## **EAAFP Management Committee Meeting**

Wed, Jun 24, 2020 3:00 PM - 4:30 PM (KST)

Meeting Login: https://global.gotomeeting.com/join/278491765

Access Code: 278-491-765

#### **Draft Meeting Agenda (Meeting Day)**

- 1. Update of the **functioning of the Secretariat** in a time of Coronavirus
- 2. Update on the **EAAFP Foundation** 2 papers attached
- 3. Summary of existing/ongoing **MoU's** of the Secretariat paper attached
- 4. **Financial report** of the Secretariat paper attached
- 5. Implementation of the Hwaseong MOU paper attached
- 6. Partner Applications (Hong Kong Birdwatching Society and Mangrove Conservation Fund).
- 7. Update on MoP11 Preparations (Timeline, Provisional Agenda, Reporting Template).
- 8. Update on the Conservation Status Review (WI and Science Unit).
- 9. Any other business.

#### **Attendance**

#### Confirmed:

Chair, (Pete)

Vice Chair (Shufen),

ROK (Ms. Yun Hyerim \*new contact point),

CMS (Tilman),

Thailand (Sukanya),

Chair, Finance Sub-Committee (Martin),

Chair, Technical Sub-Committee (Nic).

- Apologies:

Wetlands International (Ward)

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#### Agenda 1 Update of the functioning of the Secretariat in a time of Coronavirus

Incheon has been a comparatively sound place to be in the four months. At the start of the year we did get in some international meetings in before travel was shut down in mid-March. These included:

- 5 day trip to China for a Yellow Sea Large Marine Ecosystem Meeting, a UNDP-GEF meeting for a major Flyway project for China and a meeting with the EAAFP Science Unit (Doug).
- Attendance at CMS CoP13 in India (Hyeseon and Vivian)
- 3 day meeting of the Indo-Burma Ramsar Regional Initiative lead by IUCN BKK Office (Doug).

Here in Incheon, we have followed the guidance of Incheon Government in relation to the staffing of the Office. To date, we have had "work from home" for three weeks in April-May. After a few weeks back working in the Office we went into a second period, for 4 weeks, with teams working in the Office on alternate weekdays. The wearing of face masks is almost universal inside buildings in Korea (compulsory to be able to enter GTower). None of our 14 staff (8 employees and Interns) have contracted the virus.

There has been some disruption to our Small Grants programs where projects have involved public events or international travel. In some cases activities were adapted to comply with local requirements and in others funds were reallocated (with input for the appropriate Working Group/Taskforce Chairs and the endorsement of the Chair of the TsC).

# Report from the EAAFP Finance Sub-Committee to the EAAFP Management Committee

# Analysis on the Establishment and Management of the EAAFP Foundation

This paper has been prepared to address questions raised by the EAAFP Finance Sub-Committee regarding the EAAFP Foundation.

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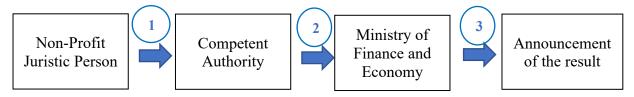
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# 1. The need to establish the EAAFP Foundation 1.1 Background

Adopted at the 9th EAAFP Meeting of Partners (MOP9) in 2018, the EAAFP Sustainable Financing Strategy proposed a number of recommendations in response to the need to increase and diversify funding for EAAFP operations and activities to achieve its strategic goals. One of the recommendations was to strengthen Partners' efforts to identify funding, provide direct contributions and help raise funds for priority actions and EAAFP support. The budget of the Secretariat heavily relied on the limited contributions from the Incheon Metropolitan City which led to lack of long term staff, heavy reliance on interns, and challenges to keep competent professionals. Although the Voluntary Contributions Fee system was adopted at MOP9, since then **only 10 Partners** out of 37 provided voluntary contributions. In addition, unlike Conventions or multilateral organizations, the Secretariat is not positioned to be commissioned to develop and manage programmes that could allow the Secretariat to recover costs in providing general management and oversight functions. Strengthening the financial position of the Secretariat will facilitate the implementation of the EAAFP Strategic Plan as assist to maintain long term staff.

To overcome the issue of limited and unsustainable financing, several fundraising solutions were recommended. One of the recommendations is to focus on raising funds domestically from corporates in the Republic of Korea (where the Secretariat is hosted). While approaching corporate and individual donors in the Republic of Korea, however, serious issues were found that Korean corporates strongly requested a corporate tax deduction receipt about their donation. For example, the Korea South-East Power Company (KOEN) signed an MOU with the Secretariat in 2018 to provide financial support to the Secretariat for the conservation of migratory waterbirds and habitats in Incheon region. After several donations provided in 2018 and early 2019, KOEN finally informed the Secretariat that they would have to stop their donation until the Secretariat is designated a donation organization and as such, able to issue tax deduction receipts.

The procedure of being approved to become a designated donation organization is as follows. (Source: Ministry of Finance and Economy Korea)



1. Request for a recommendation 2. Send a recommendation 3. Designate

The EAAFP Secretariat has not had a "legal entity" in the Republic of Korea. It operates under an MoU with the Ministry of Environment and Incheon Government and has a Business Registration as a non-profit/governmental organisation. The Business Registration is the mechanism for meeting national taxation and employment and banking requirements.

Discussion had centered on identifying how and what kind of organization needed to be established to go through the process above mentioned. According to the Ministry of Economy and Finance Korea, following types of organizations that meet the criteria under the **Enforcement Decree of the Corporate Tax Act, Article 39, Para 1, Sub-Para 1, Clause** 

are eligible to be recommended by the Competent Authorities to obtain a "designated donation organization" status:

- Incorporated Associations and Incorporated Foundations under the Civil Act,
- Social Cooperatives,
- Foreign Non-Profit Corporations,
- Public Institutions (excluding public enterprises),
- Institutions established directly pursuant to any Act.

#### 1.2 Comparative Analysis on Types of Organization

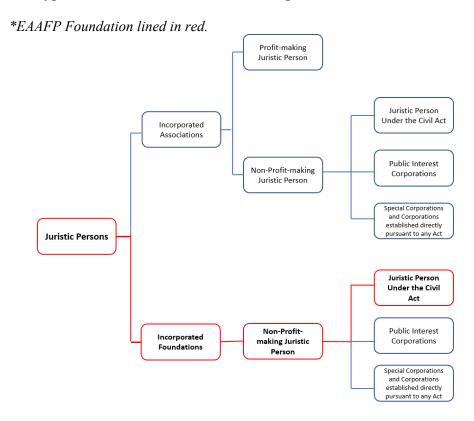
The EAAFP Secretariat initially consulted the Ministry of Environment about establishing a EAAFP Foundation. According to the **Manual on Non-Profit Juristic Persons by the Ministry of Environment**, the Ministry delegated the work to Incheon Metropolitan City. The EAAFP Secretariat consulted the Competent Authority (Incheon Metropolitan City) to understand which type of organization among the list above would be appropriate as a body to become a "designated donation organization". Registering as **a foreign non-profit corporation**, was not considered suitable as the mandate of such a corporation is to provide cooperation and assistance to overseas Koreans defined in the Act on the Immigration and Legal Status of Overseas Koreans, conduct promotional activities for the Republic of Korea or promote international exchange and cooperation.

The idea of **EAAFP Secretariat itself becoming the designated donation organization** was not considered either. The Terms of Reference of the Secretariat was adopted at EAAFP MOP5. The Partnership is an informal and voluntary initiative of the Partners. Registering the Secretariat as a legal entity in the Republic of Korea could complicate and limit international governance of the Secretariat given that a Korean governance arrangement would be needed.

The driving force for the Foundation model has been to enhance fundraising in Korea. It is strongly supported by Ministry of Environment Korea and Incheon Metropolitan City (the hosts of the Secretariat).

The Secretariat was left with the only two realistic options. These were to establish an Incorporated Foundation or an Incorporated Association under the Korean Civil Act. The Incorporated Association is a group of like-minded people and established based on certain number of members having the same objective. It aims to protect the rights of the members and build their capacity. Whereas, the Incorporated Foundation is established based on an "endowment". Its programme focus is on providing support and grants. Many Korean Incorporate Foundations conduct research or have grant programmes. Incheon Metropolitan City advised that an Incorporated Foundation was the appropriate entity to be established.

#### 1.3 Types of "Juristic Persons" in the Republic of Korea



The scope of the EAAFP Foundation is different from a Public Interest Corporation which are established under the **Act on the Establishment And Operation of Public Interest Corporations** that apply to legal persons, either as incorporated foundations or incorporated associations, with the purpose of conducting activities concerning aid or payment of school expenses, scholarships or research expenses, sciences and charities in order to contribute to the general interest of society. The rules and regulations applied to the EAAFP Foundation is broader than Public Interest Corporations and Special Corporations. The establishment of these types of Corporations require legislation by the national government.

# 1.4 Comparison with other Korean non-profit juristic persons in the environment sector

Other Korean non-profit juristic persons with global presence such as WWF Korea and the Korean Committee for UNICEF have its origins from overseas and Headquarters located outside of Korea. The establishment of their Korea office as a Foundation or Association can be understood given their operational focus in Korea. However, the Secretariat of the EAAFP has its main roles to serve the Partners mostly located outside Korea. The governance body of the Partnership (EAAFP Management Committee) consists of people not present in Korea. In establishing a legal entity in Korea, the Board of Directors need to be Korean citizens or non-Korean citizens registered as living in Korea. Please refer to the BoD section on page 6 and 7 for detailed information.

#### 1.5 Due diligence mechanism

In the Korean Civil Act;

#### **Article 32** states that:

"An association or foundation relating to science, religion, charity, art, social intercourse, or otherwise relating to enterprises not engaged for profit or gain, may be formed as a juristic person subject to the permission of the competent authorities."

#### **Article 37 states that:**

"The business of a juristic person shall be **inspected and supervised by the** competent authorities."

Under the Civil Act Article 32 and 37, **Incheon Metropolitan City Government**, as the **Competent Authority**, reviewed the EAAF Foundation from June to September 2019 and found it meet the qualifications against relevant laws and Acts. The general rules and the factors applied by the Competent Authorities in examining the application of the Foundation are shown in Table 1 (below).

Table 1. Assessment Criteria for reviewing an application to establish a Foundation

General Rules	Factors examined
1. Necessity of	- Objective of the Foundation
establishing the	- Novelty of the name
Foundation	- Expertise in the work
	- Capacity of implementing the work
	- Non-profitability
	- Legitimacy
2. Overall capacity of	- The work should not be too ambiguous but concrete and
the Foundation and its	implementable.
implementation of the	- Work experience and capacity of staff members
work proposed.	- Existence of resident staff
	- Existence of a separate office space
3. Financial	- Whether the Foundation can implement the work with
sustainability	revenues it is generating from the assets in the Basic Fund
	(see Section 2)
	- Whether the endowed property can be transferred to the
	Foundation immediately after the registration of the
	Foundation for incorporation.
	- Whether there was no falsity found during the process of
	endowing the property.
	- Whether the endowed property can be utilized

Upon the rigorous examination based on the general rule and factors, the Incheon Metropolitan City approved the establishment of the EAAFP Foundation as of 4th September 2019. The business registration was made on 30 September 2019.

#### 2. Assets of the EAAFP Foundation

The "Competent Authority" for the EAAFP Foundation (Incheon Government) determined that the minimum level of start-up assets for the EAAFP Foundation was 900 million KRW. This investment was to consist of a "Basic Fund" totally 50 million KRW, and an "Operating Fund" of 850,000 million KRW. The EAAFP Foundation is required to maintain the "Basic Fund" in excess of 50 million KRW. The "Operating Fund" is available for disbursement by

the Foundation Board in accordance with the purposes of the EAAFP Foundation and the Annual Workplan of the Foundation.

As mentioned above, the decision of establishing a Foundation under the Korean Civil Act is subject to the examination and permission of the competent authorities. While there is a minimum amount of assets for establishing a Public Interest Corporation regulated by municipal ordinance and guidelines in reference to Social Welfare Organizations, Incorporated Foundations under the Civil Act do not have such regulations. It is subject to the Competent Authorities' due diligence. Accordingly, the process of establishing the EAAFP Foundation went through the due diligence by the authorities as described in Table 1. Incheon Metropolitan City examined the financial sustainability of the EAAFP Foundation and requested to have 900 million KRW as the minimum asset for establishment. The City also reviewed the transparency of financing flow and capacity of the EAAFP Foundation to manage its financial assets. No issues were identified. For more details of the sources of the assets, please see page 12-13 (6. The relationship between the Foundation and Secretariat).

#### 3. Eligibility of the Board of Directors (BoD)

Directors need to be Korean citizens or non-Korean citizens registered to live in Korea. For non-Korean citizens registered to live in Korea, the nominated person needs to register his/her stamp in the Korean government system since the registered stamp is needed to sign off the Foundation document and Minutes of Board meetings. According to Manual for Non-profit Foundation published by Ministry of Environment Korea, the Board of Directors shall submit Certification of Seal Imprint when they register the Foundation. According to Ministry of the Interior and Safety, foreigners need to submit an alien registration card when they register a stamp. (The current EAAFP Secretariat Chief Executive has completed this process and now has a "registered stamp").

There are no regulations that would restrict the EAAFP Secretariat staff from being members of the Board of the EAAFP Foundation. The Board Members do not receive any remuneration from the EAAFP Foundation. Having EAAFP Staff as Directors ensures the alignment of the EAAFP Foundation's work with the Objectives of the EAAFP. The Chief Executive would be directly accountable to the Management Committee for the decision of the EAAFP Foundation.

The Foundation came into formal existence in a period when the position of Chief Executive was vacant. With the engagement of a new Chief Executive it is proposed that he will be invited to be a Director and then to be elected as the Chair.

The domestic reporting requirements of all Foundations involve an annual audited financial report and a forward Work Plan that are submitted to the Competent Authority (in our case the Incheon Government). The Financial report also needs to be lodged with the Taxation Office and uploaded to the EAAFP Foundation website.

The EAAFP Foundation has been established to enhance the fundraising within Korea. The Board is currently filled by existing Secretariat staff. In the future, having Board Members from outside the Secretariat, who can assist in fundraising and enhancing the profile of the EAAFP is well worth considering.

#### 4. Audit

It is duly acknowledged that there are a lot of operational due diligence including the annual BoD meetings, audits, and reporting duties. The EAAFP Foundation is capable of doing the required duties. Having an internal auditor is not a legal obligation for juristic persons under the Korean Civil Act as the Civil Act Article 66 states:

"A juristic person may, by its articles of incorporation or by a resolution of the general meeting, have auditors."

However, to ensure the transparency of financial management, the EAAFP Foundation will take 4 steps of audit and reporting process.

#### Step 1. Internal Audit

#### CIVIL ACT

#### Article 37 (Inspection and Supervision over Business of Juristic Person)

The business of a juristic person shall be inspected and supervised by the competent authorities.

#### **Article 66 (Auditor)**

A juristic person may, by its articles of incorporation or by a resolution of the general meeting, have auditors.

#### **Article 67 (Duties of Auditor)**

The duties of an auditor shall be as follows:

- 1. To inspect the financial status of the juristic person;
- 2. To inspect the manner in which its affairs are executed by the directors;
- 3. To report to a general meeting or to the competent authorities, if any irregularities are discovered in the financial status or the execution of affairs;
- 4. To convene a general meeting, if it is necessary to do so for making the report mentioned in the preceding subparagraph.

The EAAFP Foundation has nominated an internal auditor whose duties shall be of:

- To inspect the financial status of the juristic person;
- To inspect the manner in which its affairs are executed by the Directors;
- To report to a general meeting or to the competent authorities, if any irregularities are discovered in the financial status or the execution of affairs;
- To convene a general meeting, if it is necessary to do so for making the report mentioned in the preceding subparagraph.

#### Step 2. Independent External Audit

The Foundation will have an external independent audit conducted by the accounting firm **Grant Thornton Daejoo.** The Grant Thornton is the sixth largest U.S. accounting and advisory organization.

#### Step 3. Oversight by the Competent Authority

The first level oversight shall be done by Incheon Metropolitan City as the competent authority who approved the establishment of the EAAFP Foundation.

#### **Step 4. Online Disclosure**

In compliance with the Enforcement Decree of the Corporate Tax Act, Article 36, the EAAFP Foundation will operate a website. According to the Articles of Incorporation of the EAAFP Foundation, it will disclose the amount of donations annually collected and details of the use of such donations on the Foundation website in Korean; and it will have disclosed donations annually collected and details of the use of such donations within three months after the end of each business year on the websites of the non-profit corporation and the National Tax Service, in cases of re-designation;

The EAAFP Secretariat is audited by the independent auditor every year and reports to the EAAFP Committee and Partners through the EAAFP website and MOPs. The Secretariat will include the EAAFP Foundation budget in the reporting.

#### 5. Reporting

The reporting duties of the EAAFP Foundation is outlined in the Table 2. The EAAFP Foundation is well aware of the reporting schedule, and the first reporting was done in March 2020. The annual amount of donations and its usage were posted on the Foundation website and the National Tax Service Website by March. (Foundation Website: <a href="https://www.eaaflyway.net/home-kr">https://www.eaaflyway.net/home-kr</a>)

**Table 2. Reporting requirements of Foundations** 

Reports	Submitted to	Note
1. Foundation reporting	Incheon City	<ul> <li>Business plan for the next business year and a budget statement about income and expenses.</li> <li>Business performance of the business year and a settlement of income and expenses.</li> <li>A list of present assets at the end of the business year.</li> <li>A performance report</li> </ul>
	Tax Office	<ul> <li>A progress report and completion of plans for endowed assets by the budget reporting date should be submitted. The report should be reviewed by at least two professional accountants (outside experts) and submitted within 3 months after the expiration of a business year.</li> <li>A settlement of accounts should be published on the National Tax Service website.</li> <li>A bank account which is used for essential business should be registered on the National Tax Service website within three (3) months of the designated date</li> </ul>

		- Submit a statement of a receipt when the Head
		of National Tax Service (NTS) District Office
		` '
		in charge, requests.
		- Submit a statement of all issued receipts to the
		Head of National Tax Service (NTS) District
		Office in charge, within six (6) months of the
		expiration of a business year.
2. Secretariat	MOP	Details of Incomes and expenditures for 2 years
reporting		(2019-2020)
3. External Audit	MOP, EAAFP	It will include the Secretariat accounts and the
	website	Foundation account
4. Disclosure	Foundation	The annual amount of donations and its usage
statement on	Website,	should be posted on the Foundation website and
donations	National Tax	the National Tax Service Website within three
expenditures of	Service Website	months of the expiration of a business year (it is
Foundation		applicable even in case of zero amount of
		donation).

# 6. The relationship between the EAAFP Foundation and EAAFP Secretariat

The primary purpose to establish the EAAFP Foundation was to serve as a domestic fundraising mechanism.

When the Secretariat started working on establishing the EAAFP Foundation, it anticipated the donations from Korean entities (such as KOEN) and individuals could provide the funds to meet the primary asset requirements to establish the Foundation. However, Incheon Government as the competent authority specified a minimum of 900 million KRW was needed as the asset base to establish the EAAFP Foundation. This is equivalent to the annual budget of the EAAFP Secretariat. The EAAFP Foundation was being established to assist fundraising efforts of the Secretariat particularly within Korea.

Following the Finance Sub-Committee meeting held in April 2019 when the members noted the need for establishing the EAAFP Foundation in principle, the Secretariat consulted the Chair of the EAAFP Management Committee in August 2019 on the application process. An endorsement letter of establishing the EAAFP Foundation was issued by the Chair of the EAAFP Management Committee on 30 August 2019:

"I acknowledge that only registered legal entities (Statutory Donation Acceptance Organizations) are allowed to mobilize funds from corporate and individual donors and provide tax deduction to the donors in the Republic of Korea. Accordingly, there is a strong and inevitable need to establish an EAAFP Foundation in the Republic of Korea to obtain the Statutory Donation Acceptance Organization status. In this regard, a EAAFP Finance Sub-Committee meeting held on 12<sup>th</sup> April 2019 noted the needs of setting the Foundation in the Republic of Korea.

As a Chair of the Partnership, I endorse that the EAAFP Foundation is

established in the Republic of Korea to ensure sustainable financing for the conservation of migratory waterbirds and habitats, and that **the EAAFP Secretariat pledges initial resources to set up the Foundation**. Noting that the Chief Executive position is currently vacant the External Relations Manager, Ms. Yoon Kyung Lee, will coordinate the administrative process on behalf of the Foundation until the Chief Executive position is filled."

The transfer of the funds from the Secretariat account (of which approximately 80% was from Incheon Government and Ministry of Environment Korea) is safeguarded in the following ways:

- 1. The purpose of the EAAFP Foundation matches that of the EAAFP Partnership.
- 2. The EAAFP Foundation is required to submit an annual workplan and this is based on the budget adopted by the previous EAAFP MOP.

The breakdown of the sources of funds that made up the asset transfer (900,000,000 KRW) is shown in Table 3. And the Table 4. presents the Statement of Income and Expenditure of the EAAFP Secretariat in 2019. As of 31 December 2019, the Secretariat account balance is 205,056,502 KRW and the Foundation account balance is 571,184,732 KRW.

Table 3. Statement of Income and Expenditure of the EAAFP Foundation in 2019

(unit: 1,000 KRW)

Inco	me	Expenditure				
Item	Amount	Item	Amount			
1. Carryover	870,000	1. Partnership Activity	236,649			
2. Membership Fee	-	Develop Flyway Site Network	10,363			
3. Contribution Project Fee	-	CEPA on migratory waterbirds and their habitats	75,049			
4. Donation	30,482	Research, monitoring, knowledge generation and exchange	42,459			
5. Miscellaneous Expenses	148 Capacity but		20,537			
		Flyway-wide approaches to conservation	88,241			
		2. Office Operations	92,796			
		Personnel expenditure	6,233			
		Office management*	86,563			
		Tax	n/a			
		Miscellaneous Expenses	0			
Total Income	900,630	Total Expenditure	329,445			

<sup>\*</sup>The office management includes office equipment and training.

Table 4. Statement of Income and Expenditure of the EAAFP Secretariat in 2019

	Secretariat Account (KRW)											
Month	Inco	ome	Expenditure									
	Amounts	Note	Perconnel   1		Secretariat Operation	Contingency Fund	Total					
Jan.	810,792,229	Carried over and refund	25,303,146	3,724,507	3,533,828	-	32,561,481					
Feb.	31,900	Refund	34,789,230	4,886,571	7,492,930		47,168,731					
Mar.	649,986	Bank interest	17,798,839	5,803,088	4,709,601	9,794,910	38,106,438					
April	-		42,461,156	34,521,076	4,591,689	32,977,065	114,550,986					
May	660,078,900	ICG, MOEK, KOEN and etc.	19,545,068	59,101,751	5,534,415		84,181,234					
June	1,342,020	Bank interest and refund	12,661,796	27,485,053	22,479,089		62,625,938					
July	584,112	Refund	12,652,716	13,342,327	4,882,757		30,877,800					
Aug.	23,130,000	Sony	17,464,317	25,833,424	18,179,482		61,477,223					
Sept.	1,414,090	Bank interest	12,735,616	64,115,714	13,523,707		90,375,037					
Oct.	316,333,074	Refund from the Foundation account	19,788,156	909,077,848*	7,311,448		936,177,452					
Nov.	94,800	Refund	13,675,436	14,789,942	3,541,396		32,006,774					
Dec.	902,564	Bank interest and etc.	57,675,382	18,930,348	3,582,348		80,188,078					
Total	1,815,353,675		286,550,858	1,181,611,649	99,362,690	42,771,975	1,610,297,172					
Balance	205,056,503											

<sup>\*</sup> Transfer to the EAAFP Foundation account for start-up fund

The EAAFP Secretariat and EAAFP Foundation are audited by an independent professional auditor each year and this is submitted to the EAAFP Finance Sub-Committee. The Finance Sub-Committee submits its reports to the EAAFP Management Committee on the audit findings. The same findings will be shared on the EAAFP website and at MOPs.

We propose that the domestic funding is channeled through the EAAFP Foundation while the EAAFP Secretariat receives international funding.

# 7. Secretariat's proposal to address the concerns over the Board membership of the EAAFP Foundation

The Chief Executive of the EAAFP Secretariat is and is fully accountable to EAAFP Management Committee for the actions of the EAAFP Secretariat.

As such, it was proposed that the Chief Executive be invited to be a Director of EAAFP Foundation Board and to be nominated as the Chair of the Foundation. The election of the Chief Executive will ensure full accountability for the financial management of the EAAFP Foundation.

Guidance is requested in relation to the strategy of the EAAFP Foundation Board, and the development and management of the EAAFP Foundation.

[Note] On 27 May 2020, the Board meeting of EAAFP Foundation was organized in Songdo, Republic of Korea. The Board approved the expansion of the number of Board members and Mr. Doug Watkins was elected as a new Director of the EAAFP Foundation Board. Following this, the meeting called for nominations for the position of Chairperson of the EAAFP Foundation. Mr. Doug Watkins was the only Director nominated and is now the Chair of the EAAFP Foundation.

## **EAAFP Foundation Board Meeting Minutes**

- 1 Date & Time: 05.27.2020 (Wednesday). 16:00 17:30 KST
- 2. Location: EAAFP Secretariat Conference Room, 3F, 175, Artcenterdae-Ro, Yeonsu-gu,

EAAFP Secretariat, Incheon, Republic of Korea

- 3. Agenda:
  - G) Call meeting to order by Chairperson Roll call of Directors
  - @ Recognize visitors and guestsChange of the Articles of the IncorporationElection of an Additional Director
  - @ Election of Chairperson of the BoardComments from the Chairperson and Directors
  - @ Closing Comments
- 4. Total of Participants: 7
- 5. Attendees (4): Yoon Kyung Lee, You Jin Lee, Hyeseon Do, Wing Kan Fu
- 6. Guests (3): Douglas George Watkins, Min-jong Jeon, Yejin Jung
- 7. Absences: None

#### 8. Minutes

The Chairperson, Yoon Kyung Lee, reported that the Foundation board meeting was postponed from 26<sup>th</sup> May 2020 to the 27<sup>th</sup> May 2020.

- A. Call meeting to order by Chairperson
- All Directors, visitors, and guests joined the board meeting convened at the EAAFP Secretariat Conference room at 16:00.
- 8 Roll call of Director
- The Chairperson introduced the Directors and herself
  - Ms. You Jin Lee, Director of EAAFP Foundation
  - Ms. Wing Kan Fu, Director of EAAFP Foundation
  - Ms. Yoon Kyung Lee, Director and the Chairperson of the EAAFP
     Foundation
  - Ms. Hyeseon Do, Auditor of EMFP Foundation
- At the Chairperson's request, You Jin Lee explained the meeting's agenda.
- You Jin Lee explained the agenda for the meeting.
- The Chairperson asked for any comments, but there was not any comment.
- The Chairperson declared the agenda accepted.

Recognize visitors and guests

- The Chairperson introduced visitors and guests presented at the meeting
  - Mr. Douglas George Watkins, Chief Executive of EAAFP Secretariat
  - Mr. Min-jong Jeon, Deputy Chief Executive of EMFP Secretariat
  - Ms. Yejin Jung, Administration & Finance Officer of EAAFP Secretariat

- The Chairperson asked Directors if there is any question, and there were no comments.
- D. Change on the Articles of the Incorporation
- The Chairperson invited You Jin Lee to present the proposed changes on the Articles of the Incorporation of the EAAFP Foundation and the election of the Chairperson.
- You Jin Lee explained three things:
  - The process for amending the Articles of the Incorporation and election of the Chairperson.
  - The documents that will be needed to be submitted to the Korean Tax Office.
  - The further actions to implement, after it is registered by the Korean Tax Office.
- You Jin Lee explained the proposed amendments and the reason for the proposals:
  - Changing the title of the Articles of Incorporation from "ARTICLES OF INCORPORATION OF FOUNDATION" to "ARTICLES OF INCORPORATION OF EAAFP FOUNDATION".
  - Changing Article 12 from "Within one month" to "Within two months".
  - Changing Article 16 from "Three Directors" to "Minimum of three Directors and Maximum of nine Directors".
  - You Jin Lee suggested changing Chapter 6 title from "ADDITIONAL RULES"
     to "SUPPLEMENTARY PROVISIONS" and change of the numbers of articles.
  - Adding "Addendum" to indicate the updated effective date.
- The Chairperson asked all Directors if there were any comments, but there was none.
- The Chairperson then put the motion and all Directors supported the changes. The Chairperson declared that the proposed changes are accepted.

#### E. Election of additional Director

- Given the amendment to the number of Directors, the Chairperson asked if there is any recommendation for an additional Director.
- You Jin Lee nominated Douglas Watkins to be a Director of the Foundation.
- Wing Kan Fu and the Yoon Kyung Lee seconded the nomination.
- Douglas Watkins accepted the nomination and the Director's position. He is selected as a Director of the EAAFP Foundation.
- The Chairperson put the motion for the election of Douglas Watkins as a Director and it was unanimously adopted.

#### F. Election of Chairperson

- The Chairperson, Yoon Kyung Lee, explained the background to her standing down from the position of Chairperson. As Douglas Watkins has been engaged as the new Chief Executive of the EAAFP Secretariat, it would be an appropriate action for the current Chairperson to stand down from this position. Yoon Kyung Lee had consulted the EAAFP Finance Sub-Committee about the change of the Chairperson. The EAAFP Finance Sub-Committee had recommended to the EAAFP Foundation Board that the Chief Executive of the EAAFP Secretariat take on the role of Chairperson of the EAAFP Foundation to ensure transparency and accountable governance of the Foundation.
- Yoon Kyung Lee moved that Douglas Watkins be elected as the new Chairperson of the EAAFP Foundation.
- The Chairperson called for any additional nominations for this position.
- All Directors agreed to the motion and Douglas Watkins was declared the new Chairperson of the EAAFP Foundation.
- Yoon Kyung Lee explained the terms and roles of the Directors and Chairperson

position as outlined in the Articles of Incorporation of EAAFP Foundation.

- G. Comments from Chairperson and Directors
- Yoon Kyung Lee asked the new Chairperson and Directors if there are any further comments about the agenda. There were no additional comments.

#### H. Closing Comments

- The Chairperson declared all the agenda items were accepted.
- The Chairperson asked if there are any other comments and opinions to close.
- There being no comments, the Chairperson declared the meeting closed.
- The meeting ended at 17:30 KST.

05.27.2020

Retired Chairperson

Lee Yoon Kyung

New Chairperson

Watkins Douglas George

Seorge

Director

Do Hyeseon

Director

Fu Wing Kan

Lee You Jin

# Agenda 3: Summary of MoUs in the name of the EAAFP Secretatiat and the EAAFP

	Signing	Expiry	MOU Name	Entity	Signatory	Purpose	Funding
				Existing MOI	Js		
1	2016_03	x	MOU on providing internship opportunities and conservation education for Korean students in the field of Environmental Science	Korean Environment Corporation (KECO), ROK	EAAFP Secretariat	Forsetring Global Conservation Leaders	×
2	2018_08	2021_08		Korea South-East Power Co., Ltd., Yeongheung Power Divisio, ROK	EAAFP Secretariat	Various activities of env. international organizations and local environmental NGOs in regards to conserving natural monuments and/or internationally endangered migratory waterbirds and their habitats in Incheon region	Upon the request, appx 37,000 USD in 2020
3	2019_05	2029_05	MOU among the Partnership for the East Asian - Australasian Flyway, the Ministry of Environment and Metropolitan City of Incheon of the Republic of Korea as Host of the Secretariat of the East Asian - Australasian Flyway Partnership	Ministry of Environment, Incheon Government, ROK	EAAFP	Hosting Agreement	Appx. 421,000 USD (Incheon) / 58,000 USD (MOEK) per year
4	2019_05	x	MOU on Incheon Tourism Network	Incheon Tourism Network (21 entities - LCC airlines, ferry industry, toursim corporations, Incheon Gov't), ROK	EAAFP Secretariat	Collaboration to improve local tourism service	X
5	2020_1	х	Achieve the conservation of Black-faced Spoonbill and migratory waterbirds in Incheon and support the sister site arrangement between Incheon Metropolitan City of the Republic of Korea and Hong Kong Special Administrative Region of the People's Republic of China	Incheon Government, ROK	EAAFP Secretariat	Support the Sister Site Programme, BFS WG activites	Appx. 41,000 USD per year
6	2020_04	2020_12 (2022 - TBC)	Memorandum of Understanding on an International Symposium and Cooperation Project	Hwaseong City, ROK	EAAFP Secretariat	Project implementation, FEC TF activites, Sister Site Programme	Appx. 165,000 USD
				Ongoing MO	Js		
7	2020_06	2025_06	Australasian Flyway and Gyeongsangnam-do Ramsar Environment Foundation	Gyeongnam Ramsar Environment Foundation, ROK	EAAFP Secretariat	Collaboration to improve the regional conservation activies and awareness	X
8	2020	2025	Cambodia Lac PDP Myanmar Thailand and Viet	IUCN (represented by its Asia Regional Office), representing the Secretariat of IBBRI	EAAFP Secretariat	Collaboration	X

**Agenda 4 Financial Report of the Secretariat** 

Total Balance (as of 20, June 2020) (USD)

Category -				2019		2020			
Catego	ory		Budget	Expenditure	surplus(a)	Budget(b)	Total(a)+(b)	Expenditure	Balance
PA	Partnership activity(PA)			168,961	246,039	440,000	686,039	86,093	599,945
PA1	Objective 1	Develop Flyway Network Sites	30,000	16,305	13,695	30,000	43,695	8,098	35,597
PA2	Objective 2	СЕРА	100,000	39,558	60,442	85,000	145,442	32,597	112,846
PA3	Objective 3	Research, monitoring, knowledge generation and exchange	60,000	36,445	23,555	30,000	53,555	27,010	26,545
PA4	Objective 4	Capacity Building	95,000	9,308	85,692	135,000	220,692	3,382	217,310
PA5	Objective 5	Flyway-wide approaches	130,000	67,346	62,654	160,000	222,654	15,007	207,647
so	Secretariat o	perations(SO)	91,845	85,620	6,225	91,845	98,070	45,957	52,113
ОМ	Office Mangement	Management of Staff (training, field trip, business operating,	30,043	26,616	3,427	30,043	33,470	4,398	29,072
SE	Office Maintenance	Communication, postage, Utility	36,052	34,458	1,593	36,052	37,645	30,242	7,402
OE	Office Equipment	Vechicle, Computer, software, etc.	25,751	24,546	1,205	25,751	26,956	11,317	15,639
PE		penditure(PE)	298,605	245,966	52,639	298,605	351,244	121,142	230,102
PE1	PE1	Staff's Salary	220,000	173,551	46,449	220,000	266,449	99,527	166,922
PE2	PE2 Insurance and Miscellouneous Expenditure		78,605	72,415	6,190	78,605	84,795	21,615	63,180
		Total	805,450	500,548	304,902	830,450	1,135,353	253,193	882,160
CF	Contingency	Funds	97,613	44,384	53,228	44,384	97,612	0	97,612

from ICG and MOEK

42,156

20,476

13,684

12,588

9,923

5,084

15,007 207,647

86,093 599,945

PA Balance	(as of 20, Ju	une 2020)							(USD)	_
				2019			20.	20		
Five Objectives		Description of activity required	Budget	Expenditure	surplus(a)	Budget(b)	Total(a)+(b)	Expenditure	Balance	
Objective 1: Develop Flyway Network Sites	Activity 1.1	Activity 1.1 Provide advice and technical support to complete the SIS for new	20,000	12,038	7,962	20,000	27,962	7,859	20,102	
	Activity 1.2	Activity 1.2 Provide small funds to FNS (especially newly designated FNS) on a	10,000	4,266	5,734	10,000	15,734	239	15,495	
	Subtotal		30,000	16,305	13,695	30,000	43,695	8,098	35,597	
Objective 2: CEPA	Activity 2.1	Activity 2.1 Maintain and update EAAFP website, including different language	20,000	8,225	11,775	20,000	31,775	15,142	16,634	need to pay for website 2020
	Activity 2.2	Activity 2.2 Update and produce CEPA materials, including updating, producing	20,000	12,622	7,378	20,000	27,378	1,790	25,588	
	_	Activity 2.3 Promote World Migratory Bird Day through events and global	50,000	18,711	31,289	35,000	66,289	15,665	50,624	Sponsorship from ICG and MOE
	Activity 2.4	Activity 2.4 Cooperate with other partners to hold Flyway-wide Youth Forum bringing	10,000	0	10,000	10,000	20,000	0	20,000	
	Subtotal		100,000	39,558	60,442	85,000	145,442	32,597	112,846	
Objective 3: Research, monitoring, knowledge	Activity 3.1	Activity 3.1 Collect and translate (with the support of the Country Partners), the key	30,000	7,733	22,267	0	22,267	0	22,267	
generation and exchange	Activity 3.2	Activity 3.2 Small grant support for EAAFP Working Groups and Task	30,000	28,712	1,288	30,000	31,288	27,010	4,278	
	Subtotal		60,000	36,445	23,555	30,000	53,555	27,010	26,545	
Objective 4: Capacity Building	Activity 4.1	Activity 4.1 Cooperate with Partners to organize international FNS Workshop, to	40,000	0	40,000	40,000	80,000	0	80,000	
	Activity 4.2	Activity 4.2 Cooperate with Partners to organize national FNS Workshop, held	40,000	467	39,533	40,000	79,533	2,833	76,700	
	Activity 4.3	Activity 4.3 Support the conservation and raise awareness of the significance of the	15,000	8,841	6,159	15,000	21,159	66	21,093	
	Activity 4.4	Activity 4.4 Organize MOP11 in late 2020	0	0	0	40,000	40,000	483	39,517	
	Subtotal		95,000	9,308	85,692	135,000	220,692	3,382	217,310	
Objective 5: Flyway-wide Approaches	Activity 5.1	Activity 5.1 Support Yellow Sea network	35,000	1,256	33,744	35,000	68,744	0	68,744	
	Activity 5.2	Activity 5.2 Support SE Asia Network	25,000	0	25,000	25,000	50,000	0	50,000	
							1			i

25,000

30,000

15,000

130,000

415,000

7,844

29,601

16,316

12,328

67,346

168,961

17,156

-16,316

2,672

62,654

246,039

399

25,000

30,000

30,000

15,000

160,000

440,000

42,156

30,399

13,684

17,672

222,654

686,039

Activity 5.3 Activity 5.3 Support activities in NE

Asia/Russian Far East/Alaska Activity 5.4 Activity 5.4: Staff travel and costs to

Activity 5.5 Activity 5.5 Committee meeting before

Subtotal

Total

participate in national and international

MOP11 to review implementation of the Activity 5.6 Activity 5.6 Investment in fundraising, e.g.

holding events, materials etc for supporter

## Funds for extra projects performance 2019-2020

(as of 20, June 2020)

Sources of Income	Projects		2019		2020			
Sources of income	riojects	Budget	Expenditure	surplus(a)	Budget(b)	Total(a)+(b)	Expenditure	Balance
Incheon city gov.	EAAFP 10th Anniversary	42,918	38,977	3,942	-	3,942	2,652	1,290
	Incheon project to protect wetlands and migratory waterbirds	-	-	-	42,918	42,918	-	42,918
Republic of Korea(MOEK)	EAAFP 10th Anniversary	42,918	42,918	-	-	-	-	-
Hwaseong city gov.	Hwaseong wetlands	-	-	-	171,674	171,674	1,852	169,822
Subtotal		85,837	81,895	3,942	214,592	218,534	4,504	214,030
KOEN	Projects in local area	25,751	11,397	14,354	77,253	91,607	9,543	82,064
SONY Global tresury	Hong Kong Bird Race 2019	19,854	18,372	1,482	-	1,482	-	1,482
	Photo contest 2019 and MOP10 sponsorship	-	12,213	-12,213	49,995	37,782	2,160	35,622
	Organization of 2019 Thailand bird watching event	-	-	-	6,568	6,568	5,234	1,334
Subtotal	45,605	41,983	3,623	133,816	137,439	16,937	120,502	
Total	131,442	123,878	7,565	348,408	355,973	21,441	334,532	

## Agenda 5 Implementation of the Hwaseong MOU

The Sec. has been invited by Hwaseong Local Government of ROK to support the improvement for the maintenance for the newly designated Hwaseong Wetlands Flyway Network Site (on Dec 2018, MOP10).

After the consultation and endorsement by the majority of the Management Committee members, on 7 May 2020, the Sec. signed an MOU for this year (MOU effectives till 12 Dec 2020) for the conservation of Hwaseong Wetlands and its migratory waterbirds, with funding of 200 million KRW (app`x 165,000 USD) to implement following items:

- 1) organization of an international symposium for the development of a long-term management road map for the site,
- 2) implementation of both local and international cooperation activities,
- 3) helping the engagement of international cooperation through EAAFP Sister Site program,
- 4) supporting the EAAFP Far Eastern Curlew Task Force/CMS FEC Single Species Plan and establishing a Korean Far Eastern Curlew Network based on research and monthly survey and activities.

Considering the additional workload associated with implementation of the MoU, the Sec has hired a local project coordinator (temporary consultant position) under the Programme Team (lead by Deputy) to support ongoing and future local projects /activities. A detailed implementation plan with Hwaseong and 3 local NGOs has been developed. It's was decided to contract two NGOs (Hwaseong Korean Federation Environmental Movement and Birds Korea) to implement components 2 and 4. In implementing Components 3 and 4, the Sec, has corresponded with the EAAFP FEC TF and Australian Government for recommendations of potential international cooperation on the Sister Site program and implementation of the EAAFP Far Eastern Curley Action Plan.

The local government is showing a very strong commitment to continue this funding for the new few years.

Agenda 6 Partner Applications (Hong Kong Birdwatching Society and Mangrove Conservation Fund).

Verbal report by the CE.

# PARTHER SHIP FOR MA

#### **EAST ASIAN - AUSTRALASIAN FLYWAY PARTNERSHIP**

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# Agenda 7 Update on MOP11 Preparations (Timeline, Provisional Agenda, Reporting Template

EAAFP 2020/012

17 April 2020

#### **EAAFP - NOTIFICATION TO PARTNERS OF MOP11**

The EAAFP Secretariat is pleased to announce the dates and location for the 11<sup>th</sup> Meeting of the Partners (MOP11). The MOP11 and associated events will take place from **14 to 19 March 2021 in Brisbane, Queensland** at the kind invitation of the Government of Australia and BirdLife Australia.

The venue for the meeting will be <u>Royal on the Park Hotel and Suites</u>. It is situated next to the City Botanic Gardens and Brisbane River, in the heart of the Brisbane city.

Further information about the meeting, including the online registration (opened in early September 2020) and side events, will be available on the <a href="EAAFP MOP11 website">EAAFP MOP11 website</a> and Partners will also be informed via email. The EAAFP Secretariat and the Australian Government are mindful that the current Coronavirus (COVID-19) pandemic is resulting in major disruptions to international travel and limiting the gathering of large numbers of people at events. We will continue to monitor this situation and advise potential MOP participants in **November if MOP11 needs to be delayed**. Please still do register online so that we can keep you updated.

Partners, Working Groups and Task Forces are informed of deadlines for the submission of documents to MOP11. The attached tables provide the timeline for document submission, including deadlines for Partner Reports, any proposals for the amendment of the Appendices in the Partnership document, and proposed Draft Decisions. It also outlines the flow of documents through the Technical sub-Committee and indicates when documents will be made available to Partners. Please also refer to the attached provisional agenda (version 1) for MOP11.

Working Groups and Task Forces will have an opportunity to meet on Sunday, 14 March followed by MOP11 between Monday, 15 March and Friday, 19 March 2021. A fieldtrip to local bird hotspots will occur on Thursday 18 March.

The submission of documents for consideration by the MOP, and deadlines, are established in the <u>Rules of Procedure</u>, adopted at MOP9. Partners are encouraged to familiarize themselves with these before the MOP. Partners are requested to submit all documents for MOP to the Secretariat at <u>secretariat@eaaflyway.net</u>, by the attached deadlines.

Yours sincerely,

Pete Probasco, Chair, EAAFP Management Committee



## **EAST ASIAN - AUSTRALASIAN FLYWAY PARTNERSHIP**

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#### **Table 1. Timeline and Document Deadlines for EAAFP MOP11**

Note: Deadlines for the submission of papers for MOP are informed by "EAAFP MOP9 Decision 5 - New Rules of Procedures for MOPs".

Date	Days before MOP	Proposals to amend the Partnership document	Decisions with a technical or scientific element	Decisions without a technical orscientific element	All other MOP documents					
16-Oct-2020	150	Partners to submit proposals (if any) for amendment of the Partnership documentand/or its Appendices (Rule 32.1).	Partners are encouraged to submit proposals that include a scientific element (to enable consideration by Technical Sub-Committee).							
23-Oct-2020		Secretariat makes any proposal Partnership document and/or it MOP11 website.								
Nov-2020		Meeting of the Technical Sub-Co	ommittee to consider the technic	al elements of proposals.						
1-Dec-2020					Partners, Working Groups, Task Forces and the Secretariat submit reports on implementation of the Strategic Plan using the Reporting Template.					
8-Dec-2020			Final date for <b>Partners</b> to submit proposals, leaving one week for review and upload to the EAAFP web site (Rule 10). Any documents received after this deadline need to be provided to the Secretariat and will be referred to the Meeting Committee for a decision on							
Dec-2020		Second Meeting of the Technica	al Sub-Committee to consider the	technical elements of Dra	ft Decision.					
15-Dec-2020	89	Secretariat makes all remaining	documents available to Partners	on the MOP11 website (R	ule 10).					
14-Mar-2021		Working Groups/Task Forces Meetings and preparatory meetings including the Management Committee and the Technical Sub- Committee.								
15–19 Mar-2021		EAAFP MOP11								



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## Table 2. Tentative Schedule for EAAFP MOP11 and associated events, 14 – 19 March 2021

Time	Sun 14		Mon 15	Tue 16	Wed 17	Thurs 18	Fri 19
8:00	Registration for MOP		Registration for MOP	Registration for MOP	Registration for MOP		
8:30			· ·	ŭ	ŭ		
9:00				Key Note Presentation	Key Note Presentation		Key Note Presentation
9:30			Opening Ceremony				
10:00		Meeting of					
10:30	Meeting of Working Groups and Task Forces	Working Groups and Task Forces			Plenary		Plenary
11:00				Plenary			
11:30							
12:00			Plenary				
12:30							
13:00						Field trip	
14:00						,	
14:30			Plenary	Plenary	Plenary		Plenary
15:00		Meeting of Working Groups and Task Forces					
15:30	Meeting of Working						
16:00	Groups and Task Forces						
16:30							Closing Ceremony
17:00							
17:30			Meeting	Meeting	Meeting		Meeting of the Meeting of
18:00			Committee WG/TF	Committee Side Events WG/TF	Committee Side Events WG/TF		Management the Technical Committee sub-
	Meeting of the Management Committee			Side Events			Committee
18:30							
19:00 - onwards			Opening Reception				Farewell Reception

ELEVENTH MEETING OF PARTNERS TO THE PARTNERSHIP FOR EAST ASIAN – AUSTRALASIAN FLYWAY Brisbane, Queensland, Australia, 15-19 March 2021



## **Provisional Agenda**

ITEM	Agenda	Document
Openi	ng of the Meeting	
1.	Opening Ceremony	
2.	Welcoming Address	No Doc
3.	Presentation of Certificates for new Partners and Flyway Network Sites	No Doc
4.	Key Note Presentation	No Doc
Proced	lural Matters	•
5.	Adoption of the Rules of Procedure	
6.	Appointment of the Meeting Chair and Vice-Chair	
7.	Consideration of the Provisional and Supplementary Provisional Agenda and	
	Adoption of the Meeting Agenda	
8.	Adoption of the Meeting Program	
9.	Approval of Minutes of the 10 <sup>th</sup> Meeting of Partners	
10.	Admission of Observers	
11. Re	ports and Recommendations of Committees	
11.1	Report of the Management Committee	
11.2	Report of the Finance Sub-Committee	
11.3	Report of the Technical Sub-Committee	
12. Ad	ministrative and Budgetary Matters	
12.1	Secretariat Activities (including Science Unit) and Budget for 2021 & 2022	
12.2	Report on the Small Grant Fund for Working Groups and Task Forces 2019 & 2020	
12.3	Synergies and Partnerships	
12.4	Anticipated financial implications of proposed MOP11 Decisions	
13. lm	plementation of the Partnership	
13.1	Progress on implementation of the EAAFP Strategic Plan 2019-2028	
13.2	Status of the EAAFP Flyway Site Network	
13.3	Guidelines for EAAFP National and Site Partnerships	
13.4	Guidelines for the EAAFP Sister Site Program	
13.5	EAAF Migratory Waterbird Conservation Status Review	
13.6	Conservation and Management Priorities for Migratory Seabirds	
13.7	Resource Mobilization by the EAAF Partnership	
	Additional items raised by Partners	
Conclu	ding Business (Decisions)	
17	Reports of the Meetings of Committees, Working Groups and Task Forces	
18	Approval of Decisions	

19	Adoption of Secretariat's Activities and Budget 2021 – 2022		
20	Elections and Appointments		
20.1	Chair and Vice Chair of the Partnership		
20.2	Management Committee		
20.3	Finance Sub-Committee		
20.4	Technical Sub-Committee		
21	Date and venue of the 12 <sup>th</sup> Meeting of Partners		
22	Adoption of the report of the 11 <sup>th</sup> Meeting of Partners		
23	Any Other Business		
24	Closing Ceremony		

Agenda 8 Update on the Conservation Status Review (WI and Science Unit).

Verbal report by the CE.

Agenda 9 Any other business.