SESSION 1: OPENING CEREMONY

1.1 The second Meeting of the Co-operation Forum (the Forum) under the Co-operative Mechanism on the Straits of Malacca and Singapore (the Straits) between Indonesia, Malaysia, Singapore (the littoral States), user States and other stakeholders of the Straits, was held from 14 to 15 October 2009 at the Grand Copthorne Waterfront Hotel, Singapore.

1.2 The Forum was attended by representatives from the littoral States, user States, Inter-Governmental Organisations (IGOs), Non-Governmental Organisations (NGOs) and other stakeholders. The list of participants is attached as Annex 1.

1.3 The Forum was officially opened by Mr Raymond Lim Siang Keat, Minister for Transport and Second Minister for Foreign Affairs, Singapore. Minister Lim noted the good progress of the three pillars of the Co-operative Mechanism, namely: the Co-operation Forum, the Aids to Navigation Fund (ANF) and the Project Co-ordination Committee (PCC). On behalf of the littoral States, Minister Lim expressed appreciation for the International Maritime Organization’s (IMO) continued commitment to the Co-operative Mechanism, formalised by way of a Joint Technical Arrangement (JTA) between the littoral States and the IMO that was signed during the 2nd Co-operation Forum, and highlighted the importance of continued progress of the Co-operative Mechanism, to demonstrate its relevance and thus to sustain stakeholders’ interest in the Co-operative Mechanism.

1.4 The Head of Delegation of Singapore welcomed participants to the meeting. Singapore highlighted the key objective of the Co-operation Forum as one of three components of the Co-operative Mechanism, that is, as a platform for the littoral States to engage user States and other stakeholders, on safety of navigation and environmental protection in the Straits.

1.5 The Heads of Delegation of Indonesia and Malaysia expressed their appreciation to user States and other stakeholders that were present at the 2nd Co-operation Forum, and to Singapore for hosting the meeting. Indonesia highlighted that the Co-operative Mechanism had proven that the littoral States, user States, the IMO and other stakeholders shared the same commitment to co-operation towards safer navigation and cleaner waters in the Straits, and that it was timely to concretise this commitment in forms acceptable by all concerned. Malaysia noted the importance of the Co-operative
Mechanism in keeping the Straits open and thus facilitating global commerce, and welcomed the increased industry participation in the Co-operative Mechanism.

1.6 The IMO underlined the timeliness and importance of the Co-operative Mechanism and highlighted the complementary role of the IMO Malacca and Singapore Straits Trust Fund, which would support the mobilisation of resources by the littoral States on the implementation of the project on aids to navigation in the Straits.

1.7 The speeches delivered by Minister Lim, the littoral States and the IMO are attached as Annex 2.

1.8 The Minister for Transport of Singapore witnessed the signing of the Joint Technical Arrangement (JTA) by the three littoral States and the IMO. The JTA institutionalises the interface between the Co-operative Mechanism and the IMO Straits of Malacca and Singapore Trust Fund. The Fund has an initial contribution of US$1 million from Greece. The Minister also presented Letters of Recognition on behalf of the littoral States to Australia, China, Greece, India, Japan and the United States for their contributions to the various projects under the Co-operative Mechanism.

SESSION 2: DEVELOPMENTS IN THE CO-OPERATIVE MECHANISM

2.1 Session 2 of the Forum, on “Developments in the Co-operative Mechanism”, was chaired by Mr Yee Cheok Hong, Group Director (Policy and Planning) of the Maritime and Port Authority of Singapore.

2.2 China, India and Japan delivered opening remarks that reiterated the critical role of the Straits in international trade and shipping and thus the critical necessity of ensuring that the Straits remained open, safe, secure and clean for shipping. China, India and Japan highlighted the importance of the Co-operative Mechanism as a structured and sustainable framework for dialogue and co-operation between the littoral States, user States and other stakeholders of the Straits. China indicated its intent to contribute to the ANF. China, India and Japan reaffirmed their commitment to the Co-operative Mechanism.

Agenda Item 1: Developments in the Co-operative Mechanism and the Straits of Malacca and Singapore

2.3 Update on the administration, operation and activities of the ANF

2.3.1 Malaysia presented an update on the administration, operation and activities of the ANF. The Forum noted the report in document CF 2/1/1. In particular, the Forum was informed that:

(i) Three ANF Committee meetings have been held since the first meeting in April 2008, with the last ANF Committee meeting held in April 2009 in Malacca, Malaysia.

(ii) The United Arab Emirates, Nippon Foundation, Malacca Strait Council, and the Middle East Navigation Aids Service have contributed to the ANF.
(iii) A 10-year Plan Maintenance Programme was developed in April 2009.

(iv) Merits of the ANF included its voluntary nature and its operation and maintenance which emphasised transparency and accountability. This included the implementation of work performance audits and financial audits by independent third parties.

2.4 Update on developments in the Straits Projects

2.4.1 The Chairman updated the Forum on developments in Straits Projects 1 to 6, as provided in document CF 2/1/2.

2.4.2 The Forum noted the good progress made in the six Straits Projects. This included the successful completion of various trials and site surveys, and the organisation of training activities for formulating operating procedures and best practices.

2.4.3 On behalf of the littoral States, the Chairman thanked the various contributing States for their active participation in the six projects.

2.5 Update on the Marine Electronic Highway (MEH)

2.5.1 The Forum noted the update on the MEH presented by Indonesia in document CF 2/1/3.

2.5.2 Indonesia highlighted its implementation plan which included the procurement of navigation equipment under the World Bank fund, and indicated that the implementation plan would be put in place by early 2010.

2.6 Protection of Vital Shipping Lanes: The Co-operative Mechanism

2.6.1 The IMO presented its perspective on the role played by the Co-operative Mechanism in the protection of vital shipping lanes as contained in document CF 2/1/4. The Forum noted the following:

(i) The Co-operative Mechanism was based on a proposal originating from the IMO Secretary General. In November 2004, the IMO Council agreed that the IMO had a part to play in the protection of vital shipping lanes.

(ii) The IMO reiterated its commitment to the implementation of the Co-operative Mechanism, highlighting the various roles it had under the framework.

(iii) The IMO Malacca and Singapore Straits Trust Fund had the aim of facilitating contributions to projects under the Co-operative Mechanism, and is complementary to funds established under the Co-operative Mechanism.

(iv) The speaker highlighted the link between the Co-operative Mechanism and the MEH project, and raised the possibility that an
MEH full-scale initiative could be part of the Co-operative Mechanism in future.

Agenda Item 2: New Project Concepts / Proposals

2.7 Singapore presented a new Straits Project concept proposal on an Emergency Towing Vessel (ETV) service in the Straits of Malacca and Singapore. It had been agreed at the 34th Tripartite Technical Experts Group (TTEG) Meeting that the proposal was to be presented to the 2nd Co-operation Forum to seek the Forum's inputs and to further develop and materialise the concept. The Forum further noted that the ETV service was intended to provide the relevant coastal States with adequate resources to mitigate incidents on a 24/7 basis, in order to enhance safety of navigation.

2.8 Malaysia indicated that it would be useful to obtain preliminary feedback from the industry on the ETV concept proposal. Germany proposed that the littoral States consider the use of multi-purpose vessels as ETVs and sought clarification that the littoral States were inclined for the responsibility to be shared, with each coastal State having authority over its own jurisdiction.

SESSION 3: SAFETY OF NAVIGATION

3.1 Session 3 of the Forum, on “Safety of Navigation”, was chaired by Capt. M Segar, Group Director (Hub Port) of the Maritime and Port Authority of Singapore

Agenda Item 3: Initiatives to Enhance Safety of Navigation in the Straits of Malacca and Singapore

3.2 Wreck removal in the Straits of Malacca and Singapore/Bathymetric Survey and Wreck Investigation Training by India (Straits Project 1).

3.2.1 Malaysia presented an update on the project on Wreck Removal in the Straits (Straits Project 1). The Forum noted the update as contained in document CF 2/3/1. In particular, the Forum noted:

(i) The identification of 11 critical wrecks under the project;

(ii) India’s proposal of Bathymetric Survey and Wreck Investigation Training in support of Straits Project 1; and

(iii) Malaysia’s initiative to conduct a “Pilot Wreck Monitoring Survey” on one of the wrecks, and the invitation to stakeholders to contribute to future surveys.

3.2.2 India presented on the National Institute of Hydrography in Goa, India as contained in document CF 2/3/2. The Forum noted the range of courses offered by the Institute and the future conduct of a training course from 2 November to 28 November 2009 at Goa on “Bathymetric Survey with Special Emphasis on Wreck Investigation” in support of Straits Project 1.
Agenda Item 4: AIS-B in the Straits of Malacca and Singapore

3.3 Report of Demonstration Trial of AIS-B Transponders on Small Vessels in the Singapore Strait (Straits Project 3).

3.3.1 Singapore presented a status report on the demonstration trial of AIS-B transponders on small vessels, in document CF 2/4/1. The Forum noted that the project was near completion, with the report stating that overall coverage of AIS Class B transponders was reasonably good, and that AIS Class B transponders were able to work well in a dense and crowded traffic environment such as the Singapore Strait. Further feedback from shipmasters was to be collected to enhance the trial. The Forum also noted the participation of Australia, Japan and the Republic of Korea in the project.

Agenda Item 5: Aids to Navigation in the Straits of Malacca and Singapore

3.4 Maintenance of Aids to Navigation

3.4.1. The Forum noted the presentation by Japan on the maintenance of Aids to Navigation in the Straits, as outlined in document CF 2/5/1. In particular, the Forum noted that contributions by Japan, from both private organisations and the Japanese government, to enhance navigational safety in the Straits, had begun in 1968. The Forum further noted Japan’s commitment to the Co-operative Mechanism through contributions to its various components, such as the ANF.

Agenda Item 6: Indiscriminate Anchoring in the Straits of Malacca and Singapore

3.5 Indiscriminate Anchoring in the Straits of Malacca and Singapore

3.5.1. The Forum noted Malaysia’s presentation on a proposed Non Anchorage Area in document CF 2/6/1. The Forum noted the frequent submarine cable failures in the vicinity of an area between the Traffic Separation Scheme (TSS) and the Pasir Gudang Port Limits caused by vessels’ indiscriminate anchoring.

3.5.2. The Forum further noted Singapore’s presentation on actions taken to address the problem of indiscriminateanchoring. The Forum noted that the TTEG had approved a joint TTEG circular on Prohibition of Anchoring in the Straits of Malacca and Singapore to address the problem of indiscriminate anchoring.

Session 3: Open Forum Discussions

3.6 With reference to the Wreck Removal project, Malaysia clarified that the “Pilot Wreck Monitoring Survey” was done following a re-examination of the scope of Project 1, to sub-divide Project 1 to smaller components which would facilitate more manageable financing of Project 1, in view of the high costs of implementation.
3.7 Germany commended the good progress of the Co-operative Mechanism and suggested that the work of the Co-operative Mechanism be communicated to a wider audience. The IMO highlighted that as the Co-operative Mechanism arose from the IMO’s Protection of Vital Shipping Lanes initiative, the progress of the Co-operative Mechanism was reported to the IMO Council and the general membership of the IMO. Singapore welcomed the suggestion of Germany which merited further consideration to advance the work of the Co-operative Mechanism.

3.8 With reference to the issue of indiscriminate anchoring, the Chair and Malaysia clarified that indiscriminate anchoring in the Straits was due to the reluctance to incur the costs of anchoring in properly designated areas, rather than the lack of anchorage space. The Chair and Malaysia informed the Forum that there was sufficient designated anchorage space in the ports of Indonesia, Malaysia and Singapore. Singapore reiterated its earlier support through the 34th TTEG for Malaysia’s proposed Non Anchorage Area. Singapore would continue to work with Malaysia and other partners to address incidents of indiscriminate anchoring outside the proposed non-anchorage area.

SESSION 4: MARINE ENVIRONMENTAL PROTECTION IN THE STRAITS

4.1 Session 4 of the Forum, on “Marine Environmental Protection in the Straits”, was chaired by Ambassador Mary Seet-Cheng, Special Advisor, Maritime and Port Authority of Singapore.

4.2 In her opening remarks, the Chairman highlighted that protecting the environment must rank high on our list of common priorities, and that environmental-related mishaps can disrupt shipping and endanger navigation. The Chairman also drew attention to the coastal communities along the Straits that rely on marine resources.

Agenda Item 7: Site Assessment Survey for Wind / Tide / Current Management System

4.3 Findings of Site Assessment Survey for Setting up Wind/Tide/Current Measurement System for the Straits of Malacca and Singapore to Enhance Navigational Safety and Marine Environmental Protection (Straits Project 4)

4.3.1 China and India presented their findings from the site assessment survey for setting up a wind/tide/current measurement system for the Straits under Straits Project 4, as outlined in document CF 2/7/1.

4.3.2 The potential benefits of the system included enhancing accuracy of search and rescue model prediction, improving prediction accuracy of oil/chemical spill trajectory, and potentially assisting shipping lines in their voyage planning.

4.3.3 The survey was conducted at six proposed locations of the tide, current and wind stations, which were previously identified to be high risk areas in the Straits.
Agenda Item 8: HNS Preparedness and Response

4.4 Latest Developments on the Implementation and Way Forward (Straits Project 2)

4.4.1. Malaysia presented the latest developments in the implementation of Straits Project 2, on co-operation and capacity building on Hazardous and Noxious Substance (HNS) preparedness and response in the Straits.

4.4.2. The Forum acknowledged the following as outlined in document CF 2/8/1:

(i) The objectives of the project were to enhance marine environmental protection in the Straits, and to enhance the preparedness and response capabilities of the littoral States against any ship-sourced pollution incidents.

(ii) Malaysia informed the Forum of Australia’s contribution of technical assistance to the establishment of the HNS Databank and the methodology to develop a computer-based risk assessment, and the contribution by China towards capacity building, that is, a “Train the Trainer” course.

(iii) The Forum also noted the areas of co-operation that could involve user States and key stakeholders of the Straits, namely through the funding of the HNS databank and HNS response centres, and the provision of technical expertise in areas of capacity building and development of standard operating procedures.

4.5 U.S. Coast Guard Support for HNS Training

4.5.1. The Meeting was informed the United States Coast Guard’s (USCG) contribution in support of the Co-operative Mechanism, as presented in document CF 2/8/2.

4.5.2. The USCG shared the concern of the littoral States, user States and key stakeholders of the Straits of Malacca and Singapore, on navigational safety and environmental protection in the Straits. The USCG highlighted the HNS training programme organised by the USCG for the littoral States in 2008, and indicated its willingness to coordinate similar programmes in future, to enhance international and inter-agency collaboration.

Agenda Item 9: Straits of Malacca and Singapore as a Vital Shipping Route

4.6 Importance of the Straits of Malacca and Singapore as a Vital Shipping Lane for Germany

4.6.1. The Forum noted Germany’s presentation on the importance of the Straits as a vital shipping lane for Germany.

4.6.2. The speaker highlighted that security in the Straits was a global task, and indicated that Germany was willing and able to play an active role therein.
The Forum welcomed Germany’s contribution of US$50,000 via the IMO Malacca and Singapore Straits Trust Fund and Germany’s offer of in-kind assistance, to the Co-operative Mechanism.

4.7 Critical Maritime Routes: European Union’s Point of View

4.7.1 The European Commission delivered a presentation on the European Union’s view on critical maritime routes, as contained in document CF 2/9/2.

4.7.2 The Forum noted the European Commission’s support for the IMO in the promotion of regional co-operation and coordination for improving safety and security of navigation. The Forum further noted the European Commission’s willingness to finance such initiatives, in particular the Co-operative Mechanism, and noted the European Commission’s view that such initiatives should ideally be applied to other regions in the world.

4.7.3 The Forum welcomed the European Commission’s pledge to contribute 400,000 to 500,000 Euros to the development of the HNS databank, MEH and AIS Class B projects.

Session 4: Open Forum Discussions

4.8 The Forum noted China’s and India’s proposed recommendations for more accurate data on tide, current and wind patterns. The IMO highlighted that Project 4 could leverage on the MEH databases and information exchange mechanism to gather and disseminate information to ships.

4.9 The Forum noted that Malaysia’s proposal on HNS response centres would leverage on and complement existing mechanisms and resources. The Forum affirmed the importance of utilising existing resources so as to maximise new resources contributed to Straits Projects. The Forum welcomed China’s contribution in the organisation of a HNS response training course in 2010.

4.10 In closing, the Chairman highlighted that beyond the synergies between safety of navigation and environmental protection, Straits Projects 2 and 4 demonstrated the importance of the principles of prevention, preparedness and response, and cooperation.

SESSION 5 – PANEL DISCUSSIONS ON NEW AREAS OF CO-OPERATION

5.1 Session 5 of the Forum, on “Panel Discussions on New Areas of Co-operation”, was chaired by Mr Yee Cheok Hong, Group Director (Policy and Planning) of the Maritime and Port Authority of Singapore.

Industry participation in the Co-operative Mechanism

5.2 Mr Yudhishtir Khatau, President-Designate of BIMCO, on behalf of the Round Table of International Shipping Associations, delivered short remarks that underscored the Forum’s understanding that effective measures relating to international shipping should have the consensus of both States and industry. Mr Khatau emphasised the
need to harmonise regional requirements with the existing international maritime legal framework and highlighted that such measures should be in line with the United Nations Convention on the Law of the Sea (UNCLOS).

**Agenda Item 10: Panel Discussion on Safety of Navigation**

5.3 Agenda item 10 of the Forum was co-chaired by Capt M Segar, Group Director (Hub Port) of the Maritime and Port Authority of Singapore and Mr Peter Hinchliffe, Marine Director, International Chamber of Shipping (on behalf of the Round Table of International Shipping Associations).

5.4 In his opening remarks, Mr Hinchliffe welcomed the innovative step of having panel discussions by the industry. He shared the Chair’s view that the focus should be on long-term engagement and co-operation rather than finding quick-fix solutions.

5.5 The Forum noted the presentation by the panel and subsequent discussions by the panel and the floor on the following issues with regard to safety of navigation in the Straits, as contained in document CF 2/10:

   a. Small Craft Movement
   b. Traffic Separation Schemes
   c. MEH and e-Navigation

**Agenda Item 11: Panel Discussion on Environmental Protection**

5.6 Agenda item 11 of the Forum was co-chaired by Mr Muhammad Razif Ahmad, Director of Seafarer Affairs and Port Division, Marine Department Malaysia and Mr Tim Wilkins, Regional Manager Asia-Pacific, INTERTANKO (on behalf of the Round Table of International Shipping Associations).

5.7 The Forum noted the presentation by the panel by the panel and subsequent discussions by the panel and the floor on the following issues with regard to environment protection in the Straits, as contained in documents CF 2/11/1 and CF 2/11/2.

   a. Port Reception Facilities
   b. Oil and Chemical Spill Response
   c. Ballast Water Management
   d. Bio-fouling Management

**Agenda Item 12: Summary of Outcomes of Panel Discussions**

5.8 Agenda item 12 of the Forum was chaired by Ambassador Mary Seet-Cheng, Special Advisor, Maritime and Port Authority of Singapore.

5.9 The Chairman noted the value of industry participation in the Co-operative Mechanism as demonstrated by the preceding panel discussions. The Chairman further noted that industry and States alike understood the need to harmonise regional requirements with the existing international maritime legal framework.

5.10 The Forum noted the following outcomes and follow-up actions from the panel discussions on safety of navigation and environmental protection:
5.10.1 The Forum agreed on the need for robust preventive measures in risk management and mitigation. The Forum further agreed that in the development and implementation of such measures, States should refer to a common international framework such as that provided by the IMO, even if such measures were to be implemented in a regional setting.

5.10.2 The Forum recognised the potential of technology in enhancing navigational safety and environmental protection in addition to existing conventional measures. The Forum noted that the littoral States would take into account technological advancements in traffic management in the TSS.

5.10.3 The Forum welcomed the proposal to further discuss informally through correspondence the technical matters on safety of navigation and environmental protection issues in the Straits in the Forum inter-sessionally. The Forum noted that outcomes of the discussions should be submitted to the next Co-operation Forum for its consideration and appropriate action.

5.10.4 The Forum noted that the Nippon Foundation was prepared to help the littoral States organise an inter-sessional meeting if required, subject to consultation with the littoral States and the Round Table of International Shipping Associations.

SESSION 6 – CLOSING SESSION

Adoption of Report

6.1 The meeting considered and adopted the report of the Meeting.

Closing of the Forum

6.2 The Chairman thanked all delegations for their positive contributions and support for making the 2nd Co-operation Forum a success. The positive indication and commitment from the other two littoral States, user States, and other stakeholders from the international maritime community to the Co-operation Forum amply demonstrated the success of the Co-operative Mechanism.

6.3 The 3rd Co-operation Forum would be held in Indonesia in 2010, with the details on the date and venue to be communicated at a later date.

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List of Annexes

| Annex 1 | List of participants |
| Annex 2 | Opening Address by Mr Raymond Lim Siang Keat, Minister for Transport and Second Minister for Foreign Affairs, Singapore, and opening remarks by the Heads of delegation of the littoral States |
| Annex 3 | Agenda |