

Effect of Federal Constitutional Framework to Marine Environmental Law, Policy and Administration in Malaysia

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Abstract: One of the main obstacles in having effective legislations and in establishing efficient administrative mechanism to implement and enforce marine environmental laws and policies in Malaysia is due to the federal system of government which divides legislative and executive/administrative power between two levels of government, namely the federal government and the state governments. Environment becomes a contentious subject matter and issue in Malaysia because the division of power in the constitution neither put environment in federal exclusive sphere nor state exclusive sphere. The court's decision to define environment 'according to context' means the subject matters that may constitute environment may come within state government's jurisdiction, federal government's jurisdiction or concurrent power of both governments. As a result there is uncertainty of jurisdiction on duties and responsibilities over environmental matter. The complexity regarding jurisdiction over environmental matters is compounded by the fact that the two East Malaysian states have extra power compared to the rest of the states, which makes the determination of environmental matters relating to the two states to a certain extent different compared to other states.

Key words: Federal constitution, marine pollution, marine environment, environmental law

INTRODUCTION

Malaysia is a maritime nation. It is surrounded by two globally important stretches of water - the Straits of Malacca and the South China Sea. Although there is no exact and official definition of what constitute a maritime nation, Malaysia, which is surrounded by seas and depends heavily on the seas to facilitate much of its trade and generate economic activities, could well be considered as one. Malaysia enjoys a strategic location along major shipping trade lanes, namely Straits of Malacca and South China Sea, and draws its hydrocarbon energy riches and much of its source of protein from the seas. It has world class ports and the world's largest owner/operator of gas tankers, and its shipyard are capable of building for the export markets. Malaysia also generates revenue from marine tourism by developing island resorts and promoting activities such as boating, cruising and diving. These attributes could well qualify Malaysia as a maritime nation (Maizatun, 2011).

Malaysia is a federation. The country practices federalism whereby the power to govern the country is divided between two levels of government, namely the federal government and the state governments. The federation is made up of thirteen states and the federal territories of Kuala Lumpur, Putrajaya and Labuan. Each state has its own government. The states have the power to govern themselves, and to make their own law and policy and administer their bureaucracies. The legislative, executive and financial powers of the federal government and the state governments are stated in the Federal Constitution of Malaysia. There is constitutional principle of non-interference which must be observed by both governments whereby the federal government cannot interfere with the subject matters which are assigned exclusively to the states, and the state cannot interfere with subject matters assigned exclusively to the federal government. In this respect each government is independent within its own exclusive sphere.

The Division of Power between Federal Government and State Government under the Federal Constitution of Malaysia:

K. C. Wheare defined federal government as existing when "the powers of government for a community are divided substantially according to the principle that there is a single independent authority for the whole area in respect of some matters and that there are independent regional authorities for other matters, each set of authorities being co-ordinate with and not subordinate to the others within its own prescribed sphere" (Wheare, 1980). If the central government is subordinate to the member states, there is not federation but confederation, while if regional governments are subordinate to the central government, there is not federation but devolution.

The territorial jurisdiction of laws made by the state governments and federal government are stated in Article 73 which provides that: In exercising the legislative powers conferred on it by this Constitution: (a)

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Parliament may make laws for the whole or any part of the federation and laws having effect outside as well as within the federation; and (b) the legislature of a state may make laws for the whole or any part of that state. Under section 2 of the National Land Code Malaysia, 'land' is defined to include 'land covered by water'. Section 5 of the National Land Code, which is only applicable in the states of West Malaysia, classified land as 'land above the shore-line ... and foreshore and sea-bed'. Whereas under section 51, 'state land means' means all land in the state including so much of the bed of any river, and of the foreshore and bed of the sea, as is within the territories of the state or the limits of territorial waters, other than alienated land, reserved land, mining land, any land which, under the provisions of any law relating to forests is for the time being reserved forest.

'Territorial waters' has the meaning assigned to it in sub-section (2) of section 4 of the Emergency (Essential Powers) Ordinance, No. 7/1969 which has been replaced by the Territorial Sea Act 2012. Section 6 states that the breadth of the territorial sea (territorial waters) of Malaysia is 12 nautical miles. The baselines from which the breadth of the territorial sea is to be measured is made in accordance with section 5 of the Baseline of Maritime Zones. It is also provided that the definition of 'territorial sea' in the Continental Shelf Act 1966, the Petroleum Mining Act 1966, the National Land Code and any written law relating to land in force in Sabah and Sarawak, would refer 'to such part of the sea adjacent to the coast thereof not exceeding 3 nautical miles measured from the low-water line.'

The Legislative Jurisdiction of Federal and State Governments:

The Parliament makes law for the federal government and legislative assemblies of the states make law for their respective states. The subject matter of legislative jurisdiction for state governments and federal government is based on Article 74 which shall be read together with the 9th Schedule to the Federal Constitution.

Article 74, which titled 'Subject matter of federal and state laws' states that 'Parliament may make laws with respect to any of the matters enumerated in the Federal List or the Concurrent List (that is to say, the First or Third List set out in the Ninth Schedule)' and 'the Legislature of a state may make laws with respect to any of the matters enumerated in the State List (that is to say, the Second List set out in the Ninth Schedule) or the Concurrent List.'. For the states in addition to the two lists Article 77 states 'the Legislature of a state shall have power to make laws with respect to any matter not enumerated in any of the Lists set out in the Ninth Schedule, not being a matter in respect of which Parliament has power to make laws.'

Based on the above provisions it is clear that only federal government can make laws on subject matters mentioned in the Federal List (the First List) and only the states may make law on subject matters enumerated under the State List (the Second List) and residuary matter. In the case of *Mamat bin Daud & Ors. v. The Government of Malaysia* [1988] 1 MLJ 119 that, if federal government passes a law on a matter stated under the State List or residuary matter the law may be declared void on the ground of ultra vires (excess of jurisdiction), and vice versa. The Federal List covers 27 headings include external affairs, defence, internal security, civil and criminal law and procedure, finance, commerce, industry, communication and transport, surveys, education and publications. The State List has 13 headings and includes Islamic law, land, agriculture, forestry, local government, and water. The Concurrent List covers 12 subjects such as social welfare, public health, drainage and irrigation, and housing.

In addition to the matters mentioned in the State List and the Concurrent List Article 95B (1) states that, in the case of the states of Sabah and Sarawak: (a) the supplement to List II set out in the Ninth Schedule shall be deemed to form part of the State List, and the matters enumerated therein shall be deemed not to be included in the Federal List or Concurrent List; and (b) the supplement to List III set out in the Ninth Schedule shall, subject to the State List, be deemed to form part of the Concurrent List, and the matters enumerated therein shall be deemed not to be included in the Federal List (but not so as to affect the construction of the State List, where it refers to the Federal List). Accordingly the Constitution provides supplementary State List (List IIA) and Concurrent List (List IIIA) with regard to certain subjects in relation to the states of Sabah and Sarawak. For instance, water, power and electricity, agriculture and forestry research are concurrent subjects in the states and Sarawak. They, however, are federal subjects for the states in peninsular Malaysia.

Federal and state governments have their own public services. Federal government and federal authorities have executive jurisdiction as assigned by Article 80 (1) and (2). The same principle and provisions are applicable to the states. Article 80 (1) provides, subject to the following provisions of this Article the executive authority of the Federation extends to all matters with respect to which Parliament may make laws, and the executive authority of a state to all matters with respect to which the Legislature of that state may make laws. Under Article 80 (2), the executive authority of the federation does not extend to any matter enumerated in the State List, except in so far as is provided in Articles 93 to 95, nor to any matter enumerated in the Concurrent List, except in so far as may be provided by federal or state law; and so far as federal or state law confers executive authority on the federation with respect to any matter enumerated in the Concurrent List it may do so to the exclusion of the executive authority of the state. In accordance with the abovementioned provision state government has exclusive executive power over matters enumerated under the State List and the Concurrent

List, and any residuary matter. The federal government has exclusive executive power only matters stated under the Federal List.

Additional Executive Jurisdiction of Sabah and Sarawak

The Federal Constitution of Malaysia The 9 th Schedule The Legislative List		
First List (Federal List)	Second List (State List)	Third List (Concurrent List)
1. External affairs, including - (a) Treaties, agreements and conventions with other countries and all matters which bring the Federation into relations with any other country; (b) Implementation of treaties, agreements and conventions with other countries;... (d) International organizations; participation in international bodies and implementation of decisions taken thereat; 8. Trade, commerce and industry, including -(i) Industries; regulation of industrial undertakings; (j) Subject to item 2 (c) in the State List: Development of mineral resources; mines, mining, minerals and mineral ores; oils and oilfields; purchase, sale, import and export of minerals and mineral ores; petroleum products; regulation of labour and safety in mines and oilfields; (k) Factories; 9. Shipping, navigation and fisheries, including - (d) Maritime and estuarine fishing and fisheries, excluding turtles; 20. Control of agricultural pests; protection against such pests; prevention of plant diseases.	2. ...land including- (a) Land tenure, relation of landlord and tenant; registration of titles and deeds relating to land; colonization, land improvement and soil conservation; rent restriction;... (c) Permits and licences for prospecting for mines; mining leases and certificates; 3. ... agriculture and forestry, including— (a) Agriculture and agricultural loans; and (b) Forests. 4. Local government 6. State works and water, that is to say: .. (c) Subject to the Federal List, water (including rivers and canals but excluding water supplies and services); control of silt; riparian rights. 12. Turtles and riverine fishing.	3. Protection of wild animals and wild birds; National Park. 5. Town and country planning. 7. Public health, sanitation ..and the prevention of diseases. 8. Drainage and irrigation. 9. Rehabilitation of mining land and land which has suffered soil erosion. 9D. Subject to the Federal List, water supplies and services.

The Federal Constitution of Malaysia The 9 th Schedule The Legislative List	
List IIA Supplement to State List for States of Sabah and Sarawak	List IIIA Supplement to Concurrent List for States of Sabah and Sarawak
15. Ports and harbours, other than those declared to be federal by or under federal law; regulation of traffic by water in ports and harbours or on rivers wholly within the state, except traffic in federal ports or harbours; foreshores. 16. Cadastral land surveys. 20. Subject to the Federal List, water supplies and services.	12. Shipping under fifteen registered tons, including the carriage of passengers and goods by such shipping; maritime and estuarine fishing and fisheries. 13. The production, distribution and supply of water power and of electricity generated by water power. 14. Agricultural and forestry research, control of agricultural pests, and protection against such pests; prevention of plant diseases.

Jurisdiction over Environment:

Environment’ and ‘pollution’ are not defined in the Federal Constitution. The task then fell on the Malaysian courts to define it. In the case of *Ketua Pengarah Jabatan Alam Sekitar and Anor v. Kajing Tubek and Ors.* [1997] 4 CLJ 253, the court was asked to decide which of the two sets of environmental laws, the Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 1987, a law made under the Environmental Quality Act 1974 (EQA) or the Natural Resources and Environmental (Prescribed Activities) Order 1994, a Sarawak law made under the Natural Resources Ordinance 1949 was applicable to the Bakun dam project.

In the case *Gopal Sri Ram JCA* stated in his judgment: Nowhere in the three Lists – the Federal, the State and the Concurrent, is ‘environment’ specified as a separate legislative subject. This is because the expression ‘environment’ is a multi-dimensional concept that is incapable of having any independent existence. It is a concept that must attach or relate itself to some physical geographic feature, such as land, water or air, or to a combination of one or more of these, or to all of them. Any impact upon the ‘environment’ must, in the present context, relate to or be in respect of some activity that is connected with and having an adverse effect upon either land, or water, or the atmosphere or a combination of them

Mokhtar Sidin JCA in his judgment of the case elaborated the division of power and definition of environment. He stated that: “It must be remembered our country is a federation where the Federal Constitution is the supreme law of the land. Under the` Federal system it is to be noted that certain matters are left to the state to legislate. Sarawak and Sabah by virtue of the Malaysia Act have more matters reserved for them as compared

to the other states. As can be seen from the lists in the Ninth Schedule, environment is a subject or item is not found in any of the lists... It is interesting to note that environment is not included in any of the lists. ... environment *per se* is an abstract thing. It is a multi-dimensional so that it can be associated with anything surrounding human beings. The Act by s. 2 defines environment as follows: 'Environment' means physical factors of the surroundings of the human beings including land, water, atmosphere, climate, sound, odour, taste, the biological factors of animals and plants and the social factor of aesthetics. The Ordinance gave the same definition. The judge's understanding of the word 'environment' is that it only exists when it affects something of physical nature, biological or social factors. Thus when something is affected the environment comes into play. Though the definition given by the Act is rather vague, the word is common usage now. As such it is my opinion that the environment affected must be viewed what it is related. In my view in this respect the power to legislate on environmental matters would necessarily depend on the specific activity to which the environmental matters relate. It appears to me that both the Federal Parliament and the state legislature are competent to make laws in order to control the environmental impact on any activity of which the activity is identifiable with the lists given to them. As correctly pointed out by the senior federal counsel 'industries and regulation of industrial undertakings' is a Federal matter which is at List I para. 8(1), Parliament can make environmental laws in respect of industries. Thus the Act came into being. On the other hand when the environmental impact is on rivers, land and forest are the items contained in the State List, the State Legislature is competent to make laws in order to control all works on state land in respect of these items. Thus the Sarawak Legislature passed the Ordinance in order to control all works on state land including the clearing of forest and building dams across any river. It was conceded by the respondents' counsel the impact of the environment in the present appeal was in respect of the rivers, forest and the land. Those are the things that the respondents based their complaints. As can be seen from the above both the Parliament and the State Legislature are competent to make laws on environmental impact. On the face of it there appears to be a conflict but in my view that is not so. One has to look into the activity to which the environmental impact is aimed at".

The judge further stated that "the items in the respective legislative Lists in the Ninth Schedule to the Federal Constitution relevant in the present context are: Item 2(a) in List II (the State List) which specifies 'land improvement' as a subject; Item 6(c), also in List II, which includes, subject to the Federal List, water (including water supplies, rivers and canals); Item 11(b) of List I (the Federal List) which enumerates: 11. Federal works and power, including (a) ... (b) Water supplies, rivers and canals, except those wholly within one state...; and Item 13 of List IIIA (Supplement to Concurrent List for States of Sabah and Sarawak) which enumerates as a legislative subject: The production, distribution and supply of water power and of electricity generated by water power. The court decided that it is plain that both Parliament and the Legislative Assembly of the state of Sarawak have concurrent power to make law regulating the production, supply and distribution of power which includes hydroelectric power. The place where that power is to be generated is land and water. This, on the facts of the present case, is the 'environment' upon which the project will have an impact. Since the 'environment' in question, by reason of Item 2(a) of List II and Item 13 of List IIIA, lies wholly within the legislative and constitutional province of the state of Sarawak, that state has exclusive authority to regulate, by legislation, the use of it in such manner as it deems fit. When properly construed, the EQA operates in entire harmony with the Ordinance. Parliament, when it passed the EQA, did not intend, and could not have intended, to regulate so much of the environment as falls within the legislative jurisdiction of Sarawak".

In *Malaysian Vermicelli Manufacturers (Melaka) Sdn. Bhd. v. Pendakwa Raya* [2001] MLJU 359, it has been argued that the applicability of the EQA to the state of Malacca was limited to those matters enumerated in the Federal list. It was contended that the Minister had the power to make regulations under section 51 of the EQA, subject to the qualification that the regulations must only be with respect to matters enumerated in the Federal List because section 51 of the EQA could only empower the making of subsidiary legislation on matters concerning which the Federal government had the legislative competence but not otherwise. The pith and substance of the Regulations was the discharge of effluents into inland waters (the Malacca river), which was wholly within the legislative and constitutional competence of the state of Malacca. Therefore, counsel for the appellant contended that the Regulations could not apply to the discharge of effluents into inland waters within the state of Malacca. Since the Regulations affected inland waters (which was within the legislative competence of the state), the Regulations were ultra vires the powers of the Minister and were not applicable to the state of Malacca. For this he relied solely on item 6(c) of the State List (List II in the Ninth Schedule to the Federal Constitution). Since the Regulations were not applicable to the state of Malacca, no offence was validly created. Hence, the charge preferred against the appellant, namely, discharging effluents into inland waters contrary to Regulation 8 (1)(b) of the Regulations could not stand.

The High Court held that the environment in this case (the inland waters and land) were within the state of Malacca. But since the Regulations are in pith and substance a legislation with respect to item 7 in the Concurrent list (which is within the legislative competence of the federal government), any accidental transgression by the Regulations into the entries in item 6(c) and item 2 of the State List does not affect the competence of the federal government to make the law. It was stated in the judgment that: "The Regulations are

in pith and substance a legislation with respect to 'public health, sanitation and the prevention of diseases,' an entry in item 7 in the Concurrent List (List III in the Ninth Schedule to the Federal Constitution). This conclusion is arrived at after giving the entries in item 6(c) in the State List and item 7 in the Concurrent list their widest significance and amplitude. I also have no doubt that it is the conclusion which would bring out harmony between the entries and would ensure the smooth and harmonious working of the Federal Constitution, avoid practical inconvenience and would not make well-established provisions of law nugatory". The judge further stated that "even applying the multi-faceted and multi-dimensional concept of environment as expounded in the *Ketua Pengarah Jabatan Alam Sekitar and Anor v. Kajing Tubek and Ors.* [1997] 4 CLJ 253 (The Bakun case), the result is still the same, because it is within the legislative competence of the federal government. This is supported by the statement of the Court of Appeal in the BAKUN'S case: "This exemplifies, and proves accurate, the argument of Dato' Gani Patail that the term "environment" is a multi-faceted and multidimensional concept, depending for its meaning upon the context of its use. So, there may be environment within the state of Sarawak that may fall outside its legitimate and constitutional control and within that of the federal government. It is to such limited cases that the EQA will apply". Moreover, since section 25 of the EQA also creates an offence and its punishment in respect of legislation made by the federal government, it is also covered by entry in item 4(h) in the Federal List, i.e. entry with respect to "creation of offences in respect of any matters included in the Federal List or dealt with by federal law". The upshot of this is that the Regulations and section 25 of the EQA are applicable and enforceable in the state of Malacca. The charge preferred against the appellant is therefore valid.

Federal Government's Power and Responsibility: International Maritime Environmental Laws and Obligations under the Laws:

Executive and legislative powers over external affairs are vested in the federal government as the subject matter is mentioned under the Federal List (the First List) as decided in the case of *The Government Of The State Of Kelantan v. The Government Of The Federation Of Malaya And Tunku Abdul Rahman Putra Al-Haj* [1963] 1 MLJ 355. The Malaysian government is empowered to sign international treaties and agreements (Noor, 2011).

Malaysia is a state party to the Convention of Biological Diversity (CBD), which establishes an integrated web of obligations on countries to conserve biological diversity, to use components of biodiversity in a sustainable way and to share the benefits arising out of the use of genetic resources (Wan Izatul, 2012). Malaysia thus is obligated to develop national strategies, plans and programmes by taking legislative, administrative and policy (LAP) measures for the conservation and sustainable use of biological resources and diversity. For a country like Malaysia, which is one of the 12 mega-biodiversity countries of the world, an integrated approach to conservation is necessary to develop cornerstone biodiversity conservation (Maizatun, 2011).

The United Nation Convention of Law of the Sea (UNCLOS) defines the rights and responsibilities of nations in their use of the world's oceans, establishing guidelines for businesses, the environment as well as the management of marine natural resources. UNCLOS introduced a number of provisions and amongst the most significant issues covered was the protection of the marine environment. UNCLOS also set the limit of various areas, measured from a carefully defined baseline (normally the low water mark). For territorial waters, including internal waters, the rights to set laws, regulate use and use of any resources is exclusively vested with the coastal state (Hamid, 2007).

Sources of Marine Pollutions:

Chemical and biological conditions in the Straits of Malacca show that the marine environment of the Straits is being degraded by human activity. The main pollutants entering the Straits of Malacca come from two principal sources, namely, activities on land; and activities at sea. The activities relate to coastal urbanization and rapid economic development sewage, piggery waste and fertilizers are identified to be the three main sources of organic loading to the Straits (Maizatun, 2011). Only a small proportion of the sewage discharged is treated. A larger portion is discharged untreated into rivers and coastal waters. Most piggery wastes enter the rivers without treatment, resulting in serious pollution problems near the points of discharge. Heavy metal pollution is associated with industrial and municipal wastewater discharges into rivers and into coastal waters (Mazlan, 2005). The lack of strict control over pollutive industries located in coastal areas, the lack of systematic monitoring of marine pollution in the coastal waters and inadequate law enforcement are some of the reasons for the continued degradation of water quality in the Straits by heavy metals. The activities are mainly shipping and oil industries, waste dumping, fishing, mariculture and offshore mining. Organic and solid wastes discharged from vessels, especially from the 66,000 odd fishing vessels plying the Straits, are normally disposed directly into the sea. Vessels transiting the Straits also dump wastes into the sea.

Other human activities have contributed to adverse environmental changes. For instance large areas of mangrove swamps, which most people perceived as 'waste lands', were converted to shrimp and milkfish farms

during the last few decades. This resulted in a loss of valuable mangrove habitats. In addition, deforestation in watershed areas has contributed to a substantial quantity of silts in the riverine systems, and massive land reclamation projects have resulted in sedimentation in coastal waters close to the reclamation sites (Saleem, 2005).

Some Issues and Suggestions:

As noted earlier international law on marine environment are ratified/signed by federal government because it has power over external affairs based on Article 74(1) and Item 1, List I of the Federal Constitution. Under Article 76(1)(a), the Parliament may make laws with respect to any matter, even on matters enumerated in the State List for the purpose of implementing any treaty, agreement or convention between the federation and any other country, or any decision of an international organization of which the federation is a member. This allows the federal government to discharge part of its obligation under the international law as a uniform law on protection of marine environment could be made within the country.

One important issue however remains unclear that is regarding enforcement and administration of such law when it deals with subject matter in the State List. Article 76 (1)(a) only gives legislative power but not executive power to the federal government. As a result although there could be a uniform law the enforcement of the law still remain with the state. In the event of problems due to poor enforcement of the law by state authorities, the federal government could not do anything. If the matter falls under List III then the federal government can take over the power to administer the law from the state by fulfilling the requirement in Article 80 (2). However if the matter comes within List II the federal government cannot interfere with the business of the state.

The federal government has the power over maritime and fisheries. However it should be noted that the sources of marine pollution due to land based activities are mostly within the jurisdiction of the state. Land, forestry, mineral resources, local government, water and river are among matters that come within state exclusive jurisdiction. The state has the power over land matters and the jurisdiction not only cover land but 'extend to part of the sea adjacent to the coast thereof not exceeding 3 nautical miles measured from the low-water line.' Having this in mind the power on mangrove forest and seaweed (if it is done within the territorial sea) thus come under the jurisdiction of the state. Federal government's jurisdiction and ability to regulate and control marine pollution is therefore subject to state's power. Without the cooperation from the states it is almost impossible for the federal government to preserve mangrove forest, to regulate sea-weed farming and to control marine pollution effectively.

One of the solutions is to make environment an independent subject that comes under Federal List, which in turn, gives legislative power and executive power to the federal government on the matter. However this may not be welcomed by the states and perhaps impossible to achieve. An alternative to the above proposition is to make environment an independent subject that comes under the Concurrent list. In the event of conflict of legislations Article 75 applies which let federal law prevails over state law. In the event of conflict of policy and problem of enforcement by state authorities Article 80(2) can be invoked resulting the federal authorities to gain executive control over the matter. In the event of non-compliance with federal law or lack of cooperation by the state authorities the federal government could invoke Article 81 deals with obligation of states towards federation. The Article provides that the executive authority of every state shall be so exercised as to ensure compliance with any federal law applying to that state; and as not to impede or prejudice the exercise of the executive authority of the federation.

A national council of environment similar to constitutional councils established by the Federal Constitution could also be established. The council should have the power to give directions and impose obligations on the states to fulfill their obligations in protecting and preserving environment. It is noted that there is the Environmental Quality Council set up by virtue of section 4 under the EQA. It has the office within the DOE, and its role is to advise and provide guidance to the Minister of Natural Resources and the Environment. The council membership is made up of the directors of environment related ministries such as the Ministry of Agriculture and Ministry of Transport, industry representatives from traditional industries such as palm oil production and from other industries, academics, representatives of nature conservation groups, and representatives of the state governments of Sabah and Sarawak in remote East Malaysia. The council however is only an advisory body and does not have the power to make binding decisions on the state. If the state authorities may be entrusted to enforce environmental laws effectively then the federal government may be satisfied by only having power to make laws for the state on environment. Article 76(4) could be amended to include 'environment' so that the federal government does not have to rely in international treaties to make uniform law on environment.

Conclusion:

The existing environmental issues and potential environmental threats demand serious consideration. Malaysia as a federation needs to develop a system of intergovernmental consultation and cooperation to deal

with environmental issues, and to manage and foster cooperation between governments. Management measures must be improved to regulate and reduce the inputs of pollutants to the sea in order to protect marine environment. It should include effective integrated coastal management programs, applied at the local/state government level to address marine pollution from land-based sources. The success of the effort depends on the cooperation and commitment of all governments.

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