

# **Memorandum of Agreement for the ICM Parallel Site in Sukabumi, West Java, Republic of Indonesia**



**Global Environment Facility**



**Pemerintah  
Kabupaten Sukabumi**



**United Nations  
Development Programme**

**Government of  
Sukabumi Regency**



**International Maritime  
Organization**



**Regional Programme on  
Building Partnerships in  
Environmental Management  
for the Seas of East Asia**

## **MEMORANDUM OF AGREEMENT**

### **KNOW ALL MEN BY THESE PRESENTS:**

This Memorandum of Agreement made and entered into by and between:

The **SUKABUMI REGENCY GOVERNMENT, THE REPUBLIC OF INDONESIA**, herein referred to as the Regency Government, with office address at JL. Siliwangi 10, Palabuhanratu, Sukabumi, West Java, Indonesia and represented by the Head of Sukabumi Regency, Drs. H. Maman Sulaeman,

and

The **INTERNATIONAL MARITIME ORGANIZATION**, with office address at 4 Albert Embankment, London SE1 7SR, herein referred to as IMO, and represented by the Regional Programme Director of the Regional Programme on Building Partnerships in Environmental Management for the Seas of East Asia, herein referred to as PEMSEA, and represented by Dr. Chua Thia-Eng, with office address at DENR Compound, Visayas Ave., Quezon City 1100, Philippines,

### **WITNESSETH THAT:**

**WHEREAS**, the Global Environment Facility (GEF), through the United Nations Development Programme (UNDP) as implementing agency, is supporting the Regional Programme on Building Partnerships in Environmental Management for the Seas of East Asia, herein referred to as PEMSEA;

**WHEREAS**, the IMO, which is a specialized United Nations agency with expertise in the development and implementation of international conventions relating to marine pollution, has been commissioned by the UNDP as executing agency for PEMSEA;

**WHEREAS**, the IMO has established a Regional Programme Office in Manila, Philippines, for the purpose of implementing PEMSEA, including planning, developing and implementing integrated coastal management (ICM) programs in concert with the identified needs and capabilities of local government units and other stakeholders in coastal areas of the East Asian Seas region;

**WHEREAS**, the goal of PEMSEA is to protect life support systems and enable the sustainable use and management of marine and coastal resources through intergovernmental, interagency and intersectoral partnerships, for improved quality of life in the East Asian Seas region;

**WHEREAS**, integrated coastal management, as demonstrated in Bali national ICM demonstration project of Indonesia, is recognized as an effective approach in resolving multiple coastal and marine use conflicts, in minimizing adverse impacts on environment and in ensuring sustainable socio-economic development of coastal areas;

**WHEREAS**, the Sukabumi Regency is pursuing economic development through coastal tourism development and recognizes the potential threats to the ecological balance of its coastal areas as a result of pollution, habitat degradation, coastal erosion, sedimentation and lack of land spatial use planning;

**WHEREAS**, the Regency Government, exercising the stewardship for sustainable coastal and marine uses, natural resource conservation and environmental protection in the coastal area of the Sukabumi Regency, is committed to the coordination and implementation of the agreed activities of the integrated coastal management (ICM) parallel site in the Sukabumi Regency;

**NOW THEREFORE**, for and in consideration of these premises, the parties to this Memorandum of Agreement (MOA) do hereby agree to support, promote and collaborate on the development and implementation of an ICM parallel site in the Sukabumi Regency in accordance with the definitions, objectives, performance indicators and activities specified in the GEF-UNDP Project Document RAS/98/G33/A/1G/19 entitled "Building Partnerships in Environmental Protection and Management of the East Asian Seas".

## **PART A**

### **Roles and Responsibilities**

The parties shall assume the following roles and responsibilities:

#### **A. The Sukabumi Regency Government agrees to:**

1. Establish a Project Coordinating Committee (PCC), ensuring the participation of concerned stakeholders, including appropriate national agencies and local government units, industry, private sector, education and research institutions, non-government organizations (NGOs), and local community groups, with the PEMSEA Regional Programme Office (PEMSEA RPO) serving as a technical and management advisor to the PCC for the development of an ICM parallel site project, herein referred to as the Sukabumi Integrated Coastal Management Program (Sukabumi ICMP);
2. Establish a Project Management Office (PMO), in consultation with the PEMSEA RPO, to undertake day-to-day operational activities of the Sukabumi ICMP, to serve as the Secretariat of the PCC, and to implement the policies and decisions of the PCC in accordance with the terms of reference developed and agreed to between the Regency Government and the PEMSEA RPO;

3. Through the PMO, and with the assistance of the PEMSEA RPO to this MOA, develop a Sukabumi ICMP work plan and budget, which includes objectives, activities, time schedule, expected outputs, capacity building initiatives and related costs, for submission to and approval by the PCC;
4. Oversee the development, co-ordination and implementation of the Sukabumi ICMP work plan and budget;
5. Make available published and unpublished reports, maps, records, data and other materials, which are considered necessary to the project development and implementation, subject to existing security and confidentiality provisions and agreements;
6. Monitor, evaluate, review and report the Sukabumi ICMP progress and impacts to PEMSEA RPO, with copy furnished to the PEMSEA National Focal Point in Indonesia, and adopt appropriate measures to improve project performance, taking into account the feedback received;
7. Document the Sukabumi ICMP activities and processes in planning, implementation and management including achievements, impacts, constraints, experience and lessons learned;
8. Disseminate the experience and lessons learned from the Sukabumi ICMP to facilitate adoption of ICM approaches elsewhere in Indonesia;
9. Participate in the Regional Network of Local Governments implementing ICM to share knowledge, experiences, expertise and lessons in the planning and management of coastal resources and management;
10. Using the policies, tools, techniques and practices developed and applied under the Sukabumi ICMP, establish a sustainable environmental management program in Sukabumi, which will extend beyond the life of the ICM parallel site project; and
11. Commit adequate resources for the development and implementation of the Sukabumi ICMP, in cash or in kind, to cover the project costs, in accordance with the activities and requirements to be detailed in the Sukabumi ICMP work plan and budget, identified in paragraph 3 herein above.

**B. The International Maritime Organization (IMO) through PEMSEA RPO agrees to:**

1. Provide technical and management advice on the Sukabumi ICMP development, implementation and sustainability, at the request of the PCC;
2. Assist the PMO to develop a work plan and budget for the Sukabumi ICMP, incorporating the ICM project development and implementation cycle, for submission to and adoption by the PCC;

3. Make opportunities available to PMO staff and to related personnel, as appropriate and within the limits of PEMSEA's designated resources, to participate in PEMSEA's ICM capacity building activities, including ICM training, as defined in the Sukabumi ICMP work plan and in accordance with case-by-case cost-sharing arrangements among the parties;
4. Provide the PMO with access to pertinent PEMSEA publications and technical reports related to ICM;
5. Provide the PMO with access to PEMSEA's Regional Network of Local Governments implementing ICM (RNLG) as well as other regional networks such as the networks of Integrated Information and Management System (IIMS) and Risk Assessment, as appropriate and based on the needs and resources available;
6. Assist the Regency Government in sourcing financial support for the development and implementation of the Sukabumi ICMP from parties external to this MOA, including national and international agencies, donors, private sector investors and operating companies;
7. Provide technical services, within the limits of PEMSEA's designated resources, related to the implementation of the Sukabumi ICMP work plan for activities such as development and operation of IIMS, risk assessment, coastal strategy development, development of coastal use zoning plan, natural resource valuation, development of environmental monitoring program, and identification of environmental investment opportunities, on a cost-recovery plan and as agreed on a case-by-case basis between the parties to this MOA; and
8. Support the efforts of the Regency Government to disseminate and extend the experience and lessons learned from the Sukabumi ICMP, elsewhere in Indonesia.

## **PART B**

### **Waiver**

Nothing contained in this agreement shall constitute a waiver, expressed or implied, of any privilege or immunity which IMO may enjoy, whether pursuant to the Convention on Privileges and Immunities of the Specialized Agencies or any other convention or agreement, law, order or decree of any international or national character.

## **PART C**

### **Settlement of Disputes**

Any dispute among the parties to this MOA concerning the interpretation or application of this Agreement shall be settled amicably.

## **PART D**

### **Duration of Work**

All the parties to this MOA shall carry out the roles and responsibilities as stated in Part A of this Agreement to the date of completion of the Sukabumi ICMP work plan, or to 30 September 2005, whichever date is the earlier, unless earlier terminated for cause by any party upon written declaration to the others.

## **PART E**

### **Effectivity**

This Memorandum of Agreement shall be effective upon the signing of both parties.

IN WITNESS WHEREOF, the parties have hereunto affixed their signature this 24<sup>th</sup> day of February 2003, in Sukabumi, West Java, Indonesia.

On behalf of the Regency Government  
of Sukabumi, Republic of Indonesia:



Drs. H. Maman Sulaeman  
Head of Sukabumi Regency

On behalf of the International Maritime  
Organization:



Dr. Chua Thia-Eng  
Regional Programme Director

Witnessed by:



Drs. Yusuf Fuadz  
Chairman of Legislative Assembly  
Sukabumi Regency