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Implementing the Strategic Action Programme for the Yellow Sea Large Marine Ecosystem:  
Restoring Ecosystem Goods and Services and Consolidation of a Long-term Regional  
Environmental Governance Framework (UNDP/GEF YSLME Phase II Project)

## **Proceedings of the 1st Meeting of the Regional Working Group on Governance (RWG-G) of the UNDP/GEF YSLME Phase II Project**

Seoul, RO Korea  
14-15 December 2017

The background of the cover is a vertical rectangular image showing an underwater scene. At the top, there are several small white bubbles rising. In the upper right corner, a group of dark-colored fish is swimming. The water has a light blue-green hue at the top, which transitions into a darker blue towards the bottom. The overall texture is slightly grainy, typical of a photograph.

# *Yellow Sea*

*Sea of Friendship*

*Sea of Peace*

*Sea of Cooperation*

*Sea of Prosperity*

# Proceedings of the 1st Meeting of the Regional Working Group on Governance (RWG-G) of the UNDP/GEF YSLME Phase II Project

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# PROCEEDINGS OF THE MEETING

## I. Opening of the meeting

1. The 1st Meeting of the Regional Working Group on Governance (RWG-G) of the UNDP/GEF YSLME Phase II Project was held in Korea University, Seoul, on December 14th and 15th 2017. Organized by the Secretariat, the meeting was participated by government officials and members of the RWG-G from PR China and RO Korea, National Coordinators, partners, and Secretariat staff.
2. Mr. Yinfeng GUO, Chief Technical Adviser of the Project, opened the meeting and welcomed all participants to Seoul, RO Korea. He underscored importance of the RWG-G meeting in operationalizing the institutional arrangements established in the first meeting of the YSLME Interim Commission Council in July 2017, and expected this meeting to cover the Project's objective of establishing a long-term sustainable environmental governance framework.
3. Participants were invited to introduce themselves. Each gave a brief description of his/her organization and expertise related to the mandate of the RWG-G. The list of participants is attached to this report as Annex I.

## 2. Organization of the meeting

### Election of Chair and designation of rapporteurs

4. As per recommendation by participating members, Mr. Suh-Yong CHUNG of RO Korea was elected to serve as the Chair of the meeting.

### Adoption of agenda

5. Mr. Yinfeng GUO introduced the agenda with explanations on the expected outcomes of each session. The meeting was divided in seven sessions – 1) Roadmap towards a sustainable regional environment governance mechanism; 2) Project extension; 3) Mid-term evaluation; 4) Enhancing national and regional legal instruments for sustainable ocean management; 5) National Strategic Action Planning 2018-2020; 6) Knowledge management and capacity development to facilitate SAP implementation; and 7) Partnership development.
6. The representative from RO Korea requested to discuss participation by DPR Korea in the Project under the agenda of "Other Business", and further suggested to proceed with "Other Business" before the agenda item "Time and Venue of Next Meeting". The Chair also suggested the two countries to update the meeting the results of bilateral discussion on the chairmanship of the RWGs. Without further interventions from the participants, the meeting adopted the agenda as revised. Please refer to Annex 2 for the revised agenda of the meeting.

### 3. Review and refine documents approved by the 1st Meeting of Interim YSLME Commission Council

#### Review of activities related to RWG-G for 2017

7. The Secretariat presented an overview of the YSLME Phase II Project to provide participating members with a clear understanding of the project background, objectives, activities, targets, framework, and deliverables, among others.
8. In response to the Secretariat's presentation, the Chair shared his views on how the ecosystem-based approach played a huge contributing role to the success of the YSLME Phase I Project. In this regard, he suggested the Secretariat to consider including information addressing how ecosystem-based approach works and why it can better describe current issues in the YSLME Phase II Project, compared to the traditional/conventional approach.
9. The Chair recommended that, instead of placing just one single SDG (SDG 14), the Secretariat make reference to all related SDGs including SDG 13 on climate change. In terms of sustainable financing, climate change was also identified as a window to secure funding from Green Climate Fund (GCF).

#### Terms of reference of RWGs and Chairs/Vice Chairs

10. The Secretariat introduced the draft of TORs of RWGs, with focus on RWG-G, and Chairs/Vice Chairs as evaluated by the Management, Science and Technical Panel (MSTP). The document will be subject to approval during the second meeting of the Interim YSLME Commission Council.
11. Ms. Suyeon KIM of RO Korea suggested to delete "2-4 leading regional experts" under the membership section as the phrase might denote limitations in the number of participants. She also mentioned that the Project should secure more experts if the budget allows.
12. Mr. Fengkui LIANG from PR China emphasized that before the RWG meeting, the national working group (NWG) has its own assembly which will more likely have many participating experts. In this regard, it might not be necessary to have many experts in the regional level. He added that the 2-4 leading regional experts can be taken as "core-members" and if necessary, the Project can add more depending on the circumstances.
13. Based on the views and ideas from participants, the Meeting concluded to revise the sentence in question as "2-4 leading regional experts as core members, and if necessary, more experts can be invited depending on the circumstances".
14. The Chair also suggested to put the phrase "with assistance of the Secretariat," in every activity of Chairs and Vice Chairs.

#### TOR of RWG-G

15. The Secretariat introduced the TOR of RWG-G.

Ms. Rui GUO from PR China further requested that Objective 4 in relation to bilateral fisheries agreement be deleted not only in TOR of RWG-G but in all RWG documents since this has its own process, procedures and issues to address. In addition, she also asked to move deliverable d) "regional guideline to incorporate FAO Code of Conduct (CoC) for Responsible Fisheries" to the mandate of RWG-F.

16. Mr. Junghee CHO, the NWG Chair of RO Korea, agreed to the deletion of Objective 4 on coordination with bilateral fishery agreement considering the fact that RO Korea and PR China have already been working on this. As for the recommendation to move deliverable d) to RWG-F, Mr. CHO expressed his concern over the limited capacity of RWG-F which will not be able to accommodate the activity due to limited budget, insufficient time and heavy workload. Then he questioned the practicality of developing a regional guideline for implementation of FAO Code of Conduct for Responsible Fisheries due to the totally different circumstances of PR China and RO Korea.
17. Ms. Suyeon KIM from RO Korea agreed on the request to delete Objective 4, however, asked for verification if there is a need to get prior approval from MSTP/ICC and UNDP and whether or not the deletion will bring negative impact to the MTR. Furthermore, if the objective including fisheries is deleted from the TOR, the Project might have an influence on all related activities in the workplan (e.g. Activity 2 of Output 1.4.1).
18. Mr. GUO emphasized the lessons learnt in the GEF Project in the portfolio of International Waters that for the projects covering transboundary issues to be successful, it is prerequisite for the participating countries to have mutual interest, mutual trust and mutual benefits.
19. After a lengthy discussion, RWG-G agreed to keep deliverable d) under its mandate.

#### **RWG-G workplan (2017-2019)**

20. The Secretariat presented the draft workplan (2017-2019) for the RWG-G consisting of key deliverables, objectives and description of activities.
21. Mr. Sei-Joong KWON of RO Korea asked for clarification if it is necessary to also include in Objective 1: "Enhance capacity of governments at different levels to apply economic analysis in investment decision making" similar analysis used in Phase I (socioeconomic, political, institutional, stakeholder aspect) in addition to the current mechanisms.
22. In response to the inquiry, Mr. Yinfeng GUO responded that the economic analysis usually covers socioeconomic factors and this project has a relevance on socioeconomic development, especially when the issues on fish stocks and sustainable mariculture are addressed.

## **4. Session 1: Roadmap towards a sustainable regional environmental governance mechanism**

### **Review the concept paper on the roadmap for a sustainable regional mechanism for implementation of the SAP**

23. The Chair presented the roadmap toward a sustainable arrangement for effective ecosystem-based management (EBM) of the Yellow Sea. Contents include background; goals and objectives; framework and key elements of YSLME Commission; priority activities; and timeframe for the establishment of the Interim Commission for improved LME Governance.
24. In his presentation, the Chair proposed an idea of having one Secretariat to improve efficiency which could be another issue for two governments to consider. Further to the suggestion made by the Chair, Mr. Sei-Joong KWON supported the One-Secretariat suggestion, and reminded the meeting to consider several factors including the location, size, government system, functions, and activity plans in establishing the Secretariat.

25. Mr. KWON also stressed that updated TDA, SAP and NSAPs should be completed as soon as possible and requested the Secretariat to explain a process on how to proceed for the establishment of the YSLME Commission. On sustainable financing, Mr. KWON underscored the need to secure additional and new funding and suggested PR China to secure funding in a more innovative way, including from sources such as Green Climate Fund. He added that if it is not against the UN sanctions the Project is encouraged to engage DPR Korea in project activities.
26. On engagement of local governments and NGOs, Mr. KWON suggested to look for appropriate NGOs and other institutions that can provide assistance, and coordinate with local governments of Incheon, Dalian and Shandong, among others.

### **Sustainable financing for establishment of Commission**

27. Mr. Yinfeng GUO from the Secretariat gave a follow-up presentation on the status, gaps and actions needed to institute the YSLME Commission. The content focused on three aspects - regional policy, institutional development and sustainable financing. He underscored the importance to achieve in a balanced manner the dual objectives of restoring ecosystem goods and services of YSLME and institutionalizing the YSLME Commission. He reminded the two countries of the need to test and prove the cost-effectiveness and efficiency in restoring the YSLME through implementation of proposed regional collaborative activities as supported by the Project for adaptive management to be applied by both countries. On sustainable financing, Mr. GUO said that co-financing for 2019 and beyond from RO Korea to implementation of the regional cooperation framework is not yet determined. In the absence of comparable data to generate a better picture of status of Yellow Sea, the success of the regional cooperation framework remains to be known. He called for new efforts by both PR China and RO Korea to secure long-term financing for implementation of the SAP, including documenting the efficiency and effectiveness of regional cooperation, costing of implementation of regional cooperation framework, determining the basic, optimal and maximum level of financing and securing funding by both countries.
28. Asked to clarify the general meaning of the communication strategy, Mr. Yinfeng GUO from the Secretariat said the communication strategy is developed to raise awareness and project visibility to various stakeholders, especially to potential financing bodies. The Secretariat has prepared and included the TOR of consultancy to develop communication strategy as one of meeting documents.
29. After the presentation, Ms. Suyeon KIM of RO Korea requested the PMO to explain the plans and timeline for the establishment of the YSLME Commission. She suggested to have draft version of TOR for a task force as a working document which will serve as a reference to initiate discussion between countries.
30. Mr. Sei-Joong KWON requested the Secretariat to provide guidelines on how to proceed with the establishment of the YSLME Commission, possibly with overview containing information on the timeline and people involved at the initial stage. He encouraged both countries to assist the Secretariat by providing experts and necessary information if requested.
31. In addition, Mr. KWON suggested the Secretariat to develop a material showcasing the works of the YSLME project for parliament and financing entities. The draft will go through short evaluation process at the initial stage and expects the contents to be included with information on what the project has done and achieved with evidence throughout years, such as the number of fishing vessels from buy-backs.



32. Mr. Fengkui LIANG of PR China agreed to Mr. KWON's suggestions, adding the following points:
  - The need to provide a clear picture of project progress to educate stakeholders on the importance of the YSLME Project
  - The need to take into account emerging activities due to the huge tasks within the given timeframe
  - More efforts to identify options to secure funding, including, GEF, GCF and private donors
  - The merit of having a soft and non-legally binding Commission that is easy to achieve during the project cycle, and need to understand the relationship between the China-Korea Joint Ocean Research Center, etc.
  - Better to have more experts who have expertise on other issues instead of having a TF
33. Considering concerns on time and budget constraints, the Chair recommended to establish one or two Task Forces (TFs) with their responsible functions:
  - Proposal A: One TF that will cover reviews of all current policies, institutional and financing.
  - Proposal B: Two TF one focusing on policies and the other on institutional and financing.
34. The Chair stressed on the importance of elements to consider in the decision-making process, which could be budget availability and level of efficiency, among others.
35. Mr. Yinfeng GUO said that in developing the materials, collaboration between two countries is highly necessary and suggested to review of progress with implementation of YSLME SAP as a priority task to undertake by both countries.
36. The Secretariat is expected to initiate the consultation process with the two governments on establishing TFs including the TOR/s of either Proposal A or B. The TOR covering scope of work and team members will then be presented in the next MSTP meeting for further consideration and adoption by the ICC.
37. In response to the inquiry by Ms. Suyeon KIM about the time for the completion of the draft, the Chair encouraged the Secretariat to consider deadline to be no later than next ICC meeting and he emphasized that the TOR should be adopted in the next ICC.
38. Considering the fact that the one of the two goals of the Project Phase II is to establish the YSLME Commission, the Chair explained that relevant documents, which will be prepared during the remaining two years of the project, should be agreed upon by the two governments and adopted formally through the ICC, and encouraged both PR China and RO Korea to actively communicate with the Secretariat and respond in a timely manner to avoid any possible delays.
39. The Chair also added more information on possible signing ceremony which could be organized by participation of representatives of the member governments, ideally the Head of the States. The document to be prepared, serving as the constitution of the YSLME Commission, may possibly not be a legally-binding agreement, however, a special ICC meeting might be organized during the signing ceremony, depending on the circumstances.
40. In response to the suggestions, Mr. Fengkui LIANG expressed the need for internal discussion among experts and IMCC members in the country. After returning to PR China, Chinese delegates are expected to provide feedback to the Secretariat at the soonest time possible.

## 5. Session 2: Project extension

### Project extension, scenarios, financial implications

41. The Secretariat briefly introduced the rationale of project extension, scenarios, financial implications to the Project and countries, and sought advice on documents to be prepared at the MSTP and ICC for review. Basically, in the Secretariat's review, a no-cost 30-month extension is anticipated, and maintains that support of the two countries to the operation and staffing of the Secretariat for 12 months seems to be necessary for approval of 30-month extension by UNDP.
42. Mr. Sei-joong KWON of RO Korea said the countries need more time for internal discussion on Commission issue which seems to be interlinked with project extension and financial implications.
43. The Chair encouraged the Secretariat to consult with two governments, expressing high interests on financial implications.

## 6. Session 3: Mid-term evaluation

### Part 1: Mid-term evaluation of the project

44. The Secretariat presented the TOR of the Mid-Term Review (MTR) with brief explanation on objectives, methodology, scope of work, timeframe, deliverables and arrangements.
45. After the presentation, the Chair asked the Secretariat about the implications of the MTR in the context of the implementation of YSLME Phase II Project and the creation of the YSLME Commission.
46. In response, Mr. Yinfeng GUO explained about the importance of having MTR in any GEF project. The consultant will evaluate and give recommendations, which in turn, would serve as a guide on how the Project should move forward and stay on the right track. Moreover, the MTR will help get the perspective of the consultant in terms of whether or not there is a need for a project extension. Mr. GUO added that PMO will conduct review of results first before commencement of evaluation.
47. Mr. Jongho SEO of RO Korea expressed concerns on limited time to hire the best candidate considering the deadline of application which is December 20, 2017. Mr. Sei-joong KWON also requested transparency in the selection process. In response, Mr. Yinfeng GUO said the UNDP China would manage the evaluation in consultation with UNDP/GEF.
48. Mr. Fengkui LIANG from PR China asked the Secretariat about the sites to visit in the MTR evaluation. Mr. Guo responded that the consultant will typically meet with several relevant agencies both in PR China and RO Korea.

## **7. Session 4: Enhancing national and regional legal instruments for sustainable ocean management**

### **Part 1: National Policy and legal system changes since SAP development**

49. Representatives from PR China and RO Korea were invited to introduce the latest developments in legal aspects as covered by the SAP in respective countries.

#### **National priorities in legal reform to implement SAP in RO Korea**

50. Ms. Suyeon KIM, from MOF of RO Korea presented major policies and legislations concerning marine environment in RO Korea and overall framework.

#### **National priorities in legal reform to implement SAP in PR China**

51. Ms. Ming YU, a legal consultant from PR China, also presented national governance actions for the implementation of SAP in PR China, including major legal progress achieved; policy and programs promoted; recent focuses of international conventions; and national priorities in legal reform to implement SAP.

### **Part 2: Development of Regional Guidelines for incorporating Code of Conduct (CoC) for Responsible Fisheries Introduction to CoC for Responsible Fisheries**

52. Ms. Ming YU, a consultant from PR China, introduced Code of Conduct for Responsible Fisheries (CCRF). Contents of the presentation include origins and main programs for CCRF implementation, new developments and suggestions for future cooperation.

#### **Fisheries management regime in RO Korea**

53. Mr. Junghee CHO, Chair of NWG-F, introduced fisheries management measures in RO Korea, including its expected consequences, and the Korean total allowable catch (TAC) system along with its underlying problems. His presentation contents include information on individual quotas on catch efforts, transition of policy goals and main institutional changes in RO Korea, among others.

#### **Fisheries management regime in PR China**

54. Ms. Rui GUO, from PR China, also presented Marine Fisheries Management System in PR China. Contents of the presentation include main management measures and components, multi-stresses and changes in marine fishery resources, mitigation of pressures on fisheries, assessment of stock enhancement and sea ranching, and potential solutions, among others.

#### **TOR for regional guidelines for CoC**

55. The Secretariat presented two TORs for Activity 2 (Develop regional guidelines for incorporating CoC for Responsible Fisheries in YSLME context) and Activity 3 (Technical assistance to develop national standards and management measures to comply with regional guidelines of CoC for Responsible Fisheries) under Output 1.4.1: Enhanced national and regional legal instruments to comply with regional global treaties, agreements and guidelines.

56. After the presentation, the Chair asked for clarifications regarding the sequence of the meeting agenda and the purpose of the presentations on national policy and legal system and development of regional guidelines. He stressed that the legal system and guidelines were discussed earlier in the meeting to have a clearer understanding of the matter and subsequently develop the TOR, which, however, was already made by the Secretariat. He further asked if the Secretariat has already signed a contract with Yellow Sea Fisheries Research Institute(YSFRI).
57. In response, Mr. Yinfeng GUO explained about the agreement made by two countries and described in the Project Document, and that no contract has been made yet. By reminding that the current version of TOR is not final, he also explained the purpose of presentation is to share with RWG-G members the scope of work and deliverables of technical assistance for comments and suggestions from RWG-G members serving as a quality control mechanism.
58. The Chair asked the Secretariat to explain how deliverable "d) regional guideline to incorporate FAO CoC for Responsible Fisheries" should be done considering current situations both in PR China and RO Korea are facing. He added that although the work should be based on scientific findings, there are still needs to reflect legal aspects in the activities, which will be conducted by YSFRI as subcontractor.
59. Ms. Sunyoung CHAE of RO Korea expressed concern on possible skewed toward PR China if YSFRI will be involved, considering the fact that the institute is located in PR China.
60. To observe balance for both countries, the Chair suggested that:
  - A workshop be organized either in PR China or RO Korea to invite experts on fisheries and legal aspects from both countries.
  - At least one legal expert each from PR China and RO Korea be included in the team so that legal aspects can be duly addressed.
  - Work to be carried out at regional level and English will be used as the official language.
61. The Chair stressed that while YSFRI is conducting the activities, members of both RWG-G and RWG-F should be updated of progress. He also suggested legal experts come up with draft version first for comments by experts on fisheries.
62. After verifying from the Secretariat that YSFRI has not yet reviewed the TORs of the subcontracts, Ms. Rui GUO consulted and confirmed of participation of YSFRI.
63. The Secretariat was advised to circulate the TOR for review by RWG-F before implementation.

## **8. Session 5: National Strategic Action Planning (NSAP) 2018-2020**

### **NSAP of YSLME SAP for 2018-2020**

64. The Secretariat introduced the processes, plans and timeframe to update the NSAP for implementation of YSLME SAP for 2018-2020. Mr. Yinfeng GUO also briefly introduced reference indicators in review of progress in implementation of NSAP drawn from YSLME SAP and Phase II Project Document.
65. After the presentation, the Chair asked the Secretariat and both countries on suggested timeframe by considering many activities listed.

66. Mr. Zhifeng ZHANG, Chair of NWG-G of PR China, mentioned that at least six months will be required to complete the review process, however, he confirmed that PR China can submit the abstract before the end of March 2018.
67. Ms. Sunyoung CHAE of RO Korea, meanwhile, expressed a concern on “time” to be spent for reviewing all ongoing projects, by reminding her experience during the 1st Phase.
68. Mr. Yinfeng GUO reiterated the importance of the outputs of this activity, which will be the first output to be reviewed by the TFs and will serve as communication material to draw financial support. He further emphasized that documents should be submitted by March as YSLME Phase II Project should have to showcase to the MTR evaluator its progress and accomplishments.
69. After hearing all sides, the Chair recommended to have two phases for the review process:
  - Phase 1: Provide necessary information for the MTR by the end of March, 2018;
  - Phase 2: Develop full updated version of NSAP by December, 2018
70. The Chair requested the Secretariat to make note/guidelines on what exactly the governments need to provide by the second week of January, 2018, including the expected date for completion of the NSAP.

## **9. Session 6: Knowledge management and capacity development to facilitate SAP implementation**

### **Preparation of training modules to synthesize implementation of environmental treaties and agreements using EBM approach in YSLME**

71. Mr. Yinfeng GUO explained that traditionally TDA and SAP use problem analysis, identification of underlying drivers, development of objective trees, target setting and action planning as the process to reflect EBM. The idea of developing a training module on synergizing implementation of multilateral environmental agreements and programs is to ensure obligations of participating countries under hard and soft international laws are factored in the update of the YSLME SAP for 2021-2030. Furthermore, he underscored the need to achieve better understanding of EBM in environmental law education to build the critical mass of legal expertise for EBM.
72. Ms. Ming YU, consultant from PR China, presented the proposed outlines of training modules along with the objectives, timing and purpose. The training modules cover topics EBM; regional ocean governance (ROG); boundary of EBM in ROG; EBM application in the strategic planning for LME; key elements of EBM in legal, institutional and policy aspects by local and national governments of PR China, RO Korea, and DPR Korea; and areas of improvement in EBM application in YSLME, especially in the areas of institutional and legal reform and capacity building; among others.
73. According to the TOR, a 100-page training module should be prepared and submitted by June 2018. However, due to the heavy workload, the consultant requested to extend the deadline of submission to end of October. In this regard, the Chair expressed concerns on the feasibility of the activity and asked the Secretariat about the project duration and budget.
74. In response, Mr. Yinfeng GUO explained background of the contract, indicating the project will be terminated by June 2018 but activities might carry on beyond 2018 with budget of 5,000 US dollars per country. In order for the consultant

to help in developing the training modules, Mr. GUO suggested to organize a workshop by inviting faculty members of environmental law education from PR China and RO Korea to present recent findings and share their inputs. The Chair also suggested to include YSLME Phase I project manager as one of the key persons.

75. After a lengthy discussion, the Chair welcomed this meaningful initiative and stressed that the training module should be realistic, interdisciplinary, can invite international writers if necessary, and done as a team to ensure best quality of the work. He suggested to invite Mr. Ken Sherman as a contributing writer.
76. Mr. Young Jae IM of RO Korea suggested to adjust the following contents:
  - Place “3. The Yellow Sea Large Marine Ecosystem Program” in front of “1. Ecosystem-based Management” to introduce and emphasize first the YSLME project
  - Delete 1.5.7 UNCLOS under 1.5 of EBM as there is already 1.5.4 UNCLOS.
77. Mr. Jae Ryoung OH of RO Korea also suggested to include in 1.5 of EBM: 1) UNEP Global Programme of Action (GPA); 2) The International Convention on the Control of Harmful Anti-Fouling Systems on Ships; and 3) The Ballast Water Management Convention (BWM Convention).
78. In response to the question raised by Ms. Sunyoung CHAE on the membership of the team, Mr. Yinfeng GUO responded that the funding is for one consultant in each country. Ms. Ming YU has signed a contract as a consultant from PR China, while the legal expert from RO Korea is yet to be hired by UNOPS.
79. In terms of knowledge management, Mr. GUO mentioned that GAP of IMTA could be good focal area to be developed in 2018 in addition to producing a knowledge product on synergizing implementation of international law using EBM approach. To improve product quality, editors will be hired to improve quality of final products.

### **Planning for workshop and training**

80. Mr. Yinfeng GUO introduced tentative schedules of all events including workshops, meetings, trainings, visits, and partnership collaboration that are planned in 2018 after consultation with RWGs.
81. After in lengthy discussion, the Meeting agreed on the following changes:
  - MSTP and ICC should be separated in different columns, as suggested by the Chair
  - The Code of Conduct should be placed under RWG-G as per agreement reached at the meeting
  - Under RWG-M’s IMTA Training set in June, change from Chudao to Rongcheng, PR China to help participants to easily locate the area, as suggested by Ms. Rui GUO from PR China
  - Move the regional workshop on maximizing effectiveness of international Law implementation through EBM and RWG-G meeting from September to second week of July to enable participation by faculty members of universities while the hosts will still be PR China.
82. Ms. Sunyoung CHAE of RO Korea raised a question on plans to have trainings or workshops to improve public awareness since so far, the ones on the list are only for experts and the workshops are more related to other working groups. In response, Mr. Yinfeng GUO welcomed the idea and recalled that about 40 organizations, including those from the private sector and universities, have participated in Inception Ceremony and RWGs. With the hired expert on the communication strategy, further discussions on how to improve public awareness can be discussed.

83. Mr. Zhifeng ZHANG from PR China asked about the training arrangement for Cost-Benefit Analysis (CBA) in particular on benefits of coastal restoration, one of the activities listed in the TOR for RWG-G. In response to his question, Mr. Yinfeng GUO responded that CBA is already integrated with other trainings and workshops, including IMTA, and if there is an interest and possible organization to host, a separate training on CBA could be organized since budget for this activity is still available.
84. Mr. Fengkui LIANG clarified that PR China is not requesting to have a stand-alone CBA training, adding that if there will be one, PR China prefers to have it in 2019 as 2018 is already reserved with many activities. RO Korea, meanwhile, agreed to hold the CBA training in 2019 under the mandate of RWG-G if it's not feasible to have in 2018.
85. The Chair requested Secretariat to schedule a training on CBA in 2019 if it cannot be arranged in 2018.

## **10. Session 7: Partnership development**

86. Mr. Yinfeng GUO stressed on the importance of partnership development as one of the approaches for the implementation of the SAP and the roles of partners in the overall structure of the YSLME Commission.
87. Representatives of Hanns Seidel Foundation (HSF) and World Wildlife Fund-Korea (WWF-Korea) were invited to briefly introduce their major activities and organizations.
88. Ms. Irene KOBER introduced HSF as a German foundation that has over 50 offices worldwide. In Korea, one of its goals is to promote peaceful communications through environmental cooperation. She added that the office may offer assistance in terms of facilitating DPR Korea to join the project through its communication channels in the country.
89. Ms. Young-ran LEE of WWF-Korea also expressed her organization's deep interest in participating in the Project. She mentioned that since WWF-Korea is under OECD, her organization does not get much support from abroad. They are currently discussing financial matters and how they could participate in the project.
90. Ms. Suyeon KIM reiterated RO Korea's willingness to provide support in spearheading activities on promotion and public awareness. She said RO Korea can have separate discussions with the Secretariat on the planning of such activities.
91. Noticing the EAS Congress is scheduled on November 2018 as a partnership event, the Chair said that while it provides a good opportunity to promote YSLME project visibility and awareness of SDG 14, considering the limited sources available it might be better to instead allocate the fund for more important activities within participating countries, either in PR China or RO Korea.
92. Ms. Suyeon KIM also expressed that although EAS congress is a very efficient platform for international partnerships, having partnerships inside PR China and RO Korea is more important. She asked if there is a need to allocate a lot of activity budget for the EAS Congress.

93. In response, Mr. Yinfeng GUO of the Secretariat stressed that both PR China and RO Korea are members of the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA), which consists of 11 countries. PEMSEA also covers six LMEs with YS as one of those. Mr. GUO said the EAS Congress would be a good event as a showcase to other LMEs the YSLME project, how it utilizes EBM and other accomplishments. Furthermore, the event would be a good opportunity for knowledge and experience-sharing as well as awareness raising of SDG 14.
94. The Chair suggested that RWG-G members to make a recommendation, through the MSTP, to review the need for a workshop at the EAS Congress.
95. Mr. GUO reminded the need for RWGs to observe the rules of procedure of the ICC which is the decision-making body of the Project which directed the Secretariat to organize an event at the EAS Congress 2018 to raise the awareness of the SDG 14.
96. Mr. Jae-Ryoung OH, National Coordinator of RO Korea advised that there are many non-country partners of PEMSEA in RO Korea such as KMI, KOEM, KIOST so the project can utilize the people and resource to save the project budget.
97. For clarification of the ICC decision, the Chair requested the Secretariat to circulate the ICC proceedings to the two countries. At the ICC meeting, the partners valued the opportunity of collaborating with PEMSEA in EAS Congress as a meaningful contribution of UNDP, PR China and RO Korea to raising the awareness of SDG 14 by the public, national and local leaders and youth. It was also suggested at the meeting that detailed activities be discussed and reviewed with the RWGs.

## 11. Other business

98. The Secretariat presented four proposed logos for the Project. The meeting agreed to vote via online survey, which will be prepared by the Secretariat and should be communicated with RWG-G members and governments by email within a month. The winning logo will be presented to the next ICC.
99. For the preparation of meeting documents, the Secretariat is requested to put document numbers in accordance with number of agenda for easy navigation. Documents should also be circulated at least two weeks prior to the meeting to provide time for participants to review and prepare accordingly.
100. The Secretariat is expected to circulate RWG-G meeting proceedings in two weeks.

## 12. Time and venue of next RWG-G, MSTP, and ICC meetings

101. With a separate discussion outside the meeting session, RO Korea briefed the meeting of the proposed arrangement that PR China would chair RWGs for Fish Stock, Mariculture and Pollution Reduction, while RO Korea would chair RWGs for Assessment and Monitoring, Habitat and Governance. Mr. Fengkui LIANG said the PR China would notify its decision after internal consultation. If the countries cannot reach an agreement, alternative option as a final agreement between the two countries should be made until end of February at the latest.



102. In addition, the Chair emphasized that list of RWG and NWG members of PR China should be completed soon and Mr. LIANG promised that PR China would notify the Secretariat as soon as possible.
103. The Meeting was informed that the next MSTP/ICC will be held tentatively on March 26th to 30th of next year in Dalian, PR China.
104. Regarding the next meeting for RWG-G, the Secretariat will closely communicate with the countries to decide venue and time, taking into account other meetings' schedule.

### **13. Wrap-up and closure of the meeting**

105. In the wrap-up, Mr. Fengkui LIANG congratulated the success of meeting and highlighted the following four points: 1) leadership of the Chair to run the Meeting effectively; 2) well organization of the meeting by the Secretariat; 3) warm hospitality of RO Korea as the hosting country; and 4) thoughtful change of meeting venue for consideration of easy participation by him. The representatives of RO Korea also expressed their appreciation to the Secretariat for organizing this Meeting. The Meeting felt that close and enhanced cooperation from two participating countries is necessary to deal with critical activities ahead.
106. The Chair expressed his appreciation to all participants for their active participation and friendship in the discussion.
107. Following the closing remarks, the Chair declared the closure of the meeting at 11:44 A.M. on 15th December 2017.

## Annex 1. List of Participants

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## Annex 2. Program of the 1st Meeting of the RWG-G

### PROGRAM

#### 14 December (Thursday)

**09:00~09:30** Registration for participants

**09:30~09:50** **Opening of the meeting**

- Welcome addresses
- Introduction of the members and participants

**09:50~10:00** **Organization of the meeting**

- Election of Chairs and designation of rapporteurs
- Adoption of agenda

**10:00~11:00** **Review and refine the following documents approved by the Interim YSLME Commission:**

- Review of activities related to RWG-G for 2017

**11:00~11:15** Coffee break and group photo

**11:15~12:00** **Review and refine the following documents approved by the Interim YSLME Commission (continued):**

- Terms of Reference of RWGs and Chairs/Vice Chairs;
- TOR of RWG-G;
- RWG-G workplan (2017-2019)

**12:00~13:30** Lunch

**13:30~15:00** **Session 1: Roadmap towards a sustainable regional environment governance mechanism**

- Review the concept paper on the roadmap for a sustainable regional mechanism for implementation of the SAP
- Sustainable financing for establishment of Commission

The meeting will invite Prof. Suh-Yong Chung to introduce the discussion paper on roadmap towards a sustainable environmental cooperation framework, and discuss recommendations to MSTP-2. The Chair will facilitate a discussion on sustainable financing for both countries to consider ways to proceed.

**15:00~16:00** **Session 2. Project extension**

- Project extension, scenarios, financial implications

PMO will briefly introduce the rationale of project extension, scenarios, financial implications to the project and countries, and seek advice on documents to be prepared at the MSTP and ICC for country review.

**16:00~16:15** Coffee Break

**16:15~17:15** **Session 3. Mid-term evaluation**

- Mid-term evaluation of the project

The meeting will introduce the scope of the evaluation, evaluation plan, and preparations to be made by the PMO and countries.

## 14 December (Thursday) (cont.)

### 17:15~18:00 **Session 4: Enhancing national and regional legal instruments for sustainable ocean management**

#### **Part 1: National policy and legal system changes since SAP development**

- National priorities in legal reform to implement SAP in RO Korea
- National priorities in legal reform to implement SAP in PR China

#### **Part 2: Development of Regional guidelines for incorporating Code of Conduct (CoC) for Responsible Fisheries”**

- Introduction to Code of Conduct for Responsible Fisheries (resource person)
- Fisheries management regime in RO Korea
- Fisheries management regime in PR China
- Terms of Reference (TOR) for regional guidelines of CoC

The Chair will facilitate discussion to lead to consensus on scope and framework of the regional guideline for implementation of the GOC by two countries

18:00 Dinner Reception

## 15 December (Friday)

### 09:30~10:30 **Session 5: National Strategic Action Planning 2018-2020**

- National strategic action planning for implementation of YSLME SAP for 2018-2020 – concept and plan

PMO will present the concept, activities and timeframe for review implementation of the National Strategic Action Plan (NSAP) and update of them. Following the presentation, the Chair will facilitate a discussion on the timeline for countries to submit the review report, gap identification and priorities of the NSAP for 2018-2020

10:30~10:45 Coffee break

### 10:45~11:15 **Session 6: Knowledge management and capacity development to facilitate SAP implementation**

- Preparation of training modules to synthesize implementation of environmental treaties and agreements using EBM approach in YSLME, presentation by resource person. The meeting will discuss the outlines of the training modules prepared by the consultant
- Planning for workshop and training, by PMO. The meeting will plan workshops and trainings in the years to come, including host, venue, time and themes.

### 11:15~11:30 **Session 7: Partnership development**

The meeting will discuss about partnership development focused on areas of collaboration with YSLME Phase II Project. In addition, PMO will introduce communication strategy with development of logo for the Project

11:30~11:40 **Other Business**

11:40~12:00 **Time and venue of next RWG-G, MSTP and ICC meetings**

12:00~12:10 **Wrap-up and closure of the Meeting**

12:10~13:30 Lunch

13:30~18:00 **Field Trip**

## Annex 3: Terms of References to develop regional guidelines for incorporating FAO Code of Conduct for Responsible Fisheries

### Output 1.4.1: Enhanced national and regional legal instruments to comply with regional global treaties, agreements and guidelines

#### Activity 2. Develop regional guidelines for incorporating Code of Conduct for Responsible Fisheries in YSLME context

##### TERMS OF REFERENCE

#### Developing regional guidelines for incorporating FAO Code of Conduct for Responsible Fisheries

Consultancy classification: subcontract (YSFRI)

Budget line: 72100, Activity 2 of Output 1.4.1., Component 1, budget: USD 10,000

Estimated start of work: December 18, 2017 and complete in June 30, 2018

#### Background and Justification

Due to over-exploitation of fishery resources since the 1980s in the Yellow Sea, the commercially important long-lived, high trophic level, piscivorous bottom fish have been replaced by the low-valued short-lived, low trophic level planktivorous pelagic fish. Survey data of YSFRI up until 2013 implied the percentile of higher trophic level species declined continuously in recent years. In response, both China and RO Korea have adopted the policy of fishing vessel buyback scheme to reduce the pressure on depleted fish stock since 2000. Meanwhile, both countries have adopted the seasonal closure measures. For example, the seasonal closure in China is extended from May 1 to September 15. In RO Korea, from 1990 to 2007, the revenue from fishery sector has reduced by 27%. For adaptive management of fish stock of YS, it is timely to use the FAO Code of Conduct for Responsible Fisheries as a guideline for the two countries to agree on joint management measures to take place for effective management of the Yellow Sea.

#### Objectives

The objective is to develop regional guideline for incorporating Code of Conduct for Responsible Fisheries in YSLME context; provide recommendations and principals for improvement of sustainable management of fisheries and mariculture in Yellow Sea.

#### Expected Outputs

The activity is expected to deliver the following results:

1. An assessment report of implementation of the FAO Code of Conduct for Responsible Fisheries by both PR China and RO Korea with recommendation for drafting and improvement of the guideline
2. A draft guideline for incorporating Code of Conduct for Responsible Fisheries in YSLME context;

#### Activities

Under supervision of the Chief Technical Advisor and technical guidance of RWG-F and RWG-G in close collaboration with the local project team, the subcontractor will:

- Collect existing relevant technical files in relation to fishery management and mariculture under the framework of the FAO Code of Conduct for Responsible Fisheries;
- Synthesize existing national policies, regulations and measures to enhance the effectiveness of conservation, management and development of fisheries including mariculture in both PR China and RO Korea.
- Compare the similarities and differences of management and regulatory framework between PR China and ROK, and the potential of harmonizing them on the regional level.

- Analyze their advantages and disadvantages, the problems, the potential technical and administration needs, give some recommendations on the scope and process for developing a regional guideline for incorporating Code of Conduct for Responsible Fisheries. According to the analysis, propose recommendations and implementation plan for developing regional guidelines.
- Assess the vessels, fishing gear, fishing facilities and equipment and practice in both countries and give recommendations in the guideline;
- To participate relevant workshops conducted by the Project Management Office (PMO) to exchange experiences in fishery and mariculture management in both countries.
- Prepare the draft regional guidelines for incorporating Code of Conduct for Responsible Fisheries, and submit it for consultation and review by members of the RWG-F and /or RWG –G of the YSLME Phase II Project

### **Reporting**

The subcontractor will produce the following reports within the specified timeframe:

- By March 10, 2018, submit the assessment report;
- By June 20, 2018, submit the draft regional guideline for incorporating Code of Conduct for Responsible Fisheries in the YS.

### **Output 1.4.1: Enhanced national and regional legal instruments to comply with regional global treaties, agreements and guidelines**

#### **Activity 3. Technical assistance to develop national standards and management measures to comply with regional guidelines of Code of Conduct for Responsible Fisheries**

#### **TERMS OF REFERENCE**

#### **Develop national standards and management measures to comply with regional guidelines of Code of Conduct for Responsible Fisheries**

Consultancy classification: subcontract (YSFRI)

Budget line: 72100, Activity 3 of Output 1.4.1., Component 1, budget: USD 27,700

Estimated start of work: January 1, 2018 and complete in December 31, 2018

#### **Background and Justification**

In response to the overexploitation of fisheries resources since the 1980s in the Yellow Sea, PR China and RO Korea will discuss and develop a guideline to implement the FAO Code of Conduct for Responsible Fisheries to strengthen and/or expand the scope of joint measures in implementation of fishing vessel buyback scheme, fishing closure in time and area, restocking efforts such as marine ranching, replication and scaling up of IMTA. In line with the agreed regional guidelines, the project will support the two countries to develop national standards and management measures to jointly implement the regional guidelines for adaptive management of fish stock of YS and recovery of the depleted fish stocks.

#### **Objectives**

The objective is to deliver technical assistance to develop national standards and management measures to comply with regional guidelines of Code of Conduct for Responsible Fisheries in PR China and RO Korea. The purpose of technical support is to give practical and technical advice and support to fishers, industry and fisher managers as to the steps that might be taken to ensure the guideline is implemented as it was intended.

## **Expected Outputs**

The activity is expected to deliver the following results:

1. The inception report for preparation of the feasibility study;
2. Draft proposal on standards or management measures to enhance fish stock or mariculture by PR China and RO Korea

## **Activities**

Under supervision of the Chief Technical Advisor and technical guidance of RWG-F in close collaboration with the local project team, the subcontractor will:

- To prioritize 1-2 areas of collaboration and/or joint actions to be taken by PR China and RO Korea under the framework of regional guidelines to implement FAO Code of Conduct;
- Conduct in-depth assessment of the status quo, gaps in regulatory measures, and economic analysis of actions for further improvements to restore depleted fishery stocks and/or sustainable mariculture under the regional guidelines;
- conduct relevant workshops or training course to raise the awareness and understanding of the prioritized issues, and sharing of good practices. The participants should be included fishers, industry and fisher managers, fishery law enforcement officers in the YS region.
- based on consultation and research as well as discussions at workshop, prepare feasibility reports for standards or management measures at national level that are critical to recovery of fish stocks or promotion of sustainable mariculture.
- Present the results of the studies at regional workshops for information sharing and harmonization of efforts;

## **Reporting**

The subcontractor will produce the following reports within the specified timeframe:

1. By February 10, 2018, submit the inception report for preparation of the feasibility study;
2. By December 20, 2018, submit draft proposal on standards or management measures



## Annex 4: Legal expert to develop a training module

### TERMS OF REFERENCE

#### Legal Expert to develop a training module to synopsise RO Korea's implementation and compliance with International ocean-related environmental agreements

Consultancy: National  
Estimated start of work: February, 2018  
Duty Station: Home-based

#### Background and Justification

UNDP/GEF is providing assistance through UNOPS to countries bordering Yellow Sea in support of their efforts to address among others the increasing trends of depleting fishery stocks, loss of coastal wetland, land and sea-based pollution and implementation of the Yellow Sea Large Marine Ecosystem Strategic Action Programme (YSLME SAP) adopted by China and RO Korea with support of DPR Korea. One of the assistance programs to implement the SAP is the UNDP/GEF/UNOPS project entitled Implementing the Strategic Action Programme for the Yellow Sea Large Marine Ecosystem: Restoring Ecosystem Goods and Services and Consolidation of a Long-term Regional Environmental Governance Framework, or the UNDP/GEF YSLME Phase II Project. The project was launched in July 2017.

The objective of this regional project is to achieve adaptive ecosystem-based management of the Yellow Sea Large Marine Ecosystem bordered by China, RO Korea and DPR Korea by fostering long-term sustainable institutional, policy and financial arrangements for effective ecosystem-based management of the Yellow Sea in accordance with the YSLME SAP.

There are four components of the project:

1. Sustainable national and regional cooperation for ecosystem based management.
2. Improved Ecosystem Carrying Capacity with respect to provisioning services.
3. Improved Ecosystem Carrying Capacity with respect to regulating and cultural services.
4. Improved Ecosystem Carrying Capacity with respect to supporting services.

The key outcomes sought are:

1. Establishment of a self-sustaining cooperative mechanism for ecosystem-based management.
2. Recovery of depleted fish stocks and improved mariculture production and quality.
3. Improved ecosystem health;
4. Improved inter-sectoral coordination and mainstreaming of ecosystem based management principles at the national level, maintenance of habitat areas, strengthened stakeholder participation in management and improved policy making.
5. Skills and capacity significantly developed for region-wide ecosystem-based management.

In Component 1 of the Project, the project seeks to improve the compliance with regional and international treaties, agreements and guidelines by participating countries in Yellow Sea. During the governance analysis stage, it is recognized that lack of adequate legal instruments, and weak or non-existing enforcement of existing rules and laws with a lack of compliance among stakeholders constitute the major legal challenges to restoring the ecosystem carrying capacity of

the Yellow Sea. In response, the YSLME SAP has identified the following actions to strengthen the legal framework and successful enforcement of laws and regulation:

1. Development a protocol to control dumping at sea (Action 4.2);
2. Effectiveness implementation of MARPOL 1973/78 for control of oil pollution (Action 4-3);

In the proposed actions to improve effectiveness of legal instruments of the YSLME SAP, it is suggested to improve the implementation of international and regional treaties and guidelines and improve the scope of coverage and enforcement of legal instrument. In the regard, the following additional actions are proposed:

3. Ensure full ratification of the treaties;
4. Developing regional guidelines to incorporate suggested guidelines of the FAO Code of Conduct for Responsible Fisheries into YSLME's context;
5. Developing regional guidelines on matters not covered by UNCLOS, CBD, RMSAR, including reducing pollution discharge from sea-based (e.g. mariculture) and atmospheric deposition of pollutants, and marine litter (in particular microplastics).

In the GEF Global International Waters Assessment conducted in 2005, the following legal reforms are suggested to be included in the YSLME SAP:

6. Enhancement of laws and enforcement mechanisms related to pollution prevention and wastewater treatment practices;
7. Development, harmonization and enforcement of a legal framework to control the use and disposal of fertilizers and pesticides;
8. Development and enforcement of suitable laws and regulations to promote good practices in agriculture and to restrict the introduction of alien and invasive species for aquaculture;
9. Development and implementation of policy and law enforcement mechanisms to restrict destructive fishing practices;
10. Enhancement of laws, regulations and enforcement mechanisms to restrict the entry of excessive fishing fleets and fishermen into the fishing industry

In the governance analysis, the following are also highlighted as critical to improvement enforcement:

11. Enhance the skills and qualifications of managers and technical through adequate training.

With regards to the scope of implementation and enforcement, the Project Documents defines the scope of the assessment as the following:

- UNCLOS
- CBD
- 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter
- 1973 International Convention for the Prevention of Marine Pollution from Ships and its 1978 Protocol
- RAMSAR
- FAO Code of Conduct for Responsible Fisheries
- UNFCCC

### **Objective**

The objective is to provide learning materials to national and local governments in implementation and enforcement of international agreements, conventions, treaties, program and guidelines for effective implementation of the YSLME SAP in line with ecosystem-based management.

### **Immediate Objectives**

In order to improve the understanding of international treaties and guidelines in YS, the specific objective of the consultancy is to prepare training module to synergize implementation of international environmental treaties and conventions using EBM approach in LMEs;

### **Expected Outputs**

The Legal Expert is expected to deliver a training module on synergizing implementation of international environmental treaties and conventions in light of ecosystem-based management of YSLME in collaboration with other legal experts recruited by the Project. Specific responsibilities of the incumbent will be agreed upon discussion with other legal experts recruited by the Project.

### **Activities**

Activities include but not necessarily limited to the following task:

A training module on synergizing implementation of international environmental treaties and conventions in light of ecosystem-based management of YSLME

- Based on identified environmental issues and challenges, synthesize the legislation and capacities to be in place for RO Korea and DPR Korea to implement and enforce international environmental agreements and conventions;
- identify opportunities of synergizing efforts of national and local governments of RO Korea and DPR Korea in implementation and enforcement of these international instruments in line with ecosystem-based management of LME based on the experiences of YSLME;
- Prepare a training module in English with the view of synergizing efforts of national and local governments in implementation and enforcement of international agreements, conventions, treaties, program and guidelines for effective implementation of the YSLME SAP in line with ecosystem-based management with focus on RO Korea and DPR Korea and tasks agreed with other legal experts recruited by the Project.

### **Inputs**

UNDP/GEF YSLME Phase II Project Management Office (PMO) will provide the background information and documents, and will be responsible for providing financial support and the logistics in relation to participation of the consultant in workshops and meetings as deemed necessary by the PMO.

### **Timing**

The consultancy will start in February 2018 and end in December 2018

### **Reporting and other services**

In collaboration with other legal experts recruited by the project, the consultant will produce A 100-page training module on synergizing implementation of international environmental treaties and conventions in light of ecosystem-based management of YSLME (for outline of the training modules, please refer to Annex 1). The consultant will submit both electronically and in hard copy in the number of 2 copies to PMO. The reports will be submitted in English.

In addition, the consultant will, in collaboration with other legal experts recruited by the Project, deliver the following outputs:

1. Organize one workshop by inviting professors and researchers in environmental law from both China and Korea to present recent findings and share inputs;
2. To report progress of work at the workshop;
3. If necessary, report to the Management, Science and Technical Panel, or at regional working group on Governance or Habitat;

## Competencies

- A good understanding of global ocean agenda, and policy, legal and institutional context of RO Korea;
- Advanced university education at MSc or PhD level with expertise in the area of law, policy and ocean governance;
- At least 7 years of professional experience
- Previous experiences in environmental law education, policy making and legal reform and preferably related with ecosystem-based management
- Ability to produce high quality reports in English;
- Excellent written and spoken Korean and English

## Payment and Submission

The consultant will be paid for a lump sum of USD 5,000 for the consultancies for delivery of the deliverables to the satisfactory of UNOPS. All reports should be submitted to Mr. Yinfeng Guo, CTA/Manager at email: yinfengg@unops.org.

## Preface: The Yellow Sea Large Marine Ecosystem Program

The introduction of the YSLME Program  
TDA and the environmental challenges of the YSLME

### 1. Ecosystem-based Management

- 1.1. The definition of ecosystem-based management (EBM)
- 1.2. The evolution of EBM concept
- 1.3. Governance key elements for successful EBM
  - 1.3.1. Adaptive management
  - 1.3.2. Using scientific knowledge
  - 1.3.3. Stakeholder involvement
  - 1.3.4. Integrated management
  - 1.3.5. Distinct governance boundary
  - 1.3.6. Monitoring
- 1.4. Major legal tools used to carry out EBM
  - 1.4.1. Risk assessment
  - 1.4.2. Environmental impact assessment
  - 1.4.3. Planning
  - 1.4.4. Information disclosure
  - 1.4.5. Inter-sectoral discussion
  - 1.4.6. Public participation
- 1.5. EBM and related legal systems defined under the international environmental convention, agreement and guideline
  - 1.5.1. UNFCCC
  - 1.5.2. UNCBD
  - 1.5.3. Ramsar
  - 1.5.4. UNCLOS
  - 1.5.5. Migratory Species
  - 1.5.6. POPs
  - 1.5.7. UNEP Global Programme of Action (GPA)
  - 1.5.8. London Convention
  - 1.5.9. MARPOL
  - 1.5.10. The International Convention on the Control of Harmful Anti-Fouling Systems on Ships
  - 1.5.11. The Ballast Water Management Convention (BWM Convention)
  - 1.5.12. Areas beyond national jurisdiction

## **2. Regional Ocean Governance**

- 2.1. The definition of regional ocean governance (ROG)
- 2.2. The history of ROG
- 2.3. LME -- a scientific scope to carry out ROG
- 2.4. EBM -- a scientific tool to carry out ROG
- 2.5. EBM and related legal systems defined in regional marine environmental conventions and agreements
  - 2.5.1. Convention on the Protection of the Marine Environment of the North-east Atlantic
  - 2.5.2. The Convention for the Protection of the Mediterranean Sea Against Pollution
  - 2.5.3. Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean
- 2.6. Successful cases of ROG with the EBM approach
  - 2.6.1. Mediterranean Sea
  - 2.6.2. North-east Atlantic

## **3. Fighting against the Environmental Challenges in the Yellow Sea Large Marine Ecosystem**

- 3.1. SAP of the YSLME and its ecosystem-based approach
- 3.2. The revision of SAP to respond to the development of international conventions
- 3.3. Institutional arrangement and legal framework of the three coastal countries in the YSLME Region
  - 3.3.1. PRC
  - 3.3.2. ROK
  - 3.3.3. DPRK
- 3.4. The regional initiatives to respond to carry out the EBM in the YSLME
  - 3.4.1. YSLME Biodiversity Conservation Plan
  - 3.4.2. YSLME MPA Network
  - 3.4.3. Responsible fisheries
  - 3.4.4. Data and information sharing
  - 3.4.5. Monitoring programs of HAB, Jelly Fish and ecosystem changes;
  - 3.4.6. Regional marine litter monitoring program
- 3.5. Suggestions on institutional and legal reform in the YSLME Region
  - 3.5.1. Suggestions on regional institutional and legal reform
    - 3.5.1.1. Establish the Yellow Sea Commission
    - 3.5.1.2. Guideline on prevention and control of marine litters
  - 3.5.2. Suggestions on national institutional and legal reform
    - 3.5.2.1. Enhance the Planning System
    - 3.5.2.2. Carry out risk assessment
    - 3.5.2.3. Increase public participation

# Annex 5. Outlines of training modules to synergize implementation and compliance with International ocean-related environmental agreements

## Outlines of a training module to synergize implementation and compliance with International ocean-related environmental agreements

### Preface: The Yellow Sea Large Marine Ecosystem Program

The introduction of the YSLME Program

TDA and the environmental challenges of the YSLME

### 1. Ecosystem-based Management

- 1.1. The definition of ecosystem-based management (EBM)
- 1.2. The evolution of EBM concept
- 1.3. Governance key elements for successful EBM
  - 1.3.1. Adaptive management
  - 1.3.2. Using scientific knowledge
  - 1.3.3. Stakeholder involvement
  - 1.3.4. Integrated management
  - 1.3.5. Distinct governance boundary
  - 1.3.6. Monitoring
- 1.4. Major legal tools used to carry out EBM
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## Annex 6. Terms of reference for the graphic designer

### TERMS OF REFERENCE

#### Graphic designer (home-based)

##### Background

UNDP/GEF/UNOPS is implementing a project entitled Implementing the Strategic Action Programme for the Yellow Sea Large Marine Ecosystem: Restoring Ecosystem Goods and Services and Consolidation of a Long-term Regional Environmental Governance Framework, or the UNDP/GEF YSLME Phase II Project. The project was launched in July 2017 and close at the end of 2020 subject to approval of UNDP/GEF.

The objective of this regional project is to achieve adaptive ecosystem-based management of the Yellow Sea Large Marine Ecosystem bordered by China, RO Korea and DPR Korea by fostering long-term sustainable institutional, policy and financial arrangements for effective ecosystem-based management of the Yellow Sea in accordance with the YSLME SAP.

The key outcomes sought are:

1. Establishment of a self-sustaining cooperative mechanism for ecosystem-based management.
2. Recovery of depleted fish stocks and improved mariculture production and quality.
3. Improved ecosystem health;
4. Improved inter-sectoral coordination and mainstreaming of ecosystem based management principles at the national level, maintenance of habitat areas, strengthened stakeholder participation in management and improved policy making
5. Skills and capacity significantly developed for region-wide ecosystem-based management.

In order to help promote the project not only within the GEF and donor community but also the governments, private sector and business community, the project will develop a communication strategy to help raise the awareness, visibility and quality of its communication products. To this end, we are looking for a graphic designer to help improve the communication of the YSLME Phase II Project, the Yellow Sea Partnership and the future YSLME Commission to be established by the Project and quality of the publications to professional standards.

##### Scope of work and deliverables

the Graphic Designer will be responsible for the following deliverables:

- Producing a creative and innovative portfolio of products, designs, graphics, infographics, illustrations, templates and materials (print, electronic, web-based, new media and animated), based on YSLME needs and project branding guidelines, ideas proposed and accepted by the Graphic Designer;
- Editing existing art-work, photos, charts and other graphic elements.

All deliverables should follow the process mentioned below:

- Analysis of requirements specified by the YSLME Communication Strategy and the Project Manager;
- Presentation of ideas and concepts to the YSLME team;
- Development of graphic design(s) based on feedbacks/recommendations from the YSLME Project Team;
- Amendment of the design(s) until full satisfaction and validation from the Project;
- Delivery of fully editable files as well as high-quality print files to the Project Management Office.

Detailed specifications and deadlines for each individual assignment will be given to the selected designer as and when the designer's services are requested.



## Competencies

- Creativity and innovation;
- Professionalism, integrity and commitment;
- Ability to deliver high quality against tight deadlines;
- A proven record of attention to detail;
- Strong proficiency with Microsoft Office Suite, Adobe Acrobat, Photoshop, Illustrator and InDesign required;
- Video/audio production skills desired;
- Proven ability to manage prepress procedures;
- Teamwork & client orientation. Ability to follow directions and maintain adequate transparency while doing so (the incumbent will be expected to work closely and reliably with members of the Project Management Office);
- Judgement/Decision-making - the incumbent will be expected to make proposals about the graphical appearance of the Project materials and ensure that they comply with the applicable corporate brand guidelines;
- Planning and organizing - the incumbent will be required to work efficiently with minimal supervision and to prioritize work to ensure that the assignments are realized within agreed upon timeframes and costs;
- Demand-driven - The incumbent will be expected to provide a high quality service in developing required designs, preparing print and online materials and ensuring that messages defined by the Communication Strategy are conveyed accurately and in a timely fashion to designated target audiences, in particular key target publics of the YSLME, such as donor community, governments, Intergovernmental Organisations, NGOs and the private sector.
- A good understanding of new and evolving technologies and digital platforms is desired;
- Clear and mature style of design.

## Education

- Advanced University degree is required preferably in Graphic Design, Visual Arts or related field. A Bachelor's degree in the above-mentioned disciplines and two additional years of experience (which in total is four years of experience) can be accepted in lieu of a Master's degree

## Experiences

- A minimum of two years of relevant professional working experience within the fields of graphic design, multimedia, visual arts, communications and outreach is required; including the use of design software such as Adobe InDesign, Photoshop and Illustrator;
- Proven experience in brand development and brand portfolio design;
- Proven experience of graphic production from start to published/printed product with knowledge of printing processes (offset and digital) and color management;
- Working experience within the field of marine, environmental or development projects would be considered as an asset.

## Language

- Fluency in oral and written English is required;

## Contract Type

- Contract type: ICA Retainer where the contract holder will be paid on a daily rate based on demand

**Contract level:** TBD

**Contract duration:** One year

# Annex 7. Project Extension Scenarios




1<sup>st</sup> Meeting of RWG-G

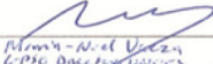
## Project Extension: Budget Scenarios, Financial Implications and Recommendations


Secretariat  
Seoul, 14-15 December 2017

management; 2) recovery of depleted fish stocks and improved mariculture production and quality; 3) improved ecosystem health; 4) improved inter-sectoral coordination and mainstreaming of ecosystem based management principles at the national level, maintenance of habitat areas, strengthened stakeholder participation in management and improved policy making; and 4) skills and capacity significantly developed for region-wide ecosystem-based management.

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Programme Period:</td> <td>2014-2017</td> </tr> <tr> <td>Atlas Award ID:</td> <td>00074724</td> </tr> <tr> <td>Project ID:</td> <td>00087001</td> </tr> <tr> <td>PIMS #</td> <td>4552</td> </tr> <tr> <td>Start date:</td> <td>January 2014</td> </tr> <tr> <td>End Date:</td> <td>December 2017</td> </tr> <tr> <td colspan="2">Management Arrangements : Agency execution (UNOPS)</td> </tr> <tr> <td>PAC Meeting Date :</td> <td>TBD</td> </tr> </table>	Programme Period:	2014-2017	Atlas Award ID:	00074724	Project ID:	00087001	PIMS #	4552	Start date:	January 2014	End Date:	December 2017	Management Arrangements : Agency execution (UNOPS)		PAC Meeting Date :	TBD	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Total resources required</td> <td>233,044,196</td> </tr> <tr> <td>Total allocated resources:</td> <td>233,044,196</td> </tr> <tr> <td>GEF</td> <td>7,562,430</td> </tr> <tr> <td>UNDP</td> <td>1,692,000</td> </tr> <tr> <td>Other:</td> <td></td> </tr> <tr> <td>o Government in cash</td> <td>26,785,812</td> </tr> <tr> <td>o Government in-kind</td> <td>195,203,954</td> </tr> <tr> <td>o Other</td> <td>1,800,000</td> </tr> </table>	Total resources required	233,044,196	Total allocated resources:	233,044,196	GEF	7,562,430	UNDP	1,692,000	Other:		o Government in cash	26,785,812	o Government in-kind	195,203,954	o Other	1,800,000
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Agreed by (Government):  Date/Month/Year: 2014.12.23

Agreed by (Executing Entity/Implementing Partner): 3.7.2014 Date/Month/Year:   
*Minna-Nool Veeva  
UNOPS Director*

Agreed by (UNDP): 11.7.2014 Date/Month/Year: 

**budget in US dollars for International and National consultants (including PMO staff) in Annual Workplan (2017-2019) approved at the first meeting of the Interim Commission Council (ICC-1)**

**Total project budget for international consultants**

	2017	2018	2019	Sub-total
IICA-comp 1	50,000	70,000	59,776	179,776
	1,420	58,580	43,779	103,779
IICA-comp 2	60,000	140,000	133,443	333,443
	15,000	15,000	15,312	45,312
IICA-comp 3	70,000	80,000	72,877	222,877
	10,000	14,000	18,713	42,713
IICA-comp 4	100,000	190,000	156,698	446,698
	23,000	25,000	13,541	61,541
IICA-comp 5	13,000	15,000	15,896	43,896
<b>TOTAL</b>				<b>1,480,035</b>

**Total project budget for national consultants**

	2017	2018	2019	Sub-total
LICA-comp 1	15,000	65,000	50,965	130,965
	0	0	7,590	7,590
LICA-comp 2	10,000	35,000	13,852	58,852
	0	0	3,874	3,874
LICA-comp 3	0	6,000	5,663	11,663
	0	0	3,574	3,574
LICA-comp 4	0	49,000	15,855	64,855
	0	0	3,643	3,643
LICA-comp 5	40,000	46,000	40,226	126,226
<b>TOTAL</b>				<b>411,242</b>

<b>TOTAL (international and national consultants)</b>	<b>1,891,277</b>
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**Scenario of Budget for International and National Consultants with 18 months extension in US dollars (up until Jan 10, 2020)**

	2017	2018	2019	2020	Subtotal
International consultants	321,000	368,400	368,400	9,210	1,067,010
National consultants	40,000	60,000	60,000	1,500	161,500*
<b>Subtotal</b>	<b>361,000</b>	<b>428,400</b>	<b>428,400</b>	<b>10,710</b>	<b>1,228,510</b>
<b>Total for International and national consultants</b>					<b>1,891,277</b>
<b>Balance for consultants</b>					<b>662,767</b>

\* annual increase in salary for national consultant is not included

### Scenario of Budget for International and National Consultants with 30 months extension in US dollars (up until Jan 10, 2021)

	2017	2018	2019	2020	2021	Subtotal
International consultants	321,000	368,400	368,400	368,400	9,210	1,435,410
National consultants	40,000	60,000	60,000	60,000	1,500	221,500
Subtotal	361,000	428,400	428,400	428,400	10,710	1,656,910
Total for International and national consultants						1,891,277
Balance for consultants						<b>234,367</b>

\* annual increase in salary for national consultant is not included

### How Many months should the project be extended?

Total Project Budget	7,562,430
Expenditure up to December 7, 2017	996,631
UNOPS fees for remaining years (rough estimate)	560,000
Remaining balance	6,005,799*

\* annual increase in salary for national consultant is not included

- Under 18 months extension, \$4,777,289 to deliver (excluding salary of existing staff)
- Under 30 months extension, \$4,348,889 to deliver (excluding salary of existing staff)

### Conclusions and Recommendations:

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- Based on 1) need for full consultation between two countries through RWG and NWG mechanisms in implementation of regional activities; 2) adequate time to generate project results to prove the cost-effectiveness of EBM of YSLME; 3) the expiry date of the YSLME SAP, taking into consideration of 3) the project budget balance and 4) delivery capacity of PMO, **30 month extension** is more realistic for the project to achieve the due objectives;

### Conclusions and Recommendations:

---

- Many of the regional activities are underfunded by the GEF, especially for update of SAP, design of the YSLME Commission, training modules development, demonstration activities and HAB/Jellyfish monitoring. Using existing contingency fund to cover PMO staffing costs beyond 18 months is not recommended.

### Conclusions and Recommendations:

---

- Country support for a functional PMO with existing or restructured staffing beyond the 18 months extension can showcase to UNDP and evaluator the commitment of the two countries for a sustainable regional cooperation framework and envisaged incremental impact of the project, and will maximize the likelihood of getting the 30 month extension request approved by UNDP.



### **Yellow Sea:**

- Sea of Friendship
- Sea of Peace
- Sea of Cooperation
- Sea of Prosperity

**Thank you!**



**UNDP/GEF YSLME Phase II Project Management Office**

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