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NINTH INTERGOVERNMENTAL MEETING
ON THE NORTHWEST PACIFIC ACTION PLAN
Busan, Republic of Korea
2-4 November 2004

REPORT OF THE MEETING

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Introduction

1. The Action Plan for the Protection, Management and Development of the Marine and Coastal Environment of the Northwest Pacific (NOWPAP) and three supporting Resolutions were adopted at the First Intergovernmental Meeting (Seoul, Republic of Korea, 14 September 1994).
2. The Second Intergovernmental Meeting of NOWPAP (Tokyo, 20 November 1996) approved the program document, and work plans and Budget for the biennium 1997/1998. However, it was decided that further arrangements for the Trust Fund and the establishment of a Regional Coordinating Unit (RCU) would be discussed later.
3. The Third Intergovernmental Meeting (Vladivostok, 9 April 1998) endorsed the revision of the Work plan and Budget for the biennium 1997/1998 and decided on the procedure for the establishment of a network of Regional Activity Centres (RACs).
4. Since the inception of NOWPAP, the Members have acknowledged setting up an RCU as a fundamental prerequisite for the successful implementation of the Action Plan. The Second Intergovernmental Meeting requested, in Resolution 2, the Executive Director of the United Nations Environment Program (UNEP) to compile information on the experiences of other regional seas conventions and action plans relevant to the establishment of a RCU for NOWPAP.
5. The Fourth Intergovernmental Meeting (Beijing, 6 - 7 April 1999) decided on the need to establish an RCU in the future and requested the Executive Director of UNEP to prepare a proposal for its creation for the consideration of the Fifth Intergovernmental Meeting.
6. The Fifth Intergovernmental Meeting (Inchon, 29-30 March 2000) decided on the procedures of establishment of the RCU of NOWPAP, including its terms of reference. It further requested the Executive Director of UNEP to prepare a summary of the offers for hosting the RCU and to present it for discussion by the NOWPAP Members during the Sixth Intergovernmental Meeting in Tokyo.
7. In Resolution 2 of the Sixth Intergovernmental Meeting (Tokyo, 5-6 December 2000) the NOWPAP Members agreed in principle to establish a co-hosted NOWPAP RCU in Toyama, Japan and Busan, Republic of Korea, subject to the confirmation of all Members on the basis of their review of the detailed plan prepared by Japan and the Republic of Korea regarding the modalities of the operation of the RCU. As an interim measure the meeting requested UNEP to operate the RCU under the authority of UNEP's Executive Director.
8. Decision 21/30 of the Governing Council on the implementation of the Northwest Pacific Action Plan (9 February 2001) requested the UNEP Executive Director to establish an RCU as a secretariat administered by UNEP and to negotiate co-hosting a single RCU with the governments of Japan and the Republic of Korea. A "Detailed Plan of Co-Hosting the Establishment of NOWPAP/RCU" was submitted to UNEP by the governments of Japan and the Republic of Korea on 24 April 2001 in response to Resolution 2 of the Sixth Intergovernmental Meeting.
9. The Sixth Intergovernmental Meeting also decided, inter alia, to establish and implement a new activity, NOWPAP/7, on the "Assessment and Management of Land-Based Activities" within the NOWPAP work program (Resolution 1). Following that decision, UNEP was requested to assist the NOWPAP Members in the development of a GEF project proposal on the "Formulation of a Strategic Action Program for the Northwest Pacific Region to Address Pollution of the Marine Environment from Land-Based Activities" for consideration at the Seventh Intergovernmental Meeting with a view to incorporating it into the 2002/2003 work program.

10. The Seventh Intergovernmental Meeting (Vladivostok, 20-22 March 2002) approved in Resolution 3 the modalities and terms of reference of the Focal Points and Working Groups of various NOWPAP RACs and projects and requested the Directors of the RACs to establish appropriate National Focal Points for each RAC.

11. The Eighth Intergovernmental Meeting (Sanya, 5-7 November 2003), discussed and approved the work plan and budget for NOWPAP for the 2004-2005 biennium. The Intergovernmental meeting also approved the text of the Memorandum of Understanding (MoU) on Regional Cooperation on Preparedness and Response to Oil Spills in the Marine Environment of the Northwest Pacific Region and the related Regional Oil Spill Contingency Plan for the NOWPAP region. Furthermore, the Eighth Intergovernmental Meeting approved the Terms of Reference for all the RAC Focal Point Meetings, setting the stage for more effective and improved implementation of the activities of the RACs.

12. During 2002/3 UNEP and the two host countries negotiated the text of the Host Country Agreements (HCAs). The HCAs were signed by the Ambassador of Japan, the Ambassador of the Republic of Korea and the Executive Director of UNEP, in Nairobi on 16 September 2003 and 8 September 2004, respectively. Following the request of NOWPAP Intergovernmental Meetings, UNEP recruited the six staff members for the RCU during 2004. The RCU offices were inaugurated on the 1st and 2nd November 2004, in Toyama and Busan respectively and are expected to commence their function by the end of 2004.

13. Following the offer of the Republic of Korea to host the Ninth Intergovernmental Meeting, the Meeting was held in Busan, Republic of Korea from 2-4 November 2004.

14. This document is the record of the discussions and deliberations of the Ninth NOWPAP Intergovernmental Meeting.

15. Representatives of the NOWPAP Members, namely the People's Republic of China, Japan, the Republic of Korea and the Russian Federation participated in the meeting. Observers were also present from the NOWPAP Regional Activity Centres, as well as the candidates to fill the staff positions of the newly established RCU. The full list of participants is attached to the present report as Annex II.

Agenda item 1: Opening of the meeting

16. The Chairman of the Eighth Intergovernmental Meeting (IGM), Mr. Ruisheng Yue, head of delegation of the People's Republic of China, opened the meeting at 15.00 p.m. on Tuesday, 2 November 2004 and extended a warm welcome to the participants. He invited the representative of UNEP to present his opening statement.

17. On behalf of Executive Director of UNEP, Mr. Ellik Adler expressed his pleasure to be present in Busan on such a memorable day for NOWPAP. He noted that the 1st and 2nd November 2004 would be remembered as important days in the NOWPAP history. On the 1st of November the Toyama office of the RCU and the 10th anniversary of NOWPAP ceremonies took place. On the 2nd of November the Busan office was inaugurated and the signatures of MoU on the Oil Spill Regional Contingency Plan were presented. He informed the meeting that the Ninth Intergovernmental Meeting would be important, taking place at an historical point of time for NOWPAP.

18. The representative of the government of the Republic of Korea, Mr. Jai Chul Choi, welcomed all participants to the Ninth Intergovernmental Meeting. He noted that substantial progress had been made on the establishment of the Regional Coordinating Unit (RCU) and the signature of the MoU for the NOWPAP Regional Oil Spill Contingency Plan (RCP), which were landmark achievements for the NOWPAP community and will provide the foundation for the sound and long-term development of NOWPAP. Mr. Choi gave a short update on recent developments in the Republic of Korea regarding the marine environment and noted that Korea implements a comprehensive policy for the conservation and

management of the marine environment for 2001-2005. Mr. Choi concluded by reaffirming the commitment of the Korean government to NOWPAP.

19. The representative of the government of the People's Republic of China, Mr. Ruisheng Yue was honoured to welcome everyone to the Ninth Intergovernmental Meeting held in Busan and expressed his appreciation to the Korean government's efforts and to UNEP's efforts for organizing the meeting. He informed the meeting that substantial progress had been made in the past year and noted especially the establishment of the RCU, the recruitment of the RCU staff and the signatures of the MoU for the Regional Contingency Plan for NOWPAP as substantial achievements since the foundation of NOWPAP. Mr. Yue also stated that the Chinese government would continue to make efforts to protect the marine environment, to contribute to the implementation of sustainable development in the region and to preserve the oceans and the marine and coastal environment.

20. The representative of the government of Japan, Mr. Koichi Ito expressed his appreciation for the hospitality from the host country and thanked UNEP secretariat for the preparation of this important meeting. He noted that ten years had passed since NOWPAP was born and that today and yesterday were important events for NOWPAP, the opening of RCU, the 10th anniversary of NOWPAP and the signature of the MoU for the RCP. He mentioned that for 10 years the governments of NOWPAP Members had made big efforts and much progress had been made. He noted that NOWPAP would be important for the sound development and management for the marine environment and that it provided a good spirit of cooperation. Japan, which is an archipelago holds high importance to the preservation of the marine environment and will continue to work with the RCU.

21. The representative of the government of the Russian Federation, Mr. Sergey Tveritinov expressed his appreciation to the government of the Republic of Korea and to UNEP for their hard work and contributions to the preparation of this meeting. Mr. Tveritinov mentioned that the practical achievement of the signature of the Memorandum of Understanding for the Regional Oil Spill Contingency Plan of NOWPAP was an important achievement. He also noted that NOWPAP now has the RCU which will serve as an engine for NOWPAP. He noted that following the scientific presentations given during the 10th anniversary celebration in Toyama, he recognized the many challenges that this region faces. He mentioned that it is necessary to further join the efforts of the NOWPAP Members and that the Russian government is ready to contribute as much as possible to the future activities of NOWPAP.

Agenda item 2: Organization of the meeting

Agenda item 2 (a): Election of officers

22. The secretariat explained that according to the NOWPAP practice, the Chairperson of the Intergovernmental Meeting would be the representative of the host country, the Rapporteur would be the representative from the country which will host the next Intergovernmental Meeting and the two Vice Chairmen would be the representatives from the other NOWPAP Member countries. The meeting agreed and the following were elected:

Chairman:	Republic of Korea - Mr. Jai Chul Choi
Vice Chairman:	People's Republic of China – Mr. Ruisheng Yue
Vice Chairman:	Russian Federation – Mr. Sergey Tveritinov
Rapporteur:	Japan – Mr. Koichi Ito

23. Mr. Ruisheng Yue introduced the elected Chairman of the meeting, the Head of Delegation of the Host Country, Mr. Jai Chul Choi, Deputy Director General, International Economic Affairs Bureau, Ministry of Foreign Affairs and Trade, Republic of Korea.

24. Mr. Choi informed the meeting that he has had a special relationship and involvement in the history of NOWPAP since its inception 10 years ago, through his service in the Korean Embassy in Nairobi and his responsibility for NOWPAP in the Korean government in various periods. Therefore he was honoured to be the Chairman of the Ninth Intergovernmental Meeting. He ended by noting that NOWPAP has made significant progress and he hoped for the successful outcome of meeting.

25. All NOWPAP Members expressed their congratulations to the Chairman for his appointment and expressed their gratitude to the Korean government for hosting the meeting.

Agenda item 2 (b): Organization of Work

26. The Chairman and the secretariat proposed that the rules of procedure of the UNEP Governing Council, as applicable would apply mutatis mutandis for the meeting. The Chairman also proposed that the meeting in principle conduct its business in plenary. The representatives approved the proposals.

Language and timetable of the meeting and the final list of documents

27. The meeting was conducted in English.

Agenda item 2 (c): Adoption of the agenda

28. The NOWPAP Members representatives adopted the following agenda on the basis of the provisional agenda prepared by the secretariat and distributed as document UNEP/NOWPAP IG 9/1:

1. Opening of the meeting
2. Organisation of the meeting:
 - (a) Election of officers
 - (b) Organization of work
 - (c) Adoption of the agenda
3. Presentation of Credentials
4. Report of the Executive Director on implementation of the Northwest Pacific Action Plan:
 - (a) Programme implementation in 2003 – 2004
 - (b) Budgetary summary and status of NOWPAP Trust Fund
5. Report of the RAC Directors on the implementation of work during 2003 – 2004:
 - (a) CEARAC
 - (b) DINRAC
 - (c) MERRAC
 - (d) POMRAC
6. The expansion of Geographical Coverage of the NOWPAP Regional Contingency Plan (suggestion by Japan)
7. The GEF PDF-B proposal for the NOWPAP region
8. Marine Litter proposal (UNEP)

9. Proposal of new directions for the NOWPAP RACs (UNEP)
10. Increased contributions to the NOWPAP Trust Fund (UNEP)
11. Preparation for the Tenth Intergovernmental Meeting
12. Other business
13. Adoption of the report of the meeting
14. Closure of the meeting

In addition, the meeting also agreed on a slight change in the timetable.

Agenda item 3: Presentation of Credentials

29. The heads of the delegations of Japan, People's Republic of China, the Republic of Korea and the Russian Federation presented their Credentials to the secretariat. The Credentials were reviewed and accepted.

Agenda item 4: Report of the Executive Director on Implementation of the Northwest Pacific Action Plan

Agenda item 4 (a): Programme Implementation in 2003-2004

30. Upon the invitation of the Chairman, Mr. Ellik Adler, in his capacity as the interim coordinator of NOWPAP, presented the report of the UNEP Executive Director on the implementation of the Northwest Pacific Action Plan (UNEP/NOWPAP IG. 9/4). He stated that since the Eighth Intergovernmental Meeting, NOWPAP has progressed substantially.

31. He mentioned that UNEP had signed MoUs with the four NOWPAP RACs which serve as the base for the practical implementation of activities of the RACs. He noted that NOWPAP, following the decision of the Seventh Intergovernmental Meeting is shifting from an 'activity based' programme of work to a 'RAC based programme of work' and that the approved Terms of References of the RAC Focal Point Meetings were important to institutionalize the RACs activities. He shortly presented the different activities of the RACs and on the progress made since the Eighth Intergovernmental Meeting. He mentioned that the RAC Directors will present their full activity reports under agenda item 5.

32. He informed the meeting that the interim secretariat will present the way forward for RACs under agenda item 9 (UNEP/NOWPAP IG. 9/9). A short summary was given on the progress made on the NOWPAP GEF PDF-B proposal. Mr. Adler noted that Mr. Takashi Otsuka of the UNEP Division of GEF Coordination in Nairobi would present the proposal under agenda item 7 (UNEP/NOWPAP IG. 9/7).

33. Mr. Adler introduced the table on implementation of the Resolutions of the Eighth Intergovernmental Meeting, shortly discussed each resolution and informed the meeting that UNEP, acting as interim secretariat of NOWPAP has implemented successfully most decisions as expected by NOWPAP Intergovernmental Meetings. He noted that the major achievement of NOWPAP was the finalization of institutional arrangements for the RACs, enabling a smooth implementation of the programme of work of the RACs. The establishment of the new RCU and the implementation of the work plan under the leadership of the new coordinator and the RCU staff would be the next major landmark for NOWPAP.

Agenda item 4 (b): Budgetary summary and status of NOWPAP Trust Fund

34. The Interim coordinator presented the current status of the NOWPAP Trust Fund. He noted that the current level of contributions to the Trust Fund is not sustainable and that there was a need to increase the contributions to ensure the future sustainability of NOWPAP. Mr. Adler mentioned that a proposal for the increase of contributions to the NOWPAP Trust Fund will be presented to the meeting by UNEP, as interim secretariat of NOWPAP, under agenda item 10. The full details of the secretariat's report may be found in document UNEP/NOWPAP IG. 9/4.

35. In response to a question by Japan, Mr. Adler noted that the major achievement this year was without doubt the establishment of the RCU and the recruitment of its staff. He noted that the main challenge to NOWPAP was the relatively slow progress of activities.

36. After a short discussion, the meeting adopted the report of the Executive Director on the implementation of NOWPAP for the year 2003/4.

Agenda item 5: Report of the RAC Directors on the implementation of work during 2003 – 2004

Agenda item 5 (a): Report of the Director of CEARAC

37. Upon the invitation of the Chairman, the Director of CEARAC, Mr. Masanobu Miyazaki, presented the report on the activities of CEARAC in Toyama (UNEP/NOWPAP/ IG.9/5/1) and the work plan and budget for CEARAC, as approved by the 2nd CEARAC Focal Points meeting, (Toyama, March 2004).

Agenda item 5 (b): Report of the Director of DINRAC

38. Upon the invitation of the Chairman, the Director of DINRAC, Mr. Jianguo Wang, presented the activities of DINRAC in Beijing (UNEP/NOWPAP IG.9/5/2) and the work plan and budget for DINRAC, as approved by the 3rd DINRAC Focal Points meeting, (Busan, October 2004).

Agenda item 5 (c): Report of the Director of MERRAC

39. Upon the invitation of the Chairman, the Director of MERRAC, Mr. Chang-Gu Kang, presented the activities of MERRAC based in Daejeon (UNEP/NOWPAP IG.9/5/3) and the work plan and budget for MERRAC, as approved by the 7th MERRAC Focal Points meeting, (Daejeon, May 2004).

Agenda item 5 (d): Report of the Director of POMRAC

40. Upon the invitation of the Chairman, the Director of POMRAC, Mr. Anatoly Kachur, presented the activities of POMRAC in Vladivostok (UNEP/NOWPAP IG.9/5/4) and the work plan and budget for POMRAC, as approved by the 2nd POMRAC Focal Points meeting, (Vladivostok, May 2004).

41. In response to a question by Japan, UNEP confirmed that there were no significant financial problems within the RACs. The budgets of the RACs are mostly fully used and the financial system of UNON, through the Project Documents signed between the RACs and UNEP, ensured that the budgets and expenditures of the RACs were closely supervised. Therefore there were no over expenditures and no other major problems with the budgets of the RACs. He also noted that a problem with expenditures of POMRAC is being discussed now with UNON/BFMS and UNDP in view of finding a fast and effective solution.

42. Following a comment made by the representatives of the People's Republic of China related to Activity K of DINRAC on the 'compilation of a regional report on biodiversity data', the meeting agreed that this activity will be re-visited and agreed upon after the Intergovernmental Meeting would conclude its discussions regarding the future activities of NOWPAP RACs.

43. In response to a question by Japan, the Interim coordinator explained that the RACs directors, through their respective written reports and oral presentations, have presented to the Intergovernmental Meeting their revised budgets and work plans, following the decisions of the Intergovernmental Meeting. UNEP explained that the respective Focal Point Meetings of the various RACs have adjusted their budgets and work plans from about \$185,000 to \$150,000 for each RAC for the 2004/5 biennium, and that these revised budgets were presented for approval to the 9th Intergovernmental Meeting.

44. The Chairman summarized that pending a later decision on Activity K for DINRAC, the meeting approved the reports, the work plans and the budgets for 2004/5 of the four NOWPAP Regional Activity Centres.

Agenda item 9: Proposal by UNEP for new directions for the NOWPAP RACs

45. Upon the invitation of the Chairman, Mr Adler, presented a Proposal for New Directions for the NOWPAP RACs (UNEP/NOWPAP IG. 9/9). He invited the meeting to consider this proposal for discussion and noted that the meeting would not have to reach any final agreement on this proposal at this point in time, as this would be more appropriate to do after the functioning of the RCU.

46. Mr. Adler presented a general introduction on the UNEP Regional Seas Programmes and then introduced the current institutional, administrative and substantial structure of NOWPAP, and noted that changes in the structure and functions of some elements of the programme are necessary. He presented some suggestions for the new responsibilities for the RCU and the RACs and reminded the meeting that the RCU, although its two offices are physically separated, should function as one secretariat.

47. Following a lively and productive discussion, the meeting agreed that a reconsideration of NOWPAP's structure and activities was timely, important and necessary. The meeting took note of UNEP's suggestion regarding the future activities and demarcation of responsibilities of the RACs and the RCU and agreed to convene an 'Intersessional Workshop' for this purpose.

48. Following a consultation held by the heads of delegations, the meeting agreed that the 'Intersessional Workshop' will be convened around mid-2005 in the Republic of Korea upon the invitation extended by the head of the Korean delegation. The workshop will be attended by the NOWPAP National Focal Points and experts in order to review the current status of NOWPAP, discuss its future structure, functions and directions and make recommendations to the Intergovernmental Meeting. Financial support for the travel of two representatives of each country and the secretariat will be borne by the NOWPAP Trust Fund.

49. Several delegates expressed their willingness to host various future activities proposed by UNEP, and the meeting decided that this would be further discussed and considered during the 'Intersessional Workshop'.

Agenda item 6: The expansion of Geographical Coverage of the NOWPAP Regional Contingency Plan (suggestion by Japan)

50. Upon the invitation of the Chairman, the meeting was asked to consider the proposal from Japan on the expansion of the geographical coverage of the NOWPAP Regional Oil Spill Preparedness and Response Contingency Plan (RCP), to include the eastern part of Sakhalin Island, presented to the meeting as document UNEP/NOWPAP IG. 9/6).

51. Mr. Adler explained that UNEP was requested by the Eighth Intergovernmental Meeting to seek legal advice on the proposal made by Japan and to present this advice to the Ninth Intergovernmental Meeting for consideration and approval. He noted that following the legal advice received by the secretariat, of which the full text was presented in document UNEP/NOWPAP IG. 9/6, it was clarified that as the MoU and the RCP do not create any legally binding obligations, therefore, if all Members

agree with the proposal made by Japan to expand the area of the RCP, there is no legal obstacle in NOWPAP to hinder such action.

52. Following the invitation of the chairman, the representative from Japan informed the meeting that following the decision of the Eighth Intergovernmental Meeting (Resolution 3.5), Japan was requested to circulate a background document to the NOWPAP Members and the secretariat. The background document was sent to the NOWPAP Members on 6 July 2004 for their consideration, and to be discussed and approved during the Ninth Intergovernmental meeting. He stressed that this expansion will be of benefit to all NOWPAP Members. The transport of crude oil would not only affect Japan and Russia but may also affect the Republic of Korea and the People's Republic of China.

53. The representative of Russian Federation stressed the difficulties within his government regarding the approval and signature of this proposal. He reminded the meeting of the difficulties that they experienced with the signature of the MoU for the Regional Oil Spill Contingency Plan. Mr. Tveritinov noted that in principle, his government is not against this proposal and is ready to discuss it further. He suggested that a way to start this deliberation would be to draft a protocol as annex to the MoU. He noted it was important to keep in mind the financial and other implications of this expansion and suggested that it would be necessary to hold an intersessional meeting of experts to discuss this issue.

54. In response to a question of a representative of the People's Republic of China, the representative of Japan clarified that the text of the proposal as presented to the Intergovernmental Meeting was finalized prior to receiving the legal advice from UNEP. He stated that therefore these sections could be disregarded from the proposal.

55. The representative from Japan stated that he did not see any additional financial burden for this proposal.

56. The meeting agreed to discuss this proposal further during the Tenth Intergovernmental Meeting.

Agenda item 7: The GEF PDF-B Proposal for the NOWPAP region

57. Upon the invitation of the Chairman, the representative of UNEP Division of GEF Coordination, Mr. Takashi Otsuka presented the concept paper for the Global Environment Facility (GEF) Project for NOWPAP region titled: "Addressing Land-Based Activities that Affect the Marine and Coastal Environment in the Northwest Pacific Region" (UNEP/NOWPAP IG. 9/7.1).

58. Mr. Otsuka reminded the meeting that the Eighth Intergovernmental Meeting decided that there was a need for further consultations regarding the concept paper and an e-consultation group was established, comprised of national experts nominated by their respective NOWPAP Focal Point. He presented the amended concept paper which takes into account the comments and concerns raised by the NOWPAP Members, through this e-group. He further invited the NOWPAP Members to agree and endorse in principle present project concept, to consider the geographical scope of the project and requested the NOWPAP members involved in the existing UNDP/GEF project to facilitate coordinated approach. He also invited the NOWPAP Members to explore co-financing options.

59. The representative of the Republic of Korea stated that the UNDP/GEF project on the Yellow Sea does not fully cover land-based issues and his government would therefore like to see this issue in the Yellow Sea area included in the GEF project for NOWPAP.

60. The representative of Japan noted the issue of the scope of the proposal and stressed that any duplication with existing projects such as PEMSEA should be avoided.

61. The representative of the People's Republic of China noted that the project concept is fully in line with the Regional Seas Programme priorities that the NOWPAP Members will benefit from this GEF

project. He also noted that taking into account the limited financial funds for NOWPAP, this project will inject additional funds to the region and that his government fully supports the concept paper set forth by UNEP DGEF. He further noted his government had the same concern as the representative of the Republic of Korea mentioned above. With regard to the scope of the proposal his government believes that the Yellow Sea is one of the most important areas of NOWPAP and therefore he requested that the Yellow Sea should be included into the geographical coverage of the project, taking into account the coordination and linkage with other relevant GEF projects in the Yellow Sea.

62. The representative of the Russian Federation informed the meeting that his government fully supported the project concept. He hoped that the further development of this project would proceed in line with the GEF procedures.

63. After a discussion, the meeting agreed with a suggestion, made by UNEP regarding the definition of the geographical scope of the project to cover the entirety of the NOWPAP area and requested that the project concept would be amended accordingly. The meeting also requested further clarifications on the co-financing component from the NOWPAP Trust Fund.

64. After a discussion, the meeting endorsed, in principle, the concept paper, subject to the request that UNEP DGEF will circulate via e-mail a revised project concept, incorporating the comments and addressing the concerns raised during this meeting. The meeting also recommended that UNEP DGEF request the Members their final formal approval, via e-mail at an early date.

65. The meeting took note of the statement made by the representative of Japan that his government cannot commit any co-financing for the full project, and if additional funds are necessary, it should be sought from relevant international financial institutions.

66. The meeting also requested UNEP to further proceed with the work on this proposal by submitting the concept paper to the GEF for approval.

Agenda item 8: Marine Litter Proposal (UNEP)

67. Upon the invitation of the Chairman, Mr. Elik Adler, in his capacity as interim coordinator of NOWPAP, presented a proposal for the Development of an Activity on the Sustainable Management of Marine litter in the NOWPAP Region (UNEP/NOWPAP IG. 9/8).

68. Mr. Adler presented the global problem of marine litter in the marine and coastal environment including the sources, quantities and effects of marine litter. He also noted the lack of appropriate waste management policies, the lack of reception facilities for ships generated waste, and mentioned that marine litter has become a major environmental concern of the NOWPAP Member countries. He presented a list of potential activities proposed for the development and implementation of Regional Action Plan for the marine litter management in the NOWPAP Region.

69. UNEP as interim secretariat for NOWPAP recommended that within NOWPAP framework, the Marine Litter Activity will be developed and carried out jointly by both CEARAC (which will concentrate more on the land-based sources of Marine Litter) and by MERRAC (which will concentrate more on the marine-based aspects of Marine Litter) and the whole activity will be coordinated under the Scientific and Technical Officer in Busan Office of the RCU. The secretariat further recommended that the detailed programme of work (PoW) and budget for this activity will be developed by the RCU, the relevant RACs and UNEP during 2004/5 and would be presented to the next Intergovernmental Meeting for approval within the wider context of NOWPAP's PoW and budget for 2006/7.

70. The representative from Japan agreed with the proposal and felt that this activity should be implemented without delay. and requested the meeting to make a decision in this regard.

71. A representative of the Chinese delegation informed the meeting that her government agreed the importance of this activity in the region. She wanted to stress however, that within the IMO framework there already is a global convention on marine ship-based litter (MARPOL Annex V) of which China is an active member. Her government suggested encouraging the Members to join this convention and to closely supervise the implementation of this convention. She asked the meeting to consider the limited financial resources of NOWPAP and therefore suggested that NOWPAP should focus mainly on land-based sources of marine litter.

72. A representative of the Korean delegation informed the meeting that his government agreed with the recommendation made by UNEP to develop this activity in the region and stated that the Korean government is committed to engage constructively on a marine litter activity in the NOWPAP region. However, with regard to the recommendation of joint implementation of this activity through the CEARAC and MERRAC, he suggested that any practical activities that would be implemented through the RACs should be in line with the approved programme of work of the RACs.

73. The representative from the Russian Federation stressed the importance to avoid any duplication with existing agreements. He asked the meeting to take into account that the RACs should first look through the document carefully and to make a proposal taking into account their current areas of activity.

74. The meeting noted the importance to avoid duplication with existing global agreements and to closely consult with other international agencies and organizations in the region. The meeting decided that the new coordinator will consult closely with the RACs on how to proceed with this activity. The meeting further agreed that a programme of work and appropriate budget for this activity should be developed for the next biennium, based on consultations between the NOWPAP Focal Points, the RACs and the planned 'Intersessional Workshop', and will be presented for consideration by Tenth Intergovernmental Meeting. The meeting finally agreed that this activity will be discussed and developed during the intersessional workshop in 2005.

Agenda item 10: Increased contributions to the NOWPAP Trust Fund

75. Upon the invitation of the Chairman, the interim coordinator of NOWPAP presented a Proposal for the increased contributions to the NOWPAP Trust Fund (UNEP/NOWPAP IG. 9/10). Mr. Adler shortly presented the status of contributions to the Trust Fund since the inception of NOWPAP. He mentioned that at present, the yearly expenditures from the Trust Fund are of about US \$ 550,000, while the income is of only US \$ 315,000 which is made possible by using the reserve of funds which accumulated in the Trust Fund during the years of little activities (1997-2000). This situation was not sustainable and could continue only for another 3-4 years.

76. The interim secretariat recommended that the contributions to the NOWPAP Trust Fund would be increased and stabilized at US \$ 1 M per year, that the scale and proportions of contributions between Members would be modified and that this scale of contributions would be reviewed from time to time.

77. The representative from Japan noted that his government, besides contributing to the NOWPAP Trust Fund, is also contributing to the RCU office in Toyama. He therefore expects that his government will not approve any substantial increase in contribution to the NOWPAP Trust Fund and stressed that his government will make efforts to maintain the current level of contributions. He recommends that each NOWPAP Member should equally contribute to the NOWPAP Trust Fund.

78. The Chairman suggested to increase the involvement of the private sector and to focus more on fundraising activities.

79. The representative of the Russian Federation stated that it was necessary to prioritize activities within NOWPAP for funding. He asked for an overview of the actual funding provided by each NOWPAP Member to NOWPAP, including the contributions to the RCU and other NOWPAP activities.

80. The representative of the People's Republic of China stressed the importance to take into account the common but differentiated responsibility, the UN scale of the contribution and the current stage of economic development of each Member country. He expressed his appreciation to the host countries of the RCU offices and their contributions to these offices, but would like to remind the meeting that these contributions are not part of the contribution to the Trust Fund.

81. The representative of Japan asserted that the UN scale should not be taken into consideration for financial contributions to NOWPAP .

82. The meeting decided to further discuss this proposal during the 'Intersessional Workshop' in 2005.

Agenda item 11: Preparation for the Tenth Intergovernmental Meeting

83. The representative of the government of Japan, announced that his government invites the Tenth Intergovernmental Meeting in 2005 and that the dates would be decided at a later stage in consultation with the secretariat.

Agenda item 12: Other business

84. Mr. Adler asked the meeting to consider the suggestion that the Chairman of the Ninth Intergovernmental Meeting of NOWPAP would serve as overall "Chairman of NOWPAP", during the inter-sessional period between Intergovernmental Meetings, until he is replaced by the new Chairman selected at the next Intergovernmental Meeting. This is the procedure that is normally used in other international programmes. A vice Chairman will present NOWPAP on behalf of the Chairman, in such case as the Chairman will not be able to be present. The meeting approved the suggestion made by NOWPAP interim secretariat.

85. A representative of the Korean delegation requested UNEP, as interim secretariat, to assist in expediting the finalization of the MoU with UNEP, the actual launch of the RCU offices and the commencement of the duties of the staff members of the RCU as this is of great importance to the future of NOWPAP.

Agenda item 13: Adoption of the report of the meeting

86. The meeting approved the report and its annexes.

Agenda item 14: Closure of the meeting

87. After the customary exchange of courtesies, the Chairman declared the meeting closed at 12.15 pm on Thursday, 4 November 2004.

Annex I

RESOLUTIONS

RESOLUTION 1

PROGRAMME OF WORK FOR THE 2004-2005 BIENNIUM

A. New Directions for NOWPAP RACs

The Ninth Intergovernmental Meeting

1. Approves the report of the Executive Director of UNEP as the Interim Secretariat of NOWPAP on the progress in the implementation of NOWPAP
2. Approves the reports of the Directors of the four Regional Activity Centers (CEARAC, DINRAC, MERRAC, POMRAC) of NOWPAP on the progress in the implementation of NOWPAP during 2004, pending a discussion, at a later stage, on Activity K in the programme of work for DINRAC for 2005.
3. Took note of the Proposal for New Directions for the NOWPAP RACs (UNEP/NOWPAP IG. 9/9) presented by UNEP as interim secretariat of NOWPAP with appreciation.
4. Decides to convene an 'Intersessional Workshop' for this purpose which will be held around mid-2005 in the Republic of Korea. The workshop will be attended by the NOWPAP National Focal Points and experts. Financial support for the travel of two representatives of each country and the secretariat will be bourn by the NOWPAP Trust Fund.

B. Marine litter

The Ninth Intergovernmental Meeting

1. Took note of the proposal for the Development of an Activity on the Sustainable Management of Marine litter in the NOWPAP Region (UNEP/NOWPAP IG. 9/8) presented by UNEP as interim secretariat of NOWPAP with appreciation.
2. Recognizes the importance and urgent need to establish and develop an activity on Marine Litter in NOWPAP region while avoiding duplications with existing global agreements and through consultations with other international agencies and organizations in the region.
3. Decides that the newly established RCU will take a lead on developing the marine litter activity and that the coordinator of NOWPAP will consult closely with the RACs on how to proceed with this activity.
4. Agrees that a programme of work and appropriate budget for this activity should be developed by the RCU for the next biennium, based on consultations between the NOWPAP Focal Points, the RACs and the planned 'Intersessional Workshop', and be presented by the RCU for consideration by Tenth Intergovernmental Meeting.
5. Agrees that this activity will also be discussed during the Intersessional Workshop in 2005.

RESOLUTION 2
FINANCIAL ARRANGEMENTS FOR THE IMPLEMENTATION OF NOWPAP

The Ninth Intergovernmental Meeting,

1. Took note of the proposal presented by UNEP on the increased contributions to the NOWPAP Trust Fund (UNEP/NOWPAP IG. 9/10).
2. Decides to further discuss this proposal during the Intersessional Workshop in 2005.
3. Agrees to maintain the present level of contributions, with a view to revise this level at a later stage, should a particular need arise.
4. Encourages the members of NOWPAP, the RCU and the Executive Director of UNEP to make efforts to secure funds from sources external to the Trust Fund, including civil society, local government, international and regional organizations and financial institutions.
5. Requests the secretariat, with the understanding by the Members, to make further efforts to maintain the expenditure of NOWPAP at a reasonable level.

RESOLUTION 3
THE MOU AND THE REGIONAL OIL SPILL CONTINGENCY PLAN

The Ninth Intergovernmental Meeting,

1. Took note of the legal advice presented by UNEP on the nature of the non-binding technical and operational guidelines for the cooperation provided by the NOWPAP Regional Oil Spill Contingency Plan.
2. Agrees to conduct further consultations regarding the proposal from Japan on the expansion of geographical coverage of the NOWPAP Regional Oil Spill Contingency Plan (UNEP/NOWPAP/ IG. 9/9).
3. Decides that this proposal will be discussed during the Tenth Intergovernmental Meeting.

RESOLUTION 4
DEVELOPMENT OF A GEF PDF-B PROPOSAL

The Ninth Intergovernmental Meeting,

1. Took note of the progress made by the secretariat on the development of the GEF proposal "Addressing Land-Based Activities that Affect the Marine and Coastal Environment in the Northwest Pacific Region" (UNEP/NOWPAP IG. 9/7.1) with appreciation.
2. Endorsed in principle the concept paper, subject to the request that UNEP DGEF will circulate via e-mail a revised project concept, incorporating the comments and addressing the concerns raised during this meeting.
3. Agreed to formally approve, via e-mail, the revised concept paper at an early date.
4. Requests UNEP and the RCU to further proceed with the work on this proposal by submitting the concept paper to the GEF for approval.

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Annex III

LIST OF DOCUMENTS

Working Documents

UNEP/NOWPAP IG.9/1	Provisional Agenda
UNEP/NOWPAP IG.9/2	Annotated Provisional Agenda
UNEP/NOWPAP IG.9/4	Report of the Executive Director of the United Nations Environment Programme on progress of the implementation of the Northwest Pacific Action Plan for 2003 - 2004
UNEP/NOWPAP IG 9/5/1	CEA/RAC report of activities 2003-2004
UNEP/NOWPAP IG 9/5/2	DIN/RAC report of activities 2003-2004
UNEP/NOWPAP IG.9/5/3	MER/RAC report of activities 2003-2004
UNEP/NOWPAP IG 9/5/4	POM/RAC report of activities 2003-2004
UNEP/NOWPAP IG 9/6	The expansion of the Geographical coverage of the NOWPAP Regional Contingency Plan (RCP)
UNEP/NOWPAP IG 9/7	A concept paper for the GEF Project Development Facility (PDF) - B proposal for the NOWPAP region
UNEP/NOWPAP IG. 9/8	Development of activity on sustainable management of Marine Litter in NOWPAP region
UNEP/NOWPAP IG. 9/9	NOWPAP Evolution -Proposal for new directions for the NOWPAP RACs
UNEP/NOWPAP IG. 9/10	Proposal for increased contributions to the NOWPAP Trust Fund

Information Documents

UNEP/NOWPAP IG.9/INF/1	List of Documents
UNEP/NOWPAP IG.9/INF/2	Provisional list of participants
UNEP/NOWPAP IG.9/INF/3	Governing Council Decision on NOWPAP
UNEP/NOWPAP IG.8/11	Eighth Intergovernmental Meeting on the Northwest Pacific Action Plan: Report of the Meeting

UNEP/NOWPAP/CEARAC/FPM 2/10	Report of the Second NOWPAP CEARAC Focal Points Meeting
UNEP/NOWPAP/DINRAC/NFP 3	Report of the Third NOWPAP DINRAC Focal Points Meeting
UNEP/NOWPAP/MERRAC/FPM 6/15	Report of the Sixth NOWPAP MERRAC Focal Points Meeting
UNEP/NOWPAP/POMRAC/FPM 2/7	Report of the Second NOWPAP POMRAC Focal Points Meeting
UNEP/IMO/NOWPAP/MERRAC IG 8/6/1.1	Memorandum of Understanding (MoU) on the Regional Cooperation regarding Preparedness and Response to Oil Spills in the Marine Environment of the Northwest Pacific Region
UNEP/IMO/NOWPAP/MERRAC IG.8/6/1.2	NOWPAP Regional Oil Spill Contingency Plan