

Annex VI

Terms of Reference for the NOWPAP CEARAC Focal Points Meeting

1. Background

In order to implement the objectives related to the monitoring and assessment of the marine and coastal environment {objective 1 task (a) and objective 5 tasks (a) (b) (c)} of the “Action Plan for the Protection, Management and Development of the Marine and Coastal Environment of the Northwest Pacific Region (NOWPAP)”, the First Intergovernmental Meeting on NOWPAP (IGM) in September 1994, Seoul, the Republic of Korea, gave a priority, inter alia to the establishment of “Activity NOWPAP/3 – Establishment of a collaborative, regional monitoring programme”.

The Fourth IGM (Beijing, 6-7 April 1999) adopted the proposal for the second phase of the implementation of NOWPAP, in which the establishment of a Coordinating Committee (CC) was expected as an outcome for the Activity NOWPAP/3. Resolution 1 of this meeting requested the NOWPAP Members to designate relevant representatives for participation in the “NOWPAP/3 Coordinating Committee and Working Groups”.

The First Meeting of the CC, (Beijing, 21-22 May 2001), agreed upon the Terms of Reference for CC and for the Working Groups.

The Special Monitoring and Coastal Environmental Assessment Regional Activity Center (CEARAC), was established on 17 of July 2002, based on the resolution 2 of the fourth IGM, and following the signature of a Memorandum of Understanding between UNEP and the Northwest Pacific Region Environmental Cooperation Center (NPEC) in Toyama, Japan. CEARAC was designated to function as one of the two secretariats for the Activity NOWPAP/3 and more specifically to operate the Special Monitoring and Coastal Environment Assessment component in NOWPAP objectives, with technical assistance from UNEP and other relevant international and regional organizations.

Following the approval of the Seventh IGM (Vladivostok, 20-22 March, 2002), to establish the fora of the RAC's Focal Points, the CC for Activity NOWPAP/3 evolved to become the CEARAC Focal Points Meeting, and will bear the responsibilities and duties as spelled out in this document.

The same IGM has also approved the establishment of two Working Groups under CEARAC on monitoring and assessment of Harmful Algal Blooms including red tides and Remote Sensing of the marine and coastal environment.

The 10th IGM has approved the new directions for the NOWPAP RACs including the new activities of CEARAC such as Marine Litter (with other RACs) and Land Based Sources of Pollution (with other RACs).

2. Objectives

The CEARAC Focal Points Meeting is a NOWAP arrangement to promote smooth and effective implementation of special monitoring and assessment of the marine and coastal environment whereby representatives of the NOWPAP Members meet in accordance with article 4 (Participation) below. The main objectives of the CEARAC Focal Points Meeting will be:

- (a) To exchange information to ensure practical implementation of special monitoring and assessment of the marine and coastal environment in the NOWPAP region
- (b) To promote, coordinate and harmonize regional cooperation in the Northwest Pacific region related to special monitoring and assessment of the marine and coastal environment, including ,among others, Harmful Algal Blooms (HAB), Remote Sensing, Marine Litter and Land Based Sources of Pollution

3. Functions

Bearing in mind that the Intergovernmental Meeting as the governing body for the Northwest Pacific Action Plan, the functions of the CEARAC Focal Points Meeting will be:

- (a) To identify cooperative actions in the Northwest Pacific region related to special monitoring and assessment of the marine and coastal environment
- (b) To carry out the cooperative actions in the Northwest Pacific region for the purpose of exchange of information on special monitoring and assessment of the marine and coastal environment
- (c) To coordinate, guide and supervise the work of the Working Groups operating under CEARAC

- (d) To establish new Working Groups or disband the existing Working Groups, based on internal evaluation done by the CEARAC FPM*

(Note: Guidelines on establishing and disbanding of Working Groups will be prepared for the next CEARAC FPM.)

- (e) To promote to strengthen national coordinating mechanisms and national capabilities to address marine pollution through monitoring and assessment
- (f) To assist in identifying gaps in scientific knowledge and promote information exchange and technical cooperation, including education, training and technology transfer in the fields related to special monitoring and assessment of the marine and coastal environment
- (g) To review the effectiveness of ongoing cooperative activities, and advise on necessary follow-up activities in the fields of special monitoring and assessment of the marine and coastal environment
- (h) To disseminate information on special monitoring and assessment of the marine and coastal environment in the wide range of the public concerned
- (i) To perform other functions in pursuant to the objective and goals of NOWPAP in the field of special monitoring and assessment of the marine and coastal environment

4. Participation

4.1 NOWPAP Members will be invited to participate in the CEARAC Focal Points Meeting. The representative of each NOWPAP Member, the national Focal Point should represent the relevant national authority which has the responsibility and authority at the national level regarding special monitoring and assessment of the marine and coastal environment. The Focal Point himself/herself should be of high level and with authority and experience in issues related to special monitoring and assessment of the marine and coastal environment. Each representative may be accompanied by advisors as appropriate, such as a senior scientist with the experience in these above mentioned fields. It is expected that NOWPAP Members would ensure that their delegations reflect the full range of national expertise's and interests.

4.2 Other relevant regional bodies and organizations concerned with special monitoring and assessment of the marine and coastal environment in the NOWPAP region may be invited to participate in the meeting as observers.

4.3 Relevant United Nations bodies and specialized agencies, as well as intergovernmental organizations, involved in special monitoring and assessment of the marine and coastal environment may be invited to participate in the meetings as observers.

4.4 Interested Non-Governmental Organizations (NGOs) to be or that are willing to contribute to the work of these meetings may be invited as observers to attend all or part of the meetings. Prior to each meeting, the director of CEARAC will circulate a list of NGOs, which may be able to contribute to the work of the meeting or which have informed the director of their wishes to participate in the meeting. If no objection is noted, such NGOs may be invited to participate in the meetings. Certain meeting discussions may be limited only to NOWPAP Members' official participants. Observers may be requested to be absent from these discussions. Decisions on this issue will be made by the NOWPAP Members' official participants. The continued participation of NGOs in the work of the meetings will be reviewed periodically, taking into account the contribution made by such NGOs to the work of the CEARAC Focal Points Meeting.

4.5 The meeting may invite observers from local authorities from NOWPAP Members as well as local or national NGOs, which may assist in the promotion of the work of the meeting in the host country. The NOWPAP Members of the observers will be responsible for the distribution of documents to such observers and for the other arrangements of their participation.

4.6 The term "participants" in this document, refers to all from the above governments, intergovernmental and nongovernmental organizations.

4.7 The "observers" (non-NOWPAP Members participants, intergovernmental participants, and nongovernmental participants) may make oral statement on the matters within the scope of the activities of the meeting upon invitation of the Chairperson, and subject to the approval of the meeting.

5. Sessions

5.1 It is expected and recommended that the CEARAC Focal Points Meeting will be held once a year. Each session will discuss the timing of the subsequent session.

5.2 At each session, the meeting will elect, from the official representatives of the NOWPAP Members, officers consisting of a Chairperson and a Rapporteur.

5.3 Election of officers of the meeting will be decided by consensus.

6. Tasks

The CEARAC Focal Points Meeting will carry out the following tasks:

- (a) To advise and recommend the Intergovernmental Meeting, on the workplan and budget of CEARAC through the director of the RAC.
- (b) To review and approve the implementation of the workplan and budget as approved by the Intergovernmental Meeting.
- (c) To provide the Terms of Reference of the Working Groups.
- (d) To review periodic reports prepared by CEARAC.
- (e) To review proposals and overviews prepared by the Working Groups.
- (f) To collect and analyze the results obtained by the different activities and recommend the compilation of regional overviews.
- (g) To advise the RACs on the coordination of the work of the Working Groups.

7. Intersessional work

7.1 In principle, subject to availability of funds, the intersessional work will be carried out through meeting of experts, workshops and meetings of the above-mentioned Working Groups.

7.2 If funds are not available, the intersessional work will be carried out mainly by correspondence among the participants without financial provision.

8. Expert Advisory Group

Subject to availability of funds, the meeting may establish an Expert Advisory Group comprised of NOWPAP Members and other agreed participants to undertake specific advisory functions related to the scientific and technical issues.

9. Secretariat

The CEARAC Focal Points Meeting, the Working Groups and the Expert Advisory Group Meeting, if established, will be served by a secretariat provided by CEARAC.

10. Decisions

The CEARAC Focal Points Meeting will achieve decisions by consensus among the NOWPAP Members. If consensus cannot be reached on administrative and procedural matters, voting may be taken. Each NOWPAP Member will have one vote. Such decision will be taken by a majority of those NOWPAP Members present and voting.

11. Procedure

11.1 The CEARAC Focal Points Meeting and its Expert Advisory Group, if established, shall adopt, *mutates mutandis*, the rules of procedures of the UNEP Governing Council.

11.2 The CEARAC Focal Points Meeting shall advise, when necessary, to the Intergovernmental Meeting on amendments to the present Terms of Reference for the CEARAC Focal Points meeting.

12. Agenda

The secretariat, in consultation with and under the guidance of the Chairperson, will prepare a provisional agenda for each session of the meeting. Any participant in the meeting may request the secretariat to add discussion items to the provisional agenda prior to the determination of the final one.

13. Budget and Expenses

13.1 The initial budget for the CEARAC Focal Points Meeting and CEARAC subsequent activities is supported by the NOWPAP Trust Fund. Other external funds shall also be sought in accordance with the development of CEARAC activities.

13.2 The Meeting will report to the Intergovernmental Meeting on expenditure of the NOWPAP Trust Fund.

14. Report

The CEARAC Focal Points Meeting and the Expert Advisory Groups will consider and adopt a report at each of their sessions. The reports will be circulated to all participants in the meeting. The director of CEARAC will present the reports to the Intergovernmental Meeting.

15. Language

The working language of the CEARAC Focal Points Meeting will be English. The host country of each of the meeting sessions may interpret the English session into the language of the host country for the purpose of dissemination of the session discussion to a wider audience.