contributions to the East Asian Seas Trust Fund was discussed and minor amendments recorded. The amended and corrected table is appended as Annex VI to this report.

56. The delegate from Australia requested that the format of this report be reviewed and changed in future presentations to ensure transparency of reporting and provide more detail, and to include an overview of the work and achievements of the EAS/RCU. The meeting agreed with this suggestion and the Secretariat advised that these recommendations would be followed for future reports.

57. The Coordinator reported to the meeting other activities in which he was involved:

- Keynote Speaker, to the Workshop on New Tools for Coastal Zone Management: Canadian RADAR DAT Technology for Application in Asia, AIT, Bangkok, 24 February 1998;
- APEC Workshop on the Regional Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities. Talk on Activities of EAS/RCU and Future Directions In Townsville, Australia, 14 April 1998;
- International Coral Reef Initiative Coordinating and Planning Committee (CPC) Meeting, 2 – 3 June 1998, Singapore;
- Southeast Asian Programme in Ocean Law, Policy and Management (SEAPOL) Gulf of Thailand 2<sup>nd</sup> Meeting of Experts, Hanoi, Vietnam, 20 – 21 July 1998;
- Ad hoc Experts Meeting on Integration of Water Resources Management into Economic and Social Development Plans, ESCAP, UNCC, Bangkok, 2 – 4 June 1998;
- Workshop on Integrated Coastal Zone Management on Non-living Marine Resources Development (ICZM), ESCAP, UNCC, Bangkok, 9 – 11 September 1998 ;
- Lecture on Applied Environmental Management for Sustainable Development, AIT, Bangkok, 23 September 1998;
- Keynote Speaker to Regional Conference on “Environmental Management: Policy Options. Region vs. State and Society” in Kuala Lumpur, 20 - 21 October 1998;
- Workshop on Regional Cooperation in Flood Control and Management for Improvement of Urban Environment in Asia and the Pacific, Phase I, Conference for ROAP, UNCC Bangkok, 26 – 30 October 1998;
- Expert Group Workshop to Review and Adopt the Guidelines and Manual on the Protection and Rehabilitation of contaminated Rivers in Asia and Pacific, UNCC, Bangkok, 9 – 13 November 1998;
- Review of Consulting Report consisting of 10 Chapters for ESCAP Environment Section.

(b) Contributions to the East Asian Seas Trust Fund

58. The delegate from Indonesia regretfully informed the meeting that his government was unable to continue its previous level of contributions due to the present financial crisis in the region, and that from 1999 the pledge of Indonesia would reduce from US\$33,000 to US\$20,000. While in fact from the early beginning of COBSEA, Indonesia had fully supported COBSEA and even increased the contribution to US\$ 33,000.

59. The delegate from China informed the meeting that his government agreed to maintain its previous level of contribution of US\$30,000 per annum from 1999 onwards. The delegate from Singapore informed the meeting that from 1998 the contribution of the Government of Singapore would be at the level of US\$ 10,000 per annum.

60. The delegates from Cambodia and Philippines noted with regret the tardiness of the appropriate government department in making their contributions for 1998 and assured the meeting that they were working to ensure payment of the outstanding amounts. The delegate from Philippines regretted that he was unable to make a commitment on behalf of his government department for 1999, but he agreed to recommend his government that the level of contribution to be maintained.

61. The meeting noted with regret the inability of some of the participating countries to increase their contributions to the regional trust fund at this time. The Secretariat drew to the attention of the meeting the fact that the global financial situation had reduced the size of UNEP's Environment Fund from 1994 onwards and that continued support to the East Asian Seas region at the levels maintained in the past was becoming increasingly difficult in the face of competing demands from other regions on a diminishing resource base.

#### **Agenda item 8. Workplace and budget for the biennium 1999-2000**

62. The Co-ordinator introduced this agenda item by indicating that the activities listed in the table were those identified in the Long-term Plan. The budget indicated in the table was only an estimation.

63. The Delegate from Singapore informed the meeting that since the most activities were already discussed in the Long-term Plan, and EAS/RCU was instructed to seek for necessary financial support for the activities, he suggested that the meeting adopt the workplace with modifications mentioned by the Delegates. The meeting agreed on the suggestion, and adopted the workplace with modifications.

#### **Agenda item 9. Other Business**

64. There was no other business.

#### **Agenda item 10. Adoption of the report**

65. The report was considered, discussed, amended and approved as contained in the present document.

#### **Agenda item 11. Closure of the meeting**

66. On behalf of all delegations, the Delegate from China thanked the Chairman for his excellent work to lead the success of the meeting. He also thanked the staff in EAS/RCU for their hard working. Mr. Kirkman expressed his sincere appreciation to all delegates for their continued support and co-operation during the meeting which ensure the success of the meeting. He wish all delegates have a nice trip back to home.

67. There being no further business the Chairman closed the meeting by thanking all participants for their constructive hard work. The meeting was closed at 1700 on Thursday 19<sup>th</sup> November 1998.