



ELEVENTH MEETING OF THE GOVERNING COUNCIL
OF
SOUTH ASIA CO-OPERATIVE ENVIRONMENT
PROGRAMME
(SACEP)

Declaration and Articles of Association of SACEP, adopted at the Ministerial Meeting of South Asian Countries held in Colombo, Sri Lanka on 25th February 1981 and Decisions upto the Tenth Meeting of the Governing Council of SACEP.

**DECLARATION
AND
ARTICLES OF ASSOCIATION
S A C E P**

ADOPTED AT
THE MINISTERIAL MEETING OF SOUTH ASIAN
COUNTRIES
HELD
COLOMBO, SRI LANKA
25 FEBRUARY 1981

and

Incorporated Decisions upto
10th Meeting of the Governing Council of
South Asia Co-operative Environment Programme

THE COLOMBO DECLARATION ON THE SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME (SACEP)

The Meeting of Ministers to Initiate the South Asia Co-operative Environment Programme (SACEP)

At Colombo on 25th February, 1981.

Having considered the report of the South Asia Co-operative Environment Programme (SACEP) Intergovernmental Expert Group Meeting convened at Bangalore, March, 1980,

Having further considered the report and recommendations of the Meeting of Officials to Initiate the South Asia Co-operative Environment Programme (SACEP) held at Colombo, 18-21 February 1981,

Noting the possibilities of the occurrence of severe ecological disequilibrium and the threat of environmental degradation in the Region,

Noting also the warm support of their countries in the aims and aspirations of the proposed Programme, as expressed at the foregoing meetings, in contacts among themselves and with UNEP, and the wealth of capability and expertise available within the Region,

Noting in addition the offer of the Government of Sri Lanka to provide the facilities for the Secretariat of SACEP, the offers of the Governments of Afghanistan, Bangladesh, India, Iran, Pakistan and Sri Lanka to serve as Focal Points for Programme development and implementation in selected subject areas, and the interest shown by the Governments of Bhutan, Burma, Maldives and Nepal,

Conscious of the readiness of their countries to co-operate and extend mutual assistance to each other in matters of environmental concern, to contribute through the application of their resources, to the work of the Focal Points and, in the case of Sri Lanka, to the Secretariat of SACEP.

Taking note of the active interest and possibilities of support from various donor countries, international financing institutions, agencies and bodies,

Recognising the pioneering nature of the proposed co-operative programme and the organisational arrangements thereto,

Commending the significant contribution and imaginative initiative of the Director of the Regional Office of UNEP as noted by the Bangalore Meeting and the Meeting of Officials at Colombo,

Appreciating the firm support and encouragement extended by the Executive Director of UNEP in this regard,

DECLARES:

1. Its *decision* to establish a co-operative programme to be known as the South Asia Co-operative Environment Programme;
2. Its *endorsement* of the agreed institutional arrangements, the over-all programme content, and technical co-operation and the financing arrangements;
3. Its *resolve* to sustain, strengthen, and utilise to the fullest, for the benefit of the peoples of their countries, the agreed programme and the arrangements for its implementation;
4. Its *intention* to foster the Programme as essential for the promotion of human welfare, development and amelioration of poverty in the region;
5. Its *commitment* to work out a harmonious balance between the process of development and resources of nature;
6. Its *conviction* that this Programme and the co-operative arrangements thereto, could provide a valuable basis for mutual cooperation, in the fields of social and economic development;

Calls upon:

1. The interested donor states, international financing institutions, agencies and other bodies to extend their support readily and in imaginative and concrete terms, keeping in mind the importance of maintaining the momentum in implementing a Programme of such far-ranging significance;

2. The United Nations system, UNDP in particular and UNEP, to assist SACEP, as required, with financial support, technical assistance, information, and guidance in the implementation of the Programme;

3. The member states of the SACEP region to see in these a worthy cause with goals and objectives fully capable of attainment through their common perceptions, friendly co-operation and mutual assistance.

**ARTICLES OF ASSOCIATION
OF THE
SOUTH ASIA CO-OPERATIVE
ENVIRONMENT PROGRAMME**

PREAMBLE

The members of the South Asia Co-operative Environment Programme;

In pursuance of the Colombo Declaration on the South Asia Co-operative Environment Programme adopted by them at the Meeting of Ministers held at Colombo, Sri Lanka, from 23-25 February 1981;

Do hereby agree upon and adopt these Articles of Association for the South Asia Co-operative Environment Programme, hereinafter referred to as SACEP.

ARTICLE 1

AIMS AND FUNCTIONS

¹ The aims of SACEP are:

(a) To promote and support the protection, management and enhancement of the environment, both natural and human, of the countries of South Asia, individually, collectively and co-operatively;

(b) To make judicious use of the resources of the environment towards removal of poverty, reduction of socio-economic disparity, improve the quality of life, and prosperity on a continuing basis;

(c) For these purposes, to make the fullest use of the organisational arrangements and facilities for co-operation under SACEP.

¹ The External Review Committee reformulated the mission Statement of SACEP in terms of this Vision as follows:

“The Mission of SACEP is to promote regional co-operation in South Asia in the field of environment, both natural and human in the context of sustainable development and on issues of economic and social development which also impinge on the environment and vice versa to support conservation and management of natural resources of the region and to work closely with all national, regional and international institutions, governmental and non governmental, as well as experts and groups engaged in such co-operation and conservation efforts.”

(Source: 3rd Special Session GC, 6th November 2003, Colombo, Sri Lanka, Page 3, 5 - A, para 2)

(Refer Annex 1 - Foot Note 1 - page 1 & 2)

² The functions of SACEP are:

(d) To promote co-operative activities in priority areas of environment of mutual interest;

(e) To ensure that these activities result in benefit individually or collectively to the Member States of the Region;

(f) To extend support as needed through exchange of knowledge and expertise available among the member countries;

(g) To provide local resources towards implementation of projects and activities; and

(h) To encourage maximum constructive and complementary support from interested donor countries and other sources.

² "The Director SACEP, also brought to the notice of the Governing Council the decision of SACEP being recommended as the Secretariat for the implementation of the Action Plan in connection with the South Asian Seas Programme."

(Source: GC-3: 12-13 January 1987, New Delhi, India, page 3, No 12, para 2)

(Refer Annex 1 – Foot Note 2 – page 1 - 2)

"As a result of the deliberations at the Meeting, the Action Plan for the Protection and Management of the South Asian Seas Region, with Annexes, and the Institutional and Financial Arrangements for the Implementation of the Action Plan were adopted"

(Source: The Meeting of the Plenipotentiaries: 24th March 1995, New Delhi, India – Annex VI, Final Act – 9, page 2)

" Invites the Director of the South Asia Co-operative Environment Programme (SACEP),

a) To act as the Secretariat for the South Asian Seas Action Plan and to enhance its capacities for this purpose.

((Source: The Meeting of the Plenipotentiaries: 24th March 1995, New Delhi, India – Annex V, Resolution 1. 2a

(Refer Annex 1 – Foot Note 2 – page 3 - 5)

Report of the Meeting of the Plenipotentiaries on the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region, 24 March 1995, New Delhi, India **(Refer – Annex 2)**

"SACEP Secretariat should take measures to collect, collate and disseminate all information on environment so that it becomes the storehouse of knowledge in the region."

(Source: GC-8: 29th September 2001, Colombo, Sri Lanka, page 5, No.8c)

(Refer Annex 1 – Foot Note 2 – page 6 & 7)

ARTICLE 2

MEMBERSHIP

(a) The members of SACEP shall be those States of the South Asia region who participated at the Meeting referred to in the Preamble herein before;

(b) Membership shall remain open to other States of the South Asia region invited to the Meeting, which have not been able to present, but which at any time later may accept these Articles;

(c) Any application for membership by a State under paragraph (b) above shall be circulated to members of the Governing Council, who shall thereafter notify such State of their admission to membership.

ARTICLE 3

ORGANS

³ The principal organs of SACEP are:

- (a) The Governing Council hereinafter referred to as the Council;
- (b) The Consultative Committee, hereinafter referred to as the Committee;
- (c) The Secretariat;
- (d) Such other subsidiary organs or bodies as may be found necessary at any time in accordance with a decision to such effect of the Governing Council.

³ Trust Fund : Resolution adopted on 28th January 1983 at the GC-1

“that a Trust Fund be established to which the lump-sum contribution from member countries and contributions from other interested donor countries, organizations, financial institutions, international organizations and agencies may be sought for the (above) organizational and programme support costs, (and that this Trust Fund which was earlier envisaged in the thinking of the First Ministerial Meeting in Colombo, in February 1981 to serve as a financial reserve to ensure SACEP’s orderly operations)”

(Source: GC-1, 27-29 January 1983, Colombo Sri Lanka , Appendix XVI, Page 2, Resolves No.1)

(Refer Annex 1 – Foot Note 3 – page 1 - 3)

“The establishment of the Corpus Fund was accepted in concept. The DG, SACEP was requested to explore modalities including other options in close consultation with member governments / donors by next GC

(Source: 3rd Special Session GC, 6th November 2003, Colombo, Sri Lanka – page 5 – D para 2)

(Refer Annex 1 – Foot Note 3 – page 4 & 5)

“The Secretariat shall maintain one single fund for the purpose of Trust Fund / Reserve / Programme development and by laws for the fund to be framed to permit proper utilization of such funds”.

(Source: GC-9, 26th August 2003, Thimphu, Bhutan – page 5 –9.4 e)

(Refer Annex 1 – Foot Note 3 – page 6 & 7)

“(a)The present system of Focal Points should remain but mechanisms for intra-country co-ordination needs to be stimulated and strengthened;

(b) The Environment Ministries should remain as SACEP’s Focal Points and they should in turn co-ordinate with other relevant ministries to bring in greater participation and synergy

(d) The Secretariat should bring together other line ministries and agencies through the National Focal Points at the National level to SACEP Foras

(e) The Focal Points may be requested to respond to SACEP’s queries in a timely manner.”

(Source: GC-8, 29th September 2001, Colombo, Sri Lanka – page 5, No 8)

(Refer Annex 1 – Foot Note 3 – page 8 & 9)

ARTICLE 4

GOVERNING COUNCIL

- (a) The Council shall consist of all the members of SACEP;
- (b) Each member shall have one representative on the Council, who will normally be of Ministerial rank;
- (c) Unless otherwise agreed by members, the Council shall normally meet once a year. The quorum for a meeting of the Governing Council shall be a simple majority of the membership. The presidency of the Governing Council shall be by rotation amongst the members in alphabetical order commencing with the host country; the Chairman shall hold office for a period of one year or till such time as the new Chairman takes office in that year. ⁴
- (d) The Council shall be the principal review and deliberative body of SACEP and shall be responsible for determining policy and programmes;
- (e) The Council may discuss any questions or any matters within the scope of its Articles of Association;
- (f) The meetings of the Council shall proceed in a co-operative spirit, which is the key note of SACEP, and shall endeavour at all times to reach agreement by consensus;
- (g) The Governing Council may formulate its own rules of procedure ⁵.

⁴ In order to conform to accepted international practice and the system followed by all U.N. and affiliated organizations as regards the election of a Chairman to the Governing Council of SACEP, the Article (c) was unanimously amended as follows:

“Unless otherwise agreed by members, the Council shall normally meet once a year. The quorum for a Meeting of the Governing Council shall be a simple majority of the membership. The Meetings of the Governing Council shall be hosted by Member States in alphabetical order and the Presidency of the Governing Council shall be offered to the Host Country; the Chairman shall hold office for a period of one year or till such time as a new Chairman takes office in that year.”

(Source: GC-3: 12-13 January 1987, New Delhi, India, page 2, No 4)

(Refer Annex 1 - Foot Note 4 - page 1 & 2)

⁵ Rules of Procedure of Governing Council of South Asia Co-operative Environment Programme
(Source : GC 2 : 17-18 April 1985, Dhaka, Bangladesh, Annex XVII, page 35)

(Refer Annex 1 - Foot Note 5 - page 1 & 2)

ARTICLE 5

CONSULTATIVE COMMITTEE

(a) The Committee shall consist of representatives of Member States of SACEP; its headquarters shall be in Colombo where it will normally hold its sessions;

(b) Each Member State shall meet the expenses of its representative for attendance at Committee sessions;

(c) It shall be the responsibility of the Committee to facilitate implementation of the programmes and policies as determined by the Council through close informal co-operation and to promote the dissemination of information on the concepts and the operation of SACEP in general;

(d) At its first session, the Committee will elect a Chairman who will chair its sessions for not more than one term of one year from the date of election. For any period, during which the Chairman is absent from the country, or is otherwise prevented from exercising the functions of Chairman, the Council shall elect an Acting Chairman;

The Committee will submit a report on the action taken by the Committee to the next meeting of the Council;

(e) Six weeks notice shall be given of sessions. The notice shall in every case be accompanied by a provisional agenda. Any documents that may require reference to member Governments before discussion shall be issued not less than six weeks before the date of the session at which they will be discussed;

(f) A simple majority of the membership of SACEP shall constitute a quorum for the purpose of holding a Committee Session;

(g) The Committee shall endeavour to reach agreement by consensus after discussion in a co-operative spirit;

(h) The Committee may make such rules and regulations as it deems necessary in relation to Committee procedures and the operation and administration of the Secretariat, subject to the approval of the Governing Council.

ARTICLE 6

FOCAL POINTS ⁶

(a) There shall be Subject Area Focal Points, which shall co-operate with SACEP Secretariat in programme implementation;

(b) Each country that has accepted responsibility for a particular subject area under this Programme shall identify an office within the country as the designated Focal Point for that subject area;

Where two or more countries are jointly responsible for a subject area, the Focal Point shall be identified in one of the countries concerned by mutual arrangement;

(c) Each Focal Point shall nominate an official to act as the Liaison Officer with the SACEP Secretariat;

(d) The Focal Point shall work towards the implementation of its programme and shall be entitled to assistance in such implementation, in its area of responsibility for the SACEP countries as a whole and will discharge this function in co-operation with the Secretariat;

(e) It shall be entitled to convene working group meetings, if necessary, in any of the co-operating countries to fulfil its obligations.

⁶Modalities of Focal Points of South Asia Co-operative Environment Programme

(Source : GC 2 : 17-18 April 1985, Dhaka, Bangladesh, Annex XVIII, page 36 & 37)

(Refer Annex 1 - Foot Note 6 - page 1 - 3)

Revised List of Subject Area Focal Points of SACEP:

	Priority Subject Area	Country
1.	Conservation of Biodiversity & Bio Safety	India
2.	Sustainable Tourism Development	Maldives
3.	Management of Coral Island Ecosystems	Maldives
4.	Management of Fresh Water Resources	Bangladesh
5.	Desertification	Pakistan
6.	Environmental Legislation	India
7.	Participatory Forestry Management	Nepal
8.	Sustainable Agriculture and Land Use	Sri Lanka
9.	Sustainable Human Settlements Development	Sri Lanka
10.	Waste Management	India
11.	Science & Technology for Sustainable Development	Pakistan
12.	Education and Training	India
13.	Energy and Environment	India
14.	Air Pollution	Pakistan
15.	Climate Change	Bangladesh / India

(Source: GC 7 : 22nd April 1998, Male, Republic of Maldives - page 4 - 8B)

(Refer Annex 1 - Foot Note 6 - page 4 & 5)

"Climate Change and Bio-safety was accepted and respective Subject Area Focal Points were designated"

(Source : 3rd Special Session GC, 6th November 2003, Colombo, Sri Lanka - page 4 - Bullet 6)

(Refer Annex 1 - Foot Note 6 - page 6 & 7)

ARTICLE 7

SECRETARIAT

(a) The Secretariat shall consist of a Director ⁷ General, appointed for a period of three years ⁸ and who shall be its head and a modest number of other international officers appointed by the Governing Council from among nominees of member Governments, as well as such supporting staff as may be recruited from time to time according to regulations laid down by the Consultative Committee;

(b) The Secretariat shall assist the Council, the Committee and the Focal Points in the discharge of their duties and responsibilities;

(c) The paramount consideration in the employment of the staff shall be the necessity to secure the highest standards of efficiency, competence and integrity. In the case of the international officers, due regard shall be paid to the importance of recruiting them on as wide a geographical basis as possible from among the co-operating countries. The members of the Secretariat staff shall refrain from any action which might reflect on their position as international officials responsible to the SACEP Organisation;

⁷ "The Governing Council agreed that the Status of the Director of SACEP should be elevated to that of the Director General."

(Source: GC-7, 22nd April 1998, Male, Republic of Maldives , Page 3, No 8 A para 4)

(Refer Annex 1 – Foot Note 7 – page 1 & 2)

⁸ "The principle was accepted that the Director would be appointed in rotation, from countries in alphabetical order, subject to starting with the host country, Sri Lanka. The appointment would be for a period of three years. In the case of the first one, the term would include the period of tenure of the *pro tem* Director."

(Source : High Level Meeting to Initiate the South Asia Co-operative Environment Programme, 18 – 25 February 1981, BMICH, Colombo, Sri Lanka – page 6, No 7 para 1)

(Refer Annex 1 – Foot Note 8 – page 1 & 2)

"Subject to availability of concurrence in writing within one month, by the member government that expressed its reservation, the Chairman, GC/SACEP was authorised to take necessary steps for the recruitment of DG, SACEP on Merit Basis from the South Asia Region for a non-renewable term of 5 years, following internationally accepted norms and practices and in close consultation with the members of the Governing Council"

Source : 3rd Special Session of GC –SACEP held 6th November 2003, Colombo Sri Lanka – page 6, No 5 E)

(Refer Annex 1 – Foot Note 8 – page 3 & 4)

" The Governing Council may consider the issue of tenure at future meetings"

(Source: GC-9, 26th August 2005, Thimphu, Bhutan , Page 4, 9.2.3 - b)

(Refer Annex 1 – Foot Note 8 – page 5 & 6)

"The meeting considered that an extension of two years may be granted to the current three year term based on a performance appraisal of the Director General. Such performance appraisal shall take place after the end of the second year of the tenure."

(Source: GC-10, 25th January 2007, Kathmandu, Nepal Page 8, 11.2)

(Refer Annex 1 – Foot Note 8 – page 7 - 9)

(d) The Director General shall be the Chief Executive Officer and shall act as Secretary to the meetings of the Council and the Committee and shall be co-ordinator of activities and programmes of SACEP. He shall submit periodic progress reports to the Committee and the Council;

(e) The Director General of the Secretariat shall maintain close liaison with the United Nations Environment Programme, as well as with other Organisations or countries not members of SACEP which are presently extending assistance within the region, or which may in the future decide to do so.

ARTICLE 8

BUDGET

(a) The Director General shall submit for consideration and approval by the Council a budget showing estimated receipts and expenditure for every financial year, with an outline of anticipations for the subsequent year;

(b) Unless otherwise provided, the financial year shall run from 1 January to 31 December of each year;

(c) The draft annual budget shall be submitted by the Director General for consideration by the Council at a session not later than October of each year. Supplementary estimates of expenditures, when necessary, shall be submitted for Council approval at any other session;

(d) If by the end of any financial year, the Council shall have failed to pass the budget for the ensuing financial year, the appropriation for the preceding financial year shall be deemed re-voted and shall remain in force and effect until a new budget is adopted by the Council;

(e) The Director General shall circulate to Council members a statement of income and expenditure and a balance sheet duly certified by the Council's Auditors as soon as possible after the close of every financial year;

(f) The Council shall make appropriate provision for the maintenance and audit of its accounts.

ARTICLE 9

HOST FACILITIES

(a) The host country of the Secretariat shall provide such hosting and support facilities for the Secretariat and the Director General of SACEP as are needed, in particular:

- (i) Separate and distinctive offices for the Secretariat, and official residence for the Director General; and
- (ii) Such other facilities as may be agreed upon from time to time between the host country and the Council;

(b) The countries assuming responsibility as Focal Points for subject areas shall provide such physical and other facilities as deemed adequate and necessary for the discharge of their functions;

(c) The host country of the Secretariat and the countries responsible for Focal Points, in so far as the latter use the services of international staff, shall accord such status, immunities, exemptions and privileges as are in conformity with accepted practice for such organs and as may specifically be agreed upon between the Council and the Member States.

ARTICLE 10

WORKING LANGUAGE

The working language of SACEP shall be English.

ARTICLE 11

ADOPTION AND AMENDMENTS

(a) These Articles of Association shall be deemed to have come into force once they have been adopted at this meeting and ratified by at least three Member States;

(b) The original of the Articles of Association in a single copy in the English language shall be kept by the host State, who will act as the Depository;

The Depository shall send certified copies of this document to all member countries that have joined in the adoption of the Articles. The Depository shall also have this document registered with the Secretariat of the United Nations;

(c) Amendments to the Articles may be proposed by any member of SACEP. Such amendments shall come into force on being approved by a consensus at a meeting of the Governing Council;

(d) As soon as the Articles of Association have come into force, the Director General of SACEP shall convene a meeting of the Committee which shall proceed forthwith to initiate the necessary Organisational and programme activities envisaged.

DONE AT COLOMBO THIS THE TWENTY-FIFTH DAY OF FEBRUARY ONE THOUSAND NINE HUNDRED AND EIGHTY ONE.

*AFGHANISTAN
BANGLADESH
BHUTAN⁹
INDIA
IRAN¹⁰
MALDIVES
NEPAL¹¹
PAKISTAN
SRI LANKA*

⁹ "Instrument of Ratification - And whereas the Royal Government of Bhutan had taken a decision, in principle, to join the South Asia Co-operative Environment Programme on 4 September 1981"

(Refer Annex 1 - Foot Note 9 - page 1)

¹⁰ "Iran has not ratified the Articles of Association of SACEP till date"

¹¹ "Ratification of the SACEP Agreement - SACEP Agreement has been ratified unanimously by the Parliament of Nepal on 24th March 1994".

(Refer Annex 1 - Foot Note 11 - page 1)



REPORT

**THE THIRD SPECIAL SESSION OF
THE GOVERNING COUNCIL**

**South Asia Co-operative Environment Programme
(SACEP)**

**6 NOVEMBER 2003
COLOMBO, SRI LANKA**

5. RECOMMENDATIONS OF THE 3RD SPECIAL SESSION OF THE GOVERNING COUNCIL OF SACEP

Mr. Thosapala Hewage, Secretary, Ministry of Environment and Natural Resources, Government of Sri Lanka presented to the SS3.GC/SACEP, the Report of the Meeting of NFP finalised at the Meeting of Heads of the Delegations and UNEP.

The Report of the Meeting of NFP Finalised at Meeting of Heads of Delegations and UNEP is at Annex XII.

The recommendations of the Report of the NFP presented under different categories were approved by the SS3.GC/SACEP as follows:

A. Background and the General Elements of the Strategy

- The SACEP Strategy and Work Programme as well as the proposed governance and financial commitments should be taken as a package in order to revitalise SACEP. The general elements of the report were also agreed.

- The following mission statements for SACEP was adopted:

The Mission of SACEP is to promote regional co-operation in South Asia in the field of environment, both natural and human in the context of sustainable development and on issues of economic and social development which also impinge on the environment and vice versa; to support conservation and management of natural resources of the region and to work closely with all national, regional, and international institutions, governmental and non governmental, as well as experts and groups engaged in such co-operation and conservation efforts.

- SACEP should concentrate on issues of regional significance with expressed focus on the following areas:

- 1) Assessment and Strategy Development,
- 2) Experience Sharing and Networking and
- 3) Capacity Building.

- Establishing closer co-operation with SAARC in the field of environment was recommended.
- It was agreed to organise the Work Programme of SACEP under distinct blocks, covering SAS and SENRIC and other functional sub-headings as may be required. Provision for horizontal and vertical co-ordination to avoid duplication and overlaps and also overall work programme to be integrated for administration and financial purposes.

B. Work Programme

- Work Programme for the period 2004-2005 was approved, subject to availability of funds.
- It was agreed that the programme should be indicative of general priorities of WSSD/MDG/SoE etc. and additional topics and programme elements developed, should be consistent with the broad strategy matrix proposed in the report.



SACEP

SACEP

Report of the
Third Governing Council Meeting of the
SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME

12 & 13 January 1987

New Delhi, India.

The Governing Council considered the suggestion made by the members regarding the sharing of expenditure by the member states. The suggestion of the members included the sharing of the expenditure on the UN or SAARC pattern. The Governing Council decided that the Consultative Committee must consider thoroughly the formula to be adopted for sharing of the expenditure and circulate their recommendations to all member countries as early as possible before the end of March 1987.

The Governing Council will finalise this matter through circulation or at its next meeting. The member countries will make available their contributions according to the formula to be agreed upon and the Secretariat will be assured of the full money requested in the yearly budget.

The Governing Council considered the issue of a Trust Fund and decided that the Consultative Committee should also go into this matter thoroughly and submit their recommendation before the end of March 1987.

The Governing Council decided that the budget for each year and the latest audited report of the accounts must invariably get approval by the Governing Council.

10. VIENNA LIAISON OFFICE

The Governing Council considered the Agenda Item 6 (e) regarding the Vienna Liaison Office and decided that this question of the Vienna Liaison Office and its modalities needed to be reviewed in order to bring them in consonance with the objectives of SACEP and decided therefore that a committee comprising representatives from all member states, under the Chairmanship of Sri Lanka should review the issue of the Vienna Liaison Office in totality and report as early as possible to the Governing Council which will take a decision on this issue. The Government of Austria may be informed in suitable terms of the review being undertaken by SACEP. Since the issue of the Vienna Liaison office is under review, the Governing Council decided that it was not necessary to consider the Agenda Item 7 (c).

The delegation from the Vienna Liaison Office was not present when this item was discussed.

11. SUBJECT AREA FOCAL POINTS

The Institutional and Programme Matters listed in Agenda Item 6 (b) and 7 (b) were discussed together.

The Governing Council decided that the individual countries should seriously examine the appropriateness of their National and Subject Area Focal Points hitherto designated and should a change be necessary it should be done immediately and the Secretariat be informed accordingly.

12. REVIEW OF PRIORITY PROGRAMMES AND PROJECTS UNDERTAKEN BY SACEP

The Director SACEP presented the working paper SACEP/GO 3/WP6 which described in detail the present status of Projects and Programmes undertaken by the SACEP Secretariat.

SACEP sought the support of U.N. and other International Organisations in fulfilling their obligations. The Director SACEP, also brought to the notice of the Governing Council the decision of SACEP being recommended as the Secretariat for the implementation of the Action Plan in connection with the South Asian Regional Seas Programme and that six Priority Projects with collaboration from various International Organisations will be implemented during the year 1987.

The Governing Council expressed their wholehearted appreciation of the SACEP Secretariat for the achievements in this respect.

13. INTERNATIONAL CO-OPERATION

The Governing Council conveyed their appreciation to all the International Organisations for the support it has given SACEP and look forward to their continuing support.

**UNITED
NATIONS**

EP



**United Nations
Environment
Programme**



Distr.
RESTRICTED

UNEP(OCA)SAS IG1/REP
16 June 1995

Original: ENGLISH

**Meeting of Plenipotentiaries on the Action Plan for
the Protection and Management of the Marine and
Coastal Environment of the South Asian Seas Region**

New Delhi, 24 March 1995

**REPORT OF THE MEETING OF PLENIPOTENTIARIES ON THE ACTION PLAN FOR THE
PROTECTION AND MANAGEMENT OF THE MARINE AND COASTAL ENVIRONMENT OF THE
SOUTH ASIAN SEAS REGION**

UNEP(OCA)SAS IG1/REP
Annex VI
Page 2

Page 2

8. The Meeting considered the Report of the Fourth Meeting of National Focal Points, presented as UNEP(OCA)SAS WG3/REP. This document contained the proposed final drafts of the Action Plan with Annexes, Institutional and Financial Arrangements, Resolutions and the Final Act to be adopted by the Meeting of Plenipotentiaries.

9. As a result of the deliberations at the Meeting, the Action Plan for the Protection and Management of the South Asian Seas Region, with Annexes, and the Institutional and Financial Arrangements for the Implementation of the Action Plan were adopted.

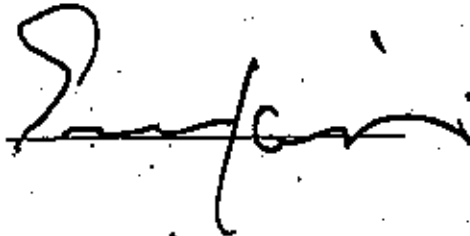
10. The Meeting also considered and adopted the Resolutions, the texts of which are appended to this Final Act.

The Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas was signed by the representatives of: People's Republic of Bangladesh; Republic of India; Republic of Maldives; Islamic Republic of Pakistan; and Democratic Socialist Republic of Sri Lanka.

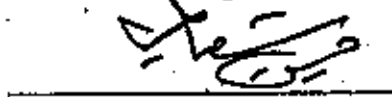
In witness whereof the representatives have signed this Final Act.

Done at New Delhi, this 24th day of March, 1985, in a single original copy, to be deposited in the archive of Department of Ocean Development, Government of India, New Delhi.

People's Republic of Bangladesh



Republic of India




Republic of Maldives



Islamic Republic of Pakistan



Democratic Socialist Republic of Sri Lanka

In witness whereof 
UNEP

**ANNEX V
RESOLUTIONS****RESOLUTION 1: IMPLEMENTATION OF THE SOUTH ASIAN SEAS ACTION PLAN**The Meeting of Plenipotentiaries.

Noting that the overall authority for the Action Plan is vested in the Governments of the region and having adopted, on 24 March 1995, the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region,

1. Decides that, for the period 1995-1996, programme activities should be undertaken in the following areas, subject to the availability of resources:

Annex 1 - Integrated Coastal-Zone Management;

Annex 2 - Development and Implementation of National and Regional Oil and Chemical Spill Contingency Planning;

Annex 3 - Human Resource Development through Strengthening Regional Centres of Excellence; and

Annex 4 - Protection of the Marine and Coastal Environment from Land Based Activities.

2. Invites the Director of the South Asia Co-operative Environment Programme (SACEP),

- (a) To act as the Secretariat for the South Asian Seas Action Plan and to enhance its capacities for this purpose.
- (b) To prepare, with the support of the UNEP's Regional Seas Programme and in co-operation with the other competent international and regional organizations, including ADB, ESCAP, IOC of UNESCO, IMO, UNDP and Governments of the region, detailed documents describing the operational details of projects to be developed on the basis of priorities identified in 1. above.
- (c) To convene, quarterly at the SACEP Secretariat, meetings of the Consultative Committee to review the progress achieved in implementing the Action Plan and to deliberate on activities which require immediate attention. The Consultative Committee will also advise on financial implications of project implementation and if necessary advise the secretariat on their revision.
- (d) To co-ordinate the implementation of the projects agreed at the Meeting of Plenipotentiaries, subject to the availability of funds.



REPORT

EIGHTH GOVERNING COUNCIL MEETING

South Asia Co-operative Environment Programme

**29 SEPTEMBER, 2001
COLOMBO, SRI LANKA**

8. INSTITUTIONAL MATTERS**SACEP SECRETARIAT & SUBJECT AREA FOCAL POINTS**

The Governing Council considered the relevant section of the Report of the Preparatory Meeting of Senior Officials (Annex XVII) on this item.

The Governing Council was fully appreciative of the fact that there is an urgent need to strengthen the SACEP Secretariat in order that they could fulfil its obligations in serving the member countries.

With respect to Institutional Matters, the Governing Council approved the following decisions:

- a) The present system of Focal Points should remain but mechanisms for intra-country co-ordination needs to be stimulated and strengthened.
- b) The Environment Ministries should remain as SACEP's Focal Points and they should in turn co-ordinate with other relevant ministries to bring in greater participation & synergy.
- c) SACEP Secretariat should take measures to collect, collate and disseminate all information on environment so that it becomes the storehouse of knowledge in the region.
- d) The Secretariat should bring together other line ministries and agencies through the National Focal Points at the National level to SACEP Foras.
- e) The Focal Points may be requested to respond to SACEP's queries in a timely manner.
- f) It was recommended that major donors may be invited as Observers at SACEP Governing Council Meetings and other to recognise their contribution and enhance their role in matters relating to drawing of SACEP work programmes and participate with the Governing Council in the organisation's performance and monitoring.
- g) The need to strengthen the SACEP Secretariat was recognised in terms of staff and other requirements to meet programme needs. Details of these proposals may be discussed and decided in the Consultative Committee Meetings of SACEP.

9. PROGRAMME MATTERS**PROGRESS OF PROGRAMME AND PROJECT ACTIVITIES & REVIEW OF INTERNATIONAL CO-OPERATION**

The SACEP Secretariat presented a Review of Programmes and Projects undertaken by SACEP and South Asia Environment and Natural Resources Information Centre (SENRIC). The significance and the importance of the programmes undertaken by SACEP were highlighted. SACEP's Strategy and Programme 3 (SSP 3) prepared by the Secretariat was

SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME

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REPORT OF THE GOVERNING COUNCIL MEETING

GC-1 27TH - 29TH JANUARY, 1983

COLOMBO - SRI LANKA

ResolutionFIRST SESSION OF THE GOVERNING COUNCIL (SACEP)Administrative matters relating to staffing and Finance

The Governing Council,

- Having considered the Administrative matters relating to staffing and Finance of SACEP.
- Conscious that the maintenance of an efficient Secretariat is vital for the sustenance and continuation of programmes and project activities of SACEP.
- Noting that the SACEP's financial situation has not improved so as to enable the Secretariat to function smoothly and at a desirable level of efficiency in order to sustain the programme activities.
- Considering that contributions pledged by the member countries would have helped the Secretariat to meet most of the establishment costs.
- Mindful that the proposed structure of the Secretariat for the year 1983 is just adequate for the maintenance of programme activities for the year and that a conscious effort should be made to structure the Secretariat giving due regard to economy and the circumstances of member countries.
- Expresses its appreciation of the contributions so far made by member countries including Sri Lanka, which has provided support for the maintenance of the Secretariat of SACEP.

Resolves,

- 1) That member countries which have pledged country contributions for the years 1981 and 1982 and have so far not paid up these contributions do so at an early date.

.... 2

- 2) That pledges by member countries for the year 1983 be made contributions made at an early date ; and
- 3) That consideration be given in future to making annual pledges by member countries at the ordinary session of the Governing Council which will normally be held at the beginning of each year.

Calls upon member countries,

- 1) To consider making an enhanced country contribution for the year 1983.
- 2) To consider making a lump-sum contribution in order to build up an adequate reserve of funds for SACEP's (basic organisational and programme activities.)

resolves,

- 1) That a Trust Fund be established to which the lump-sum contribution from member countries and contributions from other interested donor countries, organisations, financial institutions, international organisations and agencies may be sought for the (above) organisational and programme support costs, (and that this Trust Fund which was earlier envisaged in the thinking of the first Ministerial Meeting in Colombo, in February 1981 to serve as a financial reserve to ensure SACEP's orderly operations.),
- 2) That the Director of SACEP be authorised to pursue with the prospective donor countries and agencies the possibility of raising resources needed for the Trust Fund, and report on the progress made from time to time to the Consultative Committee and to the next session of the Governing Council in 1984.

Adopted at Colombo
on 28.01.1983.



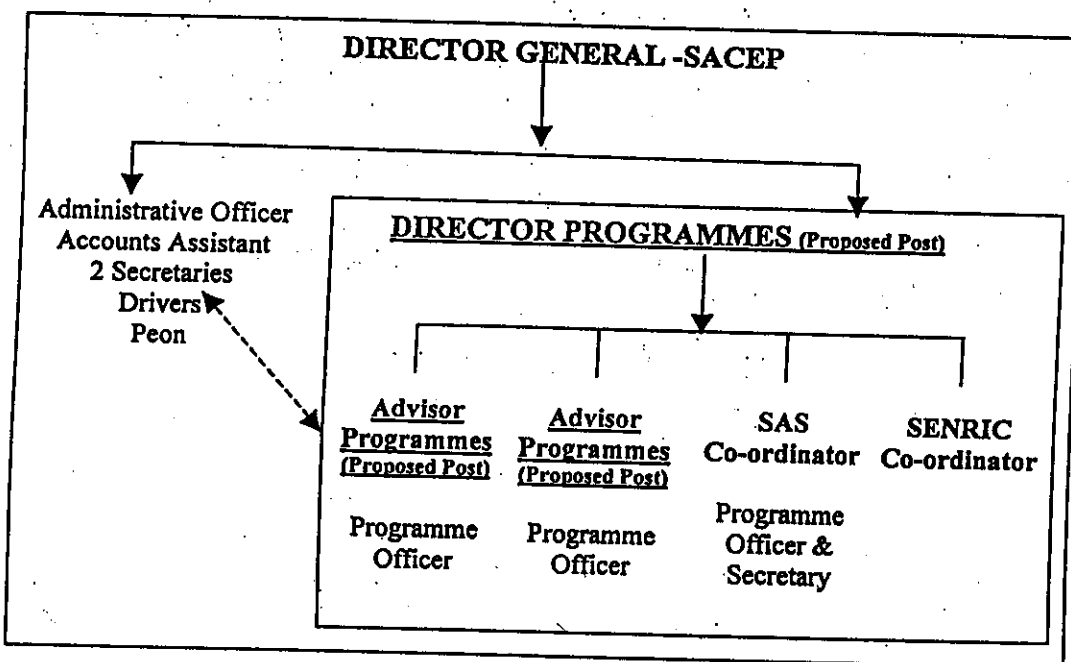
REPORT

**THE THIRD SPECIAL SESSION OF
THE GOVERNING COUNCIL**

**South Asia Co-operative Environment Programme
(SACEP)**

**6 NOVEMBER 2003
COLOMBO, SRI LANKA**

- It was recommended that the proposed organisational chart should be combined with the existing organisational structure. A distinction to be made between the existing regular staff, projects posts and the additional posts to be created and the method of their financing. The adopted organisation structure is given below:



- DG, SACEP was authorised to determine the reporting channels of the different officers within the structure.
- The establishment of an Advisory Committee as proposed by the Consultant was approved. The Advisory Committee would comprise of 2 members of the Consultative Committee of SACEP, appointed for a period of 3 years on rotation.
- It was agreed that the member governments without a diplomatic representation in Sri Lanka also to be included in the above rotation for the Advisory Committee.
- Greater transparency, accountability and clear memory systems for better governance were recommended.
- It was recommended to submit progress reports by Subject Area Focal Points to the SACEP Secretariat on regular basis to be reviewed by the CC.

D. Financial Resources

- It was agreed that additional financial resources are required to strengthen SACEP Secretariat. It was recommended to explore all avenues in this regard and put into effect as soon as possible.

The establishment of the Corpus Fund was accepted in concept. The DG, SACEP was requested to explore modalities including other options in close consultation with member governments/donors by next GC.



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**THE NINTH MEETING OF THE
GOVERNING COUNCIL**

**South Asia Co-operative Environment Programme
(SACEP)**

**26 AUGUST 2005
THIMPHU, BHUTAN**

c) The governments of India and Nepal are requested to complete the endorsement from the region to the Global Environmental Facility, Project Preparation and Development Facility (GEF PDF-A Grant) project proposal to establish a network of Centres of Excellence within the region.

4 FINANCIAL MATTERS

1. Budget for SACEP

a) The annual core budget approved is US Dollars One hundred and twenty seven thousand four hundred only (US \$ 127,400). The approved budget details are in Annex XVIII

b) The 9th Governing Council approved additional allocation of US Dollars One hundred thousand only (US \$ 100,000) for core programme development from recovered arrears.

c) The Director General shall make efforts to mobilize additional resources in close consultation with UNEP and other development partners.

d) The auditors to the Secretariat's audit shall observe the following

i) The member countries should study the Annual Audited Reports of Accounts for the years 2001, 2002, 2003 and 2004 and any comments on the reports communicated to SACEP within three months. The reports will be adopted thereafter by circulation.

ii) The existing external auditors to be changed in 2006 (Audit of year 2005) and every three years thereafter.

iii) In future the audited reports of accounts to be sent to the National Focal Points well in advance to the meeting.

e) The Secretariat shall maintain one single fund for the purpose of Trust fund / Reserve / Program development and by laws for the fund to be framed to permit proper utilization of such funds.

VENUE AND DATE OF THE 10TH MEETING OF THE GOVERNING COUNCIL OF SACEP

The Meeting unanimously welcomed the announcement from the Government of the Democratic Socialist Republic of Sri Lanka to host the 10th Meeting of the Governing Council in Colombo.



REPORT

EIGHTH GOVERNING COUNCIL MEETING

South Asia Co-operative Environment Programme

**29 SEPTEMBER, 2001
COLOMBO, SRI LANKA**

8. INSTITUTIONAL MATTERS**SACEP SECRETARIAT & SUBJECT AREA FOCAL POINTS**

The Governing Council considered the relevant section of the Report of the Preparatory Meeting of Senior Officials (Annex XVII) on this item.

The Governing Council was fully appreciative of the fact that there is an urgent need to strengthen the SACEP Secretariat in order that they could fulfil its obligations in serving the member countries.

With respect to Institutional Matters, the Governing Council approved the following decisions:

- a) The present system of Focal Points should remain but mechanisms for intra-country co-ordination needs to be stimulated and strengthened.
- b) The Environment Ministries should remain as SACEP's Focal Points and they should in turn co-ordinate with other relevant ministries to bring in greater participation & synergy.
- c) SACEP Secretariat should take measures to collect, collate and disseminate all information on environment so that it becomes the storehouse of knowledge in the region.
- d) The Secretariat should bring together other line ministries and agencies through the National Focal Points at the National level to SACEP Foras.
- e) The Focal Points may be requested to respond to SACEP's queries in a timely manner.
- f) It was recommended that major donors may be invited as Observers at SACEP Governing Council Meetings and other to recognise their contribution and enhance their role in matters relating to drawing of SACEP work programmes and participate with the Governing Council in the organisation's performance and monitoring.
- g) The need to strengthen the SACEP Secretariat was recognised in terms of staff and other requirements to meet programme needs. Details of these proposals may be discussed and decided in the Consultative Committee Meetings of SACEP.

9. PROGRAMME MATTERS**PROGRESS OF PROGRAMME AND PROJECT ACTIVITIES & REVIEW OF INTERNATIONAL CO-OPERATION**

The SACEP Secretariat presented a Review of Programmes and Projects undertaken by SACEP and South Asia Environment and Natural Resources Information Centre (SENRIC). The significance and the importance of the programmes undertaken by SACEP were highlighted. SACEP's Strategy and Programme 3 (SSP 3) prepared by the Secretariat was



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Report of the
Third Governing Council Meeting of the
SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME

12 & 13 January 1987

New Delhi, India.

A copy of his address is at Annex V

Mr. M. J. Kazem, Director, South Asia Co-operative Environment Programme, delivered the Vote of thanks.

A copy of his address is at Annex VI

4. AMENDMENT TO ARTICLE 4 (c) ARTICLES OF ASSOCIATION OF SACEP

With the Chairman GC 2, Hon. Shah Moazzem Hussain, Minister of Local Government, Rural Development & Co-operatives, Government of People's Republic of Bangladesh in the chair, on a recommendation made by the Consultative Committee of SACEP, Article 4 (c) of the Articles of Association of SACEP was amended unanimously, in order to conform to accepted international practise and the system followed by all U.N. and affiliated organisations as regards the election of a Chairman to the Governing Council of SACEP.

The text of the approved amendment to Article 4 (c) of the Articles of Association of SACEP is as follows:

"Unless otherwise agreed by members, the Council shall normally meet once a year. The quorum for a Meeting of the Governing Council shall be a simple majority of the membership. The Meetings of the Governing Council shall be hosted by Member States in alphabetical order and the Presidency of the Governing Council shall be offered to the Host Country; the Chairman shall hold office for a period of one year or till such time as a new Chairman takes office in that year."

5. ELECTION OF OFFICE-BEARERS

In accordance with the provisions of the Amended Article 4 (c) of the Articles of Association of SACEP, Honourable Bhajan Lal, Minister of Environment and Forests, Government of India was elected Chairman of the Third Governing Council of SACEP.

His Excellency Dr. M. Humayun Khan, Ambassador of Pakistan in New Delhi, India was elected Vice-Chairman.

Hon. Dr. Abdul Ghafar Lakanwal, Minister of Agriculture and Land Reforms of the Democratic Republic of Afghanistan was elected Rapporteur.

6. AGENDA

The Governing Council (GC 3) discussed and adopted the Agenda of the Meeting. A copy of the adopted Agenda is at Annex VII.

7. STATEMENT OF HEADS OF DELEGATION

The Heads of delegations from Afghanistan, Bangladesh, Bhutan, India, Iran, Pakistan and Sri Lanka addressed the Governing Council highlighting the efforts made in their respective countries on matters concerning the environment and also listing critical areas where national and regional programmes will need to be launched as a matter of priority.

The respective country statements are found in Annexes VIII — XIV.

8. OTHER STATEMENTS

The statements made by U.N. and other Organisations attending this Meeting are in Annexes XV—XX.

9. INSTITUTIONAL MATTERS OF THE SACEP SECRETARIAT AND FINANCIAL MATTERS

Though the above two items were listed in the Agenda as items 6 (a) and 8 (a) & (b) respectively, due to its close relevance, they were discussed together.

The Director explained in detail the financial constraints faced by the Secretariat. The Governing Council noted that due to financial constraints the Secretariat is inadequately staffed and equipped; that a certain minimum staff and equipment is necessary if SACEP is to function effectively; that the Governing Council must approve every year the budget necessary for this purpose and that the expenditure approved by the Governing Council must be borne by the member countries in a fair and equitable manner.



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*Report of the
Second Governing Council Meeting of the*

SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME

17 & 18 April 1985

Dhaka, Bangladesh

ANNEX XVII

**RULES OF PROCEDURE OF GOVERNING COUNCIL
OF SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME**

- Rule 1 - The Governing Council shall normally meet once a year, and in conformity with the provisions of Article 4(c) of the Declaration and Articles of Association of SACEP.
- Rule 2 - The date of a Regular Meeting of the Governing Council shall be as fixed by it at the preceding meeting, and if it has not been so fixed, a meeting may be convened on a date fixed by the Consultative Committee.
- Rule 3 - The venue of the Regular Meeting of the Governing Council shall be by rotation amongst the members in alphabetical order commencing with the host country or by agreement in the preceding meeting of the Governing Council or as decided by the Consultative Committee.
- Rule 4 - The Governing Council or the Consultative Committee at any of its meetings, may decide to have one or more Special Sessions of the Governing Council, at venues and dates as decided by them.
- Rule 5 - The Agenda for a Regular Session, shall be as decided by the Governing Council. Where it has not been so decided or where a Special Session has been convened, the Consultative Committee shall decide upon the Agenda for the Regular or Special Session as the case may be.
- Rule 6 - The notification for the Regular and/or Special Session(s) of the Governing Council, together with the relevant documents shall be sent, in the case of Regular Sessions, at least twelve weeks in advance and in the case of Special Sessions, at least six weeks in advance of the proposed dates of such meeting.
- Rule 7 - The Governing Council may decide at any session to amend the Agenda circulated as it deems fit.
- Rule 8 - Each member State of the Governing Council shall be represented by an accredited representative, who will normally be of Ministerial rank, and may be accompanied by alternates and/or advisers, the credentials of whom shall be scrutinised and confirmed by a Member appointed for such purpose by the Chairman of the session.
- Rule 9 - At the commencement of each session, the Governing Council shall elect a new Chairman for such session in a manner consistent with the Articles of Association of the South Asia Co-operative Environment Programme. One or more Vice-Chairmen, a Rapporteur and other Officers may also be appointed by the Governing Council for such session. The Director shall function as the Secretary to the Council during its sessions.
- Rule 10 - All Office-bearers shall hold office for a period until their successors are elected at a subsequent session. Such Office-bearers, other than the Chairman, would be eligible for re-election to the same office or any other office at such subsequent sessions.
- Rule 11 - The Chairman shall preside at all meetings and in his absence a Vice-Chairman shall preside and shall exercise all the functions, duties and powers of the office of the Chairman.
- Rule 12 - A simple majority of the membership of the Council, shall constitute a quorum.
- Rule 13 - All decisions of the Governing Council shall be arrived at, by consensus.
- Rule 14 - Representatives of United Nations Bodies and Specialised Agencies, Non-Governmental Organisations and guests may attend meetings of the Governing Council as observers at the invitation of the Consultative Committee.
- Rule 15 - The Chairman of the session, with the concurrence of the members, may make provisional rules on any matter not specifically provided for by these Rules of Procedure provided, however, that such rules are consistent with the Articles of Association of SACEP. Such rules shall be deemed to be part of the Rules of Procedure of the Governing Council after confirmation by the Council at its subsequent session.



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*Report of the
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SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME

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Dhaka, Bangladesh

ANNEX XVIII

**MODALITIES OF FOCAL POINTS
OF SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME**

Initiation of Project Proposals

- 1.1 As provided in Article 6 of the Articles of Association, the Focal Point shall work towards the implementation of its programmes and shall co-operate with SACEP Secretariat in programme implementation. The National Focal Point shall in consultation with all concerned member countries, identify the priority areas in which project proposals should be initiated and prepare brief project outlines listing the problems, suggested solutions and proposed actions. The Focal Point shall then circulate the brief outline among the member countries and consult with them either directly or through the Secretariat to ascertain the extent of their interest in the project proposals.
- 1.2 The matter will then be put before the Consultative Committee, who will authorise the project proposals to be taken up or give other instructions as they deem fit.
- 1.3 In cases where such outlines of project proposals are not prepared by the Focal Point in any subject area, the Secretariat may, after prior consultations with the Focal Points and with the approval of the Consultative Committee, initiate project proposals, prepare brief outlines and consult with the member countries to ascertain the extent of their interest. Further action on the project proposals shall be taken on the basis of interest shown and with the approval of the Consultative Committee.

Formulation of the Project Document

- 2.1 After the outline of the project proposal is approved by the Consultative Committee, the Focal Point shall formulate a detailed project document, including, among other things, budgetary requirements, detailed work plan, project components that could be undertaken at the national and regional level, and modalities of project implementation, particularly institutional arrangements for co-ordination. Any assistance in the formulation of the project document shall be arranged by the Secretariat, if requested by the Focal Points. The Secretariat may also arrange for the formulation of a detailed project document under advice to the Focal Point concerned.

Submission of Project Document to Funding Agencies

- 3.1 The Secretariat shall circulate the final project document among prospective Funding Agencies and shall undertake any other action deemed necessary to seek funding for the Project. However, the Secretariat, before approaching the Funding Agencies, shall obtain the prior approval of the Consultative Committee, in order to ensure that member countries have no objections to any particular Funding Agency for any reason.

4.2 Implementation of the Project

- 4.1 The implementation of all components of the projects at the national level shall be the exclusive responsibility of each participating country and shall be entirely under its jurisdiction.
- 4.2 Participating countries shall take adequate measures to implement the project(s) using the funds made available from and through the Secretariat and resources allocated in the national programmes. Each participating country shall designate a national authority(ies) or organization(s) who will be responsible for project management and implementation of the national components and overall co-ordination of all activities under the project at the national level.
- 4.3 The designated project management authority(ies) or organization(s) shall follow the budgetary allocations and work plan incorporated in the project document which constitute the basis for disbursement of funds.

5. National Expertise and Institutions

- 5.1 Focal Points shall, on request, identify and suggest national experts and institutions for recruitment and sub-contracting for project preparation and implementation. However, the Secretariat will make the final choice of the expert or institution to be recruited. Recruitment from countries other than member countries will be done only as a last resort with specific approval of the Consultative Committee and of the Focal Point for which such recruitment will be made.

6. Liaison Activities

- 6.1 Focal Points shall be the liaison points in their countries for all matters related to SACEP, including those subject areas other than their own.
- 6.2 SACEP Secretariat shall liaise with the Focal Point in each member country for all fifteen Subject Areas. The national Focal Point, in its turn, shall assume the responsibilities to collect and disseminate all relevant information from the various Subject Area Focal Points in different countries to all the interested parties within the country. This will also enable the respective member countries to keep in constant touch with the activities pursued by the various Subject Area Focal Points with the assistance from the SACEP Secretariat.



**REPORT OF THE
SEVENTH GOVERNING COUNCIL MEETING
OF THE
SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME**

**22ND APRIL 1998
MALE, REPUBLIC OF MALDIVES**

B. SUBJECT AREA AND COUNTRY FOCAL POINTS

The Governing Council considered the relevant section of the Report of the Preparatory Meeting of Senior Officials on this item.

The Governing Council was in agreement that there was a need to revise the list of Subject Area Focal Points of SACEP and endorsed the revised list of Subject Area Focal Points.

The revised list is given below:

	Priority Subject Area	Country
1.	Conservation of Biodiversity	India
2.	Sustainable Tourism Development	Maldives
3.	Management of Coral Island Ecosystems	Maldives
4.	Management of Fresh Water Resources	Bangladesh
5.	Desertification	Pakistan
6.	Environmental Legislation	India
7.	Participatory Forest Management	Nepal
8.	Sustainable Agriculture and Land Use	Sri Lanka
9.	Sustainable Human Settlements Development	Sri Lanka
10.	Waste Management	India
11.	Science & Technology for Sustainable Development	Pakistan
12.	Education & Training	India
13.	Energy & Environment	India
14.	Air Pollution	Pakistan

The Governing Council agreed that the Subject Area Focal Points be requested by the Ministries of Environment of the respective member countries to formulate Regional Projects on their Subject Area and to make them available to the Secretariat by 1st October 1998.

It was also agreed that Country Focal Points should be called upon to nominate National Level Institutions which would function as the Subject Area Focal Points as soon as possible

9. PROGRAMME MATTERS**A. PROGRESS OF PROGRAMME AND PROJECT ACTIVITIES**

The Governing Council was appreciative of the fact of the increased Programme Activities of SACEP and that SACEP now has greater visibility in the region in respect of environmental activities.

The delegates expressed their satisfaction that despite constraints in manpower and finances the performance of the Secretariat was satisfactory. They emphasised their appreciation for the work done by the Secretariat in the implementation of programmes between the 6th and 7th Governing Councils and noted that this had been the period in which most number of projects had been implemented by SACEP for the benefit of the member countries as well as the region as a whole.



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**THE THIRD SPECIAL SESSION OF
THE GOVERNING COUNCIL**

**South Asia Co-operative Environment Programme
(SACEP)**

**6 NOVEMBER 2003
COLOMBO, SRI LANKA**

- The need for packaging/re-packaging of the programmes to cluster some of the elements of the Strategy Matrix under thematic areas to suit donor priorities has to be recognised.
- It was agreed that regional priorities for South Asia cannot always conform to the priorities determined at the global and/or national level. The Work Programme would reflect the genuine regional needs and priorities.
- It was recommended to incorporate issues relating to gender, equity and poverty as crosscutting issues in all of SACEP's programmes.
- The following additional areas of work for SACEP and the thematic clusters were recommended:
 - Achieving MDG goals - water and sanitation issues and energy, particularly renewable energy etc.
 - Coastal area management inclusive of mangrove, forests
 - Waste management issues as relevant to the GPA/LBA priorities
 - Adaptation to Climate Change
- It was agreed that the Work Programme and other priorities to be addressed by SACEP should complement and supplement (and not duplicate) the work being carried out by the member countries.
- The recommendation of the NFP to include two additional subject areas namely Climate Change and Bio-safety was accepted and the respective Subject Area Focal Points were designated as follows:
 - Climate Change - India and Bangladesh
 - Bio-safety – India (to be included within the Bio-diversity Subject Area Focal point)
- It was recommended to the countries concerned to nominate the institutions to function as the Subject Area Focal Points for Climate Change and communicate the same to SACEP secretariat.

C. Governance

- It was agreed to the institutional strengthening of SACEP in order to deliver its service effectively.
- The proposed optimum organisational structure was accepted subject to the availability of financial resources (refer section on Financial Resources).
- Recruitment of additional staff to carry out functions and responsibilities envisaged under the strategy was approved. The actual staffing to be done in a phased manner as the resource position improves.
- In view of the time lag in funding and other limitations, it was approved to recruit the Director Programmes initially. The remaining positions to be filled during the second phase as the project portfolio develops and additional funds are mobilised.



**REPORT OF THE
SEVENTH GOVERNING COUNCIL MEETING
OF THE
SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME**

**22ND APRIL 1998
MALE, REPUBLIC OF MALDIVES**

5. AGENDA

The Governing Council (GC 7) discussed and adopted the Agenda of the Meeting. A copy of the Adopted Agenda is at Annex VIII.

6. STATEMENTS OF HEADS OF DELEGATIONS

The Heads of Delegations from India, Maldives, Nepal, Pakistan & Sri Lanka made presentations of their country statements to the Governing Council.

All statements reflected the initiatives taken by the countries in the area of environmental protection and management. The Country Statements clearly recognised the very crucial and pivotal role played by SACEP in the promotion of environmental management in the South Asian region and noted that this area of activity must receive priority attention.

The respective Country Statements are found in Annexes IX to XIII.

7. OTHER STATEMENTS

Representatives of the UN Agencies and International Organisations attending the Meeting also addressed the Governing Council and their statements are found in Annexes XIV & XV.

8. INSTITUTIONAL MATTERS

A. SACEP SECRETARIAT

The Governing Council considered the relevant section of the Report of the Preparatory Meeting of Senior Officials (Annex XVI) on this item. They noted with appreciation the excellent work of the small but highly efficient Secretariat.

The meeting was fully appreciative of the fact that there is an urgent need to strengthen the SACEP Secretariat in order that they could fulfill its obligations in serving the member countries.

The delegate from Sri Lanka agreed that it is a moral obligation on the part of his Government to ensure that they provide adequate host facilities to the Secretariat. He promised to take up this matter with the concerned authorities. On the question of allocating a piece of land for constructing a Secretariat, he said that his hand would be strengthened if SACEP had a definite proposal such as building plan and a strategy for raising funds for construction. The Meeting requested the Director of SACEP to prepare a Project Profile for the new SACEP Headquarters and its plans for financing within 6 months to be submitted to the Government of Sri Lanka.

The Governing Council agreed that the status of the Director of SACEP should be elevated to that of the Director General. Accordingly wherever there is reference made to the Director of SACEP, the Articles of Association of SACEP will be amended to read as Director General.

The host country Representative said that he would like to respond favourably to the request made for granting diplomatic privileges to the Director General of SACEP equivalent to that of Ambassador / High Commissioner and that he would pursue the matter in accordance with the diplomatic procedures.



REPORT

OF THE

HIGH LEVEL MEETING

TO INITIATE THE

SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME

18 - 25 FEBRUARY 1981

BMICH, COLOMBO, SRI LANKA

7. Other matters

Secretariat: Director and staff

The principle was accepted that the Director would be appointed in rotation, from countries in alphabetical order, subject to starting with the host country, Sri Lanka. The appointment would be for a period of three years. In the case of the first one, the term would include the period of tenure of the *pro tem* Director.

Regarding the other international staff they would be recruited as provided in rules and regulations, which may be framed by the Consultative Committee and on the recommendation of the Director.

The representative of Sri Lanka announced the appointment of a *pro tem* Director and introduced the candidate, Dr. Leslie Herath, Chairman of the Water Resources Board to the Meeting.

For purposes of appointing a regular Director, a note setting out the type of background, experience and other broad criteria would be prepared by the SACEP Secretariat and circulated. The country from which the Director was chosen would, in nominating the candidate, furnish his background data, which would be circulated. The Director will be appointed by circulation by the Governing Council. The first regular Director shall be appointed as soon as possible, preferably within three months and within a maximum period of six months from the date of appointment of the *pro tem* Director.

Financial contributions

It was noted that Sri Lanka would begin to make its contribution to SACEP Secretariat under the suggested provisions as made in background paper UNEP/SACEP/HLM/BP/III, made available to the Officials' Meeting. It was agreed that all countries accept the principles of giving contributory support to SACEP Secretariat and would announce and make contributions as decided upon by their Governments as soon as possible. Such contributions may be without prejudice to the formula for contributions that may be accepted in due course by the Governing Council.

Focal points



REPORT

**THE THIRD SPECIAL SESSION OF
THE GOVERNING COUNCIL**

**South Asia Co-operative Environment Programme
(SACEP)**

**6 NOVEMBER 2003
COLOMBO, SRI LANKA**

E. Capacity Development in SACEP

- Subject to availability of concurrence in writing by the member government that expressed its reservation, the Chairman, GC/SACEP was authorised to take necessary steps for the recruitment of DG, SACEP on merit basis from the South Asia Region for a non-renewable term of five years, following internationally accepted norms and practices and in close consultation with the members of the Governing Council.
- In the event the reservation is expressed in writing to the Chair of GC, the recruitment will be made on the existing procedure.
- The capacity building measures for secretariat staff (Para 6.7 of the Report of SACEP Strategy and Work Programme-*Annex XIII*) was endorsed.

F. Implementation Plan

- It was recommended that SACEP Secretariat should revise the implementation plan based on decisions and guidance of the NFP and GC Meetings.

6. ADOPTION OF THE REPORT

The SS3.GC/SACEP approved the SACEP Strategy and Work Programme with the above recommendations.

7. CONCLUDING SESSION

The Chairman, Hon Mr. Rukman Senanayake, Minister of Environment and Natural Resources, Government of Sri Lanka in his concluding remarks thanked all the Environment Ministers, the country delegations and the Director General and the SACEP Secretariat for their wholehearted co-operation in ensuring the success of this meeting.



REPORT

**THE NINTH MEETING OF THE
GOVERNING COUNCIL**

**South Asia Co-operative Environment Programme
(SACEP)**

**26 AUGUST 2005
THIMPHU, BHUTAN**

- b) The meeting noted that Government of India will be reviewing their original offer to support the post of Director of Programmes.

9.2 PROGRAMME MATTERS

1. Work Programme (2006-2007)

- a) The Director General will prepare a work programme by December 2005 and circulate it to member countries for endorsement.
- b) The work programme will consist of core activities and projects.
- c) The core programmes will focus on areas of waste, adaptation to climate change, database management / indicators of State of the Environment (SoE)
- d) The Director General will consult the National Focal Points in the preparations of this work programme.
- e) UNEP has agreed to provide assistance to complete the work programme.
- f) The Chairman of the 9th Governing Council will consult its members and approve the work programme for implementation.
- g) The Director General will provide regular progress reports through the National Focal Points.

2. Guidance to the Director General

- a) The Director General shall complete the detailed work programme for circulation and approval by the Chairman of the 9th Governing Council by December 2005.
- b) The Director General shall prepare detailed proposals for implementation on waste, adaptation to climate change and database for the State of Environment report.
- c) Mobilize necessary complementary project resources in close consultations with UNEP and other development partners.

3. Operation of SACEP

- a) The Director General shall carry out his challenging duties with existing terms, conditions and remuneration package.
- b) The Governing Council may consider the issue of tenure at future meetings.
- c) The Advisory Body for SACEP proposed by the National Focal Points may not be necessary as this will create another layer of bureaucracy. However, there is a strong need to strengthen the Secretariat. UNEP is requested to assist the Secretariat in its capacity building programme.
- d) One Programme Assistant post shall be based in Thimphu, Bhutan to assist the Chairman of the 9th Governing Council.

9.3 ON-GOING PROJECT ACTIVITIES

- a) The databases to the Environmental Natural Resources should be updated regularly by South Asia Environment and Natural Resources Information Center (SENRIC) to assist the region in the State of the Environment (SoE) reporting.
- b) The support from UNEP to the on-going activities to be recognized and UNEP is requested to continue its support to SACEP through the SENRIC project implementation.



REPORT

**THE TENTH MEETING OF THE
GOVERNING COUNCIL**

**South Asia Co-operative Environment Programme
(SACEP)**

**25 JANUARY 2007
KATHMANDU, NEPAL**

9.5.4 PRESENTATION OF AUDITED REPORT OF ACCOUNTS FOR THE YEAR 2005
- NFP Agenda Item 7.4 -

The meeting approved the Audited Report of Accounts for the year 2005.

The GC, SACEP further stated that the Annual Audit Report should be prepared by a recognized Audit Firm and the Audit should be a complete audit indicating Auditors observations in regard to correctness and appropriateness of expenses etc

(GC 10.SACEP/NFP/D5 Agenda Item 7.4 titled report of the Auditors of SACEP, for financial year ended 31 December 2005.)

10. STATEMENT ON COUNTRY COMMITMENTS FOR PROGRAMME IMPLEMENTATION
- NFP Agenda Item 8 -

The Draft Document along with amendments proposed by Bangladesh was presented to the Governing Council.

The Draft document was adopted with the amendments, by the 10th GC-SACEP as the Kathmandu Declaration. (Annex XVI)

11. ANY OTHER BUSINESS

11.1 Review of Salary and Perks of the Director General of SACEP
- NFP Agenda Item 10.1 -

The meeting considered information contained in the document NFP / PM Annex XXII - GC10.SACEP/NFP/D6 (Agenda Item 10.1) and noted that the salary of the Director General shall be in par with its counterpart International and Intergovernmental organizations

It was decided that the Salary of DG, SACEP to be increased upto US \$ 4,500 per month with effect from January 2007.

11.2 Appointment of Director General on Merit Basis
- NFP Agenda Item 10.2 (NFP / PM Annex XXIII - GC10.SACEP/NFP/D6)

The meeting considered that an extension of two years may be granted to the current three year term based on a performance appraisal of the Director General. Such performance appraisal shall take place after the end of the second year of the tenure.

The criteria for performance appraisal of the Director General shall be developed by the member states. The performance appraisal shall be

agreed upon by the National Focal Points at a meeting and subsequently sent to the 11th Meeting of the Governing Council of SACEP for information.

In whichever case, it is agreed that no two consecutive terms shall be held by the same country.

11.3 Other Matters

11.3.1 The Chairman of 10th GC, SACEP to decided the venue of the 11th GC, SACEP, through consultation with the member states

11.3.2 National Focal Points should meet minimum once a year in addition to the Preparatory Meeting of GC.

11.3.3 It is agreed that National Focal Points Meeting should be held at SACEP host country.

11.3.4 The GC to hold informal meetings on the sidelines of international events to review the activities of SACEP

11.3.5 Need to strengthen the Consultative Committee and GC to provide clear guidance to monitor administrative matters of the secretariat.

11.3.6 Urge Member States to support establishing a building complex for the SACEP Secretariat in Colombo.

12. ADOPTION OF REPORT

The 10th Meeting of the Governing Council of SACEP considered and adopted this Report on 25th January 2007 in Kathmandu, Nepal.

13. CLOSURE OF MEETING

H.E. Mr. Man Bahadur Vishwakarma, Minister of State for Environment, Science and Technology, Government of Nepal and the Chairman of the 10th Governing Council concluded the meeting following the notes of appreciations from the member states.

MINISTRY OF FOREIGN AFFAIRS
ROYAL GOVERNMENT OF BHUTAN
THIMPHU



MINISTER FOR FOREIGN AFFAIRS

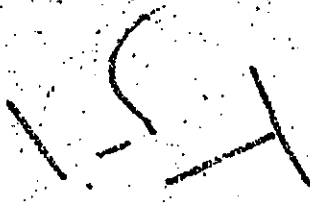
INSTRUMENT OF RATIFICATION

WHEREAS the members of the South Asia Cooperative Environment Programme adopted the Articles of Association at Colombo, Sri Lanka, on 25 February, 1981.

AND WHEREAS the Royal Government of Bhutan had taken a decision, in principle, to join the South Asia Cooperative Environment Programme on 4 September 1981.

NOW THEREFORE, I, Dawa Tsering, Minister for Foreign Affairs, do hereby declare that the Royal Government of Bhutan, having considered the above-mentioned Articles of Association, ratifies the same and undertakes faithfully to perform and carry out all the stipulations therein contained.

IN WITNESS WHEREOF, I have signed these presents and affixed hereunto my seal at Thimphu on 25 December 1981.


(Dawa Tsering)





His Majesty's Government
Environment Protection Council

Tel. { 2-28000 Ext: 315
2-28200 Ext: 335

RECEIVED
25 MAR 1994

all
c.c. number
3

Singhā Durbar
Kathmandu, Nepal

Date.....

March 25, 1994

V. P. Jauhari
Director
South Asia Co-operative
Environment Programme
No: 84
Lorensz Road
Colombo-04
Sri Lanka.
Fax: 94-1-589369

Sub: ~~Ratification of the SACEP Agreement~~

Dear Mr. Jauhari,

I am pleased to inform you that the SACEP Agreement has been ratified unanimously by the Parliament of Nepal on 24th March, 1994 which was presented to the house a couple of days ago. I consider this as a milestone in our future cooperation.

I would like to take this opportunity to invite you to Nepal on your way to India so that we can hold discussions on various matters regarding the future course of action between SACEP and EPC.

With best regards,

Sincerely yours,


Surya Man Shakya
Member Secretary



United Nations
Environment
Programme



Distr.
RESTRICTED

UNEP(OCA)SAS IG1/REP
16 June 1995

Original: ENGLISH

Meeting of Plenipotentiaries on the Action Plan for
the Protection and Management of the Marine and
Coastal Environment of the South Asian Seas Region

New Delhi, 24 March 1995

**REPORT OF THE MEETING OF PLENIPOTENTIARIES ON THE ACTION PLAN FOR THE
PROTECTION AND MANAGEMENT OF THE MARINE AND COASTAL ENVIRONMENT OF THE
SOUTH ASIAN SEAS REGION**

INTRODUCTION

1. The Executive Director of UNEP, in co-operation with SACEP and the Government of India, convened the Meeting of Plenipotentiaries on the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region in order to review and adopt the draft Action Plan, the Institutional and Financial Arrangements for its implementation, and the related Resolutions and Final Act.
2. The following organizations were also invited to participate at this meeting: ADB, ESCAP, FAO, IMO, IOC, IUCN, SACEP, UNDP, UNESCO, UNIDO, World Bank, WHO and WMO.
3. The meeting was held in New Delhi, India, on 24 March 1995.
4. This document is the Report of the Meeting. The complete List of Participants is attached as Annex I of this Report.

Agenda item 1: Opening of the Meeting

5. The Representative of the Executive Director of UNEP, Mr Peter Schroder, Director, Ocean and Coastal Areas Programme Activity Centre, UNEP, Nairobi stated in his opening address that it was indeed a historical occasion now that the maritime countries of South Asia have come together in a remarkable spirit of regional co-operation to ensure the protection and management of the regional seas. He went on to add that the commitment shown by the countries augurs well for the success of the programme. He complemented the Government of India on the arrangements made for the meeting and warm hospitality extended to all participants.
6. The meeting was then addressed by Mr Eduardo Faleiro, Minister of Ocean Development, Government of India. He expressed pleasure in the fact that the meeting was being held in India. He pointed out that India has been committed to the protection of the environment in general, and that of the marine environment in particular. He added that his country had contributed significantly to the process which led to the UN Convention on the Law of the Sea (1982). Of prime importance was establishment of a regional cooperative network of concrete projects. These projects would both benefit from and further the cause of people-centred development, and promote an exchange of scientific and technical expertise and sharing of experience for the benefit of all. He concluded by saying that India, as a founding member of UNEP and the South Asia Co-operative Environment Programme (SACEP), was grateful to the support given by the two organizations for the efforts of the South Asian Maritime countries which have led to the finalization and adoption of the Action Plan.
7. The meeting was inaugurated by Mr Pranab Mukherjee, Minister of External Affairs, Government of India. In his inaugural address Mr Mukherjee said that the meeting assumed particular significance at a time when issues on the use of oceans, marine resource exploitation and protection of the marine environment were prominent on the international agenda. He noted that the coming into force on 16 November 1994 of the UN Convention on the Law of the Sea (1982) reflected the fact that problems affecting the use of the seas and the seabed needed to be tackled by all nations, developed and developing alike, if efforts to resolve them are to be effective. Mr Mukherjee further stated that regional co-operation with a view to protecting the marine environment was particularly important in the South Asia region as it has a long, highly indented coastline and numerous islands which support very fragile ecosystems. He also drew attention to the fact that major urban and industrial clusters were developing in areas that are located in, or in proximity to, ecologically vulnerable coastal areas. It was therefore necessary for the nations of the South Asian seas to cooperate on the issue of protecting the fragile coastal ecosystems. In conclusion Mr Mukherjee said that he was pleased to note that the meeting was going to finalize and adopt an Action Plan to protect and manage the region's marine environment and related coastal ecosystems.

8. The Vote of Thanks was delivered by Dr B.R.Subramanian, Principle Scientific Officer, Department of Ocean Development, Government of India.

Agenda item 2: Organization of the Meeting.

9. The secretariat proposed to apply mutatis mutandis the Rules of Procedure of UNEP Governing Council for the conduct of the Meeting. The Meeting agreed to this proposal.

10. The Meeting elected the following officials:

Chair:	Mr Eduardo Faleiro (India)
Vice Chair(s):	Mr Muhammad Abul Quasem (Bangladesh) Mr Asif Shuja Khan (Pakistan) Ms Srimani Athulathumudali (Sri Lanka)
Rapporteur:	Mr Hussain Shihab (Maldives)

11. The Provisional Agenda [UNEP(OCA)SAS IG1/1] was introduced by the Secretariat with reference to the Provisional List of Documents [UNEP(OCA)SAS IG1/NF.1]. The meeting considered the proposed Agenda and adopted it with the addition of one item.

The Agenda as it was adopted and the List of Documents are attached respectively as Annex II and Annex III of this Report.

12. The elected officers of the Meeting assumed the responsibilities of the Credentials Committee.
13. The Secretariat proposed, and the meeting agreed, to carry out its work in plenary session.
14. The Meeting was conducted in English.

Agenda item 3: Report of the Executive Director on the preparatory activities leading to the proposed adoption of the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region

15. The Report of the Executive Director, giving a summary of the process and the activities that have been undertaken in preparation for the formal adoption of the South Asian Seas Action Plan, was presented by Mr Peter Schroder, Director, Ocean and Coastal Areas Programme Activity Centre, UNEP, Nairobi.

Agenda item 4: Review of the draft Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region with Annexes, and including the draft Institutional and Financial Arrangements for the implementation of the Action Plan

16. The Secretariat introduced the draft Action Plan, including the Institutional and Financial Arrangements for its implementation, as revised and endorsed at the Fourth Meeting of National Focal Points held in New Delhi on 23 March 1995. The Meeting agreed upon the final text of the Action Plan, without amendments. The Action Plan would be formally adopted upon signature of the Final Act.
17. The agreed text of the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region with Annexes, and including the Institutional and Financial Arrangements for its implementation is attached as Annex IV of this Report.

Agenda item 5: Review of the Resolutions

18. The Secretariat introduced the Resolutions as discussed and finalized at the Fourth Meeting of National Focal Points. The Meeting agreed upon the final text of the three resolutions. They would be formally adopted upon signature of the Final Act. The Resolutions are attached as Annex V of this report.
19. The delegates from Pakistan and Sri Lanka indicated agreement in principle with the financial arrangements (Resolution 3) pending formal approval by their respective Governments.

Agenda item 6: Consideration of the Report of the Credentials Committee

20. The Report of the Chairman of the Credentials Committee was accepted by the Meeting.

Agenda item 7: Adoption of the Action Plan, the Institutional and Financial Arrangements, and the Resolutions

21. The Meeting adopted the finalized text of the Action Plan, including the Institutional and Financial Arrangements for its implementation, and the Resolutions.

Agenda item 8: Adoption of the Final Act

22. The Meeting adopted the Final Act.

Agenda item 9: Draft Resolution to the eighteenth session of the Governing Council of UNEP

23. The meeting agreed that a Resolution would be tabled at the eighteenth session of the Governing Council of UNEP. This resolution would seek UNEP's support for the South Asian Regional Seas Programme. The SACEP Secretariat was requested to formulate the resolution and make it available for comments by the concerned member Governments. After taking into consideration their comments, this resolution would be submitted to the eighteenth session of the Governing Council of UNEP by the Government of India on behalf of the member States of the South Asian Regional Seas Programme.

Agenda item 10: Signing of the Final Act

24. A formal ceremony was held for the signing of the Final Act by the Plenipotentiaries. The Final Act is attached as Annex VI of this Report.

Agenda item 11: Closure of the Meeting

25. The Meeting was closed at 1200 hrs by the Chairman.

ANNEX I

LIST OF PARTICIPANTS

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ANNEX II

AGENDA

1. Opening of the Meeting
2. Organisation of the Meeting
 - (2.1) adoption of the rules of procedure
 - (2.2) election of officers
 - (2.3) adoption of the agenda
 - (2.4) appointment of Credentials Committee
 - (2.5) organisation of the work
3. Report of the Executive Director on the preparatory activities leading to the proposed adoption of the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region
4. Review of the draft Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region with Annexes, and including the draft Institutional and Financial Arrangements for the implementation of the Action Plan
5. Review of the Resolutions
6. Consideration of the report of the Credentials Committee
7. Adoption of the Action Plan, the Institutional and Financial Arrangements, and the Resolutions
8. Adoption of the Final Act
9. Draft Resolution to the eighteenth session of the Governing Council of UNEP
10. Signing of the Final Act.
11. Closure of the Meeting.

ANNEX III

LIST OF DOCUMENTS

Working documents:

UNEP(OCA)SAS IG1/1	Provisional agenda
UNEP(OCA)SAS IG1/2	Provisional annotated agenda
UNEP(OCA)SAS IG1/3	Draft Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region
UNEP(OCA)SAS IG1/4	Draft Resolutions
UNEP(OCA)SAS IG1/5	Final Act

Information Documents:

UNEP(OCA)SAS IG1/INF.1	Provisional list of documents
UNEP(OCA)SAS IG1/INF.2	Provisional list of participants
UNEP(OCA)SAS WG3/Rep	Report of the Fourth Meeting of National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region

ANNEX IV

**ACTION PLAN FOR THE PROTECTION AND MANAGEMENT OF THE
MARINE AND COASTAL ENVIRONMENT OF THE SOUTH ASIAN SEAS REGION**

INTRODUCTION

1. With the formation of the South Asia Co-operative Environment Programme (SACEP), the interest of South Asian Coastal States in the Regional Seas Programme of the United Nations Environment Programme (UNEP) was revived and at the request of these States the "South Asian Seas" has been designated by the Governing Council of UNEP ^{1/} as an area in which UNEP, in close collaboration with SACEP and the Governments concerned, should assist in the formulation of a Plan of Action for the environmental protection of the region within the framework of the Regional Seas Programme, in line with the provisions of Chapter 17 of Agenda 21.
2. The following preparatory work contributed to the development of this action plan:
 - 2.1 A mission to the States of the region in October/November 1982 and February 1983 to ascertain the views of the Governments regarding a Regional Programme in the South Asian Seas
 - 2.2 Meeting of National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region (Bangkok, 19 - 21 March 1984)
 - 2.3 Meeting of Experts on the South Asian Seas Regional Programme (Bangkok, 2 - 5 December 1986)
 - 2.4 Second Meeting of National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region (Bangkok, 7 - 11 December 1987)
 - 2.5 ESCAP/UNEP/SACEP Workshop on Management Strategies for the Protection of the Coastal and Marine Environment in the South Asian Seas Region (Colombo, 20 - 23 December 1993)
 - 2.6 ESCAP/UNEP/SACEP Intergovernmental Meeting on Capacity Building in Coastal Environmental Management in the South Asian Seas Region (New Delhi, 17 - 19 May 1994)
 - 2.7 Third Meeting of National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region (Colombo, 23 - 25 November 1994)
 - 2.8 Fourth Meeting of National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region (New Delhi, 23 March 1995)
3. For the purposes of this Action Plan, the South Asian Seas Region covers the marine and related coastal environment, including international waters adjacent to the following states:

Bangladesh
India
Maldives
Pakistan
Sri Lanka

^{1/} Decision 11/7 of 24 May 1983

4. All components of the Action Plan are interdependent and provide a framework for comprehensive action which should contribute to both the protection and the continued development of the region. No component is an end in itself. Each activity is intended to assist the Governments of the region to strengthen the process through which environmental management policies are formulated and to improve the quality of the information on which these policies are based.
5. The objective of the Action Plan is to protect and manage the marine environment and related coastal ecosystems of the region. This objective includes the promotion of sustainable development and sound management of regional marine and coastal resources by:
 - (a) establishing and enhancing consultations and technical co-operation among States of the region;
 - (b) emphasising the economic and social importance of the resources of the marine and coastal environment; and
 - (c) Establishing a regional co-operative network of activities concerning concrete subjects/projects of mutual interest for the whole region.
6. The general goals of the action plan are:
 - (a) to promote policies and management practices for the protection and development of the marine and coastal environment on a national and regional level, including appropriate legislation at the national level;
 - (b) to prevent deterioration of the region's marine and coastal environment originating from activities within and outside the States of the region;
 - (c) to provide for protection and rational development of the marine and coastal resources of the region, which are a natural heritage with important economic and social values and potential, through the preservation of habitats, the protection of species and careful planning and management of human activities that affect them;
 - (d) to strengthen and encourage, through increased regional collaboration, the activities of institutions within the region involved in the study of marine and coastal resources and ecosystems;
 - (e) to improve training, technical assistance and exchange of scientific and statistical data at all levels and in all fields relating to the protection and development of the marine and coastal environment; and
 - (f) to stimulate the growth of public awareness at all levels of society of the value, interest and vulnerability of the region's marine and coastal environment.
7. More specifically, the activities of the Action Plan should aim at:
 - (a) Assessment and evaluation of the causes, magnitude and consequences of environmental problems, in particular the assessment of marine pollution from land and sea based sources, and the study of activities and social and economic factors that may influence or be influenced by environmental degradation;
 - (b) Promotion of methods and practices for the management of social and economic development activities that safeguard environmental quality and utilize resources rationally on a sustainable basis;

- (c) Promotion of national legislation, if necessary, for the protection and development of the marine and coastal environment which will facilitate mutual collaboration and operational efficiency of the Action Plan, having due regard to the need for and suitability of such a framework;
- (d) Promotion of research and development and exchange and sharing of their findings among the member states; and
- (e) Strengthening of institutional machinery and adoption of financial arrangements required for the successful implementation of the Action Plan.

8. A general description of the main components of the Action Plan is given below. These components and related activities are not listed in order of priority. Priority activities that have been selected for the implementation by SACEP Member States are presented in Annexes to the Action Plan. They should be considered only as a general description of activities which will have to be refined and elaborated in more detail. All activities will be carried out in close co-operation and in consultation with the National Focal Points.

A. ENVIRONMENTAL ASSESSMENT

9. To ensure the effectiveness of the Action Plan it is necessary to provide for continuous and systematic assessment of the main factors influencing the environmental quality of the region. This is particularly important as the present assessment of the environmental processes in the region is incomplete, and any sound action requires an understanding of the links between development and the environment. Among the tasks that should be carried out are:
- 9.1 Assessment of national and regional capabilities to investigate and manage environmental problems, including scientific and administrative institutions, manpower, research facilities and equipment together with identification of institutions with potential to serve as "regional activity centres" in particular disciplines, and as regional or subregional activity centres co-ordinating specific inter-state projects;
 - 9.2 Strengthening of national capabilities in marine science and for monitoring and assessing the state of the marine and coastal environment and the condition of living and non-living resources, including training of scientists and technicians from the region in methods and techniques related to the assessment and evaluation of marine pollution and participation of such scientists in intercalibration exercises;
 - 9.3 Encouragement of collaboration among regional scientists and technicians and their institutions through the establishment of a co-ordinated regional marine pollution monitoring programme, based on intercomparable methods, for the study of the various processes occurring in the coastal areas and open ocean of the region and the assessment of the sources and levels of pollutants and their effects on marine life and human health;
 - 9.4 Survey and assessment of present social and economic activities, including development projects, that may have an impact on the quality of the marine and coastal environment;
 - 9.5 Compilation of an inventory of the sources and amount of pollutants reaching the coastal waters of the region from land-based and maritime sources including dumping of hazardous wastes;
 - 9.6 Collection, analysis and dissemination of data on resource potential and resource utilisation in relation to competing demands for such resources;

- 9.7 Preparation of a comprehensive classification of coastal and marine habitats and mapping of critical habitats;
- 9.8 Establishment of national data bases on the status and trends in the quality of the marine and coastal environment, linked into regionally co-ordinated network, compatible with similar networks in adjacent regions; and
- 9.9 Monitoring of the effects of climate and sea level change on the marine and coastal environment.

B. ENVIRONMENTAL MANAGEMENT

- 10. Sustainable, environmentally sound development depends upon the rational management of natural resources. Such management should take into account the goals of development as defined by national authorities, the assimilative capacity of the environment, and the economic feasibility of proposed policies. The following activities should serve to strengthen the ability of the Governments to adopt appropriate environmental management policies:
 - 10.1 Strengthening of national and regional capabilities to prevent, control and combat marine pollution from land and sea-based sources and co-operation in implementing and enforcing existing international agreements related thereto;
 - 10.2 Strengthening of national & regional capabilities, co-operation and co-ordination in responding to marine pollution emergencies which pose a threat of pollution to the marine and coastal environment;
 - 10.3 Strengthening of national and regional capabilities and co-operation for the management of coral reefs;
 - 10.4 Promotion and harmonisation of national and regional strategies for preventing and mitigating the damages and adverse impacts caused by natural disasters;
 - 10.5 Formulation of regionally and locally applicable guidelines and standards where ever appropriate, for the management and control of domestic, agricultural, industrial and other wastes, including the developing of principles governing treatment and disposal of such wastes;
 - 10.6 Strengthening or expanding of the relevant on-going development activities that demonstrate sound environmental management practices;
 - 10.7 Development and implementation of integrated coastal environmental management plans for specific coastal areas to serve as models with a view to promoting environmentally sound utilisation of coastal resources and preventing environmental degradation;
 - 10.8 Strengthening national capabilities for the environmental impact assessment of developmental projects and promoting the inclusion of environmental impact assessments and integrated development approaches in the planning stages of all major development activities;
 - 10.9 Studies of the environmental, social and cultural effects of tourism, and elaboration of environmentally sound strategies for tourism development. Particular attention should be given to the health aspects of tourism developments in coastal areas;

- 10.10 Co-operation in devising where necessary, alternatives to present land-use practices, coral and sand mining procedures, waste disposal into coastal waters, other development activities including transportation and disposal of hazardous wastes which may lead to environmental degradation;
- 10.11 Formulation and harmonisation of policies on the management of natural habitats, wildlife and genetic resources;
- 10.12 Co-operation in the establishment and management of national protected coastal and marine habitats, in the establishment of a regional network of protected areas, in joint activities to protect coastal ecosystems and wildlife and in the training of technical and managerial personnel in the conservation of wildlife and habitats; and
- 10.13 Co-operation in conservation and protection of marine living resources from pollution and over-exploitation.

C. ENVIRONMENTAL LEGISLATION

11. National legislation and regulations pertaining to the protection and management of the marine and coastal environment, which are at various stages of development, should be reviewed, and when necessary, expanded, updated or strengthened. It is necessary to ensure the effective enforcement of national legislations related to marine and coastal resources.
12. National legislations and regulations for the protection and development of marine and coastal resources should be harmonised whenever international uniformity is required to meet the obligations of such legislation; e.g., legislation concerning the protection and management of migratory species of estuarine marine areas within the region.
13. An up-to-date compilation of national laws of the states of the region related to the protection of the marine and coastal environment should be maintained.
14. The ratification and implementation of existing international agreements concerning the prevention and control of marine pollution and the protection of marine resources should be encouraged.
15. Technical assistance and advice on the drafting of national legislation for the effective implementation of relevant international agreements should be provided upon request.

D. INSTITUTIONAL AND FINANCIAL ARRANGEMENTS

16. In carrying out the Action Plan, the national capabilities available in the region and the capabilities of regional and international organisations and co-ordinating bodies, as well as their existing programmes, should be used to the greatest possible extent.
17. The agreed programme should be executed primarily through existing national institutions and capabilities. Where necessary, they should be strengthened so that they may participate actively and effectively in the various projects. For some of the projects technical assistance and experts from outside the region may be requested whenever such assistance and experts are not available from within the region.

18. To ensure the harmonious and integrated evolution of each of the components of the Action Plan, SACEP is designated as the Secretariat of the action plan to assume responsibility for its technical and administrative co-ordination with the support and close co-operation of UNEP, especially during the initial phase of activities. In discharging its functions, SACEP should seek the co-operation and assistance of national, regional and international organisations and institutions; these bodies should also be invited to extend all possible support to SACEP.
19. The overall authority over the Action Plan should be vested in the governments of the region. Through periodic meetings of their representatives, the governments should review the progress in the implementation of the action plan and decide on the priorities for future activities, as well as on financial and institutional arrangements supporting these activities.
20. A National Focal Point should be designated by each Government to facilitate the work of, and communication with, the regional secretariat and to co-ordinate activities within the State concerned related to the Action Plan.
21. The activities agreed upon as part of the implementation of the Action Plan should be financed principally by contributions from Governments, international and regional organisations and competent non-governmental organizations. Initially, support may be provided by the United Nations system on the assumption that this financial contribution will progressively decrease as the Governments themselves assume financial responsibility. Noting the need for additional financial resources to support the programme, the United Nations system is requested to assist the Secretariat and the Governments of the region to further develop the priority activities with a view to obtaining financial support from the Global Environment Facility (GEF) as well as other donors.

E. SUPPORTING MEASURES

22. The ultimate aim should be to make the proposed regional programme self-supporting, not only by developing institutional capabilities to perform the required tasks, but also by providing training, equipment and other forms of assistance from within the region.
23. As support for the activities of the regional co-operative programme:
 - 23.1 Training programmes should be organised for personnel from the region. These programmes should be carried out through existing national, regional or international institutions ready to offer their facilities; and
 - 23.2 Campaigns should be organised on a national and regional basis to create public awareness of national and regional issues relating to the Action Plan. Special efforts should be made to prepare materials which may be used to bring environmental concerns and activities of the regional co-operative programme to the attention of target populations.
24. Education in the principles of protection and development of marine and coastal resources should be provided as part of the ordinary educational curricula at primary, secondary and university levels, through training of special instructors or specialised training of educators, and through seminars and courses offered to the general public.

ANNEX I of the Action Plan
Integrated Coastal Zone Management

Introduction

1. The ESCAP/UNEP/SACEP Intergovernmental Meeting on Capacity Building in Coastal Environmental Management in the South Asian Seas Region, 17 - 19 May 1994, New Delhi, endorsed Integrated Coastal Zone Management (ICZM) as a priority element for environmentally sound and sustainable development of marine and coastal areas in the region (ENR/CBCEM/REP). This is in harmony with worldwide acknowledgement of the urgent need for Integrated Coastal Resources Management as expressed in Agenda 21, Chapter 17.
2. The region as a whole has important assets in terms of human and institutional capacity in relevant scientific, economic, social and technological fields and planning experiences. Therefore, specifically targeted regional co-operation activities could boost the exchange of experiences, information, data and expertise in relevant sectors; promote co-operative research programmes and technology transfer; and support the development of suitable planning guidelines, awareness-raising initiatives, scientific and technological means and capacity -building activities.
3. Activities should be carried out through the implementation of pilot projects in ICZM in each country of the region. Guidelines for the development of pilot project activities are presented in document ENR/CBCEM/2/REV.2 - Capacity-building requirements: Priority Projects and Strategy for their implementation - of the ESCAP/UNEP/SACEP Intergovernmental Meeting on capacity Building in Coastal Environmental management in the South Asian Seas Region.

Activities

4. The following activities have been selected for staged implementation by South Asian Member States:
 - (a) Preparation of Coastal Profiles, including:
 - project scope, i.e. definitions, geographic boundary;
 - identification of issues and priorities;
 - preparation of development outlooks and strategies for their achievement, and analysis of the social and economic implications of the proposed strategies;
 - identification of information gaps;
 - proposal for the preparation of a comprehensive and integrated management plan;
 - analysis of the legal and financial requirements posed by the ICZM Project Proposal; and
 - proposal for the institutional arrangements needed to support the co-ordination and implementation of the pilot project.
 - (b) Analysis and Forecasting, including:
 - surveys and research on selected issues within sectors of human and economic activities
 - analysis of natural systems, and human and economic activities in the coastal area;
 - assessment of exposure to risks, e.g. sea-level rise, natural hazards; and
 - preparation of resource atlas.

The purpose of this phase is to provide an analytical basis for the establishment of precise goals and objectives, and definition of management strategies for sustainable development in the coastal area.

(c) Definition of Goals and Strategies, including:

- refinement and adoption of goals and objectives;
- preparation of strategies; and
- evaluation of and decision on the most suitable energy.

Decision-making bodies at the highest level must approve of the goals and strategies of environmentally sustainable development in the coastal area concerned.

(d) Integration of detailed Plans and Management Policies, including:

- establishment of procedures for the approval and periodic revision of the plan;
- identification of those authorities which will adopt the planning policies and introduce the planning controls into their operations;
- definition of expenditure priorities and the technical personnel required to implement the plan; and
- specify the instruments to be used in the plan implementation.

(e) Implementation of Plans

The plan implementation will be most efficient if implemented in well defined phases.

ANNEX II of the Action Plan

Development and Implementation of National and Regional Oil and Chemical Spill Contingency Planning

Introduction

1. The ESCAP/UNEP/SACEP Intergovernmental Meeting on Capacity Building in Coastal Environmental Management in the South Asian Seas Region, 17 - 19 May 1994, New Delhi, endorsed the Development and Implementation of National and Regional Oil and Chemical Spill Contingency Planning as a priority element for environmentally sound and sustainable development of marine and coastal areas in the region (ENR/CBCEM/REP). This is in harmony with worldwide acknowledgement of the urgent need for Integrated Coastal Resources Management as expressed in Agenda 21, Chapter 17.
2. The risk associated with oil transportation along the routes of the region is high due to the intensity of oil tanker movements. Therefore, this component builds on earlier studies and regional initiatives in the field and aims at enhancing consultation and technical co-operation among the states of the region. The proposed strategy involves capacity building activities in marine environmental monitoring; marine pollution modelling and impact assessment; information storage and exchange; planning and operational capabilities required for marine pollution emergencies; and development of adequate policies and management practices and appropriate legislation in the field.
3. Activities should be carried out through the guidelines for the development of project activities that are presented in document ENR/CBCEM/2/REV.2 - Capacity-building requirements: Priority Projects and Strategy for their Implementation - of the ESCAP/UNEP/SACEP Intergovernmental Meeting on Capacity Building in Coastal Environmental Management in the South Asian Seas Region.

Activities

4. The following activities have been selected for the implementation by the South Asian Seas member States.
 - (a) Updating the South Asian Marine Pollution Emergency Plan;
 - (b) Risk analysis and assessment of infrastructure requirements for pollution emergencies, and development of mechanisms for implementation of the Plan;
 - (c) Assistance in developing and updating National Marine Pollution Contingency Plans;
 - (d) Preparation of national training and manpower development plans for marine environmental monitoring, response and combat including surveillance of oil spills and information collection and management;
 - (e) Collection, storage and dissemination of data through RENRIC of SACEP;
 - (f) Assistance in the development of national legislation where necessary; and
 - (g) Preparation of technical guidelines and dissemination to member states.

ANNEX III of the Action Plan

Human Resources Development through Strengthening Regional Centres of Excellence

Introduction

1. The ESCAP/UNEP/SACEP Intergovernmental Meeting on Capacity Building in Coastal Environmental Management in the South Asian Seas region, 17 - 19 May 1994, New Delhi, endorsed Human Resources Development through Strengthening Regional Centres of Excellence as a priority element for environmentally sound and sustainable development of marine and coastal areas in the region (ENR/CBCEM/REP). This is in harmony with worldwide acknowledgement of the urgent need for marine environmental protection as expressed in Agenda 21, Chapter 17.
2. The region as a whole has important assets in terms of human and institutional capacity in relevant scientific, economic, social and technological fields and planning experiences. The centres of excellence should address the requirements of human resource development in a regional perspective, through training programmes targeted to personnel from the countries of the region, fellowship schemes for enhancing the inter regional sharing of expertise and experiences, and joint research programmes in relevant fields. The centres should serve the main purpose of strengthening the development of human resources within the region in close link with the activities identified in Annexes 1 and 2.
3. Activities should be carried out through the guidelines for the development of project activities that are presented in document ENR/CBCEM/2/REV.2 - Capacity-building requirements: Priority Projects and Strategy for their Implementation - of the ESCAP/UNEP/SACEP Intergovernmental Meeting on Capacity Building in Coastal Environmental Management in the South Asian Seas Region.

Activities

4. The following activities have been selected for the implementation by South Asian member States:
 - (a) Development of research programmes and projects and sharing of experience in the empowerment of local communities;
 - (b) Development of guidelines for multidisciplinary research in Integrated Coastal Zone Management (based on the implementation of the pilot projects) and for the replication of pilot experiences;
 - (c) Training of personnel involved in pilot projects on ICZM in all aspects of ICZM and for future ICZM projects and preparation of training manual; and
 - (d) Refinement and testing of methodologies and techniques for participatory research and for eliciting community participation that would facilitate plan implementation.

ANNEX IV of the Action Plan

Protection of the Marine Environment from Land-based Activities

Introduction

1. The United Nations Convention on the Law of the Sea 1982 came into force on November 16, 1994. Its universality has been assured by means of an Implementing Agreement relating to Part XI of the Convention which was opened for signature in July 1994. All the countries of the South Asian region are signatories to this umbrella Convention which regulates the activities of nations in the ocean sector both within and outside national jurisdiction. The Convention has specific provisions relating to the prevention, reduction and control of marine pollution from land-based activities.
2. The South Asian Seas region is characterized by the location of some of the largest population concentrations in the world. The cities and urban agglomerations situated on the coast are the single largest polluters of the marine environment. Untreated sewage and industrial effluent, solid waste and agricultural activities are identified as amongst the most significant causes of pollution of coastal waters. Other causes of degradation to coastal ecosystems include the mining of sand and coral, and exploitation of fishery stocks. Coral reefs and mangroves are identified as among the most important ecosystems that are threatened from land-based activities.
3. In this context, it should be noted that a Regional Programme of Action for the Protection of the Marine Environment of the South Asian Seas from Land-based Activities was prepared by SACEP for the Meeting of Government-designated Experts to Review and Revise a Global Programme of Action to Protect the Marine Environment from Land-based Activities, Reykjavik, 6-10 March 1995 (document UNEP(OCA)SAS WG3/9). This document will be reviewed and adopted at a later date.

Activities

4. The following activities have been selected for implementation by South Asian Seas member States:
 - (a) Development of a strategy, including refinement of the Programme of Action, for the Protection of the Marine Environment of the South Asian Seas from Land-based Activities;
 - (b) Development of a regional programme for monitoring of marine pollution in the coastal waters of the South Asian Seas and the regular exchange of relevant data and information;
 - (c) Development of pilot activities in countries of the South Asian Seas to control the degradation of the marine and coastal environment from land-based activities;
 - (d) Training of personnel involved in these pilot projects to control the degradation of the marine and coastal environment from land-based activities, including preparation of a training manual;
 - (e) Development of a regional programme to identify the special problems of the largest coastal cities, each having a population of more than 10 million by the year 2000, and of the island States in the areas of: (i) disposal of domestic effluents; and (ii) collection and disposal of solid wastes;

The programme may also include identification of appropriate technologies from the developed world for disposal of these wastes and their application.

- (f) Development of a regional programme for identification of industrial technologies which are clean, environmentally friendly and existing in the countries of the region, and their introduction to ensure minimization of effluent generation and efficient disposal;

The programme may also include strengthening of institutions in the countries of the region for developing these technologies with the support of developed Nations and global funding.

- (g) Development of a special programme to address the problems of the island States and territories in terms of regulating use of non-biodegradable and hazardous substances imported from outside.

INSTITUTIONAL AND FINANCIAL ARRANGEMENTS FOR THE IMPLEMENTATION OF THE ACTION PLAN

1. The efficient implementation of the Action Plan will be mutually dependent upon action at the national, sub-regional and regional levels. It is therefore, important to identify the lines of authority and communication for both policy and technical working levels and to develop appropriate institutional capabilities and co-operative mechanisms for each. This will contribute to strengthening of the Regional Seas Programme as requested in Agenda 21.

OVERALL AUTHORITY AND POLICY GUIDANCE

2. The regular periodic meeting of the Governments (Intergovernmental Meetings) will be the sole authority in determining the content, review, progress and approval of the workplan of the regional programme. The purview of the Intergovernmental Meeting will also include the financial implications of the regional programme.

TERMS OF REFERENCE FOR INTERGOVERNMENTAL MEETINGS

3. The meetings of Governments of Bangladesh, India, Maldives, Pakistan and Sri Lanka shall normally be held every two years, or as the need arises.
4. The chairmanship of the meeting shall be given to each Member State, in turn, in alphabetical order. The chairmanship shall be for a period of two calendar years.
5. It shall be the function of the meetings of the Governments to keep under review the implementation and execution of the Action Plan and should make policy decisions concerning all substantive and financial matters and, in particular, should:
 - (i) review the progress achieved in implementing the programmes since the previous meeting;
 - (ii) careful evaluation of the results achieved;
 - (iii) adopt a workplan for the implementation of the programme in the subsequent two year period;
 - (iv) provide the policy guidance for the procedures to be followed in the implementation of the programme;
 - (v) approve the budgetary resources required to support the workplan and their allocation for a two year period;
 - (vi) agree upon the means for financing activities of the programme, including firm pledges for contributions to be made by Governments; and
6. The Rules of Procedure of SACEP Governing Council will be applied mutatis mutandis for the conduct of the Meetings.
7. Intergovernmental meetings of participating States will normally be held at Ministerial Level.

8. The South Asia Co-operative Environment Programme, which is the Secretariat for the Action Plan, shall make all arrangements for conducting the meetings at a suitable venue as decided by the meeting of Governments. The Director, SACEP, will act as the Secretary to the Meeting.
9. A Consultative Committee comprising of the diplomatic representatives of the Member States of the South Asian Seas in Sri Lanka will meet quarterly at the SACEP Secretariat. The Director, SACEP, will act as the Secretary to the Committee.
10. The functions of the Consultative Committee will be mainly:
 - (i) to deliberate on the activities which require immediate action; and
 - (ii) to review the progress achieved in implementing the Action Plan.

NATIONAL FOCAL POINTS

11. The active participation and co-operation of the South Asian Seas States in the programme are basic prerequisites for its success. In order to achieve efficient and well co-ordinated co-operation at both the national and regional levels, a National Focal Point should be established (or an existing structure should be designated) at a high level in each of the participating Governments to harmonise, on the National level, all matters concerning the regional programme. The involvement of the NGOs in the implementation of the Action Plan will be encouraged.
12. The role of the National Focal Point should be:
 - (i) to act as the only official channel of communication with the Member States;
 - (ii) to co-ordinate, as appropriate, the participation of national institutions and agencies through National Project Co-ordinators in the agreed programme; and
 - (iii) to consult with all relevant organisations concerned in their respective Governments on the activities and progress achieved in implementing the Action Plan.

NATIONAL PROJECT CO-ORDINATORS

13. The activities identified under the action plan will be implemented by and large on project basis. In order to achieve successful implementation of the projects identified under the action plan through the Government Departments, National and other institutions, National Project Co-ordinators for each project will have to be established by the National Focal Points.
14. The role of National Project Co-ordinators should be:
 - (i) to co-ordinate, as appropriate the participation of Government Departments, National and other institutions and agencies in the formulation and implementation of the projects identified; and
 - (ii) to periodically inform the National Focal Point and SACEP about the progress made under the projects identified.

NATIONAL INSTITUTIONS

15. National institutions to be selected and designated by the National Focal Points (such as Research Centres, Laboratories, Government Institutions and Agencies, Universities) should provide the institutional basis for carrying out the technical work of the programmes's activities. They should be the principal executing or implementing agencies of the project activities and will be under the overall control of National Project Co-ordinators identified by the National Focal Points. The involvement of Non-Government Organizations in the implementation of the Action Plan should be encouraged.
16. In order to allow for complete and effective participation in agreed activities, technical and managerial assistance (such as equipment and training) should be provided through the Action Plan to strengthen, when necessary, the capabilities of national institutions participating in the programme.

NATIONAL CO-ORDINATION COMMITTEE

17. Experience has shown that a higher degree of efficiency and mobilisation of National Institutions can be achieved by the establishment, in each of the participating States, of a National Committee for the regional programme composed of representatives of the most important National Institutions (Ministries, Government Institutions and Agencies, Universities, other Research Centres, etc). Such a committee, to be set up by each country, can play a crucial role in mobilising support within each State, for the activities of the regional programme. In proposing the establishment of such a committee, it is clear that it is left to the discretion of each government to review its national administrative structure and to decide whether such a committee could usefully serve to promote and strengthen its national participation in the regional programme.

NETWORKING

18. A networking system will be established among SACEP, National Focal Points and National Project Co-ordinators. Under the network, SACEP will play the key role of co-ordination in carrying out various activities and projects identified under the Action Plan. The interaction of SACEP will always be with the National Focal Points and the National Project Co-ordinators in carrying out its tasks. Regional institutions participating on a voluntary basis can have interaction both with SACEP as well as with the National Project Co-ordinators.

SECRETARIAT

19. The foregoing established the need for a Secretariat, which will be responsible for the overall co-ordination and continuous monitoring of the implementation of the Action Plan.
20. Taking into consideration the fact that UNEP's contacts with the Governments concerned during the preparatory stages leading to the adoption of the Action Plan showed a strong support for designating the South Asia Co-operative Environment Programme (SACEP) as responsible for the Secretariat functions of the regional programme. The Second Meeting of National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region held on 7 - 11 December 1987, recommended that the South Asia Co-operative Environment Programme (SACEP) should be considered as the Secretariat of the Action Plan once it is adopted.

21. It is recommended that the Secretariat be strengthened, but be kept to a minimal size in order to ensure that the maximum amount of available funds may be used to achieve the programme goals, set forth in the Action Plan.

TERMS OF REFERENCE FOR THE SECRETARIAT

22. The Secretariat would be responsible for the overall technical management and co-ordination of the activities carried out under the regional programme, including the administration and management of the programme, its project activities and budget as adopted or modified by the Intergovernmental Meeting and Management of the finances of the South Asian Seas Programme.
23. The general functions of the Secretariat shall be to:
- (i) formulate project documents for specific activities agreed upon as part of the regional programme and locate and mobilise funds for the projects from donors;
 - (ii) negotiate and co-ordinate the execution of regional projects through the network of National Focal Points and National Project Co-ordinators as well as international, regional and sub-regional organisations;
 - (iii) collect, collate and analyse results obtained through project activities and disseminate relevant and related information as appropriate;
 - (iv) organise Expert, Focal Point and Intergovernmental Meetings to be held in connection with the regional programme, including preparation of reports and other documents for the meetings;
 - (v) keep the National Focal Points and the Consultative Committee regularly informed of the progress achieved in carrying out the work programme, the results achieved and problems encountered;
 - (vi) manage the financial resources available for the implementation of the Action Plan; and
 - (vii) seek and encourage the involvement of United Nations Organizations, multi-lateral and bi-lateral donors, and Non-Government Organizations in the implementation of the Programme of Action.
24. The Secretariat will not be expected to conduct field research and execute projects, since such research and project execution will have to be undertaken primarily by the National Institutions, if necessary, with the co-operation and assistance of international and regional organisations. The Secretariat would serve as a co-ordinating centre providing information, identifying regional experts and institutions to aid participating States in solving specific environmental problems, facilitating information exchange and co-operation among these experts and institutions and promoting project activities identified by the Governments.

PERSONNEL/STAFF

25. The composition and expertise of the staff of the Secretariat will depend upon the activities and the magnitude of the programme adopted by the Governments. It is proposed as a long term objective that the Secretariat for the regional programme should be adequately strengthened.
26. For tasks that require specific expertise, the Secretariat will be assisted by consultants recruited from the region as far as possible.

COST OF THE SECRETARIAT

27. The costs of the operation of the Secretariat are related to the co-ordination of the activities agreed within the framework of the adopted programme and includes the servicing the meetings, core staff and the administrative costs. The estimated annual cost for the core staff of the Secretariat of the South Asian Seas Regional Programme is given in Appendix I.

SOUTH ASIAN SEAS ACTION PLAN TRUST FUND

28. The Second Meeting of the National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region held on 7 - 11 December 1987, recommended that a Fund supporting the Action plan should be established and SACEP should be entrusted with its management. The fund is to receive:
- (i) annual contributions from the Member States to meet the cost of institutional arrangements;
 - (ii) contributions from the Member States as well as from the UN, including catalytic funding from the UNEP Regional Seas Programme and other organisations, agencies etc., to meet the cost of implementation of projects identified under the action plan; and
 - (iii) contributions from any other source agreed to by the Member States.

FINANCIAL MANAGEMENT

29. The management of funds contributed by the Members States to meet the institutional costs of the Secretariat will be entrusted to SACEP. With reference to funds required to implement the projects identified under the action plan, the financial contribution by the member states will always be on a project basis. The countries involved in the project would contribute on a mutually agreed basis.

Financial contributions in support of implementation of the Action Plan may also come from, for example, United Nations Organisations, the Global Environment Facility (GEF), the Asian Development Bank (ADB), States supporting the regional programme but not participating in it, and regional and international organisations which are not part of the United Nations System. Funds may also come from any other source agreed to by the Member States. Contribution to the Action Plan activities and projects may be both on a cash or in kind (staff time, experts, training facilities, ship time, services etc) basis.

SCALE OF CONTRIBUTION TO INSTITUTIONAL ARRANGEMENTS OF THE SECRETARIAT

30. The Third Meeting of National Focal Points on the Development of an Action Plan for the Protection and Management of the South Asian Seas Region, held on 23 - 25 November 1994, considered many possible ways to determine the level of contributions for the institutional arrangements and recommended the South Asian Association for Regional Co-operation (SAARC) Scale of Contribution to meet the institutional arrangements as follows:

All participating States shall on an annual basis, contribute to the South Asian Seas Trust Fund according to the same ratios in the SAARC Scale of Assessment agreed upon by SAARC Member States, where the maximum contribution from a Member State is 35% whilst the minimum contribution is to be 5%.

SAARC SCALE OF ASSESSMENT

CONTRIBUTOR	A	B
BANGLADESH	11.35	14.50
INDIA	32.10	35.00
MALDIVES	5.00	6.50
PAKISTAN	23.85	29.50
SRI LANKA	11.35	14.50
TOTAL	83.65	100.00

COLUMN A: Percentage contribution to the SAARC Secretariat

COLUMN B: Contribution to the proposed South Asian Seas Fund based on A with a maximum contribution being 35% and minimum being 5%.

APPENDIX 1: ESTIMATED COST FOR THE SECRETARIAT OF SAS REGIONAL PROGRAMME

(Expressed in US \$)

	COST ITEM	FIRST YEAR	SECOND YEAR
1.	PERSONNEL		
	International		
	Programme Officer(s)	40,000	
	Local		
	1 Secretary	2,500	
2.	OFFICE INFRASTRUCTURE		
	Furniture	1,500	
3.	RENTAL AND MAINTENANCE	5,000	
4.	ADMINISTRATION COSTS	5,000	
5.	MEETINGS AND INTERNATIONAL TRAVEL	10,000	
6.	DOCUMENTS	2,500	
7.	CONTINGENCIES	5,000	
	TOTAL	71,500	
	RECURRENT	70,000	76,000
	CAPITAL	1,500	

ANNEX V
RESOLUTIONS

RESOLUTION 1: IMPLEMENTATION OF THE SOUTH ASIAN SEAS ACTION PLAN

The Meeting of Plenipotentiaries.

Noting that the overall authority for the Action Plan is vested in the Governments of the region and having adopted, on 24 March 1995, the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region,

1. Decides that, for the period 1995-1996, programme activities should be undertaken in the following areas, subject to the availability of resources:

Annex 1 - Integrated Coastal Zone Management;

Annex 2 - Development and Implementation of National and Regional Oil and Chemical Spill Contingency Planning;

Annex 3 - Human Resource Development through Strengthening Regional Centres of Excellence;
and

Annex 4 - Protection of the Marine and Coastal Environment from Land Based Activities.

2. Invites the Director of the South Asia Co-operative Environment Programme (SACEP),

- (a) To act as the Secretariat for the South Asian Seas Action Plan and to enhance its capacities for this purpose.
- (b) To prepare, with the support of the UNEP's Regional Seas Programme and in co-operation with the other competent international and regional organizations, including ADB, ESCAP, IOC of UNESCO, IMO, UNDP and Governments of the region, detailed documents describing the operational details of projects to be developed on the basis of priorities identified in 1. above.
- (c) To convene, quarterly at the SACEP Secretariat, meetings of the Consultative Committee to review the progress achieved in implementing the Action Plan and to deliberate on activities which require immediate attention. The Consultative Committee will also advise on financial implications of project implementation and if necessary advise the secretariat on their revision.
- (d) To co-ordinate the implementation of the projects agreed at the Meeting of Plenipotentiaries, subject to the availability of funds.

RESOLUTION 2: INSTITUTIONAL ARRANGEMENTS FOR THE IMPLEMENTATION OF THE SOUTH ASIAN SEAS ACTION PLAN

The Meeting of Plenipotentiaries.

Having adopted the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region,

Noting the willingness of SACEP to accept the designation as the organization responsible for the secretariat functions of the South Asian Seas Action Plan (SASAP),

1. Calls upon the Director of SACEP, in consultation with the Governments of the South Asian Seas region, with the support of UNEP and in close co-operation with the relevant United Nations bodies and intergovernmental and non-governmental organizations, to make such arrangements as required to achieve the objectives of the SASAP.
2. Also calls upon the Director of SACEP to convene every two years an Intergovernmental meeting of the States of the South Asian Seas region in order to keep under review the implementation and execution of the Action Plan and make policy decisions concerning all substantive and financial matters relating to the SASAP. Specifically, the Intergovernmental meetings should:
 - (a) review the progress achieved in implementing the programmes since the previous meeting;
 - (b) carefully evaluate the results achieved;
 - (c) adopt a workplan for the implementation of the programme in the subsequent two year period;
 - (d) provide the policy guidance for the procedures to be followed in the implementation of the programme;
 - (e) approve the budgetary resources required to support the workplan and their allocation for a two year period; and
 - (f) agree on the means of financing activities of the programme, including firm pledges for contributions to be made by Governments.
3. Requests the Director of SACEP to convene in 1997 an Intergovernmental Meeting in order to review the progress achieved in the implementation of the Action Plan and to further consider the institutional and financial arrangements.
4. Also requests the Director of SACEP to convene, quarterly at the SACEP Secretariat, a meeting of the Consultative Committee to provide the secretariat with policy guidance on the implementation of the decisions taken at the Meeting of Plenipotentiaries and subsequent Intergovernmental Meetings.

RESOLUTION 3: FINANCIAL ARRANGEMENTS FOR THE IMPLEMENTATION OF THE SOUTH ASIAN SEAS ACTION PLAN

The Meeting of Plenipotentiaries.

Having adopted the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region,

Noting the willingness of SACEP to be entrusted with the management of the proposed South Asian Seas Action Plan (SASAP) Trust Fund,

Also noting the readiness of the States of the region to contribute to the costs for implementation of the Action Plan through a SASAP Trust Fund,

1. Decides that the SASAP Trust Fund be financed, at least for the initial two year period, by annual contribution according to the ratios in the SAARC Scale of Assessment agreed upon by SAARC member States, where the maximum contribution from a member State is 35% whilst the minimum contribution is 5%. The actual contributions from the states are to be assessed as follows:

COUNTRY	%	1995 US\$	1996 US\$
Bangladesh	14.5	10,367.50	11,020.00
India	35.0	25,025.00	26,600.00
Maldives	6.5	4,647.50	4,940.00
Pakistan	29.5	21,092.50	22,420.00
Sri Lanka	14.5	10,367.50	11,020.00
TOTAL		71,500.00	76,000.00

2. Requests the Director of SACEP to assume responsibility for administering the SASAP Trust Fund.

3. Urges the States to pay their contributions in equal yearly installments, starting from April 1995.

4. Calls upon the Director of SACEP, with support from UNEP's Regional Seas Programme, UNDP, ESCAP, IMO, IOC of UNESCO, Asian Development Bank and other relevant organizations to search for additional financial resources which may be available for the implementation of the SASAP, in particular to approach the Global Environment Facility on behalf of the participating States to seek funds for the implementation of the components of the South Asian Seas Action Plan.

5. Undertakes to explore potential international sources of additional financial support for the implementation of the South Asian Seas Action Plan.

ANNEX VI

Meeting of Plenipotentiaries on the Action Plan for
the Protection and Management of the Marine and
Coastal Environment of the South Asian Seas Region

New Delhi, 24 March 1995

FINAL ACT

1. The Meeting of Plenipotentiaries on the Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas Region was convened, at the request of the Governments of the region, by the Executive Director of the United Nations Environment Programme pursuant to decision 11/7 of the General Council, adopted 24 May 1983, which requested "...the Executive Director to designate the South Asian Seas as a region to be included in the regional seas programme, in close co-operation with the South Asia Co-operative Environment Programme and the Governments of the Region, and to assist in the formulation of a plan of action for the environmental protection of the South Asian Seas."
2. The Meeting was held in New Delhi at the invitation of the Government of India on 24 March 1995.
3. The States invited to participate at the Meeting of Plenipotentiaries were the: People's Republic of Bangladesh, Republic of India, Republic of Maldives, Islamic Republic of Pakistan and Democratic Socialist Republic of Sri Lanka.
4. All of the afore mentioned states accepted the invitation and participated in the Meeting.
5. Representatives of the following Intergovernmental organisations also attended the Meeting: Economic and Social Commission for Asia and the Pacific (ESCAP); International Maritime Organization (IMO); Intergovernmental Oceanographic Commission (IOC) of UNESCO; South Asia Co-operative Environment Programme (SACEP); and United Nations Environment Programme (UNEP).
6. The Meeting was inaugurated on behalf of the Government of India by Hon. Mr Pranab Mukherjee, Minister for External Affairs. The meeting was opened, on behalf of the Executive Director of the United Nations Environment Programme, by Mr Peter Schroder, Director, Oceans and Coastal Areas Programme Activity Centre. An opening statement was also made by Mr Eduardo Faleiro, Minister for Ocean Development, Government of India.
7. The Meeting elected Mr Eduardo Faleiro (India) as President of the Meeting, Mr M. Abul Quasem (Bangladesh), Mr Asif Shuja Khan (Pakistan) and Ms S. Athulathmudali (Sri Lanka) as Vice Presidents, and Mr Hussain Shihab (Maldives) as Rapporteur.

8. The Meeting considered the Report of the Fourth Meeting of National Focal Points, presented as UNEP(OCA)SAS WG3/REP. This document contained the proposed final drafts of the Action Plan with Annexes, Institutional and Financial Arrangements, Resolutions and the Final Act to be adopted by the Meeting of Plenipotentiaries.

9. As a result of the deliberations at the Meeting, the Action Plan for the Protection and Management of the South Asian Seas Region, with Annexes, and the Institutional and Financial Arrangements for the Implementation of the Action Plan were adopted.

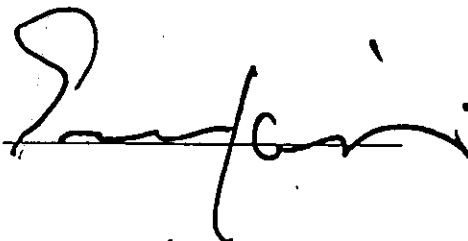
10. The Meeting also considered and adopted the Resolutions, the texts of which are appended to this Final Act.

The Action Plan for the Protection and Management of the Marine and Coastal Environment of the South Asian Seas was signed by the representatives of: People's Republic of Bangladesh; Republic of India; Republic of Maldives; Islamic Republic of Pakistan; and Democratic Socialist Republic of Sri Lanka.

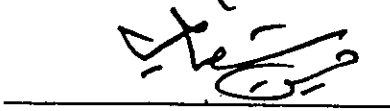
In witness whereof the representatives have signed this Final Act.

Done at New Delhi, this 24th day of March, 1995, in a single original copy, to be deposited in the archive of Department of Ocean Development, Government of India, New Delhi .


People's Republic of Bangladesh



Republic of India



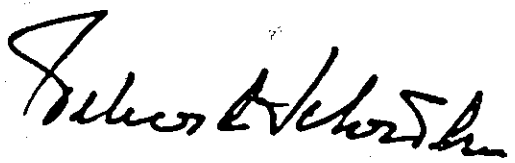
Republic of Maldives



Islamic Republic of Pakistan



Democratic Socialist Republic of Sri Lanka

In witness whereof 
UNEP